Attachment H

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River View at Las Palmas Assisted Living Senior Facility

Final Subsequent Environmental Impact Report

SCH#2017031025

prepared by

County of Monterey
Resource Management Agency, Planning Division
1441 Schilling Place
Salinas, California 93901
Contact: Brandon Swanson, Interim RMA Chief of Planning

September 2019

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1 Introduction

1.1 Purpose of the EIR Process

This Final Subsequent Environmental Impact Report (Final SEIR) is an informational document prepared by the Monterey County Resource Management Agency (RMA) to evaluate the potential environmental impacts of the proposed River View at Las Palmas Assisted Living Senior Facility project (project). The primary objectives of the EIR process under the California Environmental Quality Act (CEQA) are to inform decision-makers and the public about a project's potential significant environmental effects, identify possible ways to minimize significant effects, and consider reasonable alternatives to the project.

As prescribed by the *State CEQA Guidelines* Sections 15088 and 15132, the lead agency, the County of Monterey, is required to evaluate comments on environmental issues received from persons who have reviewed the Draft Subsequent EIR (Draft SEIR) and to prepare written responses to those comments. This document, together with the Draft SEIR (incorporated by reference in accordance with State CEQA *Guidelines* Section 15150) will comprise the Final SEIR for this project. Pursuant to the requirements of CEQA, the County of Monterey must certify the Final SEIR as complete and adequate prior to approval of the project or a project alternative.

This Final SEIR contains individual responses to each written letter received during the public review period for the Draft SEIR. In accordance with *State CEQA Guidelines* Section 15088(b), the written responses describe the disposition of significant environmental issues raised. Monterey County RMA has provided a good faith effort to respond in detail to all significant environmental issues raised by the comments.

1.2 EIR Certification Process and Project Approval

In accordance with the requirements of CEQA and the procedures of Monterey County, the Final SEIR must be certified as complete and adequate prior to any action on the proposed project. Once the EIR is certified and all information considered, using its independent judgment, the County can take action to go forward with the proposed project, make changes, or select an alternative to the proposed project. While the information in the EIR does not control the County's ultimate decision, Monterey County must respond to each significant effect and mitigation measure identified in the EIR by making findings supporting its decision.

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2 Topical Responses

This section presents detailed responses to comments that were made by more than one commenter where more than one commenter was making the same general statement of concern. Response to specific comment letters may refer the commenter to one or more of the topical responses presented herein.

As a general introduction, it should be noted that the Final EIR's conclusions on the character and significance level of environmental impacts are supported by substantial evidence, which is presented in the Draft SEIR and further clarified in this Response to Comments document. The County acknowledges that some commenters disagree with some conclusions in the Draft SEIR. Consistent with the intent of CEQA and the *CEQA Guidelines* for its implementation, this Final EIR also includes the differing opinions presented by the commenters. As stated in the *CEQA Guidelines* (Section 15151), disagreement among commenters, including experts, does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts; this is done in this Response to Comments document.

Topical Response A: Safety and Security

Numerous comment letters on the Draft SEIR address safety and security concerns for residents of the Las Palmas Ranch Phase #1 Subdivision (Subdivision). The Subdivision residents, through a homeowners association (HOA), pay for private security service, including a staffed and gated entrance that monitors all vehicles entering the Subdivision. Comments regarding safety and security express the concern that the project would result in an overall increase of traffic flowing into the Subdivision, which would include staff and visitors to the proposed senior assisted living center; therefore, the ability to monitor each vehicle entering the Subdivision would be compromised.

The project site is at the end of Woodridge Court. The access route to the project site includes, in order: River Road, Las Palmas Road, River Run Road, and Woodridge Court. The Subdivision currently pays for private security service. The security staff posts a guard at the Las Palmas Road main entrance during the daytime. The gate is not staffed during evening or nighttime hours, but a periodic nighttime patrol occurs through the Subdivision. Private security is discussed in Section 11.9, *Public Services,* of the Draft SEIR.

The Draft SEIR provides traffic analysis in Section 9.0, *Transportation & Traffic.* The segment of Las Palmas Road between River Road and Winding Creek Road serves as the entrance to the Subdivision. Traffic counts from 2013 indicated approximately 1,837 daily trips on this segment. The project would add approximately 363 vehicles per day. Some of these trips would occur during hours in which the security gate is staffed, thus increasing the demand on security staff and potentially slowing down traffic through the gated area. Mitigation Measure TRA-1 requires that employee shift changes to the project site (once the senior assisted living community is operational) would occur outside of peak traffic hours. Mitigation Measure TRA-2 would require a shuttle service plan for residents and staff of the senior assisted living community. These two measures would reduce the impact on the Subdivision's security operations by ensuring project employee traffic

does not overlap with the Subdivision's residential traffic during peak hours, and by decreasing project trips to and from the project site by providing the shuttle service for project residents.

Additional security screening procedures, which may be in place when the project is occupied, are not analyzed under CEQA, nor in this EIR. However, reasonable security procedures to ensure the security of the Subdivision is not affected by the project include the implementation of advanced notices of visitors to security staff, the issuance of parking permits or identification for staff at the assisted living facility, and continued screening by security staff of all visitors who queue at the security gate. As noted under Topical Response D, *Transportation/Traffic,* below, as a condition of approval of the project, the County would require employees at the senior assisted living community to display windshield tags. This condition of approval would eliminate the need to check each employee's vehicle, reducing the length of queues at the gate and allowing security staff to better monitor activities.

Furthermore, the assisted living facility would have its own security staff on site to monitor activities at the facility. The Draft SEIR states in Section 11.9, *Public Services,* that the proposed project would participate proportionately in the cost of the Subdivision's security service. To clarify the proposed cost-sharing arrangement, page 11-9 of the Draft SEIR is amended as follows:

> Neighboring Las Palmas Ranch #1 currently has private security for the subdivision. The proposed project would participate proportionately in the cost of that security and will provide additional on-site security, which would lessen the need for on-site police protection. As described in the Project Description, a written agreement between the project applicants and the HOA would be necessary to clarify cost-sharing for road maintenance and private security service.

In addition to private security on the project site and the project's proportional payment for the Subdivision's security service, the Monterey County Sheriff's Office would provide police protection services to the project site.

Section 11.9, *Public Services,* is amended to include information about police protection as follows:

> **Police Protection**
>
> The Monterey County Sheriff's Office provides police protection services to unincorporated portions of the county, which includes the project site. Services include patrol, crime prevention, and crime investigation provided from three offices located in Monterey, Salinas, and King City (Monterey County RMA 2008). The Sheriff's Office has a total of 442 employees that consists of 320 sworn officers and deputies, and 122 non-sworn officers and professional staff (Galletti 2019). Based on the County's current population estimate of 110,000 residents (unincorporated; CA DOF 2019), the Sheriff's Office maintains a service ratio of approximately three sworn officers for every 1,000 residents (unincorporated).
>
> The project site is located in Beat 4B, which is served by officers and staff located in the Central Station (1414 Natividad Road, City of Salinas), which is approximately six miles northwest from the project site (Galletti 2018). The Central Station has one Beat 4 deputy officer for each of the three daily shifts, who patrols both the Beat 4A and Beat 4B areas. However, additional personnel assigned to the Central Station include one Station Commander, nine sergeants, and 45 deputies across the three daily shifts (Galletti 2019).
>
> The average response time for all call types for the Las Palmas area of the Beat 4B area is 17 minutes and 47 seconds, where average response time for Priority 1 (emergency) calls is 12

minutes and 55 seconds (Galletti 2019). The County General Plan Public Service Element states that maximum emergency response time for emergency calls for the Sheriff's Office in urban (developed) areas is five to eight minutes (Monterey County RMA 2010). Therefore, the Central Station does not currently meet the County' General Plan standard for Sheriff response.

The project would increase demand for emergency police services with the construction of the proposed senior and assisted living units and the addition of approximately 142 residents and a total of 92 employees across five shifts per day. The project site is located adjacent to the Las Palmas Ranch Phase #1 Subdivision community, which is already served and patrolled by the Sheriff's Office. The 66 proposed assisted living units would not exceed the capacity of the Sheriff Department to provide police services to the area, and the project would have no impact on the Sheriff's Office's ability to provide police protection services (Galletti 2018, 2019).

Furthermore, the Las Palmas Ranch Phase #1 Subdivision currently pays for private security service. There is a guard at the main entrance during the day time, but the post is not staffed in the evening or nighttime hours. A periodic patrol through the Subdivision is done at night. Given the project is for a senior assisted living community it is unlikely there will be a significant exposure to the need for increased police protection. Fire and ambulance service already exist for the project site vicinity and there is an agreement in place that the Subdivision is a "no-siren zone." The proposed project would participate proportionately in the cost of the Subdivision's security service, as discussed in Topical Response A of Section 3, *Responses to Comments on the Draft SEIR*.

Therefore, the proposed project would have a less than significant impact on police protection since no new or expanded facilities would be required as a result of the project, and with the project's payment of applicable taxes and/or fees and the proportional contribution to private security services with adjacent existing communities.

Topical Response B: Fire Safety

Multiple commenters state that the project site is vulnerable to wildfires, and that the project would worsen wildfire-related risks by adding structures and residents to the area.

As discussed in Section 11.5, *Hazardous Materials*, the project would implement all fire protection regulation requirements and design recommendations based on project review completed by the Monterey County Regional Fire District (MCRFD), which reflect the current requirements of the Uniform Fire Code to ensure fire-safe structures. Furthermore, as noted in Section 11.9, the MCRFD reviewed the proposed site and building plans for the project, and determined that new or expanded fire protection facilities would not be required as a result of implementing the project. The Fire District maintains mutual aid agreements with neighboring fire departments and CAL FIRE for additional support in the event of wildfires.

The Draft SEIR states in Section 11.5, *Hazardous Materials,* that the project site is not located in a high or very high fire hazard area. Upon review of County's General Plan and General Plan EIR (Monterey County RMA 2008), the Draft SEIR is amended as follows:

According to the Monterey County General Plan, the project site is ~~not~~ located in a moderate to high ~~or very high~~ fire hazard area. Fire protection to the project site would be provide by the Monterey County Regional Fire District, which has mutual aid agreements with neighboring fire departments and CAL FIRE for additional support in the event of wildfires.

Furthermore, "Wildfire" was added as a CEQA section effective January 1, 2019. Analysis under the following four criteria must be completed for projects located in or near State Responsibility Areas (SRA) or lands classified as very high fire hazard severity zones:

- A project's potential to substantially impair an adopted emergency response plan or emergency evacuation plan;
- Due to slope, prevailing winds, and other factors, a project's potential to exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire;
- Require the installation or maintenance of associated project infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; and/or
- A project's potential to expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Although the 2019 Guidelines update does not apply to the project, since the Draft SEIR was circulated prior to its adoption, the above criteria are considered in the following discussion to provide information pertaining to potential wildfire impacts in relation to the project, to address concerns raised in the comments.

The project site is not located in a SRA-classified very high fire hazard severity zone, and shares similar wildfire hazard risks as the Subdivision due to the proximity to the Toro Regional Park. As noted in the revised sections for *Hazardous Materials* (11.5) and *Public Services* (11.9), the MCRFD would provide fire protection services to the project site. The MCRFD currently serves the Subdivision, and discussion pertaining to emergency access to the project site is discussed in Section 9.0 *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project.

As stated in Section 3.0, *Environmental Setting*, of the Draft SEIR, the project site is a knoll that rises above River Road and the existing Subdivision, with a flat plateau where the proposed buildings would be constructed. Future building foundations would be located in geologically suitable portions of the project site in accordance with findings of the geologic hazards report and soil engineering feasibility investigation, which was included as Appendix F to the Draft SEIR. Section 11.4, *Geology and Soils*, states that erosion control measures and all recommendations included in the geotechnical report would be implemented as a condition of project approval to ensure the project would have low to no potential for landslides.

The concern for potential spread of wildfire is reasonable based on historic fire events in the region, proximity to the Toro Regional Park, and existing residential developments such as the Subdivision. The proposed site plan has been designed to comply with the County's fuel modification standards (Title 18, Chapter 18.56.090 *Fuel Modification Standards*) to minimize potential wildfire hazards on the project site and vicinity.

Section 11.9, *Public Services,* is amended to include information about fire protection as follows:

Fire Protection

The Monterey County Regional Fire District (MCRFD) provides fire protection and emergency services to portions of the county, which includes the project site. Services include response to

fires (structural, wildland, vehicle, and other types), medical emergencies, vehicle accidents, and hazardous materials accidents with staffing across seven fire stations (MCRFD 2019). The MCRFD covers a service area of approximately 400 square miles and maintains mutual aid agreements with neighboring fire departments and CAL FIRE (Monterey County RMA 2008). As of 2019, the MCRFD had 62 full-time employees and 15 volunteer firefighters (MCRFD 2019). The Toro Station (19900 Portola Drive, City of Salinas) is located nearest to the project site, approximately one mile southwest from the project site (MCRFD 2019). Personnel, fire protection resources, and emergency medical response and transport from the Toro Station would be first to respond to the project site when calls are placed to the MCRFD. The anticipated response time from the Toro Station to the project site is approximately five minutes for "Code 3" emergency calls, while "Code 2" non-emergency calls may be five minutes or slightly more based on traffic conditions at the time of the call (Priolo 2019). The maximum emergency response time service standard for fire protection is five to eight minutes for calls received in urban (developed) areas according to the County General Plan Public Services Element (Monterey County RMA 2010). Therefore, the Toro Station's anticipated response time to the project site would meet the County' General Plan standard for fire response. The Toro Station's current fire protection equipment stock and personnel rotation were determined by MCRFD to be sufficient in meeting fire protection and emergency medical response for the project's residents and employees (Priolo 2019). The project would not require construction of new or expanded fire service facilities or equipment.

The MCRFD also provides technical review of building construction plans to ensure proposed buildings, proposed site access, and on-site circulation meet the Fire District's adopted 2013 California Fire Code and applicable roadway design requirements prior to construction. The MCRFD reviewed the proposed site and building plans for the project as part of the County's review process and determined that a fire flow rate of 1,500 gallons per minute at a pressure of 20 pounds per square inch for a duration of up to three hours would be sufficient for the project since a fire sprinkler system for all proposed buildings would also be included as part of the project (Monterey County RMA 2015, 2016). The project would implement all design recommendations provided by the MCRFD to ensure project compliance with the Fire District's regulations and reduce fire hazards on the project site, as noted in Topical Response B of Section 2, *Topical Responses*.

Furthermore, developers in Monterey County are required to pay development impact fees that would go toward fire protection facilities, pursuant to Monterey County's Fire Mitigation Fee Ordinance (County Ordinance Title 10, Chapter 10.80) which constitute the project's contribution to the cumulative impact on the existing fire protection equipment and facilities Monterey County 2019; Priolo 2019). Therefore, the project would have a less than significant impact on fire protection since no new or expanded facilities are required as a result of the project, and with the project's adherence to applicable fire safety codes and design features as approved by MCRFD and payment of the County's Fire Mitigation Fee.

Topical Response C: Land Use Incompatibility, Property Value, and Quality of Life

Numerous comments state the opinion that the project is an inappropriate land use at the project site. Regarding the site's zoning and compliance with applicable planning documents, comments focus on two issues: the Las Palmas Ranch Specific Plan (LPRSP) sets a limit of 1,031 residential units in the Plan Area, which has already been nearly met, and would be exceeded if the project's structures are counted as residential units; and the site is designated for residential use, but the proposed project is a commercial use.

Regarding land use compatibility outside of the context of plans and regulations, commenters voice the following additional concerns: the project would consist of large buildings housing a large number of seniors, which is incompatible with the rural, family-oriented Subdivision; the project would decrease the property value of Subdivision residences; the project site is not a suitable location for a senior assisted living facility because the residents would not be nearby to services that they require, such as medical facilities; the project would result in nuisance odors due to food preparation for the senior assisted living center residents.

CEQA is primarily concerned with physical impacts to the environment. The Draft SEIR analyzes potential effects with respect to neighborhood compatibility insofar as it relates to physical impacts to the environment, such as impacts related to aesthetics, noise, and transportation. For the proposed project, these impacts were found to be less than significant or less than significant with mitigation. Compatibility with planning documents and the site's zoning is discussed below.

Land Use Incompatibility

The Las Palmas Specific Plan, Toro Area Plan, and Monterey County General Plan designate the project site as Medium Density Residential (MDR). The MDR designation is described as "…appropriate for a range of residential uses (1-5 units/acre) and housing types, recreational, public and quasi-public, and other uses that are incidental and subordinate to the residential use and character of the area…" (General Plan Policy LU-2.33a). The MDR district (Monterey County Code 21.12.050) allows for a range of land uses to be approved without a use permit or similar discretionary approval including rest homes and other uses of a similar nature and intensity.

The proposed project is consistent with the description of a "rest home" use as defined in Title 21, Monterey County Code:

> **21.06.940 – Rest home.** "Rest home" means a place used for the rooming or boarding of any aged or convalescent persons, whether ambulatory or non-ambulatory, for which a license is required by a county or federal agency.

The proposed project is also consistent with the description of a "public/quasi-public" use as defined in Title 21, Monterey County Code:

> **21.40.010 – Public/Quasi-Public.** Uses which serve the public at large.

Pursuant to Monterey County Code Section 21.12, Regulations for Medium Density Residential Zoning Districts, the proposed project is also consistent with the allowed uses listed:

> **21.12.050 – Uses allowed – Use Permit required in each case.**
>
> **21.12.050.C –** Rest homes (ZA);

> **21.12.050.D –** Public and quasi-public uses including churches, cemeteries, parks, playgrounds, schools, public safety facilities, public utility facilities, but not including uses of a non-residential nature such as jails, rehabilitation centers, detention facilities, or corporation yards; (Note: Other applicable or allowed public/quasi-public uses would include hospitals, hospices, and convalescent homes.)
>
> **21.12.050.R –** Other uses of a similar nature, density and intensity as those listed in this Section.

The proposed project would be a licensed Residential Care Facility for the Elderly (RCFE)(aka assisted living facility), and is therefore not a residential use under the County code or the Specific Plan, and the project would not provide dwelling units that would operate or function as independent units. Because the proposed project is not a residential use, the Las Palmas Specific Plan residential unit limitation of 1,031 does not apply to this project.

The MDR designation allows for related, public, and quasi-public uses in additional to residential uses. A senior assisted living facility is therefore an allowed use under the existing zoning, the general plan land use designation and the LPRSP designation. For clarity regarding the future use and development of the project site for the proposed project, the following amendment to the specific plan is proposed, as included on pages 4-18 and 14-2 of the Draft SEIR:

> Assisted living facilities are allowable uses in the MDR district in that they are similar to other uses such as rest homes and public quasi-public uses currently allowed in the district through the approval of a conditional use permit. Assisted living facilities are not considered residential units and are not subject to the current 1,031 residential limitation of the Specific Plan. An assisted living facility is considered a public/quasi-public use, not a residential use, because it does not operate or function in a manner like independent residential units. An assisted living facility may, therefore, be considered and approved through a conditional use permit on Parcel Q of the Las Palmas Ranch Specific Plan.

The project is similar in design and density to the Las Palmas Ranch residential neighborhood to the east, and as described above, is allowed in the MDR designation because it is considered compatible with residential uses.

Regarding consistency of the project with applicable plans and policies, the Draft SEIR included reference to Table 3-1, *Policy Consistency Review (Las Palmas Ranch Specific Plan, Monterey County 2010 General Plan, Toro Area Plan),* on page 3-13, but erroneously excluded the table from the Draft SEIR. Table 3-1 is included herein. The inclusion of this table in the Final SEIR does not represent substantial new information because the table merely summarizes analysis contained elsewhere in the Draft SEIR. The table, beginning on the following page, is hereby added to Section 3.4, *Consistency with Applicable Plans,* of the Draft SEIR, beginning on page 3-13:

Table 3-1 Policy Consistency Review (Las Palmas Ranch Specific Plan, Monterey County 2010 General Plan, Toro Area Plan)

	Consistency	Discussion
Las Palmas Ranch Specific Plan Policy		
Housing and Residential Land Use		
Policy 7. In order to preserve the semi-rural character of the area and to mitigate adverse impacts on significant viewshed areas, higher density housing should be clustered behind natural land forms, generally at lower elevations and not on steeper slopes or ridge lines.	Consistent with application of mitigation measures	Although the proposed project is not a residential project, it is located within an area designated "sensitive viewshed." Section 5.0, *Aesthetics,* of the Draft SEIR included visual simulations from SR 68 and from Reservation Road. The simulations show that although the project would be visible from these locations, the project is not located on steeper slopes and will not constitute ridgeline development. Mitigation measures ensuring the adverse impact is less than significant are: 1) requiring a landscape plan to screen the project site from SR 68, Reservation Road, and River Road, as well as from the adjacent neighborhood and trail; 2) building colors and materials to be earth toned to blend with the existing vicinity landscape; and 3) requiring all new utility and distribution lines on the project site to be underground.
Circulation		
Policy 1. Provide a system of pathways suitable for pedestrian and bicycle use to connect residential areas with commercial, educational and recreational areas of the project.	Consistent	As a condition of project approval, the County will require a system of pathways suitable for pedestrian and bicycle use both internal to the project and to connect the project with the existing system of pathways to other areas of Las Palmas Ranch.
Policy 3. Adequate off-street parking should be provided as a means of reducing road congestion, particularly in areas where reduced road right-of-way is proposed.	Consistent	The project meets the County standards for provision of off-street parking. The project requires a minimum of 86 parking stalls, and the project will provide 106 parking stalls.
Policy 4. Turnouts and turnaround facilities may be required to accommodate emergency vehicles in areas of reduced right-of-way or where longer cul-de-sacs are proposed.	Consistent with application of mitigation measures	Secondary access between River Road and the project site during emergency evacuations would be available through the lawn area between Country Park Road and Woodridge Court. Secondary access would not be provided on Woodridge Court between Country Park Road and the first internal parking lot aisle. Mitigation Measure TRA-3 would be required to install improvements that improve access to the lawn area and Woodridge Court. With implementation of this measure, the project would have a less than significant impact on emergency access.
Policy 5. Interior roads shall have longitudinal grades not exceeding 15 percent.	Consistent	The project is not proposing any roads with a grade of greater of 15 percent.

	Consistency	Discussion
Policy 7. The internal circulation system should be designed to accommodate a level of service "C" at full buildout. A trip generation factor of 8.0 trips per day per unit shall be used for this project.	Consistent	The Higgins traffic report evaluated the proposed project's traffic impact on the existing Las Palmas neighborhood streets that would be used to access the project. The report concluded that existing Las Palmas traffic averages about 7.1 trips per home, less than the 8.0 trip generation factor in this policy, and less than the ITE trip generation rate of 9.57 trips per home. The ITE trip generation rate for the proposed project ranges from 2.74 for assisted living facilities to 3.44 for attached senior housing. The proposed project is projected to result in 363 average trips per day. If the project site were developed with 40 medium density homes as allowed by the project site's existing zoning, the daily trip generation would be 284 (40 units x 7.1 trips per day). Therefore, the proposed project would result in about 28 percent more trips per day than would a 40-unit multi-family subdivision. However, the report concluded that even with the project, each street used to access the project would operate well below the designed carrying capacity of each street. See Section 4.3, Existing Plus Project Conditions Road Segment Operations, in the traffic report.
Policy 10. Horizontal and vertical street alignments should relate to the natural contour of the site insofar as practical, while retaining safe sight distance for expected driving speeds but not less than 25 mph.	Consistent	The proposed street alignment follows the natural contours of the site, as shown in the site plan.
Policy 14. Internal road connections should be provided where feasible between the areas of the subdivision in order to minimize the need for River Road to provide a route for intra-subdivision traffic.	Consistent	The proposed project is designed to take access from the signalized intersection at River Road and Las Palmas Road to River Run Road, then Woodridge Court. River Road is a public road maintained by the County of Monterey. Las Palmas Road, River Run Road, and Woodridge Court are private roads maintained by the Las Palmas Ranch Home Owners Association. Woodridge Court terminates at the entrance to the project site. Access to the proposed development will be by a private loop drive. Therefore, the proposed project includes an internal road connection between the proposed project and the adjacent residential subdivision, which eliminates the need for River Road to provide a route for intra-subdivision traffic.
Policy 16. The developer shall pay a development fee to the County for improvements to SR 68. This development fee shall be $620.75 per residential unit (a total of $640,000.00 being 10.66% of the estimated cost of the two lane first phase of the Corral de Tierra bypass), and shall be payable as to each residential unit at the time the building permit for the residence is issued.	Consistent	There are no residential units associated with the proposed project and therefore, this policy does not apply. However, as a condition of project approval, the applicant will be required to pay the Monterey County countywide traffic impact fee and the TAMC regional development impact fee to mitigate for the project's fair share of cumulative traffic impacts.

	Consistency	Discussion
Open Space And Conservation		
Policy 1. The following constitute the open space elements of Las Palmas Ranch to be protected: a. The Salinas River bank and the riparian vegetation adjacent thereto; b. The agricultural land north of River Road; c. The central ridge lines and north-facing frontal slopes visible from the SR 68 Scenic Corridor. d. The Corey House.	Consistent	The proposed project would not have an effect on the Salinas River bank and its associated riparian vegetation, nor would it have an effect on agricultural land north of River Road. The proposed project would not have an effect on the Corey House. The proposed project would be visible from SR 68. However, as presented in Section 5.0, *Aesthetics,* of the Draft SEIR, visual simulations from SR 68 and from Reservation Road were prepared. The simulations show that although the project would be visible from these locations, the project is not located on steeper slopes and will not constitute ridgeline development. Mitigation measures ensuring the adverse impact is less than significant are: 1) requiring a landscape plan to screen the project site from SR 68, Reservation Road, and River Road, as well as from the adjacent neighborhood and trail; 2) building colors and materials to be earth toned to blend with the existing vicinity landscape; and 3) requiring all new utility and distribution lines on the project site to be underground.
Policy 2. Prohibit building on ridgelines visible from designated scenic corridors, as delineated.	Consistent	See discussion of Open Space Policy 1 above.
Policy 10. Utilize mounding, informal massing, or irregularly spaced trees, planting and other overall landscaping treatment to screen development.	Consistent	A mitigation measure is presented in Section 5.0, *Aesthetics,* of the Draft SEIR to ensure the proposed project is adequately screened from SR 68, River Road, and Reservation Road.
Policy 11. Visually obtrusive building materials and finishes shall be avoided.	Consistent	A mitigation measure is presented in Section 5.0, *Aesthetics,* of The Draft SEIR that requires the applicant submit a final plan for colors and materials used for the buildings, which shall be earth toned to blend with the existing vicinity landscape.
Energy Conservation Policies		
Policy 1. Each residential unit should be should be afforded adequate solar access for the operation of active and passive solar systems. Locating structures with their major axis oriented within 22.5 degrees of true east/west is generally the best means to insure adequate south-facing solar access. For single-family homes, the orientation is fairly simple to implement as is full access to the south wall for passive solar design. For multi-family units, orientation and access are more difficult; generally south roof access for active space hearing or domestic water hearing systems is considered sufficient.	Consistent	The proposed project does not currently include the use of solar energy in the project materials. However, the Energy section of the Draft SEIR requires the applicants to demonstrate how the project will be consistent with this policy, prior to issuance of building permits.

	Consistency	Discussion
Policy 2. Careful design of structures to utilize solar access and to control heat loss and heat gain can achieve significant energy conservation. When these design elements are coupled with passible design features (thermal storage units, south facing glass, domestic hot water systems and other energy conserving components), the energy conservation potential greatly increases. Support structures built by the developer such as commercial areas, swimming pools, recreation and community buildings should make maximum use of alternate energy sources both to reduce operation costs and to serve as community examples.	Consistent	See the Energy Conservation Policy 1 discussion above.
Design and Sensitivity		
Policy 1. All areas of the project proposed for structural development shall be placed in a sign and design control district to ensure county enforcement of the design policies of this specific plan.	Consistent	The project site has a zoning designation of MDR/2.61-D (Medium Density Residential, 2.61 units per acre; Design Control).
Policy 3. All structures, including residential, commercial, recreational and accessory buildings; fences; walls; decks and signs shall require design approval. Approval shall be based upon conformity with the policies of this plan as well as the following specific criteria: A. Compatibility of external design, materials and colors with existing ground elevations and natural land forms. B. Conformity of design and location of structures with respect to existing ground elevations and natural land forms. C. Mitigation of visual impacts from within the development and from major designated view corridors outside of the project. D. Protection of significant trees and vegetation. Trees over 36" in circumference (four feet above the ground) shall be retained. Where it is necessary to remove such trees for better design or layout, then they shall be replaced on a two for one basis subject to the approval of the Director of Planning. E. Prevention of erosion, sedimentation and visual impacts resulting from grading, excavation, cutting or filling.	Consistent	The proposed project requires a conditional use permit and design review. A. A mitigation measure is presented in Section 5.0, *Aesthetics,* of the Draft SEIR that requires the applicant submit a final plan for colors and materials used for the buildings, which shall be earth toned to blend with the existing vicinity landscape. B. The project site is a generally level plateau, which has been identified as an acceptable building envelope from a geologic and soils perspective. The project will not result in ridgeline development or have an adverse effect on natural land forms. C. A mitigation measure is presented in Section 5.0, *Aesthetics,* of the Draft SEIR to ensure the proposed project is adequately screened from SR 68, River Road, and Reservation Road. D. The project does not include the removal of trees protected by the Monterey County Municipal Code, Chapter 16.60 – Preservation of Oak Trees and Other Protected Trees within the Toro Plan area. Eucalyptus trees are not native and therefore, are not protected by the county. E. As described in Section 11.0, *Effects Not Found to be Significant,* of the Draft SEIR, the proposed project would not have significant impacts with erosion, sedimentation, or visual impacts resulting from grading, excavation, cutting or filling. Refer to Topical Response E of this Final SEIR for more information.
Policy 4. To the extent feasible, all structures should utilize natural materials such as wood and native stone and low intensity earth-tone exterior colors. Visually obtrusive building materials shall be avoided.	Consistent	A mitigation measure is presented in Section 5.0, *Aesthetics,* of the Draft SEIR that requires the applicant submit a final plan for colors and materials used for the buildings, which shall be earth toned to blend with the existing vicinity landscape.

	Consistency	Discussion
Policy 5. Low level exterior lighting, including street lighting shall be utilized with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. Street lights may not be used unless approved as conditions of permits obtained pursuant to this plan.	Consistent	Section 5.0, *Aesthetics,* of the Draft SEIR concluded that the proposed project could have an adverse lighting effect. With implementation of Mitigation Measure AES-4, which requires all exterior lighting to be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled, lighting impacts would be less than significant and the proposed project would be consistent with this policy.
Policy 6. Horizontal and vertical street alignments should relate to the natural contours of the site insofar as is practical. Roads which are perpendicular to viewing areas or which involve excessive cut and fill should be discouraged.	Consistent	The proposed street alignment follows the natural contours of the site, as shown in the site plan. The site is not located perpendicular to a viewing area, nor would it require excessive cut and fill.
Policy 7. Mounding, informal massing, or irregularly spaced trees, planting and other overall landscaping treatment should be utilized to screen development.	Consistent	A mitigation measure in Section 5.0, *Aesthetics,* of the Draft SEIR requires the use of mounding, informal massing, or irregularly spaced trees and plantings.
Policy 8. Preserve vegetation significant to the maintenance of visual quality and to the provision of erosion control on sensitive slopes.	Consistent	The vegetation on the slopes surrounding the development area would be preserved.
Erosion Drainage and Flood Control		
Policy 1. A comprehensive drainage plan for the entire project shall be prepared by the developer, and submitted to and approved by the County prior to final discretionary approval is given by the County for any portion of the development authorized by this specific plan.	Consistent	A Conceptual Stormwater Control Plan (Gateway Engineering 2017) was developed for the project as part of the preliminary design to address stormwater management for the project site in conformance with County and State regulatory requirements. The plan illustrates the location of impervious and pervious areas, storm flow direction and stormwater control facilities.
Policy 3. Provide drainage reports for each phase of development showing all tributary areas and information pertinent to the capability of stormwater detention and silt control facilities and mitigations for such identified impacts will be implemented.	Consistent	The proposed project design includes storm drainage facilities (collection, conveyance and disposal) as detailed in the stormwater control plan (Gateway Engineering 2017) to meet the generation of stormwater runoff. Proposed development must not exceed the pre-project rate of discharge. The purpose is to reduce the potential for increased erosion within receiving waters due to an increase in the rate of stormwater flow. The stormwater control plan includes on-site stormwater control measures designed to achieve a no net increase in rate of stormwater discharge relative to pre-project conditions. This reduces the potential that runoff from new development could exceed the capacity of storm drainage facilities and contribute to off-site flood hazards.
Policy 4. Provide stormwater detention/siltation ponds so that the flow rate from development will not exceed that from the tributary areas in its natural state during a ten year design storm.	Consistent	See discussion of Erosion Drainage and Flood Control Policy 3 above.
Policy 7. Minimize disturbance or removal of existing vegetation, including trees, shrub and grasses or other ground covers.	Consistent	The project is proposed on approximately 17 percent of the project site. The remainder of the site would be retained in its existing vegetation.

	Consistency	Discussion
Policy 8. Provide engineering plans with each phase of development demonstrating that cut and fill slopes can be stabilized; the specific method of treatment and type of planting by area for each soil type and slope required to stabilize cut and fill slopes; and the time and amount of maintenance required to stabilize cut and fill slopes.	Consistent	According to the geologic hazards report and soil engineering feasibility investigation prepared for the project (Landset Engineers 2014), the steep slopes on the northerly and southerly flanks of the non-developable portion of the project site are prone to landsliding and slope failure. In order to mitigate the potential hazards from landsliding and slope instability, building foundations must be located within the geologically suitable building envelope as presented in the report. The proposed project is located within the geologically suitable building envelope, and the project would be required to comply with the recommendations of the geotechnical report as a condition of approval.
Public Facilities and Services - Water		
Policy 1. As the first priority the entire development must be served by a public utility water company providing domestic and fire flow in accordance with the requirements of State and County health and fire agencies. If a public utility water company satisfactory to the County if not feasible, then an incorporated mutual water company may perform this function.	Consistent	Water demand is evaluated in the Water Demand section of the Draft SEIR. The proposed project would have a water demand of approximately 11.4 acre feet per year (AFY). California Water Service, the water purveyor for the specific plan area, has provided a "can and will serve" for the proposed project. As presented in Table 10-2 in the Water Demand section, the 1982 EIR identified that buildout of Las Palmas Ranch would require 922 AFY. However, the Board of Supervisors modified the proposed specific plan, and the adopted specific plan required only 599 AFY. Actual water use at Las Palmas is estimated to be about 182 AFY. Therefore, with the addition of the proposed project, the total water use at Las Palmas is expected to be about 193.4 AFY, significantly less that what was allowed by the adopted specific plan.
Policy 2. Availability of water meeting the requirements of Policy No. 1 shall be demonstrated as to each increment of development prior to filing of a final subdivision map or issuance of any building permit for that increment of development.	Consistent	California Water Service, the water purveyor for the specific plan area, has provided a "can and will serve" for the proposed project.

	Consistency	Discussion
General Plan Policy		
Land Use		
LU-1.5 Land uses shall be designated to achieve compatibility with adjacent uses.	Consistent	Adjacent uses include the Las Palmas Ranch residential neighborhood to the east, open space to the south and west, and agricultural land across River Road to the north. The proposed project is located about 300 feet from the agricultural fields and is buffered by an existing grove of eucalyptus trees and River Road. The proposed project is a continuum of care residential community designed to provide care to seniors over the age of 55 and to persons with diminishing mental capacity due to Alzheimer's, dementia, or similar causes. This type of use, as well as the density and design of the proposed project, is similar to and consistent with residential uses in Las Palmas Ranch.
LU-1.9 Infill of vacant non-agricultural lands in existing developed areas and new development within designated urban service areas are a priority. Infill development shall be compatible with surrounding land use and development.	Consistent	The proposed project is located on land that is designated Medium Density Residential, is non-agricultural land, is vacant, and is located in the existing developed Las Palmas Ranch. Urban services, including water and wastewater, are available to the project.
LU-1.11 Development proposals shall be consistent with the General Plan Land Use Map designation of the subject property and the policies of this plan. (Land Use Maps for each of the following Planning Areas are shown at the end of their respective Area/Master Plan except the Coast Area, which is located at the end of this Element). a. Coast Area, Figure LU1 b. Cachagua (CACH), Figure LU2 c. Carmel Valley Master Plan, (CV), Figure LU3 d. Central Salinas Valley (CSV), Figure LU4 e. Greater Monterey Peninsula (GMP), Figure LU5 f. Fort Ord Master Plan, (FO), Figure LU6 g. Greater Salinas (GS), Figure LU7 h. North County (NC), Figure LU8 i. South County (SC), Figure LU9 j. Toro (T), Figure LU10	Consistent	The proposed project is located on land designated for Medium Density Residential (MDR) uses. The MDR designation allows for "…a range of residential uses (1-5 units/acre) and housing types, recreational, public and quasi-public, and other uses that are incidental and subordinate to the residential use and character of the area…" The proposed project meets the definition for a quasi-public use, as well as the Monterey County MDR zoning district the site is located in, and is therefore consistent with the General Plan Land Use Map designation. The proposed project also includes the following amendment to the Las Palmas Ranch Specific Plan to clarify allowance of the proposed use in the MDR district. "Assisted living facilities are conditionally allowable uses in the MDR district in that they are similar to other uses such as rest homes and public quasi-public uses currently allowed in the district. Assisted living facilities are not considered residential units and are not subject to the current 1,031 residential unit limitation of the specific plan. An assisted living facility is not considered a residential development because it does not operate or function in a manner like independent residential units. An assisted living facility may, therefore, be considered and approved through a conditional use permit on Parcel Q of Las Palmas Ranch Unit #1." The proposed project would be consistent with this policy, and with the proposed amendment this consistency would be made clear.

	Consistency	Discussion
LU-1.13 All exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range visibility is reduced of the lighting source, and off-site glare is fully controlled. Criteria to guide the review and approval of exterior lighting shall be developed by the County in the form of enforceable design guidelines, which shall include but not be limited to guidelines for the direction of light, such as shields, where lighting is allowed.	Consistent	Section 5.0, *Aesthetics,* of the Draft SEIR concluded that the proposed project could have an adverse lighting effect. With implementation of Mitigation Measure AES-4, which requires all exterior lighting to be unobtrusive, down-lit, harmonious with the local area, and constructed or located sot that only the intended area is illuminated and off-site glare is fully controlled, lighting impacts would be less than significant and the proposed project would be consistent with this policy.
LU-1.19: Community Areas, Rural Centers and Affordable Housing Overlay districts are the top priority for development in the unincorporated areas of the County. Outside of those areas, a Development Evaluation System shall be established to provide a systematic, consistent, predictable, and quantitative method for decision-makers to evaluate developments of five or more lots or units and developments of equivalent or greater traffic, water, or wastewater intensity. The system shall be a pass-fail system and shall include a mechanism to quantitatively evaluate development in light of the policies of the General Plan and the implementing regulations, resources and infrastructure, and the overall quality of the development. Evaluation criteria shall include but are not limited to: a. Site Suitability b. Infrastructure c. Resource Management d. Proximity to a City, Community Area, or Rural Center e. Mix/Balance of uses including Affordable Housing consistent with the County Affordable/Workforce Housing Incentive Program adopted pursuant to the Monterey County Housing Element f. Environmental Impacts and Potential Mitigation g. Proximity to multiple modes of transportation h. Jobs-Housing balance within the community and between the community and surrounding areas i. Minimum passing score Residential development shall incorporate the following minimum requirements for developments in Rural Centers prior to the preparation of an Infrastructure and Financing Study, or outside of a Community Area or Rural Center: 1) 35% affordable/Workforce housing (25% inclusionary; 10% Workforce) for projects of five or more units to be considered. 2) If the project is designed with at least 15% farmworker inclusionary housing, the minimum requirement may be reduced to 30% total. This Development Evaluation System shall be established within 12 months of adopting this General Plan.	Consistent	The project site is not within a Community Area, Rural Center, or Affordable Housing Overlay District. Thus, the project should be analyzed pursuant to the Development Evaluation System (DES) required by this policy. Pending adoption of a detailed program implementing the DES, the County has been implementing the DES through application of the criteria in LU-1.19. Accordingly, an interim analysis has been completed for this project based on the Policy LU 1.19 criteria. The objective of the DES is to strongly discourage or avoid "leap frog" development not proximate to urbanized or community areas where public services and facilities exist. The project meets this objective of the DES. This proposed project is infill in nature and is the last developable site in the LPRSP area, near existing communities, major roadways, and services. The proposed project is consistent with the majority of the specified DES criteria, if the criteria are deemed to apply to an infill location such as the subject site. The affordable housing and jobs-housing balance criteria do not apply because the proposed project is not residential. In terms of "site suitability," "proximity to cities and communities," and "multiple modes of transportation," the project's location near an existing residential development makes the site suitable for the assisted living use proposed. The proposed site is less than 2 miles from the River Road Rural Center. The site's location provides efficient access to SR 68 via River Road, the major transportation corridor to the west of the site. Residents of the proposed project are not expected to need significant services outside of those provided at the assisted care facility, but the nearby Monterey Peninsula communities of Spreckels, Creekside, and Salinas are within short travel distance of the site and offer a wide range of commercial and personal services and medical care facilities if desired. The project will also include walking paths, and the applicants have proposed shuttle services for residents to access areas on the Monterey Peninsula and Salinas, including regular shuttle service for employees to transportation hubs nearby, as not all residents will have access to personal vehicles. Regarding "infrastructure and services," the site has received a "can and will serve" letter from Cal Water and, as discussed above in the LPRSP

	Consistency	Discussion
		analysis above under "Public Facilities and Services – Water", total water use at Las Palmas is expected to be about 193.4 AFY, significantly less than the 599 AFY that was allowed by the adopted specific plan. Additional infrastructure is existing or will be built concurrently with the project so the project site will be adequately served. Finally, regarding "resource management" and "environmental impacts and potential mitigations," the project would result in significant but mitigatable impacts on special status animal species. Construction of the proposed project could directly impact American badger, Monterey dusky-footed woodrat, western red bat, burrowing owl or nesting birds. This impact is also considered significant but mitigatable. In summary, when considered in relation to the DES criteria specified in General Plan Policy LU-1.19, the project is, overall, consistent with LU-1.19.
LU-8.1 The open space needs of the community and new development shall be reviewed and addressed through the planning process. The extent of use of land for this designation shall be limited to building coverage of 25% of the subject property.	Consistent	The project site is 15.67 acres. Proposed building coverage totals 90,006 square feet (approximately 2.1 acres). Therefore, total building coverage is approximately 13 percent.
Circulation		
C-1.1 The acceptable level of service for County roads and intersections shall be Level of Service (LOS) D, except as follows: a. Acceptable level of service for County roads in Community Areas may be reduced below LOS D through the Community Plan process. b. County roads operating at LOS D or below at the time of adopting this General Plan shall not be allowed to be degraded further except in Community Areas where a lower LOS may be approved through the Community Plan process. c. Area Plans prepared for County Planning Areas may establish an acceptable level of service for County roads other than LOS D. The benefits which justify less than LOS D shall be identified in the Area Plan. Where an Area Plan does not establish a separate LOS, the standard LOS D shall apply.	Consistent	The traffic report includes an evaluation of project impacts at the River Road/Las Palmas Road intersection, which would be the county intersection most affected by the proposed project. The intersection currently operates at level of service A, with a 4.9 second delay in the AM peak hour, and LOS A with a 4.2 second delay in the PM peak hour. With the addition of project traffic, the intersection would continue to operate at LOS A with a 5.0 second delay in the AM peak hour, and LOS A with a 4.4 second delay in the PM peak hour. Therefore, the proposed project would be consistent with this policy. The Toro Area Plan does not establish a separate level of service.
C-1.3 Circulation improvements that mitigate Traffic Tier 1 direct on-site and off-site project impacts shall be constructed concurrently (as defined in subparagraph (a) only of the definition for "concurrency") with new development. Off-site circulation improvements that mitigate Traffic Tier 2 or Traffic Tier 3 impacts either shall: a. be constructed concurrently with new development, or b. a fair share payment pursuant to Policy C-1.8 (County Traffic Impact Fee), Policy C-1.11 (Regional Development Impact Fee), and /or other applicable traffic fee programs shall be made at the discretion of the County.	Consistent	According to the traffic report (Exhibit 5, Intersection Levels of Service) the project would not result in significant impacts at the studied intersections, and with minimal increases in the existing delays at the intersections. Therefore, there are no Tier 1 project impacts to mitigate. However, under cumulative project conditions, the SR 68 intersections with Reservation Road and River Road would operate at unacceptable LOS D in one of the peak hours. Although the project's contribution to the traffic at these intersections would be minimal, the project would be required to pay the appropriate impact fees (county and TAMC) to mitigate for the project's share of the necessary improvements to these intersections, in accordance

	Consistency	Discussion
Note: Tier 1 means impacts that are direct impacts on site, or off-site, but in the immediate vicinity of the project. *Tier 2 means direct or cumulative impacts to county roadways not in the immediate vicinity of development.* *Tier 3 means impacts to regional roadways and highways identified in the TAMC Regional Development Impact Fee Program.*		with Policy C-1.8 and Policy C-1.11. These Tier 2 impacts would be mitigated though the payment of these impact fees. Additionally, the project would add one or more trips to SR 68 in the AM and PM peak hours, which is currently operating at unacceptable LOS F. This Tier 3 impact is also mitigated with the payment of county and TAMC fees. However, the impact is still considered significant and unavoidable, as there are currently no definitive plans to improvement SR 68 operations to an acceptable level of service.
C-1.4 Not withstanding Policy C-1.3, projects that are found to result in reducing a County road below the acceptable LOS standard shall not be allowed to proceed unless the construction of the development and its associated improvements are phased in a manner that will maintain the acceptable LOS for all affected County roads. Where the LOS of a County road impacted by a specific project currently operates below LOS D and is listed on the CIFP as a high priority, Policy C-1.3 shall apply. Where the LOS of a County road impacted by a specific project currently operates below LOS D and is not listed on the CIFP as a high priority, development shall mitigate project impacts concurrently. The following are exempt from this Policy except that they shall be required to pay any applicable fair share fee pursuant to Policies C-1.8, C-1.11, and /or other applicable traffic fee programs: a. first single family dwelling on a lot of record; b. allowable non-habitable accessory structures on an existing lot of record; c. accessory units consistent with other policies and State Second Unit Housing law; d. Any use in a non-residential designation for which a discretionary permit is not required or for which the traffic generated is equivalent to no more than that generated by a single family residence (10 ADT); and e. Minimal use on a vacant lot in a non-residential designation sufficient to enable the owner to derive some economically viable use of the parcel.	Consistent	According to the traffic report, and as discussed in C-1.3 above, the project would not result in reducing a county road below the acceptable LOS standard.
C-1.11 In addition to the County Traffic Impact Fee established in Policy C-1.8, the County shall require new development to pay a Regional Traffic Impact Fee developed collaboratively between TAMC, the County, and other local and state agencies to ensure a funding mechanism for regional transportation improvements mitigating Traffic Tier 3 impacts.	Consistent.	As described above under General Plan policy C-1.3, the project would be required to pay the appropriate Regional Traffic Impact Fee to mitigate for the project's share of the necessary improvements the SR 68 intersections with Reservation Road and River Road. These Tier 2 impacts would be mitigated though the payment of these impact fees.

	Consistency	Discussion
C-2.7 New development shall be located and designed with convenient access and efficient transportation for all intended users and, where possible, consider alternative transportation modes.	Consistent	Monterey-Salinas Transit does not serve development along River Road. The applicants propose shuttle services for residents to access areas on the Monterey Peninsula and Salinas, including regular shuttle service for employees to transportation hubs nearby. The nearest MST bus stop is located at Creekside Terrace and Reservation Road, approximate 1.1 miles from the entrance to the project site. With implementation of the applicant-proposed shuttle service, the project would be consistent with this policy.
C-3.4 Strategies to encourage travel in non-peak hours shall be supported.	Consistent	The project includes a mitigation measure to schedule shift changes outside of morning and evening peak commute hours.
C-3.5 Transportation alternatives such as bicycles, car pools, public transit, and compact vehicles shall be encouraged and accommodated within and outside the public right-of-way and may be included as part of an Area Plan and also in Policy OS-1.10.	Consistent	See discussion of Policy C-2.7 above.
Conservation and Open Space		
OS-1.2 Development in designated visually sensitive areas shall be subordinate to the natural features of the area.	Consistent	The project site is located within an area designated "sensitive viewshed." Section 5.0, *Aesthetics,* of the Draft SEIR included visual simulations from SR 68 and from Reservation Road. The simulations show that although the project would be visible from these locations, the project is not located on steeper slopes and would not constitute ridgeline development. Mitigation measures ensuring the adverse impact is less than significant are: 1) requiring a landscape plan to screen the project site from SR 68, Reservation Road, and River Road, as well as from the adjacent neighborhood and trail; 2) building colors and materials to be earth toned to blend with the existing vicinity landscape; and 3) requiring all new utility and distribution lines on the project site to be underground.
OS-1.3 To preserve the County's scenic qualities, ridgeline development shall not be allowed. An exception to this policy may be made only after publicly noticed hearing and provided the following findings can be made: a. The ridgeline development will not create a substantially adverse visual impact when viewed from a common public viewing area; and either, b. The proposed development better achieves the goals, policies and objectives of the Monterey County General Plan and applicable area plan than other development alternatives; or, c. There is no feasible alternative to the ridgeline development. Pursuant to Policy OS-1.6, in areas subject to specific plans, the ridgeline policies and regulations of the applicable specific plan shall govern.	Consistent	See discussion of Policy OS-1.2 above. The proposed project would not result in ridgeline development.

	Consistency	Discussion
OS-1.6 In areas subject to specific plans, the ridgeline policies and regulations of the applicable specific plan shall govern. Each specific plan shall address viewshed issues, including ridgeline development, as part of the plan, including, but not limited to, provisions for setbacks, landscaping, height limits, or open space buffers.	Consistent	See discussion of Policy OS-1.2 above, as well as the specific plan policy discussions presented earlier. The proposed project would not result in ridgeline development.
OS-1-9 Development that protects and enhances the County's scenic qualities shall be encouraged.	Consistent	See discussion of Policy OS-1.2 above.
OS-1.12 The significant disruption of views from designated scenic routes shall be mitigated through use of appropriate materials, scale, lighting and siting of development	Consistent	See discussion of Policy OS-1.2 above.
OS-3.5 The County shall regulate activity on slopes to reduce impacts to water quality and biological resources: 1) Non-Agricultural. a) Development on slopes in excess of twenty five percent (25%) shall be prohibited except as stated below; however, such development may be allowed pursuant to a discretionary permit if one or both of the following findings are made, based upon substantial evidence: 1. there is no feasible alternative which would allow development to occur on slopes of less than 25%; 2. the proposed development better achieves the resource protection objectives and policies contained in the Monterey County General Plan, accompanying Area Plans, and all applicable master plans. b) Development on slopes greater than 25% or that contain geologic hazards and constraints shown on the County's GIS Geologic (Policy S-1.2) or Hydrologic (Policy PS-2.6) Hazard Databases shall require adequate special erosion control and construction techniques and the discretionary permit shall: 1. evaluate possible building site alternatives that better meet the goals and policies of the general plan; 2. identify development and design techniques for erosion control, slope stabilization, visual mitigation, drainage, and construction techniques; and 3. minimize development in areas where potentially unstable slopes, soil and geologic conditions, or sewage disposal pose substantial risk to public health or safety. c) Where proposed development impacting slopes in excess of twenty five percent (25%) does not exceed ten percent (10%), or 500 square feet of the	Consistent	According to a slope map exhibit prepared by Gateway Engineering for the applicant, the project site area has approximately 0.6 acres with slopes greater than 25 percent, which represents 7.5 percent of the proposed eight-acre development area of the project site. A portion of the upper loop road and portions of four casitas are on slopes over 25 percent. This area generally consists of non-native grasslands (see Section 7.0, *Biological Resources* of the Draft SEIR) and no significant biological resources were identified in this area. The loop road is essential to fire protection and project circulation. It may be possible to relocate some of the casitas units, but that may require they be placed closer to the homes in Las Palmas #1 and would result in potential loss of privacy to those homes. Relocation would also result in additional grading for fire department access, parking areas, and would elevate a number of the casitas units on the site which could increase visibility. Because there is no feasible alternative to completely avoid the 25% slopes and because the project achieves the resource protection objectives and policies contained in the Monterey County General Plan, accompanying Area Plans, and all applicable master plans, findings for a discretionary permit can be made and the project would be considered consistent with this policy.

	Consistency	Discussion
total development footprint (whichever is less), a discretionary permit shall not be required. d) It is the general policy of the County to require dedication of a scenic easement on a slope exceeding twenty five percent (25%).		
OS-5.4 Development shall avoid, minimize, and mitigate impacts to listed species and critical habitat to the extent feasible. Measures may include but are not limited to: a. clustering lots for development to avoid critical habitat areas, b. dedications of permanent conservation easements; or c. other appropriate means. If development may affect listed species, consultation with United States Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG) may be required and impacts may be mitigated by expanding the resource elsewhere on-site or within close proximity off-site. Final mitigation requirements would be determined as required by law.	Consistent	The project site does not contain habitat for listed species and is not designated critical habitat. However, the project site does contain habitat for several plant and wildlife species of special concern. Potential plant species include Congdon's tarplant, fragrant fritillary, Hickman's onion, Hutchinson's larkspur, and Santa Cruz microseris. Potential wildlife species include American badger, burrowing owl, Monterey dusky-footed woodrat, hoary bat, western red bat, nesting raptors, and migratory birds. Several pre-construction mitigation measures are presented in Section 7.0, *Biological Resources,* of the Draft SEIR that would reduce potential impacts to these plant and wildlife species should they occur on the project site prior to construction activities.
OS-5.5 Landowners and developers shall be encouraged to preserve the integrity of existing terrain and native vegetation in visually sensitive areas such as hillsides, ridges, and watersheds. Routine and Ongoing Agricultural Activities shall be exempt from this policy.	Consistent	The project site is located within an area designated "sensitive viewshed." Approximately 27.6 percent of the project site is proposed for development. The balance will be retained in open space. According to Section 7.0, *Biological Resources,* of the Draft SEIR, most of the site supports non-native grassland and other prevalent non-native species. Various native wildflowers and other herbaceous plants occur seasonally in the grassland habitat at low densities. Scattered native shrubs are also present in some areas. Mature native coast live oaks are present on the hillsides outside the development area. The proposed project includes the removal of approximately 40 non-native eucalyptus trees, retains other non-native eucalyptus trees, and does not include removal of native oak trees.
OS-5.10 Regulations for tree removal, including Timberland Conversion, shall be established and maintained by ordinance, implementing Area Plan policies that address the following: a. Criteria when a permit is required including: 1. number of trees, 2. minimum size of tree, 3. Post Timberland conversion land-use b. How size is measured for each protected species of tree, and what constitutes a landmark tree depending on the rate of growth for that species. c. Hazardous trees	Consistent	The only trees proposed for removal are non-native eucalyptus trees, which are not a protected species of tree. No County-regulated native trees are proposed for removal.

	Consistency	Discussion
d. Pest and disease abatement e. Replacement criteria f. Ensure minimal removal		
OS-5.16 A biological study shall be required for any development project requiring a discretionary permit and having the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of an endangered, rare, or threatened species.	Consistent	The applicant prepared biological studies (Regan Biological and Horticultural Consulting December 2011 and October 2013) and the Draft SEIR consultant EMC Planning Group biologist reviewed those studies, conducted a site visit, and prepared an independent analysis that is included in Section 7.0, *Biological Resources,* of the Draft SEIR. However, the project site does contain habitat for several plant and wildlife species of special concern which could be adversely affected by development of the project. Potential plant species include Congdon's tarplant, fragrant fritillary, Hickman's onion, Hutchinson's larkspur, and Santa Cruz microseris. Potential wildlife species include American badger, burrowing owl, Monterey dusky-footed woodrat, hoary bat, western red bat, nesting raptors, and migratory birds. Several pre-construction mitigation measures are presented in Section 7.0, *Biological Resources,* of the Draft SEIR, that would reduce potential impacts to these plant and wildlife species should they occur on the project site prior to construction activities. Therefore, the proposed project does not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of an endangered, rare, or threatened species.
OS-5.24 The County shall require discretionary projects to retain movement corridors of adequate size and habitat quality to allow for continued wildlife use based on the needs of the species occupying the habitat. The County shall require that expansion of its roadways and public infrastructure projects provide movement opportunities for terrestrial wildlife and ensure that existing stream channels and riparian corridors continue to provide for wildlife movement and access.	Consistent	The proposed project would impede to a limited degree the local movement of common wildlife due to habitat loss. However, the site does not function as a regional wildlife movement corridor or habitat linkage, and therefore, the proposed project would not disrupt movement corridors to allow for continued wildlife use in the vicinity.
OS-5.25 Occupied nests of statutorily protected migratory birds and raptors shall not be disturbed during the breeding season (generally February 1 to September 15). The county shall A. Consult, or require the developer to consult, with a qualified biologist prior to any site preparation or construction work in order to: (1) determine whether work is proposed during nesting season for migratory birds or raptors,	Consistent.	An evaluation of potential impacts to nesting birds and raptors is included in Section 7.0, *Biological Resources,* of the Draft SEIR. Mitigation measure BIO-6 requires pre-construction surveys if any construction-related activities will take place during the nesting bird season.

	Consistency	Discussion
(2) determine whether site vegetation is suitable to nesting migratory birds or raptors, (3) identify any regulatory requirements for setbacks or other avoidance measures for migratory birds and raptors which could nest on the site, and (4) establish project-specific requirements for setbacks, lock-out periods, or other methods of avoidance of disruption of nesting birds. B. Require the development to follow the recommendations of the biologist. This measure may be implemented in one of two ways: (1) preconstruction surveys may be conducted to identify active nests and, if found, adequate buffers shall be provided to avoid active nest disruption until after the young have fledged; or (2) vegetation removal may be conducted during the non-breeding season (generally September 16 to January 31); however, removal of vegetation along waterways shall require approval of all appropriate local, state, and federal agencies. This policy shall not apply in the case of an emergency fire event requiring tree removal. This policy shall apply for tree removal that addresses fire safety planning, since removal can be scheduled to reduce impacts to migratory birds and raptors.		
OS-6.4 Development proposed in low sensitivity zones are not required to have an archaeological survey unless there is specific additional information that suggests archaeological resources are present.	Consistent	According to the Monterey County General Plan Archaeological Sensitivity Map, the project site is located in an area of low archaeological sensitivity; thus, the likelihood of resources being present on the project site is low. Therefore, no archaeological survey was conducted for the project site.
OS-9.1 The use of solar, wind and other renewable resources for agricultural, residential, commercial, industrial, and public building applications shall be encouraged.	Consistent	The project would be required to comply with all applicable County ordinances and the current California Building Code in effect at the time the project is constructed. The Energy Conservation policies of the Las Palmas Ranch Specific Plan require the use of renewable energy. While the proposed project does not include the use of solar, wind, or other renewable resources, Section 12.0, *Energy,* the Draft SEIR includes a mitigation measure requiring the developer to demonstrate consistency with these energy conservation policies prior to issuance of building permits.
OS-10.2 Mass transit, bicycles, pedestrian modes of transportation, and other transportation alternatives to automobiles shall be encouraged.	Consistent	Monterey-Salinas Transit does not serve development along River Road. The applicants propose shuttle services for residents to access areas on the Monterey Peninsula and Salinas, including regular shuttle service for employees to transportation hubs nearby. The nearest MST bus stop is located at Creekside Terrace and Reservation Road, approximately 1.1 miles

	Consistency	Discussion
		from the entrance to the project site. With implementation of the shuttle service, the project would be consistent with this policy.

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OS-10.9 The County of Monterey shall require that future development implement applicable Monterey Bay Unified Air Pollution Control District control measures. Applicants for discretionary projects shall work with the Monterey Bay Unified Air Pollution Control District to incorporate feasible measures that assure that health-based standards for diesel particulate emissions are met. The County of Monterey will require that future construction operate and implement MBUAPCD PM_{10} control measures to ensure that construction-related PM_{10} emissions do not exceed the MBUAPCD's daily threshold for PM_{10}. The County shall implement MBUAPCD measures to address off-road mobile source and heavy duty equipment emissions as conditions of approval for future development to ensure that construction-related NO_x emissions from non-typical construction equipment do not exceed the MBUAPCD's daily threshold for NO_x.	Consistent	A mitigation measure presented in Section 6.0, *Air Quality*, the Draft SEIR requires the developer to maintain and properly tune all off-road construction vehicles and equipment in accordance with the manufacturer's specifications and to implement several measures to ensure that construction-related NO_x and PM_{10} emissions are less than significant.
Safety		
S-1.1 Land uses shall be sited and measures applied to reduce the potential for loss of life, injury, property damage, and economic and social dislocations resulting from ground shaking, liquefaction, landslides, and other geologic hazards in the high and moderate hazard susceptibility areas.	Consistent	According to the geologic hazards report and soil engineering feasibility investigation prepared for the project (Landset Engineers 2014), the project site is in an area of low to very low potential for liquefaction, lateral spreading, subsidence, expansion, collapse, dynamic compaction, and ridgetop shattering. While the steep slopes on the north and south flanks of the site are prone to landslides and slope failure, future building foundations will be located within the geologically suitable building envelope as described in the report, which would avoid environmental impacts related to landslides. As a condition of project approval, all recommendations in the report would be required.
S-1.3 Site-specific geologic studies may be used to verify the presence or absence and extent of the hazard on the property proposed for new development and to identify mitigation measures for any development proposed. An ordinance including permit requirements relative to the siting and design of structures and grading relative to seismic hazards shall be established.	Consistent	See discussion of Policy S-1.1 above.
S-1.7 Site-specific reports addressing geologic hazard and geotechnical conditions shall be required as part of the planning phase and review of discretionary development entitlements and as part of review of ministerial permits in accordance with the California Building Standards Code as follows: a. Geotechnical reports prepared by State of California licensed Registered Geotechnical Engineers are required during building plan review for all habitable structures and habitable additions over 500 square feet in footprint area. Additions less than 500 square feet and non-habitable buildings may require geotechnical reports as determined by the pre-site inspection. b. A Registered Geotechnical Engineer shall be required to review and approve the foundation conditions prior to plan check approval, and if recommended	Consistent	See discussion of Policy S-1.1 above.

	Consistency	Discussion
by the report, shall perform a site inspection to verify the foundation prior to approval to pour the footings. Setbacks shall be identified and verified in the field prior to construction. c. All new development and subdivision applications in State- or County-designated Earthquake Fault Zones shall provide a geologic report addressing the potential for surface fault rupture and secondary fracturing adjacent to the fault zone before the application is considered complete. The report shall be prepared by a Registered Geologist or a Certified Engineering Geologist and conform to the State of California's most current Guidelines for evaluating the hazard of surface fault rupture. d. Geologic reports and supplemental geotechnical reports for foundation design shall be required in areas with moderate or high landslide or liquefaction susceptibility to evaluate the potential on- and off-site impacts on subdivision layouts, grading, or building structures. e. Where geologic reports with supplemental geotechnical reports determine that potential hazards effecting new development do not lead to an unacceptable level of risk to life and property, development in all Land Use Designations may be permissible, so long as all other applicable General Plan policies are complied with. f. Appropriate site-specific mitigation measures and mitigation monitoring to protect public health and safety, including deed restrictions, shall be required.		
S-1.8 As part of the planning phase and review of discretionary development entitlements, and as part of review of ministerial permits in accordance with the California Building Standards Code, new development may be approved only if it can be demonstrated that the site is physically suitable and the development will neither create nor significantly contribute to geologic instability or geologic hazards.	Consistent	See discussion of policy S-1.1 above.
S-3.1 Post-development, off-site peak flow drainage from the area being developed shall not be greater than pre-development peak flow drainage. On-site improvements or other methods for stormwater detention shall be required to maintain post-development, off-site, peak flows at no greater than predevelopment levels, where appropriate, as determined by the Monterey County Water Resources Agency.	Consistent	The proposed project design includes storm drainage facilities (collection, conveyance and disposal) as detailed in the stormwater control plan (Gateway Engineering 2017) to meet the generation of stormwater runoff. Proposed development must not exceed the pre-project rate of discharge. The purpose is to reduce the potential for increased erosion within receiving waters due to an increase in the rate of stormwater flow. The stormwater control plan includes on-site stormwater control measures designed to achieve a no net increase in rate of stormwater discharge relative to pre-project conditions. This reduces the potential that runoff from new development could exceed the capacity of storm drainage facilities and contribute to off-site flood hazards.

	Consistency	Discussion
S-3.2 Best Management Practices to protect groundwater and surface water quality shall be incorporated into all development.	Consistent	The proposed project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) Permit for Discharges of Stormwater Associated with Construction Activities. In Monterey County, the Central Coast Regional Water Quality Control Board (RWQCB) is charged with enforcing NPDES requirements, including runoff management programs that include Best Management Practices to control erosion and sedimentation. Through implementation of Best Management Practices (BMPs), construction of the proposed project would not impact surface and groundwater water quality from stormwater runoff during construction.
S-3.9 In order to minimize urban runoff affecting water quality, the County shall require all future development within urban and suburban areas to implement Best Management Practices (BMPs) as approved in the Monterey Regional Stormwater Management Program which are designed to incorporate Low Impact Development techniques. BMPs may include, but are not limited to, grassy swales, rain gardens, bioretention cells, and tree box filters. BMPs should preserve as much native vegetation as feasible possible on the project site.	Consistent	See discussion of Policy S-3.2 above.
S-4.11 The County shall require all new development to be provided with automatic fire protection systems (such as fire breaks, fire-retardant building materials, automatic sprinkler systems, and/or water storage tanks) approved by the fire jurisdiction.	Consistent	The proposed project would be required to meet the minimum requirements in the Title 24 California Building Standards Code. Chapter 7, Fire and Smoke Protection Features and Chapter 9, Fire Protection Systems, address this requirement.
S-4.13 The County shall require all new development to have adequate water available for fire suppression. The water system shall comply with Monterey County Code Chapter 18.56, NFPA Standard 1142, or other nationally recognized standard. The fire authority having jurisdiction, the County Departments of Planning and Building Services, and all other regulatory agencies shall determine the adequacy and location of water supply and/or storage to be provided.	Consistent	The California Water Service Company performed a fire flow test on November 10, 2010. Required fire flow for the proposed project is 3,750 gallons per minute for a duration of three hours. The fire flow test concluded an available flow of up to 6,429 gallons per minute, meeting the requirement for adequate water available for fire suppression.
S-4.22 Every building, structure, and/or development shall be constructed to meet the minimum requirements specified in the current adopted state building code, state fire code, Monterey County Code Chapter 18.56, and other nationally recognized standards.	Consistent	The proposed project would be required to meet the state building code, state fire code, and Monterey County Code Chapter 18.56 as a condition of approval.
S-7.1 New noise-sensitive land uses may only be allowed in areas where existing (Figures 9 A-H) and projected (Figures 10 A-E) noise levels are "acceptable" according to "Land Use Compatibility for Community Noise Table" (Table S-2, next page). A Community Noise Ordinance shall be established consistent with said Table that addresses, but is not limited to the following (Noise level maps are located at the end of this Element): a. Capacity-related roadway improvement projects. b. Construction-related noise impacts on adjacent land uses.	Consistent	Table S-2, Community Noise Exposure, identifies acceptable noise levels for various land use categories. The proposed project would fall under the "nursing home" category, which identifies 70 dB and below as normally acceptable. According to General Plan Figure 10C, Greater Monterey Peninsula, Carmel Valley and Toro Projected Noise Contours, the noise at the project site is below 60. Noise measurements conducted for the Final SEIR confirm that noise interior to the project site is below 60. Refer to Topical Response H in the Final SEIR for more information.

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c. New residential land uses exposed to aircraft operations at any airport or air base. d. Site planning and project design techniques to achieve acceptable noise levels such as: building orientation, setbacks, earthen berms, and building construction practices. The use of masonry sound walls for noise control in rural areas shall be discouraged. e. Design elements necessary to mitigate significant adverse noise impacts on surrounding land uses. f. Impulse noise. g. Existing railroad locations & noise levels.		
S-7.10 Construction projects shall include the following standard noise protection measures: ▪ Construction shall occur only during times allowed by ordinance/code unless such limits are waived for public convenience; ▪ All equipment shall have properly operating mufflers; and ▪ Lay-down yards and semi-stationary equipment such as pumps or generators shall be located as far from noise-sensitive land uses as practical.	Consistent	Construction noise is quantified in Topical Response H of the Final SEIR. Adherence to construction noise restrictions in the Monterey County Code Chapter 10.60.40 and Monterey County General Plan Policies S-7.9 and S-7.10 would substantially reduce the exposure of sensitive receptors to temporary increases in construction noise, especially during sensitive evening and nighttime hours. As a condition of approval, the County would require that the project adhere to these General Plan policies to minimize construction noise. These requirements would reduce construction-related noise impacts to less than significant.
Public Services		
PS-2.3 New development shall be required to connect to existing water service providers where feasible. Connection to public utilities is preferable to other providers.	Consistent	The proposed project would connect to the existing Las Palmas system, operated by California American Water. California American Water has provided a "can and will serve" letter for the proposed project.
PS-2.8 The County shall require that all projects be designed to maintain or increase the site's pre-development absorption of rainfall (minimize runoff), and to recharge groundwater where appropriate. Implementation shall include standards that could regulate impervious surfaces, vary by project type, land use, soils and area characteristics, and provide for water impoundments (retention/detention structures), protecting and planting vegetation, use of permeable paving materials, bioswales, water gardens, and cisterns, and other measures to increase runoff retention, protect water quality, and enhance groundwater recharge.	Consistent	The proposed project design includes storm drainage facilities (collection, conveyance and disposal) as detailed in the stormwater control plan (Gateway Engineering 2017) to meet the generation of stormwater runoff. Proposed development must not exceed the pre-project rate of discharge. The purpose is to reduce the potential for increased erosion within receiving waters due to an increase in the rate of stormwater flow. The stormwater control plan includes on-site stormwater control measures designed to achieve a no net increase in rate of stormwater discharge relative to pre-project conditions. This reduces the potential that runoff from new development could exceed the capacity of storm drainage facilities and contribute to off-site flood hazards. According to the 2010 General Plan Draft EIR (page 4.3-5), During spring and summer, the two reservoirs on the Nacimiento and San Antonio rivers regulate flow to minimize outflow to the ocean and maximize groundwater recharge through the Salinas River bed. Under current reservoir operations, water is released into the river during summer to recharge groundwater in

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		the basin. The proposed project will not affect the ability of groundwater recharge at the Salinas River. See also the discussion of Policy S-3.1 presented earlier.
PS-3.1 Except as specifically set forth below, new development for which a discretionary permit is required, and that will use or require the use of water, shall be prohibited without proof, based on specific findings and supported by evidence, that there is a long-term, sustainable water supply, both in quality and quantity to serve the development. This requirement shall not apply to: a) The first single family dwelling and non-habitable accessory uses on an existing lot of record; or b) Specified development (a list to be developed by ordinance) designed to provide: a) public infrastructure or b) private infrastructure that provides critical or necessary services to the public, and that will have a minor or insubstantial net use of water (e.g. water facilities, wastewater treatment facilities, road construction projects, recycling or solid waste transfer facilities; or c) Development within Zone 2C of the Salinas Valley groundwater basin, provided the County prepares or causes to be prepared a study for the Board of Supervisors regarding Zone 2C, to be completed no earlier than October 31, 2017 and no later than March 31, 2018 that does the following: d) Evaluates existing data for seawater intrusion and groundwater levels collected by Monterey County Water Resources Agency as of the date the study is commenced. e) Evaluates the total water demand for all existing uses and future uses designated in the General Plan EIR for the year 2030; f) Assesses and provides conclusions regarding the degree to which the total water demand for all uses designated in the General Plan for the year 2030 are likely to be reached or exceeded; g) Evaluates on an annual basis during the study period groundwater elevations and the seawater intrusion boundary; h) Based on historical data and the data produced by the study, evaluates and provides conclusions regarding future trends and any expected movement of groundwater elevations and the seawater intrusion boundary; i) Should the study conclude that i) total water demand for all uses designated in the General Plan for the year 2030 is likely to be exceeded; or ii) groundwater elevations are likely to decline by the year 2030 and iii) the seawater intrusion boundary is likely to advance inland by the year 2030, the study shall make recommendations on measures the County could take to address any or all of those conditions; and	Consistent	Water demand is evaluated in Section 10.0, *Water Supply,* of the Draft SEIR. The proposed project would have a water demand of approximately 11.4 acre feet per year (AFY). California Water Service, the water purveyor for the specific plan area, has provided a "can and will serve" for the proposed project. As presented in Table 10-2 in the Water Demand section, the 1982 EIR identified that buildout of Las Palmas Ranch would require 922 AFY. However, the Board of Supervisors modified the proposed specific plan, and the adopted specific plan required only 599 AFY. Actual water use at Las Palmas is estimated to be about 182 AFY. Therefore, with the addition of the proposed project, the total water use at Las Palmas is expected to be about 193.4 AFY, significantly less that what was allowed by the adopted specific plan. The first component of policy PS-3.1 is the requirement to provide proof of a sustainable water supply to serve the development. Policy PS-3.1 includes an exception to development in Zone 2C of the Salinas Valley groundwater basin, which would include the proposed project. Instead, the provisions of subsection c. of the policy are applicable. Subsection c. requires the County to conduct a specific study on Zone 2C, conduct a hearing on the study results, adopt measures to address identified conditions, and prepare a report every 5 years on the results of any measures. The requisite study and related actions have not been conducted. Subsection c. further provides, "This exception for Zone 2C shall be a rebuttable presumption that a Long Term Sustainable Water Supply exists within Zone 2C, and the presumption shall remain in effect until and unless the study reaches the conclusion for Zone 2C identified in subsection 6) i or 6) ii and 6) iii. Development in Zone 2C shall be subject to all other policies of the General Plan and applicable Area Plan. Based on these considerations, the project is consistent with Policy PS-3.1, and the availability of a long-term water supply will be further discussed in conjunction with other policies below.

	Consistency	Discussion
j) Addresses such other matters as the Board of Supervisors determines are appropriate. Within two months following the completion of the study, the Board of Supervisors shall hold an open and noticed public hearing on the results of the study. If the study reaches the conclusions for Zone 2C identified in subsection 6) i or 6) ii and 6) iii, the Board of Supervisors shall adopt one or more measures identified in the study, or other appropriate measures, to address the identified conditions. This exception for Zone 2C shall be a rebuttable presumption that a Long Term Sustainable Water Supply exists within Zone 2C, and the presumption shall remain in effect until and unless the study reaches the conclusion for Zone 2C identified in subsection 6) i or 6) ii and 6) iii. Development in Zone 2C shall be subject to all other policies of the General Plan and applicable Area Plan. Following completion of the study described herein, and the adoption of measures as may be recommended in the study, if any, the County shall prepare a report to the Board of Supervisors every five (5) years for Zone 2C that examines the degree to which a) total water demand for all uses predicted in the General Plan EIR for year 2030 will be reached; or b) groundwater elevations, the seawater intrusion boundary have changed since the prior reporting period; and c) other sources of water supply are available.		
PS-3.2 Specific criteria for proof of a Long Term Sustainable Water Supply and an Adequate Water Supply System for new development requiring a discretionary permit, including but not limited to residential or commercial subdivisions, shall be developed by ordinance with the advice of the General Manager of the Water Resources Agency and the Director of the Environmental Health Bureau. A determination of a Long Term Sustainable Water Supply shall be made upon the advice of the General Manager of the Water Resources Agency. The following factors shall be used in developing the criteria for proof of a long term sustainable water supply and an adequate water supply system: a. Water quality; b. Authorized production capacity of a facility operating pursuant to a permit from a regulatory agency, production capability, and any adverse effect on the economic extraction of water or other effect on wells in the immediate vicinity, including recovery rates; c. Technical, managerial, and financial capability of the water purveyor or water system operator; d. The source of the water supply and the nature of the right(s) to water from the source;	Consistent	This policy provides guidance and criteria for the development of a County ordinance outlining the requirements for proof of a long term sustainable water supply and an adequate water supply system for new development requiring a discretionary permit. Thus, this policy is relevant to development of an ordinance that could be applied to the proposed project. Nonetheless, this project is reviewed below applying these criteria: ▪ Water is the same quality as current local California Water Service wells and is thus, of acceptable water quality. ▪ The analysis in the Draft SEIR (Section 10.0, *Water Supply*, p. 10-11) shows that the project would use 11.4 acre-feet of water per year (AFY), approved Specific Plan anticipated uses associated with 599-AFY, and is using only 182 AFY. With consideration of the proposed project, total water use in the entire Specific Plan Area would be 194 AFY. In addition, common area landscape irrigation would use recycled water, resulting in less than 11.4 AFY of potable water demand. The project water would demand represents a 0.002 percent increase in the annual groundwater extraction for Zone 2C. California Water Service has confirmed that it can and will serve the project, which indicates the applicable water purveyor for the site is able to provide water supply for the proposed project. See updated will-serve letter from California Water Service dated March 26, 2019 in Appendix I-2.

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e. Cumulative impacts of existing and projected future demand for water from the source, and the ability to reverse trends contributing to an overdraft condition or otherwise affecting supply; and f. Effects of additional extraction or diversion of water on the environment including on in-stream flows necessary to support riparian vegetation, wetlands, fish or other aquatic life, and the migration potential for steelhead, for the purpose of minimizing impacts on the environment and to those resources and species. g. Completion and operation of new projects, or implementation of best practices, to renew or sustain aquifer or basin functions. The hauling of water shall not be a factor nor a criterion for the proof of a long term sustainable water supply.		▪ California Water Service has demonstrated its technical, managerial and financial capabilities to deliver water. ▪ Potable water would be provided by California Water Service via its entitlements detailed in the Draft SEIR (Section 10.0, *Water Supply*, p. 10-1). In addition, the property has rights to 2.5 acre-feet of reclaimed water which would further offset demand on potable water. ▪ As indicated in the Draft SEIR (Section 10.0, *Water Supply*, pp. 10-11 to 10-12), the project would increase potable water demand by up to 11.4 AFY. The "can and will" service letter provided by California Water Service for the proposed project indicates the applicable water purveyor for the site is able to provide water supply for the proposed project based on its existing facilities. ▪ The project does not involve any extraction or diversion of water but would utilize California Water Service water and recycled water associated with existing entitlements. In addition, the project would utilize water efficiency methods including water efficient fixtures, low-water use landscaping, and principles of low impact development in design to manage stormwater and emulate pre-development hydrologic conditions. ▪ The project would not adversely affect aquifer or basin functions and would not hinder other efforts to renew aquifer or basin functions. ▪ The project would not involve any hauling of water. Therefore, substantial evidence related to proof of a sustainable water supply for the project includes the analysis and references in the Draft SEIR, including Section 10.0, *Water Supply*, the Cal Water will-serve letter include in Draft SEIR Appendix E, the updated will-serve letter attached herein (see Appendix I-2), the previous EIR for the Plan Area, and discussion and analysis in this response to comments/Final SEIR. The project is consistent with Policy PS-3.2.
PS-4.5 New development proposed in the service area of existing wastewater collection, treatment, and disposal facilities shall seek service from those facilities unless it is clearly demonstrated that the connection to the existing facility is not feasible.	Consistent	The California American Water Company has provided a "can and will serve" letter to for the proposed project, confirming the availability of wastewater treatment accommodation.
PS-5.4 The maximum use of solid waste source reduction, reuse, recycling, composting, and environmentally-safe transformation of wastes, consistent with the protection of the public's health and safety, shall be promoted.	Consistent	The proposed project will be served by the Salinas Valley Solid Waste Authority, which includes and promotes a recycling and waste reduction program consistent with state solid waste diversion regulations.

	Consistency	Discussion
PS-8.1 Programs that provide a full range of health care from local and regional health care programs for Monterey County residents, including preventive care, primary care, hospitals, and long-term care services, shall be promoted.	Consistent	The proposed project is a continuum of care residential community designed to provide care to seniors over the age of 55 and to persons with diminishing mental capacity due to Alzheimer's, dementia, or similar causes.
PS-8.2 Programs to promote access to health care and support the establishment of needed health care services in areas with high population concentrations, such as cities, Community Areas, and Rural Centers, shall be supported. Where services do not exist, medical transportation programs to address the unmet transportation needs of residents shall be coordinated with the Transportation Agency of Monterey County.	Consistent	See discussion of Policy PS-8.1 above. Although the proposed project is not located in a city, Community Area, or Rural Center, it is located in the Las Palmas Ranch community, one mile driving distance from SR 68 and 3.5 miles driving distance from south Salinas. Salinas Valley Memorial Hospital is located about 4.75 miles driving distance from the project site.
PS-9.4 The County shall promote meeting the needs of the elderly and establish adult day care facilities or other services that maintain older persons in an independent setting.	Consistent	See the discussion of Policy PS-8.1 and Policy PS-8.2 above.
PS-13.2 All new utility lines shall be placed underground, unless determined not to be feasible by the Director of the Resource Management Agency.	Consistent	A mitigation measure located in Section 5.0, *Aesthetics,* of the Draft SEIR requires all new utility and distribution lines to be placed underground.
Toro Area Plan Supplemental Policy		
Land Use		
T-1.5 Subdivisions shall be designed so that new lots have building sites located outside of the critical viewshed.	Not applicable.	The project is not located with the area designated "critical viewshed." It is located with an area designated "sensitive viewshed." Mitigation measures located in Section 5.0, *Aesthetics,* of the Draft SEIR would reduce the impact of the proposed project on viewsheds.
Circulation		
T-2.1 Employers in surrounding areas should be encouraged to stagger employees' work hours in order to ease peak hour traffic congestion on SR 68 and in other areas.	Consistent	The proposed project is projected to employ about 92 people when operating at maximum capacity. This will include managers and supervisors, trained care givers, chefs and facility maintenance personnel. There will be three shifts: morning, day, and evening. ▪ Morning Shift A (6:00 am to 2:00 pm): 15 employees ▪ Morning Shift B (7:00 am to 3:00 pm): 20 employees ▪ Day Shift A (8:00 am to 4:00 pm): 12 employees ▪ Day Shift B (10:30 am to 6:30 pm): 21 employees ▪ Evening Shift A (3:30 pm to 11:30 pm): 12 employees ▪ Evening Shift B (11:30 pm am to 6:30 am pm): 12 employees As a mitigation proposed by the applicant, shifts will be staggered to minimize peak hour trips on SR 68.

	Consistency	Discussion
T-2.5 Fair-share financial contributions from each new development in the Toro Planning Area shall be required to expedite funding and construction of SR 68 improvements.	Consistent	Funding provided by existing development at Las Palmas Ranch was used for construction of SR 68 improvements, including improving a portion of River Road to four lanes, traffic signals and additional improvements at other River Road intersections. As a condition of project approval for the proposed project, the applicant would be required to pay the Monterey County countywide traffic impact fee and the TAMC regional development impact fee to mitigate for the project's fair share of cumulative traffic impacts throughout the County, which may include additional improvements to SR 68.
T-2.9 If new sites for office, employment, services, and local conveniences are found to be appropriate, such sites should incorporate designs to allow use of alternate modes of transportation.	Consistent	Monterey-Salinas Transit does not serve development along River Road. The applicants propose shuttle services for residents to access areas on the Monterey Peninsula and Salinas, including regular shuttle service for employees to transportation hubs nearby. The nearest MST bus stop is located at Creekside Terrace and Reservation Road, approximate 1.1 miles from the entrance to the project site.
Conservation/Open Space		
T-3.1 Within areas designated as "visually sensitive" on the Toro Scenic Highway Corridors and Visual Sensitivity Map (Figure 16), landscaping or new development may be permitted if the development is located and designed (building design, exterior lighting, and siting) in such a manner that will enhance the scenic value of the area. Architectural design consistent with the rural nature of the Plan area shall be encouraged.	Consistent	The project site is located within an area designated "sensitive viewshed." Section 5.0*, Aesthetics,* of the Draft SEIR included visual simulations from SR 68 and from Reservation Road. The simulations show that although the project would be visible from these locations, the project is not located on steeper slopes and will not constitute ridgeline development. Mitigation measures ensuring the adverse impact is less than significant are: 1) requiring a landscape plan to screen the project site from SR 68, Reservation Road, and River Road, as well as from the adjacent neighborhood and trail; 2) building colors and materials to be earth toned to blend with the existing vicinity landscape; and 3) requiring all new utility and distribution lines on the project site to be underground.
T-3.2 Land use, architectural, and landscaping controls shall be applied, and sensitive site design encouraged, to preserve Toro's visually sensitive areas and scenic entrances: a. River Road/SR 68 intersection b. Laureles Grade scenic vista overlooking the Planning Area	Consistent	See discussion of Policy T-3.1 above. Landscaping for the proposed project includes mostly native plants designed to preserve and enhance the natural landscape of the project site. Non-native plants included in the Landscape Plan are: magnolia tree, source magnolia, Japanese maple, western red bud, European white birch, pheasant tail grass, silver grass, Australian fuchsia, bunny tail grass, and Pacific coast iris.
T-3.4 Placement of existing utility lines underground shall be encouraged, particularly along Laureles Grade Road, Corral de Tierra, San Benancio, River Road, and SR 68.	Consistent	See discussion of General Plan Policy 13.2 above.

	Consistency	Discussion
T-3.5 Exterior/outdoor lighting shall be located, designed, and enforced to minimize light sources and preserve the quality of darkness. Street lighting shall be as unobtrusive as practicable and shall be consistent in intensity throughout the Toro area.	Consistent	Section 5.0, *Aesthetics,* of the Draft SEIR concluded that the proposed project could have an adverse lighting effect. With implementation of Mitigation Measure AES-4, which requires all exterior lighting to be unobtrusive, down-lit, harmonious with the local area, and constructed or located sot that only the intended area is illuminated and off-site glare is fully controlled, lighting impacts would be less than significant and the proposed project would be consistent with this policy.
T-3.7 Removal of healthy, native oak trees in the Toro Planning Area shall be discouraged. An ordinance shall be developed to identify required procedures for removal of these trees. Said ordinance shall take into account fuel modification needed for fire prevention in the vicinity of structures and shall include: a. Permit requirements. b. Replacement criteria c. Exceptions for emergencies and governmental agencies	Consistent	The proposed project does not include removal of oak trees.
Public Services		
T-5.1 To ensure cost-effective and adequate levels of wastewater treatment, the County shall promote relatively higher densities in areas where wastewater treatment facilities can be made available.	Consistent	The proposed project would connect to the Las Palmas Wastewater Treatment Plant, operated by California American Water Company. As presented in the Draft SEIR, there is sufficient capacity to serve the project and the wastewater provider has supplied a “can and will serve” letter for the project.

Property Value

An EIR does not analyze property value impacts, as property value is not considered an environmental impact area under CEQA. The CEQA environmental review process involves evaluation of environmental impacts based on impact areas and thresholds as described in CEQA Appendix G. A local government may consider factors outside of environmental concerns, such as property value, in their overall assessment of a proposed project. However, discussion of property value is outside of the environmental review process and thus is not included in this EIR.

Growth Inducement

Potential growth inducement for the project is analyzed is Section 14.0, *Growth Inducing,* of the Draft SEIR. The proposed project would employ 92 persons for the operations of the proposed assisted living facility, and would not result in a direct population increase because it does not provide dwelling units that will operate or function as independent units. While the proposed project may indirectly result in business and population growth due to the increased local investment from revenues generated by the project, projections of any potential growth would be speculative.

Quality of Life

An EIR does not analyze quality of life impacts, as quality of life is not considered an environmental impact area under CEQA. The EIR does, however, analyze environmental factors that may be related to quality of life, including aesthetics, air quality, noise, transportation, and safety. The EIR analyzes these impact areas individually.

Impacts to aesthetics include introduction of light and glare and alterations to scenic vistas and visual character. These impacts would be reduced to less than significant with the implementation of mitigation measures listed in Section 5.0, *Aesthetics*. Mitigation measures would include the preparation of a landscape plan and a lighting plan, design review of the project, and undergrounding of all utility and distribution lines.

Air pollutant emissions would be generated by construction activities, which is a short-term impact and would be mitigated to less than significant through dust control measures, an approved grading plan, and the proper maintenance of construction equipment to reduce emissions. Air pollutant impacts and mitigation measures are discussed in Section 6.0, *Air Quality*.

Odor is also discussed in Section 6.0, *Air Quality,* of the Draft SEIR. As stated therein, the proposed project would not cause significant impacts related to objectionable odors. While meal preparation may cause an odor, this would occur primarily indoors. Due to the location of the project uphill from the residential development, odors released outdoors from meal preparation would be intermittent and unlikely to be objectionable to the extent of causing a public nuisance. The configuration of the Las Palmas 1 subdivision's development would not significantly obstruct the efficient passage of odors to the extent that a significant odor impact would occur.

Impacts to transportation and traffic include increased vehicle trips on SR 68, increased traffic at intersections. To reduce overall trip generation to and from the project site, the applicant shall prepare a detailed plan for shuttle service to areas on the Monterey Peninsula and in Salinas from the project site. The project would also schedule shift changes outside of morning and evening peak traffic hours to offset traffic generated by employees.

Public Services Availability

The Draft SEIR analyzes public services in Section 11.0, *Effects Not Found to be Significant*. In reviewing the project's suitability for the project site, the County determined that services that will be needed by residents of the proposed project are sufficient and located adequately. An EIR, however, analyzes the potential impacts of the project on the environment but does not analyze the impacts of the environment on the project; therefore the impacts that the existing site conditions would have on potential senior living center residents is not analyzed, as such analysis is outside of the scope of environmental review under CEQA. The project is expected to have less than significant impacts on public services such as police, fire, library, and medical services due to the nature of the project, the existing services available within a serviceable distance, and taxes, impact fees, and payment for use of the Las Palmas residential development private security services. The proposed project would provide on-site medical care, and additional higher-level medical services are available at the Salinas Valley Memorial Hospital approximately four miles northeast of the project site. The project would not require additional staffing or facilities to be required for police, fire, hospital, library, or other similar services, and therefore the impact is less than significant.

Topical Response D: Transportation/Traffic

Comments regarding traffic impacts of the proposed project were received from Christine Kemp of Noland, Hamerly, Etienne, & Hoss Attorneys at Law; Chris D. Kinzel of TJKM Transportation Consultants; Mike Weaver of the Highway 68 Coalition; and numerous neighboring residents. Of primary concern is the potential for congestion at the primary Las Palmas 1 subdivision entrance, which commenters identify as a safety risk if vehicles were to queue on River Road while waiting to turn right onto Las Palmas Road. Reliance on the Las Palmas Road entrance/exit is also discussed at great length by commenters regarding the topic of emergency evacuation; comments state that in the event of a disaster that necessitates evacuation of the subdivision, existing residents and senior assisted living community residents would need to funnel out of this single exit. Commenters state that the project should have its own separate entrance, rather than rely on the subdivision entrance and streets.

Commenters also voice concerns about traffic and congestion impacts to the following roadways: streets within the subdivision, which are maintained by HOA funds, and could be damaged by project-generated traffic, especially during project construction; River Run Road and Woodridge Court, which pedestrians and children cross to access Corey Park, raising traffic-safety concerns; State Route 68 (SR 68), which commenters state is operating at level of service (LOS) F, and therefore should not be subjected to any additional congestion.

Traffic Conditions on Residential Streets

The project would increase traffic on three subdivision streets: Las Palmas Road, River Run Road, and Woodridge Court. The Riverview at Las Palmas Senior Housing Traffic Impact Analysis (Keith Higgins 2017) estimates the project's effect on traffic volumes in the Subdivision. Table 9-1 on page 9-22 of the Draft SEIR estimates existing plus project-generated traffic, based on the traffic study, on Las Palmas Road, River Run Road, and Woodridge Court. As shown in Table 9-1, with the addition of trips generated by the project, these streets would all operate well within acceptable traffic volumes for residential streets (LOS A or B), based on generally accepted level of service and traffic calming thresholds. Furthermore, the project would add little to no vehicle trips to other streets in

the subdivision. The project would have a less than significant impact on traffic conditions in the subdivision, and no mitigation would be required.

Queuing at Entry Gate

In addition to increasing traffic volumes on residential streets in the subdivision, vehicle trips generated by the project would affect queuing at the entry gate to the subdivision on Las Palmas Road. The discussion of neighborhood traffic impacts on page 9-22 of the Draft SEIR has been amended as follows to address the project's effect on traffic conditions at the gate:

> Inbound vehicle trips to the project site would increase the volume of traffic that passes through the entry gate to the subdivision. This gate is currently served by a security guard. Subdivision residents have windshield tags on their vehicles, which allow entrance without having to stop at the security gate (Higgins 2019). Visitors and commercial vehicles are required to stop and be recorded in the daily log. While this information is recorded, all entering vehicles must stop because there is only a single entrance lane. The gate is not served by a security guard during the afternoon rush hour, which has the highest inbound traffic flow during the day, for the sake of avoiding occasional queues that would extend from the gate house to River Road.
>
> Based on the traffic study prepared for the project, vehicle trips generated by the project would increase the existing volume of inbound traffic at the gate by an estimated 16 percent (Higgins 2017, 2019). Las Palmas Road has enough capacity to accommodate these additional trips without resulting in substantial queuing in front of the gate, or in blockage of vehicles turning into or out from Winding Creek Road. As a condition of approval of the project, the County would require employees at the senior assisted living community to display windshield tags. This condition of approval would eliminate the need to check each employee's vehicle, reducing the length of queues at the gate. Further measures, such as installing an automatic gate or adding a second inbound lane at the gate, would not be necessary to reduce queuing. Therefore, the project would have a less than significant impact on traffic circulation related to queuing at the subdivision's gate.

Deterioration of Residential Streets

Additional traffic on residential streets in the subdivision during construction and operation of the project would contribute to physical deterioration of these streets. Page 9-24 of the Draft SEIR has been amended as follows to discuss the potential for vehicle trips generated by the project to deteriorate residential streets in the subdivision:

> During construction of the project, truck trips routed through the subdivision could contribute to deterioration of private residential streets maintained through homeowners' association fees. However, as a standard grading and building permit condition, the County would require that the project applicant be responsible for repairing any damage to existing infrastructure during the temporary construction activities. This would include repairing pavements and special pavement surface treatments, as needed. Adherence to this condition of approval would prevent long-term deterioration of the circulation system from construction activity.
>
> During operation of the project, the addition of vehicle trips, especially truck trips to serve the senior assisted living community, could incrementally contribute to deterioration of subdivision streets. To offset this effect, payment of a fair-share contribution toward ongoing maintenance of private streets would be necessary. As a condition of approval, the County would require that

the applicant pay a fair-share contribution toward ongoing maintenance of private streets maintained by the homeowners' association in the subdivision. The fair-share contribution would be proportionate to the effect of project-generated vehicle trips on deterioration of privately maintained streets, relative to the effect of other residential traffic in the subdivision.

With implementation of this condition, the applicant would make a fair-share contribution to repairing long-term damage to privately maintained streets in the subdivision. Therefore, the project would have a less than significant impact related to deterioration of the circulation system.

SR 68 Traffic Conditions

The project would contribute to existing traffic congestion on SR 68. As discussed on page 9-25 of the Draft SEIR, it is estimated that the project would add one AM peak hour trip and four PM peak hour trips to the two-lane section of SR 68 immediately west of the Toro Park interchange. Although the increase in traffic volumes would be minimal, it would contribute to existing unacceptable traffic conditions on the highway. Therefore, page 9-24 of the Draft SEIR acknowledges that the project would have a significant and unavoidable impact on traffic conditions on SR 68. However, the project would result in LOS C traffic conditions at the intersections of SR 68 ramps with Reservation Road and River Road, which would be acceptable. Payment of the applicable Monterey County and TAMC development impact fees also would mitigate the project's contribution to cumulative impacts. Refer to pages 13-6 and 13-7 of the Draft SEIR for further discussion.

Separate Entry

According to the project applicant (Ellis 2019), a separate entry for the project was considered. However, a separate entry would require an easement on privately owned land, which the applicant was not able to obtain. Because the applicant has not obtained such an easement, a separate entry is not anticipated for the project. A separate access would not be necessary to avoid impacts on traffic circulation because the level of service on roads providing access to the project site would be acceptable (Higgins 2017). As discussed below, a separate access also would not be necessary to ensure adequate emergency access.

Moreover, a separate entry would result in additional construction impacts. Also, there would likely be site distant issues on River Road as a separate entry intersection into the project site would be very close to the entry for the Las Palmas subdivision. Additionally, a separate entry would likely be located on or very near a curve on River Rd, which would increase the potential for traffic incidents/accidents.

Emergency Access

The primary emergency access route to and from the project site would be Woodridge Court. Page 9-24 of the Draft SEIR has been amended as follows to discuss impacts associated with the steepness this access route and the adequacy of secondary emergency access to the project site:

Emergency Access

~~The project's traffic impact assessment concluded that vehicle trip generation associated with the proposed project would be accommodated by the existing neighborhood roadway system. Therefore, implementation of the proposed project would not result in inadequate emergency access to the project site itself, or to residences in the Las Palmas Ranch neighborhood.~~

The project would involve extending Woodridge Court at a grade of approximately 15 percent to provide primary vehicular access to the project site. This grade is within the County's requirements for the Las Palmas Specific Plan and for the County in general. Therefore, the grade of site access would not create a safety hazard for emergency vehicle responding to service requests at the senior assisted living community.

Secondary access between River Road and the project site during emergency evacuations would be available through the lawn area between County Park Road and Woodridge Court. In addition, the project's interior loop street system would facilitate emergency access in more than one direction on-site. However, secondary access would not be provided on Woodridge Court between Country Park Road and the first internal parking lot aisle. To provide for additional capacity on this road segment in an emergency evacuation, turnouts on exiting and entering lanes should be provided. In addition, an all-weather surface should be provided on the lawn area between Country Park Road and Woodridge Court to facilitate emergency access. Therefore, this impact would be potentially significant without mitigation.

Mitigation Measure TRA-3 Emergency Access Improvements. Prior to occupancy of the proposed senior assisted living community, the applicant shall install eight-foot turnouts on the entering and existing lanes of the proposed extension of Woodridge Court between Country Park Road and the first internal parking lot aisle on the project site. Also prior to occupancy, the applicant shall install grass grid pavers on the section of lawn area between Woodridge Court and Country Park Road to provide an all-weather surface for secondary access.

Implementation of Mitigation Measure TRA-3 would involve ground disturbance to install turnouts and grass grid pavers, which could have secondary effects on unanticipated subsurface cultural resources and water quality. However, as discussed on page 11-1 of the Draft SEIR, the applicant would apply comprehensive measures in the 2010 Monterey County General Plan to avoid and minimize impacts on archaeological resources and human remains. As discussed on page 11-6 of the Draft SEIR, compliance with stormwater permitting requirements would prevent erosion or degradation of water quality from construction activities. Therefore, the secondary environmental impacts of Mitigation Measure TRA-3 would be less than significant.

With implementation of Mitigation Measure TRA-3, the applicant would improve the capacity for and safety of emergency access routes to the project site. As a result, the proposed project would not cause inadequate emergency access to the project site itself, or to residences in the Las Palmas Ranch neighborhood. This impact would be less than significant with mitigation.

Traffic Safety

The project would generate traffic in proximity to pedestrians and bicyclists on residential streets in the subdivision. Additional traffic on Woodridge Court and River Run Road would occur on routes providing access to Corey Park. With project-generated traffic, Woodridge Court would carry about 363 vehicles per day between River Run Road and the project site, and River Run Road would carry about 1,313 vehicles per day between Woodridge Court and Las Palmas Road (Higgins 2017). Traffic volumes on these streets and others in the subdivision would be well within acceptable levels for local residential streets, with traffic delay not exceeding the applicable standard of LOS C. Although traffic accidents have occurred at the subdivision's entrance, the volume of inbound traffic would not increase by more than 16 percent and project-generated traffic would not result in substantial

queuing at the entry gate. (Refer to *Queuing at Entry Gate* above for further discussion of traffic effects at the gate.) Therefore, additional traffic near Corey Park and other parts of the subdivision would not substantially increase safety hazards for pedestrians, bicyclists, and motorists in the subdivision, including people accessing Corey Park. The project would have a less than significant impact on traffic safety.

Vehicle Miles Traveled

As noted by commenters, Draft SEIR Section 9.0, *Transportation & Traffic*, does not include an analysis of the project's effect on vehicle miles traveled (VMT) in Monterey County. VMT is the measure of miles traveled within a specific geographic area for a given period. This metric can be used to quantify the impact of a project or plan on the larger transportation system. In December 2018, the California Governor's Office of Planning and Research in the *Final Adopted Text Revisions to the CEQA Guidelines* introduced VMT as the primary metric to quantify a project's impact in place of level of service. However, local jurisdictions were given a grace period to adopt VMT (by July 2020). Monterey County has yet to adopt VMT as its primary metric for evaluating traffic impacts. Therefore, the Draft SEIR is not required to analyze the project's effect on VMT.

Topical Response E: Slope Stability and Stormwater Drainage

Multiple comments state that the project site is vulnerable to erosion, soil instability, and landslides/mudslides. Concerns are voiced that because the project site is elevated, the project could destabilize the slope. Commenters note that prior storm events have indicated geologic instability around the project site. Furthermore, commenters state that stormwater runoff from the proposed structures would pose a flood hazard to the subdivision homes, which are at a lower elevation.

Slope Stability

A Geologic Hazards Report and Soil Engineering Feasibility Investigation was prepared for the project (Landset Geotechnical Report, Appendix F to the Draft SEIR). The preliminary report determined that the project is feasible with a recommendation that an additional design level soil engineering investigation be performed once preliminary development plans have been completed. Section 11.0, *Effects Not Found to be Significant*, of the Draft SEIR summarizes the preliminary geotechnical report by stating that while the steep slopes on the north and south flanks of the site are prone to landslides and slope failure, future building foundations would be located within the geologically suitable building envelope as described in the report, which would avoid environmental impacts related to landslides. For these reasons, the project would not be subject to, nor increase, any on- or off-site slope stability hazards that would create a significant environmental impact.

As a condition of approval, all recommendations included in the geotechnical report would be implemented in the design and construction of the project to ensure that there would be no significant impacts associated with geologic hazards.

The following revisions have been made to Section 11.4, *Geology & Soils,* of the Draft SEIR to provide additional clarification:

> While the steep slopes on the north and south flanks of the site are prone to landslides and slope failure, future building foundations will be located within the geologically suitable building

envelope as described in the report, which would avoid environmental impacts related to landslides. Building within this area would be adequate to reduce the impact because, as determined by Landset Engineering, Inc., the area within the geologically suitable building envelope is less steep than the steep slopes on the north and south flanks of the site, and more geologically stable. As displayed in Figure 11-1, Project Site Slopes, a portion of the project site proposed for development is located in an area of slopes greater than 25%.

As a condition of approval, all recommendations included in the geotechnical report would be implemented in the design and construction of the project. These recommendations include, but are not limited to: building within the geologically suitable building envelope to ensure that future building foundations are built on the most stable part of the site that would expose neither those nor other structures to harm from landsliding and slope instability; having the project geologist review final site grading and improvement plans prior to construction and site grading during earthwork to properly account for and, if necessary, adjust to actual conditions found during grading; requiring that on-site soils are inspected by a soil engineer prior to any site clearing or grading to ensure the internal consistency and stability of on-site soils; measures to ensure stability of existing on-site soils during and after site preparation and grading; and measures to ensure stability of foundations, footings, pile and grade beam foundations, retaining walls, and utility trenches.

In addition, the applicant would be required to comply with applicable building codes and standard County conditions of approval relating to slope stability and stormwater drainage. For example, the applicant would be required to comply with Monterey County Code Chapter 16.08, Grading, which prohibits the issuance of grading permits for projects that would be hazardous by reason of flood, geological hazard, seismic hazard, or unstable soil; and Monterey County Ordinance Code, specifically Chapter 16.12, which requires an erosion control plan prior to permit issuance for building, grading, or land clearing.

Compliance with recommendations in the geotechnical report, which would be required as a condition of project approval, and compliance with applicable County code requirement would ~~to~~ ensure that there would be no significant impacts associated with geologic hazards.

For informational purposes, a full listing of the recommendations of the geotechnical report follows (recommendations relating to site drainage are listed below under *Stormwater Runoff*):

Geologic Recommendations

The following recommendations of the geotechnical report would address potential effects related to landsliding, slope instability, and seismic hazards by requiring that the final site grading and improvement plans are reviewed for such effects; that the project geologist review site grading during earthwork to ensure site stability and to properly account for and, if necessary, adjust to actual conditions found during grading; that future building foundations are built on the most stable part of the site that would expose neither those nor other structures to harm from landsliding and slope instability; and that structures designed for human occupancy are built according to the CBC, including provisions related to seismic shaking.

1. Prior to construction, the project geologist should review the site grading and improvement plans and their potential impacts on identified geologic hazards.
2. In order to mitigate the potential hazards from landsliding and slope instability, future building foundations should be located within the Geologically Suitable Building Envelope (Sheet 1). Structures designed for human occupancy should be located within this envelope.

3. Structures designed for human occupancy shall be designed according to the current edition of the CBC. Structures should be designed for peak horizontal ground acceleration of 0.522g.
4. The project geologist should review the site grading during earthwork. The purpose of this review is to examine the site for overall stability and to provide additional recommendations if site conditions differ those identified during the course of this investigation.

Soil Engineering

Site Preparation and Grading

The following recommendations of the geotechnical report would address potential effects related to soil stability by requiring that on-site soils are inspected by a soil engineer prior to any site clearing or grading to ensure the internal consistency and stability of on-site soils.

1. The soil engineer should be notified at least ten (10) working days prior to any site clearing or grading so that the work in the field can be coordinated with the grading contractor, and arrangements for testing and observation services can be made. The recommendations contained in this report are based on the assumption that Landset Engineers, Inc. will perform the required testing and observation services during grading and construction. It is the owner's responsibility to make the necessary arrangements for these required services.
2. Prior to grading, construction areas should be cleared of obstructions, buried structures & utilities, tree roots, undocumented fill and other deleterious materials. Site clearing should be observed by a field representative of Landset Engineers, Inc. Voids created by removal of material as described above should be called to the attention of the soil engineer. No fill should be placed unless a representative of this firm has observed the underlying soil.
3. Following site clearing, the upper 1.5 to 3-feet of native soil should be overexcavated from the building areas. The actual depth of subexcavation should be determined by additional design level soil engineering investigation(s). Building areas are defined as the soils within and extending a minimum of 5 feet beyond the foundation perimeters and structural fill areas.
4. The soils exposed by overexcavation should be scarified 12 inches; moisture conditioned to above optimum moisture content, and compacted to at least 90% of maximum dry density. Where referenced in this report, percent relative compaction and optimum moisture content shall be based on ASTM test D1557. Areas to receive structural fill outside the building pad should be scarified and recompacted in a similar manner.
5. In order to limit the potential for differential settlement of conventional footings, foundations should not be supported on both fill and cut. Therefore, we recommend that the cut side of the building area should be overexcavated (undercut). The proposed grading within the building area should be designed so that no more than 5 feet of differential fill thickness exists below foundations. The portion of the building foundations bearing on cut should be undercut at least 3 feet below the proposed building pad so that the entire foundation is bearing on a uniform layer of compacted fill. Deeper overexcavation may be necessary in order to satisfy the differential fill thickness recommendations.
6. If structural fill is to be placed on slopes steeper than 6:1 (horizontal to vertical), keyways should be established at the toe of the proposed fill slopes. The keyways should have minimum widths of 12-feet and should be sloped approximately 2% back into the hillsides. The keyways and subsequent upslope benches should penetrate into sufficiently stable material as determined by the soil engineer at the time of grading.
7. If structural fill is to be placed on slopes steeper than 10:1, the slopes should be benched. The benches should have a minimum width of 12-feet and should be sloped approximately 2% back into the hillsides. The soil engineer will determine the depth, scarification, and recompaction of the bench bottoms at the time of grading.
8. If fill over cut slopes are to be constructed, keyways should be established at the cut/fill daylight lines. The keyways should have minimum widths of 12-feet and should be sloped

approximately 2% back into the hillsides. The keyways and subsequent upslope benches should penetrate into sufficiently stable material as determined by the soil engineer at the time of grading.

9. The soil engineer should also observe keyways and benches to assess the need for subsurface drains (subdrains). Subdrains in other areas may also be recommended depending on the grading plan and site conditions observed at the time of grading.
10. Fill slopes should be constructed at a maximum finished slope inclination of 2:1 (horizontal to vertical). Fill slopes should be overfilled and trimmed back to competent material. Further compaction of exposed fill slope faces using sheepsfoot rollers or tracked equipment may be recommended by the soil engineer. Cut slopes should be constructed at an inclination of 2:l.
11. Fill, material should be placed in thin lifts, moisture conditioned to a level above optimum moisture content, and compacted to a minimum of 90 percent of maximum dry density. Prior to compaction, the soil should be cleaned of any rock, debris, and irreducible material larger than 3-inches in diameter.
12. Fill material should consist of non-expansive Select Structural Fill. Select Structural Fill is defined herein as a native or import fill material which, when properly compacted, will support foundations, pavements, and other fills without detrimental settlement or expansion. Select Structural Fill is specified as follows:
    - Clean native soil may be utilized, but import fill shall have a Plasticity Index of less than 12
    - Be free of debris, vegetation, and other deleterious material
    - Have a maximum particle size of 3-inches in diameter
    - Contain no more than 15% by weight of rocks larger than 21/2-inches in diameter
    - Have sufficient binder to allow foundation and unshored excavation stand without caving
    - Prior to delivery to the site, a representative sample of proposed import should be provided to Landset Engineers, Inc. for laboratory evaluation
13. In areas to be paved, the upper 12-inches of subgrade soils and all aggregate base should be compacted to a minimum of 95 percent of maximum dry density. Aggregate base and subgrade should be firm and unyielding when proof rolled by heavy rubber-tired equipment prior to paving.

Foundations

The following recommendation of the geotechnical report would address potential effects related to future building stability by ensuring that building foundations are properly supported; placed on properly prepared, stable soils; and engineered to withstand reasonably foreseeable future conditions as determined by the geotechnical engineer.

14. Structures may be supported by conventional continuous and spread (pad) footings or drilled pier & grade beam foundations.

Conventional Footings

15. Conventional footings may be supported ***entirely on recompacted engineered fill or entirely on firm native soil, but not a combination of both***. Footings should have minimum depths of 12-inches below lowest adjacent grade for single story structures, and 18-inches below lowest adjacent grade for two story structures, and 24-inches below lowest adjacent grade for three story structures. For the above conditions, the footings for a proposed structure may be designed for an allowable bearing pressure range of 1,000 to 3,000 psf for dead plus live loads. Footings should be reinforced as directed by the architect/structural engineer.
16. Footing excavations should be observed by a representative of this firm prior to placement of formwork or reinforcement. Concrete should be placed only in foundation excavations that have been kept moist, and contain no loose or soft soil debris.
17. Footings located adjacent to other footings or utility trenches should have their bearing surfaces founded below an imaginary 1:1 (horizontal to vertical) plane projected upward from the bottom edge of the adjacent footings or utility trenches.

Pier & Grade Beam Foundations

18. Drilled friction and/or end bearing pier and grade beam foundations should penetrate through any engineered fill and/or topsoil and bear entirely into the dense native earth materials as verified by a representative of this firm at the time of drilling.
19. Foundation piers should be 12 to 24-inches in diameter and should be spaced apart at least 3 pier diameters, center to center. These cast-in-place concrete piers should be reinforced as directed by the project architect/structural engineer.
20. For the above conditions, the piers for a proposed structure may be designed for an allowable skin-friction range of 200 to 350 psf. for pier lengths in native earth materials for dead plus live loading. This value may be increased by one-third when considering temporary additional short-term wind or seismic loading. The support from end bearing of the piers should be neglected. Due to possible disturbance during drilling, skin friction on the upper 2-feet of the piers should be discounted in the calculations. Piers should be structurally connected to grade beams designed to transfer imposed loads to the foundation piers.
21. For calculating resistance to lateral loading, a passive resistance equal to an equivalent fluid weight range of 200 to 350 pcf. can be used (ultimate value). For pier foundations, this lateral resistance can be used over two times the cross sectional area of the pier. Only competent native earth material and engineered structural fill may be utilized in calculating lateral passive resistance. Additionally, the upper 2-feet of the pier should be ignored in providing lateral passive resistance.
22. Perimeter foundation piers and piers adjacent to structural concrete slabs-on-grade should be laterally restrained by concrete grade beams penetrating a minimum of 12-inches below lowest adjacent grade. Grade beams between interior piers are not considered necessary. Grade beams should be reinforced as directed by the project architect/structural engineer.

Slabs-on-Grade and Exterior Flatwork

23. For buildings utilizing conventional footings, interior slabs-on-grade should have a thickness of 4 to 6-inches. It should be noted that the project structural engineer might require thicker slab sections to provide the necessary support for the anticipated structural loads. Conventional concrete slabs-on-grade should be reinforced with steel as specified by the structural engineer.
24. To minimize floor dampness, such as where moisture sensitive floorings will be present, a section of capillary break material at least 4-inches thick covered with a membrane vapor barrier should be placed between the floor slab and the compacted soil subgrade. The capillary break should consist of a clean, free draining material such as Vi to 14-inch drain rock with not more than 10 percent of the material passing a No. 4 sieve. The drain rock should be free of sharp edges that might damage the membrane vapor barrier. The membrane vapor barrier should be a minimum 10 mil in thickness, and care should be taken to properly lap and seal the vapor barrier, particularly around utilities. The sand cushion should be lightly moistened immediately prior to concrete placement.
25. Exterior concrete flatwork such as driveways, patios and sidewalks should be designed to act independently of building foundations. Exterior flatwork should be constructed on compacted soil subgrade moisture conditioned to over optimum moisture content. Reinforcement and joint spacing should be at the direction of the architect/structural engineer.

Retaining Walls

The following recommendation of the geotechnical report would address potential effects related to future soil and slope stability by ensuring that retaining walls are engineered and built to withstand expected soil pressures and seismic forces; placed on soils that are properly prepared, well drained, and engineered to withstand reasonably foreseeable future conditions as determined by the geotechnical engineer.

26. Retaining walls for the site may be designed using the following general design parameters, which assume fully drained wall backfill conditions. The average bulk density of material placed on the backfill sides of walls considers a design range of 120 to 130 pounds per cubic foot (pcf).
27. The vertical plane extending down from the ground surface to the bottom of the heel of the vertical wall will be subject to lateral soil pressures (plus surcharge loads). An Active Soil Pressure of 35 to 50pcf (equivalent fluid weight) should be used in design of site walls that are free to move laterally and resultant settlement of backfill is tolerable. An At-Rest Soil Pressure of 50 to 70pcf should be used in design for walls, which are restricted from movement at the top (such as foundation walls). The above pressures are applicable to a horizontal retained surface behind the wall. Walls having a retained surface that slopes upward from the wall should be designed for an additional equivalent fluid pressure of 1 pcf for the active case and 1.5 pcf for the at rest case, for every two degrees of slope inclination.
28. The additional effects of earthquakes on the walls may be simulated by applying a horizontal line force of 10H2 pounds per foot length of wall. This force should be applied at a height of 0.6H above the wall heel. The additional effects of vertical live loads on the backfill side of walls may be simulated by applying 50 percent of the live loads as a horizontal surcharge force on the walls. The point of application of the live load surcharge

may be estimated by assuming a 45-degree line of action down from the live load to the design plane or wall stem.

29. Retaining walls should be supported on foundations bearing uniform soil conditions as described in the preceding foundation section of this report. The range for ultimate coefficient of friction below the base of the wall = 0.25 to 0.35. Passive soil resistance against the portion of the wall base and key is estimated to range from 200 to 350psf/ft. for level ground in front of the wall. Lateral support from the soil that may be excavated or used in landscaping near the wall footing should be neglected. Typically this would include the top 12-inches of soil around the wall.
30. The earth pressures are based on fully drained conditions. We recommend that a zone of drainage material at least 12-inches wide should be placed on the backfill side of the walls. Drainage materials should consist of Class 2 permeable material complying with Section 68 of the Caltrans Standard Specifications, latest edition, or 14-inch permeable drain rock wrapped in Mirafi HON or equivalent. Manufactured drains such as Miradrain or Enkadrain are acceptable alternatives to the use of permeable or gravel material, provided that they are installed in accordance with the recommendations of the manufacturer. The drains should extend from the base of the walls to within 12-inches of the top of the wall backfill. The upper 12-inches of wall backfill should consist of compacted structural fill. A perforated pipe should be placed (holes down) about 4-inches above the bottom of the wall or below lowest adjacent grades in front of the wall. The perforations should be no larger than !4-inch diameter, and the perforated pipe should be connected via a solid collector pipe to an approved point appropriate discharge facility.
31. Wall backfill should be moisture conditioned and compacted to a minimum of 90% of maximum dry density. If heavy compaction equipment will be used for compaction of the wall backfill, the wall design should include a compaction surcharge in addition to the soil pressures given above. Landset Engineers, Inc. should be consulted for proper compaction surcharge pressures. To avoid surcharging the walls, backfill within 3-feet of the wall should be compacted by hand operated equipment.

Utility Trenches

The following recommendation of the geotechnical report would address potential soil stability effects from installation of utility trenches on the project site by ensuring that these trenches would not slough or cave during construction; and that soils used to fill these trenches would be stable after installation of utility lines.

32. On-site soils should be properly shored and braced during construction to prevent sloughing and caving of trench sidewalls. The contractor should comply with the Cal/OSHA and local safety requirements and codes dealing with excavations and trenches.
33. A select non-corrosive, granular, material should be used as bedding and shading immediately around underground utility pipes and conduits. Native soils may be used for trench backfill above the select material.
34. Trench backfill in landscaped or unimproved areas should be compacted to a minimum of 85 percent of maximum dry density. Trench backfill beneath asphalt and concrete pavements should be compacted to a minimum of 95 percent of maximum dry density. Trench backfill in other areas should be compacted to a minimum of 90 percent of maximum dry density.

35. The bottoms of utility trenches that are parallel to foundations should not extend below an imaginary plane sloping downward at a 1:1 (horizontal to vertical) angle from the bottom outside edges of foundations.

Stormwater Runoff

As stated at the beginning of this topical response, some commenters state that stormwater runoff from the proposed structures would pose a flood hazard to the subdivision homes or other off-site facilities such as roadways, which are at a lower elevation. Some assert that the project is not permitted to connect with and utilize the subdivision's stormwater drainage system because the applicants are not members of the HOA.

As further explained in Topical Response I, the project applicants, who own the site, are currently members of the Las Palmas Ranch Home Owners Association and have paid dues to the association. Several commenters acknowledge that the applicant makes payments to the HOA but contend that those payments do not represent membership status. Regardless of the applicants' membership status, it would be physically possible to connect the project's drainage system to the subdivision's drainage system. Stormwater runoff and off-site flood hazards are further discussed below.

A Conceptual Stormwater Control Plan (Gateway Engineering 2017; refer to Appendix I-1) was developed for the project as part of the preliminary design to address stormwater management for the project site in conformance with County and State regulatory requirements. The plan illustrates the location of impervious and pervious areas, storm flow direction and storm water control facilities.

The project would introduce new impervious surfaces in the form of building rooftops, and paved drives, parking areas and walkways. A large proportion of the site would remain impervious and feature landscaping to promote groundwater infiltration and uptake. The project site would also feature three bioretention areas where stormwater would be captured and filtered prior to infiltration or metered release to a connecting storm drain. Grading and contouring on the project site would collect and direct flows into one of these three basins. The site drainage is specifically designed to meet County and regulatory requirements, and emulate pre-development conditions, resulting in the water volume, rate and quality of stormwater leaving the site being similar to current conditions. As a result, there would be no project-related downstream or off-site impacts related to flood hazards or stormwater quality related to project operation.

The following revisions have been made to page 11-6 in Section 11.6, *Surface Hydrology,* of the Draft SEIR to provide additional clarification:

> The proposed project would result in increases in impervious area that in turn would result in increases in the volume and rate of storm water runoff relative to existing conditions.
>
> The project site is undeveloped and does not currently contain storm drainage infrastructure. A Conceptual Stormwater Control Plan was developed for the project as part of the preliminary design to address stormwater management for the project site in conformance with County and State regulatory requirements. The plan illustrates the location of impervious and pervious areas, storm flow direction and storm water control facilities.
>
> The project would introduce new impervious surfaces in the form of building rooftops, and paved drives, parking areas and walkways. A large proportion of the site would remain impervious and feature landscaping to promote groundwater infiltration and uptake. The project site would also feature three bioretention areas where stormwater would be captured

and filtered prior to infiltration or metered release to a connecting storm drain. Grading and contouring on the project site would collect and direct flows into one of these three basins.

~~However, the proposed project design includes storm drainage facilities (collection, conveyance and disposal) as detailed in the storm water control plan (Gateway Engineering 2016) to meet the generation of storm water runoff. Proposed development must not exceed the pre-project rate of discharge.~~ The purpose is to reduce the potential for increased erosion within receiving waters due to an increase in the rate of storm water flow. The site drainage is specifically designed to meet County and regulatory requirements, and emulate pre-development conditions, resulting in the water volume, rate and quality of stormwater leaving the site being similar to current conditions.

The storm water control plan includes on-site storm water control measures designed to achieve a no net increase in rate of storm water discharge relative to pre-project conditions. This reduces the potential that runoff from new development could exceed the capacity of storm drainage facilities and contribute to off-site flood hazards.

A county reviewed storm water control plan, in conformance with storm drainage facility design standards and NPDES requirements, would be implemented ensuring that there would be no impacts related to localized flooding. As a result, there would be no project-related downstream or off-site impacts related to flood hazards or stormwater quality related to project operation.

As explained in Section 11.6 of the Draft SEIR, as amended above, proposed development is required to not exceed the pre-project rate of discharge. The purpose is to reduce the potential for increased erosion within receiving waters due to an increase in the rate of stormwater flow. The stormwater control plan includes on-site storm water control measures designed to achieve zero net increase in the rate of stormwater discharge relative to pre-project conditions. This would reduce the potential for runoff from new development to exceed the capacity of storm drainage facilities and contribute to off-site flood hazards. The project would therefore not substantially contribute to flood hazards in the subdivision or associated facilities such as the entrance road to the subdivision, or any other off-site use. Additionally, a County-reviewed stormwater control plan, in conformance with storm drainage facility design standards and NPDES requirements, would be implemented, ensuring that there would be no impacts related to localized flooding.

As a condition of approval, all recommendations included in the geotechnical report would be implemented in the design and construction of the project to ensure that there would be no significant impacts associated with stormwater runoff. The recommendations of the geotechnical report relating to site drainage are the following:

Site Drainage

The following recommendations of the geotechnical report would address potential effects related to site drainage by ensuring that a comprehensive drainage and erosion control plan designed by a Registered Civil Engineer is prepared for the project; surface drainage does not pond adjacent to foundations; surface drainage or roots do not spread beneath foundations; and that surface runoff and flow be directed to an approved point of discharge in a non-erosive manner.

36. The site soils are highly erodible and a drainage & erosion control plan is essential to the project. Fluctuations of moisture contents are a major consideration, both before and after construction. Site runoff will be increased due to the new paved and roofed surfaced areas.

A comprehensive drainage & erosion control plan designed by a Registered Civil Engineer is essential to the long-term sustainability of the project.

37. Surface drainage should provide for positive drainage so that runoff is not permitted to pond adjacent to foundations, concrete slabs-on-grade, and pavements. Pervious ground surfaces should be finish graded to direct surface runoff away from site improvements at a minimum 5 percent grade for a minimum distance of 10-feet. If this is not practicable due to the terrain or other site features, swales with improved surfaces should be provided to divert drainage away from improvements. Surface runoff collected in this swale should be controlled and flow in a non-erosive manner to an approved point of discharge.
38. Roof gutters should be utilized around the building eaves. Roof gutters should be connected to downspouts, which in turn should be connected to pipes leading to the site storm drain system. Runoff from downspouts, planter drains and other improvements should discharge in a non-erosive manner away from site improvements in accordance with the requirements of the governing agencies.
39. The migration of water or spread of root systems below foundations, slabs, or pavements may cause differential movement and subsequent damage. Landscaping runoff collection facilities should be incorporated in the project design.
40. Cut-off drainage swales should be constructed at the top of all cut and fill slopes. These drainage swales should be of adequate size to collect surface runoff and flow to an approved point of discharge in a non-erosive manner. Proper drainage and re-vegetation of graded slopes is essential to ensure stability.

In addition to complying with the recommendations of the geotechnical report, the applicant would be required to comply with applicable building codes and standard County conditions of approval relating to slope stability and stormwater drainage. For example, the applicant would be required to comply with Monterey County Code Chapter 16.08, Grading, which prohibits the issuance of grading permits for projects that would be hazardous by reason of flood, geological hazard, seismic hazard, or unstable soil; and Monterey County Ordinance Code, specifically Chapter 16.12, which requires an erosion control plan prior to permit issuance for building, grading, or land clearing. Erosion control plans must comply with Chapter 16.12.070, Runoff Control, and Chapter 16.12.090, which prohibits land clearing or grading between October 15 and April 15. Chapter 16.12.070 requires the following:

- On highly permeable soils, excess runoff must be retained on site through the use of infiltration basins, percolation pits or trenches, or other suitable means.
- On projects where onsite percolation is not feasible, all runoff must be detained or dispersed over non-erodible vegetated surfaces.
- Concentrated runoff which cannot be effectively detained or dispersed without causing erosion shall be carried in non-erodible channels or conduits to the nearest drainage course designated for such purpose or to onsite percolation devices.
- Runoff from disturbed areas shall be detained or filtered by berms vegetated filter strips, catch basins, or other means as necessary to prevent the escape of sediment from the disturbed area.
- No earth or organic material shall be deposited or placed where it may be directly carried into a body of water.

Topical Response F: Visual Impacts

Numerous comments were received addressing the visual and aesthetic aspects of the proposed project. Commenters assert that the project would impact scenic views, noting local protections for scenic resources, including the scenic highway designation of SR 68. Commenters also state that the project would degrade private views from within the subdivision, including due to tree removal and night sky light pollution, and would reduce privacy within the subdivision because homes would be visible from the project site. Additionally, commenters state that the project would be ridgeline development, which is prohibited by County regulations. Some commenters discuss the Draft SEIR's mitigation measures for aesthetic impacts, describing the proposed visual screening of the project site as inadequate.

Scenic Resources

SR 68 is a designated scenic highway of the state's Scenic Highway Program from SR 1 in Monterey to the Salinas River. SR 68 provides views of open space, agricultural land, and the Santa Lucia Mountains that border the Salinas Valley. Additionally, the Toro Area Plan designates the River Road/SR 68 intersection as a scenic entrance (Policy T-3.2), designates the land surrounding River Road in the vicinity of the project site as visually sensitive (Policy T-3.1 and Figure 16), and identifies River Road and Reservation Road as proposed scenic routes (Figure 16).

The project site is visible from a scenic-designated stretch of SR 68 for a distance of approximately 3,000 feet. The site is also visible from portions of Reservation Road, and from within the subdivision. The project site is adjacent to River Road, but is minimally visible from this road due to topography and vegetation, as well as the River Road/SR 68 intersection.

Section 5.0, *Aesthetics*, of the Draft SEIR, lists the policies related to aesthetic impacts that are applicable to the project under the Monterey County General Plan, LPRSP, and the Toro Area Plan. As described therein, the LPRSP EIR anticipated that views from River Road would become more urbanized, and that development would be visible from scenic-designated SR 68. The LPRSP EIR established mitigation measures to reduce aesthetic impacts associated with development of the Las Palmas Ranch Plan Area. Those measures, such as tree planting and a River Road setback, are incorporated into the plans of the proposed project. Development of the project site, therefore, does not represent an aesthetic impact that has not previously been analyzed and found to be less than significant. However, the Draft SEIR for the proposed project includes mitigation measures AES-1 through AES-4 in order to ensure that the project mitigates aesthetic impacts consistent with the LPRSP EIR. The project plans and mitigation measures also ensure compliance with the Toro Area Plan, which requires that development in visually sensitive areas is located and designed to enhance the scenic value of the area. The mitigation measures require landscape screening, earth toned building colors, undergrounding of utility and distribution lines, and unobtrusive lighting; for the full text of mitigation measures, refer to Section 5.0, *Aesthetics*.

Private Views

As noted in Section 5.0, *Aesthetics*, of the Draft SEIR, views of the site from within the subdivision are obstructed by single family residences and existing topography. Views from residences within the existing subdivision are not addressed in further detail in the Draft SEIR. The County of Monterey General Plan does not protect private views, and CEQA does not require a detailed evaluation of individual private views, particularly when only a limited number of private views would be affected by site development activities. Therefore, although some homeowners may be

able to see the proposed development from their private residences, the impact is not significant for purposes of the EIR.

The project plans include planting a mix of mature plants to provide some immediate screening of the site, along with younger, faster growing plants to provide long-term screening. Additionally, the mitigation measures described above would contribute to screening the project and improving the aesthetic blending of the proposed structures. However, several commenters discuss the project's use of landscaping to screen views of the project site, contending that the proposed screening would not completely hide the proposed structures from view.

As described above, the project would be visible from surrounding roads, including subdivision roads. While landscaping and other measures would be required to control the project's visual impacts, the project would not be required to be completely hidden from sight. Under CEQA, substantial degradation of a site's visual character or quality constitutes a significant aesthetic impact; mere visibility of a structure is not in itself a significant impact.

The project would add lighting to the site. The existing subdivision residences and the vehicular traffic on River Road generate the primary current sources of light and glare in the vicinity of the project site. The project would introduce new sources of light and glare by adding structures with lighting to a vacant site. Mitigation Measure AES-4 sets exterior lighting specifications designed to reduce the impact to a less than significant level, and requires approval of the project's lighting plan by the Monterey County Resource Management Agency prior to issuance of a building permit. Specifically, Mitigation Measure AES-4 requires that all exterior lighting be unobtrusive, down-lit, shielded, recessed, and designed to only illuminate the intended area. Therefore, lighting spillover outside of the site would be limited, and would not substantially increase the amount of light in the area. For a full description of lighting impacts and mitigation, refer to section 5.0, *Aesthetics,* of the Draft SEIR.

Ridgeline Development

Regarding the topic of ridgeline development, Section 5.0, *Aesthetics*, of the Draft SEIR states: "the proposed project will be visible from River Road, State Route 68, and Reservation Road, although it will not result in ridgeline development." Monterey County Code Section 21.06.950 defines "ridgeline development" as "development on the crest of a hill which has the potential to create a silhouette or other substantially adverse impact when viewed from a common public viewing area."

As described in Section 3.0, *Environmental Setting*, of the Draft SEIR, the project site is a plateaued area rising above River Road and the subdivision residences. Elevations at the site range from 70-210 feet above sea level. The common public viewing areas that the project would be visible from include short portions of River Road, in close proximity, and a portion of SR 68, at a distance.

Regarding whether or not the project site is "on the crest of a hill", the site is naturally elevated above its immediate surroundings. However, the broader surroundings include a range of elevations, with nearby hills of substantially greater elevations. The project would create a silhouette from the public viewing areas mentioned above, although the structures would mostly be shielded by existing topography and vegetation, and would only be visible momentarily by moving vehicles.

To avoid a "substantially adverse impact when viewed from a common public viewing area," the project includes four mitigation measures to reduce visual impacts, as described earlier in this topical response. Taking into account the limited visibility of the project site from public viewing areas, the natural shielding of the site due to vegetation and topography, the varied elevation

surrounding the site, and the mitigation measures to reduce visual impacts, the project would not be considered ridgeline development.

Topical Response G: Wildlife Impacts

Multiple comments were submitted that describe the wildlife that occurs, or has potential to occur, in the vicinity of the project site. Commenters state that the project's proposed construction and tree removal activity would displace or impact wildlife.

Under CEQA, potential impacts to wildlife are evaluated for the potential to be a significant impact. Impacts to common species are generally not considered a significant impact if a local or regional population would not be jeopardized. The site is primarily planted with nonnative trees, shrubs, and weedy species. Eucalyptus trees have been widely planted throughout California since the late 1800s, and often establish as invasive stands. They do provide habitat for common wildlife species, such as red-tailed hawks, mourning dove, scrub jay, and deer; but are less likely to support special status species (i.e. state and federally listed and other rare species). The small size of the project footprint, and the placement of the project site among residential and agricultural development decreases the value of habitat for special status wildlife. Impacts to common wildlife species (including common birds) would not be considered significant under CEQA, and potential impacts to special status wildlife, and non-special status birds protected under the California Fish and Game Code are mitigated through implementation of the Draft SEIR mitigation measures (Measures BIO-1 through BIO-5) requiring preconstruction surveys and avoidance, and through the implementation of the additional mitigation measures proposed in the response to letter 5 that will be included in the Final EIR.

Topical Response H: Noise

Multiple comments describe concerns about project-generated noise, including construction noise, traffic noise, operational noise at the senior assisted living community, and the noise from emergency vehicles that could potentially be frequently moving to and from the senior assisted living community.

The Draft SEIR addresses noise impacts in Section 11.0, *Effects Not Found to be Significant*. As discussed therein, impacts related to construction noise and vibration, on-site operational noise, traffic noise, and the exposure of new sensitive receptors to ambient noise would all be less than significant. However, the Draft SEIR does not include on-site noise measurements to establish baseline noise conditions, and it lacks a quantitative analysis of the project's noise impacts, both of which would help address the commenters' concerns. Therefore, this topical response provides additional information, including the results of new noise measurements and quantitative analyses where necessary for construction noise, on-site operational noise, and traffic noise. This additional information amplifies the Draft SEIR's noise analysis and does not represent substantial new information that could necessitate recirculation of the Draft SEIR.

Existing Noise Environment

To establish a baseline for existing ambient noise levels in and near the project site, as a baseline for judging the project's effects on the noise environment, five new noise measurements were taken in and near the site. Based on these noise measurements, page 11-7 of the Draft SEIR has been amended as follows to discuss the existing noise environment:

To quantify existing noise levels on and near the project site, one 24-hour noise measurement and four short-term noise measurements were taken using an ANSI Type II integrating sound level meter. Figure 11.2 shows the locations of these measurements with respect to the project site. The measurements were taken during midday hours on Wednesday, June 26, 2019. These measurements were located adjacent to residences on Country Park Road and to River Road. They were intended to be representative of existing traffic noise levels along River Road and at the nearest residences facing the project site. Table 11-1 summarizes the noise monitoring results.

Figure 11-2 Noise Measurement Locations

Table 11-1

Noise Measurement Results

Measurement Location	Description	Primary Noise Source	Sample Time	Noise Level (L_{eq} dBA)
1	Northeast corner of project site adjacent to residence on Country Park Road (285 feet south of River Road centerline)	Traffic, birds	11:06 A.M. – 11:36 A.M.	48.3
2	Eastern property line adjacent to residence on Country Park Road (850 feet south of River Road centerline)	Traffic, animals	11:46 A.M. – 12:06 P.M.	46.7
3	South side of River Road to west of Las Palmas Road (120 feet south of River Road centerline)	Traffic	12:14 P.M. – 12:34 P.M.	66.3
4	North side of River Road to west of Country Park Road (100 feet north of River Road centerline)	Traffic, tractor	12:43 P.M. – 1:03 P.M.	67.1
24-Hour Noise Measurement	Northern edge of project site (175 feet south of River Road centerline)	Traffic	24 hours	70.0

[1] Figure 11-1 shows the noise measurement locations.
Refer to Appendix J for noise measurement results.

As shown in Table 11-1, existing ambient noise is as high as 70.0 dBA Leq at a distance of 175 feet from River Road, over the course of a 24-hour measurement period. (The metric L_{eq} is an equivalent noise level over a given period of time.) Ambient noise decreases with greater distance from River Road. At measurement locations 1 and 2 next to residences on Country Park Road, ambient noise during midday weekday hours ranged from 46.7 to 48.3 dBA Leq.

Noise Impacts

The Draft SEIR discusses noise impacts in Section 11.0, *Effects Not Found to be Significant.* As described therein, the project would not result in significant traffic noise impacts. The following supplemental discussion of noise impacts has been added to provide quantitative analyses where necessary for the issues of construction noise, on-site operational noise, and traffic noise.

Construction Phase

Page 11-7 of the Draft SEIR has been amended as follows to include quantitative modeling of temporary construction noise:

The Federal Highway Administration's Roadway Construction Noise Model (RCNM) was used to estimate the equipment noise levels for the proposed project at the nearest sensitive receptors for each phase of project construction: site preparation, grading, building construction, paving, and architectural coating. RCNM predicts noise levels based on the expected construction equipment in each phase of construction, empirical data for noise generated by this equipment,

the expected usage of equipment during each work day, and formulas to estimate sound attenuation from source to receiver. A list of anticipated equipment and the number of each piece of equipment during construction was obtained from default settings for senior retirement communities in the California Emissions Estimator Model (CalEEMod).

Construction noise levels would attenuate at a rate of approximately 6 dBA per doubling of distance. Ground absorption adds to the attenuation from distance alone. This analysis is conservative because it does not account for further attenuation from intervening topographic features or structures between construction equipment and receivers and does not account for soft-site attenuation. The analysis makes another conservative assumption that construction equipment would typically operate as close as 50 feet from sensitive receptors. This assumption does not take into account the fact that equipment is typically dispersed in various areas of a construction site, at greater distances from sensitive receptors. Due to site and equipment limitations, only a limited amount of equipment can operate near a given location at a particular time. Therefore, this analysis of construction noise impacts is highly conservative.

Construction activity on the project site would occur periodically during development of the proposed project, with the use of heavy equipment generating noise. Sensitive receptors that may be exposed to construction noise include existing residences in the Las Palmas Ranch #1 Subdivision to the east of the project site. Residences on Country Park Road, which parallels the eastern boundary of the project site, would be closest to construction noise on-site. In addition, assisted living facilities that would be built during an earlier construction stage could be exposed to noise generated by construction of subsequent buildings.

The effect of construction noise on sensitive receptors would depend on the type of activity being undertaken and the distance to the receptor location. Construction noise impacts are most severe if construction activities occur during times of day when people are most sensitive to noise (early morning, evening, or nighttime hours), in areas immediately adjoining noise-sensitive land uses, or when construction duration lasts over extended periods of time. Table 11-2 shows the maximum expected noise levels at distances of 50 and 100 feet from construction equipment, based on the combined use of equipment anticipated to be used concurrently during each phases of construction modeled in RCNM.

Table 11-2

Estimated Noise Levels by Construction Phase

Construction Phase	Equipment	Estimated Noise Levels at Nearest Sensitive Receptors (dBA L_{eq})	
		50 feet	100 feet
Site preparation	Backhoe, bulldozer, tractor	86	80
Grading	Backhoe, bulldozer, excavator, grader, scraper	87	81
Building construction	Backhoe, crane, forklift, generator, tractor, welder	89	83
Paving	Paver, roller	80	74
Architectural coating	Air compressor	74	68

As shown in Table 11-2, construction activity at a distance of 50 feet from sensitive receptors would generate noise levels up to an estimated 89 dBA L_{eq} during building construction, 87 dBA L_{eq} during grading, and 86 dBA L_{eq} during site preparation. These estimates are highly conservative because they assume no attenuation of noise by topographic features or intervening structures and construction activity adjacent to sensitive receptors.

Compliance with County requirements would reduce the exposure of sensitive receptors to temporary increases in construction noise. Section 10.60.040 of the Monterey County Code of Ordinances would prohibit nighttime construction activity that generates exterior noise levels of at least 45 dBA L_{eq} or 65 dBA L_{max}, between 10 p.m. and 7 a.m. (The metric L_{max} is a maximum noise level.) In addition, Policy S-7.9 in the Monterey County General Plan's Safety Element (2010) would prohibit construction activities that exceed "acceptable" noise levels "within 500 feet of a noise sensitive land use during the evening hours of Monday through Saturday, or anytime on Sunday or holidays, prior to completion of a noise mitigation study." This policy would apply to the proposed project because the existing measured 24-hour ambient noise level of 70.0 dBA L_{eq} in the project site exceeds the normally acceptable level of 60 dBA L_{eq} for residential land uses in Table S-2 of the Safety Element. Policy S-7.10 also would require the following standard noise reduction measures: ~~Construction activities on the project site would be subject to Monterey County construction noise standards, including:~~

- Construction shall occur only during times allowed by ordinance/code unless such limits are waived for public convenience;
- All equipment shall have properly operating mufflers; and
- Lay-down yards and semi-stationary equipment such as pumps or generators shall be located as far from noise-sensitive land uses as practical.

Adherence to construction noise restrictions in the Monterey County Code Chapter 10.60.40 and Monterey County General Plan Policies S-7.9 and S-7.10 would substantially reduce the exposure of sensitive receptors to temporary increases in construction noise, especially during sensitive evening and nighttime hours. As a condition of approval, the County would require that the project adhere to these General Plan policies to minimize construction noise. These requirements would reduce construction-related noise impacts to less than significant.

Based on the above analysis, construction of the project would have a less than significant noise impact, consistent with the Draft SEIR's analysis.

Operational Phase

The Draft SEIR's analysis of operational noise on page 11-7 has been amended as follows to identify specific sources of noise-generating equipment and to estimate noise levels from each type of equipment:

During operation of the proposed senior assisted living community, heating, ventilation, and air conditioning (HVAC) equipment would continuously generate noise. It is anticipated that HVAC equipment would be located on the rooftops of the proposed assisted living and senior assisted living facilities, which would be located as close as approximately 250 feet from the nearest residences on Country Park Road to the east. Rooftop-mounted HVAC equipment typically generates an average noise level of up to 70 dBA L_{eq} at a distance of 15 feet from the source (Illington & Rodkin 2009). Since noise from a point source would attenuate at a rate of approximately 6 dBA per doubling of distance from the source, it is estimated that HVAC noise

would decrease to 46 dBA L_{eq} at a distance of 250 feet. This noise level would not approach the existing measured 24-hour noise level of 70.0 dBA L_{eq} in the northern section of the project site. It would also not exceed the range of ambient noise measured during midday weekday hours next to residences on Country Park Road (46.7 to 48.3 dBA L_{eq}). Therefore, HVAC noise would not have a substantial effect on ambient noise at off-site sensitive receptors.

Infrequent sources of long-term noise during operation of the project would include emergency vehicles and emergency generators. Emergency vehicles would be used on occasion to transport seniors needing emergency care from the project site to medical facilities. Sirens from emergency vehicles on River Road would result in a short-term spike in ambient noise levels at nearby residences. However, there is an agreement in place that the Subdivision is a "no-siren zone." Furthermore, Section 10.60.040.C.3 of the County Code exempts "emergency vehicles being operated by authorized personnel or equipment used in an emergency, such as chain saws" from noise regulation. Emergency generators would rarely be used, except in the event of a disruption in the normal power supply and at infrequent intervals when automatically starting up. Generators typically create noise reaching 82 dBA L_{eq} at a distance of 50 feet from the source (FTA 2018). It is assumed that generators, if placed outside, would serve the proposed assisted living and senior assisted living facilities, which are located approximately 250 feet away from the nearest residences. At this distance, generator noise would be about 68 dBA L_{eq}, assuming no attenuation by intervening topography. As noted above, equipment used in an emergency is exempt from the County's noise ordinance. Therefore, equipment noise would not result in a long-term increase in noise levels.

~~The proposed project is not expected to produce significant temporary or continuous noise from on-site operations that would significantly increase exiting ambient noise levels. The proposed project does not include point sources of high intensity noise or sources that are unique or excessive relative to other types of residential uses.~~ Due to the nature of the use at a senior assisted living community, the daily activities would be mostly confined inside of buildings. Any outdoor activities are expected to be low intensity passive uses that would not generate excessive noise. ~~Design of the facility, berms, and landscaping would further preclude noise from travelling off the property. On-site operations would not generate noise with an intensity that exceeds county standards at the nearby noise sensitive residential use.~~ On-site noise sources during operation of the proposed project, including HVAC equipment, emergency vehicles, and emergency generators, would have a less than significant impact on long-term noise levels.

Based on the above analysis, operation of the project would have a less than significant noise impact, consistent with the Draft SEIR's analysis.

Traffic Noise

Pages 11-7 to 11-8 of the Draft SEIR have been amended as follows to include quantitative modeling of the proposed project's effect on traffic noise:

~~Increases in traffic generation may result during construction activities and from employee trips to and from the facility, which may elevate noise levels along local roadways. The Monterey County General Plan EIR concluded that the General Plan Noise Element provides sufficient analysis thresholds and recommendations for noise attenuation to effectively mitigation transportation noise impacts.~~ The project would increase traffic and traffic-related noise through the Subdivision during both the construction and operational phase.

Construction traffic would be temporary and would not have a long-term effect on traffic noise near the project site. The effect of operational traffic on ambient noise from traffic on River Road was estimated using the U.S. Department of Housing and Urban Development's Site Day/Night Noise Level (HUD DNL) Calculator (DNL calculation sheets can be viewed in Appendix J to the Final SEIR). The HUD DNL Calculator is an electronic assessment tool based on the HUD Noise Assessment Guidelines that calculates the Day/Night Noise Level from roadway traffic. Modeled noise levels are in terms of the Day/Night Noise Level (L_{dn}), a 24-hour metric which adds a penalty of 10 dBA to actual nighttime (10:00 p.m. to 7:00 a.m.) noise levels to account for the greater sensitivity to noise during that time period.

The noise analysis conducted with the HUD DNL Calculator is based on traffic volumes in the Riverview at Las Palmas Senior Housing Traffic Impact Analysis prepared in June 2017 (Higgins 2017). The nighttime percentage of trips was assumed to be the default value of 15 percent, and speed limit was set at 55 miles per hour (as posted). A modal split of 80 percent cars, 15 percent medium trucks, and 5 percent heavy trucks was assumed for River Road. Traffic on low-volume residential streets in the Subdivision was not modeled because it does not substantially contribute to ambient noise levels relative to traffic on River Road. Based on the roadway traffic volumes presented in the traffic study (Higgins 2017), the volume of average daily traffic on River Road would be approximately five to ten times higher than the volume of existing traffic plus project-generated trips on Subdivision streets. Therefore, traffic on River Road is the primary driver of ambient noise levels near the project site.

Two locations at ground level on the project site were analyzed with the HUD DNL Calculator, one where the 24-hour noise measurement was taken in the northern section of the project site (175 feet from River Road) and one where a 20-minute noise measurement was taken near the southern end of Country Park Road (850 feet from River Road). These locations were selected to reflect the range of ambient noise across the project site. While the HUD DNL Calculator does not account for differences in elevation between the noise source and sensitive receptors. intervening topography does partially block traffic noise in the southern portion of the project site. For this reason, it is expected that modeled noise in the southern portion of the project site would be higher than actual noise. Therefore, the approach to modeling traffic noise is conservative.

Using the HUD DNL Calculator, traffic noise in the project site at a distance of 175 feet from River Road was estimated at 68 dBA L_{dn} under both existing and with-project traffic conditions. At a distance of 850 feet from River Road, traffic noise was estimated at approximately 58 dBA L_{dn} under both existing and with-project traffic conditions. The addition of traffic generated by operation of the proposed project would not perceptibly increase traffic noise from River Road.

Project-generated traffic would also increase traffic volumes on residential streets in the Subdivision that lead to the project site, including Las Palmas Road, River Run Road, and Woodridge Court. However, these residential streets are secondary noise sources relative to River Road, and their traffic volumes would not increase to the extent that ambient noise at sensitive receptors would substantially increase. Therefore, the project would have a less than significant impact from increasing traffic noise.

As discussed above, modeling of traffic noise indicates that traffic generated by the project would have a less than significant noise impact, which is consistent with the Draft SEIR's analysis.

Topical Response I: Private Land Rights

Numerous comments regarding private land rights indicate fundamental disagreement between the commenters and the project applicant regarding the applicant's right to establish shared use of HOA-controlled facilities and resources. Commenters note that the Subdivision's roads, stormwater drainage facilities, and security service are privately maintained and funded by the HOA. Some commenters dispute the Draft SEIR's description of the project applicant as a member of the HOA; commenters acknowledge that the applicant has contributed payments to the HOA, but is not a member and has not been granted the access rights necessary for development of the project site.

Commenters state that the applicant would not have the right to connect the project to the Subdivision's stormwater drainage system. Regarding road use, multiple commenters use the phrase "ingress and egress" to refer to the limited rights of the applicant to use Subdivision roads, suggesting that construction vehicles would not be permitted to park on the roads and that senior assisted living center residents would not have the right to walk on them. Commenters also state that the project would burden the Subdivision's privately funded security service.

The disagreements regarding land use rights and site access are noted and will be taken into consideration by County decision makers. Section 4.0, *Project Description*, of the Draft SEIR states:

River Road provides the northern boundary of the property. There is no direct access from River Road and none is proposed. Access to the site is from the signalized intersection at River Road and Las Palmas Road to River Run, then Woodridge Court. River Road is a public road maintained by the County of Monterey. Las Palmas Road, River Run and Woodridge Court are private roads maintained by the Las Palmas Ranch Home Owners Association. Woodridge Court terminates at the entrance to the project site. Access to the proposed development will be by a private loop drive. The project applicants, who own the site, are currently members of the Las Palmas Ranch Home Owners Association and have paid dues to the association. The applicants will pay a proportionate share for the use of the roads and drainage system.

Pursuant to Monterey County Code (MCC) Section 21.64.320, Regulations relating to applications involving use of private roads, the project involves intensification of use of a private road. The applicant is a party to a private road, and would access the project site from River Road (a County road) via the following private roads: Las Palmas Road, River Run Road, and Woodridge Court. Based on evidence submitted by the applicant in the form of a grant deed (Document No. 2013046807; recorded July 24, 2013), the legal description attached to the grant deed describes an easement to the subject parcel over these private roads for ingress, egress, road and utilities. Hence, pursuant to MCC Section 21.64.320, the project is classified as a Tier 2 project subject to a private road maintenance agreement, but not subject to a private road agreement. In this case, the County would not apply a condition of approval to require submittal of a "private road maintenance agreement", because the applicable governing structure has not objected to the project and the County has no evidence of a substantive dispute between the applicant and the applicable governing structure regarding use of the private roads.

Several commenters acknowledge that the applicant makes payments to the HOA, but contend that those payments do not represent membership status.

While land use rights and road access privileges are not "environmental issues," these issues could influence project approval. A written agreement between the HOA and the applicant would be necessary in order to clarify fair share maintenance costs associated with use of the streets, drainage facilities, and security operations that are under the control of the HOA. Such an

agreement is not currently in place. It is outside of the scope of the EIR to facilitate a maintenance agreement between the applicant and the HOA. However, to clarify the relationship between the two parties, page 4-6 of the Draft SEIR is revised as follows:

> River Road provides the northern boundary of the property. There is no direct access from River Road and none is proposed. Access to the site is from the signalized intersection at River Road and Las Palmas Road to River Run Road, then Woodridge Court. River Road is a public road maintained by the County of Monterey. Las Palmas Road, River Run Road and Woodridge Court are private roads maintained by the Las Palmas Ranch Home Owners Association. Woodridge Court terminates at the entrance to the project site. Access to the proposed development will be by a private loop drive. The project applicants, who own the site, are currently members of the Las Palmas Ranch Home Owners Association and have paid dues to the association. The applicants will pay a proportionate share for the use of the roads and drainage system. An agreement would be required between the HOA and the project applicants, who own the project site, to clarify cost-sharing associated with use of the streets, drainage facilities, and security operations.

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Responses to Comments on the Draft SEIR

This section includes comments received during the circulation of the Draft Subsequent Environmental Impact Report (Draft SEIR) prepared for the River View at Las Palmas Assisted Living Senior Facility project (project).

The Draft SEIR was circulated for a 45-day public review period that began on March 12, 2018 and ended on April 25, 2018. The County of Monterey received 118 letters on the Draft SEIR. The commenters and the page number on which each commenter's letter appear are listed below.

Letter No.	Commenter	Affiliation	Date	Page No.
Public Agencies				
1	Scott Morgan, Director	State Clearinghouse	April 26, 2018	76
2	Christine Duymich, Air Quality Planner	Monterey Bay Air Resources District	April 13, 2018	79
3	Jennifer Bodensteiner, Associate Hydrologist	Monterey County Water Resources Agency	April 25, 2018	83
Organizations and Businesses				
4	Michael DeLapa, Executive Director	LandWatch Monterey County	March 27, 2018	100
5	Ed Mercurio, Biological Consultant	Biological Consultant	April 12, 2018	106
6	Michael DeLapa, Executive Director	LandWatch Monterey County	April 16, 2018	111
7	Chris D. Kinzel, Professional Engineer	TJKM Transportation Consultants	April 23, 2018	116
8	Christine G. Kemp	Noland, Hamerly, Etienne, & Hoss Attorneys at Law	April 24, 2018	124
9	Dale Ellis	Anthony Lombardo & Associates	April 24, 2018	144
10	Mike Weaver, Chair	Highway 68 Coalition	April 25, 2018	154
11	Mike Weaver, Chair	Highway 68 Coalition	April 25, 2018	159
12	Mark Kelton, Vice President	Domain Corporation	April 25, 2018	162
Public				
13	Nancy Iversen	Public	March 10, 2018	166
14	Marc and Irene Rosen	Public	March 14, 2018	168
15	Jacob Orozco	Public	March 18, 2018	172
16	Paul and Rebecca Clifton	Public	March 19, 2018	175
17	David and Céline M. Dalby	Public	March 19, 2018	177
18	Adam and Takako Kirk	Public	March 19, 2018	180
19	Rendell Requiro and Francoise McAvinchey	Public	March 19, 2018	182
20	Russell Schwanz	Public	March 19, 2018	184
21	Christian and Mihoko Dreyer	Public	March 20, 2018	187
22	Scott Porter	Public	March 20, 2018	189

Letter No.	Commenter	Affiliation	Date	Page No.
23	Robert Scranton and Gayle Todd	Public	March 20, 2018	193
24	Julianne Harris	Public	March 21, 2018	196
25	Stephen and Susan Hurst	Public	March 21, 2018	198
26	Wilbur and Cordelia Lee	Public	March 21, 2018	202
27	Susan Paoli	Public	March 23, 2018	204
28	Anne and Rafael Sanchez	Public	March 25, 2018	206
29	Jerry L. Crawford	Public	March 27, 2018	209
30	Michael J. Kulow	Public	March 27, 2018	214
31	Ralph and Julie Sutliff	Public	March 28, 2018	235
32	Lisa Tegtmeier	Public	March 28, 2018	243
33	Kent Tegtmeier	Public	March 29, 2018	249
34	Greg and Marie Cater	Public	March 30, 2018	253
35	Roberta and Theresa Sonniksen	Public	March 31, 2018	255
36	Jeffrey C. Dittrich	Public	April 2, 2018	257
37	David and Irmina Ratliff	Public	April 2, 2018	263
38	Roy Gobets	Public	April 4, 2018	269
39	Eunice Kim	Public	April 4, 2018	277
40	Yeo Keun Kim	Public	April 4, 2018	279
41	Yong Jin Kim	Public	April 4, 2018	281
42	Mark R. Neilson	Public	April 4, 2018	283
43	Nicole Neilson	Public	April 4, 2018	285
44	Gladys Allen	Public	April 5, 2018	287
45	Janet Barstad	Public	April 5, 2018	290
46	Sue McFeron	Public	April 5, 2018	295
47	Mr. and Mrs. Clarence Ruddell	Public	April 5, 2018	297
48	Robert Scranton	Public	April 5, 2018	301
49	Gayle Todd	Public	April 5, 2018	305
50	John and Nori Bridges	Public	April 6, 2018	308
51	Roy Gobets	Public	April 6, 2018	311
52	Lindsay and Anthony Romiza	Public	April 6, 2018	336
53	Jeannette Warzycki	Public	April 7, 2018	340
54	Todd Ruston	Public	April 8, 2018	345
55	Dr. John Clark and Dr. Eveline Clark	Public	April 8, 2018	347
56	Richard Fontana	Public	April 9, 2018	350
57	Scott Cooper	Public	April 10, 2018	360
58	Tim Donlon	Public	April 10, 2018	362
59	Jeremiah and Jennifer Ruttschow	Public	April 10, 2018	364
60	Paula Browning	Public	April 11, 2018	366
61	Roy Browning	Public	April 11, 2018	368
62	Angela Caraccioli	Public	April 11, 2018	370

Letter No.	Commenter	Affiliation	Date	Page No.
63	Terry Bowen	Public	April 13, 2018	372
64	Jennifer M. Lukasik	Public	April 13, 2018	374
65	Mark and Camille Reith	Public	April 13, 2018	381
66	Joyce Shimamoto	Public	April 13, 2018	383
67	C. Denise Benoit	Public	April 15, 2018	385
68	Jayne Carolan	Public	April 15, 2018	391
69	David Tucker	Public	April 15, 2018	393
70	Vince and Dorey Cardinale	Public	April 16, 2018	442
71	Kurt Krieg	Public	April 16, 2018	446
72	Melody McDonald	Public	April 16, 2018	448
73	Tom Mercurio	Public	April 16, 2018	450
74	Suzanne Snyder	Public	April 16, 2018	468
75	Megan Castillo	Public	April 17, 2018	470
76	Lan Clayton	Public	April 17, 2018	473
77	Joseph A. Goncalves	Public	April 17, 2018	475
78	Nancy Montana	Public	April 17, 2018	478
79	Dennis and Yukiko Yonemitsu	Public	April 17, 2018	480
80	Lynn Dittrich	Public	April 18, 2018	482
81	Alan and Chris Bockenstedt	Public	April 19, 2018	486
82	Joseph L. Occhiuto	Public	April 19, 2018	490
83	Fred and Marilyn Adams	Public	April 20, 2018	495
84	Alan and Myra Anthony	Public	April 20, 2018	498
85	Roy Gobets	Public	April 20, 2018	506
86	David C. Dalby	Public	April 20, 2018	509
87	Veronica Ramirez	Public	April 20, 2018	549
88	Shelley Donati	Public	April 20, 2018	551
89	Otavio and Leila Bernardo	Public	April 21, 2018	555
90	Anita Cochetti	Public	April 22, 2018	571
91	Kathy Della-Rose	Public	April 22, 2018	574
92	Jennifer Lorentz	Public	April 22, 2018	578
93	Kathleen Vosti	Public	April 22, 2018	582
94	Anthony and Jocelyn Driskill	Public	April 23, 2018	584
95	Melissa Fanning	Public	April 23, 2018	588
96	Martin Johnson and Robin Matthews-Johnson	Public	April 23, 2018	592
97	Ron Provost and Linda Ipong	Public	April 23, 2018	600
98	Rachel Sullivan	Public	April 23, 2018	605
99	Stephanie Trost	Public	April 23, 2018	607
100	Richard Yraceburu	Public	April 23, 2018	609
101	Javier Aldape	Public	April 24, 2018	611

Letter No.	Commenter	Affiliation	Date	Page No.
102	Mark Miller	Public	April 24, 2018	614
103	David Nordstrand	Public	April 24, 2018	619
104	Karen Nordstrand	Public	April 24, 2018	621
105	Denise Donati	Public	April 24, 2018	623
106	Dominique Fontana	Public	April 24, 2018	626
107	Joshua and Amelia Freshwater	Public	April 24, 2018	633
108	Evette and Jim Kirby	Public	April 24, 2018	635
109	Randy Radke	Public	April 24, 2018	637
110	Kimberly Zook	Public	April 24, 2018	643
111	Megan Giovanetti	Public	April 25, 2018	647
112	James and Cynthia Grover	Public	April 25, 2018	652
113	Leonid Ivanov and Tetyana Margolina	Public	April 25, 2018	654
114	Mary Koch	Public	April 25, 2018	660
115	Roberta Pastorino	Public	April 25, 2018	662
116	Lisa and Anthony Silva	Public	April 26, 2018	664
117	Roy Gobets	Public	August 14, 2018	666
118	Nancy Iversen	Public	September 13, 2018	671

The comment letters and responses follow. The comment letters have been numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1.1, for example, indicates that the response is for the first issue raised in comment Letter 1).

Where a comment resulted in a change to the Draft SEIR text, a notation is made in the response indicating that the text is revised. Changes in text are signified by strikeouts (~~strikeouts)~~ where text is removed and by underlined font (<u>underlined font</u>) where text is added.

Letter 1

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit

Edmund G. Brown Jr.
Governor

Ken Alex
Director

RECEIVED
APR 30 2018
Monterey County RMA

April 26, 2018

Joseph Sidor
Monterey County
1441 Schilling Place, 2nd floor
Salinas, CA 93901

Subject: River View at Las Palmas Assisted Living Senior Facility
SCH#: 2017031025

Dear Joseph Sidor:

The State Clearinghouse submitted the above named Supplemental EIR to selected state agencies for review. The review period closed on April 25, 2018, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. 1.1

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL 1-916-445-0613 FAX 1-916-558-3164 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2017031025
Project Title River View at Las Palmas Assisted Living Senior Facility
Lead Agency Monterey County

Type SIR Supplemental EIR

Description The proposed project includes a Specific Plan Amendment, Use Permit, and Design Approval for the construction and operation of a senior assisted living facility and associated site improvements on an approx 15.74-acre site at the location referenced. The facility would consist of the following components: 13 single story casitas providing 26 units and up to 42 beds, and ranging in size from approx 1,500 to 3,800 msf; a 43,400 sf, two story assisted living facility consisting of 40 units and up to 52 beds; and a 38,800 sf, three level memory care facility consisting of 39 units and up to 48 beds.

Lead Agency Contact

Name Joseph Sidor
Agency Monterey County
Phone 831-755-5262 **Fax**
email
Address 1441 Schilling Place, 2nd floor
City Salinas **State** CA **Zip** 93901

Project Location

County Monterey
City Salinas
Region
Lat / Long
Cross Streets River Road
Parcel No. 139-211-035-000
Township **Range** **Section** **Base**

Proximity to:

Highways 68
Airports
Railways
Waterways Salinas River
Schools Buena Vista MS
Land Use Residential-Medium Density 2.61 units per acre, with a Design Control Overlay (MDR/2.61-D)

Project Issues Traffic/Circulation; Water Supply; Landuse; Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Cumulative Effects; Drainage/Absorption; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Noise; Population/Housing Balance; Public Services; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Other Issues

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 4; Cal Fire; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 5; Department of Housing and Community Development; State Water Resources Control Board, Division of Drinking Water; Regional Water Quality Control Board, Region 3; Native American Heritage Commission

Date Received 03/12/2018 **Start of Review** 03/12/2018 **End of Review** 04/25/2018

Note: Blanks in data fields result from insufficient information provided by lead agency.

Letter 1

COMMENTER: Scott Morgan, Director, State Clearinghouse

DATE: April 26, 2018

Response 1.1

The commenter states that the State Clearinghouse submitted the Draft SEIR to applicable state agencies for review and acknowledges that the County has complied with the State Clearinghouse review requirements pursuant to CEQA. The commenter states that the review period closed on April 25, 2018 and that no state agencies submitted comments by that date. This comment is acknowledged and has been incorporated into the administrative record. No changes to the Draft SEIR are necessary to address this comment.

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

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

Letter 2

April 13, 2018

Joseph Sidor
Associate Planner
Monterey County Resource Management Agency - Planning
1441 Schilling Place, 2nd Floor
Salinas, CA 93901 Email: sidorj@co.monterey.ca.us

Subject: Comments on the Draft SEIR for River View at Las Palmas

Dear Mr. Sidor,

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

General

- To prevent confusion, please include that Monterey Bay Unified Air Pollution Control District (MBUAPCD) is now referred to as the Monterey Bay Air Resources District (MBARD). 2.1

Air Quality

- Environmental Impact Analysis, Section 6.4, Pg.6-20: Please identify whether any new stationary sources, such as a boiler or generator, would be part of the proposed project. These types of stationary sources may be required to obtain a permit from the Air District. Please contact the Air District if you have questions about permitting, (831) 647-9411. 2.2

  Diesel Exhaust, Section 6.4, Pg 6-20: While the Air District appreciates the mitigation measures to be instituted in an effort to reduce impacts from diesel exhaust, the Air District suggests using cleaner construction equipment for the project. This includes equipment that conforms to ARB's Tier 3 or Tier 4 emission standards. We further recommend that, whenever feasible, construction equipment use alternative fuels such as compressed natural gas, propane, electricity or biodiesel. 2.3

- Impact Summary and Mitigation Measures, Section 6.5, Pg.6-21: Due to the importance of limiting air quality impacts from construction-related emissions of PM_{10}, the Air District appreciates the inclusion and use of *Feasible Mitigation Measures* (2008 CEQA Air Quality Guidelines, pg. 8-2). 2.4

Greenhouse Gas Emissions

Section 8.4 paragraph 8, Pg 8-22 and Section 8.5 ascertain that *"..the proposed project would have a less-than-significant impact from generation of GHG emissions. No mitigation measures are required.*" Please support your claim. If CalEEMod was utilitzed, please include the tables. 2.5

The Air District recommends including a quantitative analysis of potential GHG emissions from the project. In lieu of a final Climate Action Plan, GHG emissions can be evaluated based on the

thresholds adopted by either the Bay Area Air Quality Managmenet District or the San Luis Obispo Air Pollution Control District.

Transportation

Page 9-1: To further reduce future congestion, the Air District highly recommends using Adaptive Signal Control Technology (ASCT) at the intersections within the vicinity of the project site to the SR 68 ramp intersections with Reservation and River Roads. According to the US Dept. of Transportation, ASCT has many benefits over conventional signal systems, such as improving traffic flow, faster responses to traffic conditions, and cutting costs. 2.6

Significant Unavoidable Impacts

Page 15-2 TRA-2:
The Air District is pleased to see a shuttle service proposed. To further reduce the indirect impacts of increasing number of vehicles on the road and a corresponding increase of criteria air pollutants, please consider an electric shuttle (fleet) and incorporating electric vehicle (EV) infrastructure to the project for both shuttle and visitors. Given the growing use of EVs, including stub-outs for EVs will help with future demand. 2.7

Please let me know if you have any questions. I can be reached at (831) 718-8027 or cduymich@mbard.org.

Best Regards,

Christine Duymich
Air Quality Planner

cc: David Frisbey

Letter 2

COMMENTER: Christine Duymich, Air Quality Planner, Monterey Bay Air Resources District

DATE: April 13, 2018

Response 2.1

The commenter notes that Monterey Bay Unified Air Pollution Control District (MBUAPCD) is now referred to as the Monterey Bay Air Resources District (MBARD).

The Draft SEIR is revised as follows to clarify the name of the air pollution control district as MBARD. Any reference to MBUAPCD thereafter in the Draft SEIR has been revised to MBARD.

Page 6-1, paragraph 1:

This section of the EIR includes evaluation of proposed project impacts on air quality at a level commensurate with the project description. Unless otherwise noted, the discussion in this section is based upon independent site investigation, information found in the *2005 Report on Attainment of the California Fine Particulate Standard in the Monterey Bay Region - Senate Bill 656 Implementation Plan*, *Monterey Bay Air Resources District* *(MBARD, formerly known as Monterey Bay Unified Air Pollution Control District)* *2012-2015 Air Quality Management Plan*, *Monterey Bay Unified Air Pollution Control District CEQA Air Quality Guidelines*, California Emissions Estimator Model results (Appendix C), *County of Monterey General Plan*, *Toro Area Plan*, and the *Las Palmas Ranch Specific Plan.*

Response 2.2

The commenter requests that the Draft SEIR identify whether any new stationary sources of air pollution would be part of the project, as such sources may require a permit from MBARD.

The operating permit requirement for stationary sources of air pollution is included on page 6-7 in Section 6.0, *Air Quality*, of the Draft SEIR, under the heading *Stationary Source Emissions*. The project's stationary sources of air pollution would include natural gas combustion for the heating of water and space. The comment on permitting is noted and herewith shared with the County's decision makers for their consideration.

Response 2.3

The commenter recommends using cleaner construction equipment, including equipment that conforms to the California Air Resource Board's Tier 3 or 4 emission standards. The commenter recommends that construction equipment use alternative fuels.

In response to this comment, the following measure has been added to the end of Mitigation Measure AQ-3 on page 6-22 to 6-23 of the Draft SEIR:

- Whenever feasible, construction equipment shall use alternative fuels such as compressed natural gas, propane, electricity or biodiesel.

Response 2.4

The commenter notes the importance of limiting air quality impacts from construction-related emissions, and voices appreciation for the Draft SEIR's inclusion of feasible mitigation measures. The

comment is noted. Because these measures are included in the Draft SEIR, no revisions to the Draft SEIR are required.

Response 2.5

The commenter requests support, including quantitative analysis, for the Draft SEIR's determination that the project would have a less than significant impact from generation of GHG emissions. The commenter requests inclusion of CalEEMod results.

The commenter is referred to Appendix C of the Draft SEIR, which provides CalEEMod results. Analysis of the project's GHG emissions used an efficiency metric threshold of 4.88 MT CO2e per service population. The project's efficiency metric would be 3.99 MT CO2e. For a full description of the finding of significance for GHG emissions, refer to Section 8.0, *Greenhouse Gas Emissions*, of the Draft SEIR.

Response 2.6

The commenter recommends that the project use Adaptive Signal Control Technology (ASCT) at the intersections within the vicinity of the project site.

As described in Section 9.0, *Transportation & Traffic*, of the Draft SEIR, the project would result in less than significant impacts to intersections near the project site. Because impacts would be less than significant, mitigation requiring that the project applicant install ASCT would not be warranted. However, as a part of cumulative improvements at the SR 68/Reservation Road-River Road interchange, adaptive traffic signal control would routinely be considered in the design, subject to Caltrans approval.

The commenter's recommendation is noted and is herewith shared with the County's decision makers for their consideration.

Response 2.7

The commenter notes appreciation that a shuttle service is proposed. The commenter recommends that the shuttle fleet utilize electric vehicles and that the project incorporates electric vehicle infrastructure.

In response to this comment, the following revision has been made to the applicant-proposed mitigation measures, as listed on page 9-23 of the Draft SEIR:

> To reduce overall trip generation to and from the project site, the project developer shall prepare a detailed plan for shuttle service. Shuttle services shall be offered to residents to access areas on the Monterey Peninsula and in Salinas from the project site. Additionally, shuttle service to nearby transportation hubs for employees shall be offered in the shuttle service plan. <u>If feasible, the shuttle fleet shall be electrically-powered, and electric vehicle (EV) infrastructure should be added to the project for both shuttle and visitor use.</u> The shuttle service plan shall be submitted for review and approval to Monterey County prior to approval of any building permits on the project site.

Letter 3

Received by RMA-Planning
on April 26, 2018.

MONTEREY COUNTY

WATER RESOURCES AGENCY

PO BOX 930
SALINAS , CA 93902
(831)755-4860
FAX (831) 424-7935

DAVID E. CHARDAVOYNE
GENERAL MANAGER

STREET ADDRESS
1441 Schilling Place North Building
SALINAS, CA 93901

Apr 25 2018

In Reply to:
Monterey County, DEIR for PLN 150372

Monterey County RMA-Planning Department
c/o Joe Sidor, Associate Planner

Dear Mr. Sidor,

DRAFT EIR, **RIVERVIEW LAS PALMAS, PLN 150372**

The Monterey County Water Resources Agency (MCWRA) has received the DEIR for the above project. The purpose of this letter is to provide comments relevant to the policies, regulations, and potential environmental impacts which should be considered for the project, specifically those regarding long-term water supply, water conservation, flood and storm water drainage control, and groundwater recharge. To advise on these matters, the MCWRA has prepared the following comments:

LONG-TERM SUSTAINABLE WATER SUPPLY

Table 3-1; and Section 10.0 Water Supply . *Policy Consistency Review*. The table should be revised to include the following Monterey County 2010 General Plan policies specific to ensuring that the new development is assured a long-term sustainable water supply, *including* PS-3.2. The DEIR should evaluate consistency with PS-3.1 *and* PS-3.2, the presumption of long-term sustainable water supply for the project. Background: On October 26, 2010, Monterey County adopted a General Plan Update that included PS-3.2, which requires that the General Manager of the MCWRA advise the County prior to the County's determination of the availability of a Long Term Sustainable Water Supply for new development. Thereafter, a settlement agreement was reached and amendments were made to policy PS-3.1. The result was such requirements shall not apply to development within Zone 2C of the Salinas Valley groundwater basin (which this project is) provided the County prepares or causes to be prepared a study for the Board of Supervisors regarding Zone 2C *by* March 31, 2018 (see –attachment). The County has not completed is study for the Board of Supervisors regarding Zone 2C by the March 31, 2018. Based on the existing groundwater studies[1] and the State's designation of the "critically overdrafted" Pressure 180/400 aquifer and the Eastside subarea of Salinas Valley Groundwater Basin[2], the County should consult with the MCWRA General Manager for advice as to whether there is long-term sustainable water supply available at this time for the project. A determination of Long Term Sustainable Water Supply should be included with the DEIR. 3.1

[1] Brown and Caldwell (2015). State of the Salinas Valley Groundwater Basin. Prepared for the Monterey County Resource Management Agency, Salinas, CA. http://www.co.monterey.ca.us/home/showdocument?id=19586

[2] http://www.water.ca.gov/groundwater/sgm/pdfs/GW_basinsCriticalOverdraft_SCentralRegion.pdf

WATER SUPPLY SECTION 10.0

Overall this section and the project design should be revisited to place more emphasis on on-site water conservation measures; reduced groundwater volumes pumped by the California American Water Company in recent years due to conservation efforts; and, include a Potable Water Demand Estimate that is realistic and representative of water usage on average systems such as California American Water not those under strict conservation/reduction orders from the State of California such as MPWMD and its Cal Am – Monterey District system. 3.2

Groundwater Supply, Demand, and Basin Overdraft. *Reduced consumption of water by the California American Water Company in its Salinas District area.* In providing a more complete analysis of residential water use consumption, the preparer of the DEIR may want to consider incorporating more information from the 2015 California Water Service Urban Water Management Plan, Salinas District June 2016. Specifically how the system has demonstrated an actual reduction in overall retail groundwater volume pumped between the years of 2011 and 2015 (see attachment – from 2015 UWMP, table 6-1, pg 57 and 58). Water conservation among its users has helped California Water Service achieve this measure of reduced groundwater pumping. However, it is important to note that in this same area of the 2015 Plan it reveals an overall decline in district well level averages (figure 6-1). *Notice figure 6-1 indicates a decline in groundwater water levels, on average, for districts well. The project may want to strongly consider reducing its impact on ground water demand be incorporating strict and effective on-site water conservation measures. There is no discussion in the DEIR of what verifiable measures will put in place to provide for water conservation. Decision makers are looking for these types of *project benefits*. It is the advice of the MCWRA that this project shows some measurable benefit it's in overall water demand through water conservation efforts. The overall demand on the system is projected to increase in the number of service connections over time (see attachment – from 2015 UWMP, Figure 4-3). It may be prudent to provide a compelling reason as to how the new service connection for this project will be one that implements strict water conservation measures, and how it might possibly contributes waste water to the Monterey One Water System (formerly Monterey Regional Water Pollution Control Agency), or a similar type of waste water recycling system. 3.3

Table 10-1 River View at Las Palmas Potable Water Demand Estimate. *Using Monterey Peninsula Water Management District (MPWMD) Fixture Unit Methodology.* The project should not rely on MPWMD water fixture unit methodology for its analysis of water demand. The Monterey County Planning Commission has commented on past project's reliance on MPWMD methodology noting that the water demand totals are generally very low and possibly not representative of actual water usage outside of the MPWMD. It commonly known that actual per capita consumption of water in the MPWMD boundary is some of the lowest in the state. The factors contributing to these much lower than average demands are due to State orders to reduce illegal pumping of the Carmel River; "conservation pricing" resulting in higher water costs for those over conservative baseline tiers, and the comprehensive water conservation and rebate programs of the MPWMD. Using the MPWMD methodology to estimate water use demands for projects outside their district is not a like for like comparison. MCWRA believes there is data that would show the per capita water usage in the MPWMD is much lower on average than that of California American Water Supply. The project should use another methodology for water demand and a qualified engineer should be relied upon to prepare such an estimate of Water Demand. 3.4

EFFECTS NOT FOUND TO BE SIGNIFICANT SECTION 11.0 Hydrology, Storm Water Runoff, Flood Hazards The project could have a significant effect on creating additional storm water runoff and creating flood and storm water hazards to downslope properties. The DEIR should include a flood and storm water control plan to evaluate if the project will substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. The project is large in scale with its newly created impervious surfaces 3.5

totaling over 4 acres. **The MCWRA recommends that a preliminarily flood and storm water control plan be prepared and included with the DEIR.** The public should be informed of the expected storm-drainage improvements that will need to be in-place to appropriately control flood and storm water drainage. The DEIR should include **specific flood and storm water performance standards to be required of the project through a MITIGATION MEASURE including** that the project shall **include facilities to limit discharge of the 100-year storm event post-development peak flow to the 10-year storm event pre-project peak flow**. Recommended mitigation measure & the preliminary flood and storm water control analysis plan should address the following design standards: The applicant shall provide a preliminary flood and storm water drainage management plan, prepared by a registered civil engineer, to mitigate off-site peak flow stormwater runoff from the area being developed. The plan for the project shall include facilities to limit discharge of the 100-year storm event post-development peak flow to the 10-year storm event pre-project peak flow. Best management practices shall be incorporated into the plan to protect groundwater and surface water quality for runoff resulting from the paved parking areas. The plan shall include calculations and identify the location of all major drainage facilities including retention or detention basins, catch basins, and storm drain lines. The plan shall be review and approved by the Monterey County Water Resources Agency. Furthermore, the above described flood and storm water drainage analysis and plan is necessary to demonstrate consistency with the drainage/stormwater control/water supply policies contained within the Monterey County 2010 General Plan (Goal S-3) and the Toro Area Plan [Toro 5.1.2.1(T)]. The preliminary plan by Gateway Engineering 2016 does address these policies in general; however, a revised plan is required to incorporate the flood and storm water control design standards mentioned above and the following drainage and water quality policies of the two respective plans:

- **S-3.1**, Post-development, off-site peak flow drainage from the area being developed shall not be greater than pre-development peak flow drainage. On-site improvements of other methods for storm water detention shall be required to maintain post-development, off-site, peak flows, as determined by MCWRA.
- **S-3.2,** Best Management Practices to protect groundwater and surface water quality shall be incorporated into all development
- **S-3.3,** Drainage facilities to mitigate the post-development peak flow impact of new development shall be installed concurrent with new development.
- **PS-2.8** The County shall require that all projects be designed to maintain or increase the site's predevelopment absorption of rainfall (minimize runoff), and to recharge groundwater where appropriate. Implementation shall include standards that could regulate impervious surfaces, vary by project type, land use, soils and area characteristics, and provide for water impoundments (retention/detention structures), protecting and planting vegetation, use of permeable paving materials, bioswales, water gardens, and cisterns, and other measures to increase runoff retention, protect water quality, and enhance groundwater recharge
- **PS-2.9 c** Require construction of detention/retention facilities on large-scale development sites overlying important groundwater recharge areas as identified by the MCWRA.
- **5.1.2.1(T),** Developments shall be designed to maintain groundwater recharge capabilities on the property.

Thank you for the opportunity to review and comment on the project's environmental review. If you have any questions, please contact me at bodensteinerjm@co.monterey.ca.us or (831) 755-4970.

Sincerely,

ORIGINAL SIGNED BY:
Jennifer Bodensteiner, Associate Hydrologist
MCWRA Development Services

EXHIBIT 2

Proposed Amendments to Monterey County 2010 General Plan shown as changes from 2010 General Plan policies as adopted October 26, 2010

1. **PS-3.1**

PS-3.1 Except as specifically set forth below, new development for which a discretionary permit is required, and that will use or require the use of water, shall be prohibited without proof, based on specific findings and supported by evidence, that there is a long-term, sustainable water supply, both in quality and quantity to serve the development.

This requirement shall not apply to:

a. the first single family dwelling and non-habitable accessory uses on an existing lot of record; or

b. specified development (a list to be developed by ordinance) designed to provide: a) public infrastructure or b) private infrastructure that provides critical or necessary services to the public, and that will have a minor or insubstantial net use of water (e.g. water facilities, wastewater treatment facilities, road construction projects, recycling or solid waste transfer facilities); or

c. development ~~related to agricultural land uses~~ within Zone 2C of the Salinas Valley groundwater basin, provided the County prepares or causes to be prepared a study ~~report to~~ for the Board of Supervisors regarding Zone 2C, to be completed no earlier than October 31, 2017 and no later than March 31, 2018 that does the following ~~every five (5) years for Zone 2C examining the degree to which~~:

1) evaluates existing data for seawater intrusion and groundwater levels collected by Monterey County Water Resources Agency as of the date the study is commenced;

2) evaluates the total water demand for all existing uses and future uses ~~predicted~~ designated in the General Plan EIR for the year 2030 ~~will be reached~~;

3) assesses and provides conclusions regarding the degree to which the total water demand for all uses designated in the General Plan for the year 2030 are likely to be reached or exceeded;

~~2)~~ 4) evaluates on an annual basis during the study period groundwater elevations and the seawater intrusion boundary ~~have changed since the prior reporting period~~; ~~and~~

5) based on historical data and the data produced by the study, evaluates and provides conclusions regarding future trends and any expected movement of groundwater elevations and the seawater intrusion boundary;

6) should the study conclude that i) total water demand for all uses designated in the General Plan for the year 2030 is likely to be exceeded; or ii) groundwater elevations are likely to decline by the year 2030 and iii) the seawater intrusion boundary is likely to advance inland by the year 2030, the study shall make recommendations on measures the County could take to address any or all of those conditions; and

7) addresses such other matters and the Board of Supervisors determines are appropriate.

~~2) other sources of water supply are available.~~

~~If, following the periodic report, the Board finds, based upon substantial evidence in the record, that:~~

Within two months following the completion of the study, the Board of Supervisors shall hold an open and noticed public hearing on the results of the study. If the study reaches the conclusions for Zone 2C identified in subsection 6) i or 6) ii and 6) iii, the Board of Supervisors shall adopt one or more measures identified in the study, or other appropriate measures, to address the identified conditions. This exception for Zone 2C shall be a rebuttable presumption that a Long Term Sustainable Water supply exists within Zone 2C, and the presumption shall remain in effect until and unless the study reaches the conclusion for Zone 2C identified in subsection 6) i or 6) ii and 6) iii. Development in Zone 2C shall be subject to all other policies of the General Plan and applicable Area Plan.

Following completion of the study described herein, and the adoption of measures as may be recommended in the study, if any, the County shall prepare a report to the Board of Supervisors every five (5) years for Zone 2C that examines the degree to which ~~The~~a) total water demand for all uses ~~in Zone 2C in 2030 as~~ predicted in the General Plan EIR for year 2030 will be reached; ~~is likely to be exceeded~~; or ~~it is reasonably foreseeable that the total water demand for all uses in Zone 2C in 2030 would result in one or more of the following in Zone 2C in 2030:~~ b) ~~declining~~ groundwater elevations, ~~further~~the seawater intrusion boundary have changed since the prior reporting period; and c) other sources of water supply are available.~~,~~ ~~increased substantial adverse impacts on aquatic species, or interference with existing wells, then the County shall initiate a General Plan amendment process to consider removing this agricultural exception in Zone 2C. Development under this agricultural exception shall be subject to all other policies of the General Plan and applicable Area Plan; or~~

~~d. development in Zone 2C for which the decision maker makes a finding, supported by substantial evidence in the record, that the:~~

~~1) development is in a Community Area or Rural Center and is otherwise consistent with the policies applicable thereto;~~

~~2) relevant groundwater basin has sufficient fresh water in storage to meet all projected demand in the basin for a period of 75 years; and,~~

~~3) benefits of the proposed development clearly outweigh any adverse impact to the groundwater basin.~~

2. **PS-3.3**

PS-3.3 Specific criteria shall be developed by ordinance for use in the evaluation and approval of adequacy of all domestic wells. The following factors shall be used in developing ~~C~~criteria ~~shall assess both~~ for both water quality and quantity including, but not limited to:

a. Water quality.
b. Production capability.
c. Recovery rates.
d. Effect on wells in the immediate vicinity as required by the Monterey County Water Resources Agency or Environmental Health Bureau.
e. Existing groundwater conditions.
f. Technical, managerial, and financial capability of the water purveyor of a water system.
g. Effects of additional extractions or diversion of water on in-stream flows necessary to support riparian vegetation, wetlands, fish, and other aquatic life including migration potential for steelhead, for the purpose of minimizing impacts to those resources and species.

This policy is not intended to apply to replacement wells

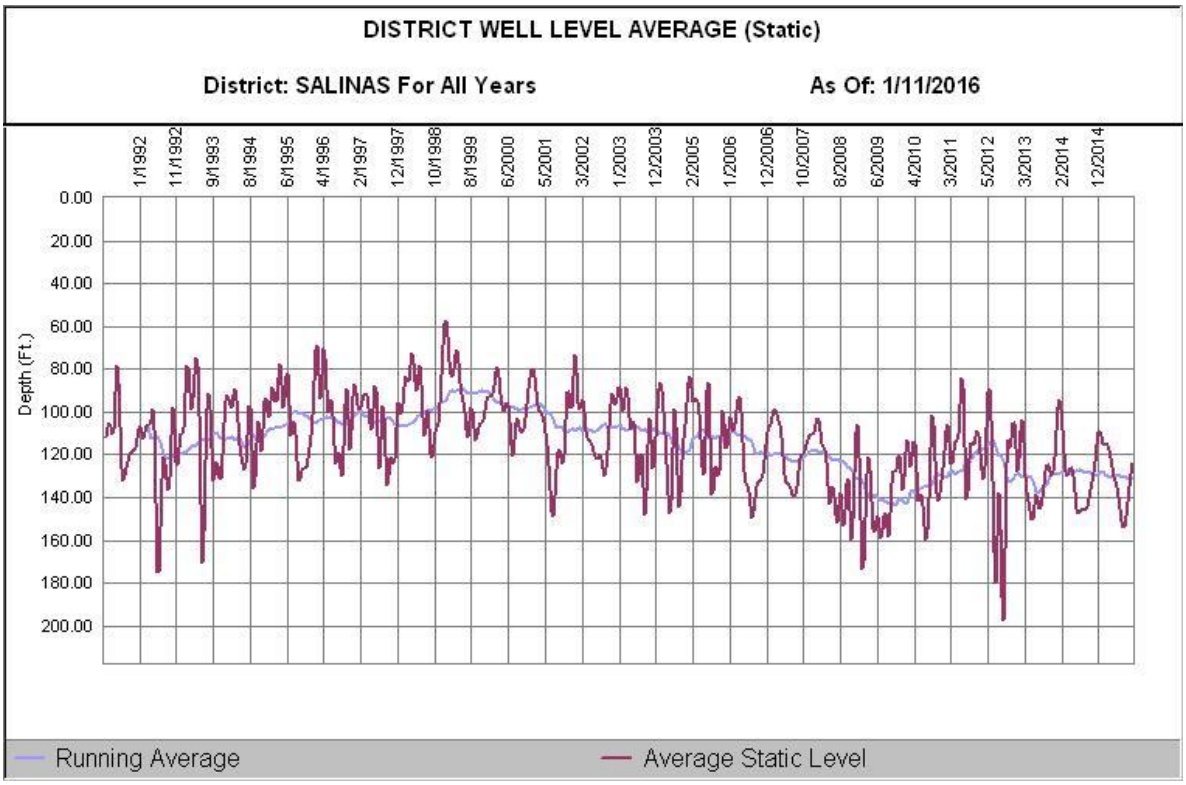
3. **PS-3.4**

PS-3.4 The County shall request an assessment of impacts on adjacent wells and instream flows for new high-capacity wells, including high-capacity urban and agricultural production wells, where there may be a potential to affect existing adjacent domestic or water system wells adversely or in-stream flows, as determined by the Monterey County Water Resources Agency. In the case of new high-capacity wells for which an assessment shows the potential for significant adverse well interference, the County shall require that the proposed well site be relocated or otherwise mitigated to avoid significant interference. ~~Specific criteria shall be developed~~ The following factors shall be used in developing criteria by ordinance for use in the evaluation and approval of adequacy of all such high-capacity wells, including not limited to:

a. Effect on wells in the immediate vicinity as required by the Monterey County Water Resources Agency or Environmental Health Bureau.
b. Effects of additional extractions or diversion of water on in-stream flows necessary to support riparian vegetation, wetlands, fish, and other aquatic life including migration potential for steelhead, for the purpose of minimizing impacts to those resources and species.

This policy is not intended to apply to replacement wells.

Figure 6-1: District Well Level Average (Static)



6.2.4 Historical Pumping

The volume of groundwater pumped since 2011 is shown in Table 6-1.

Table 6-1 Retail: Groundwater Volume Pumped (AF)						
Groundwater Type	Location or Basin Name	2011	2012	2013	2014	2015
Alluvial Basin	Salinas Valley Basin	18,043	18,615	19,060	17,422	14,659
Total		**18,043**	**18,615**	**19,060**	**17,422**	**14,659**

6.3 Surface Water

The Salinas District does not currently impound or divert surface water.

6.4 Stormwater

The City of Salinas has developed Stormwater Standard Plans and Stormwater Development Standards in the permitting process for new and redevelopment projects.

This documents contains both stormwater design requirements and design guidance intended to minimize the impacts of urban runoff to receiving waters and to promote healthy watersheds.

There are no plans to divert stormwater for beneficial reuse in the Salinas District.

6.5 Wastewater and Recycled Water

The recycling of wastewater offers several potential benefits to Cal Water and its customers. Perhaps the greatest of these benefits is to help maintain a sustainable groundwater supply either through direct recharge, or by reducing potable supply needs by utilizing recycled water for appropriate uses (e.g., landscape, irrigation) now being served by potable water. Currently, no wastewater is recycled for direct reuse in the District. The potential amount of recycled water that can be produced is proportional to the amount of wastewater that is generated by District, and is discussed in the following sections.

6.5.1 Recycled Water Coordination

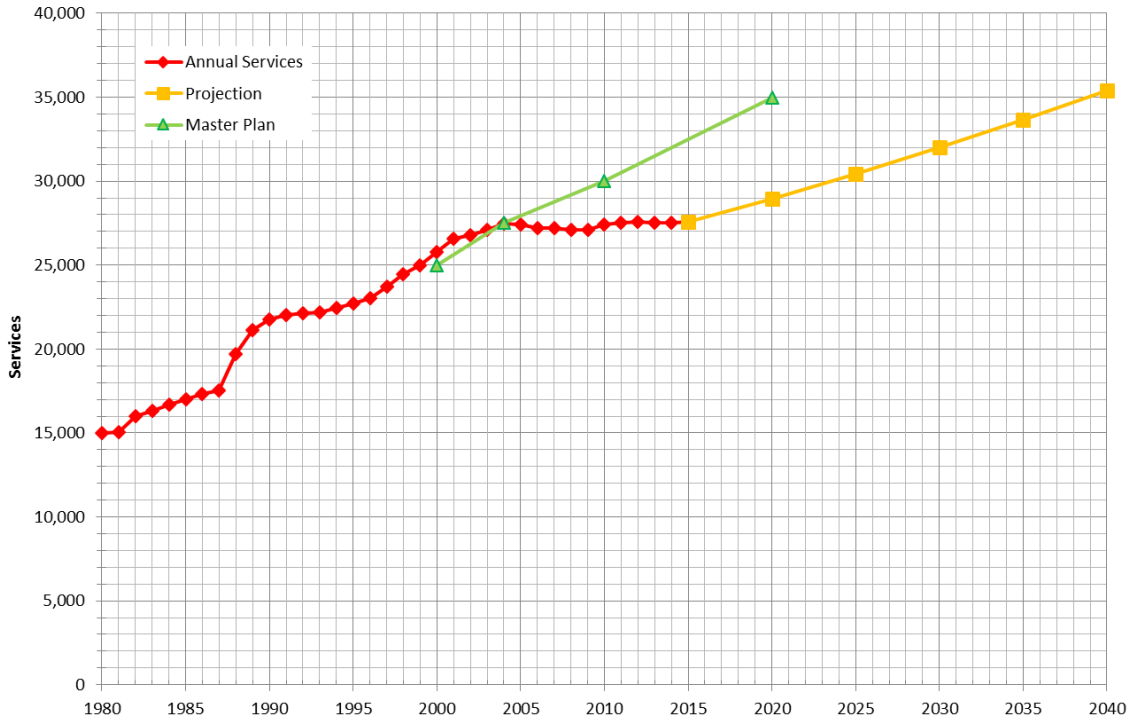
All of the recycled water facilities are maintained by the Monterey Regional Water Pollution Control Agency and are outside of the Salinas District area. There are no current plans to bring recycled water to District area. Cal Water will be coordinating with the City of Salinas and Monterey County about the potential for bringing recycled water into the District and developing a list of customers that could utilize that water during the update of the Water Supply and Facilities Master Plan which is planned for the near future.

6.5.2 Wastewater Collection, Treatment, and Disposal

The City of Salinas operates and maintains the sewer system consisting of gravity sewers, pumping stations, and force mains to collect wastewater from residential and industrial customers. The collected residential wastewater is discharged to trunk sewers and interceptors owned and operated by the Monterey Regional Water Pollution Control Agency (MRWPCA). The residential wastewater is conveyed to the MRWPCA Regional Treatment Plant for treatment. This facility is outside the Salinas District boundaries.

Industrial wastewater is treated at the City of Salinas Industrial Wastewater Treatment Plant, which has a capacity to treat 4 mgd but currently receives 2 mgd from industrial customers in Salinas. The wastewater at the industrial plant undergoes treatment with aeration ponds and is discharged to percolation/evaporation ponds without disinfection. Currently, treated wastewater from the industrial wastewater treatment plant is not recycled.

Figure 4-3. Historical and Projected Services



Expected water use per service, shown in Figure 4-4, is based on weather-normalized historical use, adjusted for future expected water savings from plumbing codes and District conservation programs. Weather normalization of historical use was done econometrically using the California Urban Water Conservation Council GPCD Weather Normalization Methodology. Expected water savings from plumbing codes are presented in Section 4.4. Expected water savings from District conservation programs and projected compliance with the District's SB X7-7 2020 per capita water use target are discussed in Chapter 9. The projected trend in average use per service shown in Figure 4-4 does not account for possible effects of climate change on future demand. The potential effects of climate change on demand are discussed in Section 4.6.

Projected water uses in Table 4-2 and Figure 4-4 are predicated on unrestricted demands under normal weather conditions. Demands are assumed to partially rebound by 2020 from 2015 levels on the assumption that the State Water Resources Control Board's mandatory water use reductions end by October 2016, as currently scheduled. The difference between actual and projected demands in 2020 will critically depend on the accuracy of this assumption. If the Emergency Drought Regulations are continued beyond October 2016, then the likelihood of actual demands being less than projected demands in 2020 would be significantly increased.

Letter 3

COMMENTER: Jennifer Bodensteiner, Associate Hydrologist, Monterey County Water Resources Agency (MCWRA)

DATE: April 25, 2018

Response 3.1

The commenter states that Draft SEIR's Policy Consistency Review table should be revised to include Monterey County General Plan policies regarding long-term water supply, specifically policies PS-3.1 and PS-3.2. The commenter states that the County should consult with the MCWRA General Manager regarding water supply for the project, and that the project should include a determination of Long Term Sustainable Water Supply.

Refer to Topical Response C for a policy consistency analysis, including the full text of Table 3-1, which was erroneously excluded from the Draft SEIR. In addition, page 10-10, paragraph 2, of the Draft SEIR is revised as shown below, to specifically reference the policies noted by the commenter. Also see Response 8.26 regarding MCWRA's report recommending measures to address seawater intrusion.

Monterey County General Plan

The Monterey County General Plan Land Use Element and Public Services Element provide the following goals, policies and objectives pertaining to water supply and distribution applicable to this project. Land Use Element goals LU-1 and LU-2 aim to concentrate development in areas where suitable access to services and facilities such as water and sewer.

Public Services Element policies PS-3.1, PS-3.2 and PS-3.3 address water supply and provide as follows:

PS-3.1 Except as specifically set forth below, new development for which a discretionary permit is required, and that will use or require the use of water, shall be prohibited without proof, based on specific findings and supported by evidence, that there is a long-term, sustainable water supply, both in quality and quantity to serve the development.

This requirement shall not apply to:

a. The first single family dwelling and non-habitable accessory uses on an existing lot of record; or
b. Specified development (a list to be developed by ordinance) designed to provide: a) public infrastructure or b) private infrastructure that provides critical or necessary services to the public, and that will have a minor or insubstantial net use of water (e.g. water facilities, wastewater treatment facilities, road construction projects, recycling or solid waste transfer facilities; or
c. Development within Zone 2C of the Salinas Valley groundwater basin, provided the County prepares or causes to be prepared a study for the Board of Supervisors regarding Zone 2C, to be completed no earlier than October 31, 2017 and no later than March 31, 2018 that does the following:

1) Evaluates existing data for seawater intrusion and groundwater levels collected by Monterey County Water Resources Agency as of the date the study is commenced.
2) Evaluates the total water demand for all existing uses and future uses designated in the General Plan EIR for the year 2030;
3) Assesses and provides conclusions regarding the degree to which the total water demand for all uses designated in the General Plan for the year 2030 are likely to be reached or exceeded;
4) Evaluates on an annual basis during the study period groundwater elevations and the seawater intrusion boundary;
5) Based on historical data and the data produced by the study, evaluates and provides conclusions regarding future trends and any expected movement of groundwater elevations and the seawater intrusion boundary;
6) Should the study conclude that i) total water demand for all uses designated in the General Plan for the year 2030 is likely to be exceeded; or ii) groundwater elevations are likely to decline by the year 2030 and iii) the seawater intrusion boundary is likely to advance inland by the year 2030, the study shall make recommendations on measures the County could take to address any or all of those conditions; and
7) Addresses such other matters as the Board of Supervisors determines are appropriate.

Within two months following the completion of the study, the Board of Supervisors shall hold an open and noticed public hearing on the results of the study. If the study reaches the conclusions for Zone 2C identified in subsection 6) i or 6) ii and 6) iii, the Board of Supervisors shall adopt one or more measures identified in the study, or other appropriate measures, to address the identified conditions. This exception for Zone 2C shall be a rebuttable presumption that a Long Term Sustainable Water Supply exists within Zone 2C, and the presumption shall remain in effect until and unless the study reaches the conclusion for Zone 2C identified in subsection 6) i or 6) ii and 6) iii. Development in Zone 2C shall be subject to all other policies of the General Plan and applicable Area Plan.

Following completion of the study described herein, and the adoption of measures as may be recommended in the study, if any, the County shall prepare a report to the Board of Supervisors every five (5) years for Zone 2C that examines the degree to which a) total water demand for all uses predicted in the General Plan EIR for year 2030 will be reached; or b) groundwater elevations, the seawater intrusion boundary have changed since the prior reporting period; and c) other sources of water supply are available.

PS-3.2 Specific criteria shall be developed by ordinance for use in the evaluation and approval of adequacy of all domestic wells. The following factors shall be used in developing criteria for both water quality and quantity including, but not limited to:

a. Water quality;

b. Authorized production capacity of a facility operating pursuant to a permit from a regulatory agency, production capability, and any adverse effect on the economic

extraction of water or other effect on wells in the immediate vicinity, including recovery rates;

c. Technical, managerial, and financial capability of the water purveyor or water system operator;

d. The source of the water supply and the nature of the right(s) to water from the source;

e. Cumulative impacts of existing and projected future demand for water from the source, and the ability to reverse trends contributing to an overdraft condition or otherwise affecting supply; and

f. Effects of additional extraction or diversion of water on the environment including on in-stream flows necessary to support riparian vegetation, wetlands, fish or other aquatic life, and the migration potential for steelhead, for the purpose of minimizing impacts on the environment and to those resources and species.

g. Completion and operation of new projects, or implementation of best practices to renew or sustain aquifer or basin functions.

h. The hauling of water shall not be a factor nor a criterion for the proof of a long-term sustainable water supply.

PS-3.3 Specific criteria shall be developed by ordinance for use in the evaluation and approval of adequacy of all domestic wells. The following factors shall be used in developing criteria for both water quality and quantity including, but not limited to:

a. Water quality.

b. Production capability.

c. Recovery rates.

d. Effect on wells in the immediate vicinity as required by the Monterey County Water Resources Agency or Environmental Health Bureau.

e. Existing groundwater conditions.

f. Technical, managerial, and financial capability of the water purveyor of a water system.

g. Effects of additional extraction or diversion of water on in-stream flows necessary to support riparian vegetation, wetlands, fish or other aquatic life, and the migration potential for steelhead, for the purpose of minimizing impacts on the environment and to those resources and species.

Page 10-13, paragraph 1, has also been revised to include a discussion of the proposed project's impacts in relation to these policies:

Monterey County General Plan

Policy PS-3.1. The first component of policy PS-3.1 is the requirement *to provide proof of a sustainable water supply to serve the development*. Policy PS-3.1 includes an exception to development in Zone 2C of the Salinas Valley groundwater basin, which would include the proposed project. Instead the provisions of subsection c. of the policy are applicable. Subsection c. requires the County to conduct a specific study on Zone 2C, conduct a hearing on the study

results, adopt measures to address identified conditions, and prepare a report every 5 years on the results of any measures. The requisite study and related actions have not been conducted.

Subsection c. further provides, "This exception for Zone 2C shall be a rebuttable presumption that a Long Term Sustainable Water Supply exists within Zone 2C, and the presumption shall remain in effect until and unless the study reaches the conclusion for Zone 2C identified in subsection 6) i or 6) ii and 6) iii. Development in Zone 2C shall be subject to all other policies of the General Plan and applicable Area Plan. Based on these considerations, the project is consistent with Policy PS-3.1, and the availability of a long-term water supply will be further discussion in conjunction with other policies below.

Policy PS-3.2. This policy provides guidance and criteria for the development of a County ordinance outlining the requirements for proof of a long term sustainable water supply and an adequate water supply system for new development requiring a discretionary permit. Thus, this policy is relevant to development of an ordinance that could be applied to the proposed project.

Nonetheless, this project is reviewed below applying these criteria:

- Water is the same quality as current local California Water Service wells and is thus, of acceptable water quality.
- The analysis in the Draft SEIR (Section 10.0, *Water Supply*, page 10-11) shows that the project would use 11.4 acre-feet of water per year (AFY), approved Specific Plan anticipated uses associated with 599-AFY, and is using only 182 AFY. With consideration of the proposed project, total water use in the entire Specific Plan Area would be 194 AFY. In addition, common area landscape irrigation would use recycled water, resulting in less than 11.4 AFY of potable water demand. The project water would demand represents a 0.002 percent increase in the annual groundwater extraction for Zone 2C. California Water Service has confirmed that it can and will serve the project, which indicates the applicable water purveyor for the site is able to provide water supply for the proposed project. See updated will-serve letter from California Water Service dated March 26, 2019 in Appendix I-2.
- California Water Service has demonstrated its technical, managerial and financial capabilities to deliver water.
- Potable water would be provided by California Water Service via its entitlements detailed in the Draft SEIR (Section 10.0, *Water Supply*, page 10-1). In addition, the property has rights to 2.5 acre-feet of reclaimed water which would further offset demand on potable water.
- As indicated in the Draft SEIR (Section 10.0, *Water Supply*, pp. 10-11 to 10-12), the project would increase potable water demand by up to 11.4 AFY. The "can and will" service letter provided by California Water Service for the proposed project indicates the applicable water purveyor for the site is able to provide water supply for the proposed project based on its existing facilities.
- The project does not involve any extraction or diversion of water but would utilize California Water Service water and recycled water associated with existing entitlements. In addition, the project would utilize water efficiency methods including water efficient fixtures, low-water use landscaping, and principles of low impact development in design to manage stormwater and emulate pre-development hydrologic conditions.
- The project would not adversely affect aquifer or basin functions and would not hinder other efforts to renew aquifer or basin functions.

- The project would not involve any hauling of water.

Therefore, substantial evidence related to proof of a sustainable water supply for the project includes the analysis and references in the Draft SEIR, including Section 10.0, *Water Supply,* the Cal Water will-serve letter include in Draft SEIR Appendix E, the updated will-serve letter attached herein (see Appendix I-2), the previous EIR for the Plan Area, and discussion and analysis in this response to comments/Final SEIR. The project is consistent with Policy PS-3.2.

Policy PS-3.3. This policy provides criteria for the evaluation of development of new domestic wells. The project does not involve any well development. Therefore, PS-3.3 would not be applicable.

Response 3.2

The commenter states that the Water Supply Section should include more emphasis on on-site water conservation measures and groundwater conservation. The commenter recommends that the section include a more appropriate potable water demand estimate.

See Response 3.3 regarding water conservation and groundwater conservation, and Response 3.4 regarding potable water demand estimate.

Response 3.3

The commenter recommends that the Draft SEIR include a discussion of groundwater conservation activities conducted by California Water Service (Cal Water) and suggests that project impacts on groundwater demand could be reduced by incorporating on-site water conservation measures. The comment also suggests adding discussion regarding the potential recycling of wastewater from the project.

As indicated in the comment letter, according to the 2015 California Water Service Urban Water Management Plan, Salinas District (2016), the system has demonstrated a reduction in overall retail groundwater volume pumped. Water conservation among its users has helped California Water Service achieve this reduction in the volume pumped between 2011 and 2015.

In response to this comment, the following revision has been made to the *Groundwater Impacts* section of the Draft SEIR, page 10-13:

MCWRA is a regional leader in the area for groundwater management efforts to reduce overdraft and increase the reliability of the water supply. Cal Water is supportive of these efforts and prepared to work with MCWRA and make necessary investments to augment future basin recharge. Relevant efforts are highlighted below.

- **Salinas Valley Water Project**. The Salinas Valley Water Project aims to address both overdraft and related sea water intrusion into the aquifer. Reservoirs were previously constructed to capture excess storm flow on the upper reaches of the Salinas River and its tributaries and recharge this water in the upper valley and Forebay sub-areas of the Salinas Valley. Monitoring and study of conditions is ongoing, along with evaluation of additional solutions to improve conditions.
- **Conservation Master Plan**. Cal Water has an aggressive conservation program that has and will continue to reduce per-capita usage via demand management measures. Cal Water has a variety of programs to help its customers use water efficiently and conducts comprehensive program analysis in a 5-year cycle in conjunction with the Urban Water Management Plan. Demand management measures include water waste prevention

ordinances, metering, public education and outreach, distribution system water loss management, water conservation program coordination, water efficiency rebate, giveaway and installation programs, among other efforts.

- **Greater Monterey County Integrated Regional Water Management Program**. Cal Water monitors and supports the goals of this plan, which include improving water supply reliability, protecting groundwater and surface water supplies, and promoting regional communication, cooperation and education regarding water resource managements.

Based on the above, and other considerations addressed in its Urban Water Management Plan, California Water Service projected that, under all hydrologic conditions, its groundwater supply for the Salinas District will fully meet future demands through 2040 (2016 California Water Service).

As presented earlier in the groundwater setting of this section, the average annual groundwater extraction for the four noted subareas that compose Zone 2C was about 523,000 AFY from 1959 to 2013. The proposed project would add 11.376 acre feet per year, which is a 0.002 percent increase. This contribution to the cumulative existing impact is not considerable, and therefore, is a less-than-significant impact.

Water Conservation Measures

Similar to existing users, the project would employ strict water conservation measures in construction, design and operation and maintain responsible use of water. Specific measures to be included are discussed further below.

Project design and development would be subject to the most current requirements of the County and the State which include provisions for water efficiency, including California Building Standards Code and the California Green Building Standards Code (CALGreen). The project would also be subject to County Ordinance No. 3932[1] regarding mandatory water conservation regulations which governs design and development, as well as the operation and use of water.

Water conservation design measures to be implemented in conjunction with the proposed project include the following conditions of approval:

- Use of non-potable water for common area landscaping
- Use of xeriscape and low-water use landscaping to be utilized. The project shall use vegetation that uses little to no water once established. No turf will be used.
- Water efficient fixtures:
  - Ultra-low-flow toilets (maximum 1.6 gallons)
  - Shower heads (maximum 2.5 gallons/minute)
  - Recirculating hot water systems where fixtures are more than 10-feet from source
- Implementation of low impact development (LID) principles in hydrologic and water quality design. Low impact development techniques enable water to infiltrate into the soil on-site, rather than runoff. Benefits of LID include reducing stormwater runoff, erosion, and downstream impacts of flooding and/or water pollution, recharge of water into the groundwater, filter of pollutants from water prior to metered release. Project development

[1] 1997 Monterey County Water Resources Agency. Ordinance No. 3932 *An Ordinance of the Monterey County Water Resources Agency Amending Ordinances Nos. 3539 and 3596 and enacting mandatory water conservation regulations*.

will incorporate these methods to promote recharge, reduce runoff, and filter water to emulate pre-development conditions.

In addition, the project would be required to comply with the operational provisions of Ordinance No. 3932, including:

- Immediately repair of water leaks including irrigation, pipes, faucets and fixtures
- Wash vehicles at a commercial washing facility or equip hoses with automatic shutoff nozzles or low volume/high pressure system
- Equip hoses used to clean exterior of structures with shut-off valves or low volume/high pressure system
- Prohibit use of potable water to clean sidewalks, driveways, roads, parking and other paved or hard surfaces, except to protect public health or safety
- Prohibit water to spill into streets, curbs, or gutters, which exceeds reasonable beneficial use
- Post water-conservation oriented placards in appropriate locations (bathrooms, kitchens, water faucets, etc.) to highlight conservation practices to residents, employees and visitors
- Provide literature to residents and employees describing the water conservation requirements of the facility

The project would also implement the following measures as conditions of approval during construction:

- If needed for dust suppression only recycled water would be used
- Soil shall be immediately stabilized following construction via erosion control measures and establishing of drought tolerant vegetation

Project Wastewater

The region has seen an overall demand in wastewater as users seek alternatives to potable water for irrigation of landscaping, golf courses, and other recreation facilities. Wastewater from the project site would be collected and treated at Las Palmas Ranch Wastewater Treatment Facility operated by California American Water Company. The wastewater would be recycled and used for irrigation.

Response 3.4

The commenter states that the project should not rely on water fixture unit methodology provided by the Monterey Peninsula Water Management District (MPWMD) for water demand analysis. The commenter states that the Monterey County Planning Commission considers MPWMD demand totals to provide low estimates of usage outside of the MPWMD boundary due to comprehensive water conservation measures and rebate programs. The commenter does not recommend an alternative methodology or data, merely referencing other data.

The proposed project would be new, and be designed, constructed, and operated with water conservation in consideration at the outset. The project would utilize the most current water efficient fixtures available, use minimal water for landscaping, and practice conservation in every day operation, as detailed in Response 3.3 above. As a result, the project is fully expected to have below average water use for a facility of its type. The methodology employed remains appropriate.

In addition, it should be noted that even if water use was underestimated, a doubling of the water used would still be considered less than significant. As indicated in the Draft SEIR (Section 10.0, *Water Supply*, page 10-3), the average annual groundwater extraction for Zone 2C was approximately 523,000 AFY from 1959 to 2013. At a doubling of the estimated water use, the project would use 22.8 AFY, and would result in an increase of 0.0044%.

Although Zone 2C is currently in overdraft, actions taken by both California Water Service and MCWRA, including conservation, system improvements, and future projects are projected to continue to provide for a reliable water supply. Refer to Response 3.3 for additional information.

Response 3.5

The commenter states that the project could have a significant effect on stormwater runoff and flood hazards and suggests that the Draft SEIR should include a preliminary flood and storm water control plan. The commenter provides specific items to be included in said plan.

Please refer to Topical Response E. As indicated therein, a Conceptual Stormwater Control Plan was prepared for the project by Gateway Engineering, Inc. and has been developed for the project as part of the preliminary design to address stormwater management for the project site in conformance with County and State regulatory requirements. The site drainage is specifically designed to meet County and regulatory requirements, and emulate pre-development conditions, resulting in the water volume, rate and quality of stormwater leaving the site would be similar to current conditions. As a result, there would be no project-related downstream or off-site impacts related to flood hazards or stormwater quality related to project operation.

Received by RMA-Planning
on March 27, 2018.

Letter 4

March 27, 2018

Joseph (Joe) Sidor, Associate Planner
Monterey County Resource Management Agency – Planning
1441 Schilling Place, 2nd Floor
Salinas, CA 93901
sidorj@co.monterey.ca.us

Subject: River View Las Palmas Assisted Living Senior Facility Draft Subsequent EIR

Dear Mr. Sidor:

LandWatch Monterey County has reviewed the Draft Subsequent Environmental Impact Report (Draft SEIR) for the project that is a facility on an undeveloped 15.64-acre parcel located within the Toro Area Plan and the Las Palmas Ranch Specific Plan. The proposed project includes a Specific Plan amendment, use permit, and design approval for the construction and operation of an approximately 120,000 square-foot senior assisted living facility consisting of multiple structures and associated site improvements. The facility would provide assisted living facilities for seniors requiring varying levels of assistance. LandWatch comments follow.

Project Description

The Draft SEIR does not identify or evaluate the Specific Plan amendment that is required for project approval. 4.1

Consistency with Applicable Plans

The Environmental Setting section references Table 3-1 Policy Consistency Review (Las Palmas Ranch Specific Plan, Monterey County 2010 General Plan, Toro Area Plan). However, this table is not included in the Draft SEIR. Specifically, is the project consistent with the residential unit cap of the Las Palmas Ranch Specific Plan? 4.2

Aesthetics

The Draft SEIR finds:

> The proposed project would be within the existing view shed of public areas, including from areas that offer views of scenic vistas and from viewpoints on designated and proposed scenic roadways (State Route 68, River Road and Reservation Road). The proposed project would also alter the existing, natural visual character of the project site. Although the LPRSP FEIR concluded that visual impacts on Highway 68 would be less than significant with full 4.3

buildout of the specific plan area, including the project site, potential visual impacts of the proposed project are considered a significant adverse environmental impact....” (p. 5-30)

T-3.1 of the Toro Area Plan provides:

> Within areas designated as “visually sensitive” on the Toro Scenic Highway Corridors and Visual Sensitivity Map (Figure 16), landscaping or new development may be permitted if the development is located and designed (building design, exterior lighting, and siting) in such a manner that will enhance the scenic value of the area.

Please describe how the development will “enhance the scenic value of the area”.

Mitigation Measures reducing impacts to less that significant are proposed. Mitigation measures include:

> The site shall be landscaped and screened from view from State Route 68, River Road and Las Palmas to the extent feasible. (Emphasis added) (p. 5-29)

The EIR should identify feasible landscaping to determine if the impact to the view shed is reduced to less than significant.

Parking

The Las Palmas Ranch Specific Plan, Policy 3, requires that adequate off-street parking be provided as a means of reducing road congestion, particularly in areas where reduced road right-of-way is proposed. The Transportation and Traffic section does not address off-street parking. **4.4**

Water Supply

The Draft SEIR finds that the 11.376 acre-feet per year required for the proposed project when completed, comprises approximately .05 percent of the California Water Service Salinas District’s demand by 2020 and approximately .04 percent of the projected year 2040 demand. Because the project demand is a small percentage of overall water use from the Salinas Valley Groundwater Basin, the Draft SEIR finds that the project’s water demand is not cumulatively considerable. **4.5**

The use of a de minis percentage of water demand is not an applicable threshold of significance for a groundwater basin that is in severe overdraft now and for the foreseeable future. CEQA Guidelines §15130(a).J. finds:

> A project's incremental impact may be individually limited but cumulatively considerable when viewed together with the environmental impacts from past, present, and probable future projects.

Along with the project’s significant and unavoidable cumulative impact on Highway 68 traffic, the project should also be found to have a significant and unavoidable cumulative impact on water supply.

Thank you for the opportunity to review the Draft SEIR.

Regards,

Michael DeLapa
Executive Director

Letter 4

COMMENTER: Michael DeLapa, Executive Director, LandWatch Monterey County

DATE: March 27, 2018

Response 4.1

The commenter states that the Draft SEIR does not identify or evaluate the Specific Plan amendment required for project approval.

Section 4.0, *Project Description* (page 4-18), describes the need for a Specific Plan amendment and provides the full text of the proposed amendment. As noted therein, the project falls under the County's general definition of an assisted living facility, which is an allowed use for the project site in the General Plan and the Las Palmas Ranch Specific Plan (LPRSP). The Specific Plan amendment would serve to clarify the distinction between an assisted living facility and a residence; the distinction is noted in order to confirm that the project would not be subject to the residential limit within the Specific Plan Area. Because the project is already in conformance with the general plan and LPRSP land use designations, the Specific Plan amendment will not create any impacts and therefore does not need to be evaluated within the Draft SEIR.

Response 4.2

The commenter notes that the Draft SEIR references a table on policy consistency review, but does not include the table. The commenter asks if the project is consistent with the residential unit cap of the LPRSP.

The policy consistency table was erroneously excluded from Draft SEIR Section 3.0, *Environmental Setting.* The table has been added to Section 3.0 and is included in its entirety in Section 4, *Amendments to the Draft SEIR,* of this Final SEIR.

Regarding the residential unit cap of the LPRSP, refer to Topical Response C. As noted therein, the proposed project is not a residential use under the County code or LPRSP; as such, the residential unit limitation of 1,031 does not apply to the project.

Response 4.3

The commenter discusses the visual impacts of the project. The commenter states that the Toro Area Plan requires that new development in visually sensitive areas be located and designed to enhance the scenic value of the area. The commenter questions how the proposed project would do so. The commenter also states that the Draft SEIR should identify what landscaping would be required in order to mitigate visual impacts.

As summarized in Draft SEIR in Section 5.0, *Aesthetics*, the Toro Area Plan identifies the project site as located within an area designated as visually sensitive. The Toro Area Plan includes two policies regarding aesthetics and visual quality that are applicable to the project, as follows:

- Toro Area Plan Policy T-3.1 states that within areas designated as "visually sensitive" on the Toro Scenic Highway Corridors and Visual Sensitivity Map, landscaping or new development may be permitted if the development is located and designed (building design, exterior lighting, and siting) in such a manner that will enhance the scenic value of the area. Architectural design consistent with the rural nature of the Plan area shall be encouraged.

- Toro Area Plan Policy T-3.2. states that land use, architectural, and landscaping controls shall be applied, and sensitive site design encouraged, to preserve Toro's visually sensitive areas and scenic entrance: River Road/Highway 68 Intersection. See response to Toro Area Policy T-3.1 above.

Consistency of the proposed project with the above policies is presented in Table 3-1, which is incorporated into this Final SEIR (refer to Topical Response C and Section 4, *Amendments to the Draft SEIR*). As noted therein, the project site is located within an area designated "sensitive viewshed." The Aesthetics section of the Draft SEIR included visual simulations from SR 68 and from Reservation Road. The simulations show that although the project would be visible from these locations, the project is not located on steeper slopes and will not constitute ridgeline development. Mitigation measures ensuring the adverse impact is less than significant are: 1) requiring a landscape plan to screen the project site from State Route 68, Reservation Road, and River Road, as well as from the adjacent neighborhood and trail; 2) building colors and materials to be earth toned to blend with the existing vicinity landscape; and 3) requiring all new utility and distribution lines on the project site to be underground. Further, landscaping for the proposed project includes mostly native plants designed to preserve and enhance the natural landscape of the project site. Non-native plants included in the Landscape Plan are: magnolia tree, source magnolia, Japanese maple, western red bud, European white birch, pheasant tail grass, silver grass, Australian fuchsia, bunny tail grass, and Pacific coast iris.

For further discussion of visual impacts, refer to Topical Response F.

Response 4.4

The commenter states that the Draft SEIR does not address off-street parking.

As summarized in the Draft SEIR, Section 9.0, *Transportation & Traffic*, LPRSP Policy 3 requires adequate off-street parking to be provided as a means of reducing road congestion, particularly in areas where reduced road right-of-way is proposed. The project plans calculate the parking requirement as two stalls per unit for Casitas units, and one stall per three beds for the assisted living and memory care facilities, totaling 86 required parking spaces. The project includes a total of 106 parking spaces, thereby exceeding this requirement. These spaces are all off-street parking spaces. For more detail regarding parking, refer to the Project Description, which lists the proposed parking per facility, under the heading *Project Facilities*.

Response 4.5

The commenter states that the project would have a significant and unavoidable impact on water supply because the area's groundwater basin is in severe overdraft.

Both the Draft SEIR (Section 10.0, *Water Supply*, page 10-3) and the applicable Urban Water Management Plan acknowledge that the basin is in overdraft. However, MCWRA is a regional leader in the area for groundwater management efforts to reduce overdraft and increase the reliability of the water supply. Cal Water is supportive of these efforts and prepared to work with MCWRA and make necessary investments to augment future basin recharge. Cal Water is also taking actions to improve water reliability in the basin, including practicing and promoting conservation, implementing demand management measures to provide water reliability, and reducing water loss by system improvements. As a result, California Water Service indicated in its Urban Water Management Plan that with these and other collective efforts Cal Water is projecting that, under all hydrologic conditions, its groundwater supply for the Salinas District will fully meet future demands

projected through 2040. California Water Service has issued a "can and will-serve" letter for the project indicating it has the water supplies available to serve the project. Refer to Response 3.3 for additional information.

Based on these considerations, there is sufficient water to serve the project and impacts to water supply would be less than significant.

Letter 5

ED MERCURIO, BIOLOGICAL CONSULTANT
647 WILSON ST. SALINAS, CA 93901
(831) 206-0737
ed_mercurio@yahoo.com

April 12, 2018

RECEIVED
APR 24 2018
MONTEREY COUNTY
PLANNING DEPARTMENT

Joseph Sidor
Monterey County Planning Department
1441 Schilling Place, 2nd Floor
Salinas, CA 93901

RE: Comments on the proposed River View at Las Palmas Assisted Living Senior Facility, Salinas, California.

Dear Mr. Sidor,

I am writing on behalf of the Las Palmas No. 1 Homeowners' Association.

I have reviewed the draft EIR for the River View at Las Palmas Assisted Living Senior Facility and have the following comments.

The biological resources section of the EIR by EMC Planning Group biologists addresses the biological topics that should be covered in biological survey work on this property. However, I am not certain of the depth and timing of biological survey work that has been done.

It is stated that Regan Biological and Horticultural Consulting, LLC had surveyed the property in 2011 and 2013 and Regan is cited for 2017 on page 7-5 of the biological resources section of the EIR. I have been unable to locate another report by Regan from 2017. The 2013 update report is now 5 years old. It is also stated that EMC staff conducted a survey in 2017. The 2017 EMC survey does not appear to be available, either. It should be made public. 5.1

In the 2013 letter update to the 2011 report, it is stated that California tiger salamander *(Ambystoma californiense)* and California red-legged frog *(Rana draytonii)* are unlikely to be present on the property because there is no breeding habitat close enough, the upland habitat on the property is not suitable for them and there are no close records. Although California tiger salamanders prefer to breed in vernal pools and other ponds, they have been known to breed in quiet water pools along the margins of streams as can be found in the nearby Salinas River. California red-legged frogs prefer to breed in quieter waters of streams. The Salinas River is approximately one-half mile from the property, within the maximum known dispersal distance to upland habitat for these amphibians. These amphibians spend their time in upland habitats underground and their preferred upland residences are in burrows of California ground squirrels, which are listed as being observed on the property. Lastly, there is a record of an observation of a California tiger salamander on the project property by Susan Hurst in 2005. In the light of this evidence, I believe that the potential for these amphibians to be present on the property is high enough to warrant further survey work on investigating the possibility of their presence. 5.2

It is stated that EMC Planning Group Biologists Andrea Edwards and Jessica Wheeler performed a reconnaissance field survey at the site on February 14, 2017 to document existing plant communities and wildlife habitats, and to evaluate the potential for special-status biological resources to occur on the site. Where is their complete biological report for this survey giving the details of how the survey was done and their observations, including a list of all plants and wildlife observed, available? Also, Andrea Edwards and Jessica Wheeler do not appear on the Monterey County Planning Department's List of Approved Consultants. What are their credentials? 5.3

Please contact me if you have any questions.

Best regards,

Ed Mercurio, Biological Consultant

Letter 5

COMMENTER: Ed Mercurio, Biological Consultant on behalf of the Las Palmas No. 1 Homeowners Association (LPHOA)

DATE: April 12, 2018

Response 5.1

The commenter questions the depth and timing of the biological survey work done for the proposed project. The commenter notes that 2017 surveys are mentioned in the Draft SEIR, and requests public access to the cited documents.

The exclusion of the Botanical Survey reports prepared by Regan Biological and Horticultural Consulting in 2017 was an oversight; the report is attached to this Final SEIR as Appendix H.

The reconnaissance level survey performed by EMC biologists was intended to identify and map vegetation communities and document general existing conditions on-site to inform the discussion in the Draft SEIR; however, the information was provided only in the Draft SEIR (i.e. no stand-alone report was prepared). The results of the reconnaissance survey are presented in Section 7.1 (page 7-1) of the Draft SEIR.

Because the findings of the survey were presented in the Draft SEIR, inclusion of the botanical survey results as Appendix H to the Final SEIR does not represent significant new information; rather, the survey report merely clarifies the source of information presented in the Draft SEIR.

Response 5.2

The commenter states that further survey work should be performed investigating the presence of special status amphibian species (California tiger salamander [CTS] and California red-legged frog [CRLF]) on the project site. The commenter provides habitat descriptions that support this opinion. The commenter notes a reported California tiger salamander on the project site in 2005. The incidental observation of a CTS by a private citizen is undocumented and cannot be verified; however, for clarification, the following information is provided to support the assessment of CTS and CRLF habitat at the project site. The analysis presented below is based on a desktop review of current and historical aerial photographs of the site (Google Earth 2018), CDFW Biogeographic Information and Observation System (BIOS; CDFW 2019), the technical reports provided in the Draft SEIR, and other available background information. Biologists also conducted a reconnaissance site visit on June 14, 2019, to confirm existing conditions.

California Tiger Salamander

The following revisions have been made on page 7-11, Table 7.2 Special-Status Wildlife Species with Potential to Occur in Vicinity, column 4 (Potential to Occur on Project Site), row 7 California tiger salamander of the Draft SEIR:

> ~~Not expected. No suitable habitat found on the site.~~Low. High quality, but mostly isolated habitat is present on site, and suitable breeding habitat is present within 1.24 miles of project site.

The following text replaces the first paragraph on page 7-15 of the Draft SEIR:

~~The project site does not contain habitat suitable for California tiger salamander breeding. CDFW records indicate that there are no known occurrences of California tiger salamander within 2.5 miles of the site. There are no ponds or wetted areas on the site. The ditch that runs along the eastern edge of the property is outside the project boundary and did not support standing water at the time of the survey, even after extremely heavy rains this season (winter 2015-2016). The ditch also appears to be sprayed with herbicides, as vegetation observed in this area was yellow, in contrast to surrounding vegetation. There were very few California ground squirrel burrows observed in the grassland areas, and California tiger salamander is not expected to utilize the site for upland refuge habitat.~~

The site is located approximately two miles from the closest known California Natural Diversity Database (CNDDB) occurrence of CTS at Toro Regional Park. The site is also within 1.24 miles (i.e., the known CTS dispersal distance) of stock ponds, detention basins, the Salinas River, and other wetlands visible on aerial imagery that represent areas with suitable breeding habitat. Based on a site visit and review of aerial imagery, the habitat on-site does not include suitable breeding habitat but may provide upland habitat in ground squirrel and small mammal burrows. Connectivity for movement between known populations and potential breeding habitat in the area and the project site itself is feasible where natural habitat or landscaped areas allow for undisrupted movement. A potentially suitable stock pond was located approximately 0.33 mile west of the site but was converted to agriculture between late 2017 and early 2018. This pond was evaluated for the adjacent Ferrini Ranch Project and was determined not to provide suitable breeding habitat due to an insufficient hydro-period and shallow basin (PMC 2014). However, the assessment in the Ferrini Ranch Subdivision EIR was made during a period of regional drought. A review of Google Earth imagery from 2016 showed that the pond held water through April 2016, indicating a sufficient hydro-period to support breeding. Higher quality and more easily accessible habitat is present outside of the project site. CTS cannot be completely excluded from having a potential to occur at the project site; however, the site is bordered by development and agriculture on three sides, and the potential for CTS to occur on site is low.

California Red-legged Frog

The conclusion of the Draft SEIR that CRLF are not expected to occur is correct; however, for clarity the following language replaces the third paragraph on page 7-15:

~~The project site does not contain habitat suitable for California red-legged frog breeding. CDFW records indicate that there are no known occurrences of California red-legged frog within 2.5 miles of the site. As described above, there are no ponds or wetted areas on the site. There are very few California ground squirrel burrows observed in the grassland areas, and California red-legged frog is not expected to utilize the site for upland refuge habitat.~~

The closest reported occurrence of CRLF is approximately 5.1 miles to the south of the site, on the south side of Toro Regional Park. This occurrence was reported from a stock pond along Corral Del Cielo Road. Other occurrences in the vicinity are similarly from stock ponds. No creeks provide connectivity between the project site and any known occupied habitat. As such, it is unlikely that CRLF would disperse to the site from known stock pond occurrences in the south, and protocol level surveys of Toro Creek to the south performed for the Ferrini Ranch project were negative. CRLF have also been reported from the Salinas River approximately 8.6 miles downstream of the site, where adults and juveniles were observed. American bullfrog and non-native predatory fish are also known to occur in the Salinas River and reduce the habitat

suitability in that water body for CRLF. Agricultural fields and busy roads lay between the river and the site posing significant biogeographic barriers and reducing the likelihood for dispersal from distant known occurrences to the project site. Therefore, CRLF are not expected to occur on-site.

The following language is added to the Draft SEIR on page 7-28 as follows:

IMPACT Potential Loss or Disturbance of California Tiger Salamander

If California tiger salamander is present on the project site, construction activities could result in the loss or disturbance of individual animals. This would be a significant adverse environmental impact. Implementation of the following mitigation measure would reduce the potential impact to a less than significant level.

BIO– 6 California Tiger Salamander Surveys, Avoidance and Minimization

Prior to the start of construction, a qualified CTS biologist shall conduct a preconstruction survey for CTS. The survey shall include a transect survey over the entire project disturbance footprint (including access and staging areas), and scoping of burrows for CTS occupancy. If CTS are documented on the surface or in burrows, no work can be conducted until the individuals leave the site of their own accord. If no CTS are found, the biologist shall collapse all small mammal burrows onsite within the disturbance footprint. After all burrows have been collapsed, a silt fence shall immediately be installed around the edges of the work area to the existing road. This fencing shall be buried to at least three inches. No equipment or disturbance shall be allowed outside of the silt fence, and fencing shall remain in place until the project is complete. If a California tiger salamander is observed at any time during burrow excavation or construction, all work shall cease, and the applicant shall contact the USFWS for guidance before commencing project activities.

The above text clarifies the potential for California tiger salamander and California red-legged frog to occur on site and be affected by the proposed project. With Mitigation Measure BIO-6, a measure consistent the other measures to protect biological resources (i.e., pre-activity surveys and subsequent avoidance and protections), the project would avoid impacts to CTS. Therefore, the information provided here does not significantly change the conclusions of the Draft SEIR or represent substantial new information.

Response 5.3

The commenter requests public access to the plant community and wildlife habitat surveys performed for the project. The commenter notes that surveys were performed by consultants not listed on the County Planning Department's List of Approved Consultants, and requests information regarding their credentials.

The biologists that performed the reconnaissance field survey described in Section 7.0, *Biological Resources,* are EMC Planning Group staff. EMC Planning Group is included on the County Planning Department's list of approved biology consultants.

Letter 6

April 16, 2018

Joseph (Joe) Sidor, Associate Planner
Monterey County Resource Management Agency – Planning
1441 Schilling Place, 2nd Floor
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sidorj@co.monterey.ca.us

Subject: River View Las Palmas Assisted Living Senior Facility Draft Subsequent EIR

Dear Mr. Sidor:

The following comments supplement LandWatch's March 27, 2018 comments.

The project is inconsistent with General Plan policies that require a Development Evaluation System (DES).

The project is subject to the DES that applies to projects of five subdivisions or more, or projects with equivalent impacts (2010 Monterey County General Plan, LU 2-19). In earlier drafts of the DES, county staff defined "equivalency:"

"Equivalency" is when a project generates one or more of the following, based on multiplying standard outputs generated from a single family residence by 5:

- Water: 1.55 AF/year
- Wastewater: 1.55 AF/year
- Traffic: 49.5 daily trips or 18,067.5 trips per year

6.1

The project exceeds the water trigger at 11.36 AFY and the wastewater trigger at 13.53 AFY (12,070 gpd) and is therefore subject to the DES. Consistency with the DES should be addressed in the FEIR.

The County has not yet implemented General Plan Policy LU 1.19, which mandates preparation of a Development Evaluation System ("DES") "to provide a systematic, consistent, predictable, and quantitative method for decision-makers to evaluate developments of five or more lots or units and developments of equivalent or greater traffic, water, or wastewater intensity." The DES applies to this Project because it is not within a Community Area, Rural Center, of Affordable Housing Overlay district.

General Plan Policy LU 1.19 mandates that the County establish the DES "within 12 months of adopting this General Plan," i.e., by October 26, 2011. The DES is now *seven years* overdue. Planning staff did not bring the first workshop proposal for the DES to the Planning Commission until July 31, 2013. The Planning Commission did not review the proposal in detail. Instead,

based on a discussion led by Commissioners Diehl, Vandevere, and Brown, the Commission provided direction to staff to return with specific comments to staff regarding the scope and content of the DES.

The DES is a mandatory requirement of the General Plan and a critical constraint on sprawl development. Projects subject to the DES cannot be approved until the County establishes the objective, systematic scoring system that Policy LU 1.19 requires. Accordingly, the County should not approve this Project until it implements its General Plan by establishing the DES and evaluating this Project with the DES.

Relevant provisions of the DES

The DES must be an objective and predictable scoring system to determine which projects may be approved. Thus, it must be "a pass-fail system and shall include a mechanism to quantitatively evaluate development in light of the policies of the General Plan and the implementing regulations, resources and infrastructure, and the overall quality of the development."

The DES is required to include evaluation criteria, including but not limited to the following:

a. Site Suitability
b. Infrastructure
c. Resource Management
d. Proximity to a City, Community Area, or Rural Center
e. Mix/Balance of uses including Affordable Housing consistent with the County Affordable/Workforce Housing Incentive Program adopted pursuant to the Monterey County Housing Element
f. Environmental Impacts and Potential Mitigation
g. Proximity to multiple modes of transportation
h. Jobs-Housing balance within the community and between the community and surrounding areas
i. Minimum passing score

6.1

Since the DES must be objective, quantitative, and predictable, and must create a pass-fail system with a minimum score, the County must devise a scoring system that implements at least the criteria enumerated in LU Policy 1.19.

The purpose of the DES is to avoid sprawl development and encourage development that meets General Plan aspirational goals.

LU 1.19 is an important form of mitigation to avoid impacts associated with sprawl development. The announced purpose of LU 1.19 was also to ensure that the Community Areas and Rural Centers remain the priority areas for growth and that only 20% of future growth occurs outside these designated growth areas. See, e.g., 2010 General Plan FEIR, Master Response 2.1.2.

When the Planning Commission reviewed and rejected staff's initial version of the DES, they provided essential guidance that illuminated the purpose of the DES.

- The DES is not a device for determining whether a project is consistent with the General Plan. If a project is not consistent with the General Plan, it should not even be reviewed under the DES.
- The DES must be designed to screen out all but the exceptional projects that justify departing from the goal of focusing growth in Community Areas and Rural Centers.
- The DES must be designed to implement the General Plan goal to limit growth outside these areas 20% of overall growth.
- The DES must provide a pass/fail system, with a minimum passing score.
- The DES must provide objective criteria.
- Projects should be rewarded for meeting the General Plan's aspirational goals and exceeding its minimum standards.

The County should move to establish the DES promptly, and it should not deem applications complete or approve projects subject to the DES until it establishes the DES. 6.1

The County has a mandatory duty to establish a DES, and to do so timely, since LU Policy 1.19 states that it "shall be established within 12 months." Accordingly LandWatch asks that the County ensure that implementation of LU 1.19 be made a priority.

LU Policy 1.19 provides that the development projects subject to its provisions must meet the minimum passing score of a DES. Approval of such projects without scoring them through a DES, which must be established as a "systematic, consistent, predictable, and quantitative method for decision-makers to evaluate developments," would be inconsistent with the General Plan.

In short, establishment of the DES is an essential prerequisite to approving projects subject to LU Policy 1.19. Until the County establishes a DES, approving a residential project of five or more units, or a development of equivalent traffic, water or wastewater intensity, outside a Community Area, Rural Center, or Affordable Housing overlay would be *ultra vires* because the County is powerless to issue permits that are inconsistent with the General Plan.

Until the DES is established, LandWatch asks that the County refrain from deeming any development application for a project subject to LU 1.19 complete or from approving any such project.

Regards,

Michael DeLapa
Executive Director

Letter 6

COMMENTER: Michael DeLapa, Executive Director, LandWatch Monterey County

DATE: April 16, 2018

Response 6.1

The commenter states that the project is inconsistent with General Plan Policy LU-1.19 that requires a Development Evaluation System (DES). The commenter states that until the DES is established Land Watch asks the County to refrain from deeming any development application for a project subject to LU-1.19 complete or from approving any such project. The commenter states that the County has not yet implemented General Plan Policy LU 1.19, which mandates preparation of a DES for certain projects. The commenter states that the County is obligated to establish a DES and should refrain from approving projects that would be subject to a DES until it is established.

The County has utilized an interim system for several recent projects. Utilizing this approach, the following discussion has been added to Table 3-1, Section 3.0, *Environmental Setting*, of the Draft SEIR. Refer also to Topical Response C for a discussion of Table 3-1 and Section 4, *Amendments to the Draft SEIR,* for the full table.

Monterey County General Plan Policy	**Consistency Discussion**
Land Use Element	
LU-1.19: Community Areas, Rural Centers and Affordable Housing Overlay districts are the top priority for development in the unincorporated areas of the County. Outside of those areas, a Development Evaluation System shall be established to provide a systematic, consistent, predictable, and quantitative method for decision-makers to evaluate developments of five or more lots or units and developments of equivalent or greater traffic, water, or wastewater intensity. The system shall be a pass-fail system and shall include a mechanism to quantitatively evaluate development in light of the policies of the General Plan and the implementing regulations, resources and infrastructure, and the overall quality of the development. Evaluation criteria shall include but are not limited to: a. Site Suitability b. Infrastructure c. Resource Management d. Proximity to a City, Community Area, or Rural Center e. Mix/Balance of uses including Affordable Housing consistent with the County Affordable/Workforce Housing Incentive Program adopted pursuant to the Monterey County Housing Element f. Environmental Impacts and Potential Mitigation g. Proximity to multiple modes of transportation h. Jobs-Housing balance within the community and between the community and surrounding areas i. Minimum passing score Residential development shall incorporate the following minimum requirements for developments in Rural Centers prior to the preparation of an Infrastructure and	**Consistent**. The project site is not within a Community Area, Rural Center, or Affordable Housing Overlay District. Thus, the project should be analyzed pursuant to the Development Evaluation System (DES) required by this policy. Pending adoption of a detailed program implementing the DES, the County has been implementing the DES through application of the criteria in LU-1.19. Accordingly, an interim analysis has been completed for this project based on the Policy LU 1.19 criteria. The objective of the DES is to strongly discourage or avoid "leap frog" development not proximate to urbanized or community areas where public services and facilities exist. The project meets this objective of the DES. This proposed project is infill in nature and is the last developable site in the LPRSP area, near existing communities, major roadways, and services. The proposed project is consistent with the majority of the specified DES criteria, if the criteria are deemed to apply to an infill location such as the subject site. The affordable housing and jobs-housing balance criteria do not apply because the proposed project is not residential. In terms of "site suitability," "proximity to cities and communities," and "multiple modes of transportation," the project's location near an existing residential development makes the site suitable for the assisted living use proposed. The proposed site is less than 2 miles from the River Road Rural Center. The site's location provides efficient access to SR 68 via River Road, the

Monterey County General Plan Policy	Consistency Discussion
Financing Study, or outside of a Community Area or Rural Center: 1) 35% affordable/Workforce housing (25% inclusionary; 10% Workforce) for projects of five or more units to be considered. 2) If the project is designed with at least 15% farmworker inclusionary housing, the minimum requirement may be reduced to 30% total. This Development Evaluation System shall be established within 12 months of adopting this General Plan.	major transportation corridor to the west of the site. Residents of the proposed project are not expected to need significant services outside of those provided at the assisted care facility, but the nearby Monterey Peninsula communities of Spreckels, Creekside, and Salinas are within short travel distance of the site and offer a wide range of commercial and personal services and medical care facilities if desired. The project will also include walking paths, and the applicants have proposed shuttle services for residents to access areas on the Monterey Peninsula and Salinas, including regular shuttle service for employees to transportation hubs nearby, as not all residents would have access to personal vehicles. Regarding "infrastructure and services," the site has received a "can and will serve" letter from Cal Water and, as discussed above in the LPRSP analysis above under "Public Facilities and Services – Water", total water use at Las Palmas is expected to be about 193.4 AFY, significantly less than the 599 AFY that was allowed by the adopted specific plan. Additional infrastructure is existing or will be built concurrently with the project so the project site would be adequately served. Finally, regarding "resource management" and "environmental impacts and potential mitigations," the project would result in significant but mitigatable impacts on special status animal species. Construction of the proposed project could directly impact American badger, Monterey dusky-footed woodrat, western red bat, burrowing owl or nesting birds. This impact is also considered significant but mitigatable. In summary, when considered in relation to the DES criteria specified in General Plan Policy LU-1.19, the project is, overall, consistent with LU-1.19.

TJKM

Letter 7

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MONTEREY COUNTY
PLANNING DEPARTMENT

April 23, 2018

Joseph (Joe) Sidor, Associate Planner
Monterey County
Resource Management Agency – Planning
1441 Schilling Place, 2ND Floor
Salinas, CA 93901

Re: Comments on DSEIR River View at Las Palmas Assisted Living Senior Facility

Dear Mr. Sidor:

TJKM Transportation Consultants appreciates this opportunity to provide our comments on the subject document. We are providing these comments on behalf of the Las Palmas Homeowners Association No 1. Our comments are as follows:

Traffic on SR 68

Portions of State Route 68 operate at LOS F. It appears that various large projects have been approved recently by the County with significant environmental impacts being dealt with by establishing overriding considerations. The County and other agencies could keep adding in the traffic impacts of these projects, each of which further worsens the existing peak hour congestion. Roundabouts have been discussed for installation at various locations; however, there is no indication that these roundabouts will actually be constructed nor that they will actually reduce daily congestion and delays along the SR 68 corridor. 7.1

Trip Generation

We question the applicability of trip rates used for this project, particularly for the casitas where the residents can have their own cars, and commercial operations at the facility. There is concern that the rates used for the casitas units may not accurately reflect traffic from employed residents, visitor travel, caregiver trips and even medical visits. Can the applicant demonstrate that the ITE rates utilized apply to this project? The facility will also have a host of other commercial operations, including full food service and other resident services. Traffic to the facility will not be just cars and shuttle vehicles, but larger delivery trucks for the commercial needs, along with medical response vehicles. The impact of these vehicles does not appear to be addressed. 7.2

River Road Access Details

The EIR provides no significant review of existing Las Palmas entry "gate" operations and conditions and how these may be affected by the project. In order to provide enhanced security, the home owners have placed a guard house on Las Palmas Road (the main entrance to the subdivision) immediately west of River Road, at the entrance to the subdivision and have retained security personnel to monitor and regulate incoming traffic. But even under current conditions the volume of inbound traffic during peak periods has caused the process to be relaxed (no guard check of entering vehicles) in these peaks to minimize congestion at the entrance and to avoid backups into the River Road signalized intersection. The residents have been able to live with this approach since most of the inbound traffic during busy periods are homeowners and this is the most practical solution to maintain security. 7.3

However, with the new development there will be a clear need to screen all incoming traffic. To accomplish this Las Palmas Road would need to be two long entrance lanes, one for those to be checked by the guard (visitors, delivery vehicles, etc.) and one for residents/employees with badges or vehicle stickers/placards. Entry gates would probably need to be added. The logistics of this are very awkward because of space limitations at the entrance. The entrance lanes would likely need to extend all the way to River Run Road to accommodate the volume of traffic. This would effectively cut off the existing left turn lane and movement into Winding Creek Road, which is very close to the entrance. This would create circulation issues for those residents who live along Winding Creek Road, who under the revision described above would not be able to make a left turn into their street.

The overall solution requires an additional westbound entrance lane on Las Palmas Road between River Road and River Run Road, a distance of about 400 feet. In addition, an entrance gate and entry system would need to be installed along with likely increased security personnel hours at the entrance.

This is a major concern to the residents. The EIR should investigate this issue in detail and provide a plan to provide full security and safety to existing residents and to occupants of the new development.

Woodridge Court

There are no details on the Woodridge Court access to the new project, other than it will probably be 28 feet wide. How steep is it? Since this is the only entrance to the new development, design details are important. We were unable to locate a site plan within the EIR that contains planned details of the Woodridge Court access. 7.4

Single Access Point

It is noted that there is only a single access to the site, using the aforementioned Woodridge Court. It appears that due to the property ownerships involved, there are no possibilities of a second access point or even an emergency access point. A secondary or emergency access point is a standard requirement in all developments. In a fire, or any other emergency, all 142 residents of the site (42 in casitas, 52 in assisted living and 48 in memory care) (See pages 4-5 and 4-6) would have to be evacuated out one route funneled through the Las Palmas subdivision. Any emergency vehicles would need to use the same route. The 142 residents include ambulatory, non-ambulatory, and some with diminished mental capacity making their evacuation even more challenging. Evacuating staff members would use the same route. This is a significant issue which has not been addressed. 7.5

Emergency Calls to Site

Emergency calls to the site have not been addressed. The EIR should disclose how emergency calls to the site, which could provide disturbances to existing residents, perhaps frequently, will be handled. Even without sirens, these vehicles are loud Potential day time and night time emergency vehicle visits, should be addressed. 7.6

Private Street Pavement Impacts by Construction Trucks

The EIR describes a two-year construction period and an import requirement of 34,500 cubic yards of fill in addition to the normal heavy construction traffic. For this amount of fill, this would generate nearly 3,000 loaded 12-yard pickup trucks driving on River Road, Las Palmas Road, River Run Road and Woodridge Road, and an equal number of returning empty dump trucks. The construction truck traffic is likely to cause damage to these private streets which have not been designed to accommodate this type and volume of construction traffic. The damage would include heavy wear and tear on the asphalt concrete pavement. In addition, three intersections along the route to the new development have hand-placed concrete brick pavement, which typically rests on a sand base. Regardless of the base, the brick pavement is unlikely to withstand the impacts of 3,000 fully loaded dump trucks. Typical damage is broken or displaced bricks. 7.7

The replacement or repair of damaged asphalt concrete and brick pavement sections needs to be addressed in the DEIR.

Mitigation Measures

Figure 9-4 on DEIR page 9-19 shows level of service results for three study intersections for three scenarios. This table shows that under cumulative plus project conditions the Highway 68 EB and WB ramp conditions at Reservation Road/River Road are at LOS D, exceeding the Monterey County standards. However, there is no DEIR text dealing with 7.8

cumulative traffic impacts and mitigation requirements. In the project traffic impact study included as Appendix D of the DEIR, the impacts at these two intersections are described along with mitigation measures. The DEIR text indicates that the project would be required to pay regional impact fees, although such a payment is not included as a mitigation requirement. In addition to no description of cumulative impacts in the DEIR text, it is not clear which impacts the payment of regional fees is intended to mitigate. A description of cumulative impacts and more details on resolution of these impacts should be added to the DEIR.

Applicant Mitigation Measures

The applicant proposes off-peak employee shifts and the use of shuttle buses for both residents and for employees. The downside of these activities are an increased amount of early morning or late night travel through the Las Palmas neighborhood, and frequent shuttle bus travel through the same neighborhoods. The DEIR should address the impacts of these mitigation measures on the Las Palmas neighborhood. 7.9

Please contact me if there are questions on these matters.

Very truly yours,

Chris D. Kinzel

Chris D. Kinzel, P.E.
Vice President

Cc: Christine G. Kemp

Letter 7

COMMENTER: Chris D. Kinzel, P.E., Vice President, TJKM Transportation Consultants

DATE: April 23, 2018

Response 7.1

The commenter notes that portions of State Route 68 operate at Level of Service F, and states that the County has recently approved projects by establishing overriding considerations.

The Draft SEIR acknowledges that vehicle trips generated by the project would contribute to existing LOS F conditions on the segment of State Route 68 from Toro Park to State Route 218. As shown in Figure 9-2 in Draft SEIR Section 9.0, *Transportation & Traffic*, it is estimated that the project would add less than five peak-hour trips to this segment of State Route 68. Although this contribution to traffic on State Route 68 would be minimal relative to existing traffic conditions, the Draft SEIR notes that Caltrans conditions a single additional peak-hour trip on highways with existing LOS F conditions to be a significant impact. Based on this conservative threshold, the Draft SEIR finds that the project would have a significant impact on traffic conditions on State Route 68. The applicant would be required to pay a regional traffic impact fee toward future improvements to State Route 68. However, because the applicant would not directly implement any improvements to this highway to offset the project's contribution to LOS F conditions, and it is unknown if future improvements using regional traffic impact fees would improve the level of service, this impact would be significant and unavoidable.

Pursuant to Section 15093 of the State CEQA Guidelines, the lead agency may provide a statement of overriding considerations for approval of a project that would have a significant and unavoidable impact, determining the project's benefits would outweigh its environmental impacts. Consistent with the CEQA Guidelines, the County would include a statement of overriding considerations in its CEQA Findings for approval of the project. This statement would acknowledge the project's significant and unavoidable impacts while determining that they are outweighed by its overall benefits.

Response 7.2

The commenter asserts that the trip generation rates used in the Draft SEIR's traffic analysis do not adequately account for the use of cars by residents of the proposed casitas, visitor travel, caregiver trips, emergency medical trips, and commercial operations. The commenter requests more information supporting the traffic analysis.

As shown in Figure 9-2 in Draft SEIR Section 9.0, *Transportation & Traffic*, the traffic analysis applies the Institute of Transportation Engineers' (ITE) trip generation rates for the following land uses: Senior Housing – Detached (ITE land use code 251), Senior Housing – Attached (ITE 252), Assisted Living (ITE 254), and Nursing Home (ITE 620). The ITE land use codes applied to the project are representative of the full range of land uses associated with the proposed senior assisted living facility. This includes the semi-independent casitas units, the assisted living facility, and the memory care facility. For this reason, Hatch Mott MacDonald's *Riverview at Las Palmas Trip Generation Study* (December 2013) found that these ITE land use codes were appropriate for the project, because they were most representative of the activity levels at the project's facilities, including medical-related traffic and car use associated with the semi-independent living at the casitas units.

In general, the ITE's trip generation rates for individual land use codes are based on traffic studies performed by qualified transportation engineers of representative examples of each land use. These traffic studies count any vehicle trips associated with the studied land uses, including trips that are ancillary to the land use. The trip generation rates applied to the project therefore incorporate ancillary trips that are typical of senior assisted living facilities, such as resident trips, visitor travel, truck trips to supply food service and commercial operations, and medical trips. This would include trips generated by the proposed casitas, where semi-independent residents could have their own cars. The commenter has not provided specific evidence that the ITE land use codes applied to the project exclude such vehicle trips. Therefore, the trip generation rates used in the Draft SEIR's traffic analysis are appropriate.

Response 7.3

The commenter asserts that the Draft SEIR lacks an adequate analysis of queuing of vehicles at the entrance gate to the Las Palmas Ranch Phase #1 Subdivision (Subdivision). Security guards do not currently check inbound vehicles at the gate during peak hours, the commenter states, in order to minimize queuing. The commenter contends that most inbound vehicles are driven by homeowners, which enables this relaxation of normal security protocol. However, the commenter states that the project would generate vehicle trips that require stricter screening, such as visitors and deliveries, resulting in the need for an additional westbound entrance lane at the gate. The commenter asserts that an extended entrance to the gate would obstruct vehicles from turning left onto Winding Creek Road.

Please refer to Topical Response D for a discussion of queuing concerns at the Subdivision's entry gate. As noted therein, the project would increase inbound traffic at the gate by an estimated 16 percent. However, this increase in traffic would not substantially increase queuing. An additional westbound entrance lane at the gate would not be needed, and queuing vehicles would not obstruct vehicles from turning left onto Winding Creek Road. Therefore, the project would have a less than significant impact on traffic circulation related to queuing.

Response 7.4

The commenter requests additional information on the Woodridge Court access point to the project site, including the steepness of grade.

Please refer to Topical Response D. As noted therein, the proposed project would involve extending Woodridge Court at a grade of approximately 15 percent to provide vehicular access to the project site. This grade is within the County's requirements for the LPRSP and for the County in general.

Response 7.5

The commenter notes that Woodridge Court is the only access point to the project site. The commenter notes that a secondary or emergency access point is a standard requirement in all developments, and that the population served by an assisted living senior facility would present special challenges in the event of an emergency evacuation.

Please refer to Topical Response D. As noted therein, secondary access between River Road and the project site during emergency evacuations would be available through the lawn area between Country Park Road and Woodridge Court. However, secondary access would not be provided on Woodridge Court between Country Park Road and the first internal parking lot aisle. Mitigation Measure T-2 would be required to install improvements that improve access to the lawn area and

Woodridge Court. With implementation of this measure, the project would have a less than significant impact on emergency access.

Response 7.6

The commenter states that the Draft SEIR does not address emergency vehicle trips to the site, including noise disturbances.

The traffic analysis utilizes ITE trip generation rates applicable to the project type, which projects traffic based on the type and size of the proposed facilities. In addition, as noted in Topical Response H, sirens from emergency vehicles would result in a short-term spike in ambient noise levels at nearby residences. However, there is an agreement in place that the Subdivision is a "no-siren zone." Additionally , the County Code exempts "emergency vehicles being operated by authorized personnel" from noise regulation. Therefore, emergency vehicles would have a less than significant impact on ambient noise.

Response 7.7

The commenter states that construction truck traffic for the project is likely to damage the area's private streets, including hand-placed concrete bricks at three intersections on the route to the project site. The commenter asserts that the Draft SEIR should address repair or replacement of damaged roads.

Please refer to Topical Response D. As noted therein, truck trips routed through the Subdivision during construction could contribute to deterioration of private residential streets maintained through homeowners association fees. However, as a standard grading and building permit condition, the County would require that the project applicant be responsible for repairing any damage to existing infrastructure during the temporary construction activities. Adherence to this condition of approval would prevent long-term deterioration of the circulation system from construction activity.

Response 7.8

The commenter states that the Draft SEIR does not address cumulative traffic impacts and mitigation measures. The commenter requests more information on cumulative traffic impacts, mitigation measures, and fees.

Page 9-24 of Draft SEIR Section 9.0, *Transportation & Traffic*, has been amended as follows in the Final SEIR to summarize the cumulative traffic impacts and applicable mitigation that were already described in the traffic study (Appendix D to the Draft SEIR):

> As shown in Figure 9-4, the Cumulative + Project traffic scenario would degrade traffic conditions at two signalized intersections to below the County's threshold of LOS C. In this traffic scenario, the Reservation Road/State Route 68 westbound ramps intersection would operate at LOS D during PM peak hours, as would the River Road/State Route 68 eastbound ramps during AM peak hours. Under existing conditions, these intersections operate at acceptable LOS C conditions. To offset a contribution to unacceptable cumulative traffic conditions at these intersections, the applicant would be required to pay impact fees toward future traffic improvements.
>
> The Transportation Agency for Monterey County (TAMC) and its member jurisdictions have adopted a county-wide, regional development impact fee to cover the costs for studies and

construction of many roadway improvements throughout Monterey County. This impact fee, which went into effect on August 27, 2008, is applied to new development within Monterey County. The governing document for the fee is the Regional Impact Fee Nexus Study Update (March 26, 2008) prepared by Kimley-Horn Associates, Inc. The Regional Impact Fee Nexus Study Update was updated in October 2018 by Wood Rodgers. Payment of the TAMC fee would satisfy the project's fair-share contribution to cumulative impact mitigation throughout the regional highway system, even for locations where an improvement has not been included in the fee program. In addition, the applicant would be required to pay a County fee for traffic impacts, which could include a pro-rata share of improvements at the River Road-Reservation Road /Highway 68 ramps intersections.

By paying required TAMC and County traffic impact fees, the project would not considerably contribute to a significant cumulative traffic impact.

Response 7.9

The commenter notes that the project applicant proposes off-peak employee shifts and the use of shuttle buses as means to reduce traffic impacts. The commenter states that these measures would result in increased early morning or late-night travel, including shuttle bus trips, through the Las Palmas neighborhood, and that the Draft SEIR should address these impacts.

Early morning or late-night trips to and from the project site would occur outside of peak hours and therefore would not result in traffic congestion on neighborhood streets or at the entrance gate to the Las Palmas neighborhood. For further discussion of impacts from traffic noise, please refer to Topical Response H.

NOLAND HAMERLY ETIENNE & HOSS

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Letter 8

April 24, 2018

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Joseph Sidor, Associate Planner
Monterey County Resource Agency – Planning
1441 Schilling Place, 2nd Floor
Salinas, CA 93901

Re: Comments on Draft EIR for RiverView at Las Palmas Assisted Living Senior Facility

Dear Mr. Sidor:

I am writing on behalf of the Las Palmas Ranch Master Association No. 1 ("LPHOA") to provide comments on the Draft EIR (DEIR) for the RiverView at Las Palmas Assisted Living Senior Facility (Project).

The property, commonly referred to as Parcel Q, on which the Project is proposed, is part of the Amended Map of the Las Palmas Ranch Corey House Area/Unit 1 Tract Map recorded on June 15, 1989 at Vol. 16 C &T Pg. 70, Official Records of Monterey County ("Parcel Q" or the "Property"). 8.1

The Property is not part of the LPHOA, but rather adjacent to that portion of the Las Palmas Ranch No. 1 Subdivision[1] which is governed by, and included within, the LPHOA ("Subdivision").

The Project's sole means of access is through the Subdivision (over Las Palmas Road, River Run and Woodridge Court), which roads are all privately owned and maintained by the LPHOA. 8.2

The Project will create significant unmitigated traffic impacts to the Subdivision roads. The three proposed traffic mitigations do not adequately address the impacts to the Subdivision roads which will occur with this Project.

The Project is inconsistent with the rural residential nature of the Subdivision and the overall Specific Plan for the Las Palmas project, which Specific Plan sought to cluster 8.3

[1] The Las Palmas Ranch No. 1 Subdivision is the first phase of the entire Las Palmas project buildout.

the residential units in specific locations with low visual impacts and retain the remainder of the Las Palmas planning area, including the frontal slopes and ridgelines in open space. Introducing a large senior residential care facility on this visually prominent site was never contemplated in the Las Palmas Specific Plan, which Plan has now been built out, and should be followed.

The Project will create significant visual and aesthetic impacts when viewed from the Subdivision, River Road, and Highway 68. At 90,000 – 110,500 sq. ft., with large 2-story and 3-story elements, and sitting on a prominent ridge above the Subdivision, River Road and Highway 68, a State Scenic Highway, the Project will be visible. "Landscape Screening" cannot adequately mitigate the significant visual impacts that will occur with the Project. The large tall buildings will be there, and they will be visible. 8.4

The Project will create a significant night light impact to the Subdivision, and the entire surrounding area, with the Project perched on the ridge above the Subdivision. A "Lighting Plan" cannot adequately mitigate the significant impact and disruption to the night light that will occur with the Project. The light will be there, and it will be visible.

The Project has the potential to create significant erosion and drainage issues for the Subdivision, with erosion already occurring on the uphill slope adjacent to the Country Park Road area of the Subdivision. 8.5

2.0 Project Summary

The Project Summary mischaracterizes the Project and is inaccurate.

Page 2-1 – The Project is not consistent with the Las Palmas Specific Plan (LPSP). The Las Palmas Specific Plan did not allocate housing or development for the project site. Figure D in the LP Specific Plan does not include Parcel Q in the developable parcels, nor is Parcel Q shown as a developable area on the LPSP Figure H. The maximum build out of Las Palmas planned community is 1031 homes as shown on Figures D and E. (See LPSP Policy 5, Page II-4). 8.6

Page 2-2 – The Project site was not given a residential land use designation in the LP Specific Plan. It was shown as an undevelopable parcel. (See LPSP Figure H). The LP Specific Plan expressly "prohibited building" in the areas as delineated on Figures H and K, in which the Project is located. (See LPSP Policy 2, Page II-12).

3.0 Environmental Setting

The description of the Environmental Setting mischaracterizes the Project setting and is inaccurate. 8.7

3.2 – Baseline - The Project site was not proposed for development in the Las Palmas Specific Plan. The Las Palmas Specific Plan did not allocate housing or development for the project site. Figure D of the LPSP does not include Parcel Q in the developable parcels, nor is Parcel Q shown as a developable area on LPSP Figure H. The maximum build out of Las Palmas planned community was 1031 homes as shown on Figures D and E. (See LPSP Policy 5, Page II-4). The Project site was not given a residential land use designation in the LP Specific Plan. It was shown as an undevelopable parcel in the LP Specific Plan. (See LPSP Figure H). The LP Specific Plan expressly "prohibited building" in the areas as delineated on Figures H and K in which the Project is located. (See LPSP Policy 2, Page II-12). 8.8

3.4 – Consistency with Applicable Plans – Table 3-1 (DEIR Page 3-13) is blank. There is no consistency review included in the DEIR. **This is major defect in the DEIR.** See also comments under Section 3.2 above. The Project is not consistent with the Las Palmas Specific Plan. Nor has there been a consistency analysis done for an amendment to the Las Palmas Specific Plan. 8.9

4.0 Project Description

8.10

The Project Description is inaccurate.

4.1- Project Objectives – The Project does not meet the Project Objectives. The Project is not located in geographic location where there is a need for such a facility. The geographic location is a rural residential community. 8.11

The Project is located "in and near an established community" where "residents in the facility can feel a sense of connection to the local community". It is proposed next to a private property Subdivision, over which the Project residents will have no right to enter, except for the sole purpose of ingress and egress over three specific private roads. 8.12

Not only does placing the Project in this location, not meet the Project objective, it raises a host of security, liability, safety, trespass, and property issues, if Project residents, in fact, decide they want to stroll through the Subdivision. They will not have the right to do that.

Meeting this Project's objectives requires placing this Project in town where the Project residents will have all of the medical services and community amenities they need, available to them and their families. 8.13

Site Access - The Project's sole means of access is through the Subdivision (over Las Palmas Road, River Run and Woodridge Court) which roads are all privately owned and maintained by the LPHOA. 8.14

The Project Applicants who own the Project site **are not members of the LPHOA. They have no right to use of any of the LPHOA property, roads, drainage facilities or other amenities, but for ingress and egress access over portions of three LPHOA private roads.**

Background – The Project Applicant acknowledges density was transferred off Parcel Q. The maximum build out of the entire Las Palmas planned community is 1031 homes as shown on Figures D and E. (See LPSP Policy 5, Page II-4). If density was transferred from the site, it was transferred. The Property did not get more units under the Specific Plan. The total housing number under the Specific Plan is not to exceed 1031. Any housing density beyond 1031 homes in the Las Palmas phased subdivision is inconsistent with the Las Palmas Specific Plan. The Project Applicant admits he needs a Specific Plan Amendment to move forward. This is a marked departure from the established Plan for this community set forth for the Las Palmas Specific Plan when the entire Las Palmas project was developed and properties purchased by Las Palmas residents. The proposed use is inconsistent with the concept and approved Plan for this area. 8.15

5.0 Aesthetics

The Aesthetics analysis underestimates and minimizes the visual and aesthetic impact of the Project, as well as the inconsistency with both the Las Palmas Specific Plan and the Toro Area Plan. 8.16

Public Views - Highway 68 is a State designated scenic corridor and visually sensitive area. The Project is proposed in an area that is the gateway to both the River Road wine corridor and Toro Area's pastoral rolling hills. It is such a sensitive visual location that special protection is called out for the area under the Toro Area Plan. 8.17

At 90,000 – 110,500 sq. ft., with large 2-story and 3-story elements, and sitting on a prominent ridge above the Subdivision, River Road and Highway 68, a State Scenic Highway, the Project will be highly visible.

The Las Palmas Specific Plan required higher density housing to be clustered behind natural land forms, and at lower elevations, and not on slopes or ridgelines to preserve the semi-rural character of the area and mitigate adverse impacts on significant viewshed areas. (See LPSP Policy 7, Page II-4). The LP Specific Plan expressly "prohibited building" in the areas as delineated on Figures H and K in which the Project is located. (See LPSP Policy 2, Page II-12). 8.18

The Las Palmas Specific Plan focused on keeping the area's frontal slopes undeveloped to protect the area's scenic quality. The Project site is within the area that was intended to remain undeveloped for this very reason (See LPSP Figure H and LPSP Policy 2, Page II-12).

Landscape screening cannot "screen" such a large and tall project, nor will it "enhance" the scenic value of the area. Additionally, landscaping will be inconsistent with the natural beauty of the area.

Light and Glare – There will be substantial and significant light and glare impacts to both the traveling public and the adjacent Subdivision. 8.19

This is a large, tall project. At 90,000 – 110,500 sq. ft., with large 2-story and 3-story elements, and sitting on a prominent ridge above the Subdivision, River Road and Highway 68, a State Scenic Highway, light from the Project will be visible.

The facility will have to be well lit for its operation. Lights will need to remain on all night. This is a substantial change from the natural darkness of the site, as it exists. A Lighting Plan does not adequately address the significant impact.

5.4 Environmental Analysis – The Las Palmas Specific Plan sought to protect this site from development as shown on LPSP Figure H and LPSP Policy 2, Page II-12. 8.20

The Project is described as either 90,000 sq. ft. or 110,500 sq. ft.* with a major portion of it two and three stories high.

*Inconsistency in the project description

Page 4-6:
Casitas - 41,341 sf.
Assisted Living- 27,052 sf.
Memory Care – 21,613 sf.
Total 90,000 sf. 8.21

Page 5-24:
Casitas – 28,000 sf.
Assisted living – 43,500,000 sf (assuming that is meant to be 43,500 sf.) – Two stories

Memory Care – 39,000 sf. – Three Stories
Total 110,500 sf.

At 110, 500 square feet it will be larger than the 105,000 square feet size of an average Walmart store, with two and three stories, as well. It will be highly visible and it will be bright. Landscaping and a Lighting Plan cannot adequately mitigate these significant impacts. 8.22

7.0 Biological Resources

The Project will have significant biological impacts. Please see attached letter from Ed Mercurio, Biologist, dated April 12, 2018, submitted herewith on behalf of the LPHOA. 8.23

9.0 Transportation

The Project will have significant transportation impacts to the Subdivision. Please see attached letter from Chris Kinzel, of TJKM Transportation Consultants, dated April 23, 2018, submitted herewith on behalf of the LPHOA. 8.24

10.0 Water Supply

The majority of the Water Supply discussion discusses macro level County-wide water projects and water measures that have little direct relevance to the Project. Moreover, several of these water projects are still in the conceptual stages. (See DEIR pages 10-5 & 10-6). 8.25

The DEIR acknowledges that the Salinas Valley water basin is in overdraft (See DEIR page 10-3). In October 2017, the Monterey County Water Resources Agency released a report entitled *"Recommendations to Address the Expansion of Seawater Intrusion in the Salinas Valley Groundwater Basin"* discussing water overdraft concerns in the Salinas Valley. On December 12, 2017, the County Board of Supervisors and Board of Supervisors of the Monterey County Water Resources Agency directed the Water Resources Agency staff to coordinate with the Salinas Valley Basin Groundwater Sustainability Agency (SVBGSA) and report back to the Board with a strategy for implementation of the report, or other, recommendations. Neither the Water Resource Agency report, nor the report's proposed recommendations, or other proposed recommendations, to address significant water quality issues in the Salinas Valley, are discussed in the DEIR.

There is no discussion in the DEIR regarding the interconnection of the groundwater wells that will actually serve the Project, with the entire California Water Service Company system consisting of 28 wells. Often these "satellite systems", while run by the same Company, do not have an actual interconnectivity. This needs to be clearly described and addressed in the DEIR.

With regard to the estimated water use from the Project, the volume of wastewater produced by the existing Specific Plan area users, is not the same thing as the volume of water used by those same users, because this figure ignores consumptive use. (See DEIR, Page 10-12). Consumptive use is likely dominated by landscape irrigation, swimming pools, etc. Furthermore, an estimation of water demand for outdoor use is not the same thing as actual water used. This issue needs to be addressed in the DEIR. 8.26

Additionally, the overall availability and long term source of recycled water should be stated. If insufficient recycled water is available for landscaping, the demand would most likely be met with potable water. It is also possible the existing Las Palmas treatment plant may be closed if the sewer system becomes connected to the main regional waste water plant in Marina. If that is the case, the recycled water may be gone, altogether. This issue needs to be addressed in the DEIR. 8.27

11.0 Effects Not Found to be Significant

The potential impacts to geology, soils, and surface hydrology are significant and need to be addressed in the DEIR. 8.28

11.4 Geology & Soils and 11.6 Surface Hydrology - There is already known erosion and land slippage occurring on the southern hillside of Project site adjacent to the Subdivision. The DEIR acknowledges that the Project will alter existing storm water drainage conditions and with no analysis of the increased run off and/or erosion that will occur as a result of the Project, leaving how that will be addressed to future studies. CEQA does not allow deferred mitigation. Those plans need to be provided now and included in the DEIR for the public to review.

The Project Applicant continues to assert that the Project will tie in to the existing Subdivision drainage improvements, but the Applicant has provided no legal authority that would authorize him to do that. The Applicant is not a member of the LPHOA and has no right to use LPHOA property for drainage purposes. Again that discussion cannot be deferred, it needs to be addressed.

If storm water were diverted from the Project's elevated plateau with 190,000 square feet of buildings and impermeable surface in to the existing LPHOA drainage system, this would substantially tax the capability of the existing Las Palmas drainage system.

Additionally, portions of the Subdivision are located at the foot of hills and collects drainage from adjacent canyons, which runoff already increases system flows in the rainy season.

What is the Applicants legal right to connect to the existing Las Palmas drainage system? What is the capacity of the existing drainage system to handle this run off? This information needs to be included in the DEIR now and addressed up front. Not deferred.

While the Project is out of flooding danger, the Subdivision has had historic flooding issues. There is no analysis as to the impact the Project would have on potential flooding within the Subdivision. This issue needs to be addressed. 8.29

11.8 Noise – DEIR mentions only noise from construction and employee trips to the Project. There will be much more traffic and noise generated from the Project than this. The Project will require large delivery trucks to bring supplies to the facility, there will be emergency vehicles going to the site (which are loud even without sirens), as well as the resident and visitor traffic, in addition to the employee traffic. This issue needs to be addressed. 8.30

11.9 Public Services – The DEIR acknowledges that the Project will impact the Subdivision's current private security operations. The Project will require increased private security operations. The LPHOA has no provision for sharing its private security operations with the Project. This is an issue of major concern to the LPHOA. 8.31
Not only does the Project cause increased security issues, it causes significant internal traffic issues which have not been addressed (See April 23, 2018 TJKM Traffic Consultant letter). 8.32

13.0 Cumulative Impacts

Traffic - Monterey County recently approved the "Corral de Tierra Neighborhood Retail Village" shopping center (County Resolution No. 12-240) at the corner of Corral de Tierra Road and Highway 68, as well as, the "Ferrini Ranch" residential subdivision (County Resolution No. 14-371) along Highway 68 east of the Project, both of which add traffic to Highway 68 which operates at LOS F. 8.33

There are areas within Toro Area Plan (Toro Plan Policy T-1.7 and B-8 zoning) where homeowners cannot build even one additional unit in the Toro Area, because of traffic considerations, yet for a large Project like this, there is no prohibition. There is no rational basis for, or compelling public benefit from, this Project that would warrant a

finding of Overriding Considerations in this situation to allow a known substantial significant impact to Highway 68 traffic to become further degraded and exacerbated.

14.0 Growth Inducing

The Project is growth inducing. There are significant growth inducing impacts that have not been addressed. 8.34

14.4 Population Growth Inducing – The DEIR continues to claim that Project is not growth inducing because of the zoning. The Las Palmas Specific Plan allowed only 1031 units, and all, but for two, have been constructed.

The Project Applicant acknowledges he needs a Las Palmas Specific Plan Amendment to build this Project at this site. The Project is clearly growth inducing beyond what was approved and anticipated in the Las Palmas Specific Plan. It is placing increased growth in an area inconsistent with the Las Palmas Specific Plan. The growth inducing impacts associated with building this Project in a rural residential setting need to be addressed.

15.0 Significant Unavoidable Impacts

Traffic and Circulation – The DEIR acknowledges there will be significant and unavoidable impacts to traffic and circulation, Highway 68 currently operating at a LOS F. One additional single peak hour trip is a significant impact to Highway 68. The DEIR also acknowledges there are no mitigation measures to reduce the Project level impacts to less than significant. 8.35

There are areas within Toro Area Plan (Toro Plan Policy T-1.7 and B-8 zoning) where homeowners cannot build even one additional unit, because of traffic considerations, yet for a large project like this, there is no prohibition.

There is no rational basis for, or compelling public benefit from, this Project that would warrant a finding of Overriding Considerations in this situation to allow a known substantial significant impact to Highway 68 to become further exacerbated.

Thank you for the opportunity to comment on the RiverView at Las Palmas DEIR

Sincerely,

NOLAND, HAMERLY, ETIENNE & HOSS
A Professional Corporation

Christine G. Kemp

CGK:aac

Enclosures:
April 12, 2018 Mercurio Biological Letter
April 23, 2018 TJKM Traffic Consultant letter

cc: Las Palmas Ranch Master Association No. 1 - Board of Directors

Letter 8

COMMENTER: Christine G. Kemp, Noland, Hamerly, Etienne & Hoss Attorneys at Law, on behalf of the Las Palmas Ranch Home Owners Association

DATE: April 24, 2018

Response 8.1

The commenter provides background information regarding the location and jurisdiction of the project site. The comment is noted.

Response 8.2

The commenter notes that the project site is not part of the LPHOA, but that its sole means of access is though the Subdivision. The commenter states the opinion that the project will create significant unmitigated traffic impacts to the Subdivision roads, and that the proposed traffic mitigations do not adequately address traffic impacts to these roads.

Refer to Topical Response D. As noted therein, with the addition of vehicle trips generated by the project, traffic volumes on residential streets in the Subdivision would remain at acceptable levels based on County thresholds. Therefore, as determined in the Draft SEIR, the project would have a less than significant impact on traffic conditions in the Subdivision. No mitigation is necessary to reduce traffic volumes on Subdivision streets.

Response 8.3

The commenter states the opinion that the project is inconsistent with the rural residential nature of the Subdivision and the LPRSP, which sought to preserve open space, cluster residential units, and minimize visual impacts. The commenter states that the LPRSP did not include a senior residential care facility at this location, and that the Plan has been built out.

Regarding impacts to the rural residential nature of the Subdivision, refer to pages 5-30 to 5-50 of the Draft SEIR, which includes an analysis of the project's potential to impact existing visual character. Refer to Topical Response F for additional discussion of visual impacts.

Regarding consistency with the LPRSP, refer to Topical Response C. As noted therein, the project would be consistent with LPRSP policies and the residential unit cap for the LPRSP Plan Area is not applicable to the proposed project because the project is not residential.

Response 8.4

The commenter describes potential visual and aesthetic impacts of the project, including the project's visibility from the Subdivision, River Road, and SR 68, a State Scenic Highway. The commenter states that the project does not include sufficient mitigation for the visual impacts of large buildings. The commenter states that the project would cause a night light impact to the Subdivision and surrounding area, and that the impact is not sufficiently mitigated.

Please refer to Topical Response F. As described therein, the project would be visible from local roads and would also be visible from Subdivision residences. However, the project plans incorporate visual screening, and mitigation measures further reduce aesthetic impacts, including night sky light pollution, to a less than significant level.

Response 8.5

The commenter states that the project could cause significant erosion and drainage issues for the Subdivision.

Refer to Topical Response E. As noted therein, compliance with recommendations in the geotechnical report, which would be required as a condition of project approval, and compliance with applicable County code requirement would ensure there would be no significant impacts associated with erosion or drainage.

Response 8.6

The commenter states the opinion that Project Summary mischaracterizes the project and is inaccurate. The commenter states that the project is not consistent with the LPRSP, which did not allocate housing or development for the project site. The commenter notes that the LPRSP prohibited building in areas delineated on Figures H and K of the Specific Plan, in which the project is located.

The project site is designated Medium Density Residential on Figure E of the LPRSP. Figure H identifies areas with frontal slopes/ridgelines visible from designated scenic corridors, and Figure K is a conceptual cross-section depicting suggested screening for future development and is not related to land use designations. According to LPRSP Policy 2, buildings should be prohibited on these ridgelines. The project site is not identified in Figures H and K as a frontal slope or ridgeline; therefore, the project is not subject to this policy. Additionally, the project site's land use designation of Medium Density Residential inherently allows development on the site. For additional discussion on land use consistency, refer to Topical Response C.

Response 8.7

The commenter states the opinion that the description of the project's Environmental Setting mischaracterizes the project setting and is inaccurate.

Refer to Responses 8.6 above and 8.9 below.

Response 8.8

The commenter states that the project site was not proposed for development in the LPRSP.

Refer to Response 8.6 above.

Response 8.9

The commenter states that Table 3-1 of the Draft SEIR is blank and that the Draft SEIR does not include a consistency review. The commenter states that the project is not consistent with the LPRSP and that a consistency analysis was not done for an amendment to the LPRSP.

Refer to Topical Response C. As noted therein, Table 3-1 was erroneously omitted from the Draft SEIR. The table has been included; refer to Topical Response D and Section 4, *Amendments to the Draft SEIR,* for the full text of this table. As shown therein, the project is consistent with the LPRSP.

The inclusion of Table 3-1 in the Final SEIR does not represent significant new information because the content of the table either summarizes analysis included elsewhere in the Draft SEIR, or merely clarifies or amplifies such analysis.

Response 8.10

The commenter states that the Project Description is inaccurate. Detailed comments about the Project Description are provided in comments 8.11 through 8.15. Refer to Responses 8.11 through 8.15 below.

Response 8.11

The commenter states the opinion that the project does not meet the project objectives because it is not in a location that is in need of a senior care facility. The commenter states that in order to meet the project's objective, the project should be placed closer to medical services and community amenities.

The project objective referred to in Draft SEIR Section 4.0, *Project Description*, states, "to provide such a facility in a geographic location where the need for such a facility is clearly needed and where adequate facilities currently existing or can be readily provided." The assisted living facility is designed specifically for seniors who may need a full range of assistance to meet their living needs. The facility would provide a full range of services including meals, medical assistance, transportation, cleaning and laundry service is available for each resident.

The subject property was selected for development of a senior assisted living community because of the tranquility of its natural setting, its location among the established communities of Las Palmas Ranch 1 and 2, Pine Canyon, Toro Park and Serra Village, and its ready access to public sewer and water systems. With approximately 15.7 acres, it was believed to be ideal for incorporating comfortable indoor amenities while also providing sufficient safe, outdoor spaces for walking and exercise, imperatives to healthy living.

Market research and analysis of the subject plot was issued in September 2013 by Senior Living Valuation Services, Inc. (appraisers and consultants to the senior housing industry) to determine suitability and viability of the property for a senior assisted living facility. In August 2015, after the original concept evolved and had been refined, a feasibility study was commissioned and issued by ALPDC, LLC.

Senior Living Valuation Services, Inc. confirmed, "Based on our analyses of the local senior housing market and considering the characteristics of the subject development as proposed, it is our opinion that the highest and best use of the site as vacant is as a senior retirement community, assuming entitlements can be obtained". The latter, Assisted Living Planning and Development Consultants, concluded "… we have utilized conservative methods in establishing market strength in the Salinas area. It is our estimate that with this data outlined herein there is a good market for Assisted Living and Alzheimer's/dementia care in Salinas within the target market and income we've recommended."

Section 11.9, *Public Services*, has been revised to include information about existing public services and facilities in the vicinity of the project site which may be utilized by project residents and employees, such as the Buena Vista Branch Library operated by the Monterey County Free Libraries and the Salinas Valley Memorial Hospital which is the nearest public hospital to the project site. The Monterey County Regional Fire District and Sheriff's Office provide fire and police protection services, respectively, to the project site and vicinity. The project would not impact that level of service experienced by current residents.

Response 8.12

The commenter disputes the Draft SEIR's statement that the project will provide seniors with a sense of connection to the local community. The commenter states that the seniors served by the project would not have the right to spend time in the Subdivision other than for ingress and egress. The commenter notes that the project's only access is through Subdivision roads that are privately owned and maintained by the LPHOA, and that the project applicants do not have the right to use LPHOA property other than for ingress and egress over portions of Las Palmas Road, River Run Road, and Woodridge Court.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Please refer to Topical Response A. As noted therein, the proposed project would participate proportionately in the cost of the Subdivision's security service. To clarify the proposed cost-sharing arrangement, the Draft SEIR has been amended to clarify that a written agreement between the project applicants and the LPHOA would be required in order to clarify cost-sharing associated with use of the streets, drainage facilities, and security operations.

Please also refer to Topical Response D for a discussion of a separate entry for the project. As noted therein, a separate entry is not available for the project applicant, nor is it necessary to avoid traffic impacts.

Further, it should be noted that the project site is within the Specific Plan Area and adjacent to development, which is consistent with the project objective to provide such a facility in and near an established community so that residents in the facility can feel a sense of connection with local residents and where in turn local residents as they age or their circumstances change can relocate to an assisted living facility without the need to move from their community or far away from their families (refer to Section 4.1 of the Draft SEIR).

Response 8.13

The commenter expresses the opinion that meeting project objectives would require placing the project in town where residents would have all the medical services and community amenities they need.

Refer to Response 8.11. As noted therein, future residents of the proposed project would be adequately served by emergency, medical, and other public services.

Response 8.14

The commenter states that the project's sole means of access is through the Subdivision, that the applicants are not members of the LPHOA, and have no right to use any Subdivision property, roads, drainage facilities, or other amenities but for ingress and egress access over portions of three private Subdivision roads.

Page 4-17 of the Draft SEIR states that the project applicants are members of the LPHOA, have paid dues to the association, and would pay a proportionate share for the use of the roads and the drainage system. As noted in Topical Response I, page 4-6 of the Draft SEIR has been revised to clarify that an agreement would be required between the LPHOA and the project applicants, who

own the project site, to clarify cost-sharing associated with use of the streets, stormwater drainage facilities, and security operations .

Response 8.15

The commenter states that the total housing number allowed by the LPRSP is 1,031 homes, and that the housing proposed by the project is inconsistent with the concept and approved plan for the area.

Refer to Topical Response C. As noted therein, the proposed project is not a residential use, and the LPRSP residential unit limitation of 1,031 does not apply to this project. In addition, the project is consistent with the LPRSP and other relevant planning plans and policies.

Response 8.16

The commenter states that the aesthetics analysis underestimates and minimizes its description of impacts and inconsistencies with local plans.

Please refer to Topical Response F for a discussion of visual impacts. Refer to Topical Response C for a discussion of consistency with local plans and policies.

Response 8.17

The commenter states the project will be highly visible from State Route 68, which is a State designated scenic corridor and visually sensitive area, with special protection under the Toro Area Plan.

Refer to Response 4.3 above for a summary of impacts to designated and proposed scenic roadways, including SR 68. Impacts to visual character are assessed utilizing the CEQA Appendix G checklist questions, which include consideration of whether a project would have “a substantial adverse effect on a scenic vista” or “substantially degrade the existing visual character or quality of the site and its surroundings.” Mere visibility does not constitute a significant environmental effect under CEQA.

Response 8.18

The commenter states that the project site is within an area in which the LPRSP prohibits development. The commenter states that the landscaping would not be able to screen the project and would be inconsistent with the area’s natural beauty.

The project site is not on Figures H or K; therefore, the prohibited building area is not applicable. Further, the project area was planned for development, in contrast to the commenter’s claim.

The existing conditions of the project site are characterized by a largely flat plateau dominated by non-native grasses and non-native eucalyptus trees. This would be altered to 13 single-story structures, with a total of approximately 80 eucalyptus trees removed as part of the project. Landscape screening as mitigation is not intended to entirely block the buildings, but rather soften the views of the proposed buildings. New landscaping would not be inconsistent with the surrounding areas, considering that the project site is adjacent to the Subdivision and its existing landscaping.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site’s zoning and land use requirements.

Response 8.19

The commenter states that the project will create significant light and glare impacts to the traveling public and the Subdivision, as the project is large and will need to be lit overnight. The commenter states that the project's lighting will be a substantial change from the existing natural darkness, and that a lighting plan does not adequately address this impact.

Refer to Topical Response F for a summary of light and glare impacts**.** Impacts to light and glare are assessed utilizing the CEQA Appendix G checklist questions, which include consideration of whether a project would "create a new source of substantial light or glare which would adversely affect day or nighttime views in the area." Mere visibility does not constitute a significant environmental effect under CEQA.

The required lighting plan would include the location, type, and wattage of all light fixtures, including catalog sheets for each fixture. The review of the lighting plan by the RMA Chief of Planning during the permit approval process would ensure that lighting is compliant with current lighting standards. Therefore, the provision of a lighting plan would reduce impacts to less than significant. Please refer to Page 5-29 of the Draft SEIR for additional information on the lighting plan.

Response 8.20

The commenter states that the LPRSP sought to protect the project site from development.

Refer to Response 8.6 above. As stated therein, the project site is planned for development under the LPRSP.

Response 8.21

The commenter states that there are inconsistencies in the Draft SEIR regarding the project's square footage, which is alternately listed as 90,000 or 110,500 square feet.

The Casitas units would be single-story structures, while the assisted living facility and memory care facility would be two- and three-story structures, respectively. Therefore, in relation to the Casitas, the assisted living facility and memory care facility would have a greater square footage to site coverage ratio.

The tally of 110,000 square feet (sf) is the sum of the square footage of the project's structures. The tally of 90,000 square feet is the sum of the total site coverage for the three types of facilities.

As noted in Section 4.0, *Project Description*, the total site coverage for the project would be approximately 190,000 square feet (including roads/driveways/parking) and the total floor area would be approximately 110,085 square feet. The precise floor area tally is broken down as follows: 27,993 sf (Casitas) + 43,384 sf (assisted living facility) + 38,708 sf (memory care facility) = 110,085 sf.

Response 8.22

The commenter states that the project will be larger than the size of an average Walmart store (105,000 sf), and that landscaping and a lighting plan cannot mitigate the project's aesthetic impacts.

Please refer to Topical Response F for a discussion of the project's aesthetic impacts. It should also be clarified that the project would not be composed of a single-story "big box" building with little variation in roofline, massing, or fenestration. As noted in Response 8.21, the building coverage

would be 90,000 sf, including 15 separate structures. Therefore, comparison to a Walmart store is misleading.

Response 8.23

The commenter states that the project would have significant biological impacts, as described in a separate letter from biologist Ed Mercurio.

The referenced letter is included herein as Letter 5. Please refer to Responses 5.1 through 5.3.

Response 8.24

The commenter states that the project would have significant transportation impacts to the Subdivision, as described in a separate letter from Chris Kinzel of TJKM Transportation Consultants.

The referenced letter is included herein as Letter 7. Please refer to Responses 7.1 through 7.9.

Response 8.25

The commenter states that the Draft SEIR should discuss the 2017 report on seawater intrusion by the Monterey County Water Resources Agency, and the Agency's recommendations on implementation of the report.

The commenter may be referring to MCWRA's Recommendations to Address the Expansion of Seawater Intrusion in the Salinas Valley Groundwater Basin (2017).

In response to this comment, the following revision has been made to Section 10.0, *Water Supply*, of the Draft SEIR, page 10-13:

> The MCWRA's Recommendations to Address the Expansion of Seawater Intrusion in the Salinas Valley Groundwater Basin (2017) provides a discussion of the current knowledge and related background information surrounding seawater intrusion pathways and potential impacts thereof on the Salinas Valley Groundwater Basin. Six specific recommendations are included in the report with the objective of having the strongest potential to ensure success in slowing or halting father seawater intrusion when implemented simultaneously. The report also indicates each recommendation can be implemented on its own.
>
> The recommendations from the report are as follows:
>
> 1. An immediate moratorium on groundwater extractions from new wells[2] in the Pressure 400-Foot Aquifer[3] within an identified Area of Impact[4], except for the following use categories:
>
>   a. Wells operating under the auspices of the Castroville Seawater Intrusion Project; and,
>
>   b. Monitoring wells owned and maintained by the Agency or other water management agencies.

[2] "New well" is not intended to include (a) any well for which a construction permit has been issued by the Monterey County Health Department or (b) any well for which drilling or construction activities have commenced in accordance with a well construction permit issued by the Monterey County Health Department.

[3] Aquifer means: a water-bearing or saturated formation that is capable of serving as a groundwater reservoir supplying enough water to satisfy a particular demand, as in a body of rock that is sufficiently permeable to conduct groundwater and to yield economically significant quantities of water to wells and springs (Poehls and Smith, 2009).

[4] See Section 1.5 of the report for a description of the Area of Impact. The Area of Impact is also depicted in Figure 4.

2. Enhancement and expansion of the Castroville Seawater Intrusion Project (CSIP) Service Area. The expansion should include, at a minimum, lands served by wells currently extracting groundwater within the Area of Impact.
3. Following expansion of the CSIP Service Area, termination of all pumping from existing wells Pressure 180-Foot or Pressure 400-Foot Aquifer wells within the Area of Impact, except for the following use categories:
    a. Municipal water supply wells;
    b. Wells operating under the auspices of the Castroville Seawater Intrusion Project; and,
    c. Monitoring wells owned and maintained by the Agency or other water management agencies.
4. Initiate and diligently proceed with destruction of wells in Agency Zone 2B, in accordance with Agency Ordinance No. 3790, to protect the Salinas Valley Groundwater Basin against further seawater intrusion.
5. An immediate moratorium on groundwater extractions from new wells within the entirety of the Deep Aquifers of the 180/400 Foot Aquifer and Monterey Subbasins until such time as an investigation of the Deep Aquifers is completed and data pertaining to the hydraulic properties and long-term viability of the Deep Aquifers are available for knowledge-based water resource planning and decision making.
    a. Monitoring wells, public agency wells, municipal water supply wells, wells for which a construction permit has already been issued, and well repairs should be considered for exemption from this recommendation.
    b. The moratorium should include a prohibition of:
        i. Replacement wells, unless it can be demonstrated that the installation of such a well will not result in further expansion of the seawater intrusion front; and,
        ii. Deepening of wells from overlying aquifers into the Deep Aquifers, deepening of wells within the Deep Aquifers, and other activities that would expand the length, depth, or capacity of an existing well.
    6. Initiate and diligently proceed with an investigation to determine the hydraulic properties and long-term viability of the Deep Aquifers.

Implementation of any of the above recommendations would serve to further guard the aquifer(s) against seawater intrusion and contribute to the long-term sustainability of the groundwater supply for the Salinas Valley Groundwater Basin that would provide water for the project. Also see Response 3.3 regarding groundwater management and conservation.

Response 8.26

The commenter states that the volume of wastewater produced by existing Specific Plan area users does not provide an accurate estimate for water use, because the figure ignores consumptive use such as irrigation and swimming pools. The commenter states that estimation of water demand for outdoor use does not equate to actual water used.

The volume of wastewater produced by the existing Specific Plan area uses was not used to estimate water use/demand for the project. Outdoor use is already a component of the water

demand factors used and is not generated separately. In addition, because the project would use low-water use landscaping water demand from irrigation is expected to be very low.

Response 8.27

The commenter states that the overall availability and long-term source of recycled water should be discussed, because landscaping would use potable water if demand was not met by recycled water. The commenter notes that the existing Las Palmas treatment plant may close in the future, eliminating the source of recycled water.

The project would use recycled water from the Las Palmas treatment plant. The potential for the treatment plant to close is speculative. Nonetheless, the water demand calculations include irrigation, and thus, the Draft SEIR (Section 10.0, *Water Supply*, page 10-12) analysis does not assume the use of recycled water. Impacts to water supply would be still be less than significant, with or without the availability of recycled water.

Response 8.28

The commenter requests analysis of how the project's impacts on stormwater drainage would affect existing erosion on the southern hillside of the project site. The commenter states that the applicant has not provided proof of legal authority to tie in to existing Subdivision drainage improvements, and that diverting water from the project site would strain the Las Palmas drainage system.

Please refer to Topical Response E. As indicated therein, a Conceptual Stormwater Control Plan was prepared for the project by Gateway Engineering, Inc. and has been developed for the project as part of the preliminary design to address stormwater management for the project site in conformance with County and State regulatory requirements. The site drainage is specifically designed to meet County and regulatory requirements, and emulate pre-development conditions, resulting in the water volume, rate and quality of stormwater leaving the site being similar to current conditions. As a result, there would be no project-related downstream or off-site impacts related to flood hazards or stormwater quality related to project operation.

Response 8.29

The commenter states that the Draft SEIR does not analyze impacts on flooding in the Subdivision.

Please refer to Topical Response E for a discussion of potential off-site flooding impacts. As noted therein, the project includes on-site stormwater control measures designed to achieve zero net increase in the rate of stormwater discharge relative to pre-project conditions. This would reduce the potential for runoff from new development to exceed the capacity of storm drainage facilities and contribute to off-site flood hazards.

Response 8.30

The commenter states that the Draft SEIR does not analyze operational noise impacts of the project.

Please refer to Topical Response H for a detailed assessment of operational noise impacts.

Response 8.31

The commenter states that the project would impact the Subdivision's private security operations, and that the LPHOA has no provision for sharing its private security operations with the project.

Please refer to Topical Response A. As noted therein, the proposed project would participate proportionately in the cost of the Subdivision's security service. To clarify the proposed cost-sharing arrangement, the Draft SEIR has been amended to clarify that a written agreement between the project applicants and the LPHOA would be required in order to clarify cost-sharing associated with use of the streets, drainage facilities, and security operations .

Response 8.32

The commenter states that the project would cause internal traffic issues, as described in the separate letter from Chris Kinzel of TJKM Transportation Consultants.

The referenced letter is included herein as Letter 7. Please refer to Responses 7.1 through 7.9.

Response 8.33

The commenter expresses concern over cumulative traffic impacts, and states the opinion that there is no public benefit that would warrant a statement of overriding considerations for significant cumulative traffic impacts.

Refer to Response 7.8 for a discussion of cumulative traffic impacts. The commenter's opinion regarding the lack of public benefit is noted and herewith shared with the County's decision makers for consideration.

Response 8.34

The commenter states that the project's growth-inducing impacts are not addressed in the Draft SEIR and suggests that the project would result in significant population growth.

The Draft SEIR addresses growth-inducing impacts in Section 14.0, *Growth Inducing*. As stated therein, the proposed project is not a residential use under the Monterey County Code or the specific plan and the project does not provide dwelling units that operate or function as independent units; therefore, the project would not result in a direct population increase. This section also addresses economic growth inducement and the potential for the project to remove impediments to growth, consistent with the State CEQA Guidelines.

Response 8.35

The commenter states the opinion that there is no public benefit that would warrant a statement of overriding considerations for significant cumulative traffic impacts.

Refer to Response 8.33 above.

ANTHONY LOMBARDO & ASSOCIATES
A PROFESSIONAL CORPORATION

ANTHONY L. LOMBARDO
KELLY MCCARTHY SUTHERLAND
CODY J. PHILLIPS

144 W. GABILAN STREET
SALINAS, CA 93901
(831) 751-2330
FAX (831) 751-2331

April 24, 2018

4813.000

Letter 9

Mr. Joe Sidor
Monterey County RMA
1441 Schilling Place
Salinas, CA 93901

RE: River View at Las Palmas/DSEIR Comments

Dear Joe:

We have reviewed the draft subsequent environmental impact report (DSEIR) for the River View at Las Palmas project. We think that as a whole the DSEIR accurately and adequately describes the project, its potential impacts and provides more than adequate mitigation for those impacts. We do have a few specific comments: 9.1

COVER: 9.2

It is undoubtedly unusual for there to be comments on the cover of a DSEIR. In this case though it would be appropriate for the cover to be amended to show from the very beginning that this document was prepared by Monterey County based on an administrative draft level document prepared by EMC Planning Group and that it does represent the independent judgment of Monterey County. We recognize that this issue is discussed on page 1.1 but we do believe it is important to be clear from the very start that this is Monterey County's document.

SUMMARY

Page 2-1: The project description should be expanded to more fully describe the project. We recognize that there is a much more detailed project description later in the DSEIR. For consistency in the document and to avoid potential confusion over the project description this portion should describe the number of buildings, their uses, parking and similar points to assure the reader has a full scope of the project early on in their review of the document. 9.3

Page 2-2: Traffic is identified as a significant unavoidable impact which cannot be mitigated to an insignificant level. We recognize that this determination is based on Caltrans' standard of finding one additional trip on a highway that currently operates at level D or less to be significant. However, we believe, based on the Las Palmas Ranch Specific Plan approvals, subsequent development and full mitigation of the Las Palmas Ranch traffic impacts, traffic from River View at Las Palmas is not a significant impact. We will address this more fully in our comments on traffic, but it should be clearly noted early in the document, that the Las Palmas Ranch Specific Plan and EIR projected a substantially higher number of traffic movements than currently exist or will exist with the addition of this project. The required mitigations, which were fully implemented, were based on an even higher traffic estimate, have been completed. 9.4

The document should also discuss and analyze the positive impacts of the anticipated improvements to Highway 68 that will be funded by Measure X taxes and the traffic mitigation fees the developer will be required to pay. 9.5

ENVIRONMENTAL SETTING

Page 3-2: The document states "While not the CEQA baseline to determine the potential environmental impacts of this project, individual and cumulative impacts should also be viewed in the context of the level of development and associated impacts of the specific plan." We believe it is appropriate to also recognize the individual and cumulative impacts this project would have in light of the more substantial impacts which were anticipated in the LPRSP and its EIR. This will show that the cumulative effect of this project will still be significantly less than the impacts that were projected for Las Palmas and for which there were specific and full mitigation. 9.6

PROJECT DESCRIPTION

Page 4-6: The DSEIR states "The total floor area, including casitas units, is approximately 110,085 square feet." This should be corrected to read that the total floor area is approximately 90,000 ft.". 9.7

Page 4-18: It should be noted that as an assisted living facility River View at Las Palmas will be licensed by the State of California and will be subject to routine State inspections. 9.8

Page 4-20: It should be noted that although the maximum capacity of Riverview at Las Palmas is 142 beds the occupancy rate will generally be about 90%. 9.9

AESTHETICS

Page 5-1: The significant views that are mentioned in the DSEIR in the location of the project and the Las Palmas One are generally to the east and the south and away from the project site. The view of Las Palmas One from River Road is primarily that of a suburban subdivision. The view of the project site from River Road in the vicinity of Las Palmas is limited due to topography and vegetation. 9.10

Page 5-2: Embedded in the discussion on public views is mention of private views from inside the Las Palmas One subdivision. It should be clearly stated that neither the 2010 General Plan, the 2010 Toro Area Plan, or the Las Palmas Ranch Specific Plan protect private views. 9.11

Page 5-22: The DSEIR should include that the LPRSP FEIR (pp 56-59) recognized that the development of Las Palmas Ranch would "... be expected to change from the existing open land/agriculture to a more urban setting softened by landscaping, entry way treatment and architectural control [and] given the distance from the highway (3/4 mile) and the level of development envisioned by the Toro Vista development [now Ferrini Ranch] visual impacts on Highway 68 are insignificant." The FEIR goes on to prescribe mitigations measures for the Las 9.12

Palmas Ranch development. Those same mitigations are incorporated into the design of River View at Las Palmas.

AIR QUALITY

Page 6-18: The DSEIR should note that the Monterey County 2010 General Plan, various area plans, and Coastal Land Use Plans include policies which will significantly limit future development, particularly new residential subdivisions. Examples would be the Carmel Valley Master Plan limit on new units, Greater Salinas Area Plan policy GS-1.13, North County Area Plan policy C-1.5 and Toro area plan policy T-1.7. 9.13

BIOLOGY

Page 7-22: The DSEIR states that the eucalyptus trees that are proposed to be removed are not native and are not a protected species in Monterey County. The DSEIR should also state that the eucalyptus trees represent a significant fire hazard in the removal of those trees is supported by the local fire district. 9.14

GREEN HOUSE GAS EMISSIONS

No comments.

TRANSPORTATION AND TRAFFIC

Page 9-7: The DSEIR states $50,000,000 of the TAMC Measure X revenues are earmarked for improvements to Highway 68. During the course of the campaign for Measure X TAMC representatives stated at different times that the passage of Measure X would elevate Monterey County to a "self-help County" and would put the County in the better position to compete for matching funds and grants for road improvements. The DSEIR should estimate what $50 million of tax revenue could mean in real dollars for improvement projects on Highway 68. 9.15

Page 9-12: The DSEIR should also note that the traffic impact analysis prepared for this project states that the impact of the added traffic from this project on Highway 68 would be "imperceptible." 9.16

Page 9-23: The DSEIR does a good job in discussing the history of traffic mitigations that were required and subsequently fully implemented by the developers of Las Palmas Ranch. The DSEIR also explains that the current and cumulative traffic will be significantly below the traffic estimates upon which those mitigations were based. The DSEIR should make it very clear that the mitigations required by the Board of Supervisors were a mitigation for the entirety of the development of Las Palmas Ranch and were based on much higher traffic estimates.

Page 9-24: The DSEIR concludes, based solely on the Caltrans standard, that the impact of the additional trips on Highway 68 is significant and unavoidable. It is our belief the traffic impacts from River View at Las Palmas, given the history of the development of Las Palmas Ranch, have already been fully mitigated. As previously discussed, the entire anticipated traffic impact of Las 9.17

Palmas Ranch was fully mitigated. All of the mitigations which were required were implemented and were based on substantially higher traffic numbers than currently exist or will exist when this project is completed.

The DSEIR should also discuss how traffic fees are mitigation for project impacts. The courts determined in the September Ranch case that payment of traffic mitigation fees are sufficient when there are specific projects anticipated to which those fees will be applied. Prior to Measure X there were not projects "on the board." There is now a substantial number of Highway 68 projects planned and a source of funding for those projects has been identified. Payment of traffic fees for this project should be directed toward the Highway 68 projects and be considered, combined with historic mitigation, to be adequate mitigation for this projects "imperceptible (Higgins report)" impacts. 9.18

WATER SUPPLY

No comments.

EFFECTS NOT FOUND TO BE SIGNIFICANT

No comments.

ENERGY

No comments.

CUMULATIVE IMPACTS

Page 13-7: The DSEIR concludes, based solely on the Caltrans standard, that the impact of the additional trips on Highway 68 is significant and unavoidable. It is our belief that these impacts, given the specific circumstances of the development of Las Palmas Ranch, have been fully mitigated. As previously discussed, the higher estimated traffic impact of a larger Las Palmas Ranch development was fully mitigated. All of the mitigations which were required were implemented. The current and cumulative traffic levels are well below the original projections. 9.19

GROWTH INDUCING

No comments.

SIGNIFICANT UNAVOIDABLE IMPACTS

Page 15-1: As has previously been noted, the DSEIR concludes that the traffic impact of the Riverview project on Highway 68 is significant and unavoidable and cannot be mitigated. This is based on the Caltrans standard that the addition of one traffic movement to an impacted highway is significant and unavoidable. The traffic impact analysis concluded that the traffic from this project will be "imperceptible" on Highway 68. Additionally Las Palmas Ranch implemented a range of mitigations and paid fees based on a substantially higher traffic estimate than what currently exists or will cumulatively exist with the addition of the Riverview project. 9.20

Also the River View project will pay both Monterey County and TMC traffic impact fees. Those fees can be directed to plan improvements on Highway 68 and will provide additional mitigation. The conclusion that, in this specific circumstance, traffic presents a significant and unavoidable impact is incorrect. 9.21

IRREVERSIBLE IMPACTS

No comments.

ALTERNATIVES

No comments.

We hope you find our comments helpful. We look forward to continuing to work with you on this project.

Sincerely,

Dale Ellis
DE/al

cc: Brandon Swanson, Planning Services Manager
Clients

Letter 9

COMMENTER: Dale Ellis, Anthony Lombardo & Associates

DATE: April 24, 2018

Response 9.1

The commenter states that the Draft SEIR adequately describes the project and its impacts, and provides adequate mitigation, but notes they have some specific comments.

The commenter's individual concerns are addressed below.

Response 9.2

The commenter states that the cover page of the Draft SEIR should indicate that the document was prepared by Monterey County based on a document prepared by EMC Planning Group and that it represents the independent judgment of Monterey County.

The *Introduction* section of the Draft SEIR includes a description of the authorship of the Draft SEIR. In addition, the cover of this Final SEIR indicates that the document was prepared by Monterey County.

Response 9.3

The commenter states that the project summary in Section 2.0, *Summary*, of the Draft SEIR should be expanded to more fully describe the project.

In response to this comment, the following revisions have been made to the top of page 2-2 in Section 2.1:

> River View at Las Palmas Senior Living Community (the proposed project) is designed to provide a range of assisted care to seniors over the age of 55 and to persons with diminishing mental capacity due to Alzheimer's, dementia, or similar causes. The entire facility would be licensed by the State of California as a Residential Care Facility for the Elderly. The senior community would be comprised of three levels of residence, each with their own level of assistance: Casitas, Assisted Living Facility, and Memory Care Facility. There are 13 Casitas structures providing 26 separate units (referred to as A, B or C units) with a total of 42 beds. The assisted living facility is a two-level structure approximately 28 feet in height and will cover about 27,000 square feet. The assisted living facility includes 40 living units ranging from 360 to 587 square feet and a total of 52 beds. The memory care facility is a three-level structure approximately 30 feet in height and will cover about 21,600 square feet. The memory care facility includes 39 living units ranging from 313 to 453 square feet and a total of 48 beds. Total site coverage is approximately 190,000 square feet (27.8 percent of the project site). River Road provides the northern boundary of the property. There is no direct access from River Road and none is proposed. Access to the site is from the signalized intersection at River Road and Las Palmas Road to River Run Road, then Woodridge Court. River Road is a public road maintained by the County of Monterey. Additional details are provided in Section 4.0, *Project Description*.

Response 9.4

The commenter states that the project's traffic impacts should be considered less than significant, based on LPRSP traffic projections and mitigations. The commenter notes that they provide more detail on this issue in subsequent comments.

Although the increase in traffic volumes would be minimal, due to LOS F operations on SR 68, even one more trip added to SR 68 is considered a significant and unavoidable impact. The fact that the LPRSP EIR assumed a higher volume of traffic is noted. However, due to the relevant threshold for SR 68, project-level impacts remain significant and unavoidable.

Please refer below to Responses 9.15 through 9.18, which address the commenter's more detailed comments regarding traffic.

Response 9.5

The commenter states that the Draft SEIR should discuss the positive impacts of SR 68 improvements that the fees for this project would support.

Please refer to Response 9.15 below, which responds to the commenter's more detailed comments regarding SR 68 improvements.

Response 9.6

The commenter states the opinion that the Draft SEIR should consider the environmental impacts anticipated by the LPRSP and its Draft SEIR, to show that the project's impacts would be less than the overall impacts anticipated by the LPRSP.

The commenter's opinion is noted. However, the Draft SEIR appropriately utilizes an existing baseline. No revisions to the Draft SEIR are warranted.

Response 9.7

The commenter states that page 4-6 should correct the floor area square footage from 110,085 to 90,000.

Please refer to Response 8.21.

Response 9.8

The commenter states that page 4-18 should note that the senior assisted living facility would be licensed by the state of California and routinely inspected.

In response to this comment, Page 4-18 of the Draft SEIR has been revised as follows:

> **Conditional Use Permit and Design Review**
>
> The proposed project will require approval of a Conditional Use Permit from the County of Monterey. The proposed project would also be licensed by the State of California and subject to routine State inspections.
>
> Specifically, the proposed project would require the granting of a Combined Development Permit consisting of: 1) Use Permit and Design Approval to allow the construction and operation of an approximately 90,000 square foot assisted senior living facility consisting of multiple

structures and associated site improvements on an approximately 15.74-acre site; and 2) Use Permit to allow development on slopes exceeding 25 percent.

Response 9.9

The commenter states page 4-20 should note that the senior assisted living facility would generally have an occupancy rate of about 90 percent, below the maximum capacity of 142 beds.

The comment is noted. The Draft SEIR does specify that 142 is a maximum bed count. The maximum count is listed as the accommodated population for the purpose of conservative estimation.

Response 9.10

The commenter states that the views of the project site are limited due to topography and vegetation, and that the scenic views described in the Draft SEIR are generally away from the project site.

The comment is noted. The comment is correct in noting that the project site is minimally visible from River Road due to topography and vegetation.

Response 9.11

The commenter states that although the Draft SEIR discusses views of the project site from private residences, private views are not a protected resource under the Monterey County General Plan or the applicable local plans. The commenter recommends that this distinction be noted in the Draft SEIR.

Please refer to Topical Response F regarding views of the site. As stated therein, impacts to scenic resources and private views would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting.

Response 9.12

The commenter states that the Draft SEIR should specify that the LPRSP EIR recognized that development of the Plan Area would make the area more urban, but that visual impacts from SR 68 would not be significant. The commenter notes that the LPRSP EIR prescribed mitigation measures that are now incorporated into the River View project.

The passage of the LPRSP EIR that the commenter refers to is cited in the Draft SEIR on pages 5-23 and 5-24 of Section 5.0, *Aesthetics*.

Response 9.13

The commenter states that page 6-18 of the Draft SEIR should note that the Monterey County General Plan and other applicable plans include policies that significantly limit future development, especially new residential subdivisions.

Several policies in the Land Use Element, including Policies LU-1.4 through LU-1.8, LU-1.9, and LU-1.20, limit development through a variety of methods such as evaluating land suitability, concurrency requirements, and preservation of agricultural and open space land.

Response 9.14

The commenter states that the Draft SEIR should state that the eucalyptus trees that the project would remove are not native, not protected, and are currently a fire hazard.

In response to this comment, page 7-23 of the Draft SEIR, under the subheading "Tree Removal" is revised as follows:

> The proposed project does not include the removal of trees protected by the Monterey County Municipal Code, Chapter 16.60 – Preservation of Oak Trees and Other Protected Trees within the Toro Plan area. Eucalyptus trees proposed for removal on the project site are not native and therefore, are not protected by the county. Additionally, eucalyptus trees represent a significant fire hazard, and the removal of such trees is supported by the local fire district.

Response 9.15

The commenter states that funds have been earmarked for SR 68 improvements. The commenter states that the Draft SEIR should discuss the impact that improvement projects would have on SR 68.

The comment pertains to TAMC Measure X revenues and does not address the adequacy of the Draft SEIR or CEQA process. Therefore, no further response is required.

Response 9.16

The commenter states that the Draft SEIR should include a statement that the impact of added traffic on SR 68 would be imperceptible.

As discussed therein, page 9-24 in the Draft SEIR states that the project would add an estimated one AM peak hour trip and four PM peak hour trips to the two-lane section of SR 68 immediately west of the Toro Park interchange. Although the increase in traffic volumes on SR 68 would be minimal, it would contribute to existing unacceptable traffic conditions on the highway.

Response 9.17

The commenter states that the Draft SEIR should make clear that mitigation required by the County for the entire Las Palmas Ranch development was based on much higher traffic estimates than the existing and cumulative traffic volumes estimated in the Draft SEIR. The commenter asserts that even after project completion, traffic would be less than originally anticipated and mitigated for.

As stated previously, the Draft SEIR appropriately utilizes an existing baseline. No revisions to the Draft SEIR are warranted.

Response 9.18

The commenter states that the Draft SEIR should discuss traffic fees as mitigation for traffic impacts. The commenter expresses disagreement that traffic is a significant and unavoidable impact.

The Draft SEIR applies the Caltrans threshold that adding even a single trip to existing LOS F conditions on a State highway is a significant impact. Based on this State threshold, even if prior traffic mitigation for the LPRSP was already implemented at SR 68, the addition of new trips to existing unacceptable traffic conditions on this highway would amount to a significant and unavoidable impact. Page 9-24 of the Draft SEIR notes that the payment of regional traffic fees would mitigate this impact to an extent. However, "the project would not be directly implementing

any improvements to offset its impacts and will, therefore, have an unmitigated significant impact on SR 68." Page 9-24 in the Draft SEIR has been amended to discuss the effect of traffic fees on the project's contribution to cumulative traffic impacts on SR 68. By paying required TAMC and County traffic impact fees that would help pay for future improvements to traffic flow on SR 68, the project would not considerably contribute to a significant cumulative traffic impact. Please refer to Response 7.8 for further discussion.

Response 9.19

The commenter asserts that the project's contribution to a cumulative traffic impact on SR 68 was already fully mitigated as part of implementation of the larger Las Palmas Ranch development.

Please refer to Response 9.18 for discussion of the effect of prior mitigation on the project's contribution to a cumulative traffic impact on SR 68.

Response 9.20

The commenter reiterates that the prior implementation of traffic mitigation and payment of traffic impact fees as part of development under the LPRSP would reduce the project's traffic impacts on SR 68.

Please refer to Response 9.18 for discussion of the effect of prior mitigation on the project's traffic impacts on SR 68.

Response 9.21

The commenter disputes the Draft SEIR's finding that the project would have a significant and unavoidable impact to traffic conditions on SR 68 because the payment of County and TAMC impact fees would fully mitigate this impact.

Please refer to Response 9.18 for discussion of the effect of traffic impact fees on the significant and unavoidable impact to traffic conditions on SR 68.

Letter 10

County of Monterey RMA
% Joseph Sidor, RMA Associate Planner
Via Fax: 831-757-9516
Re: CEQA Comments , Riverview at Las Palmas Assisted Living Senior Facility
DSEIR PLN150372
SCH#2017031025

"The proposed project includes a Specific Plan Amendment, Use Permit, and Design Approval for the construction and operation of a senior assisted living facility and associated site improvements on an approximately 15.74-acre site at the location referenced above. The facility would consist of the following components: 13 single-story "casitas" providing 26 units and up to 42 beds, and ranging in size from approximately 1,500 to 3,800 square feet; a 43,400 square-foot, two-story assisted living facility consisting of 40 units and up to 52 beds; and a 38,800 square-foot, three-level memory care facility consisting of 39 units and up to 48 beds."

April 25, 2018

Dear Mr. Sidor,

I am commenting on behalf of the Highway 68 Coalition, and, from the perspective of one who followed the development at Las Palmas from its beginnings, then its re-beginnings, with the Fletchers in charge.

The Las Palmas "Ranch" subdivision went through many hearings and much deliberation as to the specific number of units that would be allowed there. This was all spelled out in a Specific Plan and analyzed in an EIR. 10.1
The Las Palmas Ranch subdivision was approved by the Board of Supervisors subject to 113 conditions of approval. (PC05623/PC07242)
It was also determined that the Las Palmas project would be built out in phases so that the numerous houses being built did not get ahead of the Conditions of Project approval and the Mitigation Measures that were applied to this project. Las Palmas I houses were built out quickly and sold fairly quickly.

During the development of Las Palmas II, approvals for approximately another 60 houses at a time showed up fairly regularly on the Board of Supervisors agendas.

Some of these houses were being built high in the hills where it wasn't initially envisioned houses would be built.

RECEIVED
APR 25 2018
MONTEREY COUNTY
RESOURCE MANAGEMENT AGENCY

Condition #91 stated "Consistent with Monterey County General Plan Policy 26.1.9.1, no building site shall be created with the potential for a ridgeline silhouette of any structure or roofline. All lots which created a ridgeline visible from Highway 68 or River Road visually sensitive corridors shall have a building envelope and zoning district height limitations designed (subject to the approval the Director of Planning and Building Inspection prior to the filing of the final map to eliminate potential ridgeline silhouetting."

Due to a lack of proper oversight on the Counties part these houses did get built in Las Palmas II, and it was decided by the Planning Commission that now that they are privately owned, and the owners did not want to cooperate, that there was no recourse. However, the visibility of the proposed Riverview at Las Palmas Senior Living Facility, if built would be very visible. This is another reason it should be denied. 10.2

According to Luke Connolly and the County RMA records, of all units allowed under the approved Specific Plan and entitlements granted, only three SFD remain unbuilt as of today. 10.3

A previous application processed by RMA, and approved, was for one large SFD on what is being called Parcel Q. That large SFD never got built and we assume this application's approval has timed out. Going by the numbers approved, that leaves three SFD that can be built on Parcel Q under the approved Specific Plan.

This previous project, for a large single family dwelling and accessory structures on Parcel Q was approved by the Zoning Administrator in October 2006. Here is the link to that staff report, approval, and conditions:

http://www.co.monterey.ca.us/planning/cca/za/2006/10-26-06/PLN060121ZA1.pdf

The applicants were Mr. and Mrs Persall. The PLN# was PLN060121
It is "Parcel Q" of the Las Palmas Subdivision Specific Plan, approved circa 1982.
APN: 139-211-035-000

The biggest traffic mitigation measure for the Las Palmas development was the Corral de Tierra Bypass. To this end, the developers of Las Palmas were asked to pay 10.66% of the estimated cost of this Bypass. The Corral de Tierra Bypass has

not been built although the Official Plan Lines remain, and the County owns some property in its alignment, paid for with taxpayer dollars.
Our question is: Regarding the 10.66% of the estimated cost contribution to the Bypass, where did the developer's money go? 10.4

The Las Palmas Ranch subdivision was one of the Monterey County subdivisions chosen for an Annual Status Report required by the Settlement Agreement in Case M47847 (PD010050) "Save our Peninsula v. County of Monterey" regarding audit of outstanding compliance issues. 10.5

For example: Condition 39. "A Homeowner's association shall be formed for the maintenance of roads, drainage facilities and open spaces. The document for formation of association shall be approved by the Director of Public Works, Director of Planning and Building Inspection, and the Flood Control District, prior to going a final map. CC&R's shall include provisions for a yearly report by a registered civil engineer monitoring impacts of drainage and maintenance of drainage facilities, to be approved by the Flood Control District. In addition, the Planning and Building Inspection Department will review the CC&R's and Homeowner association by-laws to be sure that they include wildlife corridor and open space maintenance to be paid for from the Homeowner Association fees."

Regarding this Compliance Issue, we ask, where are the annual drainage reports? Looking on Accela under PC05623-Phase I and PC07242-Phase II, there are no records found. Where are the wildlife corridors? Where are the records they are being maintained? Where are the records on Open Space maintenance?

As far as traffic impacts of this commercial proposal, it would introduce delivery trucks, staff arriving and leaving 24/7, visitors, medical, ambulances, and more… all going through the narrow streets of a residential subdivision, Las Palmas I. Levels of Service for every segment of Highway 68 from Toro Park to Highway 1 is LOS "F", and was designated as "F" in 1997 by the Transportation Agency for Monterey County. Even one more trip added to this is a significant impact. Don't you agree? 10.6

Thank you for the opportunity to comment.

Mike Weaver,
Chair, The Highway 68 Coalition

Letter 10

COMMENTER: Mike Weaver, Chair, Highway 68 Coalition

DATE: April 12, 2018

Responses 10.1

The commenter provides background information regarding the location and jurisdiction of the project site, and ridgeline development restrictions incorporated into the LPRSP conditions of approval.

The comment is noted but does not pertain to the adequacy of the Draft SEIR or CEQA process. Therefore, no further response is required.

Response 10.2

The commenter states that the project should be denied because it would be visible from SR 68 and River Road.

Please refer to Topical Response F. As described therein, the project would be visible from local roads and would also be visible from Subdivision residences. However, the project plans incorporate visual screening, and mitigation measures further reduce aesthetic impacts, including night sky light pollution, to a less than significant level.

Response 10.3

The commenter provides background on previous development proposed for LPRSP Parcel Q, and notes that the LPRSP traffic mitigation included payment of approximately 1 percent of a planned Corral de Tierra Bypass, which has not been built.

The comment does not pertain to the adequacy of the Draft SEIR or CEQA process. Therefore, no further response is required.

Response 10.4

The commenter asks about the status of a developer fee that was paid as mitigation for the LPRSP toward the Corral de Tierra Bypass.

The comment does not pertain to the adequacy of the Draft SEIR or CEQA process. Therefore, no further response is required.

Response 10.5

The commenter states that the LPHOA is required to submit various reports to the County demonstrating compliance with regulations for stormwater drainage and wildlife corridor/open space maintenance. The commenter states that these reports are not available on the County's public database.

The comment refers to prior construction of the Subdivision, rather than the proposed project. The comment does not pertain to the adequacy of the Draft SEIR or CEQA process. Therefore, no further response is required.

Response 10.6

The commenter states that the project would increase traffic in the Subdivision. The commenter states that even one additional trip on SR 68 is a significant impact.

The commenter's statement is correct. Please refer to Topical Response D for additional discussion regarding traffic.

Letter 11

From: Michael Weaver
To: Sidor, Joe (Joseph) x5262
Subject: CEQA Comments , Riverview at Las Palmas Assisted Living Senior Facility DSEIR PLN150372
Date: Wednesday, April 25, 2018 3:18:38 PM

Hello Mr. Sidor,

Please add the following to the previous three pages of comments I faxed to your attention earlier this afternoon.
Any questions, please call.

Thank you,
Mike Weaver
831-484-2243

……
……..

County of Monterey RMA

c/o Joseph Sidor, RMA Associate Planner
Via Fax: 831-757-9516
Re: CEQA Comments , Riverview at Las Palmas Assisted Living Senior Facility DSEIR PLN150372
SCH#2017031025

April 25, 2018 Dear Mr. Sidor,

The attached is from earlier work on Las Palmas Ranch subdivision resulting from the Settlement Agreement: Save our Peninsula v. County of Monterey

11.1

Many of the conditions of project approval may have been completed, however I cannot find information on the public access Accela. Please have someone confirm the following are in compliance and the necessary forms with evidence of compliance have been done, with dates, and uploaded to Accela.

Re: Riverview at Las Palmas
Las Palmas Ongoing Conditions
ALL CONDITIONS THAT REQUIRE ANNUAL REPORTS FOR THIS PROJECT

Condition #98.
(Ongoing. Annual report required prior to June 30 each year.)
Subdivider or homeowners' Association shall prepare a yearly status report which is to be submitted to the Monterey County Department of Planning and Building Inspection, and is due June 30 of each calendar year. This report shall indicate the ongoing maintenance and condition of all ongoing mitigation measures imposed as Conditions 7, 8, 9, 10, 15, 16, 21, 31, 37, 38, 39, 80, 99, and 102, 107 and 109, for each unit of the final Map filed prior to June 30 of that calendar year.
Condition #'s 7 – 11, 22, 31, 34, 39, 66 & 67. (Ongoing for each new phase.)
Condition #69.

Condition #70.
(Ongoing as needed.)
The subdivider shall be responsible for all changes and additions to treatment plant and disposal facilities necessary to meet the California Regional Water Quality Control Board prior to final acceptance.
(Ongoing as needed.)
-12-
The developer or Homeowner's Association will maintain all drainage easements in the subdivision. The CSA 72 will maintain all facilities and easements outside the subdivision that are dedicated for disposal of drainage.

Thank you,

Mike Weaver

Letter 11

COMMENTER: Mike Weaver, Chair, Highway 68 Coalition

DATE: April 25, 2018

Response 11.1

The commenter refers to the conditions of approval for the LPRSP. The commenter requests documentation that the conditions are being met.

The comment regards prior construction of the Subdivision, rather than the proposed project. Because the comment does not pertain to the adequacy of the Draft SEIR or CEQA process, no further response is required.

Letter 12

EXECUTIVE OFFICE

2716 OCEAN PARK BLVD., SUITE 3006
SANTA MONICA, CALIFORNIA 90405-5207
PHONE (310) 396-4514
FAX (310) 399-0062

April 25, 2018

Mr. Joseph Sidor
Monterey County Resource Management Agency – Planning
1441 Schilling Place, 2nd Floor
Salinas, CA 93901

Via Email to ceqacomments@co.monterey.ca.us and sidorj@co.monterey.ca.us

Via Facsimile to (831) 757-9516

Re: Draft SEIR for River View at Las Palmas Assisted Living Senior Facility (PLN 150372)

Dear Mr. Sidor,

Our company is the owner of the Ferrini Ranch property, which is adjacent to the proposed River View project. We always strive to be good neighbors and work cooperatively with owners of adjacent or proximate properties. Having said that, we do want to ensure that, in approving the River Project, the County takes the following into consideration: A) the current and imminent uses of the "mesa" portion of our site (PLN 040758), which involve both grazing and farming operations, including, without limitation, the cultivation of strawberry crops, lettuce, broccoli and other row crops; and B) the future residential and visitor center facilities that have been approved for that area. The potential impacts from our approved subdivision are fully described in the EIR and related approval documents for the Ferrini Ranch Project. The typical conditions, impacts and potential nuisances that can be associated with agricultural operations may include, but are not limited to, noise, odors, dust, light, insects, the ground or aerial application of fertilizers, pesticides, and herbicides, and the operation of pumps and machinery. These agricultural practices may occur at any time. Individual sensitivities to those practices can vary from person to person. 12.1

Due to the fact that the mesa is located just to the northeast of the proposed River View project, we ask that the County, in approving that project, impose measures or conditions of approval that ensure that the project will not result in any adverse effects on either the agricultural uses described above or the future residential and visitor-serving uses that have been approved for the Ferrini Property. Such conditions might, for example, require the project applicant to record an acknowledgement that agricultural activities are permitted by law on our property, that such activities may sometimes generate odors, dust, or chemical drift that can make their way onto the River View project site, and that such conditions do not rise to the level of enjoinable nuisances but rather must be accepted as a part of life in an agricultural region. We are anxious to avoid a scenario in which new residents on the River View 12.2

property object to our current agricultural activities and seek to get us to modify them. The same would hold true for any potential future uses approved under the Ferrini Ranch Project.

Provided that the County imposes measures or conditions on the River View project that are satisfactory to us, we would not have any opposition to the proposed project.

Please feel free to contact us with any questions or comments at the address shown below.

Sincerely,

DOMAIN CORPORATION

By: _____
Mark Kelton
Vice President

Contact information:

Domain Corporation
Attn: Mark Kelton
2716 Ocean Park Blvd., Suite 3006
Santa Monica, CA 90405
Email: markandray@ferriniranch.com

Letter 12

COMMENTER: Mark Kelton, Domain Corporation

DATE: April 25, 2018

Response 12.1

The commenter states that the Domain Corporation owns property adjacent to the project site. The commenter asks the County to consider the current agricultural uses of their property. The commenter notes that agriculture can cause impacts and nuisances such as odor and noise that some people may be sensitive to.

The Draft SEIR discusses impacts related to agriculture in Section 11.0, *Effects Not Found to be Significant*. As noted therein, the project site is not designated as farmland and would not impact existing or adjoining agricultural uses. However, page 11-1 of the Draft SEIR is revised as shown below to provide additional analysis related to the commenter's concerns.

> The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, or timberland. The Monterey County General Plan identifies the property as Grazing Land. The project site has been lightly grazed over the years, but only as part of a much larger grazing operation on adjoining properties. The project site is not of a sufficient size to be considered a viable agricultural unit for anything other than grazing. ~~The project will not have an impact on existing or adjoining agricultural uses, or result in the loss or conversion of forest land to non-forest use.~~
>
> The nearest crops to the project site are at a distance of approximately 330 feet, across River Road. Property adjacent to the west is used for cattle grazing. Development adjacent to farmland can create conflicts with agricultural operations in adjacent areas. The increase in the number of residents in the area would increase public access near existing agricultural areas, increasing the potential for conflicts, such as vandalism to farm equipment or fencing, and theft of crops. These effects can result in direct economic impacts to agricultural operations, potentially impacting the overall economic viability of continued agricultural operations. In addition, residents living adjacent to agricultural operations commonly cite odor nuisance impacts, noise from farm equipment, dust, and pesticide spraying as typical sources of conflict.
>
> The distance and landscaping buffer between the project site and the adjacent agricultural operations would minimize conflicts between the land uses. Specifically, mature trees would remain along River Road to buffer the project site against the effects of nearby agriculture such as pesticides and odors. Landscape buffering and topography would also minimize potential conflicts between the project and the surrounding grazing land. In addition, the County ensures a "right to farm" through Chapter 16.40, *Protection of Agricultural Activities*, of the Monterey County Municipal Code. Therein, an agricultural operation that is considered to be "properly operated" is inherently defined as a non-nuisance, and any transfer of real property within the County includes a "right to farm" notice provided to the purchaser. Therefore, the proposed project would not infringe on the farming rights of nearby agricultural operations, nor result in conversion or loss of farmland. The project would have a less than significant impact on agricultural or forest resources.

It should be noted that while the commenter states that their property includes cultivation of strawberry crops, lettuce, broccoli, and other row crops, there are no such activities in the vicinity of the project site.

Response 12.2

The commenter asks that their property's agricultural use is considered and protected by the County in the project's conditions of approval.

As noted in Response 12.1 above, the proposed project would not result in conflicts with adjacent agricultural operations. As such, no conditions of approval related to the Domain Corporation property are warranted.

Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas CA 93901

Letter 13

mailed March 10 2019 for staff/Plan Comm.

RE: River View at Las Palmas
Proposal for Senor Housing

Comments

I am a resident of Las Palmas 1. I have been steadfast in support of senior housing. I approve of development for senior housing on "Parcel Q", (i.e. River View at Las Palmas) 13.1

The need for senior housing in Monterey County increases year by year, as more people come to the area to retire. The need is democratic and the need cuts across all financial levels. The need is great; the supply is limited.

Re. Transportation

Environmental impact Reviews under CEQA must include proposed mitigation. Previously CEQA used LOS (Level of Service) (which commuters dubbed LOS-Loss of Speed) but that changed in 2013. Passage of SB743 mandated a change for developers to meet VMT (Vehicle Miles Traveled) rather than LOS. New standards for traffic evaluation were released in 2017 by CA Office of Planning and Research. 13.2

Because River View has limited parking onsite and a high number of employees, it seems necessary to utilize the VMY.

The LPR 1 HOA CC&Rs and HOA Board limit all parking for guests (of LPR residents) and the area West/NW of Las Palmas Road is and due to narrow roads, has always been no street parking. It is and has been so posted for many years.

The county needs to require that the developer solve (mitigate) this disparity by creative means, utilizing VMT. Bus, small van, bicycle, carpool use of UBER/LYFT, other means for transport of both employees AND special holiday visitors need consideration. Two current changes locally may prove helpful. 13.3

1. The two year and expensive project by CALTRAN to provide safe bicycle transport over the Salinas River (East and West) needs consideration and inclusion.
2. The recent closure of McShane Nursery (by nursery owner McShane) (and property owner Don Chapin) leaves a welcome amount of unused local parking space. (For use by bicycle and/or van, other means of commuting.)

Re: Transportation within LPR 1

"Parcel Q" is and has been a separate parcel, not part of the LPR 1 HOA. But ingress and egress are entitled to the parcel. 13.4

However, the developer will affect the residential area and residents. Specifically the short stretch of River Run Road and the two intersections of same. Small, low signs utilizing arrows are needed; both into, but also out from River View, which are most needed by new or occasional visitors. A stop sign at the intersection of Woodridge Court to River Run Road is necessary. Concern for pedestrians and bicycle riders are likewise needed. "The purpose of the VMT is to promote travel by... bicycle and walking." And to do so safely.

Nancy Iversen
21091 Old Ranch Ct.
Salinas CA 93908-1409

Letter 13

COMMENTER: Nancy Iversen

DATE: March 10, 2018

Response 13.1

The commenter states support for the project and notes that there is a great need for senior housing. The comment is noted and herewith shared with the County's decision makers for their consideration.

Response 13.2

The commenter states that Vehicle Miles Traveled (VMT) should be included in the project's traffic analysis.

The Draft SEIR analysis of the project's potential traffic impacts is based on existing standards for the local roadway system, which utilize level of service (LOS) standards. For an explanation of why VMT analysis is not included, refer to Topical Response D.

Response 13.3

The commenter describes parking limitations in the vicinity of the project site and recommends utilization of shared transportation for staff and visitors to the project site. The commenter makes note of two recent local changes that could improve the project's parking and transportation options: a Caltrans bicycle route project over the Salinas River, and the closure of McShane Nursery that leaves unused parking spaces.

As noted in Response 4.4, the project includes 106 parking spaces, which exceeds the required allotment. The Project Description lists the proposed parking spaces per facility, under the heading *Project Facilities*. The Draft SEIR does not include further discussion of parking because the project would provide a sufficient number of parking spaces, and parking is not a physical environmental impact requiring analysis or mitigation under CEQA. However, the information provided by the commenter regarding parking and transportation is herewith shared with County decision makers for their consideration.

Response 13.4

The commenter states that Parcel Q is not part of the Subdivision, but that ingress and egress are allowed through the Subdivision. The commenter states that River Run Road should have signage directing traffic and a stop sign at the intersection of Woodridge Court and River Run Road.

The comment's recommendation regarding signage is noted and herewith shared with the County's decision makers for their consideration. For a discussion of traffic impacts within the Subdivision, refer to Topical Response D. As noted therein, the project would not result in a substantial increase in traffic within the Subdivision.

Letter 14

Received by RMA-Planning
on March 14, 2018.

Sidor, Joe (Joseph) x5262

From: Marc Rosen <mrosen831@gmail.com>
Sent: Wednesday, March 14, 2018 9:14 AM
To: Sidor, Joe (Joseph) x5262
Subject: Comment on Draft EIR for Parcel Q development above Las Palmas ranch

TO: Joseph Sidor

RE: Plan # PLN15037

FROM: Marc Rosen 21036 Country Park Rd.

DATE: March 14, 2018

Greetings. We have been residents of Las Palmas Ranch for the past 28 years. Our home is located on the hillside below the proposed senior multiple housing development on Parcel Q. We are very concerned about the incompatibility of the proposed development for several reasons: 14.1

1) Lighting—Due to required 24 hour care, there is a likelihood that multiple lights will be on all night long. These lights will be visible to all of the homes below the development on Country Park Rd. and surrounding streets. This presents an unpleasant view shed and distraction for our neighborhood at night. 14.2

2) Truck Noise—Noise from constant traffic, including truck deliveries which have to access the proposed development from the end of Country Park Rd. will be a noisy disruption from our normally serene environment. This type of senior development is incompatible with our purely single family residential community. 14.3

3) Congestion—Because all traffic must enter Las Palmas Ranch and the Parcel Q development from River Rd., through our neighborhood, there is a likelihood that the additional traffic created by a senior housing facility could create congestion and delays in entering and leaving our neighborhood. Safety concerns for children playing on the adjacent field and in the streets are a serious issue. This type of development necessitates the employment of numerous people, visitors, deliveries, etc. 14.4

4) Wildlife Sanctuary—The hill above our neighborhood upon which the senior housing will be located is home to owls, hawks, deer, bobcats and other animals, all of which we see and hear frequently. This development, along with the lighting, traffic, noise, and congestion will disturb the wildlife. 14.5

5) Sirens—Senior developments often involve numerous medical emergencies which require ambulances and sirens. This kind of development is not compatible with a family oriented residential community. 14.6

6) Home Values—Due to the negative factors outlined above and others, our properties may become less desirable. As a result, values could decline. This is unfair to the neighborhood residents, for whom their homes are their largest investment. 14.7

This senior housing multi-residence development proposed for Parcel Q is incompatible with our family oriented quiet residential community for all of the reasons presented above. It should be opposed by the Planning and Building Department. If it has to be developed, it could be subdivided into three or four large building lots for single family homes. This would be a use which is compatible with the neighborhood and one that would minimize the issues outlined above. 14.8

Thank you,

Marc and Irene Rosen

Letter 14

COMMENTER: Mark and Irene Rosen

DATE: March 14, 2018

Response 14.1

The commenters express the opinion that the project is not compatible with surrounding land use.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 14.2

The commenters state that overnight lighting will impact the surrounding viewshed.

Please refer to Topical Response F, which discusses impacts of the project's lighting on night sky views. As described therein, mitigation is required to reduce lighting impacts to a less than significant level.

Response 14.3

The commenters state that noise from truck traffic will be disruptive to the Subdivision.

Please refer to Topical Response H, which includes a discussion of the specific noise sources mentioned in the comment. As described therein, traffic noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 14.4

The commenters state that the project would result in traffic congestion and traffic-related safety impacts. Subdivision streets would all operate well within acceptable traffic volumes for residential streets, based on generally accepted level of service and traffic calming thresholds. The project would have a less than significant impact on traffic conditions in the Subdivision, and no mitigation would be required.

For a detailed discussion of these topics, please refer to Topical Response A and Topical Response D.

Response 14.5

The commenters state that the project site is home to wildlife that would be disturbed by the project.

Please refer to Topical Response G. As described therein, the project's impacts related to wildlife would be limited due to the size and placement of the project site. To reduce potential impacts to special status wildlife species, the Final SEIR includes mitigation measures, as listed in Section 4, *Amendments to the Draft SEIR*.

Response 14.6

The commenters state that noise from ambulance sirens will be disruptive to the Subdivision.

Please refer to Topical Response H, which includes a discussion of the specific noise sources mentioned in the comment. As described therein, traffic noise impacts would be less than

significant or less than significant with mitigation incorporated. Sirens from emergency vehicles would result in a short-term spike in ambient noise levels at nearby residences. However, there is an agreement in place that the Subdivision is a "no-siren zone." Additionally, the County Code exempts "emergency vehicles being operated by authorized personnel" from noise regulation. Therefore, emergency vehicles would have a less than significant impact on ambient noise.

Response 14.7

The commenters state that the project will decrease home values in the Subdivision.

Please refer to Topical Response C. As described therein, property value is not an environmental impact and therefore is not analyzed in the Draft SEIR.

Response 14.8

The commenters express the opinion that the project is not compatible with surrounding land use.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Letter 15

Received by RMA-Planning
on March 19, 2018.

Sidor, Joe (Joseph) x5262

From: JAKE OROZCO <orozcos8283@hotmail.com>
Sent: Sunday, March 18, 2018 10:44 AM
To: Sidor, Joe (Joseph) x5262
Subject: River View at Las Palmas: Assisted Living Senior Facility (PLN150372)

Mr. Sidor,

I am writing to notify you that I OPPOSE the construction of the senior care facility atop the hillside of the Las Palmas 1 Community. Although there are many, many reasons why I am in opposition, I will limit it to three: Noise, traffic, and roads. 15.1

One of the reasons why I moved into this community is the tranquility that living out of town provides. Construction crews building this facility will definitely disrupt the quiet, tranquil setting this area provides. Moreover, the oncoming shift workers, emergency vehicles, delivery trucks, and visitors that will be entering the facility once the facility is constructed will also cause disruption and increase noise to my neighborhood. A lot of traffic means a not-so-smooth entry into my neighborhood from River Road. 15.2

The increased traffic flow will cause jams/ bottleneck from River Road into Las Palmas. The security guard at the entrance works diligently to ensure only those authorized gain entry into Las Palmas. He will be overwhelmed checking-in every single unidentified person heading into that facility as well as into our neighborhoods. Also, why should our guard, whom we pay for with our HOA fees, have to work extra to admit, or deny, people that will not pay for his presence? Along with the problems of admittance and traffic flow, this facility will be intruding on families with children who use the roads for walks, bike riding, and other recreational activities. The park, where all the facility traffic will be passing, is a major hub for said families and pets. This will increase the risk of automobile-versus-person accidents. Aside from the regular flow of traffic from residents, the roads - some of which have no sidewalks- are used by children riding bikes, pulling wagons, or skateboarding. Such activities that living in the suburbs provides will be taken away because of the increased traffic flow the facility will produce. Increased traffic flow leads to road damage. 15.3

The care facility will cause deterioration in our (Las Palmas) roads. These roads are paid for and maintained by the residents through our HOA fees. The care facility, from initial planning, has always intended to use our entrance and roads as THEIR entrance into THEIR facility. From what I've heard already, they will not pay into HOA for road maintenance, nor will they pay extra for the magnitude of cars our security guard will have to check in on a daily basis. Nowhere did I agree to share my roads and my security with this facility, especially at our expense. 15.4

In summation, I strongly urge that you take into consideration the residents that this facility will be disrupting. Our concerns are uniform and we do not wish to sacrifice our remoteness, tranquility, and our roads - especially our entrance - with this facility. It's a great vision, but it needs to be envisioned far away from our community. 15.5

Sincerely,

Jacob Orozco
17555 Sugarmill Road

Sent from my iPhone

Letter 15

COMMENTER: Jacob Orozco

DATE: March 18, 2018

Response 15.1

The commenter states that they are opposed to the project. This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Response 15.2

The commenter states that the project will result in increased noise and traffic.

Please refer to Topical Response D and Topical Response H, which summarize the project's traffic and noise impacts. As described therein, traffic and noise impacts would be less than significant or less than significant with mitigation incorporated, with the exception of traffic impacts to SR 68, which would be significant and unavoidable.

Response 15.3

The commenter states that traffic caused by the project would overwhelm the Subdivision's private security gate operations. The commenter states that increased traffic would cause child safety risks and automobile accident risks.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Response 15.4

The commenter states that increased traffic caused by the project would lead to deterioration of Subdivision roads, and that the roads are privately paid for and maintained.

Please refer to Topical Response D for a discussion of impacts to road surfaces.

Response 15.5

The commenter reiterates their concerns and states that the project should be relocated.

This commenter's opposition to the project is noted and herewith shared with the County's decision makers for their consideration.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning classifications , and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access.

Received by RMA-Planning
on March 20, 2018.

Letter 16

From: Paul and Rebecca Clifton
Address: 21180 Old Ranch Court

Date: 3/19/2018

To: Sidorj@co.monterey.ca.us ,

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

Cc: Brandon Swanson, Planning Manager, swansonb@co.monterey.ca.us

roygobets@aol.com , Roy Gobets 21056 Country Park Road, Salinas, CA, 93908

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Hello Joe,

We write regarding the above development. We have examined the planned area and know the site well. We wish to strongly object to the development of the proposed facility. 16.1

We feel that the proposed facility will have a negative impact on Las Palmas 1 overwhelming it with traffic, noise, run off, and safety/security issues. In addition, our view is that this project does not give respect to the locals that live here, the beauty of the environment, or the wildlife habitat that surrounds us. 16.2

There are many other more suitable and less impactful properties within Monterey County for such a development. We strongly urge the developer to find an alternative area for this proposed facility.

As you are the decision makers, we hope you can help the locals of Las Palmas 1 towards a favorable outcome.

Respectfully,

Paul and Rebecca Clifton

Letter 16

COMMENTER: Paul and Rebecca Clifton

DATE: March 19, 2018

Response 16.1

The commenters state that they object to the project.

This commenter's opposition to the project is noted and herewith shared with the County's decision makers for their consideration.

Response 16.2

The commenters state that the project will have impacts related to traffic, noise, hydrology, safety, aesthetics, and wildlife. The commenter states that the project is disrespectful to the neighboring residents and recommends that it be relocated.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning classifications , and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access.

For a discussion of the other issues mentioned in the comment, refer to Topical Responses A, D, E, G, and H. As described therein, the project would have a significant and unavoidable impact on traffic conditions on SR 68. All other impacts would be less than significant or less than significant with mitigation incorporated.

Letter 17

David and Céline M. Dalby
21024 Country Park Road
Salinas, CA 93908

RECEIVED
APR 20 2018
BUILDING SERVICES DEPARTMENT
MONTEREY COUNTY

March 19, 2018

Joseph Sidor, Associate Planner
Monterey County RMA - Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
Brandon Swanson, Planning Manager
Monterey Planning Commission

Messrs. Sidor and Swanson

RE: RVPL Draft SEIR River View at Las Palmas (PLN# 150372)

We wish to firmly oppose the above proposed commercial project for several important planning reasons. However we generally support senior and health support businesses. 17.1

I. Wrong Access Location

It clashes with the original Las Palmas I family residential community. The road easement to this residentially zoned parcel will be overburdened by heavy construction equipment for a business project of that magnitude. The 329 resident households use the same access out and in each day for work, school, and errands to the city. 17.2

II. Traffic

Afterwards, we will lose our quiet, peaceful neighborhood to a 24/7 business enterprise, requiring our access for all visitors, employees, service providers and suppliers. The Las Palmas I community has put a lot of effort and expense in being pro active in adhering to the original family subdivision Plan, maintaining our common roads, parks , landscaping etc. as per our bylaws. This business is not part of our HOA and has not been co-operative with land use issues relating to Parcel Q. 17.3

III. Security and Safety

Due to our community's remote access for local law enforcement, we took the initiative to enhance personal and property security with limited vehicular access for 8 hours and random mobile security off peak hours. We also have an active Neighborhood Watch Chapter - these efforts would be nullified. Ss you may be aware for this area of Salinas, there is a shortage of manpower for law enforcement, the Sheriff department can attest to our low call outs to our neighborhood compared to other nearby areas due to our security diligence. There would be no guarantee to our community security and family environment values would be severely compromised. In an emergency situation of fire or flooding, slides and as we know the terrain and recent events in our nearby locations the evacuation of our community - adding the residents and patients of the Assisted Living complex would be problematic at best. 17.4

IV. Zoning

The above project is non-residential and requires services that are available closer to a local hospital with professional help and medical services already in place. 17.5

We request that you carefully address these issues as we feel this project does not comply with this residential community as per the County Plan bearing in mind that other locations are available and more suitable for the developer's requirements. We wish for you to consider and reply to all the above items.

Sincerely,

C. M. Dalby

David and Céline M. Dalby

Letter 17

COMMENTER: David and Céline M. Dalby

DATE: March 19, 2018

Response 17.1

The commenters state that they are opposed to the proposed project.

This commenters' opposition to the project is noted and herewith shared with the County's decision makers for their consideration.

Response 17.2

The commenters state that the access roads would be overburdened by the project construction traffic.

Please refer to Topical Response D for a discussion of traffic generated by the project's construction phase. As described therein, mitigation is required to reduce impacts to road surfaces to a less than significant level. Traffic impacts to Subdivision roads are less than significant or less than significant with mitigation incorporated.

Response 17.3

The commenters state that the project would impact the quiet and peaceful neighborhood of the Las Palmas community due to increased traffic caused by the project.

As described in Topical Response C, neighborhood fit and quality of life are not environmental impacts and are not directly analyzed in the Draft SEIR. The Draft SEIR does include analysis of traffic and noise impacts. All impacts were determined to be less than significant or less than significant with mitigation incorporated, with the exception of traffic impacts to SR 68, which would be significant and unavoidable.

Response 17.4

The commenters state that the project would compromise the Subdivision's security and emergency preparedness.

Please refer to Topical Response A for a discussion of the project's impacts on security operations, and Topical Response D for a discussion of impacts on emergency evacuation. The project would not result in a significant impact on police service or emergency preparedness within the Subdivision. Regarding the Subdivision's private security operations, an agreement would be required between the applicant and the LPHOA regarding shared costs and responsibilities, as discussed in Topical Response I.

Response 17.5

The commenters state that the project should be developed closer to a hospital.

The proposed location offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access. Salinas Valley Memorial Healthcare, the nearest hospital to the project site, is approximately five miles from the project site. For further discussion of the project's siting and land use compatibility, refer to Topical Response C.

Letter 18

Received by RMA-Planning
on March 20, 2018.

Sidor, Joe (Joseph) x5262

From: adam kirk <kirkadam@sbcglobal.net>
Sent: Monday, March 19, 2018 6:04 PM
To: Sidor, Joe (Joseph) x5262
Subject: RVPL draft PLN#150372

Hi Joe,

I'm very upset that there is a possibility of 300+ vehicles traveling in and out of Las Palmas 1 daily, putting my family and I in danger. 18.1
I wish the Developer could find a more suitable entrance, possible down near the Highway 68 exit, also , when I bought here I was told only 3 residential housing units could be put in that lot (any truth to that?) 18.2

Thanks for your help,
Adam & Takako Kirk.

Letter 18

COMMENTER: Adam and Takako Kirk

DATE: March 19, 2018

Response 18.1

The commenters state that they are concerned about traffic caused by the project and resulting safety issues. The commenters state that a different entry point to the project site should be established.

Please refer to Topical Response A for discussion of safety and security and to Topical Response D for a discussion of traffic impacts. As described therein, the project would not result in significant traffic or traffic safety impacts to Subdivision roads.

Response 18.2

The commenters ask if the project site has a development limit of three residential housing units.

The LPRSP, Toro Area Plan, and Monterey County General Plan designate the site as Medium Density Residential (MDR). The MDR zoning allows for certain uses, such as the proposed project, that are not classified as residential, and are therefore not subject to limitations that specifically apply to housing units. For a full discussion of this issue, refer to Topical Response C.

Received by RMA-Planning
on March 19, 2018.

Letter 19

Rendell Requiro and Francoise Mc Avinchey
17563 Winding Creek Road
Salinas, CA 93908

March 19, 2018

To: (Sidorj@co.monterey.ca.us),

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

Cc: Brandon Swanson, Planning Manager, swansonb@co.monterey.ca.us

roygobets@aol.com , Roy Gobets 21056 Country Park Road, Salinas, CA, 93908

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Hello Joe,

I am very concerned about the proposed project. Its proposed use of Las Palmas 1 roads will pose unacceptable traffic, safety and security problems in our peaceful neighborhood. Further, the large number of housing units proposed for this development, coupled with its clear commercial use, are inconsistent with the residential atmosphere that Las Palmas residents chose when they located here in the first place. 19.1

I strongly urge the developer to find alternate venue and access for his proposed facility. 19.2

Please respond to the issues I listed above in writing.

Respectfully,

Rendell and Francoise Mc Avinchey

Letter 19

COMMENTER: Rendell Requiro and Francoise Mc Avinchey

DATE: March 19, 2018

Response 19.1

The commenters state that they are opposed to the proposed project due to concerns about traffic, safety, and land use incompatibility.

This commenter's opposition to the project is noted and herewith shared with the County's decision makers for their consideration. Refer to Topical Responses A, C, and D for discussion of the issues mentioned in the comment.

Response 19.2

The commenters urge the developer to find an alternate location for the project.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning designations, and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access.

RECEIVED
MAR 22 2018
Monterey County RMA

Letter 20

From: Russell Schwanz

Address: 21045 Country Park RD
Salinas, CA 93908
831-455-9172
russellschwanz@att.net

Date: 3/19/2018

To: (Sidorj@co.monterey.ca.us),
Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

Cc: Brandon Swanson, Planning Manager, swansonb@co.monterey.ca.us

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Dear Sir

I am deeply concerned about the proposed project and recommend relocating it. 20.1

Please consider the following:

1. The current Las Palmas 1 neighborhood frequently has strong winds. I view the proposed site from my front yard. I notice strong winds there frequently. This happens in all seasons, including summer and fall. 20.2

2. The area between Country Park Rd, Sugarmill Rd, Old Ranch Ct, and Woodridge Ct lie basically in a canyon. With the exceptions of the houses themselves, this area has an abundance of dry vegetation in summer and has very steep hills. The proposed building site lies on a ridge adjacent to this area. The proposed site is completely surrounded by dry vegetation.

3. The proposed site has very limited road access. Even under ideal emergency conditions the proposed project would be difficult to evacuate. 20.3

4. If a wildfire were to start, the residents of the proposed site could be completely cut off. Being located on the top of a ridge with steep sides a fire's heat could be directed at this site. The results could be a significant loss of life.

5. Further complicating the situation, Woodridge Rd is a constriction point. All current residents, plus any from the proposed project and any emergency vehicles coming in would all be funneled though a single intersection. Given an emergency evacuation, the existence of this project could also put current residents (in the area described in item 2 above) at greater risk. Evacuation would be significantly slowed.

6. This area of Monterey County is very vulnerable to wildfires.

This is a very important time for this project. Letting the project proceed at this location could result in a significant loss of life in the future. We need to thoughtfully and respectfully prevent a significant loss of life.

Please respond to the issues above in writing.

Respectfully,

X Russell D. Schwartz

Letter 20

COMMENTER: Russell Schwanz

DATE: March 19, 2018

Response 20.1

The commenter states that they are concerned about the project and recommend relocating it.

The commenter's concern is noted. As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning designations, and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access.

Response 20.2

The commenter describes details related to the climate and vegetation in the vicinity of the project site.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, refer to Topical Response F for a discussion of visual impacts, and Topical Response B for a discussion of wildfire hazards.

Response 20.3

The commenter states that the project site has limited road access and that an emergency evacuation would be difficult, as all traffic would be funneled through a single intersection. The commenter states that Monterey County is vulnerable to wildfires, and that the project could result in loss of life.

For discussion of emergency evacuation, please refer to Topical Response D. As noted therein, mitigation is required to reduce impacts related to emergency evacuation to a less than significant level.

For a discussion of wildfire impacts, please refer to Topical Response B, which includes analysis added to the Final SEIR addressing wildfire hazards. Impacts related to wildfire and fire protection would be less than significant.

Letter 21

March 20, 2018

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901

Dear Mr. Sidor,

I am an eighteen-year resident of Las Palmas, Phase One. My family and I moved here from a rental home on the cooler, more congested Monterey Peninsula, seeking the warmer weather and tranquil setting of River Road in south Salinas. I am writing to express my concern that the environment that we currently enjoy will be sorely impacted by the proposed nursing facility in our immediate neighborhood. I know that I speak for many in my community when I say that the increased traffic and noise will detract from our quality of life. Should the project proceed, I fear that I may be forced to sell and move elsewhere—hardly an outcome that I envisioned when settling here in July of 2000. 21.1

Please consider my words seriously as you and your associates weigh this important decision.

Respectfully yours,

Christian Dreyer Mihoko Dreyer

Christian and Mihoko Dreyer
17550 Sugarmill Road
Salinas, CA 93908
(831) 905-5013
dreyer4@aol.com

RECEIVED
MAR 23 2018
Monterey County, RMA

Letter 21

COMMENTER: Christian and Mihoko Dreyer

DATE: March 20, 2018

Response 21.1

The commenters state that they are concerned about traffic, noise, and quality of life impacts resulting from the project.

For discussion of the concerns mentioned in the comment, refer to Topical Response C, Topical Response D, and Topical Response H. As noted in Topical Response D, the project would not result in a substantial increase in traffic within the Subdivision. As described in Topical Response H, traffic noise impacts would be less than significant or less than significant with mitigation incorporated, with the exception of traffic impacts to SR 68, which would be significant and unavoidable.

Letter 22

Received by RMA-Planning
on March 20, 2018.

Sidor, Joe (Joseph) x5262

From: Scott Porter <srporter@yahoo.com>
Sent: Tuesday, March 20, 2018 3:59 PM
To: Sidor, Joe (Joseph) x5262
Cc: Swanson, Brandon xx5334
Subject: Proposed Development of Riverview at Las Palmas (PLN#150372) RVPL Draft SEIR (Corrected)

Please Note; This email contains some very slight corrections and supersedes the email sent earlier today. Please disregard earlier email.

Thank you. Scott Porter

March 20, 2018

Mr. Joseph Sidor, Associate Planner
Mr. Brandon Swanson, Planning Manager
Monterey County Planning Comission

Messrs. Sidor and Mr. Swanson;

I write as a resident of Las Palmas I. I am opposed to the Proposed Development of Riverview at Las Palmas (PLN#150372)

22.1

I generally favor development of residential care and nursing facilities as part of a community. However this large proposed non-residential development is inconsistent with the peaceful rural residential nature of the Las Palmas community.

I. Traffic

Traffic is a particular problem. The proposed non-residential development would bring commercial vehicles -- food deliveries, medical waste, trash, linen, etc, -- and numerous employee vehicles through a narrow street originally designed for residential traffic. This constant and increased traffic would irrevocably alter the peaceful nature of the community. Las Palmas is a quiet community -- children playing, people walking dogs, and residents generally enjoying the peaceful nature of the rural neighborhood. There is no compatible way for this development and attendant traffic to use the existing entrance to our neighborhood and not destroy the peaceful nature of the neighborhood.

22.2

II. Security

Security of the neighborhood would be compromised by permanently opening the neighborhood to this non-residential development. As a community we have taken steps to preserve the security of the neighborhood including installing gates and employing security guards to check all incoming traffic. Residents are secure in knowing who comes into our community. This proposed large non-residential development would open the neighborhood to incessant traffic, coming and going

22.3

throughout the daytime and evening. There is no way to regulate this traffic and guarantee the security of the neighborhood. This is a real concern.

III. The Proposed Non Residential Development is Inconsistent with the Existing Residential Community

Under The Las Palmas Plan and Monterey County Plan, Las Palmas Community was approved and developed as a rural residential neighborhood. Residents purchased their homes and built their lives and their community in reliance on Plans that provided an opportunity to live in and enjoy a rural residential neighborhood. 22.4

This parcel is zoned "medium density residential," at 2.61 units per acre. Under the Las Palmas Plan **this parcel was specifically approved for 8 units total. The developer now seeks a "conditional use permit" to allow development of a non-residential facility with a total of 105 units.** This is inconsistent with The Las Palmas and Monterey County Plans.

The developer seeks to circumvent these plans by requesting an amendment for a non-residential use. Specifically, the developer asks you approve an amendment with the following language;

> **. . . Assisted living facilities are not considered residential units . . . . . (and should not be) . . . . subject to the . . . . residential limitation of the (Las Palmas) Plan. An assisted living facility is . . . . not a residential use, because it does not operate or function in a manner like independent residential units.**

Very simply, the developer is asking for approval of non-residential use in a planned residential community.

Las Palmas is a highly desirable ***residential community.*** Residents have invested here based on the rural nature of this community under the approved Las Palmas Plan. Residents have relied on the approved Las Palmas Plan and its resulting development. The proposed development is a non-residential use. The proposed Assisted Living Facility does not operate or function in a manner consistent with the Las Palmas Plan, nor the rural nature of the community.

To approve this amendment to the Las Palmas Plan and to allow development of a non-residential Assisted Living Facility with 105 units, and all the commercial traffic, deliveries, medical waste, employees, visitors, and resulting security and safety concerns would unalterably destroy the rural residential nature of our community.

I request you please carefully consider these issues when considering this proposed development. This proposed non-residential development is inconsistent with the existing residential community, and should not be approved.

Thank you for your consideration.

Respectfully submitted.

s/_____

Scott Porter
21440 Riverview Ct.

Salinas CA 93908
(831) 214-0686

Letter 22

COMMENTER: Scott Porter

DATE: March 20, 2018

Response 22.1

The commenter states that they are opposed to the project and that it is inconsistent with the Las Palmas community.

This commenter's opposition to the project is noted and herewith shared with the County's decision makers for their consideration. For discussion of land use compatibility, refer to Topical Response C.

Response 22.2

The commenter states that the project would increase traffic in the Subdivision, diminishing the existing peace and quiet.

For a discussion of traffic impacts, refer to Topical Response D. As described therein, the project would not result in a significant impact to traffic within the Subdivision. For discussion of quality of life impacts refer to Topical Response C. For a discussion of noise impacts, refer to Topical Response H. As described therein, traffic noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 22.3

The commenter states that the project would compromise the Subdivision's security by increasing traffic and visitors through the Subdivision.

Please refer to Topical Response A. As noted therein, the Draft SEIR has been revised to clarify the project applicant's responsibilities related to the Subdivision's private security operations.

Response 22.4

The commenter states that the project is inconsistent with the existing residential community. The commenter discusses zoning and states that the developer is seeking approval for non-residential development in a residential community. The commenter states that the project would destroy the rural residential nature of the existing community.

The project is a senior assisted living facility. The project site is zoned Medium Density Residential (MDR). The Draft SEIR notes that a senior assisted living facility is similar to a rest home, which is an allowed MDR use. The Draft SEIR requires an amendment to the LPRSP to clarify that an assisted living facility is an allowed use. For more detail, refer to Topical Response C.

Letter 23

Received by RMA-Planning
on March 20, 2018.

Sidor, Joe (Joseph) x5262

From: Gayle Todd <gayletodd@gmail.com>
Sent: Tuesday, March 20, 2018 4:38 PM
To: Sidor, Joe (Joseph) x5262; swansonb@monterey.ca.us
Subject: Proposed Development of Riverview at Las Palmas (PLN#150372) RVPL Draft SEIR

March 20, 2018

Mr. Joseph Sidor, Associate Planner
Mr. Brandon Swanson, Planning Manager
Monterey County Planning Comission

Messrs. Sidor and Mr. Swanson; We write as residents of Las Palmas I for 25 years. We am opposed to the Proposed Development of Riverview at Las Palmas (PLN#150372)

23.1

We generally favor development of residential care and nursing facilities as part of a community. However this large proposed non-residential development is inconsistent with the peaceful rural residential nature of the Las Palmas community. I am surprised this wasn't proposed to be built on Ft Ord land.

I. Traffic

Traffic is a particular problem. The proposed non-residential development would bring commercial vehicles -- food deliveries, medical waste, trash, linen, etc, -- and numerous employee vehicles through a narrow street originally designed for residential traffic. This constant and increased traffic would irrevocably alter the peaceful nature of the community. Las Palmas is a quiet community -- children playing, people walking dogs, and residents generally enjoying the peaceful nature of the rural neighborhood. There is no compatible way for this development and attendant traffic to use the existing entrance to our neighborhood and not destroy the peaceful nature of the neighborhood. If it were approved the entry and exit must be on River Road!

II. Security

Security of the neighborhood would be compromised by permanently opening the neighborhood to this non-residential development. As a community we implemented a very successful security plan. We have installed gates and employisecurity guards to check all incoming traffic. Residents are secure in knowing who comes into our community. This proposed large non-residential development would open the neighborhood to incessant traffic, coming and goi g 24 hours a day. There is no way to regulate this traffic and guarantee the security of the neighborhood. This is a real concern. Residents pay for this security and it should NOT be compromised!

III. The Proposed Development is Non Residential and Inconsistent with the Existing Residential Community

Under The Las Palmas Plan and Monterey County Plan, Las Palmas Community was approved and developed as a rural residential neighborhood. Residents purchased their homes and built their lives and their community in reliance on Plans that provided an opportunity to live in and enjoy a rural residential neighborhood.

This parcel is zoned "medium density residential," at 2.61 units per acre. Under the Las Palmas Plan this parcel was specifically approved for * units total. The developer now seeks a "conditional use permit" to allow ***development of a non-residential facility with a total of 105 units***. This is inconsistent with The Las Palmas and Monterey County Plans.

The developer seeks to circumvent these plans by requesting an amendment for a non-residential use. Specifically, the developer asks you to approve an amendment with the following language;

> **. . . Assisted living facilities are not considered residential units . . . . . (and should not be) . . . . subject to the . . . . residential limitation of the (Las Palmas) Plan. An assisted living facility is . . . . not a residential use, because it does not operate or function in a manner like independent residential units.**

Very simply, the developer is asking for approval of non-residential use in a planned residential community.

Las Palmas is a highly desirable ***residential community***. Residents have invested here based on the rural nature of this community under the approved Las Palmas Plan. Residents have relied on the approved Las Palmas Plan and its resulting development. The proposed development is a non-residential use. The proposed Assisted Living Facility does not operate or function in a manner consistent with the Las Palmas Plan, nor the rural nature of the community.

To approve this amendment to the Las Palmas Plan and to allow development of a non-residential Assisted Living Facility with 105 units, and all the commercial traffic, deliveries, medical waste, employees, visitors, and resulting security and safety concerns would unalterably destroy the rural residential nature of our community.

We request you please carefully consider these issues when considering this proposed development. The developer purchased this land for pennies on the dollar and now his greed is rearing it's ugly head with no consideration of those who live here. This proposed non-residential development is inconsistent with the existing residential community, and should not be approved.

Thank you for your consideration.

Respectfully submitted.

Robert Scranton & Gayle Todd
--
Sent from Gmail Mobile

Letter 23

COMMENTER: Robert Scranton and Gayle Todd

DATE: March 20, 2018

Response 23.1

The content of this letter is the same as the content of Letter 22. Please refer to Responses 22.1 through 22.4 above.

Date: March 21, 2018

Letter 24

To: Jospeh Sidor, Associate Planner

Monterey County RMA-Planning, Second Floor

1441 Schilling Place, Salinas, CA 93901

Cc: Brandon Swanson, Planning Manager

Roy Gobets 21056 Country Park Road, Salinas, CA 93908

Subject: RVLP Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Hello Mr Sidor,

My name is Julianne Harris. I am a home owner currently living in Las Palmas Phase 1 in Salinas, California. I am writing this letter because I have concerns about the new proposed development in Las Palmas known as Riverview at Las Palmas (PLN#50372).

24.1

With this senior housing development plan, there will be an increase of noise and traffic due to on-going medical professionals, emergency responders, deliveries, friends and families having to care and provide for these seniors 24 hours 7 days a week. Therefore it should be required to have its own entrance and gate guard, separate from Las Palmas. This will ensure that our established community parks, the environment and our roads will not be affected in any way by this commercial development.

Las Palmas was established as a family neighborhood – a safe place to raise children, grow and make life time memories, a home for a life time. This commercial project, if allowed to use our community in any way, will greatly change our family homes and lifestyle.

Lastly, the impact of the lighting this commercial business will require will have a negative effect on the neighborhood and the environment.

Sincerely,

Julianne Harris

17663 Riverbend Rd

Salinas, CA 93908

Letter 24

COMMENTER: Julianne Harris

DATE: March 21, 2018

Response 24.1

The commenter states that they are concerned about the project's impacts on noise, traffic, quality of life, and environmental impacts of lighting. The commenter requests the project have a separate entry from Las Palmas.

Please refer to Topical Response D for a discussion of a separate entry for the project. As noted therein, a separate entry is not available for the project applicant, nor is it necessary to avoid traffic impacts.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Please refer to Topical Response F, which discusses impacts of the project's lighting on night sky views. As described therein, mitigation is required to reduce lighting impacts to a less than significant level.

Please refer to Topical Response C. As described therein, quality of life is not an environmental impact under CEQA. However, the Draft SEIR includes analysis of various impact areas such as noise and traffic that relate to quality of life.

The Draft SEIR includes an analysis of noise impacts, which were determined to be less than significant or less than significant with mitigation incorporated. For a discussion of noise, refer to Topical Response H.

Letter 25

Received by RMA-Planning
on March 21, 2018.

Sidor, Joe (Joseph) x5262

From: Stephen Hurst <sfhurst@outlook.com>
Sent: Wednesday, March 21, 2018 4:01 PM
To: Sidor, Joe (Joseph) x5262
Cc: Swanson, Brandon xx5334; roygobets@aol.com
Subject: River View at Las Palmas Assisted Living Senior Facility Subsequent Environmental Impact Report (SEIR) (PLN#150372)

March 21, 2018

Joseph Sidor, Associate Planner
Monterey County RMA – Planning Second Floor
1441 Schilling Place
Salinas, CA 93901

Dear Mr Sidor

We are residents of the Las Palmas 1 sub-division. We recently received a copy of the River View at Las Palmas Assisted Living Senior Facility Draft Subsequent Environmental Impact Report (SEIR). Having reviewed the Report we view with concern the scope of the project, its impact on my quality of life and the value of our property. Our specific comments regarding the Report are: 25.1

Page 2 of Overview

No link to LIB150361 Traffic Report
No Link to LIB160001 Traffic Report 25.2

Section 3, Environmental Settings

A review of the site plan would seem to indicate the only entrance to, and exit from, the facility would be through Las Palmas 1 via Las Palmas Road, River Run Road and Woodbridge Court. There are no alternate routes in and out of the facility indicate on the site plan. Any number of environmental catastrophes, like an earthquake or forest fire, could block the main entrance through Las Palmas 1. An alternative route for emergency vehicles to reach trapped residents and patients would seem to be an absolutely essential part of the project plan. 25.3

Of particular concern is the admitted (Section 8.1) concern with the increased likelihood of future flooding. The developer dismisses this concern in Section 11.6 by stating, "The project site is elevated substantially above River Road and is not located within the 100-year flood plain. Thus, there would be no impacts related to flood hazards." That may very well be true for the facility itself, but not for the only route designated for entrance and exit. As late as 1990 Las Palmas Road, River Run Road and Woodbridge Court were all completely covered with enough water to block all vehicular traffic in and out of Las Palmas 1 25.4

Section 9, Transportation & Traffic

The report contains a detailed analysis of the possible impact of increased traffic on Highway 68, Reservation Road and River Road, but there is no mention anywhere in the study of an analysis of the traffic impact on the streets of Las Palmas 1. Visitors, medical supply delivery and ambulance calls will dramatically increase traffic and noise in the housing area surrounding the development. It is anticipated there will backups at the single entry to Las Palmas 1 that will block access to our property. 25.5

The security point is manned from 8:00a – 4:00p. Prior to the development of Parcel Q this was sufficient to keep out unwanted persons and vehicles during the period when homes may be unoccupied and most vulnerable to theft. Increased crime during this period was the reason a security guard was added at the main entrance. Once Parcel Q is developed it would be anticipated that visitor traffic and the associated noise will increase dramatically after 4:00p, and with it unwanted persons and vehicles in Las Palmas 1.

Section 14.4, Growth Inducing

At the bottom of the second paragraph of this section it states, "The proposed project is not a residential use under the County codes or the specific plan and the project does not provide dwelling units that will operate or function as independent units." This is a complete contradiction to developer's stated plan to build 13 casitas designed for couples requiring moderate service, like meals and transportation. They are, in fact, single family homes with parking for each residence. 25.6

Sec 17, Alternatives

Again, the traffic impact discussed in Alternative 2 only addresses the impact on Highway 68 and River Road. There is no mention of the impact on the existing streets of Las Palmas 1. 25.7

In general, the Draft Subsequent Environmental Impact Report (SEIR) dismisses without comment or fails to address any environmental impact on the residents of Las Palmas 1. Given the concerns detailed above we strongly urge the developer to seek and alternative location for this project.

Respectfully submitted,

Stephen and Susan Hurst
17543 Sugarmill Road
Salinas, CA 93908
831.917.9296
sfhurst@outlook.com

Letter 25

COMMENTER: Stephen and Susan Hurst

DATE: March 21, 2018

Response 25.1

The commenters state that they are concerned about the project.

The commenters' specific concerns are addressed below.

Response 25.2

The commenters state that links to traffic reports were not provided.

The traffic analysis prepared for the proposed is included as Appendix D of the Draft SEIR. For additional traffic analysis prepared for the Final SEIR, refer to Topical Response D.

Response 25.3

The commenters state that they are concerned about the project having only one entrance, and no alternative route for emergency vehicles. The commenters voice concern about environmental catastrophes that would necessitate an emergency evacuation.

Please refer to Topical Response D for a discussion of emergency evacuation routes. As described therein, mitigation is required to improve emergency access and evacuation to and from the site. For a discussion of fire safety, refer to Topical Response B. For a discussion of geologic hazards, refer to Topical Response E. As described therein, the project would not result in significant impacts related to natural disasters.

Response 25.4

The commenter states that the project could contribute to flooding of its entrance road.

Please refer to Topical Response E for a discussion of stormwater drainage. As noted therein, the project would not result in significant impacts related to flooding. Stormwater drainage of the project site would prevent flooding of the site's entrance. For a discussion of land use rights related to the project's potential connection to the Subdivision's drainage system, refer to Topical Response I.

Response 25.5

The commenter states that project would increase traffic in the Subdivision. The commenter describes security concerns associated with increased traffic and visitors in the Subdivision.

Topical Response D for a discussion of traffic impacts. As described therein, impacts related to traffic would be less than significant or less than significant with mitigation incorporated, with the exception of impacts to SR 68, which would be significant and unavoidable. For a discussion of safety and security issues, refer to Topical Response A. For a discussion of the project applicant's responsibilities regarding private security service, refer to Topical Response I.

Response 25.6

The commenter states that the proposed project is residential, and that the Draft SEIR inaccurately describes it otherwise.

The project is a senior assisted living facility. The project site is zoned Medium Density Residential (MDR). The Draft SEIR notes that a senior assisted living facility is similar to a rest home, which is an allowed MDR use. The Draft SEIR requires an amendment to the LPRSP to clarify that an assisted living facility is an allowed use. For more detail, refer to Topical Response C.

Response 25.7

The commenter states that the Draft SEIR Alternatives Section does not address traffic impacts on the Subdivision.

The Draft SEIR states that Alternative 2: No Project/Minimum Use would result in a lesser increase in traffic compared to the proposed project. For discussion of the proposed project's traffic impacts, refer to Topical Response D.

Letter 26

RECEIVED
MAR 30 2018
Monterey County RMA

From: WILBUR & CORDELIA LEE Date: 03/21/2018

Address: 17589 RIVER RUN ROAD, SALINAS, CA 93908

To: (Sidorj@co.monterey.ca.us),

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

Cc: Brandon Swanson, Planning Manager, swansonb@co.monterey.ca.us

roygobets@aol.com , Roy Gobets 21056 Country Park Road, Salinas, CA, 93908

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Hello Joe,

I am very concerned about the proposed project. Its proposed use of Las Palmas 1 roads will pose unacceptable traffic, safety and security problems in our peaceful neighborhood. Further, the large number of housing units proposed for this development, coupled with its clear commercial use, are inconsistent with the residential atmosphere that Las Palmas residents chose when they located here in the first place. 26.1

I strongly urge the developer to find alternate venue and access for his proposed facility.

Please respond to the issues I listed above in writing.

Respectfully,

X Cordelia Lee

PLN150372

Letter 26

COMMENTER: Wilbur and Cordelia Lee

DATE: March 21, 2018

Response 26.1

The commenter states that they are concerned about the project and urge the developer to find an alternate site. The commenter expresses concerns related to traffic, safety, and land use incompatibility.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning designations, and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Letter 27

17585 River Run Road
Salinas, CA 93908
March 20, 2018

Joseph Sidor, Associate Planner
Monterey County RMA-Planning/Second Floor
1441 Schilling Place
Salinas, CA 93901

Dear Mr. Sidor,

I am a new homeowner in the Las Palmas One residential development. It has been brought to my attention that there is a proposed development, referenced by the title *Riverview*, that will soon be presented to the Monterey County Board of Supervisors for approval. This proposal is noted as PLN #150372.

Riverview, in my opinion, will negatively impact the quiet quality of life treasured by the those who live in Las Palmas One. 27.1

If this proposed development is able to proceed the traffic in Las Palmas One will increase, the number of residential units will increase, and the precedent of continued commercial development will increase. These three factors will undermine the quiet environment in which Las Palmas One currently offers its residents and it may eventually and sadly downgrade the value of their homes. 27.2

I further understand that most of the residents in Las Palmas One were unaware that the zoning in the Las Palmas One area would be--or could be--changed when they purchased their homes. (I certainly was.) 27.3

I am know you will note both the positive and negative impacts the proposed Riverview development may have on Las Palmas One as you prepare information needed to address any questions the Board of Supervisors may have about this development.

The objective of my letter is to make you aware that many residents in Las Palmas One are wary of the impact the Riverview development will have upon their neighborhood.

I would appreciate a written response to the issues I have noted above.

Sincerely,

Susan Paoli

RECEIVED
MAR 23 2018
Monterey County RMA

Letter 27

COMMENTER: Susan Paoli

DATE: March 23, 2018

Response 27.1

The commenter states that the proposed project would impact the quality of life of nearby residents.

Please refer to Topical Response C. As described therein, quality of life is not an environmental impact under CEQA. However, the Draft SEIR includes analysis of various impact areas such as noise and traffic that relate to quality of life.

Response 27.2

The commenter states that the proposed project would cause impacts on traffic and property values, and would increase commercial development in the area.

As noted in Topical Response C, property value is not analyzed in the Draft SEIR because it is not an environmental impact under CEQA.

Regarding traffic impacts, refer to Topical Response D. As described therein, impacts related to traffic would be less than significant or less than significant with mitigation incorporated, with the exception of impacts to SR 68, which would be significant and unavoidable.

The comment regarding commercial development is noted. For related discussion, refer to Section 14.0, *Growth Inducing*, of the Draft SEIR. As noted therein, the project would not result in a direct population increase.

Response 27.3

The commenter states that residents of the Subdivision were unaware that nearby zoning could change to allow for new projects.

The project site is zoned Medium Density Residential. While the proposed project would not change this zoning, the project does include an amendment to the LPRSP to clarify that an assisted living facility is an allowed use. For further discussion of this issue, refer to Topical Response. C.

Letter 28

RECEIVED
MAR 30 2018
Monterey County RMA

March 25, 2018

Mr. Joseph Sidor, Associate Planner
Mr. Brandon Swanson, Planning Manager
Monterey County Planning Commission

Dear Sirs,

We are original owners of our home (28 years) at Las Palmas 1. My husband worked for the Department of Environmental Health in Santa Cruz and I was an Analyst for the Monterey County Health Department before becoming a consultant and instructor at Hartnell Community College and CSUMB. We are both strongly opposed to the **Proposed Development of Riverview at Las Palmas (PLN#150372)**. The proposed development is totally inconsistent with our rural, residential community for the following reasons: 28.1

1. **Safety and Security**
Our community has taken steps to preserve our neighborhood security by employing security guards to check all incoming traffic, installing gates, and implementing a Neighborhood Watch program. There are many "new" families who have moved in with little children, feeling secure that our neighborhood is safe. We are very concerned that the proposed development would allow constant traffic throughout the day and evening with no way to regulate the security of our neighborhood. Currently, there are many families with young children who feel free to ride their bicycles and play without fear of outside visitors or unauthorized persons driving through the area. 28.2

In addition, with the proposed number of units and staff, it is highly probably that traffic would be backed up onto River Road which is a safety hazard. People tend to speed along this road and there have already been fatalities as a result.

2. **Emergency evacuation**
We are all too aware of the recent tragic fires and floods throughout California which caused folks to evacuate with little notice. There was huge property loss and loss of life. In the terrible event of earthquake, fire or flood, it would be very challenging to evacuate not only our residents but those up on the hill with only one road out. When we first moved here, we did have to evacuate due to flood warnings and there was no way to get in and out of LPR1 for three days. 28.3

3. **Inappropriate fit with our residential community**
LPR1was approved and developed as a rural residential neighborhood. This was a large reason that we bought our home here in the first place. We were assured that any development on the "hill" would be minimal and consistent with the Las Palmas Specific Plan and Monterey County Plan. The parcel is zoned "medium density residential" and was specifically approved for a total of 8 units. Assisted living facilities are not considered residential units. Las Palmas is essentially built out now, 1028 between LPR1 and LPR2 against a limit of 1031. 28.4

PLN150372

In addition, we went through a similar process in 2006/7 with the Corey House proposal. The vast majority of homeowners in Las Palmas did not support the changes at the Corey House which entailed making a parking lot in front of our home out of a park like setting (removing all the trees and grass area) as well a destroying some historical property inside the home. The Planning Department approved the proposal and ultimately, the owners declared bankruptcy and the Corey House remained vacant for several years.

There are numerous other issues regarding the above proposal which are not addressed in the draft EIR. There is little mention of the impact this development would have on our community. We urge you to deny this proposed development in view of the above concerns. Thank you.

Sincerely,

Anne Sanchez

Anne and Rafael Sanchez
17540 Woodridge Ct.
Salinas, CA 93908

Letter 28

COMMENTER: Anne and Rafael Sanchez

DATE: March 25, 2018

Response 28.1

The commenters state that they are opposed to the project.

This commenter's opposition to the project is noted and herewith shared with the County's decision makers for their consideration.

Response 28.2

The commenter describes concerns about traffic and safety.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Response 28.3

The commenter describes concerns about emergency evacuation.

The discussion pertaining to emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project. Also refer to Topical Response B for a discussion of emergency response access and fire safety.

Response 28.4

The commenter states that the project is not an appropriate fit with the neighboring residential area. The commenter states that the residential limit for Las Palmas is already nearly met.

Please refer to Topical Response C for a discussion of land use compatibility, including a discussion of the residential limit for the LPRSP Plan Area. As noted therein, the residential limit is not applicable to the proposed project, which is not a residential project.

Letter 29

Jerry L. Crawford
21109 Country Park Rd.
Salinas, Ca 93908
831-455-8545
eastofeden222@yahoo.com

March 27, 2018

Mr. Joseph Sidor, Associate Planner
Mr. Brandon Swanson, Planning Manager
Mr. Carl Holm, Planning Director,
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

Gentlemen:

I am resident of Las Palmas and strongly opposed to the Proposed Development of Riverview at Las Palmas (PLN#150372). This community was chosen by the residents as a quiet, safe and relatively dark haven from the Salinas proper area. 29.1

I proposed visiting your office with a sizable mob wielding pitch-forks and flaming torches but was voted down by the board … just kidding.

However, this large proposed non-residential development is inconsistent with the Las Palmas community.

I. Traffic:

- **River Road Traffic:** The stop light at LP1 entrance has seen 20 accidents over the last few years. One 4-year old child has already died by a texting drunk-driver. I personally observed one accident. Additional traffic for the "Parcel Q" will aggravate this situation. Currently, the curve blocking the visual to the LP1 light, allows only 4-5 seconds (traveling at 55 mph) before reaching the intersection. This short distance is suspected as the cause of several inattentive drivers causing accidents at this point. If the proposal goes through, any celebrations with family members over holidays and family events at "Parcel Q" will increase the traffic load and potential for blood shed. 29.2
- **Security Stops:** Traffic already backs up into the River Road exit lane at peak times due to our security check point. Adding 50+ cars and construction vehicles a day will increase the potential for further traffic congestion and accidents.
- **Emergency Situations:** God forbid, the potential for a conflagration erupting on the south end of the canyon would necessitate immediate evacuation of all members of the community. A wind driven fire could spread exponentially in these closely packed houses as seen in recent fires in northern and southern California. There are 2 exits to get out for over 300+ homes!
- **Construction Traffic:** The traffic generated by the construction phase will be extremely problematic. This quiet valley is nestled between two large hill sides. Any construction

traffic noise would be echoed off the hills. Construction and delivery equipment would need to climb a steer entrance road at low gear. Any subsequent grading equipment will emit a loud back up beeping noise that will be heard from all LP1 units. This constant and increased traffic would irrevocably alter the safe, peaceful nature of the community.

- **Commercial Traffic:** The proposed non-residential development would bring increased emergency fire and ambulance calls. These will bring unwanted noise and light pollution at all hours of day and night. Any commercial vehicles -- food deliveries, medical waste, trash, linen, etc., -- and 50+ employee vehicles will funnel through a narrow street originally designed for residential traffic.

29.3

II. Security

- Security of the neighborhood would be compromised by this unwarranted, greedy assault on LP1 community. As this will open the neighborhood to non-residential traffic, we fear an increase in crime that has decreased since installation of LP1 security personnel. There is no way to regulate this increased traffic and guarantee the security of the neighborhood. This is a real concern.

29.4

III. The Proposed Non-Residential Development is Inconsistent with the Existing Residential Community

- Under The Las Palmas Plan and Monterey County Plan, Las Palmas Community was approved and developed as a rural residential neighborhood.
- This parcel is zoned "medium density residential," at 2.61 units per acre. Under the Las Palmas Plan this parcel was specifically approved for 8 units total. The developer now seeks a "conditional use permit" to allow development of a non-residential facility with a total of 105 units. This is inconsistent with The Las Palmas and Monterey County Plans.

- The developer seeks to circumvent these plans by requesting an amendment for a non-residential use. Specifically, the developer asks you approve an amendment with the following language; ***Assisted living facilities are not considered residential units (and should not be) subject to the residential limitation of the (Las Palmas) Plan.*** An assisted living facility is not a residential use, because it does not operate or function in a manner like independent residential units.

- Las Palmas is a highly desirable residential community with stable property values. Residents fear the loss of their investment potential from a rush to get out of LP1 due to the nature of this development. Several friends have moved out fearing this project.

29.5

IV Intrinsic Values: Development of this size will alter our environment.

- The location in question has 80+ eucalyptus trees that will be removed under current plan. These provide wind and Hwy 68 sound abatement.

- Moreover, these eucalyptus trees are home to several generations of Red Tailed Hawks and Great Horned Owls. Last year we had an overabundance of Vols (large field mice) which were running around even in daylight. These essential predators were active in Vol reductions. Watching these great birds soar and perform aerial ballets over our hillsides is unmatched in Salinas proper.

- Bobcats and deer live up on the hillsides and area in question. Last year one female bobcat brought her 3 cubs out into our common area multiple times. This was a delight of all who caught this rare event. One mother deer has birthed 5-6 pairs of babies over the last few years and we have watched them grow into adulthood.

- Destabilization of the steep hillsides in question is a serious threat to mudslides. We have experienced similar events even without any development activity. 29.6

- There is a sense of fear in LP1 that is unparalleled in my 15 years in the community. 29.7

- Would you want this development to go forward next door to your home?

- Light Pollution: We currently are able to view changing of the planets and star constellations due to our unpolluted dark areas. This will stop under the PLN#1500372. 29.8

- Noise: A friend who worked to help develop a similar nursing home in Hollister indicated the potential of "Screamers" being heard in the night is real. She later regretted helping this proposal from just this perspective. 29.9

- Smells: As this proposed facility will generate substantial numbers of meals, we will not enjoy sharing their menus due to prevailing winds. 29.10

To approve this amendment to the Las Palmas Plan and to allow development of a non-residential Assisted Living Facility with 105 units, and all the commercial traffic, deliveries, medical waste, employees, visitors, and resulting security and safety concerns would unalterably destroy the rural residential nature of our community. 29.11

I request you please carefully consider these issues when considering this proposed development. This proposed non-residential development is inconsistent with the existing residential community and should not be approved.

Thank you for your consideration,

Sincerely,

Jerry L. Crawford

Letter 29

COMMENTER: Jerry L. Crawford

DATE: March 27, 2018

Response 29.1

The commenter states that they are opposed to the proposed project.

This commenter's opposition to the project is noted and herewith shared with the County's decision makers for their consideration.

Response 29.2

The commenter describes concerns about traffic, safety, noise, and emergency evacuation.

Please refer to Topical Responses A, B, D, and H. As described therein, impacts related to the issues mentioned in the comment would be less than significant or less than significant with mitigation incorporated, with the exception of a significant and unavoidable traffic impact to SR 68.

Response 29.3

The commenter states that the project would compromise security in the Subdivision.

Please refer to Topical Response A for a discussion of safety and security. As noted therein, the project would not result in a significant impact on police protection within the Subdivision. Regarding the Subdivision's private security service, refer to Topical Response I, which discusses the project applicant's responsibility to share in the LPHOA's security costs.

Response 29.4

The commenter states that the project is inconsistent with the site's designated land use. The commenter states that the project would impact neighboring property values.

The project is a senior assisted living facility. The project site is zoned Medium Density Residential (MDR). The Draft SEIR notes that a senior assisted living facility is similar to a rest home, which is an allowed MDR use. The Draft SEIR requires an amendment to the LPRSP to clarify that an assisted living facility is an allowed use. For more detail, refer to Topical Response C.

Response 29.5

The commenter describes impacts to trees and wildlife.

Please refer to Topical Response G. As described therein, the project's impacts related to wildlife would be limited due to the size and placement of the project site. To reduce potential impacts to special status wildlife species, the Final SEIR includes mitigation measures, as listed in Section 4, *Amendments to the Draft SEIR.*

Response 29.6

The commenter expresses concern about mudslides/slope stability.

Please refer to Topical Response E. As described therein, a geotechnical report was prepared for the project, with recommendations to be included in the project plans. The project would not result in significant impacts related to geologic hazards.

Response 29.7

The commenter states that the neighboring community is concerned about the project.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Response 29.8

The commenter expresses concerns about light pollution.

Please refer to Topical Response F for a discussion of light pollution. As noted therein, mitigation is required to reduce lighting impacts to a less than significant level.

Response 29.9

The commenter expresses concerns about noise.

Please refer to Topical Response H for a discussion of the project's operational noise impacts. As described therein, the project's noise impacts would be less than significant.

Response 29.10

The commenter expresses concern about odors from meals.

Odor is discussed in the Draft SEIR in Section 6.0, *Air Quality,* of the Draft SEIR, and again in Topical Response C. Odors released outdoors from meal preparation would be intermittent and unlikely to be objectionable to the extent of causing a public nuisance.

Response 29.11

The commenter reiterates their concerns and opposition to the project.

The commenter's opposition to the project is noted and herewith shared with the County's decision makers for their consideration.

Letter 30

Concerning the River View at Las Palmas Assisted Living Senior Facility

(PLN 150372; SCH # 2017031025)

Hello, Joe

Please find enclosed my comments and concerns about the afore mentioned project currently before the Monterey County Resource Management Agency. I've added my thoughts in RED for clarity.

My name is Michael j. Kulow and reside at 21096 CountryPark Rd. in the Las Palmas I subdivision.

Cell, 760-996-2975, e-mail mike@mjkmgmt.com

Cc: Brandon Swanson
Cc: Carl Holm

Regards, Mike.....

RECEIVED
MAR 27 2018
MONTEREY COUNTY
PLANNING DEPARTMENT

My name is Michael Kulow and I have owned the property at 21096 CountryPark Rd. since 1989 as I am one of the original homeowners. When Las Palmas was first put on the market I saw it as an opportunity to own a piece of property in an ideal setting, close to my work and in a country sitting as well. My home backs onto the hill and was chosen because I would not have anyone living directly behind me and I could take advantage of the views of the mature Eucalyptus grove and grassy hillside behind me. Over the years i've lived here i've seen deer, bobcats, wild turkey and coyotes pass on the hill behind me on their way to the river for water. With hawks circling above and calling to thier young. "A perfect sitting!" Peaceful and pristine, all that will end if this proposed commercial development is given the ok to proceed with construction. Beside the almost assured loss of value of my property would be the greater loss of my beautiful home site. This proposal should be rejected for many reasons beyond my personal loss. First of all it doesn't belong in a residential neighborhood. It should be for safety reasons alone built closer to existing medical facilities and more easily accessible than down a "one lane" residential road that is frequently blocked due to homeowners coming and going trying to use this same one lane road. I am totally opposed to this facility being built in any configuration. Thank you for the opportunity to, I hope have a say in your decision. Regards,
MichaelKulow ..... I can be reached by e-mail at **mike@mjk-mgmt.com** or by phone on my cell @ (760) 996-2975.

30.1

The draft EIR results from the Notice of Preparation (NOP) issued by the Monterey County Resource Management Agency - Planning Department, dated March 7, 2017.

This is with reference to the proposed project "River View at Las Palmas Development Application" County Planning file # PLN150372.

CEQA QUESTIONS CONSIDERED. Additions & Comments in RED by Kulow Family, 21096 CountryPark Rd.

I. AESTHETICS -- Would the project:

a) Have a substantial adverse effect on a scenic vista?

30.2

Yes – State Highway 68 from State Highway 1 in Monterey to the Salinas River is a State Scenic Hiway, and both River Road and Spreckels Boulevard are County Scenic Roads. All three roads are designated as Tourism Access Hiways.

I think this commercial enterprise would adversely impact the beauty of the River Rd. area and detract from the efforts of the local wine growers to advertise their tasting rooms along the "Central Coast Wine Road". They have invested large amounts of money and time in Signage and Advertising calling the attention of the visiting public to the beauty and tranquillity of the Santa Lucia Highlands, which is a major wine producing area and tourist attraction not a site for Commercial Developments. These structures will be a blight on the natural beauty of this scenic area especially since they would be built right on the northern entrance to the area, the first thing visitors will see when they start down the Wine Road.

With at least one large building of three floors (30ft roofline) it will be very difficult for the proposed high density of building to be hidden from view by any form of bush or new tree landscaping. In all three cases (Hiway 68, River Road and Spreckels Boulevard) the development would be clearly visible and clash with the pastoral view. These tall buildings do not fit in the present landscape of the area and would greatly increase the amount of night time light pollution in the area especially after cutting down 80 mature Eucalyptus tree which are the nesting site for several pairs of Owls and Red Tail Hawks that have lived in these trees for decades.

Further, the Nationally listed Historic Corey House is also preserved within Las Palmas 1 and will be close to (i.e. adjacent) and heavily overlooked by the proposed development which will totally affect its setting. Governing Authorities are on record of effectively protecting the Regionally important Tourist Industry and associated Historic buildings. Added to this is the grassy area directly across the street from the Corey House, which is one of the areas in Las Palmas I that has no sidewalks, this area was purchased by the home owners to be used as an area to exercise our dogs and entertain our children placing both children and dogs in danger due to the increase in vehicle traffic going to and from this facility, a danger that does not currently exist due to the fact this has been a dead end road.

30.3

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Yes, The EIR requests the removal of 80 Eucalyptus trees. This would scar the scenic beauty and have negative effects on soil stability, wind shielding and noise propagation (Mentioned elsewhere)

30.4

This would degrade the existing visual character and quality of the site and its surroundings? One need only look at figure 3-4 in the Site Photos page to see what would be lost if these tree are removed. This is pastoral beauty that is rare anymore, anywhere. Let alone the current nesting sites for several local raptors, Owls and Hawks that help control field mice who are prevalent naturally in the vicinity of this hill site area. Bobcats and Mountain lions along with Deer and wild turkeys have been seen in the area and use this byway as access to the water in the river below. All this will be put in jeopardy by this development.

Yes. The proposed site presently is pristine wilderness. See figure 3-4 Site Photos. It is the setting for an immediately adjacent residential neighborhood which was carefully sited in 1989 to blend with the pastoral beauty of the area. The bulk and scope of the proposed facilities would sharply clash with this setting.

This hill top area was, in the original site plan approved by the city or county as the case may be, as a site for the building of two or three private homes for the prior property owners families, a minor impact, which could have easily been sited among the existing Eucalyptus so as not to lose these mature and stately trees, not for a very large commercial development which wants to butcher the beauty of this site for the sole purpose of monetary gain by a group of east coast investors that don't even live in this beautiful area and it appears don't care about the loss of this pristine site.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Yes. Despite proposed lighting and visual mitigation measures by the developer, the removal of the Eucalyptus groves, coupled with the location of a three story facility on an exposed knoll would be clearly be visible both during the day and certainly at night.

30.5

As my home lies directly below the proposed site of several of the "Casitas" the light pollution and the ability of the residents to look directly down into my backyard and the rear windows of my home would have a strong adverse effect on my privacy and peace of mind and no doubt the future value of my property.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project: 30.6

a) Conflict with or obstruct implementation of the applicable air quality plan?

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Possibly. The particulate monitoring station is 6 miles southwest of the project site at Laurel and Constitution measuring an urban environment. We need accurate measurements locally to characterize conditions. This area is windy (trees are permanently bent as they grow) and excessive particulate matter from the adjacent fields such as pesticides, fertilizer and allergens are likely to adversely affect the intended facility's vulnerable senior population. The Fort Ord Recreational area directly to the north of this proposed building site is still being periodically cleared of ordinance by burning off the cover brush which raises the smoke level to such a high level that warnings are published and broadcast by the local media. This should definitely be a cause of great for concern for older residents with any breathing problems.

e) Create objectionable odors affecting a substantial number of people?

Yes. This is an institutional facility with a large number of people both residing there plus support staff, visitors, etc. Meals will be prepared and served on site. Institutional cooking odors would waft across the adjacent Las Palmas I neighborhood, especially the most adjacent homes. 30.7

VI. GEOLOGY AND SOILS -- Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: 30.8

ii) Strong seismic ground shaking?

Yes. The recent (November 2017) 4.2 grade local earthquake rocked the area and the raised location of the proposed development would put heavy buildings and roads right above the Phase 1 homes adding risk for serious seismic related failures.

iii) Seismic-related ground failure, including liquefaction?

Yes. Civil engineers have assessed Parcel Q land as unconsolidated silt, sand and gravel and warned the developer of the unstable nature of sections of the property. This type of soil, "unconsolidated", would be highly unstable and like building your house on sand instead of rock and the porous nature of this same type of soil will add to the landslide danger of this hillside.

iv) Landslides?

Yes. Las Palmas I has experienced landslides historically on its perimeter below the proposed site. As recently as February 2017, there was a severe landslide near Country Park Road in the 20100 to 21056 region. Several homes were nearly flooded and only emergency efforts by neighbors and Salinas Fire Department personnel averted serious home damage. This slide was only recently repaired by the developer. The slide location was not unique as slopes near the proposed building site are uniformly steep. We can expect more..... 30.9

It is to be noted that this slide occurred naturally. Imagine the consequences of construction on the site with heavy equipment, coupled with the eradication of 80 large Eucalyptus trees.....

The original developer, Mike Fletcher, chose to build on the lower terrain. Clearly this was to avoid the difficulties associated with the higher slopes on Parcel Q.

Example, near Canyon Park, just off the perimeter road, you can see two concrete retaining walls installed early on in Las Palmas I. These were erected to mitigate "toe-outs" during winter storms

As stated above my home currently is at the base of the hill below the site of the "Casitas" and in the past i have seen this hill side slip down toward the access road and my rear fence, this has already happened twice due to the instability of the soil make up of this hillside. And if it moves at the bottom it will eventually move the top of this hill with very adverse effects- The trees are the only thing in most areas of the hill holding it from sliding into our backyards. Cutting any of these tree would be dangerous to the stability of the whole hillside area. Cutting any of these trees could have a monumental impact on the homes and the people living in those homes at the base of the hill, remember "MONTECITO, Ca."

IX. HYDROLOGY AND WATER QUALITY -- Would the project:
a) Violate any water quality standards or waste discharge requirements?

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

30.10

Yes. See item (e) below.

e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

Yes. The proposed facility will cover 190,000 square feet (4.36 acres) with pavement, roads and buildings. Where will all that storm water flow to?

The addition of roadways and concrete patios and to the highly porous soil areas on the top of this hill, see VI Geology & Soils a iii) would cause a great increase in runoff and further exacerbate an already delicate situation as far as the stability of these hillsides and their ability to hold water during the rainy season. The increased run off these changes would make will greatly endanger the residents below to mud slides. Currently these hillsides dry out over the summer thus increasing their ability to absorb rainwater during the rainy season. With the proposed addition of landscaping for this project these hills would remain wet year around decreasing their capacity for absorption of the traditional yearly winter and spring rains and raise the danger of mud slides and flooding of the areas below.

Yes. See item (d) above.

j) Inundation by seiche, tsunami, or mudflow?

X. LAND USE AND PLANNING - Would the project:

a) Physically divide an established community?

Yes. RVLP is a 24/7, 365 commercial business inside a residential community.

Las Palmas I has parks and a basketball court for children and families to enjoy a safe lifestyle.

Much of the community presently has no sidewalks on either or both sides of the residential streets. In particular the road granting ingress and egress to the proposed commercial site. People walk their dogs throughout the neighborhood. Cars drive slowly and children play safely in the streets. All this quality of life is at risk with this planned development.

30.11

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Yes. This project constitutes a clear violation of the Las Palmas Specific Plan where housing units are capped at 1031. Presently almost built out at 1028 units.....

Further, the easement with Parcel Q is in the context of MDR, not commercial or institutional use. Using the easement along Winding Creek would thus overburden it.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

30.12

Notarized statement from Susan Hearst is available re her observation of a protected salamander

XII. NOISE -- Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

30.13

Yes. Due to the elevation of the proposed site vehicles arriving and leaving 24/7 will increase substantially the ambient noise. The topography of the hills coupled with the canyon below will amplify this objectionable road noise. There are many shift workers among the LPI homeowners and their rest time would be adversely affected by this increase in noise.

This facility would, because of the needs of the proposed inhabitants of this type of commercial endeavor, certainly increase the need for greater access to "ambulances" and fire & rescue equipment going to and from the facility at all hours of the day and night to meet the emergency situations that are bound to happen frequently due to age and health needs of the inhabitants. This noise will disturb the peace and quiet off the neighborhoods and is totally unacceptable to all concerned and what we moved here to avoid in the first place.

Yes. The elimination of 80 Eucalyptus trees and brush will reduce natural barriers to road noise from both the development and adjacent River Road traffic. The loss of this habitat alone should have stopped this proposed development in the first place.

b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?

Yes. Additional development generated traffic will subject LPI residents adjacent to Country Park Road, Winding Creek and River Run to excessive noise.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Absolutely. Las Palmas I currently is a peaceful and tranquil neighborhood. Ambient noise introduced by this proposed development will permanently disrupt our quiet and peaceful residential neighborhood.

c) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? See ambulances and fire and rescue vehicles above.

d) Yes. If this project proceeds the easement will be used by heavy equipment over the span of its construction. We had a taste of this during the recent slope repairs and it was quite disruptive and damaging. It would be difficult to imagine it lasting months.....

XIV. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

30.14

Unclear at this time.

We do not sufficiently understand the impacts on resources for Fire protection, Police protection, Parks.

XVI. TRANSPORTATION/TRAFFIC –

Would the project:

30.15

a) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Unknown, but hopefully addressed by expert report commissioned by Christine Kemp

b) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Yes. Additional traffic will queue as the entry into Las Palmas Road clogs up due to security kiosk monitoring access. This in turn will fill up the deceleration lane on River Road that was not designed for that traffic load. The consequence is higher probability of collision as people come around the bend at River Road in a Southerly direction.

Additionally, both intersections – River Road at Las Palmas Road and River Road at Riverview Court have experienced multiple traffic accidents:

River Road at Las Palmas Road - 20 collisions 1998- spring 2017 and several deaths. This is a dangerous, high speed and mostly blind intersection.

River Road at Riverview Court - 4 collisions 1998 – spring 2017

c) Result in inadequate emergency access?

Yes. In case of fire, flood or earthquake RVLP residents, workers, visitors and service personnel will have to evacuate down a narrow service road onto Winding Creek and somehow merge with existing 329 homeowners & families scrambling to leave at the Las Palmas Road intersection. This is a single lane entrance road frequently blocked by people mistaking this Las Palmas for the other Las Palmas further down River Rd. and the duties of our security personnel checking everyone entering our neighborhood during the day. All the roads accessing the proposed development are "ONE LANE IN AND ONE LANE OUT!" a nightmare for any and all persons and personnel during an any emergency.

30.16

This poses an unacceptable risk to both RVLP patients and LPI residents .

A similar situation just occurred in West Chester, Pennsylvania on November 17, 2017 with a facility of approximately the same size as contemplated for RVLP.

"At least 27 people were known to have been injured in a massive fire at the Barclay Friends Senior Living Community. Firefighters alone were un-

able to evacuate residents, many with mobility impairments". (http://6abc.-com/2659822/)

Recent extreme fire experiences as witnessed during the Sobranes and Tubbs catastrophes point to inadequate emergency measures in evacuation standards. The Sobranes fire showed it can happen here; the Tubbs fire shows how deadly it can be in a similar setting.

There is only one narrow and steep road leading into and out of RVLP. From our viewpoint, placing the facility on the hill is like building a ship in a bottle – how do you get them out in an emergency?

In the evenings winds are considerable due to the topography of the slopes and valley. Such winds can quickly propel a minor fire into a blaze.

Fire danger is ever present due to the extremely dry conditions posed by local climate between April and November. The slopes are dry and brown during these months and it would not take much to start a grass or brush fire. A simple outdoor BBQ accident by a resident of the proposed casitas could easily trigger a disaster. Construction on the site and slopes could lead to sparks and a similar event. This fire hazard greatly concerns me because of the location of my home directly below these "Casitas" with nothing but dry grass between my home and the Castias.

XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? 30.17

Not sure. Present waste water treatment facility near the Kinship Center, operated by Cal Am Water has experienced capacity and quality issues. This needs further elaboration

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Possibly. Need more information

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Possibly. Need more information

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Yes. Water resources in Salinas are in overdraft situation. California is still in a drought. RVLP will exacerbate this already critical problem. Remember agriculture needs will always supersede residential requirements. We are and have always been short of water for crops here in the Salinas valley. And these crops are the life blood of this area.

30.18

What is the capacity of the existing wells and service area and what happens if the drought continues? The new well at the base of this hill did not exist before and during the last drought and could only pump 200 gallons a minute before the heavy rains of that year which relieved that drought. What will happen during the next inevitable drought.

How can the "Can and will serve letter" be issued under these conditions?

e) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Unknown

30.19

f) Comply with federal, state, and local statutes and regulations related to solid waste?

Unknown

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --

e) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

30.20

Yes. Traffic is already a dominant issue on River Road and Hiway 68 in consequence of past decisions to approve developments along these corridors. Incremental traffic burden generated by the projected development can only exacerbate this situation. The lack of unimpeded access for emergency vehicles alone should be of the greatest importance to any consideration of this project. This is unsafe and dangerous situation for all concerned.

b) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Yes. People bought their homes here based in part on the low traffic in the neighborhood. They will be subjected to much greater traffic noise and danger than they expected and consequently suffer adverse effects. I am one of the original property owners and this was a major consideration when i bought my home and is still one of the greatest reasons i still live here. I don't want this peaceful atmosphere disturbed, especially by a commercial development that doesn't belong here and could be placed in a better area of the city more conveniently located to other medical care facilities.

Non - CEQA QUESTIONS CONSIDERED.

The following headings contain critically important PROJECT related concerns, none of which are addressed in the EIR.

INTRODUCTION:

30.21

Some context for these concerns follows before specific issues are addressed.

In the late eighties Las Palmas I was developed, marketed and sold based on the concept of "affordable" housing. Sales brochures from the period describe a pristine country setting, attractive housing and a relaxed neighborhood atmosphere where young families could safely raise their children and older homeowners could enjoy the natural surroundings. These were the premises underlying approval for the project by the Board of Supervisors at the time. These were the reasons people bought their homes. These are the reasons we still live here and love our neighborhood. These are the reasons we strongly object to this proposal.

1) Security & Safety
   By the early 2000's it became evident that there were issues with safety and theft. Daytime break-ins became more frequent and in 2008 the Homeowner Association invested in an access security system that included a staffed guard house at the Las Palmas Road entrance and an electronic gate at Riverview Court. Additionally there are security patrols in the evenings. Consequently our crime rate dropped substantially – certainly contrasted with Toro Park and other areas in Salinas. Neighborhood watch meetings are held and a Monterey County Sheriff recently remarked how favorably Las Palmas I security compares with other areas patrolled by the County Officers.

The projected senior care facility development threatens this achievement. A facility with 144 beds requires 92 employees, access for deliveries and services, visitors, etc. etc. This additional influx of people would enter at the Las Palmas Road intersection and quite overwhelm the guard services there and thus pose security risk let alone the need for 24/7 EMT and Fire and Rescue Personnel with the noise of sirens and lights entering and leaving on the one lane roads day and night to service the people housed in the proposed facility. Moreover, this extra traffic burden would pose a serious hazard to both present homeowners and RVLP connected people in that the area is quite constricted. This is the safety risk we object to.

2) Economic Impact

As explained above in the INTRODUCTION, the prime driver for people to buy into Las Palmas I is the quality of the surroundings, coupled with attractive and affordable homes in reasonable proximity to Monterey and Salinas. A place to safely raise children, for people to walk around their neighborhood, and enjoy the peace and tranquility of the natural setting.

All this represents VALUE and thus a purchase into this neighborhood is a huge investment for many of us, and the biggest asset for most of us.

The proposed senior care facility will depress the value of our homes. Traffic, Noise, Less Security, More Risk, Less Harmonious Surroundings.....Less places for our families to play and grow will alter our quality of life forever and surely lower the current status and local standing as one of the most sought after and premier areas to live in the Salinas valley.

We ask: why should the non resident east coast developer be able to maximize his investment at our expense?

3) Neighborhood Fit

This proposed RVLP development is demonstrably a poor fit with the existing Las Palmas I community. This is a residential community not an area for commercial development.

1) Considered from the Las Palmas I perspective this proposed project is contrary to the very reason people bought their homes here. It will no longer be a safe, family friendly community.

   - A neighborhood sponsored survey in early 2016, given the choice between support for and opposition to the project as proposed, demonstrated 93% opposition to the project. (50% of 329 polled)

   - In 2017 a similar effort our HOA to gage neighborhood opinion resulted in 212 votes out of 329 homes:
     - Support : 9 Oppose : 153 Neutral : 50

   - Methodology differed between the two outreach approaches, but the conclusion in both was overwhelming opposition to the proposed development.

2) Considered from a plain common sense perspective, one wonders why a senior care facility would be located miles away from essential medical infrastructure such as hospitals and clinics, why isolate vulnerable older people on top of a hill with severely restricted ingress and egress, and lastly – why ignore the clear wishes of a majority of residents in the neighborhood by forcing an institutional business immediately adjacent to an established neighborhood?

<u>RVLP does not fit into our neighborhood!!!</u>

Letter 30

COMMENTER: Michael J. Kulow

DATE: March 27, 2018

Response 30.1

The commenter states that they are opposed to the project. The commenter introduces the concerns that are further detailed throughout the comment letter.

This commenters' opposition to the project is noted and herewith shared with the County's decision makers for their consideration.

The commenter's concerns are addressed individually below.

Response 30.2

The commenter states that the project would have aesthetic impacts related to views from scenic highways, disruption of the surrounding landscape, and light pollution. The commenter states that tree removal would impact nesting owls and Red-tailed hawks.

Regarding neighborhood fit, please refer to Topical Response C. As described therein, the project site is zoned Medium Density Residential (MDR). The Draft SEIR notes that a senior assisted living facility is similar to a rest home, which is an allowed MDR use. The Draft SEIR requires an amendment to the LPRSP to clarify that an assisted living facility is an allowed use.

For a discussion of aesthetic impacts, refer to Topical Response F. As described therein, the project's aesthetic impacts would be less than significant or less than significant with mitigation incorporated.

Impacts to nesting birds are addressed on page 7-22 and page 7-25 in Section 7.0, *Biological Resources,* of the Draft SEIR. Mitigation Measure BIO-4 requires a survey prior to tree removal and monitoring, exclusion, and habitat replacement measures if bats or roosting sites are found. This mitigation would reduce impacts to owls and red-tailed hawks to a less than significant level. For additional discussion about impacts to common wildlife species, refer to Topical Response G.

Response 30.3

The commenter notes that Corey House, which is listed as an historic resource, and Corey Park are nearby the project site. The commenter states that the project would affect the setting of Corey House, and that project-generated traffic would endanger children and dogs in the vicinity of Corey Park.

As noted in Section 11.0, *Effects Not Found to be Significant*, of the Draft SEIR, under Cultural Resources, Corey House is in the vicinity of the project site. However, Corey House is not on or adjacent to the project site. There is existing residential development between the project site and Corey House. Development of the project site would not impact Corey House or its immediate surroundings.

Regarding traffic along Corey Park, please refer to Topical Response D. As noted therein, the proposed project would not substantially increase safety hazards for pedestrians and bicyclists, including people accessing Corey Park.

Response 30.4

The commenter states that tree removal would cause aesthetic impacts and impacts to wildlife.

Regarding aesthetic impacts, please refer to Response 30.2 above and Topical Response F. As stated therein, impacts to scenic resources and private views would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting.

Regarding impacts to wildlife, please refer to Topical Response G. As stated therein, impacts to wildlife would be mitigated to less than significant by preconstruction surveys and avoidance.

Response 30.5

The commenter states that the project would be visible during the day and night, and that the project's lighting and vantage would invade the privacy of Subdivision homes.

Please refer to Topical Response F, which discusses impacts of the project's lighting on night sky views. As described therein, mitigation is required to reduce lighting impacts to a less than significant level.

Response 30.6

The commenter states that the residents of the senior assisted living facility would be vulnerable to air pollution from nearby agriculture and from controlled brush fires in the Fort Ord area.

The comment refers to air quality impacts from sources other than the project. Dust from agricultural operations is an existing condition. The proposed project would not exacerbate this condition; as such, dust from agricultural operations is not considered an impact of the proposed project. The potential air quality impacts of the project are discussed in Section 6.0, *Air Quality*, of the Draft SEIR. As shown in Table 6-3 and Table 6-4of the Draft SEIR, the North Central Coast Air Basin is in non-attainment with State mandated thresholds for ozone and suspended particulate matter, but there were no recorded exceedances of state or federal standards for ozone or particulate matter from 2013 to 2015 at the MBARD monitoring station located at East Laurel Drive and Constitution Boulevard in Salinas, approximately six miles northeast of the project site, which is the nearest MBARD monitoring station to the project site. The comment is herewith shared with the County's decision makers for their consideration.

Response 30.7

The commenter states that the project would cause objectionable odors from meals.

Odor is discussed in the Draft SEIR in Section 6.0, *Air Quality,* of the Draft SEIR, and again in Topical Response C. Odors released outdoors from meal preparation would be intermittent and unlikely to be objectionable to the extent of causing a public nuisance.

Response 30.8

The commenter states that the project would expose people or structures to impacts from seismic ground shaking and seismic-related ground failure.

Please refer to Topical Response E regarding slope stability. As described therein, geotechnical report was prepared for the project, with recommendations to be included in the project plans. The project would not result in significant impacts related to geologic hazards.

Response 30.9

The commenter states that the project would increase existing landslide risks.

Please refer to Topical Response E regarding landslides. As described therein, a geotechnical report was prepared for the project, with recommendations to be included in the project plans. The project would not result in significant impacts related to geologic hazards.

Response 30.10

The commenter states that the project would have impacts on stormwater drainage.

Please refer to Topical Response E regarding stormwater drainage. As noted therein, the project would not result in significant impacts related to flooding. Stormwater drainage of the project site would prevent flooding of the site's entrance.

Response 30.11

The commenter states that the project would physically divide an established community and conflict with land use plans.

The project would not physically divide an established community, as it is on the outside of one, not in the middle. Please refer to Topical Response C for discussion of consistency with land use plans. As noted therein, the project would be consistent with LPRSP policies.

Response 30.12

The commenter notes a reported observation of a tiger salamander in the area.

The incidental observation of a CTS by a private citizen is undocumented and cannot be verified; however, a desktop level review is provided in Response 5.2 to support the assessment of CTS habitat at the project site. For additional detail refer to Response 5.2 and Topical Response G. As discussed therein, the small size of the project footprint, and the placement of the project site among residential and agricultural development decreases the value of habitat for special status wildlife. Impacts to common wildlife species would not be considered significant under CEQA, and potential impacts to special status wildlife is mitigated through implementation of the Draft SEIR mitigation measures requiring preconstruction surveys and avoidance, and through the implication of the additional mitigation measures proposed in Response 5.2.

Response 30.13

The commenter describes concerns regarding noise impacts.

Please refer to Topical Response H. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 30.14

The commenter states that that it is unclear whether or not the project would impact public services.

Please refer to Topical Response A and Topical Response B. As noted therein, Section 11.9, *Public Services*, has been revised to clarify that the project would have a less than significant impact on fire and police protection services, and no impact on schools and other public services. Implementation

of the project would not require new or expanded public facilities to continue providing the existing level of public services experienced by residents in the vicinity of the project site.

Response 30.15

The commenter states that Christine Kemp has addressed traffic concerns. The commenter states that the project would increase traffic hazards due to a design feature, due to queuing at the Subdivision entrance.

For the letter by Christine Kemp, please refer to Letter 8. For further discussion of traffic impacts related to the Subdivision entrance, refer to Topical Response D. As noted therein, a separate entry is not available for the project applicant, nor is a separate entry necessary to avoid traffic impacts.

Response 30.16

The commenter states that there would be an impact on emergency access and fire response.

Please refer to Topical Response D. As noted therein, mitigation is required to reduce impacts related to emergency evacuation to a less than significant level. The discussion pertaining to emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project.

As noted in Topical Response B, Section 11.9, *Public Services*, of the Draft SEIR has been revised to note that the Monterey County Regional Fire District (MCRFD) reviewed the proposed building and site plans, and has determined the project would not require new or expanded public facilities to continue providing the existing level of public services experienced by residents in the vicinity of the project site.

Response 30.17

The commenter requests information regarding the project's water and wastewater impacts relating to utilities and service systems.

Water supply is discussed in Section 10.0, *Water Supply,* of the Draft SEIR. Wastewater is discussed in Section 11.0, *Effects Not Found to be Significant,* of the Draft SEIR.

Response 30.18

The commenter describes water supply concerns and requests justification of the project's "can and will" letter.

Please refer to Responses 3.2 and 3.3, which address water supply comments from MCWRA.

Response 30.19

The commenter states that it is unknown whether or not the project would be served by a landfill with sufficient capacity or whether or not the project would comply with solid waste regulations.

As described in Section 11.0, *Effects Not Found to be Significant*, under *Solid Waste,* of the Draft SEIR the project's solid waste would be delivered to the Johnson Canyon Landfill or to other facilities that may be developed over time. The project would be required to comply with solid waste programs implemented by the Salinas Valley Solid Waste Authority.

Response 30.20

The commenter discusses traffic impacts.

Please refer to Topical Response D for a discussion of traffic impacts. As described therein, impacts related to traffic would be less than significant or less than significant with mitigation incorporated, with the exception of impacts to SR 68, which would be significant and unavoidable.

Response 30.21

The commenter introduces a passage on "non-CEQA questions considered." The commenter discusses crime, economic impacts, and neighborhood fit.

Please refer to Topical Response A, Topical Response C, and Topical Response H. As noted in Topical Response A, the project would not result in a significant impact on police protection within the Subdivision. As described in Topical Response C, neighborhood fit is not an environmental impact and is not directly analyzed in the Draft SEIR. As noted in Topical Response H, sirens from emergency vehicles would result in a short-term spike in ambient noise levels at nearby residences. However, there is an agreement in place that the Subdivision is a "no-siren zone." Additionally, the County Code exempts "emergency vehicles being operated by authorized personnel" from noise regulation. Therefore, emergency vehicles would have a less than significant impact on ambient noise.

Letter 31

Received by RMA-Planning
on March 29, 2018.

Sidor, Joe (Joseph) x5262

From: JULIE <rjlsutliff@comcast.net>
Sent: Wednesday, March 28, 2018 9:01 PM
To: Sidor, Joe (Joseph) x5262
Cc: Swanson, Brandon xx5334; Onciano, Jacqueline x5193; hommcp@co.monterey.ca.us; Roygobets@aol.com
Subject: RVLP Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)
Attachments: b6ce27ddb8cc38face1112e3d2e39213.jpeg.smartcrop279x152.jpg; 4b3568da315a4f5fb19c9d6adb3ab34d.jpeg.smartcrop279x152.jpg; b90167289aa1fde030ce292f4aa29155.jpeg.smartcrop279x152.jpg

Hello Mr Sidor,

We are writing you because we are very concerned about the proposed commercial project for several reasons.
First reason is that our home is here, our largest investment, in both memories and financially, that we have enjoyed for the past 13 years.
The idea that the County might approve the application for a large commercial business to be built in a private neighborhood is disturbing. 31.1

We are passionate about where we live. We invested in this neighborhood of 329 homes, mostly families with children,
because of it's privacy and park like setting. The "Las Palmas Specific Plan" currently allows three additional residences to be built on Parcel Q
and it should remain residential only. The proposed development by Mr Shingu is a business, not a residence. Businesses make profits, homes do not.
We are not against senior housing, but we are against a commercial business being built within our neighborhood boundary.
Mr Shingu purchased the property without regard to the residents of Las Palmas 1 and we are asking you to please Not Approve Mr Shingu's application!

Do you know that Mr Shingu has this property for sale on the internet? He purchased Parcel Q knowing he
had to hire top attorneys and change the "Las Palmas Specfic Plan". We, along with many other residents, have had to dedicate our
personal time to research the effects of his proposal and an on-going effort to educate neighbors about the application and it's process. If approved, by you,
we will lose, at his profit, everything we have worked so hard for. Las Palmas 1 will forever be changed if his commercial business application is approved by you.
Please do not approve it!

A huge concern will be the additional traffic that will be going in and out of Las Palmas Road from River Road. We already have, on the average, 100
cars per month making U turns at the intersection because drivers are lost. The private entrance to Las Palmas 1 will become a major traffic
crossing. The curve on River Road (blind spot) has already proved to be fatal with the death of one child. Several accidents have also taken place at this intersection.
Please do not put the residents and/or visitors of Las Palmas 1 at an even greater risk of more and more car accidents and possibily another fatality.
Please do not approve Mr Shingu's application! 31.2

Have you visited Las Palmas 1 and walked our parks and strolled our streets? Las Palmas 1 is a quiet neighborhood with parks, residents enjoying
the comfort of walking the street, children playing catch, basketball and riding their bikes in the street, folks walking their dogs and simply enjoying the outdoor life style.
Our parks and the Eucalyptus trees are habitats for many animals, including Monarch butterflies, hawks, owls and quail. Please don't take that away from us!
Letting Mr Shingu destroy our park and quite streets for his commercial business opportunity doesn't make sense in a world where having a safe
place to roam around in the parks and streets, with friends/family/pets, is rare in most areas.
Please do not allow this to happen to 329 residences of Monterey County that chose to make Las Palmas 1 life style their home!

31.3

There are so many other areas where Mr Shingu could have purchased property that is not already in an established residential neighborhood and
zoned only for residential use. He saw an opportunity and chose to use the system to get what he wants no matter the cost, financial and emotional, to the 329 home owners that
bought here for the privacy Las Palmas 1 is well known for. Mr Tony Lombardo is Mr Shingu's attorney and to share an interesting point, we have included a paragraph
for you to read from The Carmel Pine Cone dated 11-5-15, titled "Dog Park rejected..." where Mr Lombardo represented Quail Lodge; "According to Lombardo, the canine center
would generate significant amounts of unmitigated traffic" and "increase water use" ..." We find it interesting that Mr Lombardo takes the opposite side of the spectrum when
hired by a developer seeking profit, to do the same thing the dog park representatives wanted in Carmel Valley. In addition, Mr Shingu, with Mr Lombardo present, has been asked
by homeowners to stop this process and find an alternative site and/or access to his retirement facility.
If approved, Las Palmas 1 will decline in value, and it's unique family atmosphere will fade away.

31.4

Another major concern is the construction of such a project on a hill that has already proved to be unstable. Attached are three photos of the recent
landslide (November 2017). This is the second such landslide, and that's without all the construction, bulldozers and cement trucks moving dirt around
on top of the hill. The recent Montecito fire/mudslides, near Santa Barbara, are something very real that could happen on that hillside if the conditions are right. Probably most of
the letters you get will be from those folks that line the bottom of that particular hillside. Let's not risk it!

31.5

There are many factors as to why Mr Shingu's application should be denied. They include, 2 plus years of noise pollution with construction trucks driving up and down
the hill, which is estimated to be a 50% grade, light pollution, decline of water resources, fire hazards, evacuation concerns and only one road in and out. There will be
an increase of traffic throughout Las Palmas 1 because Las Palmas Road will back up and drivers will reroute, to enter and exit, through our private gate entrance at Riverview Court.
The ridge line is another area of concern. In the beginning, you could see the bright orange tape from River Road. The tape has since faded and newer homeowners are not
given the full opportunity to judge the ridge line because the tape needs to be replaced for proper evaluation. The lights shining down from the buildings above Las Palmas 1 homes
will be a major problem for homeowners that line the bottom of the hillside. There are many other reasons to not approve Mr. Shingu's application, but the main reason is

31.6

that it is simply not the right fit for Las Palmas 1 and the "Las Palmas Specific Plan". Please do not approve Mr Shingu's application.

We hope you take all of our concerns seriously and would appreciate your response to each of them.

Respectfully,

Ralph and Julie Sutliff
17708 Riverbend Rd

Letter 31

COMMENTER: Ralph and Julie Sutliff

DATE: March 28, 2018

Response 31.1

The commenter states that they are opposed to the project and that it is a commercial business in a residential area. The commenter discusses the business transactions involved with the project.

This commenters' opposition to the project is noted and herewith shared with the County's decision makers for their consideration.

The project is a senior assisted living facility, which is consistent with the description of a "supportive housing" use. The project site is zoned Medium Density Residential (MDR). The Draft SEIR notes that a senior assisted living facility is similar to a rest home, which is an allowed MDR use. The Draft SEIR requires an amendment to the LPRSP to clarify that an assisted living facility is an allowed use. For more detail, refer to Topical Response C.

Response 31.2

The commenter states that the project would increase traffic and cause safety risks.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Response 31.3

The commenter states that the project is incompatible with the residential area.

For a discussion of operational noise impacts refer to Topical Response H. As described therein, traffic and noise impacts would be less than significant or less than significant with mitigation incorporated.

Regarding impacts to wildlife, please refer to Topical Response G. As described therein, the project's impacts related to wildlife would be limited due to the size and placement of the project site. To reduce potential impacts to special status wildlife species, the Final SEIR includes mitigation measures, as listed in Section 4, *Amendments to the Draft SEIR*.

Response 31.4

The commenter states that the project does not consider the financial and emotional cost to the neighboring homeowners. The commenter states that property values would decline if the project is approved.

Please refer to Topical Response C. As described therein, property value is not an environmental impact and therefore is not analyzed in the Draft SEIR.

Response 31.5

The commenter states that the project would be constructed on an unstable slope.

Please refer to Topical Response E regarding slope stability. As described therein, geotechnical report was prepared for the project, with recommendations to be included in the project plans. The project would not result in significant impacts related to geologic hazards.

Response 31.6

The commenter lists concerns related to noise pollution, slope stability, light pollution, water resources, fire hazards, emergency evacuation, and traffic.

For a discussion of noise pollution, refer to Topical Response H. As described therein, traffic and noise impacts would be less than significant or less than significant with mitigation incorporated.

Please refer to Topical Response E regarding slope stability. As described therein, geotechnical report was prepared for the project, with recommendations to be included in the project plans. The project would not result in significant impacts related to geologic hazards.

Please refer to Topical Response F, which discusses light pollution. As described therein, mitigation is required to reduce lighting impacts to a less than significant level.

The availability of water resources is addressed in Section 11.0, *Effects Not Found to be Significant* of the Draft SEIR.

For a discussion of wildfire impacts, please refer to Topical Response B, which includes analysis added to the Final SEIR addressing wildfire hazards. Impacts related to wildfire and fire protection would be less than significant.

Please refer to Topical Response D for a discussion of impacts on emergency evacuation. The project would not result in a significant impact on emergency preparedness within the Subdivision.

Topical Response D for a discussion of traffic impacts. As described therein, impacts related to traffic would be less than significant or less than significant with mitigation incorporated, with the exception of impacts to SR 68, which would be significant and unavoidable.

PLN150372

Letter 32

RECEIVED
APR 02 2018
Monterey County RMA

March 28, 2018

Mr. Carl Holm, Planning Director,
Mr. Joseph Sidor, Associate Planner,
Mr. Brandon Swanson, Planning Manager,
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

To whom it may concern:

I am resident of Las Palmas and strongly opposed to the Proposed Development of Riverview at Las Palmas (PLN#150372).

This community was chosen by the residents as a quiet and safe haven from the Salinas proper area. Personally, due to various health issues, the Las Palmas community deemed the right fit for my health quest with one of those reasons being the quiet and "non-stressful" environment. 32.1

Now with the proposed large non-residential development, it has been determined to be inconsistent with the Las Palmas community core values, as outlined below.

I. Traffic:

- River Road Traffic: The stop light at LP1 entrance has seen 20 accidents over the last 10 years. One 4-year old child has already died by a texting drunk-driver. Additional traffic for the "Parcel Q" will aggravate this situation. 32.2
- Potential Accidents: Currently, the curve blocking the visual to the LP1 light going south, allows only 4-5 seconds (traveling at 55 mph) before reaching the intersection. This short distance is suspected as the cause of several accidents at this point. If the proposal goes through, any celebrations with family members over holidays and family events at "Parcel Q" will significantly increase the traffic load and potential for blood shed.
- Security Stops: Traffic already backs up into the River Road exit lane at peak times due to our security check point. Adding 50-90 cars and construction vehicles a day will increase the potential for further traffic congestion and accidents. 32.3
- Emergency Situations: God forbid, the potential for a conflagration erupting on the south end of the canyon would necessitate immediate evacuation of all members of the community. A NW wind driven fire could spread exponentially in these closely packed houses as seen in recent fires in northern and southern California. There are 2 exits to get out for over 300+ homes plus the emergency vehicles, potential staff and patients! 32.4
- Construction Traffic: The traffic generated by the construction phase will be extremely problematic. This quiet valley is nestled between two large hill sides. Any construction traffic noise would be echoed off the hills. Construction and delivery equipment would need to climb a steer entrance road at low gear. Any subsequent grading equipment will emit a loud back up beeping noise that will be heard from all LP1 units. This constant and increased traffic would irrevocably alter the safe, peaceful nature of the community. 32.5

• Commercial Traffic: The proposed development would bring increased emergency fire and ambulance calls as both are required to attend. These will bring unwanted noise and light pollution at all hours of day and night. Any commercial vehicles -- food deliveries, medical waste, trash, linen, etc., -- and potentially 90+ employee vehicles will funnel through a narrow street originally designed for residential traffic.

II. Security

• Security of the neighborhood would be compromised by this unwarranted, greedy assault on LP1 community. As this will open the neighborhood to non-residential traffic, we fear an increase in crime that has decreased since installation of LP1 security personnel. There is no way to regulate this increased traffic and guarantee the security of the neighborhood. This is a real concern.

32.6

III. The Proposed Non-Residential Development is Inconsistent with the Existing Residential Community

• Under The Las Palmas Plan and Monterey County Plan, Las Palmas Community was approved and developed as a rural residential neighborhood.
• This parcel is zoned "medium density residential," at 2.61 units per acre. The Las Palmas Plan indicates this parcel was specifically approved for 8 units total. The developer now seeks a "conditional use permit" to allow development of a non-residential facility with a total of 105 units. This is inconsistent with The Las Palmas and Monterey County Plans, and should be opposed.

• The developer seeks to circumvent these plans by requesting an amendment for a non-residential use. Specifically, the developer asks you approve an amendment with the following language; "Assisted living facilities are not considered residential units (and should not be) subject to the residential limitation of the (Las Palmas) Plan." An assisted living facility is not a residential use, because it does not operate or function in a manner like independent residential units.

• Las Palmas is a highly desirable residential community with stable property values. Residents fear the loss of their investment potential from a rush to get out of LP1 due to the nature of this development. Several friends have moved out fearing this project.

• To approve this amendment to the Las Palmas Plan and to allow development of a non-residential Assisted Living Facility with 105 units, and all the commercial traffic, deliveries, medical waste, employees, visitors, and resulting security and safety concerns would unalterably destroy the rural residential nature of our community.

32.7

IV Intrinsic Values: Development of this size will alter our environment.

• The location in question has 80+ eucalyptus trees that will be removed under current plan. These provide reduction in wind, ridgeline exposure and Hwy 68/RR sound abatement.

• Moreover, these 70+ year old eucalyptus trees are home to several generations of Red Tailed Hawks and Great Horned Owls. Last year we had an overabundance of Vols (large field mice) which were

32.8

running around even in daylight. These essential predators were active in Vol reductions. Watching these great birds soar and perform aerial ballets over our hillsides is unmatched in Salinas proper.

• Bobcats and deer live up on the hillsides and flats of the area in question. Last year one female bobcat brought her 3 cubs out into our common area multiple times. This was a delight of all who caught this rare event. One mother deer has birthed 5-6 pairs of babies over the last few years and we have watched them grow into adulthood.

• Destabilization of the steep hillsides in question is a serious threat to mudslides. We have experienced similar abundant rain-slide events even without any development activity. 32.9

• There is a sense of fear in LP1 that is unparalleled in my 15 years in the community. 32.10

• Would you want this development to go forward next door to your home?

• Light Pollution: We currently are able to view changing of the planets and star constellations due to our unpolluted dark areas. This will stop under the PLN#1500372. 32.11

• Noise: A friend who worked to help develop a similar nursing home in Hollister indicated the potential of "Screamers" being heard in the night is real. She later regretted helping this proposal from just this perspective. 32.12

• Smells: As this proposed facility will generate substantial numbers of meals, we will not enjoy sharing their menus due to prevailing winds. 32.13

I request you support the Las Palmas Community as originally intended for its residents and turn down the proposed development of Riverview at Las Palmas (PLN#150372).

Thank you for your consideration.

Sincerely,

3/28/2018

Lisa Tegtmeier,
Las Palmas 1 resident

Letter 32

COMMENTER: Lisa Tegtmeier

DATE: March 28, 2018

Response 32.1

The commenter describes the reasons for their choice to reside in the Las Palmas area, and suggests that the project is inconsistent with these values.

As described in Topical Response C, neighborhood fit is not an environmental impact and is not directly analyzed in the Draft SEIR.

Response 32.2

The commenter states that the additional traffic is a safety concern.

Please refer to Topical Response D. As stated therein, the project would not result in a significant impact related to traffic safety.

Response 32.3

The commenter notes that queuing at the private security gate during peak times may result in additional congestion and accidents.

Please refer to Topical Response D. As noted therein, vehicle trips generated by the project would increase the existing volume of inbound traffic at the gate by an estimated 16 percent (Higgins 2017, 2019). Las Palmas Road has enough capacity to accommodate these additional trips without resulting in substantial queuing in front of the gate, or in blockage of vehicles turning into or out from Winding Creek Road. As a condition of approval of the project, the County would require employees at the senior living community to display windshield tags. This condition of approval would eliminate the need to check each employee's vehicle, reducing the length of queues at the gate. Because queues would not be significantly increased as a result of the project, they would not cause additional congestion and accidents.

Response 32.4

The commenter states that the project would cause problems related to emergency evacuations.

Please refer to Topical Response B for a discussion of wildfire-related risks. Emergency access is also addressed under *Emergency Access* in Topical Response D. Impacts related to wildfire and fire protection would be less than significant. The project would not result in a significant impact on emergency preparedness within the Subdivision. Mitigation is required to reduce impacts related to emergency evacuation to a less than significant level.

Response 32.5

The commenter states that the project would add construction traffic and commercial traffic, which would result in noise impacts and light pollution impacts.

Traffic-related noise during both construction and operation are addressed in Topical Response H. As noted therein, construction and operation of the project would have a less than significant noise

impact. Light pollution is addressed in Topical Response F. As described therein, mitigation is required to reduce lighting impacts to a less than significant level.

Response 32.6

The commenter states that the project would compromise security in the Subdivision.

Please refer to Topical Response A for a discussion of safety and security. As noted therein, the project would not result in a significant impact on police protection within the Subdivision. Regarding the Subdivision's private security service, refer to Topical Response I, which discusses the project applicant's responsibility to share in the LPHOA's security costs.

Response 32.7

The commenter states that the project is inconsistent with underlying plans and policies, and with the rural residential nature of the existing community. The commenter additionally states that the project would negatively influence property values within the Subdivision.

The project is a senior assisted living facility. The project site is zoned Medium Density Residential (MDR). The Draft SEIR notes that a senior assisted living facility is similar to a rest home, which is an allowed MDR use. The Draft SEIR requires an amendment to the LPRSP to clarify that an assisted living facility is an allowed use. For more detail, refer to Topical Response C. As described therein, property value is not an environmental impact and therefore is not analyzed in the Draft SEIR.

Response 32.8

The commenter states that the eucalyptus trees that the project would remove are currently providing benefits to the community and to wildlife. The commenter states that the eucalyptus trees are over 70 years old.

Tree removal and impacts to wildlife are discussed in Topical Response G and Section 7.0, *Biological Resources,* of the Draft SEIR. As noted in Topical Response G, impacts to common wildlife species would not be considered significant under CEQA.

Response 32.9

The commenter states that the project could destabilize the hillside.

Please refer to Topical Response E. As noted therein, all recommendations included in the geotechnical report would be implemented in the design and construction of the project to ensure that there would be no significant impacts associated with geologic hazards, including slope stability and landslides.

Response 32.10

The commenter states that residents are fearful about the project.

The comment is noted but does not pertain to the adequacy of the Draft SEIR or CEQA process. Therefore, no further response is required.

Response 32.11

The commenter states that the project would cause light pollution.

Impacts related to light and glare are addressed in Section 5.0, *Aesthetics*, of the Draft SEIR. Implementation of Mitigation Measure AES-4 would reduce the impact of lighting by requiring lighting design and controls for the proposed project, which would reduce impacts to a less than significant level.

Response 32.12

The commenter states that the project would cause noise from "screamers" at the potential development.

The commenter does not provide specific evidence that people at the proposed senior living community would engage in screaming behavior that could substantially increase ambient noise levels at residences in the Subdivision. As noted on page 11-7 of the Draft SEIR, most activity at the senior living community would be confined inside of buildings. Indoor conversations and activities would not typically generate audible noise at nearby residences. Furthermore, as noted in the Draft SEIR, "Any outdoor activities are expected to be low intensity passive uses that would not generate excessive noise." For additional discussion of operational noise, refer to Topical Response H, which addresses operational noise impacts of the proposed project.

Response 32.13

The commenter states that the project would cause odors from meals.

Odor is discussed in Section 6.0, *Air Quality,* of the Draft SEIR, and again in Topical Response C. Odors released outdoors from meal preparation would be intermittent and unlikely to be objectionable to the extent of causing a public nuisance.

PLN150372

Letter 33

RECEIVED
APR 02 2018
Monterey County RMA

March 29, 2018

Mr. Carl Holm, Planning Director,
Mr. Joseph Sidor, Associate Planner,
Mr. Brandon Swanson, Planning Manager,
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

To whom it may concern:

I am resident of Las Palmas and strongly opposed to the Proposed Development of Riverview at Las Palmas (PLN#150372). 33.1

This community was chosen by the residents as a quiet and safe haven from the Salinas proper area. Personally, I chose the Las Palmas community as a quiet and safe harbor for my wife and family. Now with the proposed large non-residential development, it appears the quiet and safe harbor is in danger.

This proposed non-residential development is inconsistent with the Las Palmas community core values, as outlined below.

I. Traffic:

- River Road Traffic: The stop light at LP1 entrance has seen 20 accidents over the last 10 years. One 4-year old child has already died by a texting drunk-driver. Additional traffic for the "Parcel Q" will aggravate this situation.
- Potential Accidents: Currently, the curve blocking the visual to the LP1 light going south, allows only 4-5 seconds (traveling at 55 mph) before reaching the intersection. This short distance is suspected as the cause of several accidents at this point. If the proposal goes through, any celebrations with family members over holidays and family events at "Parcel Q" will significantly increase the traffic load and potential for blood shed.
- Security Stops: Traffic already backs up into the River Road exit lane at peak times due to our security check point. Adding 50-90 cars and construction vehicles a day will increase the potential for further traffic congestion and accidents.
- Emergency Situations: God forbid, the potential for a conflagration erupting on the south end of the canyon would necessitate immediate evacuation of all members of the community. A NW wind driven fire could spread exponentially in these closely packed houses as seen in recent fires in northern and southern California. There are 2 exits to get out for over 300+ homes plus the emergency vehicles, potential staff and patients!
- Construction Traffic: The traffic generated by the construction phase will be extremely problematic. This quiet valley is nestled between two large hill sides. Any construction traffic noise would be echoed off the hills. Construction and delivery equipment would need to climb a steer entrance road at low gear. Any subsequent grading equipment will emit a loud back up beeping noise that will be heard from all LP1 units. This constant and increased traffic would irrevocably alter the safe, peaceful nature of the community.

• Commercial Traffic: The proposed development would bring increased emergency fire and ambulance calls as both are required to attend. These will bring unwanted noise and light pollution at all hours of day and night. Any commercial vehicles -- food deliveries, medical waste, trash, linen, etc., -- and potentially 90+ employee vehicles will funnel through a narrow street originally designed for residential traffic.

II. Security

• Security of the neighborhood would be compromised by this unwarranted, greedy assault on LP1 community. As this will open the neighborhood to non-residential traffic, we fear an increase in crime that has decreased since installation of LP1 security personnel. There is no way to regulate this increased traffic and guarantee the security of the neighborhood. This is a real concern.

III. The Proposed Non-Residential Development is Inconsistent with the Existing Residential Community

• Under The Las Palmas Plan and Monterey County Plan, Las Palmas Community was approved and developed as a rural residential neighborhood.
• This parcel is zoned "medium density residential," at 2.61 units per acre. The Las Palmas Plan indicates this parcel was specifically approved for 8 units total. The developer now seeks a "conditional use permit" to allow development of a non-residential facility with a total of 105 units. This is inconsistent with The Las Palmas and Monterey County Plans, and should be opposed.

• The developer seeks to circumvent these plans by requesting an amendment for a non-residential use. Specifically, the developer asks you approve an amendment with the following language; "Assisted living facilities are not considered residential units (and should not be) subject to the residential limitation of the (Las Palmas) Plan." An assisted living facility is not a residential use, because it does not operate or function in a manner like independent residential units.

• Las Palmas is a highly desirable residential community with stable property values. Residents fear the loss of their investment potential from a rush to get out of LP1 due to the nature of this development. Several friends have moved out fearing this project.

• To approve this amendment to the Las Palmas Plan and to allow development of a non-residential Assisted Living Facility with 105 units, and all the commercial traffic, deliveries, medical waste, employees, visitors, and resulting security and safety concerns would unalterably destroy the rural residential nature of our community.

IV Intrinsic Values: Development of this size will alter our environment.

• The location in question has 80+ eucalyptus trees that will be removed under current plan. These provide reduction in wind, ridgeline exposure and Hwy 68/RR sound abatement.

• Moreover, these 70+ year old eucalyptus trees are home to several generations of Red Tailed Hawks and Great Horned Owls. Last year we had an overabundance of Vols (large field mice) which were

running around even in daylight. These essential predators were active in Vol reductions. Watching these great birds soar and perform aerial ballets over our hillsides is unmatched in Salinas proper.

• Bobcats and deer live up on the hillsides and flats of the area in question. Last year one female bobcat brought her 3 cubs out into our common area multiple times. This was a delight of all who caught this rare event. One mother deer has birthed 5-6 pairs of babies over the last few years and we have watched them grow into adulthood.

• Destabilization of the steep hillsides in question is a serious threat to mudslides. We have experienced similar abundant rain-slide events even without any development activity.

• There is a sense of fear in LP1 that is unparalleled in my 15 years in the community.

• Would you want this development to go forward next door to your home?

• Light Pollution: We currently are able to view changing of the planets and star constellations due to our unpolluted dark areas. This will stop under the PLN#1500372.

• Noise: A friend who worked to help develop a similar nursing home in Hollister indicated the potential of "Screamers" being heard in the night is real. She later regretted helping this proposal from just this perspective.

• Smells: As this proposed facility will generate substantial numbers of meals, we will not enjoy sharing their menus due to prevailing winds.

I request you support the Las Palmas Community as originally intended for its residents and turn down the proposed development of Riverview at Las Palmas (PLN#150372).

Thank you for your consideration.

Sincerely,

Kent Tegtmeier,
Las Palmas 1 resident

Letter 33

COMMENTER: Kent Tegtmeier

DATE: March 29, 2018

Response 33.1

The content of this letter is the same as the content of Letter 32. Please refer to Responses 32.1 through 32.13 above.

March 30, 2018

Letter 34

From: Greg and Marie Cater
17783 Riverbend Rd.
Salinas, CA 93908

To: Mr. Carl Holm, Planning Director
Mr. Brandon Swanson, Planning Manager
Mr. Joseph Sidor, Assoc. Planner

Re: PLN # 150372—Riverview at Las Palmas

Dear Gentlemen:

We have been residents of Las Palmas since l989. Our reasons for locating here were to experience the quiet, safe and friendly neighborhood. 34.1

We feel that the proposed development of Riverview at Las Palmas (PLN# 150372) will seriously disrupt our peaceful community with excess traffic, potential accidents, and safety and security issues. This development will compromise the beauty of our hillsides and our neighborhood.

We strongly urge you to find an alternate location for this proposed senior housing facility.

Sincerely,

Gregory H. Cater, D.C.
Marie A. Cater

Greg and Marie Cater

Letter 34

COMMENTER: Greg and Marie Cater

DATE: March 30, 2018

Response 34.1

The commenters urge that an alternate location be found for the project, due to concerns about traffic, safety, and aesthetics.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Please refer to Topical Response F for a discussion of visual character impacts. As stated therein, impacts to aesthetics would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning classifications , and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access. Salinas Valley Memorial Healthcare, the nearest hospital to the project site, is approximately five miles from the project site.

March 31, 2018

Letter 35

RECEIVED
APR 04 2018
Monterey County RMA

Dear Mr. Sidor,

We are extremely concerned about the proposed project (PLN#150372). Its proposed use of Las Palmas 1 roads will pose unacceptable traffic, safety, and security problems in our quiet neighborhood. Further, the large number of housing units proposed for this development, along with its clear commercial use, is inconsistent with the residential atmosphere that we chose when we moved to Las Palmas 1. 35.1

We strongly urge Mr. Shingu, the developer, to find an alternate location and access for his proposed facility.

Please respond to the issues we listed above in writing.

Sincerely,

Roberta Sonniksen

Roberta Sonniksen

Theresa Sonniksen

Theresa Sonniksen

Letter 35

COMMENTER: Roberta and Theresa Sonniksen

DATE: March 31, 2018

Response 35.1

The commenters urge that an alternate location be found for the project, due to concerns about traffic, safety, and land use incompatibility.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Please refer to Topical Response C for a discussion of land use compatibility. As noted therein, the project would be consistent with LPRSP policies.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning designations, and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access. Salinas Valley Memorial Healthcare, the nearest hospital to the project site, is approximately five miles from the project site.

Received by RMA-Planning
on April 2, 2018.

Letter 36

Jeffrey C. Dittrich
17570 Winding Creek Road
Salinas, CA 93908
(831) 594-6477

I am a homeowner and resident in Las Palmas. I am opposed to the planned project known as Riverview At Las Palmas and I have serious objections to the validity of the to the draft SEIR regarding that plan. My objections include but are limited to the following points. 36.1

1. "MITIGATION" WILL NOT WORK: The review cites various violation of the California Environmental Quality Act but proposes "mitigation" of those violations. Any such "mitigation" is illusory at best because they would be unenforceable in any practical sense. 36.2

It is not stated who, and by what means, any proposed "mitigation" will be enforced upon the builder. The only possible method would be by lawsuit which are very expensive. It is unlikely that the County would bear the burden of such a lawsuit. It is unlikely that any individual homeowner or resident would have the legal standing or even the resources to carry such a lawsuit forward. On a very practical level such "mitigation" may never take place and once completed any possibility of enforcement will be ended.

The current land owner who is proposing this project is currently offering the property for sale. It is highly unlikely that any subsequent owner would be required by anyone to continue or maintain any "mitigation" completed during the project. Any promises to pay for added security, traffic relief, safety of children, fire protection or any aesthetics of the area would be worthless once the property is sold. 36.3

2. AESTHICS: I can see that the proposed structure would interfere with the view of the ridge line. The proposed "mitigation" will not answer the problem for the reasons stated above. For adequate fire protection the project will have to build water tanks capable of flowing even if the electric service is interrupted. That means that the water needed for fire protection will have to flow by gravity. The only way that can be accomplished is by placing the tanks above the building roof level. This will further obscure the ridge line view. 36.4

That facility will substantially change the character of the neighborhood. The residents of Las Palmas I have worked diligently to maintain a quiet, peaceful, and safe neighborhood good for families. In the past we have incurred substantial expense to keep out development of the park near the front of the neighborhood. We bought our homes relying on the current land use plan which limits use of the land on which the proposed project is supposed to go. To allow such an abomination to come into our neighbor hood would destroy the quiet character we enjoy.

3. TRAFFIC PROBLEMS: The amount of traffic will increase greatly. The number of employees is not certain but will be substantial. With three shifts of round-the-clock care givers and other employees will unfairly burden the resources of the current residents. The main road in and out of Las Palmas I takes all traffic by the largest play area for our children. That is a safety issue that cannot be resolved by the plan. The increase in noise is also a problem. 36.5

The plan calls for mitigation by having vans pick up and deliver employees who park elsewhere but there is no statement as to where those employees will park. The plan assumes that parking can be found at a reasonable price. It assumes that the employees will actually use the vans as proposed. Since the employees could come from various directions, either there will be multiple parking and pick-up areas or some of the employees will be required to drive past Las Palmas to get to the designated parking and pick-up areas. It seems unlikely that employees will do so. There is no public bus service that would go from River Road to the new facility at the top of the hill. Employees will have to drive. If this shuttle van plan does not work for any reason, there is nothing the residents of Las Palmas I will be able do about it once the project is complete.

One of the traffic issues regards emergency vehicles. When a resident of one of these nursing/retirement homes falls out of bed or has any medical emergency at any time of the day or night, an ambulance is called and the fire service responds with paramedics and such to safely deal the incident. This means that two emergency vehicles with lights and sirens will have to come into Las Palmas I at various times of the day and night. Such will be very disturbing to the current residents living in Las Palmas I.

4. SECURITY: Currently, the residents of Las Palmas I pay for a gate guard to carefully regulate traffic coming into Las Palmas I during daylight hours. The guard shack is just inside the main entrances. Currently, most of the time there is sufficient room for vehicles to line up for the guard to determine whether those vehicles should pass. If the traffic through that gate is increased substantially, it will cause a traffic back-up onto River Road and it will discourage the gate guard from doing the careful job done at this time. This issue matters. Currently Las Palmas I enjoys a great safety record. Daylight crime in our area is almost non-existent compare to that in Las Palmas II and Toro Park, the nearest similar neighborhoods. To keep the same level of protection would require more guards. Any promise by the project owners to assist in the added expense would be worthless once the project is built for the reasons stated above. 36.6

5. FIRE PROTECTION: The nearest fire station is at Toro Park. On most days and nights, the fire station is manned by two or three firefighters. This staffing is adequate for most house fires in our area. Such fires would involve single houses and single families. If this project is completed, those two or three firefighters would have to evacuate many mentally or physically disabled old people in a very short time and fight any fire. It cannot be done. The next fire unit is too fare away to provide any practical assistance to the situation. Also, although unlikely, if a fire did break out in the nursing/retirement home when the Toro Park fire unit was otherwise engaged, the response time by the next nearest unit would be too late. 36.7

As alluded to above, substantial water storage will be needed to make any fire sprinkler system work. Normal flow from water pipes to a facility high on a hill will not be enough to fight a fire. To rely on electric pumps in a fire is folly. The only practical solution would be to establish a gravity fed system which would require tanks above the facility.

If a grass fire were to break out in our area that facility would be a sitting duck. Fire runs uphill and it is at the top of the hill. We live in a high wind area which means that any fire nearby would be pushed by that wind. In summary, it would be foolish to place a nursing/retirement

home in the location proposed. It should be one flat land easily reached by fire equipment and water needed to fight any fires.

6. COMMENT BY PUBLIC AGENCIES: The plan does not include any input from any local public agencies to include the fire service and Sheriff 's Office. Please note that the nearest hospital is Salinas Valley Memorial Hospital which is a long way away from us. Current residents are in relatively good health and ambulance runs to a hospital are rare. That would not be the case if this facility is completed and occupied. 36.8 36.9

SUMMARY:

This project is the wrong use of the land available. It will require abrogation of the County Government's responsibility to uphold the current land use plan. To do so would be to break faith with the current residents who have placed their faith in the promises made in that plan. 36.10

JEFFREY C. DITTRICH

Letter 36

COMMENTER: Jeffrey C. Dittrich

DATE: April 2, 2018

Response 36.1

The commenter states that they are opposed to the project and has concerns about the Draft SEIR.

The commenter's opposition to the project is noted and herewith shared with County decision makers for consideration. The commenter's individual comments related to the adequacy of the Draft SEIR are addressed below.

Response 36.2

The commenter states that the project's mitigation measures would not be enforced.

The Draft SEIR analyzes the potential environmental impacts of the proposed project, and identifies mitigation measures for significant impacts. To receive project permission from the County, the applicant would be required to commit to all mitigation measures listed in the Draft SEIR, as well as any additional conditions of approval required by the County. A Mitigation Monitoring and Reporting Program (MMRP) would be adopted by County decision makers concurrent with EIR certification and project approval. The County routinely monitors mitigation measures and conditions of approval through documentation and inspection processes. Documentation of mitigation measures and conditions of approval is made public through the County Planning website.

Response 36.3

The commenter states that the project site is listed for sale, and that a new owner of the property would not comply with mitigation measures.

A new owner of the property would assume responsibility for compliance with the project's mitigation measures and conditions of approval, if the project is implemented. A property sale would not diminish the County's ability to enforce mitigation measures and conditions of approval.

Response 36.4

The commenter states that the project would obstruct views and change the character of the neighborhood.

Please refer to Topical Response F for a discussion of view obstruction. As stated therein, impacts to private views would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting. Please refer to Topical Response C for a discussion of neighborhood character and quality of life. As described therein, neighborhood fit and quality of life are not environmental impacts and are not directly analyzed in the Draft SEIR. However, the Draft SEIR includes analysis of various impact areas such as noise and traffic that relate to quality of life.

Response 36.5

The commenter states that the project would increase traffic, which would impact safety and increase noise, and that the proposed shuttle service might not be effective at mitigating traffic impacts. The commenter states that there would be traffic-related noise and light pollution impacts, including from emergency vehicles accessing the site at night.

Please refer to Topical Response D for a discussion of traffic. As noted therein, the project would have a less than significant impact on traffic conditions in the Subdivision. Safety and noise resulting from increased traffic are addressed in Topical Responses A and H, respectively.

As stated on page 9-23 of the Draft SEIR, the shuttle service plan is required to be submitted for review and approval to Monterey County prior to approval of any building permits on the project site. This applicant proposed measure would further reduce impacts to Subdivision streets, which would not experience a significant traffic impact under the proposed project. This measure would not mitigate impacts to SR 68, which were identified as significant and unavoidable.

Response 36.6

The commenter states that the project would compromise the Subdivision's private security gate operations.

Please refer to Topical Response D and Response 32.3. Las Palmas Road has enough capacity to accommodate additional trips generated by the proposed project without resulting in substantial queuing in front of the gate, or in blockage of vehicles turning into or out from Winding Creek Road. As a condition of approval of the project, the County would require employees at the senior living community to display windshield tags. This condition of approval would eliminate the need to check each employee's vehicle, reducing the length of queues at the gate. Because queues would not be significantly increased as a result of the project, the gate guard could continue to monitor entrances to the Subdivision.

Safety and security are further discussed in Topical Response A.

Response 36.7

The commenter describes concerns related to fire protection, fire risks, and emergency evacuations.

Please refer to Topical Response A and Topical Response B. As noted therein, Section 11.9, *Public Services*, has be revised to note that the MCRFD reviewed the proposed site and building plans for the project as part of the County's review process and determined that a fire flow rate of 1,500 gallons per minute at a pressure of 20 pounds per square inch for a duration of up to three hours would be sufficient for the project. Furthermore, the MCRFD determined that implementation of the project would not require new or expanded fire protection facilities. Furthermore, the proposed site plan has been designed to comply with the County's fuel modification standards (Title 18, Chapter 18.56.090 *Fuel Modification Standards*) to minimize potential wildfire hazards on the project site and vicinity.

Response 36.8

The commenter expresses concerns about fire and police service.

Please refer to Topical Response A and Topical Response B. As noted therein, Section 11.9, *Public Services*, has been revised to clarify that the project would have a less than significant impact on fire

and police protection services, and no impact on schools and other public services. Implementation of the project would not require new or expanded public facilities to continue providing the existing level of public services experienced by residents in the vicinity of the project site. For additional detail refer to Topical Response A and Topical Response B, which provide analysis related to fire and police services, based on correspondence with the MCRFD and Monterey County Sheriff's Office.

Response 36.9

The commenter states that the nearest hospital is far from the project site. The commenter also speculates the state of health of existing residents and project residents.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR, and proximity to a hospital is not an environmental issue. The proposed location offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access. Salinas Valley Memorial Healthcare, the nearest hospital to the project site, is approximately five miles from the project site. Refer to Topical Response A and Topical Response B, which provide additional analysis related to public facilities.

Response 36.10

The commenter states that the project would not be an appropriate land use for the site.

The commenter's opinion is noted, and herewith shared with County decision makers for consideration.

April 2, 2018

Letter 37

RECEIVED
APR 16 2018
Monterey County RMA

Monterey County Planning Commission
Mr. Brandon Swanson, Planning Manager
Mr. Joseph Sidor, Associate Planner

Re: Riverview at Las Palmas PLN#150372

Gentlemen:

We are opposed to the proposed development of Riverview at Las Palmas. My wife and I do not feel the proposed business fits into our community. The project threatens our safety and reduces the value of our home. Why should we reduce the value of our homes so investors of RVLP can profit from their tax foreclosure windfall? The following observations are the reasons why we oppose the project. 37.1

Fire Safety

- A senior living project in Pennsylvania of approximately the same size as RVLP just went up in flames killing serval residents and injuring many others. 37.2

WEST CHESTER, Pa. (WPVI) --
Investigators now say last month's deadly fire at a senior living community in West Chester likely started in a covered outdoor patio area in the rear of one of the buildings.

- Local residents across the street from the facility were helping the people who couldn't walk or crawl get away from the conflagration.
- Sometimes, the best fire safety plans fail. This is the result. The RVLP hilltop location is not a fit for a senior living facility. It's not even a good fit for single family homes. That's why the RVLP investors got such a good price. The property has no utility.
- This was structured the same as RVLP except RVLP has only one road for ingress and egress.

- **Please do not let this happen in our Las Palmas 1 community.**

Air Quality

- AQMD monitoring station is located 6 miles south west of Parcel Q and measures an urban environment.
- The dust and debris blowing from the farm fields and grass lands adjacent to RVLP are not accurately reflected by measuring sidewalks, streets and buildings in the middle of Salinas.
- We are adjacent to about 10 miles of farm fields with seasonally blowing wind.
- I believe the particulate count would make this a poor location for elderly patients whom may have respiratory vulnerabilities. **This is not the right place for elderly residence.**

37.3

Aesthetics

- We can see the RVLP bluff from Highway 68, Spreckles Blvd., Historic River Road, and even from Blanco Road while turning onto highway 68.
- We tried to identify Las Palmas 1 but could not see it, as it was below ridge line.
- A two story facility will become an eye sore because it is inconsistent with the surrounding environment. **RVLP will change Salinas Valley forever and cannot be un-done.**

37.4

Storm Water Runoff

- Prior developer, installed concrete retaining barrier on the LP1 side to mitigate "toe-outs" during winter storms; however, he avoided building upon prime lots to avoid destabilization of the hillside. Now, RVLP plans to build a hospital there?
- What will happen when the root structures of 90 eucalyptus trees are destroyed by removal to make room for this proposed business?

37.5

- The hillside is vulnerable to slides. A couple of our neighbors experienced a slide during February 2017. Two homes were almost inundated by mud rolling to their back fences.

Please do not allow RVLP to build on top or a hill that has proven to be unstable.

RVLP DOES NOT FIT IN OUR COMMUNITY

We are strongly opposed to the builder using our private entrance.

- The security at our private entrance is currently facing issues turning away non – residents.
- Sharing our entrance with the Riverview business will further threaten the safety of our children and neighbors.
- Our HOA is not able to provide 24 hour protection for our residents. We have safety concerns for our families and personal property during the unprotected hours and heavier traffic generated by RVLP.

37.6

We are strongly opposed to moving 140 patients plus staff adjacent to our residential community.

- Residents of RVLP will not be able to walk within our private community because they do not belong to the HOA and pay dues to maintain the streets and walkways. Plus they may not be able to get back up the hill.

37.7

- What happens should River Rd. flood as it has in the past? Or, what would happen should there be a fire like at the senior living community Pennsylvania last November?
- How many people would have to die or be injured before it's proven the wrong location for RVLP?

37.8

We are strongly opposed to building a business within our residential community.

- Service trucks, delivery trucks, staff members and visitors will have 24 x 7 x 365 access to our homes.

37.9

- The RVLP business does not fit with our kids riding a toy jeep in the streets, children shooting baskets or families walking to our park. A business needs to be with other businesses.
- We question whether or not the hill can be successfully mitigated to accommodate the winter storms and the wind blowing unrestrained because 90 eucalyptus trees were removed.
- One plugged storm drain collecting 4 acres of rainfall can wash away a lifetime of neighbor's memories because they live next to the proposed business.
- What happens to the eyesore along historic River Road if the RVLP business fails? Maybe a place for a homeless encampment or a crime magnate?
- LUAC recommended that the project not be built because it was not a fit. Their vote reflects how more than 300 homeowners at Las Palmas 1 feel about RVLP.

WE URGE YOU TO DISAPPROVE THE RVLP PROJECT AND URGE THEM TO FIND AN APPROPRIATE LOCATION FOR THEIR BUSINESS.

The previous planner lost our first letter. We want the county to know that we are very serious about opposing this business and do not want our opinions ignored. We are looking forward to your responses to the concerns and questions we raised.

Best regards,

David and Irmina Ratliff
17759 Riverbend Road
Salinas, CA 93908

Cell- 831-600-5022

Letter 37

COMMENTER: David and Irmina Ratliff

DATE: April 2, 2018

Response 37.1

The commenters state that they are opposed to the project, citing safety and property value concerns.

The commenter's opposition to the project is noted and herewith shared with County decision makers for their consideration. Safety and property value are discussed in Topical Responses A and C, respectively.

Response 37.2

The commenter describes fire safety concerns and compares the project to a project in Pennsylvania that suffered a fire.

For a discussion of wildfire impacts, please refer to Topical Response B, which includes analysis added to the Final SEIR addressing wildfire hazards. Impacts related to wildfire and fire protection would be less than significant.

Response 37.3

The commenter states that the project site is a poor location for housing seniors due to air quality concerns related to nearby agriculture.

The comment refers to air quality impacts from sources other than the project. Note that the Draft SEIR analyzes impacts of the project on the environment, rather than impacts of the environment on the project. For additional discussion refer to Response 30.6.

Response 37.4

The commenter states that the project would be an eyesore because it would be inconsistent with its surroundings.

Impacts to scenic vistas and visual character are discussed in Section 5.0, *Aesthetics,* of the Draft SEIR. In addition, as noted in Topical Response F, taking into account the limited visibility of the project site from public viewing areas, the project would not be considered ridgeline development given vegetative shielding, intervening topography, and the mitigation measures to reduce visual impacts.

Response 37.5

The commenter discusses the instability of the hillside and its vulnerability to slides.

Please refer to Topical Response E. As noted therein, all recommendations included in the geotechnical report would be implemented in the design and construction of the project to ensure that there would be no significant impacts associated with geologic hazards, including slope stability and landslides.

Response 37.6

The commenter states that the project would compromise the Subdivision's private security service and cause safety risks.

Please refer to Topical Response A for a discussion of safety and security.

Response 37.7

The commenter states that residents of the senior assisted living facility would not have the right to walk on the Subdivision's private streets.

Please refer to Topical Response I. As noted therein, a written agreement between the LPHOA and the applicant would be necessary in order to clarify shared costs and responsibilities for streets that are under the control of the LPHOA. Such an agreement is not currently in place. It is outside of the scope of the Draft SEIR to facilitate an access agreement between the applicant and the LPHOA.

Response 37.8

The commenter discusses concerns related to fires and floods.

For a discussion of wildfire impacts, please refer to Topical Response B, which includes analysis added to the Final SEIR addressing wildfire hazards. Impacts related to wildfire and fire protection would be less than significant.

Please refer to Topical Response E for a discussion of the project's potential to contribute to off-site flood hazards. As noted therein, the project would not result in significant impacts related to flooding.

Response 37.9

The commenter reiterates concerns related to traffic, safety, land use incompatibility, slope stability, and aesthetics.

Please refer to Responses 37.2 through 37.8 above. The commenter's opposition to the project is noted and herewith shared with County decision makers for their consideration.

Received by RMA-Planning
on April 4, 2018.

Letter 38

Hello Joe,

I wish to share some observations on the process I have experienced as a customer of RMA/Planning interactions over the last 30 months.

38.1

My wife Nancy and I purchased our home in Las Palmas I in 1998. I retired in 2003 after a 25-year career at 3M, where I managed an Electronic Product Development group. My responsibilities included management of up to 45 professional technical people, mostly degreed and many with advanced degrees. I am therefore used to reading professional reports and place great value in robust business processes coupled with a data based approach and sound reasoning.

Background:

I have followed the RVLP project closely since October 2015, when I first became aware by way of the first LUAC meeting at TORO Park. Along these 30 months, and especially as I reviewed the subject DSEIR I became increasingly uneasy with some RMA process and procedural aspects. What follows in this cover letter highlights a number of concerns. My comments are not directed at you personally. I am aware that several RMA staff members including you, Mr. Mason and Mr. Connolly, handled this project. I am sure you had a full plate before you inherited the RVLP project. My comments are process directed.

I am keenly aware of the high rate of turnover in RMA, including valiant attempts to recruit and retain key staff, like traffic engineers. However, as difficult as these challenges are from the RMA end, the resulting communication consequences viewed from my end are troubling and I find the processing of this DSEIR seriously flawed. Clearly, there is loss of institutional knowledge evident to us outside RMA. Timely communications with RMA staff is a constant struggle. Information comes in fits and starts and only after repeated attempts to make contact. There are sudden jarring surprises along the way.

For example, Mr. Connolly had promised me a hand-off meeting with his replacement for continuity, but that sadly never happened before he left for Ojai. I discovered his departure only after repeated attempts to contact both him and then Jacqueline Onciano. I found this communication lapse unprofessional.

I understood from several conversations with Mr. Connolly that even though the Applicant had chosen the route he did to directly commission the work by EMC, Mr. Connolly assured me that RMA staff would **review and sign off** on this EMC generated ADEIR document PRIOR to its posting for Public Comment. Therefore, it is my working assumption as I view the posted DSEIR that RMA concurs with its content.

Please confirm my understanding; I could easily be wrong in my interpretation. Assuming I am correct, I will make some further observations on the process as I experienced it in the next few paragraphs. My detailed CEQA/DSEIR based comments will shortly be submitted to you in a separate letter.

Serious Omissions and Implications

38.2

- **No LPI Participation in Scoping Meeting** Prior to the NOP phase of the project (Spring 2017) homeowners in Las Palmas were told by Mr. Connolly that we would be invited to a "scoping" session to provide input along with Agencies into what needed to be addressed as the Administrative EIR work was commissioned. This never happened. Instead, there was a sudden last minute meeting scheduled where Mr. Connolly was the only representative from RMA, no

agencies attended and the meeting objective was hastily reframed as a "Community Outreach Meeting" where Mr. Connolly was hard pressed to provide any concrete information on the likely sequence of events. Community Outreach Meetings are not on the CEQA Process Flowchart; Scoping Meetings are……This "informational" meeting was at the Portola Fire Station and the conference room was filled standing room only with concerned LPI attendees who expected to participate in a Scoping meeting. It was a serious disappointment.

- **Planning Review not Evident** In Fall 2017 I obtained a copy of the 7/24/ 2017 ADEIR as prepared by EMC through a Public Record Request. Fast forward to March 2018 when the DSEIR was posted on the RMA website for Public Comment. I can find no visible indication that the DSEIR was critically reviewed by the County prior to posting for Public Comment. With the exception of the document dates, some minor formatting text shifts and a missing set of pages (3-14 to 3-34; tables dealing concerning Consistency With Applicable Plans) I can detect no difference in substance between the ADEIR as submitted to the County on 7/24/2017 and the posted version dated 1/29/2018. Am I correct? If so, where is the RMA content review and analysis? Does RMA support the claims and assertions? 38.3

  Quoting from CEQA, Title 14, Article 7 "*e) Before using a draft prepared by another person, the Lead Agency shall subject the draft to the agency's own review and analysis. The draft EIR which is sent out for public review must reflect the independent judgment of the Lead Agency. The Lead Agency is responsible for the adequacy and objectivity of the draft EIR."*

  Note: Authority cited: Section 21083, Public Resources Code; Reference: Section 21082.1, Public Resources Code. Why was this document posted for Public Comment without RMA analysis evident? I may have missed something please point it out.

  Further, where is RMA Counsel Review regarding the rather bold Land Use claims and the proposed amendment to the Las Palmas Specific Plan? Surely, RMA Counsel must weigh in on the various claims about zoning, easement, and conformance to LPSP, etc. Are we to understand that RMA endorses these?

- **Claims Unchallenged** The claims made by the Applicant, and summarized in the NOA, state that the large number of Potentially Significant Environmental Effects are either " less than significant or can be mitigated to a less than significant level". These are empty and ludicrous assertions. Frankly, such a multitude of one-sided claims is insulting our collective Las Palmas I community intelligence. Not challenged by Planning or Agencies, this DSEIR gives the impression that Planning tacitly supports these ridiculous assertions. Can this be accurate? 38.4

  The additional claim that Transportation "poses impacts that are significant and cannot be mitigated to a less than significant level" is most troublesome. Are we then to live with this bizarre conclusion? The immediate impression generated by these absurd claims is that the Applicant believes that he can mitigate this clearly non-conforming project into compliance, and that there is no recourse to worsening the traffic situation in the County. 38.5

- **No Traffic Engineering Review** Where is the technical review by County Traffic Engineering resources of The Higgins report pp. 351 - 368 of 482 in Appendix (A-G combined)? Was consideration given to the turmoil that will surely affect the Las Palmas I internal streets? These issues are broader than LOS calculations and considerations. Las Palmas I residents currently use 38.6

these streets to stroll, walk their dogs and our children play there. There are sidewalks only on one side of the street in the easement area of River Run and Winding Creek. The lives of our children are involved. Please consider a site trip beyond an inspection of Parcel Q that includes walking the streets in Las Palmas I near the proposed project site.

- **No Closure on Incomplete Status – No Reports** There are internal RMA letters in file PLN 150372 from Ryan Chapman to Steve Mason and Dale Ellis during earlier stages of review where Ryan points out significant gaps in the Applicant supplied Traffic information. Ryan's conclusion then was that the Application was "Incomplete". I understand Ryan and his successor Mohammed have sadly both moved on but the issues remain. I have yet to see confirmation that the "Incomplete" status has been resolved. How does RMA Staff critically evaluate important Transportation issues and reports without expert and unbiased Traffic Engineering resources? The link to both Traffic Reports in the Appendix lead nowhere, along with two other technical reports that similarly go nowhere. Why release the DSEIR for comment without these vital inputs? 38.7

- **Key Dates Section Incomplete** There is no mention in the Key Dates section of the NOA referencing the unanimous TORO LUAC recommendation from 9/26/2016. Mr. Connolly (and 35 LPI residents) attended this meeting so I am mystified why there is no reference to this important milestone in the DSEIR. 38.8

- **TORO LUAC Ignored** I appreciate LUAC can only offer a recommendation, but according to the DSEIR it is as if it never happened! Surely, the finding of this body must be a key project milestone. Otherwise, why bother asking LUAC for input? From the LUAC minutes of 9/26/2016*: "Change project to adhere to the Las Palmas Specific Plan which, according to County records of housing units already built, will allow three single family dwellings to complete the build-out of Las Palmas. As proposed, this is a commercial project, and is inconsistent with the residential neighborhood."* 38.9

- **Submitted Documents Absent and Ignored** I can find no indication anywhere in this DSEIR (297 pages + another 432 of appendices) that the Las Palmas neighborhood concerns are included and considered. It is as if we do not exist! PLN 150372 should contain a package I submitted in mid-2016 with 165 signatures obtained from the LPI neighborhood indicating <u>93% opposition to the project.</u> These data were also appended to the LUAC minutes (9/26/16 – appendices 2 and 3) as submitted by Beverly Bean to Melissa McDougal. Where is this critically important Las Palmas I input? Why is it not in the NOA Appendix? Other than a single Mr. McNeil letter and two reports (Dalby and Gobets), where are the other letters written by LPI residents from 2016? There should be many more! I have record of at least 31 and know there were many more submitted. Their absence from the NOP does not build trust in a transparent review process. 38.10

- **Agency Input Absent** Other than Public Health, where are the other Agency reviews? Water Resources? Fire Prevention? Caltrans? Public Works? Emergency Services? TAMC? I believe 38.11

these Agencies' comments must be incorporated into the DSEIR prior to its posting for Public Comment to aid our lay understanding of the issues. If my understanding is incorrect, please state so.

From these glaring omissions in the documentation one can easily speculate that the publication of this DSEIR is a rushed attempt to promote and expedite the Applicant's case and ramrod this project forward despite its deeply flawed objective. Is the "CEQA process" merely a rubber stamp for developers? This DSEIR does not inspire any confidence in the "process". 38.12

It is strikes me that the entire burden of DSEIR review is on the shoulders of our Las Palmas I community and how well we challenge this clearly non-conforming project. Where is RMA in all this? As a layperson, I need to see commentary by RMA professionals before I can intelligently comment myself.

I believe that the Applicant and I are both customers of RMA Planning services. My comments are critical of the entire process and system as experienced by me over the last 30 months. If these comments have substance, I trust we can have further discussion with you and your management to resolve the issues. Where I may be off the mark, please point this out.

Respectfully submitted,

Roy Gobets

Letter 38

COMMENTER: Roy Gobets

DATE: April 4, 2018

Response 38.1

The commenter provides background information on the project and commentary on County planning procedures.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration. Prior to circulating the Draft SEIR for public comment, County departments and agencies reviewed the Draft SEIR submitted by the applicant, and made changes as necessary to clarify information and facilitate public review. The environmental document circulated by the County represented the County's independent judgement and analysis.

Response 38.2

The commenter states that Subdivision homeowners were not included in a scoping meeting for the project.

Per the CEQA *Guidelines* Section 21083.9, a scoping meeting is required for projects that "may affect highways or other facilities under the jurisdiction of the Department of Transportation if the meeting is requested by the department" or if a project is "of statewide, regional, or areawide significance." The California Department of Transportation (Caltrans) did not request a scoping meeting, despite potential impacts to SR 68. Additionally, the site is not of statewide, regional, or areawide significance. Pursuant to Section 15082 of the CEQA Guidelines, a scoping meeting is not necessary unless requested by the lead agency, a responsible agency, a trustee agency, the Office of Planning and Research, or a project applicant. None of these parties requested a scoping meeting pursuant to Section 15082.

Pursuant to Section 15083 of the CEQA Guidelines, a lead agency may consult directly with any person or organization it believes will be concerned with the environmental effects of the project. The County held a community outreach (i.e., informational and consultation) meeting on April 27, 2017, at the Monterey County Regional Fire Administration Building, 19900 Portola Drive, Salinas . The County mailed notices for the community outreach meeting to interested organizations and all property owners within 300 feet of the project location.

Response 38.3

The commenter states that there are no significant differences between the Administrative Draft SEIR, prepared by EMC Planning Group Inc., and the Draft SEIR released by the County.

The degree of revision performed on the Draft SEIR was at the discretion of the County. After circulating the Draft SEIR and receiving comments from both public agencies and the public, the County is able to again review and revise the Draft SEIR to incorporate new information and provide greater clarity where needed; this Final SEIR addresses concerns that have been raised and provides additional detail regarding multiple issues (refer to Section 2, *Topical Responses*).

As stated above, prior to circulating the Draft SEIR for public comment, County departments and agencies reviewed the Draft SEIR submitted by the applicant, and made changes as necessary to clarify information and facilitate public review. The environmental document circulated by the County represented the County's independent judgement and analysis. Minimal changes were made to the initial draft document because County staff determined the analysis to be adequate for public review and comment.

Response 38.4

The commenter states that the Draft SEIR underplays the significance of the project's impacts. The commenter states that the assertions in the Draft SEIR are not challenged by public agencies.

Analysis of environmental impacts in the Draft SEIR is based on the CEQA Appendix G checklist. Each environmental impact area has a set of thresholds of significance. The Draft SEIR provides significance determinations for each threshold, supported by substantial evidence. Please refer to Sections 5.0 through 12.0 for a discussion of environmental effects of the proposed project, which provides more detail than the Notice of Availability (NOA).

Response 38.5

The commenter expresses confusion about the conclusion that transportation "poses impacts that are significant and cannot be mitigated to a less than significant level."

This conclusion describes a significant and unavoidable impact, which is defined as an impact that cannot be reduced to a less than significant level with feasible mitigation measures. As described in Section 9.0, *Transportation & Traffic*, of the Draft SEIR, SR 68 currently operates at LOS F and Monterey County and Caltrans consider the addition of a single peak hour trip to be a significant impact when adding to a LOS F situation. Therefore, based on this threshold, the project would have a significant impact on the two-lane section of SR 68 between Toro Park and SR 218. There are no mitigation measures available to reduce project-level impacts to a less than significant level. Therefore, the impact remains significant and unavoidable.

Please refer to Topical Response D for further discussion.

Response 38.6

The commenter asks if the County reviewed the traffic report in the Draft SEIR, and expresses concern over impacts to internal Subdivision Streets.

Topical Response D discusses traffic conditions on residential streets. As noted therein, the project would have a less than significant impact on traffic conditions in the Subdivision, and no mitigation would be required.

The commenter also expressed concerns regarding impacts to internal subdivision streets. RMA-Public Works staff reviewed the DSEIR's Appendix D "Higgins Traffic Report", and the report contains a Neighborhood Street Analysis. This analysis states the following:

> *Woodbridge Court would carry all of the project's traffic, which is expected to total approximately 363 vehicles per day. This street would carry volumes well within acceptable levels for residential streets (Higgins 2017).*

Even though the additional vehicle trips associated with the proposed project would have less-than-significant impacts on the neighborhood roadway system, the applicant has proposed to implement

the following mitigation measures, which would reduce impacts to the traffic circulation in the vicinity of the project site.

> TRA-1 To reduce peak hour trip generation, specifically on SR 68, all employee shift changes for project site operations shall occur outside of morning and evening peak trip hours. A requirement to schedule all morning, day, and night shifts for project operations outside of peak hours shall be included as a condition of approval associated with the conditional use permit.
> TRA-2 To reduce overall trip generation to and from the project site, the project developer shall prepare a detailed plan for shuttle service. Shuttle services shall be offered to residents to access areas on the Monterey Peninsula and in Salinas from the project site. Additionally, shuttle service to nearby transportation hubs for employees shall be offered in the shuttle service plan. The shuttle service plan shall be submitted for review and approval to Monterey County prior to approval of any building permits on the project site.

Response 38.7

The commenter states that there are unresolved issues regarding the project's traffic analysis. The commenter states that traffic reports were not publicly available.

The applicant submitted the requested traffic analysis to RMA-PW staff for review. The analysis was sufficient to deem the project complete. This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration. A traffic report prepared by Keith Higgins, Traffic Engineer (dated June 20, 2017) was posted on the RMA public website as Appendix D under the Draft Subsequent Environmental Impact Report on the project web page. Two other traffic reports (dated March 12, 2014 and December 14, 2015) may be viewed via the County's Accela Citizen Access link on the RMA public website.

Response 38.8

The commenter states that the Key Dates section of the project's Notice of Availability (NOA) does not reference a Toro Land Use Advisory Committee (LUAC) meeting that discussed the project.

The NOA serves as notice that the County is seeking comment on the Draft SEIR. The key dates included in the NOA were March 12, 2018 and April 25, 2018, which were the start and end dates of the public review period. The NOA pertains specifically to the Draft SEIR and does not intend to provide a comprehensive timeline of the project's planning milestones.

Response 38.9

The commenter states that the Toro LUAC recommendation against project approval was not included in the Draft SEIR.

The Draft SEIR focuses on environmental impact analysis. All of the factors that the County may consider in approving or rejecting the project are not necessarily included in the Draft SEIR. County staff will address the LUAC's recommendation in the staff report submitted to the County's decision makers for their consideration.

Response 38.10

The commenter states that the Draft SEIR does not address the concerns of the Subdivision residents, which were expressed to the County in mid-2016 with 165 signatures noting opposition to the project.

This comment references a survey completed by residents of the Subdivision and submitted to RMA-Planning staff in January 2016, over one year prior to the circulation of the Notice of Preparation (NOP). The survey refers to traffic and security as the primary concerns of residents. Pursuant to the requirements of CEQA, the County prepared and circulated a NOP for the proposed project for 30 days from March 7 to April 7, 2017. The NOP and comments received from the public are included in the Draft SEIR at Appendix B. The County addressed the NOP comments and potential project impacts in the Draft SEIR, which was circulated for public review and comment from March 12 through April 25, 2018.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Response 38.11

The commenter states that county departments did not comment on the Draft SEIR.

RMA-Planning distributed an administrative draft SEIR for review and comment by other County agencies and departments; including RMA-Public Works, RMA-Environmental Services, Environmental Health Bureau, Water Resources Agency, Agricultural Commissioner, and Monterey County Regional Fire Protection District. Comments and revisions received from these agencies and departments were incorporated into the Draft SEIR, which was then circulated for public review and comment from March 12 through April 25, 2018. Typically, County agencies and departments do not comment on an environmental document during the public comment period. This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Response 38.12

The commenter states that the EIR process is flawed and rushed, for the reasons outlined earlier in their letter.

Refer to Responses 38.1 through 38.11 for responses to the commenter's specific concerns.

Letter 39

From: Eunice Kim Date: 4/4/18

Address: 21000 Country Park Rd. Salinas, CA 93908

To: (Sidorj@co.monterey.ca.us),

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

Cc: Brandon Swanson, Planning Manager, swansonb@co.monterey.ca.us

roygobets@aol.com , Roy Gobets 21056 Country Park Road, Salinas, CA, 93908

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Hello Joe,

I am very concerned about the proposed project. Its proposed use of Las Palmas 1 roads will pose unacceptable traffic, safety and security problems in our peaceful neighborhood. Further, the large number of housing units proposed for this development, coupled with its clear commercial use, are inconsistent with the residential atmosphere that Las Palmas residents chose when they located here in the first place. 39.1

I strongly urge the developer to find alternate venue and access for his proposed facility.

Please respond to the issues I listed above in writing.

Respectfully,

X

Letter 39

COMMENTER: Eunice Kim

DATE: April 4, 2018

Response 39.1

The commenter states that they are concerned about the project due to impacts related to traffic, safety, and land use inconsistency. The commenter urges the developer to find an alternate location for the project.

Please refer to Topical Response D for a discussion of traffic and Topical Response A for a discussion of safety and security. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks. Please refer to Topical Response C for a discussion of land use consistency. As described therein, the project would be consistent with the site's zoning and land use requirements.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning designations, and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access. Salinas Valley Memorial Healthcare, the nearest hospital to the project site, is approximately five miles from the project site.

Letter 40

From: Yeo Keun Kim Date: 4/4/18

Address: 21000 Country Park Rd. Salinas, CA 93908

To: (Sidorj@co.monterey.ca.us),

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

Cc: Brandon Swanson, Planning Manager, swansonb@co.monterey.ca.us

roygobets@aol.com , Roy Gobets 21056 Country Park Road, Salinas, CA, 93908

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Respectfully,

X

Letter 40

COMMENTER: Yeo Keun Kim

DATE: April 4, 2018

Response 40.1

The content of this letter is the same as the content of Letter 39. Please refer to Response 39.1 above.

Letter 41

RECEIVED
APR 06 2018
Monterey County RMA

From: Yong JIN KIM Date: 4-4-18

Address: 21000 Country Park Rd. Salinas. CA 93908

To: (Sidorj@co.monterey.ca.us),

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

Cc: Brandon Swanson, Planning Manager, swansonb@co.monterey.ca.us

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I am very concerned about the proposed project. Its proposed use of Las Palmas 1 roads will pose unacceptable traffic, safety and security problems in our peaceful neighborhood. Further, the large number of housing units proposed for this development, coupled with its clear commercial use, are inconsistent with the residential atmosphere that Las Palmas residents chose when they located here in the first place.

I strongly urge the developer to find alternate venue and access for his proposed facility.

Please respond to the issues I listed above in writing.

Respectfully,

X_____

Letter 41

COMMENTER: Yong Jin Kim

DATE: April 4, 2018

Response 41.1

The content of this letter is the same as the content of Letter 39. Please refer to Response 39.1 above.

Letter 42

Received by RMA-Planning
on April 4, 2018.

Sidor, Joe (Joseph) x5262

From: Jan Neilson <janneilson14@yahoo.com>
Sent: Wednesday, April 4, 2018 10:37 AM
To: Sidor, Joe (Joseph) x5262
Cc: Swanson, Brandon xx5334; Onciano, Jacqueline x5193; Holm, Carl P. x5103; roygobets@aol.com
Subject: RVPL Draft SEIR forProposed Development of Riverview at Las Palmas(PLN# 150372)

From: Mark Neilson
Sent: Wednesday, April 4, 2018 10:27 AM
Subject: RVPL Draft SEIR forProposed Development of Riverview at Las Palmas(PLN# 150372)

From: Mark Neilson Date: April 4, 2018
Address: 21044 Country Park Road, Salinas, CA 93908
To: Sidorj@co.monterey.ca.us
Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

Cc: Brandon Swanson, Planning Manager, (831) 755-5334 same physical address swansonb@co.monterey.ca.us
Jacqueline Onciano, Chief of Planning, (831) 755-5193, same physical address
oncianoj@co.monterey. ca.us
Carl Holm, Planning Director, (831) 755-4879, same physical address holmcp@co.monterey.ca.us
roygobets@aol.com , Roy Gobets (831) 235-1701 21056 Country Park Road, Salinas, CA, 93908

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Dear Mr. Sidor,

My wife and I just purchased our home In Las Palmas 1 and were disturbed to learn about the plans to build a huge complex above our home near the hillside that is very fragile. I am very concerned about the proposed project. Its proposed use of Las Palmas 1 roads will cause an immense increase in unacceptable traffic. Also the safety and security problems will increase in our peaceful neighborhood. 42.1

Further, the large number of housing units proposed for this development, coupled with its clear commercial use, are inconsistent with the residential atmosphere that Las Palmas residents chose when they located here in the first place. We moved here for the peaceful atmosphere and open hillside views of wild nature and wildlife. This could also really harm the value of everyone's property.

I respectfully urge the developer to find alternate venue and access for his proposed facility. Please, please do not allow this major development to be built in this location overlooking Las Palmas 1.

Please respond to the issues I listed above in writing.

Respectfully,

X_ Mark R. Neilson_____

Sent from Mail for Windows 10

Letter 42

COMMENTER: Mark R. Neilson

DATE: April 4, 2018

Response 42.1

The commenter states that they are concerned about project impacts related to traffic, safety, land use inconsistency, and property values. The commenter urges the developer to find an alternate location for the project.

Please refer to Topical Response D for a discussion of traffic and Topical Response A for a discussion of safety and security. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks. Please refer to Topical Response C for a discussion of land use consistency. As described therein, the project would be consistent with the site's zoning and land use requirements.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning designations, and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access. Salinas Valley Memorial Healthcare, the nearest hospital to the project site, is approximately five miles from the project site.

Letter 43

Received by RMA-Planning
on April 4, 2018.

Sidor, Joe (Joseph) x5262

From: Jan Neilson <janneilson14@yahoo.com>
Sent: Wednesday, April 4, 2018 10:28 AM
To: Sidor, Joe (Joseph) x5262
Cc: Swanson, Brandon xx5334; Onciano, Jacqueline x5193; Holm, Carl P. x5103; roygobets@aol.com
Subject: RVPL Draft SEIR forProposed Development of Riverview at Las Palmas (PLN# 150372)

From: Nicole Neilson Date: April 4, 2018
Address: 21044 Country Park Road, Salinas, CA 93908
To: Sidorj@co.monterey.ca.us
Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

Cc: Brandon Swanson, Planning Manager, (831) 755-5334 same physical address swansonb@co.monterey.ca.us
Jacqueline Onciano, Chief of Planning, (831) 755-5193, same physical address
oncianoj@co.monterey. ca.us
Carl Holm, Planning Director, (831) 755-4879, same physical address holmcp@co.monterey.ca.us
roygobets@aol.com , Roy Gobets (831) 235-1701 21056 Country Park Road, Salinas, CA, 93908

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Dear Mr. Sidor,

My husband and I just purchased our home In Las Palmas 1 and were disturbed to learn about the plans to build a huge complex above our home near the hillside that is very fragile. I am very concerned about the proposed project. Its proposed use of Las Palmas 1 roads will cause an immense increase in unacceptable traffic. Also the safety and security problems will increase in our peaceful neighborhood.

Further, the large number of housing units proposed for this development, coupled with its clear commercial use, are inconsistent with the residential atmosphere that Las Palmas residents chose when they located here in the first place. We moved here for the peaceful atmosphere and open hillside views of wild nature and wildlife. This could also really harm the value of everyone's property.

I respectfully urge the developer to find alternate venue and access for his proposed facility. Please, please do not allow this major development to be built in this location overlooking Las Palmas 1.

Please respond to the issues I listed above in writing.

Respectfully,

X_ Nicole Neilson_____

Sent from Mail for Windows 10

Letter 43

COMMENTER: Nicole Neilson

DATE: April 4, 2018

Response 43.1

The content of this letter is the same as the content of Letter 42. Please refer to Response 42.1 above.

Letter 44

Sidor, Joe (Joseph) x5262

From: GLADYS ALLEN <gladys0535@comcast.net>
Sent: Thursday, April 5, 2018 4:32 PM
To: Sidor, Joe (Joseph) x5262
Cc: Swanson, Brandon xx5334
Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Hello Joe,

I am very concerned about the proposed project for the following reasons:

- Its proposed use of Las Palmas 1 roads will pose unacceptable traffic on both River Road and the entrance/exit to Las Palmas Ranch I. There is only one entrance/exit to Las Palmas Ranch I (Parkside area) which this project proposes to use. This entrance/exit currently serves approximately 145 residents, along with guests, landscapers, and delivery and maintenance persons. 44.1

- The proposed development would also cause security issues since nonresidents would be allowed on the premises. 44.2

- Safety issues In the event of evacuation due to fire or flood of the Las Palmas Ranch I (Parkside area). In past years there have also been mudslides on the hillside where the proposed development is to be built. Removal of the existing eucalyptus trees will only add to that instability. 44.3

- The large number of housing units proposed for this development is inconsistent with the residential atmosphere that Las Palmas residents chose when they located here in the first place. 44.4

I strongly urge the developer to find alternate venue and access for his proposed facility. 44.5

Please respond to the issues I listed above in writing.

Respectfully,

Gladys Allen

21144 Country Park Road

Salinas, CA 93908

Letter 44

COMMENTER: Gladys Allen

DATE: April 5, 2018

Response 44.1

The commenter describes concerns over traffic and site access on Subdivision streets.

Please refer to Topical Response D, which discusses traffic conditions on residential streets. As noted therein, the project would have a less than significant impact on traffic conditions in the Subdivision, and no mitigation would be required.

Response 44.2

The commenter states that there would be security issues with nonresidents in the Subdivision.

Please refer to Topical Response A, which clarifies Section 11.9, *Public Services*, of the Draft SEIR, and explains that the project would participate proportionately in the cost of the Subdivision's security service.

Response 44.3

The commenter describes concerns about emergency evacuation and slope instability resulting from eucalyptus removal.

For a discussion of wildfire impacts, please refer to Topical Response B, which includes analysis added to the Final SEIR addressing wildfire hazards. Impacts related to wildfire and fire protection would be less than significant. Please refer to Topical Response D for a discussion of impacts on emergency evacuation. The project would not result in a significant impact on emergency preparedness within the Subdivision.

Please refer to Topical Response E. As noted therein, all recommendations included in the geotechnical report would be implemented in the design and construction of the project to ensure that there would be no significant impacts associated with geologic hazards, including landslides.

Response 44.4

The commenter states that the project is inconsistent with the surrounding residential land use.

Please refer to Topical Response C for a discussion of the site's zoning and compliance with applicable planning documents. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 44.5

The commenter urges the developer to find an alternate location for the project.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

April 05, 2018

Letter 45

Janet Barstad
17560 River Run Road
Salinas, CA 93908

RECEIVED
APR 09 2018
Monterey County RMA

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901

C.c. Brandon Swanson, Planning Manager;
Jacqueline Onciano, Chief of Planning
Carl Holm, Planning Director
Roy Gobets, Las Palmas Ranch Homeowner

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Dear Mr. Sidor,

For many years I have been enamored of the Las Palmas Ranch country side/neighborhood setting, and I am passionate about this community in part due to my long history of interaction with Las Palmas Ranch. My husband, Alden Barstad, was the Planner for the Las Palmas Ranch Partnership dating back to 1979. I can vouch for the many meetings held in our conference room; the many months drawing and revising Site plans, etc. I personally over saw the first exterior renovation of the historic Corey House. Our son, now a general contractor, was part of the crew to remove the shingles prior to reroofing. Finally, in May of 2014, I moved into my home on River Run Road to enjoy my retirement and to be close to my daughter who is also a LP1 resident. Mine is the first house (single story) to the right as you approach River Run Road from the Las Palmas Parkway. 45.1

As a homeowner and active community member, I have grave reservations about the development of Riverview at Las Palmas which is being proposed for your consideration. While there are many areas and points of view to consider in this complex project, I wish to focus my comments on three highly sensitive environmental concerns:

1. **Waste Water Treatment**
   When Las Palmas Ranch was originally developed, the existing waste water facility off River Road, just south of the Kinship Center, was incorporated into the Las Palmas Ranch Plans at the direction of Mr. Wong, the director of the Monterey County Public Works Department. It was paid for (at least in part) by the LPR home buyers. My monthly bill is $119.00 every month, 250% more than single family residential bills under the MRWPCA. The additional waste water treatment requirements for the proposed RVLP Commercial Use Facility could be expensive, and should in no way impact cost or quality to Las Palmas Ranch residents. 45.2

2. **OPEN SPACE**

The grassy open space at the entrance to Las Palmas 1, more commonly known as Corey Park, was saved from commercial development in 1995 by the Las Palmas Ranch 1 homeowners when they secured 3.23 additional acres (spending more than $300,00.00.). This strategic purchase had two specific intents: (a) to prevent Commercial Development, maintaining Las Palmas Ranch as a private gated residential community, and (b) to enhance the enjoyment and safety of residents, both adults and children, alike. Today it provides a handsome foreground to Corey House as well as a favorite spot for pet owners to congregate and children to play. The impact of at least 300 plus vehicle trips in and out of RVLP, DAILY would virtually obliterate the use of Corey Park as a green space for our community. 45.3

Those vehicles would travel immediately in front of my home. The very increase in the traffic is the reason homeowners rescued the land that is now Corey Park. I might add, to increase safety as well as privacy, Utretsky Security was engaged; a gate house was installed and staffed from 8 am to 4 pm, seven days a week. Security personnel patrol our streets each evening. These services are paid for through each homeowner's monthly assessment.

3. **TRAFFIC IMPACT MITIGATION**

When Parcel Q was sold originally, it was zoned Residential Use, with access rights through the front main entrance of Las Palmas 1. Traffic safety has long been a concern in this development, and Las Palmas Ranch Residents worked long and hard to get a traffic light installed. As previously mentioned, the homeowners pay for private security service through our monthly dues. That service plays a vital role in monitoring traffic entering our neighborhood past the Guard House, with the Guard checking out each and every vehicle and driver. 45.4

Granting approval for this commercial development on the door step of our quiet residential community is not consistent with a neighborhood of single family homes. The developer has estimated 300 vehicle trips per day, but that may be a conservative estimate when considering the support services such a facility generates i.e., food deliveries (Sysco), medical supplies, medical equipment, pharmacy, garbage trucks, other sanitation services, landscape trucks and workers, miscellaneous tradesmen i.e., plumbers, electricians, etc., add to these the employees covering three shifts, and the residents of the casitas, not to mention their family members and friends. Lastly, what about emergency services called out quite often to facilities such as these; all of them traveling up and down a VERY STEEP access road at all hours of the day and night. Many of these vehicles will be "gearing down" a procedure accompanied by very much noise. Traffic in and out of the proposed commercial facility (RVLP) would be: CONSTANT, NOISY AND DANGEROUS.

Granting approval for this commercial development through our quiet residential community would be incongruent with the original intention of the Las Palmas Specific Plan. When it comes to mitigating traffic safety, quite frankly, there is no way to accomplish this.
Thank you in advance for your time and consideration in this important decision. I respectfully request that the application for Riverview at Las Palmas PLN#150372 be denied and the land reserved for residential development in alignment with the Las Palmas General Plan. 45.5

Sincerely,

Janet Barstad

Janet Barstad, resident
17560 River Run Road
Salinas, CA 93908

Letter 45

COMMENTER: Janet Barstad

DATE: April 5, 2018

Response 45.1

The commenter provides background information and states that they are concerned about the project.

The commenter's individual concerns are addressed below.

Response 45.2

The commenter states that the project should not impact cost or quality of wastewater treatment for Subdivision residents.

An impact to the quality of wastewater service for Subdivision residents is not anticipated, as stated in Section 11.12, *Wastewater*, of the Draft SEIR. The pricing of wastewater service for residences is not an environmental impact and is outside of the scope of the Draft SEIR.

Response 45.3

The commenter expresses concerns about project impacts on traffic at the entrance to the Subdivision and safety in the Subdivision.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. Topical Response D discusses traffic conditions on residential streets. As noted therein, the project would have a less than significant impact on traffic conditions in the Subdivision, and no mitigation would be required. Topical Response A describes the implementation of advanced notices of visitors to security staff, the issuance of parking permits or identification for staff at the assisted living facility, and continued screening by security staff of all visitors who queue at the security gate. Topical Response A also clarifies Section 11.9, *Public Services*, of the Draft SEIR, and explains that the project would participate proportionately in the cost of the Subdivision's security service.

Response 45.4

The commenter describes concerns about vehicle trips through the Subdivision causing impacts on traffic, noise, and safety.

Please refer to Topical Response A, Topical Response D, and Topical Response H. Topical Response A describes the implementation of advanced notices of visitors to security staff, the issuance of parking permits or identification for staff at the assisted living facility, and continued screening by security staff of all visitors who queue at the security gate. Topical Response D discusses traffic conditions on residential streets. As noted therein, the project would have a less than significant impact on traffic conditions in the Subdivision, and no mitigation would be required. Topical Response H addresses operational noise impacts of the proposed project. As noted therein, the project would have a less than significant impact on long-term noise levels.

Response 45.5

The commenter states that the project is incompatible with the site's intended land use, and that traffic safety impacts cannot be mitigated.

Please refer to Topical Response D. As described therein, the project would not result in a significant impact related to traffic safety. Please refer to Topical Response C for a discussion of the site's zoning and compliance with applicable planning documents. As described therein, the project would be consistent with the site's zoning and land use requirements.

April 5, 2018

Letter 46

RECEIVED
APR 16 2018
Monterey County RMA

Joseph Sidor, Associate Planner Monterey County
RMA-Planning Second Floor
1441 Schilling Place
Salinas, CA 93901

RE: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Dear Mr. Sidor,

As a resident and home owner in Las Palmas I, I am very opposed to the proposed project. The proposed use of Las Palmas 1 roads will pose unacceptable traffic, safety and security problems in our peaceful neighborhood. Further, the large number of housing units proposed for this development, coupled with its clear commercial use, is inconsistent with the residential atmosphere that I chose as a Las Palmas resident when I located here in the first place. I would like you to consider how you would feel if this were in your neighborhood. I would understand housing, but a full blown business with close to 100 employees is certainly not what the land is zoned for. Had I known prior to buying my home, I would certainly have considered a different neighborhood. I strongly urge the developer to find alternate venue and access for his proposed facility. Please respond to the issues I listed above in writing. 46.1

Respectfully,

Sue McFeron
21139 Old Ranch Ct.
Salinas, CA 93908

Cc: Brandon Swanson, Planning Manager swansonb@co.monterey.ca.us
Roy Gobets 21056 Country Park Road, Salinas, CA, 93908, roygobets@aol.com

Letter 46

COMMENTER: Sue McFeron

DATE: April 5, 2018

Response 46.1

The commenter states that they are opposed to the project, and lists concerns related to traffic, safety, and land use incompatibility.

This commenters' opposition to the project is noted and herewith shared with the County's decision makers for their consideration.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the subdivision, the project would not substantially exacerbate such risks.

Please refer to Topical Response C. As described therein, the project would be consistent with the site's zoning and land use requirements.

21140 Country Park Road
Salinas, CA 93908
April 5, 2018

Letter 47

RECEIVED
APR 09 2018
Monterey County RMA

Mr. Joseph Sidor, Associate Planner
Monterey County RMA-Planning
1441 Schilling Place, Second Floor
Salinas, CA 93901

RE: River View at Las Palmas Assisted Living Senior Facility
(Plan #150372; SCH #2017031025)

Dear Mr. Sidor:

I'm writing to you as a highly concerned homeowner living for many years at Las Palmas Ranch, Phase 1.

Through different correspondence/meetings my wife and I were informed of the proposed building of an Assisted Living Senior Facility on top of the hill behind our home, off of River Road accessing it through the Las Palmas development. It was stated that the proposed project will consists of a three-story-high main building (on top of the hill and will be highly visible from the surrounding areas as well as Spreckels), with multiple smaller buildings and nearly 100 parking lots. My main concern is that we live in a canyon with only one way out. 47.1

FIRE: In case of a devastating fire, how would all the Las Palmas residents escape with many families having three and even four vehicles? Who would have priority in an evacuation situation? Would there be enough water/water pressure for the fire department to extinguish a large fire for the residents' homes, the proposed assisted living facility on top of the hill and adjacent hills and canyon areas?

NOISE: Since we live in a canyon, the echo effect is huge. The noise factor for building this site would be atrocious. Currently, lawn mowers and home improvement projects for example, echo quite a lot and at times it is dreadful. Depending on the direction of the wind, we can hear the trains and whistles from the Salinas train station in town and can also hear the traffic noise and sirens from River Road and Highway 68, as well as the crop dusters and Ag equipment in the fields. 47.2

POLLUTION: Not only will the noise factor be detrimental to the residents who already live here, but also the pollution this kind of construction will produce such as earth movements, tree removal, construction vehicles pollution, construction itself and the **dust** and **dirt** in the air that will blow/deposit into our living area, and which we also have to breathe. We have residents who have respiratory problems, allergies, etc. And who will pay for extra medical care? 47.3

ROAD DAMAGE: Who will be responsible for all the road damage that will be incurred? The homeowners have paid for many years a monthly ($150) HOA fee for upkeep of roads, green areas, etc. 47.4

SAFETY: Safety is also a tremendous factor. Many residents walk or jog on a daily basis on the streets or in the back of the homes and cross the road onto Woodridge Court near the Corey House. Lately, more families with small children have moved to the neighborhood which causes great concern as kids play and cross the roads to the park area in front of the Corey House. 47.5

Even though we have a gate guard during the day, we're concerned about the safety of the Las Palmas area especially during evening hours and throughout the night. Even more strangers will wander and drive with excessive speed throughout our residential neighborhood, and some with unlawful intentions.

TRAFFIC: With this proposed development, there will be much more traffic such as delivery vehicles, staff, housekeeping personnel and business vehicles, nursing home residents and their visitors' vehicles, as well as emergency vehicles. We would not appreciate waiting in a long line of traffic out on River Road trying to get home. This is an unreasonable demand on the residents who already live here. 47.6

We strongly request that the Monterey County Planning Commission disapprove the building of an Assisted Living Senior Facility on top of the hill above Las Palmas Ranch Phase I, a business/ medical facility with 142 beds, larger than some hospitals, in a single home residential community. 47.7

Years ago, we had to oppose the building of a Cogeneration Plant in Spreckels. Now this development. We would like to continue to live in a quiet and peaceful community. Thank you for your consideration.

Sincerely,

C Ruddell

Mr. and Mrs. Clarence Ruddell
Home Owners

Letter 47

COMMENTER: Mr. and Mrs. Clarence Ruddell

DATE: April 5, 2018

Response 47.1

The commenter describes concerns related to fire safety and emergency access/evacuation.

Please refer to Topical Response B. As noted therein, Section 11.9, *Public Services*, of the Draft SEIR has been revised to note that the project has been reviewed by the MCRFD, which determined that a fire flow rate of 1,500 gallons per minute at a pressure of 20 pounds per square inch for a duration of up to three hours would be sufficient for the project. The project would be required to implement all design recommendations provided by the MCRFD to ensure project compliance with the Fire District's regulations and reduce fire hazards on the project site, as noted in Topical Response B.

The discussion pertaining to emergency access/evacuation is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project. For additional detail refer to Topical Response B.

Response 47.2

The commenter describes concerns about noise impacts, particularly with regard to the potential for noise from the project to echo within the Subdivision.

Please refer to Topical Response H, which includes a detailed evaluation of the operational noise impacts of the project, including baseline sound level measurements conducted in and around the Subdivision. As described therein, operational noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 47.3

The commenter describes concerns related to air pollution during project construction, including dust.

Suspended particulate matter emissions (including airborne dust during construction) are discussed in Section 6.0, *Air Quality*, of the Draft SEIR. As described therein, construction of the project would expose nearby residences to particulate matter emissions from the use of off-road equipment as well as large diesel-fueled trucks. Mitigation Measures AQ-1, AQ-2, and AQ-3 are required to reduce this impact to a less than significant level. These three measures require, respectively, the inclusion of dust control measures in the project's grading plan, appointment of a site monitor, and maintenance of equipment for low emissions. For a full description of particulate matter emissions and mitigation measures, refer to Section 6.0, *Air Quality*, of the Draft SEIR.

Response 47.4

The commenter asks who will be responsible for road damage caused by the project.

Please refer to Topical Response D. As discussed therein (Deterioration of Residential Streets) the Draft SEIR has been amended to discuss the potential for vehicle trips generated by the project to deteriorate residential streets in the Subdivision.

Response 47.5

The commenter states that the project threatens the safety of residents, including children, that use the Subdivision streets.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. Topical Response A describes the implementation of advanced notices of visitors to security staff, the issuance of parking permits or identification for staff at the assisted living facility, and continued screening by security staff of all visitors who queue at the security gate. Topical Response D discusses traffic conditions on residential streets, which would continue operating within acceptable traffic volumes with the addition of project trips. Additionally, the project would have a less than significant impact on traffic safety.

Response 47.6

The commenter states that the project would increase traffic, including at the Subdivision's entrance.

Please refer to Topical Response D. As noted therein, the project would have a less than significant impact on traffic conditions in the Subdivision, and no mitigation would be required.

Response 47.7

The commenter requests that the Monterey County Planning Commission disapprove the project, as it is a senior facility in a residential community.

This commenters' opposition to the project is noted and herewith shared with the County's decision makers for their consideration.

The project is a senior assisted living facility. The project site is zoned Medium Density Residential (MDR). The Draft SEIR notes that a senior assisted living facility is similar to a rest home, which is an allowed MDR use. The Draft SEIR requires an amendment to the LPRSP to clarify that an assisted living facility is an allowed use. For more detail, please refer to Topical Response C.

Letter 48

Received by RMA-Planning
on April 5, 2018.

Sidor, Joe (Joseph) x5262

From: Gayle Todd <gayletodd@gmail.com>
Sent: Thursday, April 5, 2018 11:56 AM
To: Sidor, Joe (Joseph) x5262; Swanson, Brandon xx5334
Subject: RVPL Draft SEIR for Proposed Development of Riverview at Las Palmas (PLN 150372)

Robert Scranton17641 River Run RdSalinas CA 93908831.455.7857 April 7, 2018 Mr. Carl Holm, Planning Director, Mr. Joseph Sidor, Associate Planner, Mr. Brandon Swanson, Planning Manager, Monterey County RMA-Planning Second Floor 1441 Schilling Place, Salinas, CA 93901 (831) 755-5262 Gentlemen: I am resident of Las Palmas and strongly opposed to the Proposed Development of Riverview at Las Palmas (PLN#150372). This community was chosen by the residents as a quiet, safe and relatively dark haven from the Salinas proper area. This large non-residential development is inconsistent with the Las Palmas community core values. **I. Traffic:** • River Road Traffic: The stop light at LP1 entrance has seen 20 accidents over the last 10 years. One 4-year old child has already died by a texting drunk-driver. I personally observed one accident. Additional traffic for the “Parcel Q” will aggravate this situation. • Potential Accidents: Currently, the curve blocking the visual to the LP1 light going South, allows only 4-5 seconds (traveling at 55 mph) before reaching the intersection. This short distance is suspected as the cause of several accidents at this point. If the proposal goes through, any celebrations with family members over holidays and family events at “Parcel Q” will significantly increase the traffic load and potential for blood shed. • Security Stops: Traffic already backs up into the River Road exit lane at peak times due to our security check point. Adding 50-90 cars and construction vehicles a day will increase the potential for further traffic congestion and accidents. • Emergency Situations: God forbid, the potential for a conflagration erupting on the south end of the canyon would necessitate immediate evacuation of all members of the community. A NW wind driven fire could spread exponentially in these closely packed houses as seen in recent fires in northern and southern California. There are 2 exits to get out for over 300+ homes plus the emergency vehicles, potential staff and patients! • Construction Traffic: The traffic generated by the construction phase will be extremely problematic. This quiet valley is nestled between two large hill sides. Any construction traffic noise would be echoed off the hills. Construction and delivery equipment would need to climb a steer entrance road at low gear. Any subsequent grading equipment will emit a loud back up beeping noise that will be heard from all LP1 units. This constant and increased traffic would irrevocably alter the safe, peaceful nature of the community. • Commercial Traffic: The proposed development would bring increased emergency fire and ambulance calls as both are required to attend. These will bring unwanted noise and light pollution at all hours of day and night. Any commercial vehicles -- food deliveries, medical waste, trash, linen, etc., -- and potentially 90+ employee vehicles will funnel through a narrow street originally designed for residential traffic. **II. Security** • Security of the neighborhood would be compromised by this unwarranted, greedy assault on LP1 community. As this will open the neighborhood to non-residential traffic, we fear an increase in crime that has decreased since installation of LP1 security personnel. There is no way to regulate this increased traffic and guarantee the security of the neighborhood. This is a real concern. **III. The Proposed Non-Residential Development is Inconsistent with the Existing Residential Community** • Under The Las Palmas Plan and Monterey County Plan, Las Palmas Community was approved and developed as a rural residential neighborhood. • This parcel is zoned "medium density residential," at 2.61 units per acre. ***Under the Las Palmas Plan this parcel was specifically approved for 8 units total.*** The developer now seeks a "conditional use permit" to allow development of a non-residential facility with a total of 105 units. This is inconsistent with The Las Palmas and Monterey County Plans. • The developer seeks to circumvent these plans by requesting an amendment for a non-residential use. Specifically, the developer asks you approve an amendment with the following language; “Assisted living facilities are not considered residential units (and should not be) subject to the residential limitation of the (Las Palmas) Plan.” **An assisted living facility is not a residential use, because it does not operate or function in a manner like independent residential units.** • Las Palmas is a highly desirable residential community with stable property values. Residents fear the loss of their investment potential from a rush to get out of LP1 due to the nature of this development. Several friends have moved out fearing this project. • To approve this amendment to the Las Palmas Plan and to allow development of a non-residential Assisted Living Facility with 105 units, and all the commercial traffic, deliveries, medical waste, employees, visitors, and resulting security and safety concerns would unalterably destroy the rural residential nature of our community. **IV Intrinsic Values: Development of this size will alter our environment.** • The location in question has 80+ eucalyptus trees that will be removed under current plan. These provide reduction in wind, ridgeline exposure and Hwy 68/RR sound abatement. • Moreover, these 70+ year old eucalyptus trees are home to several generations of Red Tailed Hawks and Great Horned Owls. Last year we had an overabundance of Vols (large field mice) which were running around even in daylight. These essential predators were active in Vol reductions. Watching these great birds soar and perform aerial ballets over our hillsides

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is unmatched in Salinas proper. • Bobcats and deer live up on the hillsides and flats of the area in question. Last year one female bobcat brought her 3 cubs out into our common area multiple times. This was a delight of all who caught this rare event. One mother deer has birthed 5-6 pairs of babies over the last few years and we have watched them grow into adulthood. • Destabilization of the steep hillsides in question is a serious threat to mudslides. We have experienced similar abundant rain-slide events even without any development activity. • ***Would you want this development to go forward next door to your home?*** • Light Pollution: We currently are able to view changing of the planets and star constellations due to our unpolluted dark areas. This will stop under the PLN#1500372. • Noise: A friend who worked to help develop a similar nursing home in Hollister indicated the potential of “Screamers” being heard in the night is real. She later regretted helping this proposal from just this perspective. • Smells: As this proposed facility will generate substantial numbers of meals, we will not enjoy sharing their menus due to prevailing winds. I request you please carefully evaluate these issues when considering this proposed development. Thank you for your consideration, Sincerely, Robert ScrantonApril 7, 2018

48.8

48.9

Letter 48

COMMENTER: Robert Scranton

DATE: April 5, 2018

Response 48.1

The commenter states that the project is inconsistent with the surrounding residential land use.

The project is a senior assisted living facility. The project site is zoned Medium Density Residential (MDR). The Draft SEIR notes that a senior assisted living facility is similar to a rest home, which is an allowed MDR use. The Draft SEIR requires an amendment to the LPRSP to clarify that an assisted living facility is an allowed use. For more detail, please refer to Topical Response C.

Response 48.2

The commenter states that there is a history of traffic accidents at the Subdivision entrance, and that the project would increase safety risks.

Please refer to Topical Response D. As stated therein, traffic volumes on Subdivision streets would remain at acceptable levels during operation of the project, and project-generated traffic would not result in substantial queuing at the entry gate. Therefore**,** traffic at the entry gate would not increase to the extent that traffic safety would substantially deteriorate.

Response 48.3

The commenter states that the project would make emergency evacuations in the area more difficult.

Please refer to Topical Response B. As noted therein, Section 11.9, *Public Services*, of the Draft SEIR has been revised to note that the project has been reviewed by the MCRFD, which determined that a fire flow rate of 1,500 gallons per minute at a pressure of 20 pounds per square inch for a duration of up to three hours would be sufficient for the project. The project would be required to implement all design recommendations provided by the MCRFD to ensure project compliance with the Fire District's regulations and reduce fire hazards on the project site, as noted in Topical Response B.

The discussion pertaining to emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project. For additional detail pertaining to emergency access, refer to Topical Response D.

Response 48.4

The commenter states that the project would cause construction and operational noise and light pollution impacts.

Please refer to Topical Response F, which discusses impacts of the project's lighting on night sky views. As described therein, mitigation is required to reduce lighting impacts to a less than significant level. Please refer to Topical Response H, which includes a detailed discussion of the

project's construction and operational noise impacts. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 48.5

The commenter states that the project would compromise security in the Subdivision.

Please refer to Topical Response A for a discussion of safety and security. As noted therein, the project would not result in a significant impact on police protection within the Subdivision. Regarding the Subdivision's private security service, refer to Topical Response I, which discusses the project applicant's responsibility to share in the LPHOA's security costs.

Response 48.6

The commenter states that the project is not an appropriate land use for the project site and is inconsistent with Las Palmas and Monterey County Plans.

The project is a senior assisted living facility. The project site is zoned Medium Density Residential (MDR). The Draft SEIR notes that a senior assisted living facility is similar to a rest home, which is an allowed MDR use. The Draft SEIR requires an amendment to the LPRSP to clarify that an assisted living facility is an allowed use. For more detail, please refer to Topical Response C.

Response 48.7

The commenter describes local wildlife and states that the project could impact.

Regarding impacts to wildlife, please refer to Topical Response G. As stated therein, impacts to wildlife would be mitigated to less than significant by preconstruction surveys and avoidance.

Response 48.8

The commenter states that the problem would cause nighttime light pollution and noise impacts.

Please refer to Topical Response F, which discusses impacts of the project's lighting on night sky views. As described therein, mitigation is required to reduce lighting impacts to a less than significant level. Please refer to Topical Response H, which includes a detailed discussion of the project's long-term noise impacts. As described therein, long-term noise impacts would be less than significant or less than significant with mitigation incorporated. For a discussion of the potential for screaming behavior associated with people at the proposed senior living community, refer to Response 32.12.

Response 48.9

The commenter discusses odor impacts from meals.

Odor is discussed in Section 6.0, *Air Quality,* of the Draft SEIR, and again in Topical Response C. Odors released outdoors from meal preparation would be intermittent and unlikely to be objectionable to the extent of causing a public nuisance.

Letter 49

Received by RMA-Planning
on April 5, 2018.

Sidor, Joe (Joseph) x5262

From: Gayle Todd <gayletodd@gmail.com>
Sent: Thursday, April 5, 2018 11:53 AM
To: Sidor, Joe (Joseph) x5262; Swanson, Brandon xx5334
Subject: RVPL Draft SEIR for Proposed Development of Riverview at Las Palmas (PLN 150372)

Gayle Todd17641 River Run RdSalinas CA 93908831.596.6772 April 7, 2018 Mr. Carl Holm, Planning Director, Mr. Joseph Sidor, Associate Planner, Mr. Brandon Swanson, Planning Manager, Monterey County RMA-Planning Second Floor 1441 Schilling Place, Salinas, CA 93901 (831) 755-5262 Gentlemen: I am resident of Las Palmas and strongly opposed to the Proposed Development of Riverview at Las Palmas (PLN#150372). This community was chosen by the residents as a quiet, safe and relatively dark haven from the Salinas proper area. This large non-residential development is inconsistent with the Las Palmas community core values. **I. Traffic:** • River Road Traffic: The stop light at LP1 entrance has seen 20 accidents over the last 10 years. One 4-year old child has already died by a texting drunk-driver. I personally observed one accident. Additional traffic for the “Parcel Q” will aggravate this situation. • Potential Accidents: Currently, the curve blocking the visual to the LP1 light going South, allows only 4-5 seconds (traveling at 55 mph) before reaching the intersection. This short distance is suspected as the cause of several accidents at this point. If the proposal goes through, any celebrations with family members over holidays and family events at “Parcel Q” will significantly increase the traffic load and potential for blood shed. • Security Stops: Traffic already backs up into the River Road exit lane at peak times due to our security check point. Adding 50-90 cars and construction vehicles a day will increase the potential for further traffic congestion and accidents. • Emergency Situations: God forbid, the potential for a conflagration erupting on the south end of the canyon would necessitate immediate evacuation of all members of the community. A NW wind driven fire could spread exponentially in these closely packed houses as seen in recent fires in northern and southern California. There are 2 exits to get out for over 300+ homes plus the emergency vehicles, potential staff and patients! • Construction Traffic: The traffic generated by the construction phase will be extremely problematic. This quiet valley is nestled between two large hill sides. Any construction traffic noise would be echoed off the hills. Construction and delivery equipment would need to climb a steer entrance road at low gear. Any subsequent grading equipment will emit a loud back up beeping noise that will be heard from all LP1 units. This constant and increased traffic would irrevocably alter the safe, peaceful nature of the community. • Commercial Traffic: The proposed development would bring increased emergency fire and ambulance calls as both are required to attend. These will bring unwanted noise and light pollution at all hours of day and night. Any commercial vehicles -- food deliveries, medical waste, trash, linen, etc., -- and potentially 90+ employee vehicles will funnel through a narrow street originally designed for residential traffic. **II. Security** • Security of the neighborhood would be compromised by this unwarranted, greedy assault on LP1 community. As this will open the neighborhood to non-residential traffic, we fear an increase in crime that has decreased since installation of LP1 security personnel. There is no way to regulate this increased traffic and guarantee the security of the neighborhood. This is a real concern. **III. The Proposed Non-Residential Development is Inconsistent with the Existing Residential Community** • Under The Las Palmas Plan and Monterey County Plan, Las Palmas Community was approved and developed as a rural residential neighborhood. • This parcel is zoned "medium density residential," at 2.61 units per acre. ***Under the Las Palmas Plan this parcel was specifically approved for 8 units total.*** The developer now seeks a "conditional use permit" to allow development of a non-residential facility with a total of 105 units. This is inconsistent with The Las Palmas and Monterey County Plans. • The developer seeks to circumvent these plans by requesting an amendment for a non-residential use. Specifically, the developer asks you approve an amendment with the following language; “Assisted living facilities are not considered residential units (and should not be) subject to the residential limitation of the (Las Palmas) Plan.” **An assisted living facility is not a residential use, because it does not operate or function in a manner like independent residential units.** • Las Palmas is a highly desirable residential community with stable property values. Residents fear the loss of their investment potential from a rush to get out of LP1 due to the nature of this development. Several friends have moved out fearing this project. • To approve this amendment to the Las

Palmas Plan and to allow development of a non-residential Assisted Living Facility with 105 units, and all the commercial traffic, deliveries, medical waste, employees, visitors, and resulting security and safety concerns would unalterably destroy the rural residential nature of our community. **IV Intrinsic Values: Development of this size will alter our environment.** • The location in question has 80+ eucalyptus trees that will be removed under current plan. These provide reduction in wind, ridgeline exposure and Hwy 68/RR sound abatement. • Moreover, these 70+ year old eucalyptus trees are home to several generations of Red Tailed Hawks and Great Horned Owls. Last year we had an overabundance of Vols (large field mice) which were running around even in daylight. These essential predators were active in Vol reductions. Watching these great birds soar and perform aerial ballets over our hillsides is unmatched in Salinas proper. • Bobcats and deer live up on the hillsides and flats of the area in question. Last year one female bobcat brought her 3 cubs out into our common area multiple times. This was a delight of all who caught this rare event. One mother deer has birthed 5-6 pairs of babies over the last few years and we have watched them grow into adulthood. • Destabilization of the steep hillsides in question is a serious threat to mudslides. We have experienced similar abundant rain-slide events even without any development activity. • ***Would you want this development to go forward next door to your home?*** • Light Pollution: We currently are able to view changing of the planets and star constellations due to our unpolluted dark areas. This will stop under the PLN#1500372. • Noise: A friend who worked to help develop a similar nursing home in Hollister indicated the potential of “Screamers” being heard in the night is real. She later regretted helping this proposal from just this perspective. • Smells: As this proposed facility will generate substantial numbers of meals, we will not enjoy sharing their menus due to prevailing winds. I request you please carefully evaluate these issues when considering this proposed development. Thank you for your consideration, Sincerely, Gayle ToddApril 7, 2018

Letter 49

COMMENTER: Gayle Todd

DATE: April 5, 2018

Response 49.1

The content of this letter is the same as the content of Letter 48. Please refer to Responses 48.1 through 48.9 above.

Mr. Sidor, Associate Planner
Mr. Brandon Swanson, Planning Manager
Monterey Country Planning Commission

Letter 50

RECEIVED
APR 06 2018
Monterey County RMA

Dear Mr. Sidor and Swanson

As a homeowner in Las Palmas 1, I am voicing my concerns in regard to the proposed development of PLN#150372 known as Riverview at Las Palmas.

- Zoning
  - A. As a non-residential commercial facility, the zoning does not support the use proposed. The request for a "Conditional Use Permit" undermines the very reason that residents bought in LP1 with the assurance of a peaceful residential neighborhood free from commercial activity. 50.1
  - B. The clear cutting of the eucalyptus on the ridge where the development is proposed will expose all the buildings to the homes to the south and also from hi-way 68, River Road and Spreckels Blvd. A three story building on the ridgeline is an absolute contradiction in regards to the scope of the original Las Palmas Specific Plan which was to blend with the pastoral beauty of the area. 50.2
  - C. As in any real estate transaction "location" is the primary consideration. The Residents of LP1 took this into consideration when purchasing their homes insuring a quiet, safe residential area to raise their families. The addition of a commercial entity brings with it more traffic and activity that will affect the desirability of the area and impact property values. 50.3
- Traffic
  - A. Numerous homes front the roadway leading to the proposed development turning the residential street into a main artery of travel by workers, family, visitors, commercial and emergency vehicles.
  - B. Deceleration lanes on River Road will be backed up while security tries to screen all vehicles coming into the entrance. 50.4
  - C. Security currently provided by the residents of LP1 and funded through the Home Owners Association, would have difficulty screening the amount of vehicles through the entrance and without their great work we will find ourselves back into the days of home intrusions and burglary.
  - D. In the event of wildfire, evacuating the proposed facility would be extremely difficult with the flames naturally moving uphill and only one exit road that would be plugged with traffic from the lower level homes.
- Water
  - A. How can the County continue to approve projects while the Valley has been in the state of overdraft of the water aquifer for years? 50.5

The proposed Non Residential Development does not meet the "Las Palmas Specific Plan" or the "Monterey County Plan". The developers of Las Palmas Subdivision were required to meet all the requirements ensuring that the area would maintain the character of its rural setting. Approval of the proposed project would overlook all the requirements required of the original subdivision and take an area zoned for several houses and turn it into a commercial venture incompatible with the current use. If we had the detailed information that is available now we would have probably not purchased our home here. I urge you to consider all the issues and decline this application. 50.6

Regards

John and Nori Bridges

Please respond in writing to:

17588 River Run Rd. Salinas 93908

Letter 50

COMMENTER: John and Nori Bridges

DATE: April 5, 2018

Response 50.1

The commenter states that the project does not fit with the site's zoning and is incompatible with surrounding land use.

The project is a senior assisted living facility. The project site is zoned Medium Density Residential (MDR). The Draft SEIR notes that a senior assisted living facility is similar to a rest home, which is an allowed MDR use. The Draft SEIR requires an amendment to the LPRSP to clarify that an assisted living facility is an allowed use. For more detail, please refer to Topical Response C.

Response 50.2

The commenter states that the project would not be consistent with the LPRSP in terms of management of the area's aesthetics.

Please refer to Topical Response C regarding consistency with LPRSP policies. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 50.3

The commenter states that the project's traffic and operational activity would reduce neighboring home values.

Please refer to Topical Response C. As described therein, property value is not an environmental impact and therefore is not analyzed in the Draft SEIR. The Draft SEIR does include analysis of traffic and noise impacts. All impacts were determined to be less than significant or less than significant with mitigation incorporated, with the exception of traffic impacts to SR 68, which would be significant and unavoidable. For a discussion of traffic, refer to Topical Response D, and for a discussion of noise, refer to Topical Response H.

Response 50.4

The commenter describes traffic impacts of the project, including impacts related to queueing, security, and emergency evacuation.

Please refer to Topical Response D for a discussion of queuing concerns at the Subdivision's entry gate. As noted therein, the project would increase inbound traffic at the gate by an estimated 16 percent. However, this increase in traffic would not substantially increase queuing. An additional westbound entrance lane at the gate would not be needed, and queuing vehicles would not obstruct vehicles from turning left onto Winding Creek Road. Therefore, the project would have a less than significant impact on traffic circulation related to queuing.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. Topical Response A describes the implementation of advanced notices of visitors to security staff, the issuance of parking permits or identification for staff at the assisted living facility, and continued screening by security staff of all visitors who queue at the security gate. Topical Response D discusses traffic conditions on residential streets, which would continue

operating within acceptable traffic volumes with the addition of project trips. The discussion pertaining to traffic, on-site circulation, and emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR.

Response 50.5

The commenter asks how the County can approve projects while the water aquifer is in a state of overdraft.

Please refer to Responses 3.1, 3.2, and 3.3 above.

Response 50.6

The commenter states that the project is inconsistent with surrounding land uses, and would be a commercial project on a site zoned for residential development.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Letter 51

Received by RMA-Planning
on April 6, 2018.

Sidor, Joe (Joseph) x5262

From: roygobets@aol.com
Sent: Friday, April 6, 2018 8:31 AM
To: Sidor, Joe (Joseph) x5262
Cc: Onciano, Jacqueline x5193; Swanson, Brandon xx5334; Holm, Carl P. x5103
Subject: Comments on DSEIR for RVLP Project (PLN150372)
Attachments: RVLP DSEIR Comments April 6, 2018.docx

Hello Joe,

Attached in the Word document are my extended comments to the referenced DSEIR.

You should be receiving a substantial number of Public Comment letters from our LPI neighbors. Please expect a strong and energized attendance from local homeowners at the eventual Planning Commission meeting(s).

May I please briefly meet with you at Schilling during the week of 4/9? I will provide you with some additional documents that directly bear on this DSEIR.

I look forward to your written response to the concerns expressed in the attached report.

Please confirm receipt of this e-mail.

Regards,

Roy Gobets

COMMENTS on DSEIR for RIVER VIEW at LAS PALMAS ASSISTED LIVING SENIOR CENTER FACILITY (PLN150372; SCH 2017031025)

Below is a list of selected CEQA questions by category that I found useful and relevant in commenting on the subject DSEIR. I answered these CEQA questions, and where possible, referenced the relevant claims/impacts/mitigations in the DSEIR. There are four additional important non-CEQA (Project) areas identified at the end of this report. 51.1

Summary: The Applicant owns Parcel Q and has every right to put it to a conforming use for his benefit. Senior care and housing are increasingly vital needs with our aging society. While I am not familiar with statistics on Monterey County senior care facility and housing needs versus capacity, I can well imagine that there might be pressing needs to build additional capacity. I assume the Application knows these needs.

That said, siting, constructing and operating the proposed RVLP facility as outlined in the DSEIR is a mistake. It is the wrong project in the wrong location. In the following analysis, I cite relevant CEQA questions and provide a response as seen from my perspective as a longtime Las Palmas I homeowner and stakeholder in this vibrant residential community.

In my view, for the reasons cited in this report, RVLP should be denied.

The Applicant should alternatively consider building three high-end homes on the parcel. This will fully build out the allowed number (1031) of housing units under the Las Palmas Specific Plan, and provide an opportunity to realize a return on his property.

CEQA QUESTIONS CONSIDERED.

I. AESTHETICS (Reference AES-1, 2, 4) -- Would the project:

a) Have a substantial adverse effect on a scenic vista? 51.2

Yes – State Highway 68 from State Highway 1 in Monterey to the Salinas River is a State Scenic roadway, and both River Road and Spreckels Boulevard are County Scenic roadways. All three roads are designated as Tourism Access Hiways. This proposed development is clearly in the view shed of these Tourism Access Hiways.

The large buildings (two and three floors) cannot realistically be hidden from view by new bushes or tree landscaping. In all three cases (Hiway 68, River Road and Spreckels Boulevard) the development would be clearly visible and clash with the pastoral view. (Ridgeline – LPSP)

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Yes, The DSEIR requests the removal of 80 mature Eucalyptus trees. If permitted, this will indelibly scar LPI scenic beauty and have profoundly negative effects on soil stability, wind shielding and noise propagation (The latter three concerns are covered elsewhere in this report)

(Eucalyptus trees are not native to California. These stands of trees were purposely planted as windbreak in the late 1800's by early Monterey County settlers.

AES-1: *"The applicant shall prepare and submit a landscape plan to enhance screening from State Route 68, River Road, Reservation Road, and the adjacent neighborhood and trail"*

This statement is troubling, and the conclusion drawn that if this mitigation is completed the residual impact is "less than significant" is unwarranted. What does "enhance screening" mean once you have torn 80 mature Eucalyptus trees out?

Simply stated, there is no practical and effective mitigation measure to mask this proposed defacing of the hillside. RVLP is a clear violation of the Ridgeline policy in the LPSP. The assertion by the Applicant that planting new vegetation can effectively compensate for removing 80 mature Eucalyptus trees is a disingenuous attempt to deceive local residents – if so removed it will clearly take a human lifespan to restore the disrupted landscape to anything resembling its current pastoral character. Why pretend otherwise?

Further, the Hiram Corey House (National Register of Historic Places) is within Las Palmas 1, is adjacent to, and directly overlooked by the proposed development. This will negatively affect its setting. Governing Authorities are on record of effectively protecting the regionally important Tourist Industry and associated Historic buildings.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Yes. The proposed site presently is pristine wilderness. Las Palmas I is an abutting residential neighborhood, carefully sited in 1989 under the Las Palmas Specific Plan (LPSP) to blend with the pastoral beauty of the area. The scale and scope of the proposed institutional facilities would sharply clash with this setting.

51.3

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Yes. Despite proposed lighting scheme and visual mitigation measures by the developer, the removal of the Eucalyptus groves, coupled with the location of multiple story facilities on an exposed elevated knoll would be clearly be visible both during the day and at night.

III. AIR QUALITY (Reference AQ1-4) -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

51.4

a) Conflict with or obstruct implementation of the applicable air quality plan?

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

TBD. Local, current and accurate data are required to determine this. The closest particulate monitoring station is 6 miles southwest of the project site at Laurel and Constitution measuring an urban environment. We need accurate measurements locally to characterize conditions. This area is quite windy (trees are permanently bent as they grow) and excessive particulate matter from the adjacent fields such as pesticides, fertilizer and allergens are likely to adversely affect the intended facility's vulnerable senior population. Need input here from Public Health Agency.

The Fort Ord Recreational area directly to the north of this proposed building site is periodically cleared of ordinance by burning off the cover brush. This raises the smoke level and public warnings are published and broadcast by the local media. This should definitely be a cause of great for concern for older residents with any breathing problems.

e) Create objectionable odors affecting a substantial number of people?

51.5

Yes. This is an institutional facility with a large number of people both residing there plus support staff, visitors, etc. Meals will be prepared and served on site. Winds are strong in LPI. Institutional cooking odors would waft across the adjacent Las Palmas I neighborhood, especially at the most adjacent homes. There are 329 families in Las Palmas I, with about half close enough to be affected. This is objectionable indeed.

VI. GEOLOGY AND SOILS -- Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

ii) Strong seismic ground shaking?

51.6

Yes. The recent (November 2017, about 22 miles east of Salinas and 14 miles northeast of the town of Gonzales) 4.2+ grade local earthquake rocked the area. The raised location of the proposed RVLP development includes heavy buildings and roads right above the LPI homes adding risk for serious seismic related failures. While not located on a fault line, earthquakes are common in this region. Hollister is 28 miles from Salinas. San Juan Bautista is 23 miles from Salinas.

iii) Exposure to seismic-related ground failure, including liquefaction?

TBD. In the Appendices is a report from Landset Engineers, INC. In their cover letter to the Applicant, the author, Mr. Papurello states that RVLP is feasible, but qualifies that recommendation with the following statement*:*

" It is recommended that an additional design level soil engineering investigation should be performed once the preliminary development plans have been completed and locations & types of structures, and anticipated load are known."

Until this work is completed and reviewed, the question above cannot be answered. Why is this recommended report not included in the DSEIR?

iv) Exposure to Landslides?

Yes. Las Palmas I has experienced landslides historically on its perimeter along the slopes below the proposed site. As recently as February 2017, there was a serious landslide (interestingly, this was referred to in the DSEIR as "minor") near Country Park Road in the 20100 to 21056 region.

51.7

I live 50 yards from this slide location. Several homes were nearly flooded and only emergency efforts by Monterey County Regional Fire Department personnel (aided by several neighbors including myself) averted serious home damage. I witnessed the consequences of the slide; mudflows blocked drainage of the adjacent culvert, in turn causing flooding. The perimeter path behind my home was inundated for 100 yards knee deep in storm water. I have the photos and videos for inspection.

This slide was recently repaired (Q4 2017) by the developer. Its location is not unique as slopes near the proposed building site are uniformly steep, some exceeding 45 degrees. We have experienced other slides and can expect more.

Please note that the recent slide occurred naturally. Imagine the consequences of construction on the elevated site with multiple pieces of heavy equipment, over conceivably 18 months of construction span, coupled with the eradication of 80 large Eucalyptus trees, and possibly coupled with severe rains. Why is this most probable scenario not analyzed in the DSEIR?

The original Las Palmas developer, Mike Fletcher, chose to build the 329 homes of LPI on the lower terrain. Clearly this was to avoid the difficulties and costs associated with the higher slopes on Parcel Q.

As an example of combating past slides, near Canyon Park, just off the perimeter road, one can see two concrete retaining walls installed early on in Las Palmas I. These were erected to mitigate "toe-outs" during winter storms.

IX. HYDROLOGY AND WATER QUALITY -- Would the project:

a) Violate any water quality standards or waste discharge requirements?

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? 51.8

Yes. See item (e) below.

e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

Yes. The proposed facility will cover 190,000+ square feet (4.36 acres) with a cumulative combination of impermeable pavement, roads and buildings. We routinely encounter heavy seasonal rains. All that unabsorbed water will flow downhill along unstable slopes into Las Palmas I, unless diverted by some as yet undefined drainage system. We are not informed so far about assumptions about how this will be accomplished. The present storm water capacity of Las Palmas is quite limited and was easily overwhelmed in February 2017. See: Landslides above. Again, where is the report Mr. Papurello referred to?

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding because of the failure of a levee or dam?

Yes. See item (e) above.

j) Inundation by seiche, tsunami, or mudflow?

Yes. While seiche (standing wave) and tsunami are clearly remote risks, mudflow and hill slides are serious risk for the LPI community. The recent events in winter 2018 in Montecito, CA demonstrate what catastrophes can happen.

Yes. While actual flooding of the *elevated plateau* on the site is a most remote risk, residents in lower elevation Las Palmas I have been isolated on several occasions in recent past by floodwaters.

The DSEIR (11-6) states: "*The project site is elevated substantially above River Road and is not located within the 100-year flood plain. Thus, there would be no impacts related to flood hazards*"

This cavalier dismissal of flood risk is a denial of a very legitimate and serious risk from consideration.

Generally, the Salinas River has flooded surrounding regions a number of times. This is not some hypothetical extreme scenario. See the following link.

(http://www.co.monterey.ca.us/government/government-links/water-resources-agency/programs/floodplain-management/historical-flooding#wra)

Specifically, the easement under consideration by the Applicant to enter and exit RVLP traverses these Las Palmas I areas that have definitely been flooded. Flooding is always a risk for us in a severe winter rain and/or a breach in the levee at the Salinas River. The direct consequences of such flooding would be to isolate RVLP from any of its lines of supply and support. A senior care facility with a fragile population must not be built in such a vulnerable location as proposed with a single road in and out of Las Palmas I. The very idea is irresponsible to contemplate.

X. LAND USE AND PLANNING - Would the project:

a) Physically divide an established community?

Yes. RVLP is a proposed business inside a vibrant residential community.

51.9

Las Palmas I has parks and a basketball court for children and families to enjoy a safe lifestyle.

Much of the LPI community presently has no sidewalks on either or both sides of the residential streets. Automobile traffic has been subdued by way of strategically placed bollards, speed bumps and street signs. People walk their dogs throughout the neighborhood. Las Palmas I **was purposely designed to promote walking or biking**. Cars drive slowly and children play safely in the streets. The RVLP planned development will threaten these highly desirable features of our quality of life.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? 51.10

Yes. Multiple aspects of the Monterey County General Plan would be violated by this project, including (but not limited to):

• L.U.-1.4: Growth areas shall be designated only where an adequate level of services and facilities such as water, sewerage, fire and police protection, transportation, and schools exists or can be assured concurrent with growth and development

• L.U.-1.5: Land uses shall be designated to achieve compatibility with adjacent uses.

• L.U.-1.11: Development proposals shall be consistent with the General Plan Land Use Map designation of the subject property and the policies of this plan.

• LU-2.19 The County shall refer amendments to the General Plan and zoning changes that would result in the creation of new residential, industrial, or commercial areas to the nearest cities for review and comment.

• L.U.-2.23: Medium Density Residential (MDR): Medium Density Residential areas are appropriate for a range of residential uses (1-5 units/acre) and housing types, recreational, public and quasi public, and other uses that are incidental and subordinate to the residential use and character of the area. The extent of use of land for this designation shall be limited to building coverage of 35% of the subject property.

• OS-1.2: Development in designated visually sensitive areas shall be subordinate to the natural features of the area.

• OS-1.3: To preserve the County's scenic qualities, ridgeline development shall not be allowed.

• T-1.6: Existing legal lots of record located in the critical viewshed may transfer density from the acreage within the critical viewshed to other contiguous portions of land under the same ownership, provided the resulting development meets all other Toro Area and General Plan policies.

• T-3.1: Within areas designated as “visually sensitive” on the Toro Scenic Highway Corridors and Visual Sensitivity Map, landscaping or new development may be permitted if the development is located and designed (building design, exterior

lighting, and siting) in such a manner that will enhance the scenic value of the area.

This project clearly and demonstrably constitutes a direct violation of the Las Palmas Specific Plan. This Plan limits housing units are at 1031. Presently almost built out at 1028 units….This fact directly contradicts the following inaccurate statement in DSEIR 2.2:

"Growth Inducting Effects - The subject parcel is the last remaining undeveloped property in the Las Palmas Specific Plan with a residential land use designation. Since the remainder of the Las Palmas Specific Plan has been built-out since the 1990s, the proposed project would not be population-inducing and would be consistent with General Plan and zoning designations for the site. Therefore, the project would not have growth inducing effects."

51.11

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

(Reference Bio 1-5) Table 2.1 does not mention the California Tiger Salamander. A notarized statement is available from Susan Hurst (LPI homeowner) documenting her direct observation of this protected salamander on the property. On pp. 7-11 in the DSEIR it states: *"Not expected. No suitable habitat found on the site."* Clearly, this is not the case.

The site is home to a variety of Fauna. Red Tail Hawks, Barn Owls and Wild Turkeys will be displaced. So will Bobcats, Mountain Lions and Deer. How will "preconstruction surveys" mitigate these concerns to have "less than significant residual impacts?" (Bio1-5).

51.12

XII. NOISE -- Would the project result in?

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Yes. Due to the elevation of the proposed site commercial vehicles (UPS, FedEx, supplier trucking, USPS service, etc., etc.) arriving and leaving

51.13

24/7 will necessarily gear down as they ascend and descend with consequent mechanical and road noise. The topography of the hills in combination with the canyon below will amplify this objectionable road and mechanical noise. There are many shift workers among the LPI homeowners and their rest time will be adversely affected by this increase in noise.

Further, given the age and health of the RVLP population, the facilities once operating will require **routine** 911 responses by emergency units such as Fire department engines and ambulances. As a benchmark, similar facilities in Carmel require frequent 911 Fire engine responses. To quantify the likely frequency of these here is benchmark dispatch data from the responding Fire districts. These data are available for inspection:

Incident Report by Location & Final Type 1/1/2016 to 4/1/2018:

Pacific Meadows Carmel

Total Incidents are 366, or 2.23 days between incidents

Del Mesa Carmel

Total Incidents are 285; 2.88 days between incidents

Rounding off for simplicity, these statistics point to **three such 911 emergency responses per week.**

One must factor into this that often such first responders will be not just Fire units but will often be joined by ambulances, not to mention mortuary transport.

Clearly, this combination of responding traffic will be noisy and disruptive even if sirens are not used. The Applicant has stated in his presentations on the project that the use of sirens could be suspended once "near" RVLP. This is not an enforceable promise. Thus the impact will include the noise associated with the vehicles by themselves PLUS sirens. This combination is absolutely objectionable to LPI residents.

Yes. The elimination of 80 Eucalyptus trees and brush will reduce natural barriers to road noise from RVLP and adjacent River Road traffic with adverse effects for the local homeowners.

b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?

Yes. Additional development generated traffic will subject LPI residents adjacent to Country Park Road, Woodridge Court and River Run to excessive noise.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

Absolutely. Las Palmas I currently is a peaceful and tranquil neighborhood. Future ambient noise introduced by this proposed development will permanently disrupt our quiet and peaceful residential neighborhood.

The Memory care unit will house Alzheimer's patients. Experience from similar facilities includes screaming patients. Sound carries in the box canyon below RVLP. Ours is a residential community. Clearly, this is inappropriate siting for such a care facility.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

Yes. During construction, the Woodridge Court/River Run easement will be used by heavy equipment over the span of its construction. (Projected span?) We have recently (Fall 2017) experienced slope repairs and the use of heavy equipment. This experience was extremely noisy and severely disruptive for the nearby residents. Conversations within homes nearby had to be at elevated volume and sleep patterns for many were disrupted for more than a week.

From the DSEIR, under Project Description, Grading:

"Development of the project will require approximately 60,000 cubic yards of cut, most of which will be compacted and used on site, and 34,500 cubic yards of fill".

A dump truck holds between 10 and 14 cubic yards. If one conservatively assumes the figure 14 cubic yards and that **all** of the cut will be compacted on site as stated, then preliminary calculations of trucking requirements to accommodate just the fill needs for installing the facilities and ring road approach 2500 truckloads that will be carried by the easement roads. Coming and going that is 5000 trips.

Assuming again that all the cut is compacted on site as stated – it still has to be transported from point A to point B on the site. That translates to 4300 truckloads requiring transfer on the site itself. That is 8600 trips. While not requiring the same use of the easement, this will still generate excessive reverberating noise.

Noise associated with by such high volume (combined cut and fill trips > 13,000) truck traffic would be most disruptive to the neighborhood. Moreover, Las Palmas

streets will be torn up, homes disturbed, and pending home sales depressed or cancelled.

XIV. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

51.14

Unclear. Other than Public Health, I cannot find any other Agency inputs

We do not understand the impacts on resources for Fire Protection, Police Protection, Parks, Water Resources, Public Works, Caltrans, TAMC. These Agencies must weigh in to this DSEIR.

Why is there no Agency review evident in the DSEIR? Is this not a requirement PRIOR to Public Comment publication of the DSEIR?

XVI. TRANSPORTATION/TRAFFIC – (Reference TRA 1, 2 and CTRA -1)

Would the project:

a) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

51.15

Yes. Addressed by expert Traffic report from TJKM Traffic Consultants Report to be available by 4/24.

Also to be factored in the analysis is the current use of local LPI streets for pedestrian traffic. This factor cannot be addressed simply with LOS calculations.

b) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Yes. There is no consideration given in the DSEIR to any LPI internal streets. Additional incoming traffic will queue as it attempts to enter into Las Palmas Road because of security kiosk monitoring access. This in turn will fill up the deceleration lane on River Road that was not designed for commercial traffic load.

Exiting traffic will also queue at the signalized intersection (River Road and Las Palmas Road). We daily experience River Road traffic, travelling at freeway speeds, running that light.

The consequences of the additional RVLP traffic load is far higher probability of collision as at this intersection.

This is not some theoretical scenario. Both intersections – River Road at Las Palmas Road and River Road at Riverview Court experienced multiple traffic accidents, sadly including a fatality of a LPI homeowner's young child:

(Data supplied by CHP Officers Tillman and Burch, and local residents; both available for inspection)

River Road at Las Palmas Road - 20 collisions 1998- spring 2017

River Road at Riverview Court - 4 collisions 1998 – spring 2017

c) Result in inadequate emergency access?

Yes. There is only one narrow and steep road leading into and out of the RVLP site. From our viewpoint, placing the facility on the hill is like building a ship in a bottle – how do you get people out in an emergency? The lack of due consideration given in the DSEIR to these very real life threatening logistics is deeply troubling. Anticipated response times by police, ambulance and fire units should be reviewed. Consideration must be given to patterns of responses when **all three of these services respond simultaneously** within the confines of severely restricted surroundings. 51.16

In case of fire, flood or earthquake RVLP residents, workers, visitors and service personnel will have to evacuate down this narrow service road onto Woodridge Court and somehow merge with the existing 329 homeowner families scrambling to leave at the Las Palmas Road intersection.

This poses unacceptable risk to both RVLP patients, LPI residents and normal River Road traffic flows.

A similar situation just occurred in West Chester, Pennsylvania on November 17, 2017 with a facility of approximately the same size as contemplated for RVLP. While fire regulations are likely to be very different between PA and CA, the quote below should give one pause:

"At least 27 people were known to have been injured in a massive fire at the Barclay Friends Senior Living Community. Firefighters alone were unable to evacuate residents, many with mobility impairments".

(http://6abc.com/2659822/) Please view this link.

Let's not repeat such a fiasco.

XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? 51.17

Unclear. Present wastewater treatment facility near the Kinship Center, operated by Cal Am Water has experienced capacity and quality issues servicing just Las Palmas I and II. This needs further elaboration. County Agency inputs?

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Possibly. Need more information. Need County Agency comments.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Definitely. There are two storm drains on Woodridge Court and their joint capacity was not designed to evacuate the storm water load resulting from covering 190,000 square feet with impermeable materials. Need more information, again where is the Agency input?

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? 51.18

Yes. Water resources in Salinas Valley Zone 2C are in overdraft situation. California is still in a drought. This is not news…..RVLP will exacerbate this already critical problem.

What is the capacity of the existing wells and service area and what happens if the drought continues?

How is it possible for a “Can and will serve letter” to be issued under these conditions?

e) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?

Unknown. County Agency inputs?

f) Comply with federal, state, and local statutes and regulations related to solid waste?

TBD. County Agency inputs?

51.19

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --

e) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Yes. Traffic is a known, dominant and troublesome issue on River Road and Hiway 68 in consequence of past decisions to approve developments along these corridors. Incremental traffic burden generated by the projected development will only exacerbate this situation. It defies logic and common sense to describe this inescapable fact and then term it a “significant impact that cannot be mitigated to an insignificant level”. If it cannot be mitigated then do not permit RVLP to worsen the situation.

b) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

Yes. People bought their homes in Las Palmas I based in part on the tranquil traffic within the neighborhood. They will be subject to much greater traffic noise and danger of bodily injury than they expected and consequently suffer adverse effects. There are further adverse ramifications listed under the non-CEQA section below.

51.20

Non - CEQA QUESTIONS CONSIDERED.

The following headings contain critically important PROJECT related concerns that are not in the DSEIR. Their glaring absence from DSEIR consideration is deeply troubling.

51.21

Background:

Some context for these concerns is necessary before specific issues are listed.

In the late eighties Monterey County faced (and still does) the pressing need for more "affordable" housing. Given the desirability of the River Road corridor for locating such housing, the Board of Supervisors opted that this needed expansion should be planned and contained in a "master" development to prevent a more scattered, random and troublesome growth pattern.

These were the premises underlying the approval of the Las Palmas Ranch Specific Plan by the Board of Supervisors at the time. The project was (and is) a success. It is a highly desirable neighborhood for families of all ages.

Sales brochures from the eighties and nineties describe a pristine country setting, attractive housing and a relaxed neighborhood atmosphere where young families could safely raise their children and older homeowners could enjoy a stroll in the natural surroundings.

These were the reasons people bought their homes in Las Palmas I. These are the reasons we still live here now and love our neighborhood. These are the reasons we strongly object to this proposed development. It would shatter our peaceful and loved neighborhood.

1) **Fire Prevention (**Note-Why is this not a CEQA category?**)**

Fire danger is ever-present due to the extremely dry conditions posed by local climate between April and November. In the evening winds are considerable due to the topography of the slopes and valley. The River Road corridor functions much like a giant horizontal chimney. Thus channeled, strong winds can quickly propel a minor fire into a blaze.

The slopes are dry and brown during these months and it would not take much to start a grass or brush fire. A simple outdoor BBQ accident by a resident of the proposed casitas could easily trigger such a disaster. A casually tossed cigarette. A backfire. A lawnmower.

Construction on the site and slopes could lead to sparks and a similar event. Recent extreme fire experiences as witnessed during the Sobranes and Tubbs catastrophes point to inadequate emergency measures in evacuation standards.

The Sobranes fire showed it could happen here; the Tubbs fire shows how deadly it can be in a similar setting. It is impossible to overemphasize these concerns. It is irresponsible to downplay them…….

2) Security & Safety

By the early 2000's it became evident that there were issues with neighborhood safety and theft in LPI. Daytime break-ins became more frequent and in 2008, the Homeowner Association invested in an access security system that included a staffed guard shack at the Las Palmas Road entrance and an electronic gate at Riverview Court. Additionally there are security patrols in the evenings.

Subsequently our crime rate dropped substantially – certainly contrasted with Toro Park and other areas in Salinas. Neighborhood watch meetings are held and Police is invited to coach us on crime prevention. A Monterey County Sheriff recently remarked at one of these sessions how favorably Las Palmas I security compares with other areas patrolled by the County Officers. He also described his very large territory covered and that they are severely understaffed.

The projected senior care facility development threatens our achievement in shoring up personal and property security. This facility with 142 beds requires 92 employees, access for deliveries and services, visitors, etc. etc. This additional influx of non-LPI residents would enter at the Las Palmas Road intersection and quite overwhelm the guard services there and thus pose security risk. Moreover, the extra traffic burden entails serious hazard to both present home-owners and RVLP connected people in that the area is quite constricted. This is a safety risk we strongly object to.

3) **Economic Impact**

As explained above in the INTRODUCTION, the prime driver for people to buy into Las Palmas I is the quality and security of the surroundings, coupled with attractive and affordable homes in reasonable proximity to Monterey and Salinas. LPI is a safe place to raise children, for people to walk around their neighborhood, and enjoy the peace and tranquility of country setting.

All this represents VALUE and thus a purchase into this neighborhood is a huge investment for many of us, and the biggest asset for most of us.

The proposed senior care facility will certainly depress the value of our homes. More Traffic, More Noise, Less Security, More Risk, Less Harmonious Surroundings…….Fewer places for our families to live, play and grow will alter our quality of life forever.

We ask this fundamental question: why should the Applicant be able to maximize his investment at our homeowners' expense?

4) **Neighborhood Fit**

This proposed RVLP development is demonstrably a poor fit with the existing Las Palmas I community.

On October 26, 2015, the TORO LUAC committee heard the RVLP proposal from the Applicant. As that meeting was poorly noticed, the Committee "continued" the proposed project until better neighborhood participation was obtained and consistency with the Las Palmas Specific Plan was better understood. The continued meeting occurred almost a year later.

On September 26, 2016, the TORO LUAC reconvened and this time the meeting was very well attended by local residents. After hearing public comments from a sizable audience (> 35 people), the LUAC concluded the meeting with the following unanimous recommendation:

"Change project to adhere to the Las Palmas Specific Plan, which, according to County records of housing units already built, will allow three single family dwellings to complete the build-out of Las Palmas. As proposed, this is a commercial project, and is inconsistent with the residential neighborhood."

1) Considered from the Las Palmas I perspective this proposed project is diametrically opposed to the very reason people bought their homes here. It will no longer be a safe, secure, family friendly community.

   – A neighborhood sponsored, door to door survey in early 2016, given the choice between support for and opposition to the project as proposed, resulted in 93% opposition to the project. (sample size of 165 homes or 50% of 329 total in LPI). The project has not changed in scope or scale since 2016 so these findings are still directly relevant and valid. Signature sheets are available for inspection and will be (re) submitted to the County as Public Comment on the DSEIR.

   – In 2017 a similar effort by our HOA to gage neighborhood opinion resulted in 212 votes out of 329 homes:
     – Support : 9 Oppose : 153 Neutral : 50

   – While methodology differed between the two outreach approaches, the inescapable conclusion in both was overwhelming opposition to the proposed development.

2) Common sense observation: why contemplate a senior care facility located miles away from its essential medical infrastructure such as hospitals and clinics. Why isolate vulnerable older people on top of a hill with severely restricted ingress and egress, and lastly – why ignore the clear wishes of a majority of residents in the adjacent community by forcing an institutional business immediately adjacent to an established neighborhood?

3) In connection with the relationship between the Project Applicant and the LPI HOA, there is a false claim on page 4-17 in the DSEIR: i.e.

"*The project applicants, who own the site, are currently members of the Las Palmas Ranch Home Owners Association and have paid dues to the association".*

This is not true. The actual situation is the Applicant pays $40 per month as a "Road Maintenance Fee". This is a legacy payment reached as a "gentlemanly agreement" from earlier owners of the Parcel.

The Applicant is NOT a member of the Las Palmas I HOA.

Summary:

While adequate senior care facilities are clearly a desirable community objective where capacity is at issue, ***this*** proposed development is non-conforming on many levels as described in this report. No amount of mitigation can bring it into compliance. It is poorly conceived, as it isolates its residents and relies on remote medical and logistical support infrastructure. It is unsafe for both LPI residents and its own population. It is in direct conflict with the wishes of the vast majority of the established adjacent LPI community. It violates essential policies in the Las Palmas Ranch Specific Plan.

If the Board of Supervisors decides to amend the LPSP to force fit RVLP it will break faith with LPI residents on promises made when a prior Board of Supervisors first approved the LPSP. Las Palmas I relies on steadfast BOS support for the LPSP as initially approved to guarantee the integrity of its homes and environment.

This is the Wrong Project in the Wrong Location.

Please reject this project as described in the subject DSEIR.

Recommendation:

Applicant should consider building three homes on the site.

Letter 51

COMMENTER: Roy Gobets

DATE: April 6, 2018

Response 51.1

The commenter acknowledges the need to provide seniors with care and housing. The commenter states that the project would not be a good fit for the site due to the concerns listed below. The commenter recommends that the project be changed to a high-end housing project.

The commenter's recommendation is noted and is herewith shared with the County's decision makers for their consideration. The commenter's individual concerns are addressed below.

Response 51.2

The commenter states that the project would have an impact on the views from Scenic SR 68. The commenter states that the project would remove trees, and that landscaping would not screen the project or mitigate the defacing of the hillside. The commenter states that the project would impact the setting of the historic Corey House.

Please refer to Topical Response F regarding scenic resources and ridgeline development. As stated therein, impacts would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting. Further, while the project site is naturally elevated, nearby hills of substantially greater elevations would shield the site, with views of the site only momentarily visible to moving vehicles. Regarding Corey House, refer to Response 30.3.

Response 51.3

The commenter states that the project would degrade the visual character of the site and its surroundings.

Please refer to Topical Response F regarding the visual character of the site and its surroundings. As stated therein, impacts would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting.

Response 51.4

The commenter discusses local air quality and the vulnerability of seniors to air pollution.

The comment refers to air quality impacts from sources other than the project. Note that the Draft SEIR analyzes impacts of the project on the environment, rather than impacts of the environment on the project. For additional discussion refer to Response 30.6.

Response 51.5

The commenter states that the project would cause objectionable odors from meals.

Odor is discussed in Section 6.0, *Air Quality,* of the Draft SEIR, and again in Topical Response C. Odors released outdoors from meal preparation would be intermittent and unlikely to be objectionable to the extent of causing a public nuisance.

Response 51.6

The commenter discusses earthquake risks. The commenter asks why a design level soil engineering investigation has not been included in the Draft SEIR.

The Draft SEIR includes a Geologic Hazards Report and Soils Engineering Investigation in Appendix F of the Draft SEIR. This preliminary report addresses the feasibility for the site from a geologic viewpoint, with emphasis on the potential for geological and seismic-related hazards. The report concludes that the site is suitable from a geologic and soil-engineering standpoint for the proposed development provided that the preliminary recommendations contained in the report are implemented in the design and construction. As stated on pg. 15 of the preliminary report, the site is located in the seismically active Monterey Bay region of the Coast Ranges Geomorphic Province. The site is not located within any Earthquake Fault Zones in accordance with the Alquist-Priolo Earthquake Fault Zone Act. The Blanco section of the Reliz fault is located approximately 300 feet east of the site. The Reliz fault has displayed late Quaternary displacement, but it is not located on the subject site, therefore potential for surface rupture to occur on the site is low. Strong ground shaking associated with major earthquakes along the San Andreas and other nearby faults will undoubtedly occur at the site in the future. The authors of the report recommend using current CBC Seismic Design Parameters, as listed in the report. As a condition of approval, all recommendations included in the geotechnical report would be implemented in the design and construction of the project to ensure that there would be no significant impacts associated with geologic hazards.

Response 51.7

The commenter states that the project would increase the area's exposure to landslides.

Please refer to Topical Response E. As noted therein, all recommendations included in the geotechnical report would be implemented in the design and construction of the project to ensure that there would be no significant impacts associated with geologic hazards, including landslides.

Response 51.8

The commenter states that the project would increase stormwater runoff. The commenter states that the project would contribute to flood risks in the Subdivision.

Please refer to Topical Response E for a discussion of stormwater drainage. As noted therein, the project would not result in significant impacts related to flooding. Stormwater drainage of the project site would prevent flooding of the site's entrance.

Response 51.9

The commenter states that the project would physically divide an established community. The commenter expresses concerns regarding the safety of pedestrians and bicyclists within the Subdivision, and potential impacts to quality of life.

Please refer to Response 30.11.

Response 51.10

The commenter states that the project would conflict with Monterey County General Plan policies that limit and regulate growth.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 51.11

The commenter states that the project violates the LPRSP by inducing population growth.

Please refer to Topical Response C regarding growth inducement. As stated therein, while the proposed project would indirectly result in business and population growth due to the increased local investment from revenues generated by the project, projections of any potential growth would be speculative.

Response 51.12

The commenter states that the project would impact wildlife, including protected salamanders.

The incidental observation of a CTS by a private citizen is undocumented and cannot be verified; however, a desktop level review is provided in Response 5.2 to support the assessment of CTS habitat at the project site. For additional detail refer to Response 5.2 and Topical Response G. As discussed therein, the small size of the project footprint, and the placement of the project site among residential and agricultural development decreases the value of habitat for special status wildlife. Impacts to common wildlife species would not be considered significant under CEQA, and potential impacts to special status wildlife is mitigated through implementation of the Draft SEIR mitigation measures requiring preconstruction surveys and avoidance, and through the implication of the additional mitigation measures proposed in Response 5.2.

Response 51.13

The commenter states that the project would have noise impacts related to commercial operation, emergency vehicles, mortuary transport, construction activities, noisy residents, and reduction of natural vegetation noise barriers.

Please refer to Topical Response H, which includes a detailed discussion of the operational noise impacts of the project. As described therein, operational noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 51.14

The commenter asks why comment from public agencies is not provided in the Draft SEIR.

Public agency comments are received and responded to concurrently with public comments. Public agency comments are included in this Response to Comments document. Please refer to responses to the following letters: Letter 2 (Monterey Bay Air Resources District), and Letter 3 (Monterey County Water Resources Agency). Comment letters from additional agencies were not received, although copies of the document and notification of the public comment period was provided, as noted in Letter 1 from the State Clearinghouse.

Impacts related to fire protection, police protection, parks, water resources, and public works are described in Section 11.9 through Section 11.12 of the Draft SEIR. These impacts were determined to be less than significant.

Response 51.15

The commenter discusses the project's traffic impacts and states that the Draft SEIR does not consider traffic impacts in the Subdivision. The commenter states that the project would increase traffic safety risks.

Please refer to Topical Response D. As noted therein, the project would not result in a substantial increase in traffic within the Subdivision, and the project would not result in a significant impact related to traffic safety.

Response 51.16

The commenter states that the project would have impacts on emergency response access and fire safety.

Please refer to Topical Response B. As noted therein, Section 11.9, *Public Services*, of the Draft SEIR has been revised to clarify that the project would have a less than significant impact on fire and police protection services. Implementation of the project would not require new or expanded public facilities to continue providing the existing level of public services experienced by residents in the vicinity of the project site.

The discussion pertaining to emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project. For additional detail pertaining to emergency access, refer to Topical Response D.

Response 51.17

The commenter discusses wastewater treatment for the project and states that more input is needed from public agencies. The commenter states that the project would impact stormwater drainage.

Wastewater is discussed in Section 11.12, *Wastewater*, of the Draft SEIR. For comments on water issues provided by the Monterey County Water Resources Agency (MCWRA), please refer to Letter 3. For discussion of stormwater drainage, please refer to Topical Response E. As noted therein, the project would not result in significant impacts related to flooding. Stormwater drainage of the project site would prevent flooding of the site's entrance.

Response 51.18

The commenter discusses water supply issues and questions the issuance of a "Can and Will" letter to serve the project.

California Water Service has confirmed that it can and will serve the project, which indicates the applicable water purveyor for the site is able to provide water supply for the proposed project. An updated letter dated March 26, 2019 is included in Appendix I-2. For discussion of water supply impacts, refer to Section 10.0, *Water Supply,* of the Draft SEIR, and Responses 3.1 through 3.5.

Response 51.19

The commenter asks if public agencies commented on the project's solid waste disposal impacts.

No comments were received from public agencies regarding solid waste. Solid waste impacts were described in Section 11.11 of the Draft SEIR, which concluded impacts would be less than significant.

Response 51.20

The commenter states that the project would have cumulative traffic impacts and that the project would result in greater traffic noise and safety concerns than residents anticipated when they bought homes in the Subdivision.

Please refer to Topical Response D and Topical Response H. As described therein, the project would not result in a significant impact related to traffic safety or operational noise, with the exception of traffic impacts to SR 68, which would be significant and unavoidable.

Response 51.21

The commenter introduces a section of "non-CEQA" concerns and states that these concerns are not addressed in the Draft SEIR. The commenter provides background information about the Las Palmas Ranch Plan Area. The commenter lists concerns related to fire prevention, safety and security, economic impacts, and neighborhood fit. The commenter asks why fire prevention is not covered under CEQA. The commenter disputes the statement in the Draft SEIR that the project applicants are members of the Las Palmas Ranch Home Owners Association (LPHOA).

Fire protection is discussed in Section 11.9, *Public Services,* of the Draft SEIR. Wildfire impacts are discussed in Section 11.5, *Hazards and Hazardous Materials,* of the Draft SEIR*,* and Topical Response B. As noted in Topical Response B, Section 11.9, *Public Services,* of the Draft SEIR, has been revised to note that the MCRFD reviewed the proposed building and site plans, and has determined the project would not require new or expanded public facilities to continue providing the existing level of public services experienced by residents in the vicinity of the project site. The proposed site plan has been designed to comply with the County's fuel modification standards (Title 18, Chapter 18.56.090 *Fuel Modification Standards*) to minimize potential wildfire hazards on the project site and vicinity. Impacts related to wildfire and fire protection would be less than significant.

For a discussion of security and safety refer to Topical Response A. As noted therein, the assisted living facility would have its own security staff on site to monitor activities at the facility, and the project would participate proportionately in the cost of the Subdivision's security service. To clarify the proposed cost-sharing arrangement, the Draft SEIR has been amended to clarify that a written agreement between the project applicants and the LPHOA would be required in order to clarify cost-sharing and responsibilities associated with the streets, drainage facilities, and security operations . In addition, Section 11.9, *Public Services,* of the Draft SEIR, has been revised to include information about staffing and personnel at the Monterey County Sheriff's Office, which currently maintains a service ratio of approximately three sworn officers for every 1,000 residents (unincorporated). Upon review of the project and existing personnel and support, the Sheriff's Office determined that no expanded or new facilities would be required to continue providing police protection to the Las Palmas community even with the addition of the proposed project.

As described in Topical Response C, property value and neighborhood fit are not environmental impacts and are not directly analyzed in the Draft SEIR. The Draft SEIR does include analysis of traffic and noise impacts. All impacts were determined to be less than significant or less than significant with mitigation incorporated, with the exception of traffic impacts to SR 68, which would be significant and unavoidable. For a discussion of traffic, refer to Topical Response D, and for a

discussion of noise, refer to Topical Response H. Topical Response C also explains that the project would be consistent with the site's zoning and land use requirements.

Page 4-17 of the Draft SEIR states that the project applicants are members of the LPHOA, have paid dues to the association, and would pay a proportionate share for the use of the roads and the drainage system. As noted in Topical Response I, page 4-6 of the Draft SEIR has been revised to clarify that an agreement would be required between the LPHOA and the project applicants, who own the project site, to clarify cost-sharing and responsibilities associated with the streets, drainage facilities, and security operations.

Letter 52

Received by RMA-Planning
on April 6, 2018.

Sidor, Joe (Joseph) x5262

From: Lindsay Romiza <lindsayromiza@gmail.com>
Sent: Friday, April 6, 2018 10:50 AM
To: Sidor, Joe (Joseph) x5262
Subject: RVLP Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Hello Mr Sidor,

We are writing you because we are very concerned about the proposed commercial project for several reasons.
First reason is that our home is here, our largest investment, in both memories and financially, that we have enjoyed for the past 13 years.
The idea that the County might approve the application for a large commercial business to be built in a private neighborhood is disturbing & scary.

We are passionate about where we live. We invested in this neighborhood of 329 homes, mostly families with young children,
because of it's privacy and park like setting. The "Las Palmas Specific Plan" currently allows three additional residences to be built on Parcel Q
and it should remain residential only. The proposed development by Mr Shingu is a business, not a residence. Businesses make profits, homes do not.
We are not against senior housing, but we are against a commercial business being built within our neighborhood boundary.
Mr Shingu purchased the property without regard to the residents of Las Palmas 1 and we are asking you to please Not Approve Mr Shingu's application!

Do you know that Mr Shingu has this property for sale on the internet? He purchased Parcel Q knowing he
had to hire top attorneys and change the "Las Palmas Specfic Plan". We, along with many other residents, have had to dedicate our
personal time to research the effects of his proposal and an on-going effort to educate neighbors about the application and it's process. If approved, by you,
we will lose, at his profit, everything we have worked so hard for. Las Palmas 1 will forever be changed if his commercial business application is approved by you.
Please do not approve it!

A huge concern will be the additional traffic that will be going in and out of Las Palmas Road from River Road. We already have, on the average, 100
cars per month making U turns at the intersection because drivers are lost. The private entrance to Las Palmas 1 will become a major traffic
crossing. The curve on River Road (blind spot) has already proved to be fatal with the death of one child. Several accidents have also taken place at this intersection.
Please do not put the residents and/or visitors of Las Palmas 1 at an even greater risk of more and more car accidents and possibily another fatality.
Please do not approve Mr Shingu's application!

Have you visited Las Palmas 1 and walked our parks and strolled our streets? Las Palmas 1 is a quiet neighborhood with parks, residents enjoying

the comfort of walking the street, children playing catch, basketball and riding their bikes in the street, folks walking their dogs and simply enjoying the outdoor life style.
Our parks and the Eucalyptus trees are habitats for many animals, including Monarch butterflies, hawks, owls and quail. Please don't take that away from us!
Letting Mr Shingu destroy our park and quite streets for his commercial business opportunity doesn't make sense in a world where having a safe
place to roam around in the parks and streets, with friends/family/pets, is rare in most areas.
Please do not allow this to happen to 329 residences of Monterey County that chose to make Las Palmas 1 life style their home!

There are so many other areas where Mr Shingu could have purchased property that is not already in an established residential neighborhood and
zoned only for residential use. He saw an opportunity and chose to use the system to get what he wants no matter the cost, financial and emotional, to the 329 home owners that
bought here for the privacy Las Palmas 1 is well known for. Mr Tony Lombardo is Mr Shingu's attorney and to share an interesting point, we have included a paragraph
for you to read from The Carmel Pine Cone dated 11-5-15, titled "Dog Park rejected..." where Mr Lombardo represented Quail Lodge; "According to Lombardo, the canine center
would generate significant amounts of unmitigated traffic" and "increase water use" ..." We find it interesting that Mr Lombardo takes the opposite side of the spectrum when
hired by a developer seeking profit, to do the same thing the dog park representatives wanted in Carmel Valley. In addition, Mr Shingu, with Mr Lombardo present, has been asked
by homeowners to stop this process and find an alternative site and/or access to his retirement facility.
If approved, Las Palmas 1 will decline in value, and it's unique family atmosphere will fade away.

Another major concern is the construction of such a project on a hill that has already proved to be unstable. Attached are three photos of the recent
landslide (November 2017). This is the second such landslide, and that's without all the construction, bulldozers and cement trucks moving dirt around
on top of the hill. The recent Montecito fire/mudslides, near Santa Barbara, are something very real that could happen on that hillside if the conditions are right. Probably most of
the letters you get will be from those folks that line the bottom of that particular hillside. Let's not risk it!

There are many factors as to why Mr Shingu's application should be denied. They include, 2 plus years of noise pollution with construction trucks driving up and down
the hill, which is estimated to be a 50% grade, light pollution, decline of water resources, fire hazards, evacuation concerns and only one road in and out. There will be
an increase of traffic throughout Las Palmas 1 because Las Palmas Road will back up and drivers will reroute, to enter and exit, through our private gate entrance at Riverview Court.
The ridge line is another area of concern. In the beginning, you could see the bright orange tape from River Road. The tape has since faded and newer homeowners are not
given the full opportunity to judge the ridge line because the tape needs to be replaced for proper evaluation. The lights shining down from the buildings above Las Palmas 1 homes
will be a major problem for homeowners that line the bottom of the hillside. There are many other reasons to not approve Mr. Shingu's application, but the main reason is
that it is simply not the right fit for Las Palmas 1 and the "Las Palmas Specific Plan".
Please do not approve Mr Shingu's application.

We hope you take all of our concerns seriously and would appreciate your response to each of them.

Respectfully,

Lindsay & Anthony Romiza
17724 Riverbend Road

Letter 52

COMMENTER: Lindsay and Anthony Romiza

DATE: April 6, 2018

Response 52.1

The content of this letter is the same as the content of Letter 31. Please refer to Responses 31.1 through 31.6 above.

April 7, 2018

Letter 53

RECEIVED
APR 09 2018
MONTEREY COUNTY
PLANNING DEPARTMENT

Carl Holm, Planning Director
Joseph Sidor, Associate Planner
Brandon Swanson, Planning Manager
Monterey County RMA
Planning Second Floor
1441 Schilling Place
Salinas, CA 93901

Dear Mr. Holm, Mr. Sidor and Mr. Swanson,

I live in Las Palmas 1 and strongly oppose the proposed development, Riverview at Las Palmas (PLN#150372). I chose this community as a quiet, safe and calm environment in which to reside. This large commercial development does not meet the criteria for the Las Palmas mission of a peaceful rural residential neighborhood. The following is a list of issues arguing against such a development in our neighborhood. 53.1

Traffic:

- River Road Traffic: The stop light at LP1 entrance has seen 20 accidents over the last 10 years. One 4-year old child has already died by a texting drunk-driver. Additional traffic for the "Parcel Q" will aggravate this situation. 53.2
- Potential Accidents: Currently, the curve blocking the visual to the LP1 light going South, allows only 4-5 seconds (traveling at 55 mph) before reaching the intersection. This short distance is suspected as the cause of several accidents at this point. If the proposal goes through, any celebrations with family members over holidays and family events at "Parcel Q" will significantly increase the traffic load and potential for further accidents.
- Security Stops: Traffic already backs up into the River Road exit lane at peak times due to our security checkpoint. Adding 50-90 cars and construction vehicles a day will increase the potential for further traffic congestion and accidents.
- Emergency Situations: The potential for a fire on the south end of the canyon would necessitate immediate evacuation of all members of the community. A NW wind could spread fire exponentially in these closely packed houses, as seen in recent fires in northern and southern California. There are 2 exits for over 300+ homes, plus the emergency vehicles, potential staff and patients! 53.3
- Construction Traffic: The traffic generated by the construction phase will be extremely problematic. This quiet valley is nestled between two large hill sides. Any construction traffic noise would be echoed off the hills. Construction and delivery equipment would need to climb a steer entrance road at low gear. Any subsequent grading equipment will emit a loud back up beeping noise that will be heard from all LP1 units. This constant and increased traffic would irrevocably alter the safe, peaceful nature of the community. This will also severely disrupt the area wildlife habitats. 53.4
- Commercial Traffic: The proposed development would bring increased emergency fire and ambulance calls (with blaring sirens) as both are required to attend. These will bring unwanted noise and light pollution at all hours of day and night. Any commercial vehicles – food deliveries, medical waste, trash, linen, etc., and potentially 90+ employee vehicles will funnel through a narrow street

originally designed for residential traffic. LP1 residents pay for these roads to be maintained/re-paved. This additional traffic will certainly increase expenses of road repair, in turn raising the homeowners' costs.

Security

- Security of the neighborhood would be compromised on LP1 community. As this will open the neighborhood to non-residential traffic, we fear an increase in crime that has decreased since installation of LP1 security personnel. There is no way to regulate this increased traffic and guarantee the security of our neighborhood. This is a real concern.

53.5

The Proposed Non-Residential Development is Inconsistent with the Existing Residential Community

- Under The Las Palmas Plan and Monterey County Plan, Las Palmas Community was approved and developed as a rural residential neighborhood.
- This parcel is zoned "medium density residential," at 2.61 units per acre. Under the Las Palmas Plan this parcel was specifically approved for 8 units total. The developer now seeks a "conditional use permit" to allow development of a non-residential facility with a total of 105 units. This is inconsistent with The Las Palmas and Monterey County Plans.
- The developer seeks to circumvent these plans by requesting an amendment for a non-residential use. Specifically, the developer asks you approve an amendment with the following language; "Assisted living facilities are not considered residential units (and should not be) subject to the residential limitation of the (Las Palmas) Plan." An assisted living facility is not a residential use, because it does not operate or function in a manner like single family units.
- Las Palmas is a highly desirable residential community with stable property values. Residents fear the loss of their investment potential due to the nature of this development. Several people have moved out fearing this project.
- To approve this amendment to the Las Palmas Plan and to allow development of a non-residential Assisted Living Facility with 105 units, and all the commercial traffic, deliveries, medical waste, employees, visitors, and resulting security and safety concerns would destroy the rural residential nature of our community.

53.6

Intrinsic Values: Development of this size will alter our environment.

- The location in question has 80+ eucalyptus trees that will be removed under current plan. These provide reduction in wind, ridgeline exposure and Hwy 68/RR sound abatement.
- Moreover, these 70+ year old eucalyptus trees are home to several generations of Red Tailed Hawks and Great Horned Owls. Last year we had an overabundance of voles (large field mice) which were running around even in daylight. These essential predators were active in vole reductions. Watching these great birds soar and perform aerial ballets over our hillsides is unmatched in Salinas proper.
- Bobcats and deer live up on the hillsides and flats of the area in question. Last year one female bobcat brought her 3 cubs out into our common area multiple times. This was a delight of all who caught this rare event. One mother deer has birthed 5-6 pairs of babies over the last few years and we have watched them grow into adulthood.
- Destabilization of the steep hillsides in question is a serious threat to mudslides. We have experienced similar abundant rain-slide events even without any development activity.
- There is a sense of fear in LP1.

53.7

- Light Pollution: We currently are able to view changing of the planets and star constellations due to our unpolluted dark areas. This will stop under the PLN#1500372.
- Noise: A friend who worked to help develop a similar nursing home in Hollister indicated the potential of "Screamers" being heard in the night is real. She later regretted helping this proposal from just this perspective. Noise from construction would also be very disrupting to all. 53.8
- Smells: As this proposed facility will generate substantial numbers of meals, we will not enjoy sharing their menus due to prevailing winds. Our air is very clean here; let's keep it this way!

I request you please carefully evaluate these issues when considering this proposed development. Residents value this land and putting a commercial facility near it would certainly decrease its value significantly. While I support the need for residential care facilities, the location of such would be best in a commercial zone, rather than our peaceful residential one. Please do not devastate our neighborhood's fine condition with this proposed commercialization.

Thank you for your consideration,

Sincerely,

Jeannette Warzycki

Jeannette Warzycki
(831) 238-2439
April 7, 2018

Letter 53

COMMENTER: Jeannette Warzycki

DATE: April 7, 2018

Response 53.1

The commenter states that they are opposed to the project.

This commenters' opposition to the project is noted and herewith shared with the County's decision makers for their consideration. The commenter's specific concerns are addressed below.

Response 53.2

The commenter states that the Subdivision entrance has existing traffic safety issues that the project would exacerbate. The commenter states that the project would congest traffic at the security gate.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Response 53.3

The commenter discusses emergency evacuation concerns.

The discussion pertaining to emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project. Also refer to Topical Response D.

Response 53.4

The commenter describes concerns about construction traffic, commercial traffic, and emergency response traffic. The commenter states that the project would result in damage to the Subdivision's private roads.

Please refer to Topical Response D. As described therein, construction and operational traffic impacts to Subdivision roads are less than significant or less than significant with mitigation incorporated. Additionally, mitigation is required to improve emergency access and evacuation to and from the site.

Response 53.5

The commenter states that the project would compromise security in the Subdivision.

Please refer to Topical Response A for a discussion of the project's impacts on security operations. The project would not result in a significant impact on police service or emergency preparedness within the Subdivision. Regarding the Subdivision's private security operations, an agreement would

be required between the applicant and the LPHOA regarding shared costs and responsibilities, as discussed in Topical Response I.

Response 53.6

The commenter states that the project is not consistent with applicable land use plans and would reduce the property values of neighboring residences.

Please refer to Topical Response C. As noted therein, the project would be consistent with LPRSP policies and property value is not an environmental impact and therefore is not analyzed in the Draft SEIR.

Response 53.7

The commenter states that the project would cause noise impacts, impacts on wildlife, and would destabilize the hillside.

Please refer to Topical Response E regarding hillside destabilization. As noted therein, compliance with recommendations in the geotechnical report, which would be required as a condition of project approval, and compliance with applicable County code requirement would ensure there would be no significant impacts associated with hillside erosion.

Regarding impacts to wildlife, please refer to Topical Response G. As stated therein, impacts to wildlife would be mitigated to less than significant by preconstruction surveys and avoidance.

Please refer to Topical Response H, which includes a detailed discussion of the long-term noise impacts of the project. As described therein, long-term noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 53.8

The commenter lists concerns related to light pollution, noise impacts, and odors.

Please refer to Topical Response F, which discusses impacts of the project's lighting on night sky views. As described therein, mitigation is required to reduce lighting impacts to a less than significant level.

Please refer to Topical Response H, which includes a detailed discussion of the long-term noise impacts of the project. As described therein, long-term noise impacts would be less than significant or less than significant with mitigation incorporated.

Odor is discussed in Section 6.0, *Air Quality,* of the Draft SEIR, and again in Topical Response C. Odors released outdoors from meal preparation would be intermittent and unlikely to be objectionable to the extent of causing a public nuisance.

Letter 54

Received by RMA-Planning
on April 9, 2018.

Sidor, Joe (Joseph) x5262

From: Todd Ruston <todd@hackneyponies.com>
Sent: Sunday, April 8, 2018 6:43 PM
To: Sidor, Joe (Joseph) x5262
Cc: ceqacomments; roygobets@aol.com
Subject: River View at Las Palmas project comments (PLN150372)

Dear Joe,

I am writing in opposition to the *River View at Las Palmas* project in its current form, specifically related to traffic and related safety issues. Its proposed use of Las Palmas 1 neighborhood roads would impose regular commercial traffic (truck deliveries, employee shift changes, etc) and increased emergency responder traffic (fire and ambulance response) on tight residential roads frequented by children. The increased traffic would disrupt the quiet residential nature of our neighborhood, and increase the risk of accidents and injuries to vulnerable residents. 54.1

However, I do in general support senior housing projects for the Salinas area such as this, and would support the project if it had direct access to River Road, and did not utilize any Las Palmas neighborhood roads or property for ingress or egress. The easement allowing access to Parcel Q on Las Palmas I roads was created for additional neighborhood residential housing, not a commercial facility with almost three times the originally envisioned number of dwelling units plus associated staff. I strongly urge the developer to find alternate access or an alternate site for his proposed facility. 54.2

Please confirm receipt of these comments and entry into the record for this project.

Sincerely,

Todd Ruston
17644 River Run Rd
Salinas, CA 99308
831-455-7927

[This email constitutes the entire message. No attachments are included.]

Letter 54

COMMENTER: Todd Ruston

DATE: April 8, 2018

Response 54.1

The commenter states that they are opposed to the project. The commenter cites concerns about traffic, safety, and emergency response access.

This commenters' opposition to the project is noted and herewith shared with the County's decision makers for their consideration.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic, safety, and emergency evacuation. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks. The project would not result in a significant impact on police service or emergency preparedness within the Subdivision. Regarding the Subdivision's private security operations, an agreement would be required between the applicant and the LPHOA regarding shared costs and responsibilities, as discussed in Topical Response I.

Response 54.2

The commenter states that the ingress and egress rights allowed to the project site were intended to serve a much smaller number of residents. The commenter urges the developer to find an alternate site or alternate access for the project.

Please refer to Topical Response D for a discussion of project site access. As noted therein, a separate entry is not available for the project applicant, nor is it necessary to avoid traffic impacts.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning classifications , and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access.

Letter 55

April 8, 2018

Mr. Joseph Sidor, Associate Planner
Mr. Brandon Swanson, Planning Manager
Monterey County Planning Commission

RECEIVED
APR 12 2018
Monterey County RMA

Dear Sirs,

We have been the owners of our home at Las Palmas 1 for 20 years and are strongly opposed to the **Proposed Development of Riverview at Las Palmas (PLN#150372)**. 55.1

The proposed development is totally inconsistent with our rural, residential community for the following reasons:

1. **Safety and Security**

Our community has taken steps to preserve our neighborhood security by employing security guards to check all incoming traffic, installing gates, and implementing a Neighborhood Watch program. There are many "new' families who have moved in with little children, feeling secure that our neighborhood is safe. We are very concerned that the proposed development would allow constant traffic throughout the day and evening with no way to regulate the security of our neighborhood. Currently, there are many families with young children who feel free to ride their bicycles and play without fear of outside visitors or unauthorized persons driving through the area. 55.2

In addition, with the proposed number of units and staff, it is highly probably that traffic would be backed up onto River Road which is a safety hazard. People tend to speed along this road and there have already been fatalities as a result.

2. **Emergency evacuation**

We are all too aware of the recent tragic fires and floods throughout California which caused folks to evacuate with little notice. There was huge property loss and loss of life. In the terrible event of earthquake, fire or flood, it would be very challenging to evacuate not only our residents but those up on the hill with only one road out. When we first moved here, we did have to evacuate due to flood warnings and there was no way to get in and out of LPR 1 for three days. 55.3

3. **Emergency Services**

We are aware that the development, with it's assisted living facility, is far away from existing hospitals and presents a hardship for emergency services and potential delay in the likely frequent transport of residents to acute care facilities. 55.4

4. **Inappropriate fit with our residential community**

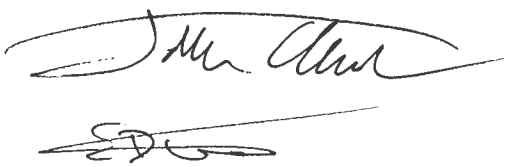
LPR 1was approved and developed as a rural residential neighborhood. This was a large reason that we bought our home here in the first place. We were assured that any development on the "hill" would be minimal and consistent wit the Las Palmas Plan and Monterey County Plan. The parcel is zoned "medium density residential" and was 55.5

specifically approved for a total of 8 units. Assistant living facilities are not considered residential units.

There are numerous other issues regarding the above proposal which are not addressed in the draft EIR. The prospect of having a large development on the hill above us looking down into our neighborhood has great impact on our sense of privacy and disrupts the natural surroundings that attracted us to this neighborhood. It will also likely have a negative impact on our home value. There is little mention in the proposal of the impact this development would have on our community which displays a callous disregard of the developers for the wellbeing of their potential neighbors. We urge you to deny this proposed development in view of the above concerns. 55.6

Thank you.

Sincerely,



Dr. John Clark
Dr. Eveline Clark
17544 Woodridge Ct.
Salinas, CA 93908

Letter 55

COMMENTER: Dr. John Clark and Dr. Eveline Clark

DATE: April 8, 2018

Response 55.1

The commenters state that they are opposed to the project.

This commenters' opposition to the project is noted and herewith shared with the County's decision makers for their consideration. The commenters' specific concerns are addressed below.

Response 55.2

The commenters describe traffic-related safety impacts.

Please refer to Topical Response D. As described therein, the project would not result in a significant impact related to traffic safety.

Response 55.3

The commenters describe concerns related to emergency evacuations.

The discussion pertaining to emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project. Also refer to Topical Response D for additional discussion.

Response 55.4

The commenters state that the senior assisted living facility would be far from hospitals and would present a hardship for emergency response services.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR, and proximity to a hospital is not an environmental issue. The proposed location offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access. Salinas Valley Memorial Healthcare, the nearest hospital to the project site, is approximately five miles from the project site.

Response 55.5

The commenters state that the project is not an appropriate land use for the project site.

Please refer to Topical Response C regarding land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 55.6

The commenters state that the project would impact home values of neighboring residences. The commenters urge denial of the project.

Please refer to Topical Response C. As described therein, property value is not an environmental impact and therefore is not analyzed in the Draft SEIR.

Received by RMA-Planning
on April 9, 2018.

Letter 56

Address:

To: (Sidorj@co.monterey.ca.us),

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

Cc: Brandon Swanson, Planning Manager, (831) 755-5334 same physical address
swansonb@co.monterey.ca.us

Jacqueline Onciano, Chief of Planning, (831) 755-5193, same physical address

oncianoj@co.monterey. ca.us

Carl Holm, Planning Director, (831) 755-4879, same physical address
holmcp@co.monterey.ca.us

roygobets@aol.com , Roy Gobets (831) 235-1701 21056 Country Park Road, Salinas, CA, 93908

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Gentlemen:

I am a new resident of Las Palmas I.

Having reviewed the Report, I have several concerns on the scope of the project, impact on traffic, security, environment, quality of life, and the value of my property.

I am opposed to the Proposed Development of Riverview at Las Palmas (PLN#150372), this large proposed non-residential development is inconsistent with the peaceful rural residential nature of the Las Palmas community.

1 Traffic

Traffic: First hazard to the community

During the construction

56.1

- Trucks with dirt load to level the parcel and the maintenance of the parcel (trees…)
- Engine for structuring the place on flat-bedded trucks
- Trucks for watering the surface
- Trucks loaded with construction material.

All of them passing by the gate around the entrance park and running to or from the project facility, will make a major hazard to the community, children, adults, and pets. Also concern about the stability of the pavement, bordures and trees with an important flow of heavy truck traffic (we monthly pay an HOA fee for maintaining all infrastructures).

After the construction

- Food deliveries (1)
- Emergency vehicles (2)
- Medical waste
- Trash
- Linen, cleaning suppliers and others
- Employees (3)
- Residents of the facility (4)
- Guard (+/- 20% traffic increase)
- Visitors parking (5)

1) **18 wheelers** will be a big concern in the narrow streets along the park
2) This project is **miles far away** from the closest hospital, doctors…. Fire trucks, Police, emergency vehicles will have to enter the community on a regular basis.
3) Adding from 100 to 200 more residents could impact all roads around – 68, River Rd. -
4) **No** grocery stores, hairdressers or any commodities, malls, etc. at a 3/7 miles radius. There are no pedestrian facilities on SR 68, Reservation Road, or River Road. Pedestrian facilities are provided within the Las Palmas Ranch development along internal roadways. The only way to take a walk will be to use the Las Palmas Ranch park and trails.
5) There is no parking for visitors at the project plan, where will the visitors park? In Las Palmas parking and streets? One more hazard.

All vehicles will go through a narrow street originally designed for residential traffic, using the guard entrance. There are no alternate routes in and out of the facility indicated on the site plan.

Guard entrance

Using the same entrance for all listed above, could lead to a long line of waiting cars and trucks for clearance by the guard, especially during rush hour, increasing hazard for the community on River Road.

Emergency in case fire, flooding or other disaster - Disaster evacuation case, this is another major problem.

56.2

From the residents: **340 homes**

- **340+ cars or pickups** going to only one exit toward River Road.

56.3

Adding a new flow from the project: 144 beds + 12 to 21 employees on site each day

- **50 to 100 more cars + bus + emergency vehicles.**

This is around 400/450 cars-pickup-emergency vehicles

going to one exit,

a **20 to 25% traffic increase**.

From ***one problem*** (fire, flooding, quakes), we will add ***the human hazard*** on top of a natural disaster, all vehicles will go through a narrow street originally designed for residential traffic, using the same exit. ***There are no alternate routes in and out of the facility indicated on the site plan***.

Concern on traffic

Las Palmas is a quiet community -- children playing, people walking dogs, and residents enjoying the peaceful nature at the foothills of the Toro Park.

There is no compatible way between this development and the added traffic using the existing entrance to our neighborhood.

2 Security

Security is the second hazard to the community

Residents are secure, the **HOA guard** keep them informed about who comes into our community.

56.4

During the construction

- Security of the neighborhood would be compromised by opening the neighborhood to non-residents.
- As a community we have taken steps to preserve the security of the neighborhood including installing gates and employing security guards to check all incoming traffic.

After the construction

- The guard's duty is to link a visitor to a house in the Las Palmas community. Who would he call when the visitors would like to enter the community?
- As visitors of the facility, anybody will be able to enter the community.
- This proposed large non-residential development would open the neighborhood to incessant traffic, coming and going throughout the daytime and evening.
- It would be almost impossible to regulate this traffic and guarantee the security of the neighborhood.
- Make the entrance of Las Palmas Ranch 1 on River Road a challenge.

3 Environment

Environment and aesthetic is the third hazard to the community. This residential community is along the Toro Park foothills (State Park), and the large proposed non-residential development is inconsistent with the peaceful rural residential nature of the Las Palmas community. 56.5

The nature has designed the hill over the time, with rain and wind, if the project changes this balance; We will have flooding and mudslides during the rainy season, we already had severe floodings at the bottom of the hill in the fire department trail. Above and around the community, a wild community exists with more than **80 (70+ year-old) eucalyptus trees:**

- Habitat for Barn Owls** (endangered species) we can hear their hooting at night
    - There are feeding on mice, rats…, destroying their habitat could result to a proliferation of pest – like Voles (large field mice).
- Habitat for Great Horned Owls
    - There are feeding on mice, rats…, destroying their habitat could result to a proliferation of pest.
- Red Tails Oak
- Coyotes
- Bobcats
- Mountain Lions
- Deer
- A large diversity of birds in the trees area

**The Barn Owl is considered endangered now. A lack of environment remaining as well as access to food has put it on this list. That means that they can't find what they used to consume in such areas before. The fact that there are various farming methods that require moving around crops is part of this. The other is that many farmers continue to plant more and more to keep up with demand.
http://www.owlworlds.com/owls-endangered/

On the project area, more than **80 (70+ year-old) eucalyptus trees**, only seen in this area, that will be removed under current plan. 56.6

- These trees provide reduction in wind, ridgeline exposure
- Hwy 68/RR noise abatement.

Concerns

Having a large and flat surface for the project: 56.7

- Will add a large amount of water going to the already too **small drain collector**.
- The water will use the road to the park as a quick evacuation.
- Adding more water at the bottom of the project will increase the chance of flooding.
- This last concern will make evacuation another **hazard to the Las Palmas Ranch 1 community**.
- Make **mud slides**, like winter 2016 under the project area.

Environment: *Noises during* and after *the construction (**echoing in the Las Palmas Ranch Valley**)*

- Cutting the trees
- Beeping sound of trucks and engine
- Truck engines leveling the project area
- All trucks engines digging operation
- Construction truck engines and other
- Truck engines surfacing the streets
- Food and other deliveries trucks
- Emergency vehicles (several a week)
- Visitors
- Employees
- General use of the project

56.8

Environment: Dust during and after the construction

- Cutting the trees (dust from wind)
- Leveling the project area
- All digging operations
- Construction
- Surfacing the streets
- Trucks going to or from the area

56.9

Environment: Smell during and after the construction

- Substantial numbers of meals
- Leveling area trucks engine
- All digging operation engine
- Construction products, roofing…
- Surfacing the street -gas and more-
- Trucks going to or from the area
- Regular operative odors
- Kitchens lunches, dinners…

56.10

4 Aesthetic

From all around our community, we enjoy the view of Toro Park hills, a peaceful rural residential area with nature as our backyard.

Trees, more than **80 (70+ year-old) eucalyptus trees**, only seen in this area (the only set of it are just here at the project development area) 56.11

- **From outside the community** would be able to see a disfigured landscape from
  - River Road,
  - 68 from Salinas
  - 68 to Salinas,
  - Spreckels Road
  - While Hiking in Fort Ord Monument, the project would be seen from a distance
- **From inside the community**: Project could be seen from almost every corner of Las Palmas Ranch

Concern

For all the describe above, a large non-residential development is firstly inconsistent with the peaceful rural residential nature of the Las Palmas community, and secondly this will bring the houses value down.

The Proposed Non-Residential Development

- Under the Las Palmas Plan and Monterey County Plan, Las Palmas Community was approved and developed as a rural residential neighborhood.
- We have purchased our home and started to build our lives in reliance on Plans that provided an opportunity to live in and enjoy a rural residential neighborhood
- This parcel is zoned "medium density residential," at 2.61 units per acre.
- Under the Las Palmas Plan, this parcel was specifically approved for 8 units total, not 105 units as the project needs.

56.12

An assisted living facility **is - not a residential use**, because it does not operate or function in a manner like independent residential units' employees are making the facility working not residents.

Conclusion

WHY HERE?

This is inconsistent with The Las Palmas and Monterey County Plan

1. In the report, there is **no mention on impact on life and depreciation of living for the Las Palmas residents**, it's looks like **<u>we are the negligible amount</u>**.
2. (***From 8 units as MDR to 105 units***) This parcel is zoned "**medium density residential**," at 2.61 units per acre. Under the Las Palmas Plan, this parcel was specifically approved for 8 units total. The developer now seeks a "**conditional use permit**" to allow development of a non-residential facility with a total of 105 units.
3. (**Non-residential development)** The proposed development is a **non-residential use**. The proposed Assisted Living Facility does not operate or function in a manner consistent with the Las Palmas Plan, nor the rural nature of the community.
4. (**Non-residential development)** Approving this amendment to the Las Palmas Plan and to allow development of a non-residential Assisted Living Facility with 105 units, and all the commercial traffic, deliveries, medical waste, employees, visitors, and resulting security and safety concerns would unalterably destroy the rural residential nature of our community and the value of each house.
5. There are no facilities of any type in a 3 to7 miles radius for the project residents.
6. (**The Residents first**) Las Palmas is a highly desirable residential community. Residents have invested here, based on the rural nature of this community under the approved Las Palmas Plan. Residents have relied on the approved Las Palmas Plan and its resulting development.
7. (**The Residents first**) The major risk for the Las Palmas residents is a large devaluation on the houses pricing.

56.13

I respectfully request you to carefully consider these issues when considering this proposed development **having first in mind the 340 houses' residents** of the Las Palmas Ranch 1.

Thank you for your consideration.

Respectfully submitted.

Richard Fontana

Website Designer in Las Palmas1

Letter 56

COMMENTER: Richard Fontana

DATE: April 9, 2018

Response 56.1

The commenter states that traffic would be a hazard to the community, congest the Subdivision entrance, and damage Subdivision roads.

Please refer to Topical Response D. As described therein, the project would not result in a significant impact related to traffic safety; a separate entry is not available for the project applicant, nor is it necessary to avoid traffic impacts; and mitigation is required to reduce impacts to road surfaces to a less than significant level.

Response 56.2

The commenter describes concerns related to emergency evacuation.

The discussion pertaining to emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project. Also refer to Topical Response D.

Response 56.3

The commenter states that the project would add traffic to the area, and that increased traffic would congest exit routes in the event of an emergency evacuation.

Please refer to Topical Response D for a discussion of impacts on emergency evacuation and emergency access. The project would not result in a significant impact on emergency preparedness within the Subdivision, and would maintain adequate emergency access routes to the project site.

Response 56.4

The commenter states that the project would compromise the Subdivision's private security operations.

Please refer to Topical Response A for a discussion of the project's impacts on security operations. The project would not result in a significant impact on police service within the Subdivision. Regarding the Subdivision's private security operations, an agreement would be required between the applicant and the LPHOA regarding shared costs and responsibilities, as discussed in Topical Response I.

Response 56.5

The commenter states the project would have environmental impacts. The commenter states that the project would disrupt the landscape and impact wildlife, including endangered barn owls.

Regarding impacts to wildlife, please refer to Topical Response G. As stated therein, impacts to wildlife would be mitigated to less than significant by preconstruction surveys and avoidance.

Response 56.6

The commenter states that the project would remove eucalyptus trees that are currently providing ecosystem services for the area, including wind and noise abatement.

Tree removal and impacts to wildlife are discussed in Topical Response G and Section 7.0, *Biological Resources,* of the Draft SEIR. As noted in Topical Response G, impacts to common wildlife species would not be considered significant under CEQA.

Response 56.7

The commenter states that the project would drain stormwater into the Subdivision, increasing flood risks and mudslide risks.

Please refer to Topical Response E. As noted therein, the project includes on-site stormwater control measures designed to achieve zero net increase in the rate of stormwater discharge relative to pre-project conditions. This would reduce the potential for runoff from new development to exceed the capacity of storm drainage facilities and contribute to off-site flood hazards.

Response 56.8

The commenter states that the project would cause noise impacts.

Refer to Topical Response H, which includes a detailed discussion of the potential noise impacts of the project. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 56.9

The commenter states that the project would cause airborne dust impacts.

Suspended particulate matter emissions (including airborne dust during construction) are discussed in Section 6.0, *Air Quality*, of the Draft SEIR. As described therein, construction of the project would expose nearby residences to particulate matter emissions from the use of off-road equipment as well as large diesel-fueled trucks. Mitigation Measures AQ-1, AQ-2, and AQ-3 are required to reduce this impact to a less than significant level. These three measures require, respectively, the inclusion of dust control measures in the project's grading plan, appointment of a site monitor, and maintenance of equipment for low emissions. For a full description of particulate matter emissions and mitigation measures, refer to Section 6.0, *Air Quality*, of the Draft SEIR.

Response 56.10

The commenter states that the project would cause odor impacts from construction activities and meals.

Odor is discussed in Section 6.0, *Air Quality,* of the Draft SEIR, and again in Topical Response C. Odors released outdoors from meal preparation would be intermittent and unlikely to be objectionable to the extent of causing a public nuisance

Response 56.11

The commenter states that the project would have aesthetic impacts due to tree removal.

Please refer to Topical Response F regarding views of the site. As stated therein, impacts to scenic resources and private views would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting.

Regarding impacts to wildlife, please refer to Topical Response G. As stated therein, impacts to wildlife would be mitigated to less than significant by preconstruction surveys and avoidance.

Response 56.12

The commenter states that the project is inconsistent with the site's zoning and applicable land use plans.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 56.13

The commenter states that the project is a non-residential project in a residential area. The commenter states that the project would destroy the nature of the community and impact neighboring home values.

Please refer to Topical Response C. As described therein, property value is not an environmental impact and therefore is not analyzed in the Draft SEIR, and the project would be consistent with the site's zoning and land use requirements.

Received by RMA-Planning
on April 10, 2018.

Letter 57

From: Scott Cooper

Date: April 10, 2018

Address: 17703 Riverbend Rd. Salinas, CA. 93908

To: (Sidorj@co.monterey.ca.us),

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

Cc: Brandon Swanson, Planning Manager, swansonb@co.monterey.ca.us

roygobets@aol.com , Roy Gobets 21056 Country Park Road, Salinas, CA, 93908

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Greetings Joe,

I Scott Cooper resident at 17703 riverbend rd Salinas ca 93908 am very concerned about the proposed project. Its proposed use of Las Palmas 1 roads will pose unacceptable traffic, safety and security problems in our peaceful neighborhood. Further, the large number of housing units proposed for this development, coupled with its clear commercial use, are inconsistent with the residential atmosphere that Las Palmas residents chose when they located here in the first place. This parcel is zoned medium residential, NOT COMMERICAL, so we should not allow a permit to build commercial business in a residential zone in the middle of a quiet residential area. 57.1

I strongly urge the developer to find alternate venue and access for his proposed facility.

Please respond to the issues I listed above in writing.

Respectfully,

X Scott S Cooper

Letter 57

COMMENTER: Scott Cooper

DATE: April 10, 2018

Response 57.1

The commenter states that the project would cause traffic and safety impacts. The commenter states that the project is not compatible with the site's zoning or surrounding land uses. The commenter urges that the project be relocated.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Please refer to Topical Response C regarding land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning classification, and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access.

Letter 58

Received by RMA-Planning
on April 10, 2018.

Sidor, Joe (Joseph) x5262

From: Tim Donlon <tim@mmwestcoast.com>
Sent: Tuesday, April 10, 2018 9:50 AM
To: Sidor, Joe (Joseph) x5262
Cc: Swanson, Brandon xx5334
Subject: Letter re: Riverview development

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Hello Mr Sidor,

I am very concerned about the proposed project. Its proposed use of Las Palmas 1 roads will pose unacceptable traffic, safety and security problems in our peaceful neighborhood. Further, the large number of housing units proposed for this development, coupled with its clear commercial use, are inconsistent with the residential atmosphere that Las Palmas residents chose when they located here in the first place. 58.1

I respectfully urge the developer to find alternate venue and access for his proposed facility.

Please respond to the issues I listed above in writing.

Respectfully,

Best Regards,

Tim Donlon
tim@mmwestcoast.com
M&M West Coast Produce, Inc.
831-998-7372
831-998-8434 fax
831-233-8270 cell

Letter 58

COMMENTER: Tim Donlon

DATE: April 10, 2018

Response 58.1

The commenter states that they are concerned about the project's impacts on traffic, safety, and land use incompatibility. The commenter urges that the project be relocated.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Please refer to Topical Response C regarding land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Refer to Response 57.1, above, for a discussion of an alternative site.

Letter 59

Received by RMA-Planning
on April 11, 2018.

Sidor, Joe (Joseph) x5262

From: jeremiah ruttschow <j_ruttschow@yahoo.com>
Sent: Tuesday, April 10, 2018 8:20 PM
To: Sidor, Joe (Joseph) x5262
Subject: Senior living facility at Las Palmas.

Please consider this email as a voice strongly opposed to building the senior living facility, or any similar construction in the proposed area. The impact this project would have on the totality of this neighborhood is so severely significant to the people who live here as to be incomprehensible to anyone who does not. We have worked very hard to finally purchase a home in this neighborhood, one which backs up to the hills you want to develop. The traffic, noise and aesthetic impacts will be enormous. Thank you for your time. 59.1

Jeremiah and Jennifer Ruttschow
21156 Old Ranch Ct.

Letter 59

COMMENTER: Jeremiah and Jennifer Ruttschow

DATE: April 10, 2018

Response 59.1

The commenters state that they are opposed to the project, due to impacts on traffic, noise, and aesthetics.

This commenters' opposition to the project is noted and herewith shared with the County's decision makers for their consideration.

Regarding traffic impacts, refer to Topical Response D. As described therein, impacts related to traffic would be less than significant or less than significant with mitigation incorporated, with the exception of impacts to SR 68, which would be significant and unavoidable.

For a discussion of the project's potential noise impacts, refer to Topical Response H. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Please refer to Topical Response F regarding aesthetic impacts. As stated therein, impacts to scenic resources and private views would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting.

Letter 60

Received by RMA-Planning
on April 12, 2018.

Joseph Sidor, Associate Planner

April 11, 2018

Brandon Swanson, Planning Manager

Monterey County Planning Commission

Dear Planning Commission Leaders,

I have owned my Las Palmas 1 home since June of 1998. I am against the proposed development of Riverview at Las Palmas (PLN#150372) for various important reasons. Although I usually support nursing facilities as part of a healthy community, the location of the proposed project is simply not the best location for the needs of the project's users and our residential neighborhood. 60.1

Traffic will be a serious problem for both groups: the commercial vehicles for the Riverview facility would be impacted by the residential traffic of Las Palmas and vice-a-versa. One entry and exit is simply not sufficient for this area. 60.2

I purchased my Las Palmas home for the desirability of the rural location. I believe that the proposed development is not consistent with the Las Palmas Plan. 60.3

I strongly urge you to abandon this project as a viable choice for our community.

Most sincerely,

Paula Browning

17531 Sugarmill Rd.

Salinas, CA 93908

Letter 60

COMMENTER: Paula Browning

DATE: April 11, 2018

Response 60.1

The commenter states that they are opposed to the project because it is not an appropriate land use for the site.

This commenters' opposition to the project is noted and herewith shared with the County's decision makers for their consideration.

Please refer to Topical Response C regarding land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 60.2

The commenter states that the project would cause traffic impacts, and that one entry and exit is not sufficient to handle the traffic increase caused by the project.

Please refer to Topical Response D for a discussion of a separate entry for the project. As noted therein, a separate entry is not available for the project applicant, nor is it necessary to avoid traffic impacts. Additionally, the project would not result in a substantial increase in traffic within the Subdivision.

Response 60.3

The commenter states that the project is not consistent with the LPRSP.

Please refer to Topical Response C regarding land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Received by RMA-Planning
on April 12, 2018.

Letter 61

Joseph Sidor, Associate Planner

Brandon Swanson, Planning Manager

Monterey County Planning Commission

April 11, 2018

Dear Sirs,

As a homeowner in Las Palmas 1, I fervently recommend that you relocate the proposed project of Riverview at Las Palmas. Here are my concerns: 61.1

1) The area of Woodridge Ct., Sugarmill Rd., Old Ranch Ct. and Country Park Rd. is essentially a canyon. The proposed site is surrounded by dry vegetation. 61.2
2) The proposed area has limited road access and it would be extremely difficult to evacuate Riverview residents in any disaster (earthquake or fire).
3) Future flooding is also a real concern. The entrance & exit road to the proposed facility could be impacted by flood waters. 61.3

Quite frankly, we need to prevent the possible danger of loss of life by not continuing with this location for the Riverview project. Prevention is the important element for this dangerously unsafe locale. 61.4

Respectfully,

Roy Browning

17531 Sugarmill

Salinas, CA

93908

Letter 61

COMMENTER: Roy Browning

DATE: April 11, 2018

Response 61.1

The commenter states that the project should be relocated, due to a list of concerns.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning classifications, and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access.

The commenter's individual concerns are addressed below.

Response 61.2

The commenter states that the project site is a canyon surrounded by dry vegetation and would be difficult to evacuate in the event of a natural disaster.

Please refer to Topical Response B. As stated therein, the proposed site plan has been designed to comply with the County's fuel modification standards (Title 18, Chapter 18.56.090 *Fuel Modification Standards*) to minimize potential wildfire hazards on the project site and vicinity.

The discussion pertaining to emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project. Also refer to Topical Response D for additional discussion regarding traffic.

Response 61.3

The commenter states that flooding is a concern, and that the project's entrance road could be flooded.

Please refer to Topical Response E. As noted therein, the project includes on-site stormwater control measures designed to achieve zero net increase in the rate of stormwater discharge relative to pre-project conditions. This would reduce the potential for runoff from new development to exceed the capacity of storm drainage facilities and contribute to off-site flood hazards.

Response 61.4

The commenter states that the project should be prevented to avoid the loss of life that could occur from building on a dangerous site.

Please refer to Topical Response E. As described therein, a geotechnical report was prepared for the project, with recommendations to be included in the project plans. The project would not result in significant impacts related to geologic hazards.

Letter 62

Received by RMA-Planning
on April 11, 2018.

Sidor, Joe (Joseph) x5262

From: anglasala@yahoo.com
Sent: Wednesday, April 11, 2018 8:37 AM
To: Sidor, Joe (Joseph) x5262
Cc: roygobets@aol.com
Subject: RVPL SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Hello Mr Sidor,

I am very concerned about the proposed project. Its proposed use of Las Palmas 1 roads will pose unacceptable traffic, safety and security problems in our peaceful neighborhood. As a mother of a very young family, Las Palmas 1 was the neighborhood we chose to raise our children due to its privacy, low traffic roads, and incredible parks. All of which will be greatly compromised by the proposed project. Further, the scale and scope proposed for this development, coupled with its clear commercial use, are inconsistent with the residential atmosphere that all Las Palmas residents chose when they located here in the first place. 62.1

I respectfully urge the developer to find alternate venue and access for his proposed facility. 62.2

Please respond to the issues I listed above in writing.

Respectfully,

Angela Caraccioli 21060 Country Park rd.

Letter 62

COMMENTER: Angela Caraccioli

DATE: April 11, 2018

Response 62.1

The commenter states that the project would cause traffic and safety impacts. The commenter states that the project is inconsistent with the surrounding land use.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 62.2

The commenter urges the developer to relocate the project.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning classifications, and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting.

From: Terry Bowen
To: Sidor, Joe (Joseph) x5262
Subject: Assistive living/Las Palmas
Date: Friday, April 13, 2018 10:10:41 PM

Letter 63

Mr. Sidor,

My name is Terry Bowen and my mother lives on Riverbend Road in the Las Palmas subdivision. I have great concerns regarding the assistive living complex that is being considered for this area. 63.1

My biggest concern is the traffic that will occur with not only the construction of this facility but with the future residents and associated entities,i.e., employee traffic, laundry and food services, etc.

Will there be a separate entrance for this complex? Traffic light? Separate water/sewage-not tied into Las Palmas? Although I tried to read the pdf that was attached regarding this complex, it was difficult to understand. Layman terms would be helpful. 63.2

Thank you,

Terry Bowen

Letter 63

COMMENTER: Terry Bowen

DATE: April 13, 2018

Response 63.1

The commenter states that they are concerned about the project. The commenter states that the biggest concern is traffic.

Please refer to Topical Response D for a discussion of traffic-related impacts of the proposed project. The commenter's concern is noted and herewith shared with County decision makers for consideration.

Response 63.2

The commenter asks if the project would have a separate entrance or a traffic light. The commenter asks if the project would have water and sewage service separate from the Subdivision.

Please refer to Topical Response D for a discussion of a separate entry for the project. As noted therein, a separate entry is not available for the project applicant, nor is it necessary to avoid traffic impacts.

Refer to Section 10.0, *Water Supply,* of the Draft SEIR, and Response 4.5 for a discussion of water supply, and refer to Response 8.26 for a discussion of wastewater service.

Letter 64

From: Jennifer Lukasik
To: Sidor, Joe (Joseph) x5262
Cc: Holm, Carl P. x5103; Swanson, Brandon xx5334; Onciano, Jacqueline x5193; roygobets@aol.com
Subject: Letter RE: : RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)
Date: Sunday, April 15, 2018 8:40:35 AM

Jennifer M. Lukasik
17506 Sugarmill RD
Salinas, CA 93908
(714)470-3116
Jenner10@msn.com

April 13, 2018
To: Mr. Joseph Sidor, Associate Planner (Sidorj@co.monterey.ca.us), (831) 755-5262

Cc Mr. Carl Holm, Planning Director (holmcp@co.monterey.ca.us),
Cc Mr. Brandon Swanson, Planning Manager (swansonb@co.monterey.ca.us),
Cc Ms. Jacqueline Onciano, Chief of Planning (oncianoj@co.monterey.ca.us)

Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901

RE: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (**PLN#150372**)

Mr. Sidor,

I am resident of Las Palmas 1 and strongly opposed to the Proposed Development of Riverview at Las Palmas (PLN#150372).
As a medical professional for over 35 years, I am supportive of the building of "Senior Living Facilities", Long Term Care and Rehabilitative Centers. Building a non-residential development of this nature *is not* consistent with the residential atmosphere here in Las Palmas 1 community. This type of development will interrupt the quiet, serene neighborhood here. It is surrounded by beautiful hillsides that cater to wildlife, trees and plants. Aesthetics of our hillsides would be compromised by this project. Wildlife would be displaced at a detriment to them, removing them from their natural surroundings.
Excessive traffic, safety and security concerns, noise/light pollution, "overburdening" of current easement agreement is just the beginning why Riverview at Las Palmas is not a "neighborhood fit" in our residential community. Scenic View is also comprised as this project can be seen from Hwy 68, Spreckels Blvd and River Road. 64.1

1-TRAFFIC
A 105 unit non-residential development will create a vast number of traffic concerns. A variety of vehicles will be coming and going on a daily basis (24hrs a day, 7 days a week). Commercial vehicles, delivery trucks, mail (UPS, Fed-Ex), food deliveries, linen supply, medical 64.2

supply, medical waste, pharmaceutical supply, plumbers, electricians, trash service trucks. Not to forget Emergency Vehicles, ambulances (drop off and pick up), Paramedics and Fire trucks, Police, social services, Physicians, Psychiatrists, contracted therapists (physical therapist, speech therapist, occupational therapists).Friends, family visiting patients. Lastly, employee vehicles entering and exiting overlapping shift changes 30 to 60 minutes 3 times a day.

This incessant traffic will overburden the small residential road to access the Parcel Q. Families want to be able to ride their bikes, walk their dogs and have their children play in our neighborhood. We do not want increased risk of congestion of cars which could impact that. Increase traffic raises risk of injury to families out enjoying their day.

At the employee change of shift 3 times a day, our Guard Shack entry way will be backed up onto River Road. The exit onto River Road will also be impacted by people leaving. This causes an increased risk for accidents at the River Road Las Palmas Intersection. There already have been numerous accidents here without the traffic that will be caused by this development.

64.3

There is no way to regulate this additional traffic coming and going 24 hours a day 7 days a week.

Approving the building of this non-residential community here in Las Palmas 1 increases our Safety and Security risk.

2-SAFETY AND SECURITY

64.4

Las Palmas residents have a good sense of feeling safe and secure in our neighborhood. Our main entrance is staffed during the day by a security guard that monitors residents coming and going. We have patrols on our quiet streets at night. Allowing all of the above mentioned vehicles access here, there is no way to ensure residents safety. We would be opening up our families to “unknown” persons going up to this development.

Again, anyone can say they are going to Riverview to our guard but then come into Las Palmas with other intentions.

Our Guard Shack will be overburdened with only one entry with a one lane access. Residents will be inconvenienced being backed up at the Guard shack. This puts our Guard at an extra risk with inpatient and angry drivers all trying to get in at peak times.

There is only one ingress and egress to this development. If there were a major fire blocking this egress…How would emergency vehicles get to this development? How would the patients get to safety and evacuate if this egress were blocked?

There has already been flooding of the fire road behind Country Park Road which damaged owner’s fences and backyards. With the excavation of the trees and the hilltop…what assurances do the residents have that the increased risk of additional water runoff won’t damage their homes??

3-SCENIC VIEW/RIDGELINE

64.5

-

This proposed development site can currently be seen from Hwy 68, River Road and

Spreckels Blvd. It's right above our homes and would definitely be a distraction from our beautiful surroundings.
There is no way the mitigation proposed can hide the scarring that would result from removing 80 mature Eucalyptus trees. To pretend that landscaping would "enhance" the development is unrealistic.
Three story buildings with multiple casitas is not a fit in this quiet rural community.

4-OVER BURDENING OF EASEMENT

Parcel Q, the proposed area for this development, Riverview at Las Palmas: Zoned for "medium density residential", at 2.61 units per acre. The Las Palmas Plan states "this parcel was specifically approved for 8 units total. The Applicant wants to change that by obtaining a "conditional use permit" to build 105 units a "non-residential community". Las Palmas is a planned residential community built in a rural area. This is not consistent with our community or Las Palmas Master Plan.

If this were to be allowed the access easement from Woodbridge Court/ River Run Road would be overburdened.

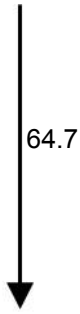
Parcel Q has a grant deed that states:

"A non-exclusive easement for ingress, egress, road and utilities over that portion of River Run Road and Woodbridge Court being a portion of Common Area Parcel C and Las Palmas Road being Common Area Parcel A as shown and designated on that Map entitled Amended Map of Las Palmas Corey House Area/ Unit 1 Tract 1086A filed June 15, 1989, in Volume 16 of Cities and Towns at page 70 in the Office of the County Recorder of Monterey County, California. Said easement shall be appurtenant to Parcel Q as shown designated on the referred Map of Tract 1086A."

The Applicant's proposed development of Riverview at Las Palmas (PLN#150372), a non-residential 105 unit development, is not consistent with the current easement that was put in place for 8 original units. Our roads will be over crowded with traffic and over used.

5-NOISE/LIGHT POLLUTION

Riverview at Las Palmas sits atop a hillside above Country Park and Sugarmill RD. Two 3 story buildings and 26 casitas will compromise our quiet streets and neighborhood. They will have to have a lighted parking lot and walkways. Buildings will have lights, some that stay on all the time and some that can be turned off. This will be seen by all of Las Palmas owners and from River Road, Spreckels Blvd and Hwy 68. It will be a constant disruption to people sleeping as well a distraction to our peaceful dark evenings.



There will be additional noise from all the traffic, or delivery trucks… Patient's that have dementia or Alzheimer's Disease also pose an issue. They can scream and cry uncontrollably for hours from bouts of confusion and depression. There is nothing to block the sound coming into the neighborhood. This can be severely disruptive to someone that has never been exposed to that and also for people that have.

Picture a community that is used to a "quiet privacy", a place where small children can ride their bicycles, walk their dogs, adults can walk/run and just enjoy life safely and securely. If RVLP is built that will change. There is no mention in the SEIR what effect will it have on the homeowners and their families.

Please strongly consider listening to the Homeowner's voices here at Las Palmas 1! Riverview at Las Palmas should be built at a venue where it does not impact closed neighborhoods. There are plenty of open spaces to do so. You will have a lot of unhappy families on your hands. We will stand up for our community and do not want it destroyed!

64.8

Respectfully submitted,

Jennifer M. Lukasik

Letter 64

COMMENTER: Jennifer M. Lukasik

DATE: April 13, 2018

Response 64.1

The commenter states that they are opposed to the project. The commenter lists concerns about land use incompatibility, quality of life, wildlife, aesthetics, safety, noise, and light pollution.

This commenters' opposition to the project is noted and herewith shared with the County's decision makers for their consideration.

Regarding traffic impacts, refer to Topical Response D. As described therein, impacts related to traffic would be less than significant or less than significant with mitigation incorporated, with the exception of impacts to SR 68, which would be significant and unavoidable.

Regarding aesthetic and light pollution impacts, please refer to Topical Response F. As stated therein, impacts would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting.

For a discussion of the project's potential noise impacts, refer to Topical Response H. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Please refer to Topical Response C for a discussion of land use compatibility and quality of life. As described therein, the project would be consistent with the site's zoning and land use requirements, and quality of life is not an environmental impact under CEQA. However, the Draft SEIR includes analysis of various impact areas such as noise and traffic that relate to quality of life.

Response 64.2

The commenter states that the project would an increase in traffic through the Subdivision. The commenter states that roads would be overburdened and unsafe.

For a discussion of traffic impacts within the Subdivision, refer to Topical Response D. As noted therein, the project would not result in a substantial increase in traffic within the Subdivision.

Response 64.3

The commenter states that traffic caused by the project would compromise the Subdivision's private security operations.

Please refer to Topical Response A for a discussion of the project's impacts on security operations. The project would not result in a significant impact on police service within the Subdivision. Regarding the Subdivision's private security operations, an agreement would be required between the applicant and the LPHOA regarding shared costs and responsibilities, as discussed in Topical Response I.

Response 64.4

The commenter states that the project would bring unknown visitors to the Subdivision, which would increase safety risks. The commenter states that the project would worsen the existing flood

and fire risks, and that emergency evacuation from the senior living community would be problematic.

Please refer to Topical Response A for a discussion of safety and security. As noted therein, the project would not result in a significant impact on police protection within the Subdivision. Regarding the Subdivision's private security service, refer to Topical Response I, which discusses the project applicant's responsibility to share in the LPHOA's security costs.

Please refer to Topical Response D for a discussion of impacts on emergency evacuation. The project would not result in a significant impact on emergency preparedness within the Subdivision.

For a discussion of wildfire impacts, please refer to Topical Response B, which includes analysis added to the Final SEIR addressing wildfire hazards. Impacts related to wildfire and fire protection would be less than significant.

Please refer to Topical Response D for a discussion of impacts on emergency evacuation. The project would not result in a significant impact on emergency preparedness within the Subdivision.

Please refer to Topical Response E. As noted therein, the project includes on-site stormwater control measures designed to achieve zero net increase in the rate of stormwater discharge relative to pre-project conditions. This would reduce the potential for runoff from new development to exceed the capacity of storm drainage facilities and contribute to off-site flood hazards.

Response 64.5

The commenter states that the project would scar the landscape and distract from the beautiful, rural surroundings. The commenter states that landscaping would not enhance the landscape.

Please refer to Topical Response F regarding scenic resources and landscaping. As stated therein, impacts would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting.

Response 64.6

The commenter states that the project would build a large number of residential units in a rural area, and would be inconsistent with the LPRSP. The commenter states that the project would exceed the limit of eight units that the site's easement allows.

Please refer to Topical Response C. As noted therein, the proposed project is not a residential use, and the LPRSP residential unit limitation of 1,031 does not apply to this project.

Response 64.7

The commenter states that the project would cause light pollution. The commenter states that the project would cause noise pollution from traffic and noisy residents.

Please refer to Topical Response F for a discussion of light pollution. As noted therein, mitigation is required to reduce lighting impacts to a less than significant level.

For a discussion of the project's potential traffic and operational noise impacts, refer to Topical Response H. As described therein, traffic and operational noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 64.8

The commenter states that the voices of the Subdivision's homeowners should be considered.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Letter 65

From: Mark Reith (mreith)
To: Sidor, Joe (Joseph) x5262
Cc: Swanson, Brandon xx5334; Onciano, Jacqueline x5193; Holm, Carl P. x5103; roygobets@aol.com; Camille Reith (camillebikle@yahoo.com)
Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)
Date: Friday, April 13, 2018 1:05:37 PM

Hello Mr Sidor,

We are very concerned about the proposed project outlined in PLN150372. Its proposed use of Las Palmas 1 residential roads will pose unacceptable traffic, safety and security problems in our neighborhood. Our home values are based on the desirability of living in a quiet, family-oriented and safe neighborhood. We, and other homeowners depend on this quality in order to maintain our home values. With the addition of the proposed development, the value of a safe, family neighborhood will be significantly impacted due to the development work, traffic load, and security concerns of a large influx of workers, visitors, and guests. Approving this development in our area is not only approving a major financial loss for each homeowner in Las Palmas, but negatively impacting the overall safety for the families raising children in the neighborhood. 65.1

We respectfully urge the developer to find alternate venue and access for his proposed facility. 65.2

Mark and Camille Reith
17712 Riverbend Rd
Salinas, CA 93909

Letter 65

COMMENTER: Mark and Camille Reith

DATE: April 13, 2018

Response 65.1

The commenter states that the project would have impacts on traffic, safety, and neighboring property values.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Please refer to Topical Response C. As described therein, property value is not an environmental impact and therefore is not analyzed in the Draft SEIR.

Response 65.2

The commenter urges that the project be relocated.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning designations, and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access.

This commenter's preference is herewith shared with the County's decision makers for their consideration.

April 13, 2018

Letter 66

RECEIVED
APR 16 2018
Monterey County RMA

Mr. Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place
Salinas, CA 93901

RE: River View at Las Palmas Assisted Living Senior Facility – Parcel Q

Dear Mr. Sidor,

I am writing with concerns of the proposed project at River View at Las Palmas. I am not opposed to the actual senior facility itself as my own mother is elderly and may soon need to live in a senior housing facility. I am, however, opposed to this project having access to the Las Palmas I entrance on River Road. During construction and thereafter it will create a great deal of traffic. There will be a constant flow of traffic coming in and out of this entrance with construction vehicles, contractors' and carpenters' vehicles, delivery vehicles with supplies during the building and after completion (i.e. food, linens, etc.), emergency vehicles, along with employees and guests of the facility. All of this undo traffic will also create a hazard as vehicles will be backed up onto River Road trying to enter. There has already been one fatality at this entrance let alone other collisions. 66.1

This facility needs to have their own separate entrance. 66.2

Thank you for taking the time to read my concerns about this proposed project.

Joyce Shimamoto
17755 Riverbend Rd.
Salinas, CA 93908

Letter 66

COMMENTER: Joyce Shimamoto

DATE: April 13, 2018

Response 66.1

The commenter states that they are opposed to the project using Las Palmas Road in its access route. The commenter states that this route will result in a constant flow of traffic and will create safety hazards by congesting the entrance from River Road.

Please refer to Topical Response D for a discussion project site access. As noted therein, a separate entry is not available for the project applicant, nor is it necessary to avoid traffic impacts.

Response 66.2

The commenter states that the project should have a separate entrance.

Please refer to Topical Response D for a discussion of a separate entry for the project. As noted therein, a separate entry is not available for the project applicant, nor is it necessary to avoid traffic impacts.

Letter 67

Received by RMA-Planning
on April 16, 2018.

Law Office of C. Denise Benoit

80 GARDEN COURT, SUITE 250
MONTEREY, CALIFORNIA 93940

C. DENISE BENOIT

Certified Specialist, Family Law
The State Bar of California

denise@cdbenoitlaw.com

TELEPHONE (831) 975-5448
FACSIMILE (831) 424-0845

April 15, 2018

Mr. Joseph Sidor
Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place
Salinas, California 93908

Re: RVPL Draft SEIR for proposed development of Riverview at Las Palmas I (Plan #150372)

Dear Mr. Sidor:

I have lived in Las Palmas I now for almost 18 years. I chose this area as my home because I treasured the pastoral setting and the freedom from traffic as well as the relative security of the neighborhood. The Riverview at Las Palmas project threatens all of these.

Traffic

I don't know if you have tried exiting Highway 68 onto River Road/Reservation Road between 5:00-6:00 p.m. on a weekday, but I have, and it is already a dangerous proposition. There have been many a time when the off-ramp is already completely filled with traffic waiting to turn onto River or Reservation Roads and it is backed up onto Hwy. 68. This is not going to improve with a project which will bring in a tremendous amount of additional traffic. While Mr. Shingu has, in my opinion, minimized the impact of the traffic, I believe that it is obvious that it cannot help but make that exit more dangerous, without even considering the traffic which will back up at the light and entrance to Las Palmas on River Road. 67.1

Not only do the 3 shifts of caregivers/workers at the facility need to be taken into consideration, but also the residents of the facility themselves, many of

whom will still be driving while residing there. I speak from some experience, as my father resided at Villa Serra in Salinas (another assisted care facility) for 10 years and there were always residents coming and going from the facility. In addition, there were, and can be expected here if the project is approved, ambulances on an almost daily basis as illnesses, injuries and deaths are more frequently experienced by the elderly. I would also expect a facility of this sort to have large food delivery trucks, linen services, equipment delivery and service vehicles, mail and other delivery services, cable TV and utility workers, hospice care workers, other individually hired caregivers, family members, doctors, nurses and friends.

Not only will this additional traffic be an issue in coming into our secured gate because the amount of space between the turn and our security gate is not large, but it also impacts the very security we sought to protect by hiring a security company. Our security guard regularly turns away persons who have no legitimate reason to be on the property and the daytime burglaries we experienced while we were at work has virtually ceased as a result of the diligence of our security personnel. We will have no ability to determine whether persons passing our security gate are truly visiting/working at the facility, or just saying this to get past our security guard and then vandalizing/burglarizing homes in the neighborhood. As it currently stands, each residence provides advance notice to the guard of anyone they are expecting and identification is required by the guards. 67.2

Neighborhood children play basketball and skate freely in our streets at the present, because it is a safe place. With added traffic, they would not be able to do so due to the frequency of visitors.

<u>Quiet and peaceful enjoyment of country lifestyle</u>

At night, we have been able to enjoy quiet, starlit nights. If this project is approved, not only will we have interference with our security, but the lights from the project will overshadow the views we sought when purchasing our properties. There are approximately 80 eucalyptus trees scheduled to be removed, along with all the wildlife that this project will affect. Our neighborhood is home to many owls and we have supported the Boy Scouts in building boxes to allow them to nest safely nearby. Removal of the trees would affect their homes. We also have bobcats, deer and mountain lions. 67.3

It was not that long ago that a deer which had been killed by a mountain lion was found on one of our back paths. Imagine what would happen if an elderly person with dementia were to wander from the facility.

We pay for the maintenance of our streets and sidewalks. Las Palmas has had to pay for injuries in the past when individuals tripped and fell on our private property. How would the proposed facility keep their residents and their guests from wandering our streets or using our sidewalks so we are not at increased risk of suit? 67.4

Large delivery trucks traveling up the inclined road would cause vibration and noise to the residents below. Some have already experienced disruption of their sleep due to late night work and viewings by Mr. Shingu or his hired personnel. 67.5

Landslide risk

This project is scheduled to be placed on top of a very steep hillside which has already washed away and onto the property of residents backing up to the hillside. It took Mr. Shingu many months before the damage was repaired and the first effort to clear mud away from our drainage system was insufficient and had to be re-done. That took several more months. There is no guarantee that adding significant weight and traffic to the hillside will not increase the risk of damage to residents living below, some of whose homes are mere feet away from the base of the hillside. We would not want a mudslide to damage property or cause a loss of life, as in the Southern California mudslides. 67.6

Security

As I mentioned above, my father resided in Villa Serra for 10 years. I cannot begin to stress the amount of staff turnover for this type of facility. There were multiple occasions of which I was aware when staff were caught stealing from residents and were let go. Unfortunately, while many caregivers are good and honest people, some less honest people are also attracted to this field because the persons they serve are not able to protect themselves. These are not people we want to have access to our homes and neighborhoods, but they will have access if the project is approved. 67.7

Once past the guard gate, anyone claiming to "visit" a resident will have full access to our whole neighborhood and we could not afford to have enough security guards roaming the entire neighborhood 24/7.

I ask that you not approve this project as it is in direct contravention of the general plan at Las Palmas, which would allow for the building of 3 residential units, not a commercial facility. 67.8

Thank you for your time and consideration.

Sincerely,

C. Denise Benoit
17716 Riverbend Rd.
Salinas, Ca. 93908

Cc: Brandon Swanson, Planning Manager
Jaqueline Onciano, Chief of Planning
Carl Holm, Planning Director

Letter 67

COMMENTER: C. Denise Benoit

DATE: April 15, 2018

Response 67.1

The commenter states that the Draft SEIR does not accurately represent the project's traffic impacts, particularly on the SR 68 River Road/Reservation Road exit. The commenter states that the project would increase traffic due to resident trips, ambulance trips, and commercial trips.

Please refer to Topical Response D for additional discussion regarding traffic, including the types of trips that would be generated.

Response 67.2

The commenter states that crime has decreased since the Subdivision hired a security service, but that the project would compromise operations at the security gate. The commenter states that the Subdivision would lose control over identifying who enters the Subdivision, and would also experience safety risks from increased traffic.

Please refer to Topical Response A for a discussion of the project's impacts on security operations. The project would not result in a significant impact on police service within the Subdivision. Regarding the Subdivision's private security operations, an agreement would be required between the applicant and the LPHOA regarding shared costs and responsibilities, as discussed in Topical Response I.

Topical Response A and Topical Response D provide a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Response 67.3

The commenter states that the project would disrupt the area's environment by adding light pollution, removing trees, and displacing wildlife.

Please refer to Topical Response F, which discusses impacts of the project's lighting on night sky views. As described therein, mitigation is required to reduce lighting impacts to a less than significant level.

Regarding impacts to wildlife, please refer to Topical Response G. As stated therein, impacts to wildlife would be mitigated to less than significant by preconstruction surveys and avoidance.

Response 67.4

The commenter states that the Subdivision homeowners pay for maintenance of the Subdivision's private streets and sidewalks. The commenter asks how residents would be restricted from walking on the Subdivision's streets and sidewalks.

Please refer to Topical Response I. As noted therein, a written agreement between the LPHOA and the applicant would be necessary in order to clarify cost-sharing and responsibilities associated with

the streets, drainage facilities, and security operations. Such an agreement is not currently in place. It is outside of the scope of the Draft SEIR to facilitate an access agreement between the applicant and the LPHOA.

Response 67.5

The commenter states that delivery trucks to the project site would cause noise impacts.

For a discussion of the project's potential noise impacts, including traffic/truck noise impacts, refer to Topical Response H. As described therein, traffic noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 67.6

The commenter states that the project site is on top of a steep hillside that is prone to erosion. The commenter states that adding weight and traffic to the project site would increase mudslide risks to the Subdivision.

Please refer to Topical Response E for a discussion of slope stability and landsliding. As noted therein, all recommendations included in the geotechnical report would be implemented in the design and construction of the project to ensure that there would be no significant impacts associated with geologic hazards, including slope stability and landslides.

Response 67.7

The commenter states that the employees of the senior living community would increase crime risks in the Subdivision. The commenter states that the Subdivision's security operations would no longer be capable of monitoring visitors to the Subdivision.

Please refer to Topical Response A for a discussion of the project's impacts on security operations. The project would not result in a significant impact on police service within the Subdivision. Regarding the Subdivision's private security operations, an agreement would be required between the applicant and the LPHOA regarding shared costs and responsibilities, as discussed in Topical Response I.

Topical Response A and Topical Response D provide a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Response 67.8

The commenter states that the project conflicts with the LPRSP.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Letter 68

From: Jayne
To: Sidor, Joe (Joseph) x5262; Holm, Carl P. x5103; Swanson, Brandon xx5334
Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)
Date: Sunday, April 15, 2018 3:28:52 PM

Dear Mr. Sidor, Holm and Swanson,

I am a resident of Las Palmas and strongly oppose the proposed development of Riverview at Las Palmas. This community was chosen by me because it is a quiet, safe and a haven from the Salinas proper area. PLEASE VOTE NO ON THIS. 68.1

I have lived here for nineteen years. The thought of my peaceful neighborhood being overrun by additional traffic from the staff, visitors, food trucks, laundry trucks, physicians, nurses, CNA's and all non medical deliveries not to mention ambulances and fire trucks at all hours of the day and night is a horror. The noise and traffic generated by the construction is very problematic to me. My husband spent time in a nursing/ assisted living place so I have first hand knowledge of the amount of "comings and goings" inherent in this type of place. 68.2

Is the guard at the gate supposed to handle all this extra traffic? Speaking of traffic, it already backs up at the entrance along River Road. I feel security will be compromised by this proposed building. 68.3

It is my understanding that under the Monterey County Plan, the Las Palmas Community was approved and developed as a rural residential neighborhood and that is how I desire it to stay. I see my property value decreasing. If I wanted to live by a assisted living home, I would have purchased my home there. Perhaps this development could be built next to your place of residence. I urge the developer to find another place to build, perhaps closer to a hospital. 68.4

Please respond to these concerns in writing.

Respectfully,

Jayne Carolan
17760 Riverbend Road
Salinas, CA 93908
831-455-9439
Catkeeper3@aol.com

Sent from my iPhone

Letter 68

COMMENTER: Jayne Carolan

DATE: April 15, 2018

Response 68.1

The commenter states that they are opposed to the project.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Response 68.2

The commenter states that the project would cause traffic and noise impacts.

Topical Response D for a discussion of traffic impacts. As described therein, impacts related to traffic would be less than significant or less than significant with mitigation incorporated, with the exception of impacts to SR 68, which would be significant and unavoidable.

For a discussion of the project's potential noise impacts, refer to Topical Response H. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 68.3

The commenter states that the project would compromise the Subdivision's private security operations and asks if the Subdivision's entrance gate guard staff would be responsible for monitoring the increased traffic.

Please refer to Topical Response A for a discussion of the project's impacts on security operations. The project would not result in a significant impact on police service within the Subdivision. Regarding the Subdivision's private security operations, an agreement would be required between the applicant and the LPHOA regarding shared costs and responsibilities, as discussed in Topical Response I.

Topical Response A and Topical Response D provide a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks. Response 68.4

The commenter urges that the project be relocated.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning classifications, and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access. This commenter's preference is herewith shared with the County's decision makers for their consideration.

David Tucker
17535 Sugarmill Road
Salinas, Ca 93908

Date 04/15/2018

Letter 69

To: (Sidorj@co.monterey.ca.us),

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

Cc: Brandon Swanson, Planning Manager, swansonb@co.monterey.ca.us

roygobets@aol.com , Roy Gobets 21056 Country Park Road, Salinas, CA, 93908

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Dear Mr. Sidor,

I am a home owner in Las Palmas Ranch 1 and am writing this letter in opposition of this proposed project. I have been an HVAC contractor for the last 32 years and understand the need for facilities like these but not in residential communities as this is for all purposes a hospital without operating rooms and does not belong in a zoned residential community. I am fully aware of the noise and light pollution associated with such a project. If it were in the city it would be one thing but out in a rural development with very little night time lighting and minimal noise this facility will stand out like a beacon in the night with it's exterior lighting and constant drone of vehicles, HVAC equipment, Kitchen equipment, generators and building alarms not to mention fire department and ambulance response to the proposed facility at all hours of the night. 69.1

I just bought a home in Las Palmas and was not made aware by owner or real estate agent about the impending Parcel Q project or I would have passed on buying the home. I bought in Las Palmas as it is a quiet, peaceful, safe and secluded neighborhood in a rural setting. The only noise you hear are the Dove in the morning and during the day noise is normal for the type of rural setting. At night there is almost complete silence and no light pollution like in city living. I am sure most of the residents of the 329 homes in the Las Palmas community share my feelings about why we have chosen to live in this private community nestled in the hills. 69.2

My view from the upstairs master bedroom, downstairs main portion of my home and patio is directly of the proposed project site and is only 600 feet from my home. The current view is of the hillside and Eucalyptus trees. The new view if project is allowed would be of every building along the southern edge of the hill and would be silhouetted against the sky and all the trees will be removed. See the following: 69.3

HEIGHT: 18'-3" ABOVE AVERAGE GRADE @ IND. LIVING
27'-9" ABOVE AVERAGE GRADE @ ASSIST. LIVING
41'-3" ABOVE AVERAGE GRADE @ MEMORY CARE

It is going to be hard to hide these structures.

The above being said the Parcel Q project would bring unwanted noise 24 hours a day, 7 days a week. I realize it is being billed as a residential community but with a 3 level memory care, 50,972 square ft facility and 2 level assisted living, 58,539 square foot facility along with 13 duplex casitas for a total of 26 units at 27,993 square foot is not consistent with the single family dwelling, medium density residential development design like Las Palmas. The zoning would have to be changed and a variance given by the county to even accommodate this facility from the properties current zoning. 69.4

According to the developer the 92 base employees would is an estimate and once open would most likely increase due to patient requirements. The constant stream of delivery trucks, garbage service required to support a facility of this size would be very large. The emergency calls for service requested from the fire departments and ambulances to these types of facilities is astoundingly high. So not only will you have food service semi-trucks, garbage trucks, oxygen delivery, medical supply deliveries there will be fire trucks and ambulances. I understand the ability to designate specific hours for service vehicles to enter for deliveries, but fire and ambulance will be showing up at any given hour when the need arises. When a fire truck enters Las Palmas currently due to the canyon shape the exhaust and engine noise carries up the valley and it is very loud. 69.5

If the Traffic is diverted to the proposed new road through the park that does not mitigate noise traveling up the valley. So now we have maybe a dozen cars that come at night we will have hundreds of vehicles a day as employees come and go and residents who are still able to drive leave and enter property. Highway 68 is at LOS f already which states not 1 more vehicle is permitted due to traffic overload. Is the plan to not allow any vehicles from this project to enter onto highway 68 westbound? It seems a lot of plans are based on anticipated traffic projects on highway 68 not actually projects. Las Palmas would be required to hire more security to deal with large influx of vehicles and people to the private community. 69.6

In 2006 when Samuel Persall tried to develop this property with a 15,686 square foot home that included a gym, garage and care takers quarters he was given strict guidelines on exterior lighting, building visibility from the adjoining neighborhoods and roadways. This square footage was far below what is being proposed. See the following for Persall(highlighted areas are important): 69.7

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: October 26, 2006 Time: 9:50 AM **Agenda Item No.:**

Project Description: Administrative Permit and Design Approval for the construction of a 9,940 square foot single family dwelling with an attached 1,076 square foot four-car garage, an attached 1,053 square foot caretaker's unit, an attached 3,617 square foot gym and associated grading (350 cubic yards cut and 350 cubic yards fill). The property is located on parcel “Q” in the Las Palmas Subdivision, Salinas (Assessor's Parcel Number 139-211-035-000), south of River Road and west of Las Palmas Road, Toro Area.

Project Location: Parcel "Q" in the Las Palmas Subdivision, Salinas
APN: 139-211-035-000
Planning File Number: PLN060121 **Name:** Samuel and Linda Persall
Plan Area: Toro Area Plan **Flagged and staked:** Yes
Zoning Designation: **:** MDR/2.61-D & O-D: Medium Density Residential, 2.61 units/acre with Design Control, and Open Space with Design Control
CEQA Action: Categorically Exempt per Section 15303 (a)
Department: RMA - Planning Department

RECOMMENDATION:

Staff recommends that the Zoning Administrator approve the Persall Administrative Permit and Design Approval based on the Findings and Evidence **(Exhibit C**) and subject to the recommended Conditions **(Exhibit D)**.

PROJECT OVERVIEW: This project involves the construction of a single family dwelling, with an attached caretaker unit, garage, and gym. With a combined total of 15,686 square feet of structures, the project is larger than existing residential development on other properties in the Las Palmas Subdivision. The 15.67 acre lot is also considerably larger than other residential lots in Las Palmas, which average 6,000 square feet. The project meets all zoning requirements, including lot coverage, height and setbacks. The project is not located on the crest of a hill, and therefore would not result in ridgeline development. The staking for the proposed project is visible behind the existing Eucalyptus grove when viewed from the Highway 68 Scenic Corridor. The parcel is designated in the Toro Area Plan as visually sensitive. Monterey County policies require architectural and landscaping controls and sensitive site design to protect the scenic qualities of area. To conform to County policies, the project has been modified extensively. Design modifications include lowering the building pad for the proposed residence by six feet, lowering the building pad for the proposed gym by ten feet, and using earth tone materials and colors. The project would be screened with multi-level landscaping. Several large landscaped berms would be installed and planted with shrubs native to the Toro area. Large 24" box live oaks, 15 gallon oaks, 5 gallon oaks, and other native trees would be planted behind the berms. Once installed, the proposed landscaping would screen the majority of the project from view from Highway 68, and should completely screen the proposed project from view from Highway 68 within 10 years. The landscaping would be monitored on an on-going basis to ensure its longterm
health and survival. The planted area between the project and River Road would be placed in a scenic easement to ensure permanent screening for the project, permanently protect additional contiguous open space, and potential wildlife habitat. Those portions of the property where the slope exceeds 30%, primarily in the eastern portion of the lot, would also be placed in a
scenic easement. The project, as described and conditioned, is consistent with the Toro Area Plan,
the Las Palmas Specific Plan and all applicable County of Monterey policies and regulations. No unusual circumstances, unresolved issues, or adverse environmental impacts were identified during project review.

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CEQA Guidelines §15303 (a) categorically exempts the new construction of small structures, including one single family residence and accessory structures in a residential zone. The geotechnical investigation prepared for this project, the site visit by planning staff on May 24,

2006, and review of the project by planning staff did not identify any unusual circumstances that would indicate any potential adverse environmental impacts. An Environmental Impact Report was prepared for the Las Palmas Specific Plan on December 7, 1982. The proposed project complies with all mitigation measure and standards within the EIR. The geotechnical investigation prepared for this project, the site visit by planning staff on May 24, 2006, and review of the project by planning staff did not identify any unusual circumstances that would indicate any potential adverse environmental impacts. No unresolved issues remain.

OTHER AGENCY INVOLVEMENT:

- Salinas Rural Fire Protection District
- Public Works Department
- Environmental Health Division
- Water Resources Agency

The above checked agencies and departments have reviewed this project. Conditions recommended by Water Resources Agency, Salinas Rural Fire Protection District, Environmental Health and the Planning Department have been incorporated into the recommended conditions of approval **(Exhibit D)**.

The project was referred to the Toro Land Use Advisory Committee (LUAC). On August 14, 2006 the Toro LUAC recommended denial of the project on a 5 to 2 vote **(Exhibit E).** The LUAC expressed concerns regarding the size of the proposed project, the effectiveness of the proposed landscape screening, potential problems with drainage, erosion, landslides, fire, lighting, potential ridgeline development, and concerns that the project would be used as an adjunct to the Corey House. See the discussion section for an analysis **(Exhibit B)**.

Note: The decision on this project is appealable to the Planning Commission.

Annie Murphy
(831) 755-5228, murphya@co.monterey.ca.us
September 28, 2006
cc: Zoning Administrator; Salinas Rural Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; Bob Schubert; Annie Murphy; Carol Allen, Linda and Samuel Persall (Owners); Anatoly Ostretsov (Agent); Planning File PLN060121.

Attachments: Exhibit A Project Data Sheet
Exhibit B Discussion
Exhibit C Recommended Findings and Evidence
Exhibit D Recommended Conditions of Approval
Exhibit E LUAC minutes
Exhibit F Public Comments
Exhibit G Site Plan, Elevations, Floor Plans
Exhibit H Proposed scenic easement

This report was reviewed by Bob Schubert, Acting Planning and Building Services Manager
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EXHIBIT B

DISCUSSION
PLN060121/ Persall
October 26, 2006
Proposed Project

The owners of the property, Samuel and Linda Persall, are requesting permits to construct a new two-story 9,940 square foot single-family residence with an attached 590 square foot garage, an attached 1,053 square foot caretaker's unit, an attached 3,617 square foot gym; and associated grading required for constructing the building pad below grade (350 cubic yards cut and 350 cubic yards fill). Monterey County Code (Title 21) requires an Administrative Permit and Design Approval for the caretaker unit, and Design Approval for the residence and gym. A significant area of the parcel would be dedicated as a scenic easement. Due to public controversy, the project was referred to the Zoning Administrator for a public hearing per Title 21.

Site & Setting

The subject parcel is a 15.67 acre lot located in the Las Palmas Subdivision (parcel Q). The parcel is located approximately 100 feet southwest of River Road, and approximately 1/2 mile southeast of the intersection of Highway 68 and River Road. Residential lots within Las Palmas border the property to the east, open space parcels border the southern property boundary, an open space parcel borders the parcel to the north between the parcel and River Road, and open space land borders the western property boundary. There is an existing access road on the property. The parcel is located on a north-facing hillside. The parcel is not located on the crest of a hill. The central portion of the lot where the majority of development would take place is relatively flat. West of the flat area the land slopes upward with 20% to 25% slopes, and slopes steeply downward to the east, with slopes ranging from 30% to 50%. Approximately 65 clusters of Eucalyptus trees occur on the surveyed portions of the property, with the majority of Eucalyptus occurring on the northern and western portions of the property, between the proposed development and River Road and Highway 68. Other than the Eucalyptus and one large Monterey cypress, the vegetation on the parcel consists primarily of non-native annual grasses. The EIR prepared for the Las Palmas Subdivision did not identify any sensitive habitat on the site. The vegetation surrounding the parcel consists primarily of grassland, with native vegetation consisting primarily of a large grove of live oaks and California buckeye to the north and northwest of the parcel.

Toro Land Use Advisory Committee

The Toro LUAC initially considered the project on June 26, 2006. The project was continued to the LUAC hearing on August 14, 2006 when the applicant could be present. The LUAC recommended denial of the project on a 5 to 2 vote at the August 14th hearing. Planning staff recognizes that there is considerable public controversy regarding this project. However, as outlined below, staff has evaluated the LUAC concerns and determined that the project as described and conditioned is consistent with Monterey County policies. Where supported by County policies, the project has been modified or conditioned to respond to LUAC concerns.

1) The size and scale of the proposed project is not proportionate to other homes in Las Palmas.

Staff Response:

The size and scale of the proposed project, with a total of 15,686 square feet of structures, is considerably larger than existing residential development on other lots within Las Palmas. However, the 15.67 acre subject parcel is approximately 113 times larger than the average 6,000 square foot Las Palmas lot. With an overall lot coverage of approximately two percent, the scale of the proposed project is in proportion with the 15.67 acre lot size. Historically, Monterey County has regulated the size of residential projects by limiting overall lot coverage, and evaluating the project for consistency with other County policies. Lot coverage for the proposed project is well below the allowed lot coverage of 25% for Medium Density Residential zoning districts. The project meets all other zoning requirements, including setbacks.

2) Views of the project from the Highway 68 scenic corridor
Staff Response: See the discussion under "Visual Analysis".
3) The effectiveness of the proposed landscape screening
Staff Response:
Once installed, the proposed landscaping would screen the majority of the project from view from Highway 68, and should completely screen the proposed project from view from the Highway 68 corridor within 10 years. As required by condition #6 (Exhibit D), a mix of native oaks and other native trees and shrubs would be planted to provide dense coverage from ground level to ultimately reach a height of 25 feet when viewed from the Highway 68 scenic corridor. The existing eucalyptus would provide additional screening. Several large landscaped berms would be installed and planted with native shrubs. Large 24" box live oaks, as well as smaller 5 gallon and 15 gallon oaks, would be planted between the berms and the proposed project. Planting a variety of trees sizes would allow for the survival of those trees best adapted to site conditions. The landscaping would be monitored on an on-going basis to ensure its long-term health and survival. After a period of five years, replanting would be required for any shrubs or trees that fail to survive or remain healthy. The planted area between the project and River Road and Highway 68 would be placed in a scenic easement to ensure permanent screening for the project, permanently protect additional contiguous open space and potential wildlife habitat.
4) Potential fire danger posed by Eucalyptus trees
Staff Response:
Salinas Rural Fire has determined that the project as conditioned meets all fire requirements. Paul Pilotte with the Salinas Rural Fire Department visited the site on October 4, 2006, and determined that the eucalyptus trees on the property do not present any additional fire hazard.
5) Potential for erosion and landslides related to location of berms adjacent to hillside and placement of trees on berms
Staff Response:
Condition #6 (Exhibit D) requires that the landscape berms be a located a minimum of 20 feet from the hillside, and that berms be planted with shrubs rather than trees to maintain berm stability. Berms must be designed by a civil or geotechnical engineer. Condition #3 requires that all slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion. Condition #12 requires a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts.
6) Lighting
Staff Response:
Condition #7 (Exhibit D) requires that all exterior lighting be downlit amber bulbs, and that the number of lighting fixtures be limited to that required for safety only.
7) Potential ridgeline development
Staff Response:
The hills to the south of the parcel provide a backdrop for the proposed project when viewed from Highway 68. The parcel is located on a north-facing hillside, with a large relatively flat area in the center portion of the parcel where the proposed development would be located. The project is not located on the crest of a hill, and the staking for the proposed project does not silhouette
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against the sky. The project would not be considered ridgeline development, pursuant to the definition of ridgeline development in Title 21.06.950.
8) Concerns that the project would be used as an adjunct to the Corey House
Staff Response:

The proposed development could not be used as an adjunct to the Corey House, because public events are not an allowed use within Medium Density Residential Zoning Districts under the Monterey County Zoning Ordinance (Title 21, Chapter 21.12). Any public events would be a violation of the Zoning Ordinance. DT Note(noise from public events not allowed how is this different from noise from a commercial 24/7 Facility)

Visual analysis

While traveling on the Highway 68 scenic corridor on the Salinas River Bridge between River Road and Speckles Lane, portions of the staking for the proposed residence are visible through groves of Eucalyptus trees on the property. Portions of the staking for the project are also visible from River Road. The Toro Area Plan Visual Sensitivity Map (Figure 9) indicates that the parcel is located in a visually sensitive area. The hills to the south of the parcel provide a backdrop for the proposed project when viewed from Highway 68. The project is not located on the crest of a hill, and the staking for the proposed project does not silhouette against the sky. The project would not be considered ridgeline development, pursuant to Title 21.66.010.DT Note(The proposed project would be considered ridgeline as it covers the ridge completely and is seen from both sides)

The General Plan, the Toro Area Plan, and the Las Palmas Specific Plan contain policies to protect the scenic quality of areas visible from the Highway 68 scenic corridor and areas that are visually sensitive according to the Toro Area Plan. As outlined below, the project complies with all policies in the General Plan, the Toro Area Plan, and the Las Palmas Specific Plan for reducing visual impacts.

Policy 26.1.6.1 in the Toro Area Plan, and Policy 40.2.1 in the General Plan, require that additional landscape controls be implemented for projects within the Highway 68 Scenic Corridor, and encourage the use of native plants. Within the Las Palmas Specific Plan, Design and Sensitivity Policy I.7 requires informal massing or irregularly spaced trees to screen development. Consistent with these policies, this project will include extensive landscaping using native shrubs and trees to screen the proposed development. Condition #6 (Exhibit D) requires the use of native shrubs and the use of at least 50 native trees consisting primarily of 24" box native live oaks to provide immediate screening. In addition, condition #6 and requires locating shrubs and trees a significant distance from the Eucalyptus to avoid interfering with the plant growth and development. Consistent with Design and Sensitivity Policy I.3.D, the project retains the existing significant trees on the site. Condition #8 requires that a monitoring contract be implemented to ensure the long-term health and success of the existing and planted landscape screening. Condition #8 requires placing the landscaped area within a permanent conservation easement. Condition #8 also requires that slopes on the parcel greater than 30% be placed in a scenic easement, consistent with Policy 26.1.10 in the General Plan. The landscape screening should immediately reduce the visual impacts of the proposed project, and screen the majority of the project from view within the Highway 68 corridor within 10 years, thereby protecting scenic resources.

To regulate development and protect visual resources within the scenic corridor, Policy 26.1.6.1 in

the Toro Area Plan requires that proposed development in areas of visual sensitivity be reviewed critically for building design and siting. Policy 40.2.1 in the General Plan requires sensitive treatment provisions within the scenic corridor, including the use of architectural controls and siting. Within the Las Palmas Specific Plan, Design and Sensitivity Policy I.4 requires natural materials and earth tone colors on exterior surfaces. Consistent with these policies, the project

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incorporates the use of earth tone colors which mimic the color of the natural surroundings. At the recommendation of planning staff, the building pads for the proposed structures were lowered from 5 to 6 feet to reduce the overall height and mass of the proposed structures. The structures are sited away from the portion of the parcel closest to Highway 68, reducing the visual impact of the proposed development from the scenic corridor.

In addition to being consistent with Monterey County policies regulating development within the scenic corridor, the project is also consistent with the visual policies in the EIR for Las Palmas Ranch Specific Plan. Parcel Q is designated on Figure E of the Las Palmas Ranch Specific Plan for medium density residential development. Because the analysis of visual impacts within the EIR were based on a much higher density of development than would occur with this project, the visual impacts of the proposed project would likely be much less than those anticipated in the EIR. The EIR anticipates unavoidable cumulative visual impacts to the rural character of the Toro area as a result of the Las Palmas Ranch. The EIR states: "Highway 68 is a designated scenic route, and River Road passes through a largely rural and open area; conversion of adjacent undeveloped lands to residential use could significantly alter viewsheds." Mitigations for this unavoidable cumulative impact include providing a 50' wide landscaped setback along River Road, and employing architectural controls. Consistent with these mitigations, the project does not disrupt the screening along River Road and in fact adds considerable additional screening that would be placed into a permanent scenic easement. The project has also gone through extensive design modification to reduce visual impacts. The project as conditioned also complies with the Conservation and Open Space policies in the Las Palmas Specific Plan, including informal massing of trees to screen development, the use of unobtrusive building materials and finishes, prohibiting development on ridgelines, and designating a proportionate amount of open space relative to housing.

CEQA

An Environmental Impact Report was prepared for the Las Palmas Specific Plan on December 7, 1982. The proposed project complies with all mitigation measure and standards within the EIR. CEQA Guidelines §15303 (a) categorically exempts the new construction of small structures, including one single family residence and accessory structures in a residential zone. The geotechnical investigation prepared for this project, the site visit by planning staff on May 24, 2006, and review of the project by planning staff did not identify any unusual circumstances that would indicate any potential adverse environmental impacts. Grading for this project is limited to that required for the construction of the building pad below grade: 350 cubic yards cut and 350 cubic yards fill. The project complies with Monterey County policies regulating development within the scenic corridor. In accordance with Monterey County policies recommending voluntary dedication of land as open space within the scenic corridor and requiring dedication of scenic easement on slopes greater than 30%, the property owners will dedicate a scenic easement on the property to permanently protect open space. No unresolved issues remain.

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EXHIBIT C
RECOMMENDED FINDINGS AND EVIDENCE

1. **FINDING: CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, Toro Area Plan, Las Palmas Specific Plan, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for development.

EVIDENCE: (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
(b) The property is located at Parcel "Q" in the Las Palmas Subdivision, Salinas (Assessor's Parcel Number 139-211-035-000), Toro Area Plan. The parcel is zoned MDR/2.61-D & O-D: Medium Density Residential, 2.61 units/acre with Design Control, and Open Space with Design Control. Development will occur only on the portions of the parcel designated as Medium Density Residential. The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 21, and is therefore suitable for the proposed development.
(c) The project planner conducted site inspections on May 12, 2006 and June 19, 2006 to verify that the project on the subject parcel conforms to project plans in file PLN060121.
(d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN060121.
2. **FINDING: SITE SUITABILITY –** The site is physically suitable for the use proposed.
EVIDENCE: (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Salinas Rural Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
(b) The Geotechnical Report and the Final EIR prepared for the Las Palmas Ranch Specific Plan indicate that there are not physical or environmental constraints that would indicate that the site is not suitable for the use propose. The following reports have been prepared:
- "Final Environmental Impact Report for the Las Palmas Ranch Specific Plan (EIR 80-100), prepared by Grunwald, Crawford and Associates, Hanford, CA, 1982.
- "Geotechnical Soils-Foundation and Geological Hazards Report" prepared by Grice Engineering, Salinas CA, April 2006.

(c)Staff conducted site visits on May 12 and June 19, 2006 to verify that the site is suitable for this use.
(d) Materials in Project File PLN060121.
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3. **FINDING: CEQA (Exempt): -** The project is categorically exempt from environmental review.
EVIDENCE: (a) California Environmental Quality Act (CEQA) Guidelines Section 15303 (Class 3) categorically exempts new construction of limited new small facilities, such as the construction of a single-family home in a residential area.
(b) The EIR prepared for the Las Palmas Ranch Specific Plan includes

development of the subject parcel in its review. Mitigation measures identified in the EIR for reducing impacts to visual resources and wildlife have been incorporated in the project as designed and conditioned.
(c) No adverse environmental effects were identified during staff review of the development application during site visits on May 12 and June 19, 2006.
(d) See preceding and following findings and supporting evidence.
4. **FINDING: NO VIOLATIONS -** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.
EVIDENCE: (a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department Monterey County records and is not aware of any violations existing on subject property.
5. **FINDING: HEALTH AND SAFETY -** The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
EVIDENCE: (a) Preceding findings and supporting evidence.
6. FINDING: VISUAL SENSITIVITY – The project as described and conditioned is consistent with Policy 26.1.6.1 in the Toro Area Plan, which requires that development in areas near the Highway 68 Scenic Corridor designated as Visually Sensitive on the Toro Visual Sensitivity map will not adversely affect the scenic beauty of the area.
EVIDENCE: The project has been modified to be consistent with the following policies that require additional land use controls to regulate development within the scenic corridor, and in doing so protects the scenic value of the area.
(a) **Landscaping:** Policy 26.1.6.1 in the Toro Area Plan, and Policy 40.2.1 in the General Plan, requires that landscape controls be implemented for projects within the Highway 68 Scenic Corridor, and encourages the use of native plants. Within the Las Palmas Specific Plan, Design and Sensitivity Policy I.7 requires informal massing or irregularly spaced trees to screen development. The project has been conditioned to require the use of native shrubs and the use of 24" box native live oaks to provide immediate screening, and the locating the plants a significant distance from the Eucalyptus to avoid interfering with the plant growth and development. Consistent with Design and Sensitivity Policy I.3.D, the project retains the existing significant trees on the site. Condition #6
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(Exhibit D) requires that a monitoring contract be implemented to endure the long-term health and success of the existing and additional landscape screening. Condition #8 requires placing the landscaped area within a permanent conservation easement. The landscape screening as outlined in condition #6 should when planted immediately reduce the visual impacts

of the proposed project, and screen the majority of the project from view within the Highway 68 corridor within 10 years, thereby protecting the scenic resources of the site DT Note(the proposed project will never be hid from Hwy 68 as it is to tall and to vast)

(b) **Siting and Design:** To regulate development and protect visual resources within the scenic corridor, Policy 26.1.6.1 in the Toro Area Plan requires evaluating the siting of buildings, and Policy 40.2.3 in the General Plan requires the use of architectural controls and siting. Within the Las Palmas Specific Plan, Design and Sensitivity Policy I.4 requires natural materials and earth tone colors on exterior surfaces. Consistent with these policies, the project incorporates the use of earth tone colors which mimic the color of the natural surroundings. The building pads for the proposed structures were lowered from 5 to 6 feet to reduce the overall height and mass of the proposed structures. The structures are sited away from the portion of the parcel closest to Highway 68, reducing the visual impact of the proposed development from the scenic corridor.

7. FINDING: OPEN SPACE– The project is consistent with policy 40.2.2 in the Monterey County General Plan, which states that where land is designated for development at a density which would diminish scenic quality, the owner shall be encouraged to voluntarily dedicate a scenic easement to protect the scenic corridor.

EVIDENCE: Project condition # 8, Exhibit D requires that a scenic easement shall be conveyed to the County over those portions of the property where the slope exceeds 30 percent, and for the northern portion of the property starting 100 feet from the edge of the gym and extending to the Northern property boundary to protect views from the scenic corridor.

8. FINDING: APPEALABILITY - The decision on this project is appealable to the Planning Commission.

EVIDENCE: Section 21.80.040 B of the Monterey County Zoning Ordinance (Title 21).

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Planning and Building Inspection Department
Condition Compliance & Mitigation Monitoring and Reporting Program*

***Project Name*:** Persall
File No*:** PLN060121 ***APN: 139-211-035-000
Approval by: Zoning Administrator ***Date:*** October 26, 2006

****Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.***

Permit Cond. No.
Mitig. No.
Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department Compliance or Monitoring Actions to be performed. Where applicable, a certified

professional is required for action to be accepted.

Responsible Party for Compliance

Timing Verification of Compliance (name/date)

1. **PBD029 - SPECIFIC USES ONLY**

The Administrative Permit (PLN060121) and Design Approval allows for the construction of an attached 1,053 square foot Caretaker's unit, and the Design Approval allows for the construction of a 9,940 square foot single family dwelling with an attached 1,076 square foot four-car garage, an attached 3,617 square foot gym; and associated grading (350 cubic yards cut and 350 cubic yards fill). The property is located on parcel "Q" in the Las Palmas Subdivision, Salinas (Assessor's Parcel Number 139-211-035-000), south of River Road and west of Las Palmas Road, Toro Area. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (**RMA – Planning Department)**

Adhere to conditions and uses specified in the permit.

Owner/ Applicant

Ongoing unless otherwise stated

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Permit Cond. No. Mitig. No.

Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.

Responsible Party for Compliance	
Timing	
Verification of Compliance (name/date)	
2. **PBD025 - NOTICE-PERMIT APPROVAL** The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Zoning Administrator for Assessor's Parcel Number 139-211-035-000 on October 26, 2006. The permit was granted subject to **20** conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (**RMA – Planning Department)** Proof of recordation of this notice shall be furnished to PBI.	
Owner/ Applicant	
Prior to Issuance of grading and building permits or start of use.	
1) Evidence of compliance with the Erosion Control Plan shall be submitted to PBI prior to issuance of building and grading permits.	
Owner/ Applicant	
Prior to Issuance of Grading and Building Permits	
3. **PBD011 - EROSION CONTROL PLAN AND SCHEDULE** The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Soils Conservation Service and the Director of Planning and Building Inspection. All cut and/or fill slopes exposed	

during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of Planning and Building Inspection. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of Planning and Building Inspection. (**RMA – Planning Department)**

2) Evidence of compliance with the Implementation Schedule shall be submitted to PBI during the course of construction until project completion as approved by the Director of PBI.

Owner/ Applicant

Prior to Final Inspection

4. **PBD013(A) - GEOTECHNICAL CERTIFICATION**

Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (**RMA – Planning**

Provide certification from geotechnical consultant that all development has been constructed in accordance with the geotechnical report.

Owner/ Applicant

Prior to Final Inspection

13

Permit Cond. No.

Mitig. No.

Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.

Responsible Party for Compliance

Timing

Verification of Compliance (name/date)

Department)

5. **PBD014 - GRADING-WINTER RESTRICTION**

No land clearing or grading shall occur on the subject parcel between October 15th and April 15th unless authorized by the Director of Planning and Building Inspection. (**RMA – Planning Department)**

None Owner/ Applicant October 15th to April 15th

Submit landscape plans and contractor's estimate to PBI for review and approval.

Owner/ Applicant/ Contractor

At least 60 days prior to final inspection or occupancy

6. **PBDSP001- LANDSCAPE PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY) (NONSTANDARD)**

The site shall be landscaped. At least 60 days prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. With the exception of landscaping immediately around the house, the landscape shall consist of entirely native species. At least 50 trees shall be planted. At least 75 percent of the trees shall be live oaks, consisting of 50% 24" box, 25% 15 gallon, All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

Owner/ Applicant

Ongoing

14

Permit Cond. No.

Mitig. No.

Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	***Responsible Party for Compliance***	***Timing***	***Verification of Compliance (name/date)***
2. Obtain a contract with a certified arborist or ecologist to perform monitoring actions listed under 3 below. Provide copy of contract to the Planning Department for approval.	Owner/ Applicant	At least 60 days prior to final inspection or occupancy	
and 25% 5 gallon trees. Ten percent of trees shall be California Buckeye. All plants and trees shall be located outside of the Eucalyptus tree canopies. A total of 5 landscape berms shall be installed, and planted with native shrubs. Berms shall be designed by a civil or geotechnical engineer. No trees shall be planted on the berms. The berms shall be located a minimum of 20 feet from any hillside, and shall not be located under the Eucalyptus canopies. The landscape shall be designed to provide a solid screen between the structures and views from Highway 68. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County Planning and Building Inspection Department. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (**RMA – Planning Department)**			
3. Submit reports to the Director of Planning and Building Inspection for review. Report shall address progress of planted trees. If any of the required trees fail to survive or maintain a healthy condition at the end of five years, the project arborist shall recommend			

additional planting. Any replanting shall start a new 5-year monitoring period for the additional trees.

Owner/ Applicant

Annually during required monitoring period.

7. **PBD – LIGHTING – EXTERIOR LIGHTING PLAN (NON-STANDARD)**

All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. Exterior lights shall have recessed lighting

Submit three copies of the lighting plans to RMA – Planning Department for review and approval.

Owner/ Applicant

Prior to Issuance of Grading and/or Building Permits

15

Permit Cond. No.	***Mitig. No.***	***Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.***	***Responsible Party for Compliance***	***Timing***	***Verification of Compliance (name/date)***

elements. Exterior lighting shall be limited to that required for safety purposes only. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting plan shall comply with the requirements of the California Energy Code set for in

California code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits**. (RMA - Planning Department)**
The lighting shall be installed and maintained in accordance with approved plans.
Owner/ Applicant
On-going

8. **PBDSP003 – EASEMENT - SCENIC (NON-STANDARD)**
A scenic easement shall be conveyed to the County over those portions of the property where the slope exceeds 30 percent, and for the northern portion of the property as shown on the scenic easement map (Exhibit H). A driveway shall be allowed within the scenic easement. A scenic easement deed shall be submitted to, and approved by, the Director of Planning prior to issuance of grading or building permits**. (RMA - Planning Department)**
Submit scenic easement to PBI for approval.
Owner/ Applicant
Prior to Issuance of Grading and Building Permits

9. **PBD030 - STOP WORK - RESOURCES FOUND**
If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation
Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist

shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.
Owner/ Applicant/ Archaeologist
Ongoing

16
Permit Cond. No.
Mitig. No.
Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.
Responsible Party for Compliance
Timing
Verification of Compliance (name/date)

measures required for the discovery. (**RMA – Planning Department)**

10 **PBD032(B) – TREE AND ROOT PROTECTION**
Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection shall be demonstrated prior to issuance of building permits subject to the approval of the Director of Planning and Building Inspection. (**RMA – Planning Department)**
Submit evidence of tree protection to PBI for review and approval. Tree preservation specifications listed in the Forest Management Plan shall be printed on the grading and building permit. Installation of the tree preservation zone and straw bale barricades shall be completed prior to the issuance of grading and/or building permits. Submit evidence of tree protection to PBI for review and approval.
Owner/

	Applicant Prior to Issuance of Grading and/or Building Permits		
	WATER RESOURCE AGENCY CONDITIONS (831) 755-4860		
11	**WR1 - DRAINAGE PLAN** The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. **(Water Resources Agency)** Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer Prior to issuance of any grading or building permits	
12	**WR40 - WATER CONSERVATION MEASURES** The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to: a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 Compliance to be verified by building inspector at final inspection.	Owner/ Applicant Prior to final building inspection/ occupancy	
17	***Permit Cond. No.***		

Mitig. No.	*Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.*	*Responsible Party for Compliance*	*Timing*	*Verification of Compliance (name/date)*
	gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculation system. b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. **(Water Resources Agency)**			
	FIRE AGENCY CONDITIONS **Salinas Rural Fire Protection District: (831) 455-1828**			
	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
13	**FIRE007 - DRIVEWAYS** Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all			

driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet
Applicant shall schedule fire dept. clearance inspection
Applicant or owner
Prior to final building inspection.

18

Permit Cond. No. Mitig. No.

Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.

Responsible Party for Compliance

Timing Verification of Compliance (name/date)

wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (**Salinas Rural Fire District**)
Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.
Applicant or owner
Prior to issuance of grading and/or

building permit.				
14 **FIRE008 - GATES** All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. . (**Salinas Rural Fire District**)	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection.	
15 **FIRE011 - ADDRESSES FOR BUILDINGS** All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permit.	
19	***Permit Cond. No.***	***Mitig. No.***	***Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.***	***Responsible Party for***

	Compliance Timing	*Verification of Compliance (name/date)*
Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection
and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (**Salinas Rural Fire District**)		
Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection.
Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.

16 **FIRE016 - SETBACKS**

All parcels 1 acre and larger shall provide a minimum 30-foot setback for new buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than 1 acre, alternate fuel modification standards or other requirements may be imposed by the local fire jurisdiction to provide the same practical effect. . (**Salinas Rural Fire District**)
Applicant shall schedule fire dept. clearance inspection.
Applicant or owner
Prior to final building inspection
20
Permit Cond. No.
Mitig. No.
Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.
Responsible Party for Compliance
Timing
Verification of Compliance (name/date)
17 **FIRE017 - DISPOSAL OF VEGETATION AND FUELS**
Disposal, including chipping, burying, or removal to a landfill site approved by the local jurisdiction, of vegetation and debris caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to final clearance of the related permit. . (**Salinas Rural Fire District**)
Applicant shall schedule fire dept. clearance inspection.
Applicant or owner
Prior to final building inspection
Applicant shall incorporate specification into design and enumerate as “Fire Dept.

Notes" on plans.
Applicant or owner
Prior to issuance of grading and/or building permit.
Applicant shall schedule fire dept. clearance inspection.
Applicant or owner
Prior to final building inspection

18 **FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)**
Remove combustible vegetation from within a minimum of 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (**Salinas Rural Fire District**)
Applicant shall schedule fire dept. clearance inspection.
Applicant or owner
Prior to final building inspection
Applicant shall enumerate as "Fire Dept. Notes" on plans.
Applicant or owner
Prior to issuance of building permit.

19 **FIRE024 - FIRE ALARM SYSTEM - (SINGLE FAMILY DWELLING)**
The residence shall be fully protected with an approved household fire warning system as defined by NFPA Standard 72. Plans and specifications for the household fire warning system shall be submitted by a California licensed C-10 contractor and approved prior to installation.

Permit Cond. No.	***Mitig. No.***	***Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.***	***Responsible Party for Compliance***	***Timing***	***Verification of Compliance (name/date)***
21		Applicant shall submit fire alarm plans and obtain approval.	Applicant or owner	Prior to rough sprinkler or framing inspection	
		Household fire warning systems installed in lieu of singlestation smoke alarms required by the Uniform Building Code shall be required to be placarded as permanent building equipment. (**Salinas Rural Fire District**)			
		Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection	
		Applicant shall enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permit.	
		Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner		

Prior to framing inspection

Applicant shall schedule fire dept. final sprinkler inspection

Applicant or owner

Prior to final building inspection

Applicant shall schedule fire dept. clearance inspection

Applicant or owner

Prior to final building inspection

20 **FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)** The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. **(Salinas Rural Fire District)**

Applicant shall schedule fire alarm system acceptance test.

Applicant or owner

Prior to final building inspection

The requirements were low amber lighting for Persall and that is not what this large facility will have as it will be lit from dawn to dusk including interior building lighting visible through every exterior window. Exterior building lighting, roadway lighting, Casitas exterior and interior lighting. Persall was going to have to completely shroud his project from being seen from highway 68 and surrounding neighbors.

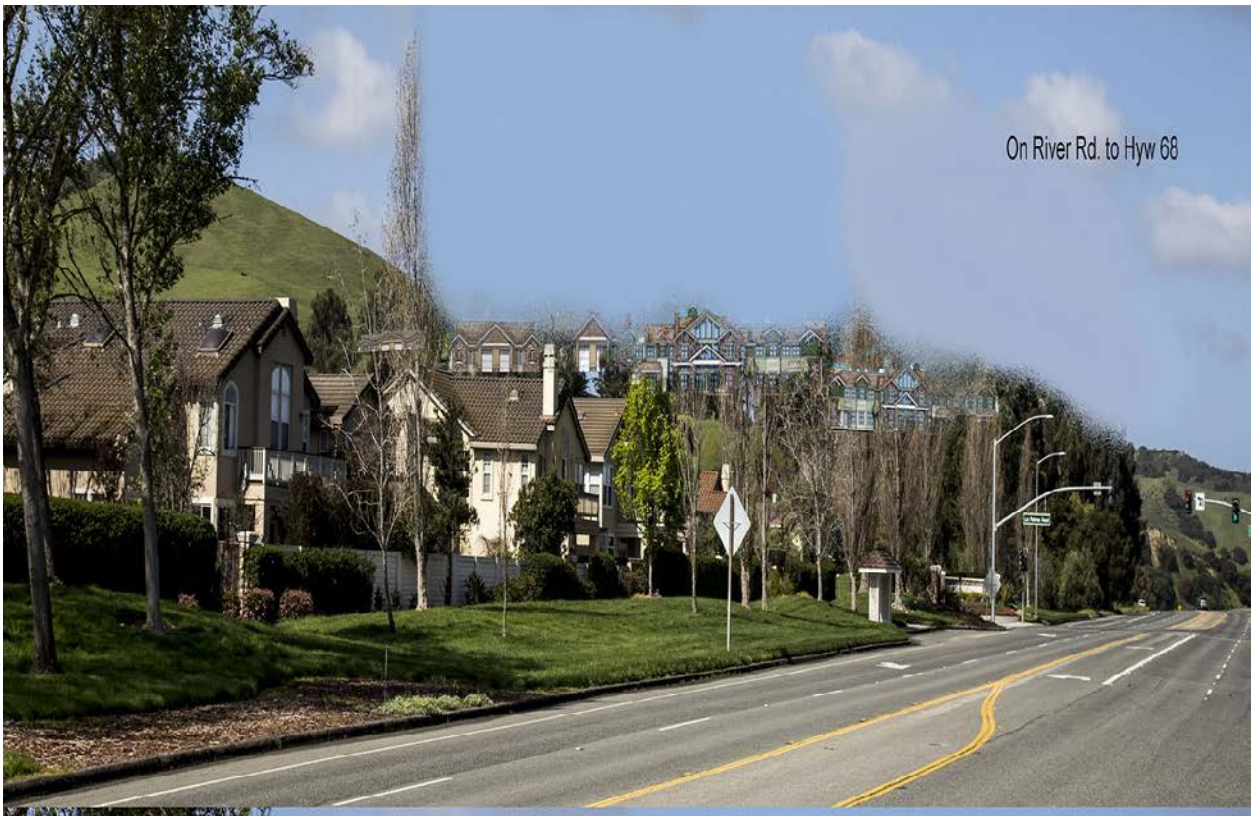
Impact on Scenic View and Environment

The proposed project would be within the existing view shed of public areas, including from areas that offer views of scenic vistas and from viewpoints on designated and proposed scenic roadways (State Route 68, River Road and Reservation Road). The proposed project would also alter the existing, natural visual character of the project site. Although the LPRSP FEIR concluded that visual impacts on Highway 68 would be less than significant with full River View Draft EIR Page 2 buildout of the specific plan area, including the project site, potential visual impacts of the proposed project is considered a significant adverse environmental impact....” (p. 5-30) Below are simulated images produced by a graphic designer (Highway 68 E or W view)

69.8

From 68 (E or W) into River road to LasPalmas

Hyw 68 drom or to Salinas (view From the bidge)


On River Rd. to Hyw 68

From "Sandy Ridge Trail" the top of Fort Ord Public Lands

Let us call this project what it is “Visually obtrusive and hard to hide” no matter how much landscape to throw at it.

Violation of Monterey County Codes

69.9

• L.U.-1.4: Growth areas shall be designated only where an adequate level of services and facilities such as water, sewerage, fire and police protection, transportation, and schools exist or can be assured concurrent with growth and development.

• L.U.-1.5: Land uses shall be designated to achieve compatibility with adjacent uses.

• L.U.-1.11: Development proposals shall be consistent with the General Plan Land Use Map designation of the subject property and the policies of this plan.

• LU-2.19 The County shall refer amendments to the General Plan and zoning changes that would result in the creation of new residential, industrial, or commercial areas to the nearest cities for review and comment.

• L.U.-2.23: Medium Density Residential (MDR): Medium Density Residential areas are appropriate for a range of residential uses (1-5 units/acre) and housing types, recreational, public and quasi-public, and other uses that are incidental and subordinate to the residential use and character of the area. The extent of use of land for this designation shall be limited to building coverage of 35% of the subject property.

• OS-1.2: Development in designated visually sensitive areas shall be subordinate to the natural features of the area.

• OS-1.3: To preserve the County's scenic qualities, ridgeline development shall not be allowed.

• T-1.6: Existing legal lots of record located in the critical viewshed may transfer density from the acreage within the critical viewshed to other contiguous portions of land under the same ownership, provided the resulting development meets all other Toro Area and General Plan policies.

• T-3.1: Within areas designated as “visually sensitive” on the Toro Scenic Highway Corridors and Visual Sensitivity Map, landscaping or new development may be permitted if the development is located and designed (building design, exterior lighting, and siting) in such a manner that will enhance the scenic value of the area.

Traffic and Public Safety

Another concern regarding this project is traffic and public safety. There is only one main entrance in and out of the community at Las Palmas Road. Las Palmas Road is narrow with blind corners, with very little room on the shoulders. Many residents and their children walk, run, play or bike on these roads at all times of day. River Road is already a very busy road due to traffic from other neighborhoods further down the road, Buena Vista Middle School, commercial vehicles and farming equipment. 69.10

Furthermore, the intersection of Highway 68 and Reservation Road has become a bottleneck after the addition of homes in East Garrison, Marina, and more is to come. It is important to note that the last complete traffic study for the area was conducted in the 1980s. The current traffic report prepared by Keith Higgins doesn't fully analyze the project or major arterials surrounding the community. Traffic volumes and trip generation ratio is always coming or going to Highway 68 which has been determined to currently operate at LOS F. The projected increase in trip generation from this project would exacerbate existing conditions. 69.11

The application proposed a mitigation measure as a staggered schedule to avoid peak morning and afternoon hours. However, the proposed schedule and shifts for the project and 92 employees should not be taken in full consideration since it cannot be enforced one way or another and once facility is built will change according to the needs of the facility.

Traffic

The increased traffic with the proposed facility will be a danger for the residents and a concern for public safety. It is already difficult to keep the cars moving through the front gate during peak hours. With a projected increase of 400 trips a day due to the facility, further traffic congestion at the entrance of our community will occur. This entrance has historically seen serious and deadly accidents. Furthermore, in the event of an emergency or a natural disaster, evacuating both residents of Las Palmas 1 and the residents of the facility would be chaotic and quite an undertaking due to the inherent traffic congestion in conjunction with emergency vehicles that will be trying to get in and out of the area.

Commercial Kitchen

The proposed facility will have a commercial kitchen providing around 600 meals or more daily. Given that the residences of Las Palmas 1 are below the proposed facility, and coupled with the breezy conditions the area experiences, the smells from the facility's kitchen will easily travel to the homes. This will impact those homes which enjoy the fresh air by leaving windows and patio doors open 69.12

Project Comparison

The proposed project will have the capacity of housing 142 residents with 142 beds as part of a senior care assisted living community. If we look at either the Natividad Medical Center or the Salinas Valley Memorial Hospital, which can accommodate 137 beds and 225 beds, respectively, we can see that this senior care assisted living with a memory care facility project in the grand scheme of things is extremely large. Even though the hospitals provide medical services that this facility will not, the proposed 3-story memory care facility is a medical care facility. Doctors, nurses and caregivers will be a major part of the staff thereby generating a significant unavoidable impact on public services including water, traffic and emergency services. 69.13

25%-30% Population Increase

In Las Palmas, there are 329 homes with an estimated 1,000 residents. The proposed project will add an additional 142 residents, 92 employees, and vendors and visitors, which will add up to approximately 300 additional people to the community. This is an additional 25-30% of our total population in this very small residential community. This would be equivalent to adding 40,000 new residents to the city of Salinas without taking into consideration traffic, police, fire, disaster preparation, and infrastructure. 69.14

Water Supply Quality and Quantity

The proposed project will negatively affect the demand on the groundwater basin and consequently affect groundwater availability for existing and approved communities. Based on the projected population increase of 25-30%, it can be determined that water consumption in Las Palmas 1 will have more than a 10% increase. This increase in water consumption will further impact the quality of water in the entire basin. Further, the Public Utilities Commission (PUC) states that a 10% increase in production of an existing system requires the production of a Water Supply Assessment (WSA). A Water Supply Assessment (WSA) has not been prepared for the proposed facility which is required under SB 610 and California Water Code section 10910. 69.15

A hydrogeologic report is needed to determine the viability of a long-term water supply of suitable quality for the proposed project. This should be an evaluation of the site-specific water supply. The location of this project is within Zone 2C. According to provided reports from Brown & Caldwell's State of the Salinas River Groundwater Basin report, Zone 2C is out of hydrologic balance, meaning that there is an unbalanced ratio of salt water to fresh water in the basin. Due to the already high usage of fresh water from this basin, the level of salt water intrusion into the fresh water is high, which has already reduced the overall quality of our water. Additionally, the basin is in severe overdraft and seawater intrusion is threatening the quality of water extracted from the aquifers. This is a significant and unavoidable environmental impact.

We feel that the applicant is relying on the Can and Will Serve letter from Cal Water. A Can and Will serve letter does not guarantee service. A long-term water supply of suitable quantity and quality must be proven. The water supplier must determine whether these supplies are acceptable as to quality, quantity and reliability. The State Water Code requires that the County shall

determine, based on the entire record, whether projected water supplies will be sufficient to satisfy the demands of the project, in addition to existing and planned future uses.

The Salinas Valley Ground Basin is in an overdraft condition. The California Department of Water Resources (DWR) has designated the 180/400 Foot Aquifer Sub basin as Critically Overdrafted Basin. The Sustainable Groundwater Management Act (SGMA) requires that a Groundwater Sustainability Agency (GSA) be formed to manage the Salinas Valley Groundwater Basin by June 2017, and that the GSA must file a Groundwater Sustainability Plan with DWR by January 2020.

1 Is there sufficient hydrological evidence of acceptable water quality and quantity (sustained yield) to serve the proposed project?

2 Can the new development be served by an identifiable, available, and long-term water supply?

3 Will the proposed development result in an individual and cumulative impact to the aquifer's long-term safe yield level, seawater intrusion and long-term maintenance of local priority agricultural water supplies?

Until these questions are answered, there is no way to determine if there is sufficient water to serve this project.

Public Services

Fire

Due to an estimated 400+ trips directly and indirectly on Highway 68, the response time will be delayed even further from the Toro or Laureles Station located at State Route (SR) 68 . Further analysis needs to fully study the significant impacts to fire/medical services. Response time is a combination of travel time and get-away time (the time it takes the engine to leave the station once an alarm is received). 69.16

Does the Toro Station maintain a population to staff ratio standard required? Do these stations have adequate staffing to provide adequate emergency response to fires, medical incidents, rescues, vehicle accidents, hazardous materials incidents, disasters (floods, earthquakes, etc.)? Is the station equipped with ladder trucks required for 3-story high density structure?

For emergency medical services, do these stations have engines that are equipped with a full complement of first responder medical supplies including CPR equipment, semi-automatic defibrillators and rescue equipment such as Jaws of Life?

Draw down of fire/rescue resources from the MCRFD to augment and provide an adequate level of service to back-fill this project will take away critical fire and life safety services to the existing regional area taxpayers. Reflex time (time it takes from the initial 911 citizen call to on-scene arrival and set-up) is a significant issue to provide adequate fire and life safety services from the MCRFD with no fiscal or financial off sets.

Medical services which are provided for the existing population will be adversely impacted with the spike in population. The proposed 142 senior assisted care facilities complex with 250 residents counting the employees (quarter of the population of this neighborhood), will have a significant impact on fire protection and/or medical services. Therefore, we feel the EIR is deficient. 69.17

Police

The Monterey County Sheriff's Office (MCSO) services the project area and is located within Beat 4. Currently, there is one and a maximum of two deputies per shift covering the Beat 4 area. The increased caseload and additional patrol area associated with the project will negatively affect the MCSO's response times. 69.18

The MCSO has established a target ratio of one deputy per 1,000 persons. However, industry standards for law enforcements services with this type of facility usually require additional police officer staffing in the 2 staff per 1,000 population ratio. To meet response times and maintain a service standard of one deputy per 1,000 persons, additional deputies will be needed to serve the current population.

Noise Pollution

The proposed 3-story memory care facility, the 2-story senior care assisted living, and the 13 casitas are considered commercial due to their application, and per California Building and Fire Codes they will most likely be classified as Type R2.1. 69.19

R2.1 Explanation

R-2.1 Facilities housing clients on a 24-hour basis in a supervised environment that provides personal care services. May contain more than six non-ambulatory and/or bedridden clients, including,

Assisted living such as:

Residential care facilities

Residential care facilities for the elderly (RCFE's)

Adult residential facilities

Congregate living health facilities

Group homes

Residential facilities for the chronically ill

Congregate living health facilities for the terminally ill

For such a building classification (R2.1), the following are the fire alarm requirements:

1 A manual fire alarm system monitored for fire dispatch 24x7 (entire facility)

2 An automatic fire alarm system (smoke and heat detectors, with full coverage), including all sleeping rooms and all common public areas monitored for fire dispatch 24x7 (memory care facility)

3 Automatic smoke detectors in all corridors, hallways and public areas monitored for fire dispatch 24x7 (2-story senior care assisted living)

4 Single station smoke detectors (120 volts AC powered) with battery backups (in the casitas and the sleeping rooms in the 2-story senior care assisted living)

5 Single station smoke detectors with battery backup (all sleeping rooms except memory care building)

6 Notification appliances (horns, strobes, horn strobes combinations or chimes); the required sound level for notification appliances are 70 decibels "at the pillow" in each sleeping room; there is also a required decibel level for all other notification appliances which is 15% above the listed ambient level for all public areas (entire facility)

7 Delayed egress doors with local alarms connected (memory care facility facility)

All of the above minimum requirements must be complied with without compromises or variances to comply with California Fire Code and NFPA 72 National Fire Protection Association and must be cleared with the Local Fire Department before State licensing would allow the occupancy of such facility. The proposed 3-story memory care facility and the 2-story senior living facility will have 150 or more automatic smoke detectors as part of an automatic fire alarm system. If any detector in a building is activated, it will automatically trigger the fire alarm system in the entire building for evacuation, and all the notification devices (horns, strobes, and or chimes) will be sounding until the fire department arrives. Every fire alarm signal must be verified by the fire department, which means a fire engine and will be dispatched to the location. Such noise levels will be easily heard by Las Palmas 1 residents. For example, Chateau Coralini located in Las Palmas 1 has an automatic fire alarm system that has gone off several times, and noise has traveled throughout Parkside. Chateau Coralini is a small vacant building in comparison with what is currently being proposed.

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Delayed egress door systems (memory care facility)

Similarly, per code, the proposed facility will be equipped with delayed egress door alarms. This type of automatic door release system prevents people from being trapped inside a building. If a resident or employee rests on such a door for more than 5 seconds, an alarm will sound, and the door will open. A staff member will have to manually turn off the system with a key. Again, this is a loud and noisy alarm that we, the residents of Las Palmas 1, will be subjected to. 69.20

Emergency Power Generator

Should it be required, the proposed 3-story memory care facility will also have a diesel or gas generator as a means of power backup. These generators normally self-start twice a week for about 30 minutes each time. This also is a source of noise pollution. And depending on where the generator is installed, the noise will travel and be heard by the residents of Las Palmas 1. 69.21

With all the fire alarm detection, evacuation, and all other alarm devices that this facility will require and or will have, the probability of multiple alarms sounding daily is extremely high. Most facilities with these types of systems do experience these alarms all the time. The noise level that these systems will generate is high, not to mention the noise from the emergency vehicles which will be dispatched when alarms or emergency are detected.

Other systems that will impact the noise level are:

1 Security local alarms for all windows or screens (memory care facility)

2 Nurse Call Systems or emergency pull cords (entire facility)

3 Paging and alert systems

4 HVAC systems

5 Commercial kitchen with exhaust and makeup air system as part of a commercial kitchen hood system

6 Vehicles: service trucks and delivery trucks with built-in refrigeration

All the above-mentioned will greatly impact the daily lives of the residents of Las Palmas 1. We are greatly concerned that studies determining the noise impact of such a facility on our residential area have not been conducted and shared with the residents. This should have been the first step. I, like many others, moved to Las Palmas 1 due to the location, safety, and the peaceful and quiet environment that this community has to offer.

Lighting Pollution

For a project of this magnitude, minimum codes and standards must be met for safety and visibility. Light emanating from the buildings and casitas will radiate to the homes down the hill from the facility. Even with shades drawn, light will still be an issue. In addition, the proposed parking spaces will directly deliver headlights into a majority of residents' bedrooms which typically face the hills. 69.22

Lighting at nighttime from inside the facility will also be intrusive for those properties in close proximity to the proposed project. Since this facility is a 24-hour operation, all public areas of the two suggested multi-level buildings will require lights to be on at any given time for the safety of the residents and staff.

For any clarification on the points mentioned above, we would strongly urge you to consult with Salinas Rural Fire since they are the AHJ (Authority Having Jurisdiction) for the area, and they can confirm the accuracy of what has been stated. Note that any type of fire protection is always a deferral permit which means the County does not approve the fire systems permit, the Fire Department does. 69.23

I have read the biological resources report and there are several species native to our area that are noted. The same mitigation answer for every species is "if species is found 15 days prior to start of project it will be relocated. Is this standard practice and how do we know it will survive once relocated to a new area? 69.24

We do not believe that development as a means for profit should negatively impact the quality of life for 1000 people directly and thousands more indirectly. This project, if approved, will inevitably reduce the value of the properties located in Las Palmas 1, which in turn will lower the amount of property taxes that the county will receive. We believe that the Draft Subsequent EIR 69.25

According to the project description and the applicant's statement, the applicant agrees and states that the facility is not for residential use and is asking the County to amend its Specific Plan. If the County amends its plan for Parcel Q, the County will be setting precedent for future projects within the County. This constitutes spot zoning.

I believe that the use of the land should remain as was originally intended and zoned for by the county. I also believe that the County should have the 329 homeowners' best interest in mind, and that safety and the current County codes should be a priority with no variation or compromises. The short-term and long-term negative, significant, and unavoidable environment impacts that this project will have on this neighborhood and nearby areas do not justify any short term financial gains for the County.

I do not believe that development as a means for profit should negatively impact the quality of life for 1000 people directly and thousands more indirectly. This project, if approved, will inevitably reduce the value of the properties located in Las Palmas 1, which in turn will lower the amount of property taxes that the county will receive. We believe that the Draft Subsequent EIR is inadequate under CEQA and contains too many holes and unanswered important and vital questions.

The site is not good for the proposed project because it is too far away from services (medical, financial services, food, shopping, transit) and infrastructure. Moreover, the parcel is not zoned appropriately. As proposed, the project will cause significant unavoidable negative environmental impacts. Therefore, I believe that this project should be built in another location that will not significantly impact the environment and adversely impact the Las Palmas 1 community and violate the current zoning of Las Palmas.

I am not sure how the county even let this project get so far as it was apparent from the time it was proposed that it was not within the zoning guidelines of the county for the Las Palmas Ranch 1 zone and the surrounding Toro and Highway 68 area.

I have 2 letters from Land Watch Monterey County and all the other reports that have been done with regards to this project and it appears the process is being circumvented for the owner's financial gain. I have read all reports done for the owner and square footage is understated versus the actual plan which in turn will show lower water requirements and wastewater requirements. A facility of this size will have enormous water usage and waste water reclaiming requirements. Not to mention the hazardous medical waste and associated materials IE: Needles, bloody bandages, wipes, etc.

69.26

I ask you to read and respond to our concerns and to take into careful consideration the enormous negative and significant environmental impact that such a commercial operation would have on a residential community.

In addition, the approval of this project against the wishes of most of the homeowners in Las Palmas 1 will encourage future litigation against the County of Monterey for approving a project that clearly violates Monterey County land use regulations and the California Environmental Quality Act (CEQA).

Thank you for taking the time to read this letter.

Please confirm receipt of this letter.

Respectfully submitted,

David Tucker

Letter 69

COMMENTER: David Tucker

DATE: April 15, 2018

Response 69.1

The commenter states that they are opposed to the project due to concerns about land use incompatibility, lighting, and noise. The commenter states that the project is similar to a hospital.

The senior living community would provide care to residents who do not require 24-hour skilled nursing care but do require personal assistance with daily living. As a senior living community, the medical services and overall activity level would be less intense than that of a hospital. For a description of the nature of the senior living community, refer to Section 4.1, *Project Objectives,* of the Draft SEIR. For discussion of lighting, noise, and land use incompatibility issues, please refer to Topical Responses F, H, and C, respectively.

Response 69.2

The commenter states that the project would cause noise impacts.

For a discussion of the project's potential noise impacts, refer to Topical Response H. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 69.3

The commenter states that the project would change the view from his home.

Please refer to Topical Response F. As described therein, the project would be visible from local roads and would also be visible from Subdivision residences. However, the project plans incorporate visual screening, and mitigation measures further reduce aesthetic impacts, including night sky light pollution, to a less than significant level. Additionally, with regard to the potential impact to the view from the commenter's home, Monterey County Code does not protect private views.

Response 69.4

The commenter states that the project would have noise impacts. The commenter states that the project is not consistent with the site's zoning.

Please refer to Topical Response H for a discussion of the project's potential noise impacts. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 69.5

The commenter states that the project would cause noise impacts due to commercial and emergency traffic to the site.

Please refer to Topical Response H for a discussion of the project's potential traffic and emergency noise impacts. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 69.6

The commenter states that SR 68 is at Level of Service F, and that no vehicle traffic can be added. The commenter states that the Subdivision would need to hire more security to deal with the traffic.

The commenter is correct that any increase in vehicle traffic is considered a significant and unavoidable impact, as is stated in the Draft SEIR.

Please refer to Topical Response A for a discussion of the project's impacts on security operations. The project would not result in a significant impact on police service within the Subdivision. Regarding the Subdivision's private security operations, an agreement would be required between the applicant and the LPHOA regarding shared costs and responsibilities, as discussed in Topical Response I.

Topical Response A and Topical Response D provide a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Response 69.7

The commenter states that in 2006 a separate project (PLN060121) was proposed at the project site. The commenter states that PLN060121 had strict guidelines on lighting and visibility from roadways. The commenter includes documentation of PLN060121's administrative permit and design approval and the project's conditions of approval.

For additional discussion of visual impacts and mitigation measures, please refer to Topical Response F. As noted therein, mitigation is required to reduce lighting impacts to a less than significant level.

The approximately 25 pages of conditions for PLN060121 pertain to a different project that is not the subject of this Draft SEIR. The conditions do not address the adequacy of the Draft SEIR or CEQA process. therefore, no further response is required.

Response 69.8

The commenter states that the project would alter the visual character of its surroundings and would impact the view from SR 68, a state scenic highway. The commenter includes simulated images of the project's potential impact to views.

Please refer to Topical Response F. As described therein, the project would be visible from local roads and would also be visible from Subdivision residences. However, the project plans incorporate visual screening, and mitigation measures further reduce aesthetic impacts, including night sky light pollution, to a less than significant level.

Response 69.9

The commenter states that the project would violate Monterey County codes related to zoning, land use, and visually sensitive areas.

Regarding consistency with the LPRSP, refer to Topical Response C. As noted therein, the project would be consistent with LPRSP policies and the residential unit cap for the LPRSP Plan Area is not applicable to the proposed project because the project is not residential.

Response 69.10

The commenter states that there are concerns about traffic and safety, including risks to children that use the Subdivision roads.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Response 69.11

The commenter states that the intersection of SR 68 and Reservation Road is a bottleneck. The commenter states that the traffic report by Keith Higgins does not fully analyze the project's traffic impacts.

Please refer to Topical Response D regarding potential impacts to SR 68 and Reservation Road. As stated therein, the project would result in LOS C traffic conditions at the intersections of SR 68 ramps with Reservation Road, which would be acceptable.

Response 69.12

The commenter states that the project would include a commercial kitchen that would make approximately 600 meals daily. The commenter states that neighboring homes would be impacted by the odor from the senior living community's meals.

The senior living community would host a maximum of 142 residents. Meals and meal preparation would occur throughout the community, rather than in one central location. The Casitas units, with a total of 42 beds, would include a private kitchen.

Odor is discussed in Section 6.0, *Air Quality,* of the Draft SEIR, and again in Topical Response C. Odors released outdoors from meal preparation would be intermittent and unlikely to be objectionable to the extent of causing a public nuisance.

Response 69.13

The commenter states that because of the project's large size, there would be impacts on public services including water, traffic, and emergency services.

Development impact fees would be paid to mitigate the project's contribution to public service demands. As stated in Topical Response A, the project would also provide its own on-site security and would implement fire design recommendations from the MCRFD. Section 11.9, *Public Services,* of the Draft SEIR, contains discussion of public services and has been revised to clarify that the project would have a less than significant on fire and police protection services. Implementation of

the project would not require new or expanded public facilities to continue providing the existing level of public services experienced by residents in the vicinity of the project site.

Water supply is discussed in Section 10.0, *Water Supply,* of the Draft SEIR, and in Letter 3, above, from the Monterey County Water Resources Agency.

Traffic is discussed in Topical Response D. As described therein, impacts related to traffic would be less than significant or less than significant with mitigation incorporated, with the exception of impacts to SR 68, which would be significant and unavoidable.

Response 69.14

The commenter states that the project would represent a substantial population increase in the Las Palmas Plan Area, by adding 142 residents, 92 employees, and additional vendors/visitors. The commenter states that the project would add approximately 300 people to the community. Please refer to Topical Response C regarding growth inducement. As stated therein, while the proposed project would indirectly result in business and population growth due to the increased local investment from revenues generated by the project, projections of any potential growth would be speculative.

The Draft SEIR includes analysis of potential impacts associated with growth, including traffic and noise. These impacts were determined to be less than significant or less than significant with mitigation incorporated, with the exception of traffic impacts to SR 68, which would be significant and unavoidable. For a discussion of traffic, refer to Topical Response D, and for a discussion of noise, refer to Topical Response H.

Response 69.15

The commenter states that the project would add 300 people to the Las Palmas Plan Area, which would be a 25-30% population increase. The commenter states that a ten percent increase in water consumption requires a Water Supply Assessment (WSA).

The commenter's population increase estimate includes employees, visitors, and vendors. The maximum number of individuals that would be living in the senior living community would be 142.

The commenter refers to Senate Bill 610 (SB 610), which requires a WSA for development projects that represent a ten percent increase in service connections for a water utility. "Service connection" refers to the piping that connects a building to a water distribution line. Therefore, the number of connections added by the project would be far less than the number of individuals that would reside there. Regarding the Senate Bill 610 provision that the commenter references, the number of new connections would be compared to the existing number of connections that the public water system is currently serving. The system serving the project site is the Salinas Hills service area of the California Water Service Company Salinas District. The Salinas Hills service area serves 1,639 connections, according to the 2015 Salinas District Urban Water Management Plan. Therefore, the project does not trigger a WSA based on an increase in service connections or any other parameters under SB 610.

Response 69.16

The commenter states that additional analysis of traffic impacts should be performed because traffic impacts could affect emergency response services. The commenter asks if adequate fire services exist to account for the project's demands.

Please refer to Topical Response B. As stated therein, Section 11.9, *Public Services,* of the Draft SEIR, has been revised to include anticipated response time for fire protection services provided by the MCRFD to the project, which would be approximately five minutes for emergency calls from the Toro Station. The Toro Station would be the primary fire station for the project site, providing fire protection and emergency medical response to the project site. The project proponent would be required to pay development impact fees that would go toward funds to maintain fire protection facilities, pursuant to Monterey County's Fire Mitigation Fee Ordinance (County Ordinance Title 10, Chapter 10.80; Monterey County 2019). The MCRFD reviewed the proposed site plan and building plans and determined that new or expanded fire facilities and additional equipment are not needed in order to provide fire protection services to the project. Therefore, the project would have a less than significant impact with adherence to applicable fire safety codes and design features as approved by MCRFD and payment of the County's Fire Mitigation Fee. Also refer to Topical Response D for discussion of traffic impacts related to emergency access. Topical Response D explains that a new access route to the project site would not be necessary to avoid impacts on traffic circulation because the level of service on roads providing access to the project site would remain acceptable under the project.

Response 69.17

The commenter states that the project would impact medical services for Subdivision residents due to a spike in population. The commenter states that fire protection would also be affected.

Section 11.9, *Public Services,* of the Draft SEIR, has been revised to include information about the capacity of and primary contingency plan at the Salinas Valley Memorial Hospital, which is the nearest public hospital to the project site. It is reasonable to assume that the Salinas Valley Memorial Hospital may receive project residents needing emergency care due to its proximity to the project site. However, the commenter is speculative in assuming the Memorial Hospital would be the sole medical care facility used by project residents and employees. The project itself would provide on-site day-to-day medical assistance for residents as noted in Section 4.0, *Project Description,* of the Draft SEIR. Please refer to response 69.16, above, pertaining to fire protection services for the project.

Response 69.18

The commenter states that the project would affect the Monterey County Sheriff's Office service ratio target of one deputy per 1,000 persons.

Please refer to Topical Response A and Topical Response B. As noted therein, Section 11.9, *Public Services,* of the Draft SEIR, has been revised to clarify that the Monterey County Sheriff's Office has a total of 442 employees that consists of 320 sworn officers and deputies, and 122 non-sworn officers and professional staff. Based on the County's current population estimate of 110,000 residents (unincorporated), the Sheriff's Office maintains a service ratio of approximately three sworn officers for every 1,000 residents (unincorporated). Implementation of the project would not require new or expanded Sheriff facilities to continue providing the existing level of police protection services experienced by residents in the vicinity of the project site.

Response 69.19

The commenter states that the project would have strict fire alarm requirements that could lead to noise impacts from fire alarms and emergency response vehicles.

For a discussion of the project's potential operational noise impacts, refer to Topical Response H. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated. As noted in Topical Response H, sirens from emergency vehicles would result in a short-term spike in ambient noise levels at nearby residences. However, there is an agreement in place that the Subdivision is a "no-siren zone." Additionally, the County Code exempts "emergency vehicles being operated by authorized personnel" from noise regulation. Therefore, emergency vehicles would have a less than significant impact on ambient noise. Impacts from fire alarms would be similar.

Response 69.20

The commenter states that the senior living community would include door alarms that could cause noise impacts.

For a discussion of the project's potential operational noise impacts, refer to Topical Response H. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 69.21

The commenter states that the project may include a generator. The commenter states that generators normally self-start twice a week for 30 minutes, which could cause a noise impact. The commenter reiterates concerns about alarm/emergency response noise impacts. The commenter states that HVAC systems, commercial kitchens, and vehicles could also cause noise impacts.

For a discussion of the project's potential operational noise impacts, refer to Topical Response H. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 69.22

The commenter states that the project would cause light impacts from lit buildings and vehicle headlights.

Please refer to Topical Response F for a discussion of light pollution. As noted therein, incorporation of mitigation would reduce lighting impacts to a less than significant level.

Response 69.23

The commenter encourages consultation with Salinas Rural Fire.

Please refer to Topical Response B. As stated therein, Section 11.9, *Public Services,* of the Draft SEIR, has been revised to include information about the MCRFD, specific to the Toro Station which would be the primary responding station for the project. The MCRFD reviewed the proposed site plan and building plans for the project. The project would implement all design recommendations provided by the MCRFD to ensure project compliance with the Fire District's regulations and reduce fire hazards on the project site.

Response 69.24

The commenter notes that the Draft SEIR includes mitigation measures that require relocation of certain species. The commenter asks if this is a standard mitigation and if species are likely to survive the relocation process.

Relocation of wildlife from construction areas is a typical mitigation measures employed on almost every project. A Draft SEIR can only require relocation of no-listed species (i.e., those species not protected under the Federal Endangered Species Act or the California Endangered Species Act). Listed species can only be relocated by a permitted biologist and only if the project has been issued "take" authorization from CDFW and/or USFWS. The relocation of non-listed wildlife is limited to small amphibian, reptiles, and mammals, and is done by a biologist qualified and experienced with the safe capture of wildlife. The wildlife is generally relocated to the closest area of similar habitat outside of the construction footprint, with no risk of injury or mortality. Larger species such as foxes, racoons and deer would not be captured, would be avoided, and would be allowed leave the site of their own volition.

Response 69.25

The commenter states that the project is inconsistent with the site's zoning. The commenter states that the project would have impacts on property values and quality of life for neighboring residents.

Please refer to Topical Response C. As described therein, the project would be consistent with the site's zoning and land use requirements. Further, property value and quality of life are not environmental impacts and are not directly analyzed in the Draft SEIR.

Response 69.26

The commenter states that additional concerns have been noted in two letters from LandWatch Monterey County, and states that other reports conducted for the project were prepared in a way to benefit the owner by underestimating the total square footage for the purpose of underestimating water requirements and wastewater generation. The commenter also expresses concern regarding hazardous medical waste generated by the project.

The LandWatch letters are included herein as Letters 4 and 6. Refer to Responses 4.1 through 5 and 6.1 for responses to these letters.

The total square footage (110,085 sf) is provided in Section 4.0, *Project Description*, of the Draft SEIR. Water demand was estimated using the total number of units, not the square footage of the total facility. This provides a more accurate estimate of the water needs, as it is divided into each subcategory of water fixture, including sinks, toilets, showers, and other fixtures that would utilize water. The wastewater generation was also not estimated based on the total square footage, but based on the total number of people utilizing the facility. This is described in Section 11.12, *Wastewater*, of the Draft SEIR.

Section 11.5 of the Draft SEIR describes the use of hazardous materials on the project site, including medical waste. As stated therein, the project would be required to adhere to state and local regulations for appropriate transport, use, and disposal of medical waste. This impact was determined to be less than significant.

The commenter's opinion is noted and herewith shared with the County's decision makers for consideration.

April 16, 2018

Vince & Dorey Cardinale
17527 Sugarmill Rd
Salinas Ca 93908

Letter 70

Mr. Carl Holm, Planning Director,
holmcp@co.monterey.ca.us
Mr. Joseph Sidor, Associate Planner,
Sidorj@co.monterey.ca.us
Mr. Brandon Swanson, Planning Manager,
swansonb@co.monterey.ca.us

Gentlemen:

I am original owner and resident of Las Palmas 1 since 1990. I am strongly opposed to the Proposed Development of Riverview at Las Palmas (PLN#150372). This community was chosen by the residents as a quiet, safe and relatively dark haven from the Salinas proper area. 70.1

As an original owner I was promised by Michael Fletcher, the Las Palmas developer, that Las Palmas would be “Country Living” . This promise will be broken if the proposed development is approved. This proposed large non-residential development is inconsistent with the Las Palmas community core values.

I will site several reasons as to why we oppose the RVLP PLN#150372.

I. Traffic: • River Road Traffic: The stop light at LP1 entrance has seen 20 accidents over the last 10 years. One 4-year old child has already died by a texting drunk-driver. 70.2

• Potential Accidents:

Currently, the curve blocking the visual to the LP1 light going south, allows only 4-5 seconds (traveling at 55 mph) before reaching the intersection. This short distance is suspected as the cause of several accidents at this point. I personally was nearly hit by a Monterey County Sheriff who ran the red light in December of 2012. Additional traffic for the “Parcel Q” will aggravate this situation.

If the proposal is approved, any celebrations with family members over holidays and family events at “Parcel Q” will significantly increase the traffic load and potential for accidents.

• Security Stops:
Traffic already backs up into the River Road exit lane at peak times due to our security check point. Adding 50-90 cars and construction vehicles a day will increase the potential for further traffic congestion and accidents.

• Emergency Situations:
A NW wind driven fire could spread exponentially in these closely packed houses as seen in recent fires in both northern and southern California. There are only 2 exits to get out for more than 300+ homes plus the emergency vehicles, potential staff and patients! 70.3

• Construction Traffic:
The traffic generated by the construction phase will be extremely problematic. This quiet valley is nestled between two large hill sides. Any construction traffic noise would be echoed off the hills. Construction and delivery equipment would need to climb a steep entrance road at low gear. 70.4

Any subsequent grading equipment will emit a loud back up beeping noise that will be heard from all LP1 units. This constant and increased traffic would irrevocably alter the safe, peaceful nature of the community.

• Commercial Traffic:

The proposed development would bring increased emergency fire and ambulance calls as both are required to attend. These will bring unwanted noise and light pollution at all hours of day and night. Any commercial vehicles -- food deliveries, medical waste, trash, linen, etc., -- and potentially 90+ employee vehicles will funnel through a narrow street originally designed for residential traffic.

II. Security •

Security of the neighborhood would be compromised by this unwarranted, greedy assault on LP1 community. As this will open the neighborhood to non-residential traffic, we fear an increase in crime that has decreased since installation of LP1 security personnel. 70.5

There will be no way to regulate this increased traffic and guarantee the security of the neighborhood. This is a very real concern.

III. The Proposed Non-Residential Development is Inconsistent with the Existing Residential Community

• Under The Las Palmas Plan and Monterey County Plan, Las Palmas Community was approved and developed as a rural residential neighborhood. • This parcel is zoned "medium density residential," at 2.61 units per acre. Under the Las Palmas Plan this parcel was specifically approved for 8 unit's total. The developer now seeks a "conditional use permit" to allow development of a non-residential facility with a total of 105 units. 70.6

This is inconsistent with The Las Palmas and Monterey County Plans. • The developer seeks to circumvent these plans by requesting an amendment for a non-residential use. Specifically, the developer asks you approve an amendment with the following language; "Assisted living facilities are not considered residential units (and should not be) subject to the residential limitation of the (Las Palmas) Plan." An assisted living facility is not a residential use, because it does not operate or function in a manner like independent residential units.

• Las Palmas is a highly desirable residential community with stable property values. Residents fear the loss of their investment potential from a rush to get out of LP1 due to the nature of this development. Several friends have moved out fearing this project.

• To approve this amendment to the Las Palmas Plan and to allow development of a non-residential Assisted Living Facility with 105 units, and all the commercial traffic, deliveries, medical waste, employees, visitors, and resulting security and safety concerns would unalterably destroy the rural residential nature of our community .In closing we strongly urge you to oppose this development as proposed.

With Kindest regards,

Vince & Dorey Cardinale

Letter 70

COMMENTER: Vince and Dorey Cardinale

DATE: April 16, 2018

Response 70.1

The commenters state that they are opposed to the project, noting that the project would be inconsistent with the community's core values.

The commenters' opposition to the project is noted and herewith shared with County decision makers for their consideration. The commenters' individual environmental concerns are addressed below.

Response 70.2

The commenters state that the entrance to the Subdivision has experienced traffic accidents, and that the security checkpoint causes congestion. The commenter states that holiday parties and special events at the senior living community would aggravate traffic safety risks.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

The proposed project would not include large holiday parties or special events open to the public.

Response 70.3

The commenter states that there are only two exit routes available for emergency evacuations in the event of a fire.

Please refer to Topical Response D. The discussion pertaining to emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project.

Response 70.4

The commenter states that the project would cause noise and light pollution impacts resulting from increased traffic and construction activities.

Please refer to Topical Response F for a discussion of light pollution. As noted therein, mitigation is required to reduce lighting impacts to a less than significant level.

Please refer to Topical Response H for a discussion of the project's potential noise impacts. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 70.5

The commenter states that the project would compromise the Subdivision's private security operations.

Please refer to Topical Response A for a discussion of safety and security. As noted therein, the project would not result in a significant impact on police protection within the Subdivision. Regarding the Subdivision's private security service, refer to Topical Response I, which discusses the project applicant's responsibility to share in the LPHOA's security costs.

Response 70.6

The commenter states that the project is inconsistent with the site's zoning and the applicable land use plans. The commenter states that the project would affect property values and quality of life.

Please refer to Topical Response C. As described therein, the project would be consistent with the site's zoning and land use requirements. Further, property value and quality of life are not environmental impacts and are not directly analyzed in the Draft SEIR.

Letter 71

RECEIVED
APR 23 2018
Monterey County RMA

From: Kurt Krieg Date: 4-16-18.

Address: 21103 Old Ranch Ct.

To: (Sidorj@co.monterey.ca.us),

Joseph Sidor, Associate Planner
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1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

Cc: Brandon Swanson, Planning Manager, swansonb@co.monterey.ca.us

roygobets@aol.com , Roy Gobets 21056 Country Park Road, Salinas, CA, 93908

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Hello Joe,

I am very concerned about the proposed project. Its proposed use of Las Palmas 1 roads will pose unacceptable traffic, safety and security problems in our peaceful neighborhood. Further, the large number of housing units proposed for this development, coupled with its clear commercial use, are inconsistent with the residential atmosphere that Las Palmas residents chose when they located here in the first place. 71.1

I strongly urge the developer to find alternate venue and access for his proposed facility.

Please respond to the issues I listed above in writing.

Respectfully,

X Kurt Krieg

Letter 71

COMMENTER: Kurt Krieg

DATE: April 16, 2018

Response 71.1

The commenter states that the project is inconsistent with surrounding land uses and would cause impacts on traffic and safety. The commenter urges that the project be relocated.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning classifications, and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access.

RECEIVED
APR 19 2018
Monterey County RMA

April 16, 2018

Melody McDonald
17590 Winding Creek Rd
Salinas, CA 93908

Letter 72

Joseph Sidor, Associate Planner
Monterey County RMA Planning Second Floor
1441 Schilling Place, Salinas, CA 93901

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN #150372)

Dear Mr. Sidor,

I am very concerned about the proposed project. The extra congestion of traffic at our entrance concerns me very much. Its proposed use of the Las Palmas 1 will pose unacceptable traffic, safety and security problems in our peaceful neighborhood. I respectfully urge the developer to find an alternate venue and access to his proposed development. Thank you for your consideration in this matter. 72.1

Respectfully, Melody McDonald

Letter 72

COMMENTER: Melody McDonald

DATE: April 16, 2018

Response 72.1

The commenter states that they are concerned that the project would congest traffic at the Subdivision entrance, resulting in safety problems. The commenter urges the developer to find an alternate venue and access point for the project.

Please refer to Topical Response D for a discussion of a separate entry for the project. As noted therein, a separate entry is not available for the project applicant, nor is it necessary to avoid traffic impacts. Additionally, the project would not result in a substantial increase in traffic within the Subdivision.

Letter 73

From: tom mercurio
To: Sidor, Joe (Joseph) x5262
Subject: Fwd: Fwd: PARCEL Q/RVPL DRAFT SEIR FOR PROPOSED DEVELOPMENT
Date: Monday, April 16, 2018 12:40:57 PM

-------- Forwarded Message --------
From: tom mercurio <aemt5@aol.com>
Subject: Fwd: PARCEL Q/RVPL DRAFT SEIR FOR PROPOSED DEVELOPMENT
References: <8daea8e1-0725-97f0-5955-c9b2ff69e101@aol.com>
To: Roy Gobets <roygobets@aol.com>
Message-ID: <8792e07b-9277-ba3d-6d4b-718b9e7354cc@aol.com>
Date: Mon, 16 Apr 2018 12:39:15 -0700
User-Agent: Mozilla/5.0 (Windows NT 6.1; rv:45.0) Gecko/20100101 Thunderbird/45.8.0
MIME-Version: 1.0
In-Reply-To: <8daea8e1-0725-97f0-5955-c9b2ff69e101@aol.com>
Content-Type: multipart/alternative; boundary="----------0725DB7D59F7E782B7B586B6"

April 16th, 2018

Mr. Joseph Sidor, Associate lPlanner
Monterey County RMA-Planning Second Floor
1441 Schilling Pl, Salinas, Ca.
(831) 755-5262

My name is Tom Mercurio and have been a Resident of Las Palmas 1 for the past 6 years. Prior to my retirement, I was in the Food Service and Hospitality Industries as part of the upper management teams for various companies. That experience served me well as a member of the business community in understanding the complexities of what it took to make a successful company. The purpose of this correspondence is to express my deep concern by the proposed Parcel Q. development and the impact it will have on The Las Palmas Ranch community. Prior to getting into the specifics, I would like to make a few comments and observations. Upon review of the E.I.R., it is clearly evident that it has been written with bias towards the developer and has many errors. As an example, in the reports introduction opening statement about the **purpose of preparing the E.I.R.** where as it states that the developer _ volunteered to do an E.I.R. Quite the contrary, it was the County Planning Department that required such a report due to the circumstances surrounding the proposed project impact to the Las Palmas community and C.Q.E.A. This statement sets the entire

73.1

tone for the report as to its biases and errors. Therefore it proposes to ask the question as to why the Planning Department accepted it? Also, it is important to note that a planning review is not evident.

In the fall of 2017, I obtained a copy of the 7/24/2017 A.D.E.I.R. as prepared by E.M.C. through a public record request. Fast forward to March 2018 when the S.D.E.I.R. was posted on the RMA website for public comment. I can find no visible indication that the S.D.E.I.R. was critically reviewed by the county prior to posting for public comment, which is a CEQA requirement. With the exception of the document dates, some minor formatting, text shifts and a missing set of pages (3-14 and 3-34); tables dealing concerning consistency with applicable plans I can detect no difference in substance between the A.D.E.R. as submitted to the county on 7/24/2017 and the posted version dated 1/29/2018. Is this correct? If so, where is the RMA content review and analysis? Does RMA support the claims and ass

"The draft EIR which is sent out for public review must reflect the independent judgment of the lead agency. The lead agency is responsible for the adequacy and objectivity of the draft E.I.R." Note: authority cited: section 21083 public resources code; reference; section 21082.1. Why was this document posted for public comment without RMA analysis evident. I may have missed something if so, please point it out. Further, where is RMA counsel review regarding the rather bold land use claims and the proposed amendment to the Las Palmas specific plan? Surely, RMA counsel must weigh in on the various claims about zoning, easement and conformance to LPSP, etc. Are we to understand that RMA endorses these? It is my understanding that the selection of the company to perform the review is to be done by the county and paid for as well. Reimbursement then would come from the developer to the county. Since the developer was allowed to choose the company and pay for its services directly the questions arises if this is ethical and should the report be accepted.

The following information and questions are based on the premise of how does the developers plan (Lombardo & Assoc. letter to the County planning department May 2016 as well as the E.I.R. (Jan. 19th, 2018) not conform to the Las Palmas Ranch Specific Plan in addition to issues with the E.I.R. itself?

VIEWS

L.P.R.S.P STATES IN ORDER TO PRESERVE THE SEMI-RURAL CHARACTER OF THE AREA AND TO MITIGATE ADVERSE IMPACTS ON significant view shed areas, higher density housing should be clustered behind natural land forms, generally at lower elevations and not on steeper slopes or ridge lines. Also, on the L.P.R.S.P. (page roman numeral 2-3, policies/item 2 states to prohibit building on ridge lines visible from designated scenic corridors as delineated on figures H&K). The key phrase is "prohibit building" which doesn't mean to build and then attempt to screen. 73.2

The developers plan, (pg.4) states that a significant amount of landscaping will screen views of the project from neighboring properties and distant views from Hi-way 68. The E.I.R. further states that this problem also will be resolved by obstruction from existing single family residences, topography, in addition to landscaping. This is attempted to be supported by photos 5-6, 5-7 and 5-8 within Section 5.0 which only show certain view points and angles creating a misleading image of the projects view from within the development, which in actuality will be seen clearly from many different areas of L.P. This became obvious when 73.3

the developer placed wooden skeletons of various structures, outlined with orange tape mimicking what an actual structure on the top of the plateau facing country park rd. would look like.

When examining photos 5-6 and 5-8 of the E.I.R.,they show existing eucalyptus trees, which has been pointed out will be removed when the buildings are erected. This then will make the building structures easily visible from many points with L.P. A point of interest is both the E.I.R. and the project plan state that installing a significant amount of landscaping will block views from Hi-way 68. With the main building structures being approximately 28 ft in height and that planted trees will be used to screened them will be 48 inches tall, it will take, if ever, many, many years before these structures will be blocked from view. Is this acceptable, I think not. Another significant thing to point out is that the E.I.R. fails to mention views from Spreckles Blvd. which will also be effected.

ZONING

According to the L.P.R.S.P.(chapter 3,section 2, pg. roman numeral 3-2) single family lots larger than one acre ordinarily should be placed in "RR-1-S" (integrated single family) R-2. The E.I.R. states that the developer will ask for an amendment of the existing zoning ordinance, which according to the M.D.R. includes assisted living facilities (zoning ordinance 21.12.050/c) **QUESTION**-If what is stated is correct, why then is the developer asking for an amendment to the current MDR Zoning? 73.4

LAND USE-

According to the developers letter to the county (May 2016) because the property is designated MDR/2.61 units per acre, up to 40 dwellings could be approved. What isn't stated is the L.P.R.S.P. states that only a total of 1031 residential units are allowed and with already having 1028 units, only 3 more can be developed. The developer is attempting to use a scare tactic that if the project is not approved there could be even more of an impact to L.P.R. This is not accurate. The project includes 13 Casitas structures, providing 26 separate units. A Casitas by definition is a "small home." The developer on one hand states these are not independent living units and therefore don't qualify as individual residences. 73.5

In the May 2016 planning document (pg. 2) residents (a resident is a persons home, the place where someone lives) may maintain a moderate level of independence in their life style. By definition, moderate means "average in amount" and therefore these Casitas are independent living units.(residential in nature) By examining the drawings provided in the E.I.R. The 13 structures are identical in appearance to a duplex which is in fact a residential unit as well. In conclusion with these Casitas being individual residences the project exceeds by 23 the number of residences allowed to be built.(3) The L.P.S.P. states altering existing scenic vistas and visual character of the project site is not allowed. The proposed solution, according to the E.I.R. (table 2-1 pg. 2-3) will only solve a small part of the problem.

EMERGENCY EVACUATION/FIRE PROTECTION

According to the L.P.R.S.P. (page roman numeral 2-25 concerning fire protection, it states "that according to the fire district, significant development in the River Road ADC may at a future point require the development and manning of a new fire station in the River Road area." Therefore, the question needs to be asked, since the plan was done in 1983 when this statement was made, has there been development to the extent that this recommendation should be considered? One would think that with the size of the proposed development on Parcel Q, that in of itself may require the recommendation to go forward with building a new 73.6

fire station. If so, will the developer be required to pay for it?

The E.I.R. Document (Pg. 9.4 under "emergency access) states that in the event of an emergency evacuation, it would be accommodated by the existing neighborhood roadway system. Further, it states that implementation of the proposed project would not result in inadequate emergency access to the project site itself or to the residences in the L.P.R neighborhood. Once again the E.I.R. does not fully address this issue and makes statements that are totally false. In the event of an emergency evacuation, there is but a single road (Woodridge Ct.) in and out of the development, which at some point reduces in width to only 27 ft. Is this road width adequate to allow two way traffic and sufficient to accommodate emergency vehicles attempting to gain entry? 73.7

Emergency vehicles would have additional difficulty in gaining access to the development due to the evacuation of all staffing personal and visitors attempting to leave who would also have difficulty in exiting the facility. There would be other vehicles attempting to get into the development in order to provide transportation for residents not having their own vehicles. Lets not forget the physical limitations of those who would reside in the facility. Many of them would be non ambulatory and require assistance in evacuation. To further complicate this problem, the residents on Country Park Rd. and other roads in L.P.R , would also be a attempting to use Woodridge Ct. as an exit road within the development. 73.8

Currently Country Park Rd. dead ends prior to reaching Woodridge Ct. which is only due to the placement of bollards. However, these bollards are made to be easily removed by hand in order to provide direct access to Woodridge Ct. which is part of L.P.R. emergency evacuation plan. This is a disaster waiting to happen. Can one imagine the massive gridlock that would take place. Given the recent issues in the country where as there have been many incidents of long term care facilities experiencing such problems resulting in deaths to its residents. If the county doesn't insist that this issue be addressed and resolved(with a single road in and out of Parcel Q the only certain way to prevent such an occurrence would be to not build such a facility at this location.)

Both the developer and the county would open itself up for many lawsuits that could result because people died due to inadequate emergency evacuation procedures. The easement that the developer has in order to gain access to the property, is just only that, an easement with ingress and egress rights and nothing more. It also needs to be mentioned that there is a possible issue regarding access to the fire hydrant on Woodridge Ct., which is located about half way down the street. It would appear that this hydrant was placed at this location in order to service the needs of a fire engine in the event of a fire in this part of Las Palmas 1.

During the Parcel Q construction, there would be numerous construction vehicles moving up and down Woodridge Ct. along with the many vehicles that would be illegally parked along the roads as well.(i.e. construction workers, the staging of construction vehicles waiting to enter the construction area.) This then brings up two issues, the first being how would a firetruck gain access to this hydrant in the event of a fire in this part of Las Palmas? Second, how are the vehicles that are attempting to park on Woodridge Ct. (according the the L.P.R.S.P. this is not permitted) going to be prohibited from doing so.

When I posed the question of fire truck access to the hydrant on Woodridge Ct. to the Monterey County Fire Chief,his response was that there are other hydrants located in Las Palmas within the 1200 ft. limit capacity of the fire truck hoses. I myself live across from

Woodridge Ct. on Country Park Rd. and would be extremely concerned about the time factor necessary for a firetruck to hook up its hose to another hydrant far away from my house and run it to the fire. With the fire hydrant centrally located on Woodridge Ct. it would provide much quicker access for a firetruck to deal with a fire in my immediate area.

TRAFFIC/TRANSPORTATION

I have broken down the effects of traffic and transportation issues into four different segments.

73.9

1. E.I.R TRAFFIC STUDY

In the E.I.R., there isn't any mention about the problems of access to L.P.R. that would be caused by the development as a result of the guard gate and the required check in procedures that presently exist. The only mention of this is that it is stop controlled which does not explain the full issue. Yet another example of the E.I.R. conveniently leaving out pertinent information as to the effects of Parcel Q development in Las Palmas. L.P.R. residents currently have to stop at the guard gate in order to be properly identified to gain access to the ranches development. This is extremely important to the security of L.P.R.

According to the E.I.R., employees will start arriving around 6 a.m. which is prior to the guard manning the gate which occurs at 8 a.m. Therefore in order to maintain security, which is one of the main reason residents have chosen to live in L.P.R. The guard gate will have to be manned an additional 2 hours every morning in order to maintain security. This will result in added security costs(overtime as well as the guard is presently on an 8 hr. shift) and presents the question is the developer aware that he will have to pay for this? The larger concern is the back up of traffic on the River Road exit lane that will occur as a result of that traffic that will be created with the day to day operation of the Parcel Q. facility. To what extent is unknown as once again the E.I.R. has conveniently not addressed this problem. The only thing that is mentioned, states that the impact at the intersection of River and Las Roads due to the project would still be at acceptable levels. Without addressing what has been pointed out, the traffic study once again is flawed.

2. Traffic Counts

73.10

Upon review of the traffic study analysis, it is clearly evident that the study failed to include among other services, emergency, shuttle and visitors vehicles. Therefore the analysis conclusions are not accurate and should be redone. As to the projected 363 vehicles per day that would occur on Woodridge Ct. on the surface doesn't seem like much. However, consideration needs to be given that the majority of this traffic would occur between 6 a.m. and 8 p.m. This then would equate to 26 trips per hour or almost 1 trip every two minutes in an residential area, which would be a heavy impact on that road. Once again, the E.I.R. attempts to paint a picture that is not realistic.

3. PEDESTRIAN TRAFFIC

73.11

Currently the access to the main park in L.P. 1 (Cory Park) from Country Park Rd. and other surrounding roads is across Woodridge Ct. The pedestrian traffic of children and families utilize this as a means of accessing the park, which mostly consists of children and families, who utilize the park for recreation such as family gatherings, owners playing with their dogs, hitting of golf balls, playing catch, etc. as well as the main access point to the areas trail. This anticipated vehicle traffic of 363 cars between the hours of 8 a.m. to 8 p.m.(daylight savings time)(not including visitors, service, shuttle and visitor vehicles) equates to 30 trips per hour. This mix of traffic and pedestrians makes this a recipe for disaster.

4.PROJECT TRIP DISTRIBUTION AND ASSIGNMENT-SECTION 9.0 TRANSPORTATION AND TRAFFIC

The E.I.R. states that the project would add about one am peak hour trip and four p.m. ones to the two lane section of SR68 immediately west of the Toro Park interchange. Additional trips due to Project Q's development would have no impact on traffic flow because project traffic will dissipate at the many crossroads including Tierra Road and Laureles Grade. This is not an accurate assessment. The majority of this anticipated traffic would be made up largely of workers cars and their shuttle vehicles. Personnel who would be employed at the facility for the most part don't live in these areas serviced by the crossroads mentioned. 73.12

Therefore the conclusion stated in the E.I.R. is flawed. While all these analysis of traffic flows refer to peak hours, consideration needs to be given to commute hours. According to Caltrans Hi-way 68 starts to become congested starting around 6 a.m. With hi-way 68 already being congested during commute hours, the addition of vehicles due to the Parcel Q development will make this situation much worst. Is this what we want for Hi-way 68? As to the traffic counts and impacts stated in section 9.0 pg. 9-21 a question needs to be asked as to whether or not the analysis comparisons were done with the originally planned one house on Parcel Q?

INCLUSIONARY HOUSING

Upon review of the E.I.R. the developer does not address the county requirement of Inclusionary Housing. According to Delinda Robinson of the Monterey County Economic development department in a letter to Jan Royer Barr, Housing Program Manager(June 3,2015) that under the Countys Inclusionary Housing Ordinance #5175 Section 18.40 (A) this would be a requirement for this development. 73.13

EASEMENT

The May 2016 letter to the county by the developer (pg.5) states "Parcel Q has clear rights to the use of Las Palmas and River Rd. and Woodridge Ct." It goes on to say that "those roads were dedicated as part of the L.P.R. Subdivision with no restrictions as to there use. This is also stated in the E.I.R. However, this statement is not accurate. The easement rights that are attached to the owners Grant Deed reads as follows; "a non exclusive easement for ingress, egress, road and utilities over that portion of River Run Road and Woodridge Ct.being a portion of common area Parcel C and Las Palmas Road being common area Parcel A as shown and designated on the map entitled amended map of Las Palmas Ranch Corey House Area/Unit 1, tract 1086 A filed June 15,1989, in volume 16 of cities and towns at page 70 in the office of the county recorder of Monterey County, Ca. Said easement shall be appurtenant to Parcel Q as shown and designated on the above referred map of Tract 1086A A.P.No.139-211-035." 73.14

Currently Woodridge Ct., which this easement is on, is a means of foot traffic and bicycles to access the park across the road which is heavily used by families. Use of this easement both during and after construction would provide safety hazards to those attempting to cross Woodridge Ct. I believe that a review of the easement document makes no mention that it can be used for commercial development traffic. Since the original developer planned on putting a single home on this parcel that would make sense. Other related issues to the easement are questions that need to be asked.

Sewer Hookup-The projects sewer installation will be need to be connected with the existing 73.15

Las Palmas one, which stops at the end of Woodridge Ct. How doe the developer propose to connect his sewer with the existing one without tearing up Woodridge Ct.? The same holds true for storm water run off. Once again the existing easement can only be used for ingress and egress. Also, were the existing storm water runoff drains and sewer drains originally constructed to handle the volume of flow for a facility the size of what is being proposed? This would appear not to be the case due to the original L.P. developer wanting to construct a single home on Parcel Q. 73.16

PARKING

With the limited parking space available to those who will work at the facility, consideration should be given as to what will need to be done to prevent parking on Woodridge Ct. which is H.O.A. property. The H.O.A. considers this to be trespassing. Also, where are the trucks and heavy equipment going to be staged as well along with construction workers parking? The only possible area would be the Woodridge Ct. Rd. which is owned by the Las Palmas H.O.A. In this area the developer has stated in a letter to the county in May of 2016 pg. 5, that Las Palmas road, River Run and Woodridge Ct. are private roads maintained by the L.P.R. H.O.A. Those roads were dedicated as part of Las Palmas Subdivision #1 with no restrictions as to their use. Parcel Q has clear rights to the use of the private roads for the pr 73.17

In the case of Woodridge Ct., which is also owned by the H.O.A., the only rights that the owner of Parcel Q has is ingress and egress.(as stated in their Grant Deed) They cannot do whatever they want to this or any other road in the sub-division. Therefore, the developer cannot use Woodridge Ct. for such things as equipment staging and construction worker parking or putting Porta Potties on it. Page 17&18 of the H.O.A.'s CC&R's, section 7.14 states that parking and vehicular restrictions state that none of the following, collectively "prohibited vehicles" shall be parked, stored or kept on any street public or private within the properties: Any large commercial type vehicle(including, but not limited to any dump truck, cement mixer truck, oil or gas truck of delivery trucks) etc.

AIR QUALITY

The E.I.R. in section 6.0, titled air quality, makes mention of short term construction impacts. The E.I.R. estimates construction to take 18-24 months which would not be short term. It also refers to earth moving equipment as being light in nature. The majority of earth moving equipment is very large and heavy. When discussing the impacts on air quality, the E.I.R. doesn't take into consideration dust from dump trucks that will be coming and going with fill material for the project. Given the estimate of fill needed for the project which is stated in the E.I.R. would come to an estimated 5,000 trips would be generated. I can find no mention of what the effect would be on toxic air contaminants. 73.18

GEOLOGY AND SOILS-SECTION 11.0 TITLED EFFECTS NOT FOUND TO BE SIGNIFICANT

There is reference to a geology hazard report and soil engineering feasibility investigation prepared for the project by Lanset Engineers, Inc. date 2014. This makes this report almost 4 years old and consideration should be given to determine whether or not it needs to be updated. In this section, there is a sub-heading title **Effects not found to be significant** with reference to "landslides" it stated in the E.I.R. that building foundations will be located within geologically suitable building envelopes so as to not be effected by landslides. However, when the developer placed wooden skeletons, outlined in orange tape, representing how buildings would appear, it was evident that these buildings are very close to where a previous landslide occurred last year. He states that this slide was a minor Colluvium slope failure due 73.19

to unseasonably above average participation and was a low risk to human health and safety.

Upon review of rainfall records for our area, from Jan. to March 2017(the slide occurred in March of 2017) the amount of participation was 11.28 in vs the normal of 7.35 in. This unseasonably amount of rainfall was only a few inches above normal. It would be reasonable to think that yearly rainfall during that period of time could easily be repeated to the amount in 2017 or greater. Contrary to the E.I.R.'s statement this poses are real problem. As to human health and safety not being an issue when this slide occurred, several homes experienced water coming up to the foundations of their homes and only the efforts of the local fire department and neighbors this could have become a real disaster.

AESTHETICS SECTION 5.0

Table 2-1 states that the significant impact that the project will cause to the altering of existing scenic vistas and visual character of the project site will be mitigated by landscaping, thus reducing the impact to less than significant. According to the E.I.R., trees of 4 feet in height will be planted for this purpose. Taken into consideration the proposed multi-story building which will be 28 ft. in height, it will take many, many years to achieve this, if at all. The E.I.R. states that the development would be viewed minimally from highway 68, which is incorrect. What it is talking about is the entire L.P.R. development and not just Parcel Q. It goes on to say "the visual impacts of this project are not unexpected or significant." The LPRSP F.E.I.R. (pages 56-59) recognized that the development of Las Palmas Ranch, **including this site** would be expected to change, etc. The LPRSP F.E.I.R. does not state the words **including this site.** The E.I.R. is attempting to show that the LPRSP F.E.I.R. knew and was o.k. for there not being any significant visual impacts that this site, if developed would present. 73.20

Once again the E.I.R. is using statements from the L.P.R.E.I.R. to support its statements that this is about the Parcel Q, site, when its in fact talking about the **entire** L.P.R. development. The photos provided(5-9) attempts to demonstrate this but doesn't show what the views would be like if the trees that currently exist on the building site were removed. This would then provide a significant impact to the view from Hi-way 68 and not minimal as stated. The report fails to mention the impact to the views from Spreckles Rd. The Monterey County Specific Plan states (policies os-1-2 that "development in designated visually sensitive areas shall be subordinate to the natural features of the area." Therefore, the question arises will this development be allowed to not adhere to the plan? Policies 5-20 essentially states that within the Toro Area Plan, new development may be permitted in such a manner that will enhance the scenic value of the area. The question needs to be asked how will the development of the project do this? Development sure wouldn't increase the scenic value of the area, quite the contrary. 73.21

POPULATION GROWTH INDUCEMENT, SECTION 14.4

The E.I.R. states that the proposed project is not a residential use under county codes or the L.P.R.S.P. and the project does not provide dwelling units that will operate or function as independent units. Therefore no direct population increase. The Casitas that are part of the development are actually independent living units. Casitas, by definition is a small home. These homes could add individuals to them thus making the project subject to population increase. Another question that needs to be asked, what if the development wants to expand its facility; would that also create population growth inducement. 73.22

E.R.R. SPECIFIC PLAN AMENDMENT-SECTION 4.0-4.2 73.23

In the first paragraph it is stated that the project does not provide dwelling units that will operate or function as independent uses. This is not correct in that it is also stated on this page that "although Casitas residents may maintain some independence in their life style, including the option of fixing their own meals and able to keep their own vehicles, a full range of assisted living services will be available available to them." Isn't this indep

The individual life style offers residents a safe living environment but with minimal assistance. Isn't this what is being offered to those who want to live in a Castias? Drawings of the Casitas look just like a duplex which are considered independent living units. Therefore the count of 26 small homes(Casitas) that are a part of this project has to be included in the calculation of adding this amount to the existing number of current homes of 1028. This then puts this project at a total number of homes at 1154, far exceeding the allowable 1031 in the L.P.R.S.P. A statement in this section is made that claims that the developer is paying monthly H.O.A. fees. A check of the H.O.A. records disputes this. This is yet another example of miss statements that should support re-doing the entire E.I.R. 73.24

SEWER/STORM WATER RUN OFF 73.25

A question needs to be asked concerning sewer installation and storm water runoff for the project. Since the parcels easement states that it can be used only for ingress and egress, how does the developer plan on connecting to the L.P. existing ones somewhere under Woodridge Ct. If the developer plans on tearing up Woodridge Ct. in order to do this, then he is going to have issues with the H.O.A. who owns the road. Another question that needs to be asked is whether or not the size of the drains put under Woodridge Ct. will be able to service the project? It would be reasonable to think not due to the original developer of L.P.R. originally wanting to put a single home on Parcel Q.

CEQA GUIDELINES- SECTION 15085 NOTICE OF COMPLETION (E) 73.26

This section states that public agencies are encouraged to make copies of notices of completion filed for the project pursuant to this section available in electronic format on the internet. To date I have seen only one agencies report. Not having input from all County Departments responsible for the effects a development would have on their areas of responsibility, would not provide a total picture of the effect on land use being proposed to being developed.

WATER- 73.27

The E.I.R. states that the project has a can and will serve letter from American Water. However, it should be pointed out that letter was dated 11/2/15 and states that it is only good for 2 years, making it expired. Should another letter from them be obtained? This also begs the question as to whether or not the project has changed from that date?

PROJECT DEVELOPMENT-SECTION 4.0 PG. 4-20 THE E.I.R. -OFF SITE DEVELOPMENT 73.28

This section states the proposed project doesn't include or require any off site improvements. How therefore do they plan on connecting to the existing sewer and waste water runoff drains on Woodridge Ct. If required, this would also pertain to running new lines under the road.

SUMMARY 73.29

With the addition of additional facts coupled with the pointing our of so many erroneous statements in the E.I.R., this proposed project would have an adverse impact to the functionality and quality of life and scenic beauty that currently exists within the

development. These facts alone show that a proposed commercial development is not a good fit withing a residential development. It is also important to point out that the claim that this project would be in close proximity to required related services such as hospitals, doctors offices, etc is also not true. The closest hospital is more than 3 miles away. If one examines all of the correct facts and numerous violations of the Las Palmas and Toro AREA specific plans that are not addressed in the E.L.R. i.e. (pg Roman Numerals 11-4#7, pg 11-6#3, pg 11-17#11, pg 111-2paragraph 2 of pg, 111-4and pg a-2#4 that would occur with the development of this project, there isn't any other conclusion that could be drawn than to **DENY THIS PROJECT.**

Tom Mercurio
21001 Country Park Rd.
Salinas, Ca. 93908
805 455 8468

Letter 73

COMMENTER: Tom Mercurio

DATE: April 16, 2018

Response 73.1

The commenter states that they are concerned about the project. The commenter states that the Draft SEIR is biased towards the developer and contains errors. The commenter asks if the Planning Department reviewed the document and supports its claims. The commenter discusses the Draft SEIR process and questions whether or not it is ethical for a developer to pay directly for preparation of a Draft SEIR.

Please refer to Response 38.3.

Response 73.2

The commenter references the LPRSP, which states that higher density housing should be clustered behind natural land forms, generally at lower elevations and not on steeper slopes or ridgelines.

Refer to Topical Response D for a discussion of consistency with the LPRSP. As noted therein, the project is not considered residential, and is generally consistent with LPRSP policies.

Response 73.3

The commenter discusses the project's use of landscaping for view-screening. The commenter states that images 5-6, 5-7, and 5-8 in the Draft SEIR are misleading because they only show certain perspectives. The commenter states that tree removal would increase visibility of the project, and that newly planted trees would not screen the site until many years of growth had occurred. The commenter states that Spreckels Boulevard (Avenue) views would also be impacted.

Spreckels Avenue is approximately 3,700 feet from the project site at its nearest point. The project site could potentially be visible from Spreckels Avenue. Note that the project would not be required to be hidden from view from neighboring roads. Please refer to Topical Response F for more detail regarding scenic resources and landscaping.

Response 73.4

The commenter asks why the project includes a proposed amendment to the LPRSP.

Section 4.0, *Project Description* (page 4-18), of the Draft SEIR, describes the need for a Specific Plan amendment and provides the full text of the proposed amendment. As noted therein, the project falls under the County's general definition of an assisted living facility, which is an allowed use for the project site in the General Plan and the LPRSP. The Specific Plan amendment would serve to clarify the distinction between an assisted living facility and a residence; the distinction is noted in order to confirm that the project would not be subject to the residential limit within the Specific Plan Area. Because the project is already in conformance with the general plan and LPRSP land use designations, the Specific Plan amendment will not create any impacts and therefore does not need to be evaluated within the Draft SEIR.

Response 73.5

The commenter refers to the residential unit limit of 1,031 for the LPRSP Plan Area. The commenter states that the proposed project includes housing that would exceed the limit, because 1,028 homes have already been built.

Regarding the residential unit cap of the LPRSP, refer to Topical Response C. As noted therein, the proposed project is not a residential use under the County code or LPRSP; as such, the residential unit limitation of 1,031 does not apply to the project.

Response 73.6

The commenter asks if the project would necessitate a new fire station, and if the developer would pay for the new station.

Please refer to Topical Response B. As stated therein, Section 11.9, *Public Services,* of the Draft SEIR, has been revised to state that developers in Monterey County are required to pay development impact fees that would go toward fire protection facilities, pursuant to Monterey County's Fire Mitigation Fee Ordinance (County Ordinance Title 10, Chapter 10.80; Monterey County 2019). The Monterey County Regional Fire District reviewed the proposed site plan and building plans and determined that new or expanded fire facilities and additional equipment are not needed in order to provide fire protection services to the project. Therefore, the project would have a less than significant impact with adherence to applicable fire safety codes and design features as approved by MCRFD and payment of the County's Fire Mitigation Fee.

Response 73.7

The commenter states that emergency evacuation of the project site would require use of Woodridge Court Road, which has a minimum width of 27 feet. The commenter asks if Woodridge Court is wide enough to allow two-way traffic and accommodate emergency vehicles.

Please refer to Topical Response D. The discussion pertaining to emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project. Furthermore, the existing streets that run through the Subdivision were reviewed and approved for development to ensure accessibility for emergency vehicles when the community was constructed. Additionally, Mitigation Measure T-2 has been added and is described in Section 4, *Amendments to the Draft SEIR,* of this document.

Response 73.8

The commenter states that in the event of an emergency evacuation, the Subdivision roads would be congested with vehicles entering the Subdivision to transport the senior living center residents.

For a discussion of wildfire impacts, please refer to Topical Response B, which includes analysis added to the Final SEIR addressing wildfire hazards. Impacts related to wildfire and fire protection would be less than significant. Please refer to Topical Response D for a discussion of impacts on emergency evacuation and emergency access. The project would not result in a significant impact on emergency preparedness within the Subdivision, and would maintain adequate emergency access routes to the project site.

Response 73.9

The commenter states that the Draft SEIR does not address security operations at the Subdivision entrance. The commenter states that senior living center staff would arrive at 6 am, before security staff arrives. The commenter states that project-generated traffic would congest the Subdivision entrance, including the River Road exit lane.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Response 73.10

The commenter states that the Draft SEIR traffic analysis does not include emergency vehicles, shuttle service, or senior living center visitors. The commenter states that the majority of the project-generated traffic would occur between 6:00 am and 8:00 pm and would impact the road.

Refer to Response 7.2 for discussion of the Draft SEIR's methodology for estimating trip generation by the project. As discussed therein, the Draft SEIR estimates new trips based on appropriate trip generation rates provided by the Institute of Transportation Engineers. These trip rates provide a reasonable estimate of total trips generated by senior living communities, incorporating typical ancillary trips such as resident trips, visitor travel, truck trips to supply food service and commercial operations, and medical trips.

Response 73.11

The commenter states that pedestrians cross Woodridge Court to access Corey Park. The commenter expresses concern about the mix of vehicles and pedestrians due to project-generated traffic.

Regarding traffic along Corey Park, please refer to Topical Response D. As noted therein, the proposed project would not substantially increase safety hazards for pedestrians and bicyclists, including people accessing Corey Park.

Response 73.12

The commenter asserts that the Draft SEIR underestimates the amount of traffic that would be added to SR 68 because employees on the project site would generate the majority of new trips. The commenter asks if the analysis in Section 9.1 of the Draft SEIR includes a comparison with development of the originally planned single-family home on the project site.

Refer to Response 7.2 for discussion of the methodology for estimating trip generation by the project. As discussed therein, the Draft SEIR estimates new trips on SR 68 and other nearby roadways based on appropriate trip generation rates provided by the Institute of Transportation Engineers. These trip rates account for employee trips generated by senior living communities. Therefore, the Draft SEIR's traffic analysis does not undercount employee trips generated by the project.

Refer to Topical Response D for discussion of the project's impact on traffic conditions on SR 68. As discussed therein, the Draft SEIR acknowledges the project would have a significant and unavoidable impact on traffic conditions on the highway because existing traffic conditions are at an

unacceptable level of service (LOS) F, and the project would worsen these conditions by adding at least one trip during peak hours.

The Draft SEIR's traffic analysis does not compare the project's trip generation to that of the originally planned single-family residence on the project site; rather, it compares new trips to existing baseline conditions. Under this baseline, the project site is undeveloped and does not generate any vehicle trips. This approach is more conservative because it assumes that all new vehicle trips would be additional to baseline conditions.

Response 73.13

The commenter states that the project does not address the County's inclusionary housing requirement. The commenter references a June 2015 letter from County staff that indicates an inclusionary housing requirement for the project.

As noted in Topical Response C, the proposed project is not a residential use under the County code or LPRSP that would be subject to the County's inclusionary housing ordinance. The proposed project would be a licensed Residential Care Facility for the Elderly (RCFE), and would not provide dwelling units that would operate or function as independent units. Provided that the applicant can demonstrate that all units and beds are licensed consistent with the Health and Safety Code prior to occupancy, River View at Las Palmas is not subject to the requirements of the Inclusionary Housing Ordinance. Therefore, the County's inclusionary housing ordinance does not apply to the project.

Response 73.14

The commenter disputes the Draft SEIR's assertion that the project includes rights to the use of Subdivision roads. The commenter refers to the site's Grant Deed language that stipulates a non-exclusive easement for ingress and egress. The commenter expresses the understanding that the grant deed does not allow for the type of traffic that the project would generate.

Please refer to Topical Response I. As noted therein, a written agreement between the LPHOA and the applicant would be necessary in order to clarify cost-sharing associated with use of the streets, drainage facilities, and security operations that are under the control of the LPHOA. Such an agreement is not currently in place. It is outside of the scope of the Draft SEIR to facilitate an access agreement between the applicant and the LPHOA.

Response 73.15

The commenter states that the sewer line serving the Subdivision ends at the end of Woodridge Court, and that the project would need to demolish the road in order to connect the project's sewer line.

Temporary construction impacts may result from the connection of utilities to the project site. Any impacts to the road would be repaired in conjunction with utility improvements.

Response 73.16

The commenter states that due to the Grant Deed restrictions described above, the project would not be permitted to use the Subdivision's stormwater drains. The commenter asks if the Subdivision's stormwater drainage system is capable of handling the volume that would be added by the project.

Please refer to Topical Response E. As indicated therein, a Conceptual Stormwater Control Plan was prepared for the project by Gateway Engineering, Inc. and has been developed for the project as

part of the preliminary design to address stormwater management for the project site in conformance with County and State regulatory requirements. The site drainage is specifically designed to meet County and regulatory requirements, and emulate pre-development conditions, resulting in the water volume, rate and quality of stormwater leaving the site would be similar to current conditions. As a result, there would be no project-related downstream or off-site impacts related to flood hazards or stormwater quality related to project operation.

Response 73.17

The commenter states that Woodridge Court is LPHOA property and that the LPHOA would consider use of the road for project parking to be trespassing. The commenter refers to LPHOA rules that prohibit commercial vehicles from parking on the streets.

As discussed on page 9-8 in Draft SEIR Section 9.0, *Transportation & Traffic*, policy in the LPRSP to provide adequate off-street parking would apply to the project. The project would provide a 28-space parking lot for staff and visitors at the assisted living facility, and a 32-space parking lot for staff and visitors at the memory care facility. These proposed parking lots would provide adequate off-street parking for commercial vehicles. Therefore, it is anticipated that the project would not result in conflicts with LPHOA rules prohibiting such vehicles from parking on streets.

Response 73.18

The commenter states that the Draft SEIR does not address air quality impacts from the project's construction phase, including dust from dump trucks.

Suspended particulate matter emissions (including airborne dust during construction) are discussed in Section 6.0, *Air Quality*, of the Draft SEIR. As described therein, construction of the project would expose nearby residences to particulate matter emissions from the use of off-road equipment as well as large diesel-fueled trucks. Mitigation Measures AQ-1, AQ-2, and AQ-3 are required to reduce this impact to a less than significant level. These three measures require, respectively, the inclusion of dust control measures in the project's grading plan, appointment of a site monitor, and maintenance of equipment for low emissions. For a full description of particulate matter emissions and mitigation measures, refer to Section 6.0, *Air Quality*, of the Draft SEIR.

Response 73.19

The commenter states that the geology and soils reports for the project are from 2014 and should be updated. The commenter states that the building envelope would be near the site of a previous landslide. The commenter states that the rainfall that caused the previous landslide could occur again, and that landslides in this area could result in flooding of homes.

While the Geologic Hazards Report and Soil Engineering Feasibility Investigation (geology and soils report) dated March 2014 is now over five years old, the passage of five years would not substantially change the basic underlying geology of the project site. Additionally, the recommendations of the geology and soils report are premised on the assumption that a qualified engineer will carry out additional design level investigations and review proposed grading, drainage and foundation plans before construction; and a qualified engineer will observe, test, and advise during earthwork and foundation construction. These activities will ensure that all construction activities will be carried out with knowledge of, and taking into account, geologic conditions current at the time of construction.

Please refer to Topical Response E for information regarding landslides. As noted therein, all recommendations included in the geotechnical report would be implemented in the design and construction of the project to ensure that there would be no significant impacts associated with geologic hazards, including slope stability and landslides.

Response 73.20

The commenter states that it would take many years for new trees to provide visual screening of the project. The commenter notes that the LPRSP EIR did not discuss the proposed project.

The Draft SEIR for the proposed project refers to the LPRSP EIR to provide context to the project's discussion of aesthetic impacts. The LPRSP EIR is relevant for its discussion of the project site's distance from scenic SR 68, and discussion of the overall aesthetic impacts of development in the area, as the project would add development to the outskirts of the existing Subdivision. However, project-specific impacts are addressed in Section 5.0, *Aesthetics,* of the Draft SEIR.

For further discussion of aesthetic impacts, refer to Topical Response F. As stated therein, impacts to scenic resources and private views would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting.

Response 73.21

The commenter states that the construction of the project coupled with tree removal around the site would result in a significant impact to the view from SR 68, and would also impact the view from Spreckels Road. The commenter refers to a General Plan Policy OS-1.2, which states that development in designated visually sensitive areas shall be subordinate to the natural features of the area. The commenter refers to another unspecified set of policies regarding new development in the Toro Area. The commenter asks if the project would be exempt from policies related to aesthetics.

Visual impacts are discussed in Topical Response F and the project's consistency with General Plan Policy OS-1.2 is discussed in Table 3-1 in Topical Response C. As noted therein, the project site is located within an area designated "sensitive viewshed." Section 5.0, *Aesthetics*, of the Draft SEIR included visual simulations from SR 68 and from Reservation Road. The simulations show that although the project would be visible from these locations, the project is not located on steeper slopes and would not constitute ridgeline development. Mitigation measures ensuring the impacts are less than significant are: 1) requiring a landscape plan to screen the project site from SR 68, Reservation Road, and River Road, as well as from the adjacent neighborhood and trail; 2) building colors and materials to be earth toned to blend with the existing vicinity landscape; and 3) requiring all new utility and distribution lines on the project site to be underground.

Response 73.22

The commenter disputes the Draft SEIR's characterization of the proposed senior living center Casitas units as non-residential. The commenter states that the Casitas would be independent living units, and notes that a casita is, by definition, a small home. The commenter states that the project should be considered to represent a population increase. The commenter asks if an expansion of the facility would represent growth inducement.

The casitas would not be independent (residential) living units; the entire project is an assisted living facility, including the casitas.

Please refer to Topical Response C regarding growth inducement. As stated therein, while the proposed project would indirectly result in business and population growth due to the increased local investment from revenues generated by the project, projections of any potential growth would be speculative.

Response 73.23

The commenter states the proposed Casitas should be counted towards the LPRSP limit of 1,031 total homes in the Plan Area, and that the project would exceed the limit.

Refer to Topical Response C. As noted therein, the proposed project is not a residential use under the County code or LPRSP; as such, the residential unit limitation of 1,031 does not apply to the project.

Response 73.24

The commenter disputes the Draft SEIR statement that the project applicant is paying LPHOA fees.

The applicant pays LPHOA fees. Several commenters acknowledge that the applicant makes payments to the LPHOA but contend that those payments do not represent membership status.

Response 73.25

The commenter reiterates the concerns described in comment 73.16.

Please refer to Response 73.16.

Response 73.26

The commenter inquires as to the availability of public agency comment on the project.

The Notice of Completion (NOC) for the Draft SEIR was filed with the State Clearinghouse on March 12, 2018 (https://ceqanet.opr.ca.gov/2017031025/2). All agency and public comments received on the Draft SEIR are included in this Final SEIR and referred to herein.

Response 73.27

The commenter states that the Can and Will Serve Letter from American Water is from 2015 and is no longer valid.

See updated will-serve letter from California Water Service dated March 26, 2019 in Appendix I-2

Response 73.28

The commenter refers to the EIR statement that the project does not include off-site improvements, and asks how, therefore, the project would connect to sewer and wastewater infrastructure.

Section 10.0, *Water Supply*, and Section 11.12, *Wastewater*, of the Draft SEIR state that California Water Service will provide water and wastewater services to the project site, and has provided a "can and will serve" letter regarding the project. No construction of new water treatment, storage, or distribution facilities would be required, including off-site improvements mentioned by the commenter.

Response 73.29

The commenter summarizes their opposition to the project, stating that there would be impacts to functionality and quality of life and scenic beauty within the Subdivision. The commenter states that the claim that the project is in close proximity to medical services is incorrect, and notes that the nearest hospital is more than three miles from the project site.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR, and proximity to a hospital is not an environmental issue. The proposed location offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access. Salinas Valley Memorial Healthcare is approximately five miles from the project site.

Please refer to Topical Response C. As described therein, quality of life is not an environmental impact under CEQA. However, the Draft SEIR includes analysis of various impact areas such as noise and traffic that relate to quality of life.

From: Suzanne Snyder Date: 4/16/18

Address: 21076 Country Park Rd

Letter 74

RECEIVED
APR 19 2018
Monterey County RMA

To: (Sidorj@co.monterey.ca.us),

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

Cc: Brandon Swanson, Planning Manager, (831) 755-5334 same physical address
swansonb@co.monterey.ca.us

Jacqueline Onciano, Chief of Planning, (831) 755-5193, same physical address

oncianoj@co.monterey. ca.us

Carl Holm, Planning Director, (831) 755-4879, same physical address
holmcp@co.monterey.ca.us

roygobets@aol.com , Roy Gobets (831) 235-1701 21056 Country Park Road, Salinas, CA, 93908

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Hello Joe,

I am very concerned about the proposed project. Its proposed use of Las Palmas 1 roads will pose unacceptable traffic, safety and security problems in our peaceful neighborhood. Further, the large number of housing units proposed for this development, coupled with its clear commercial use, are inconsistent with the residential atmosphere that Las Palmas residents chose when they located here in the first place. 74.1

I respectfully urge the developer to find alternate venue and access for his proposed facility.

Please respond to the issues I listed above in writing.

Respectfully,

x Suzanne Snyder
21076 Country Park Rd (I am a long term resident)
We are paying for and have paid for the above by purchasing the open area in front of the Cary house and establishing a gated community. This proposed development would eliminate what we have established.

Letter 74

COMMENTER: Suzanne Snyder

DATE: April 16, 2018

Response 74.1

The commenter states that the project would pose traffic, safety, and security problems, and that the project is inconsistent with the Subdivision's residential atmosphere. The commenter urges the developer to find an alternate venue and access for the project.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning designations, and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access.

Topical Response D explains that a new access route to the project site would not be necessary to avoid impacts on traffic circulation because the level of service on roads providing access to the project site would remain acceptable under the project.

April 17, 2018

Letter 75

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place
Salinas, CA 93901

Re: RVLP Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Dear Mr. Sidor,

My name is Megan Castillo and my family and I reside at 21005 Country Park Road in Las Palmas 1. I am writing to express my opposition to the proposed development of Riverview at Las Palmas. We purchased our home in 2011 and were thrilled to become part of the Las Palmas 1 community. For over 7 years we have enjoyed the peaceful and safe neighborhood where our children can ride their bikes and explore the beautiful nature around us. I am deeply concerned by three areas in particular:

1. Traffic/Safety

My understanding of the project, once constructed, is that there would be a host of people entering and exiting this property at all hours of the day via Woodbridge Road. This is a space where my children have learned to ride their bikes, where my neighbors walk their dogs and interact with one another, and that we enjoy watching the sun set over each day. My home is one door down from this road and I would be terrified to leave my children outside to play for fear that they may be in danger of being hit by a car driven by any number of people coming in or out of this facility, including service vehicles, emergency vehicles, staff, family visitors, etc. I do not anticipate that our speed limit will be followed in emergency situations nor by an employee trying to get to work on time. People must cross this road to access the development's largest open space, Corey Park, and dodging vehicles coming through is unacceptable. 75.1

In addition, I also already fear what a mass evacuation would look like in our area should a fire break out in the hills behind our homes or a mudslide occur. This will be a single-entry point for the entire facility to be evacuated, which I feel further jeopardizes the safety of all.

I anticipate that any emergency vehicles responding to this facility will have their sirens and lights on and I feel this would be a disruption to my family's sleep and general sense of well-being. Prior to residents actually being there, the construction of the facility itself would be so incredibly disruptive to our daily lives with all the necessary equipment and materials going in and out through this single-entry point.

2. Security

We currently have a security protocol in place where any guests of our neighborhood are checked in my one single guard at Las Palmas Road. If this facility were to be constructed, it would be impossible for this single guard to have to check in every service vehicle, guest, healthcare provider, or other visitor to this facility. As this would be a 24-hour care facility, there will be no one to ensure visitors are being checked in properly during the hours our security guard is not on duty. I feel this poses a threat to the general safety of our neighborhood as once they enter the LP1 property they are not accounted for. 75.2

3. Residential Area

This area was zoned for residential purposes and the proposed facility is a direct contradiction to this. I do not understand why the developer's project is being considered given the scope of the plan. This is clearly not a plan to build residences as was originally set forth for this area. 75.3

I appreciate you taking the time to consider my concerns and hope the decision will be made not to allow this project to proceed.

Regards,

Megan Castillo

Megan Castillo, Homeowner
21005 Country Park Road

Letter 75

COMMENTER: Megan Castillo

DATE: April 17, 2018

Response 75.1

The commenter states that the project would increase traffic through the Subdivision, which would endanger children playing outside.

For a discussion of traffic impacts within the Subdivision, refer to Topical Response D. As noted therein, the project would not result in a substantial increase in traffic within the Subdivision.

Response 75.2

The commenter states that increasing traffic in the Subdivision would compromise the existing security checkpoint, because the security guard would not be able to check-in all of the visitors. The commenter states that when the security guard is off-duty, unaccounted-for visitors would enter the Subdivision, posting a general safety threat.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Response 75.3

The commenter states that the Subdivision is zoned for residential purposes, and that the proposed project is an inappropriate land use for the site.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Letter 76

From: Lan Clayton
To: Sidor, Joe (Joseph) x5262
Cc: Swanson, Brandon xx5334; roygobets@aol.com
Subject: RVPL Draft SEIR for proposed development of Riverview at Las Palmas (PLN#150372)
Date: Tuesday, April 17, 2018 8:02:48 PM

Dear Mr. Sidor,
I would like to voice my concerns about the project proposed in Las Palmas I.

My first concern is that the large scale construction project will bring a tremendous amount of heavy equipment through our quiet neighborhood. I believe this will be not only a nuisance, but potentially dangerous as well when trucks and cars back up onto River Road trying to get past the gate house. 76.1

Next, it is my understanding that the project aims to cut gown many of the trees on the hill top. I enjoy looking up at the surrounding hills to see the cows, grasslands and eucalyptus grove. This project would destroy the natural beauty with its large buildings, cars, and 24 hours lighting. 76.2

Finally, I imagine the ongoing traffic once the project is completed would be intolerable. I ride my bike out onto River Road and walk my dog around the neighborhood. The backup of cars from workers, residents, family members, delivery persons and emergency vehicles would put my safety and the safety of my neighbors on the line. 76.3

Please respond to the concerns that I have listed above in writing.

Respectfully
Lan Clayton
17515 Sugarmill Rd
Salinas Ca 93908
Lanclayton@comcast.net

Letter 76

COMMENTER: Lan Clayton

DATE: April 17, 2018

Response 76.1

The commenter expresses concern that construction of the project will result in traffic safety issues because cars and trucks will congest the Subdivision entrance.

Please refer to Topical Response D. As described therein, the project would not result in a significant impact related to traffic safety.

Response 76.2

The commenter states that the project would remove eucalyptus trees and destroy natural beauty.

Regarding aesthetic impacts, please refer to Response 30.2 above and Topical Response F. As stated therein, impacts to scenic resources and private views would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting.

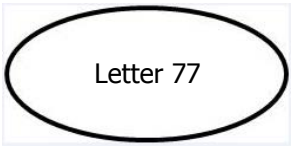
Tree removal and impacts to wildlife are discussed in Topical Response G and Section 7.0, *Biological Resources,* of the Draft SEIR. As noted in Topical Response G, impacts to common wildlife species would not be considered significant under CEQA.

Response 76.3

The commenter states that the project would result in intolerable traffic, and that the added traffic would present safety concerns Subdivision residents.

Please refer to Topical Response D. As described therein, the project would not result in a significant impact related to traffic safety, and impacts related to traffic would be less than significant or less than significant with mitigation incorporated, with the exception of impacts to SR 68, which would be significant and unavoidable.

From:	Joseph Goncalves
To:	Sidor, Joe (Joseph) x5262
Cc:	Swanson, Brandon xx5334; roygobets@aol.com
Subject:	Letter for proposed Development of Riverview at Las Palmas
Date:	Tuesday, April 17, 2018 5:20:07 PM



Hello Mr. Sidor

I am very concerned about the proposed project. Its proposed use of Las Palmas 1 roads will pose unacceptable traffic, safety and security
problems in our peaceful neighborhood. Further, the large number of housing units proposed for this development, coupled with its clear commercial use, is inconsistent with the residential atmosphere that Las Palmas residents chose when they located here in the first place. 77.1

We don't want a commercial business built within our neighborhood boundary.
Businesses make profit, homes do not.
Home values will go down. 77.2

Removal of 80 Eucaliptus trees.Light pollution.
Noise pollution during 2 year plus construction phase. Road up hill is 50% grade.
Water resources and California drought. 77.3

I strongly urge Mr Shingu, the developer, to fin alternate location and access for this proposed faclitty. 77.4

Please respond to the issues I listed above in writing.
Respctfully,

Joseph A. Goncalves
17655 Riverebend Rd.
Salinas, CA 93908

Letter 77

COMMENTER: Joseph A. Goncalves

DATE: April 17, 2018

Response 77.1

The commenter states that the project would pose traffic, safety, and security problems.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Response 77.2

The commenter states that as a commercial use with a large number of housing units, the project is inconsistent with the Subdivision's residential atmosphere, and will decrease property values of existing homes.

Please refer to Topical Response C for a discussion of land use compatibility and property values. As described therein, the project would be consistent with the site's zoning and land use requirements, and property value is not an environmental impact and therefore is not analyzed in the Draft SEIR.

Response 77.3

The commenter states that the project would remove 80 eucalyptus trees and cause light and noise pollution. The commenter mentions water resources and drought. The commenter states that an unspecified road has a 50 percent grade.

The comment concerning road grade does not provide sufficient detail for a response. However, road gradients are typically less than ten percent, and the existing Subdivision roads are not drastically steeper than typical roads.

Water resources are discussed in Section 10.0, *Water Supply*, of the Draft SEIR. The Draft SEIR concluded that impacts would be less than significant, based on the ability of the California Water Service to provide water services to the project per the "can and will serve" letter.

Tree removal and impacts to wildlife are discussed in Topical Response G and Section 7.0, *Biological Resources,* of the Draft SEIR. As noted in Topical Response G, impacts to common wildlife species would not be considered significant under CEQA.

Please refer to Topical Response F, which discusses impacts of the project's lighting. As described therein, mitigation is required to reduce lighting impacts to a less than significant level.

Please refer to Topical Response H for a discussion of the project's potential noise impacts. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 77.4

The commenter urges the developer to find an alternate location and access for the proposed project.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning classifications, and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access.

Please refer to Topical Response D. As noted therein, secondary access between River Road and the project site during emergency evacuations would be available through the lawn area between County Park Road and Woodridge Court. However, secondary access would not be provided on Woodridge Court between Country Park Road and the first internal parking lot aisle. Mitigation Measure TRA-3 would be required to install improvements that improve access to the lawn area and Woodridge Court. With implementation of this measure, the project would have a less than significant impact on emergency access.

Letter 78

From: nancysidney60@aol.com
To: Sidor, Joe (Joseph) x5262
Cc: Swanson, Brandon xx5334; Onciano, Jacqueline x5193; Holm, Carl P. x5103; roygobets@aol.com
Subject: RVPL Draft SEIR
Date: Tuesday, April 17, 2018 10:09:51 AM

Dear Mr Sidor,

My name is Nancy Montana. I retired in 2003 from Apple Computer after an extended career in electronic sales and purchasing.

My husband and I chose to live in Las Palmas I because of its beautiful, quiet setting and safe atmosphere.

We live near our grandchildren who play and bike in the safe streets in our community. We enjoy the parks. We treasure where we live.

I am now very concerned about the proposed project. It planned use of Las Palmas 1 roads will bring unacceptable traffic, safety and security problems in our peaceful neighborhood. 78.1

The large size and its clear commercial use are not consistent with the residential atmosphere that Las Palmas residents chose when they located here in the first place. 78.2

I respectfully urge the developer to find alternate location and access for his proposed facility. 78.3

It does not belong here and we count on the Board of Supervisors to honor the plan they approved that resulted in Las Palmas I. Please do not approve this project.

I look forward to your written response.

Respectfully,

Nancy Montana

21056 Country Park Road

Salinas, CA, 93908

Letter 78

COMMENTER: Nancy Montana

DATE: April 17, 2018

Response 78.1

The commenter states that the project would bring unacceptable traffic, as well as safety and security problems, to the Subdivision.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Response 78.2

The commenter states that due to the project's size and commercial use, it would not be an appropriate land use in the residential Subdivision.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 78.3

The commenter urges the developer to find an alternate location and access for the project, and asks the Board of Supervisors to deny the project.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Letter 79

From: yukiko yonemitsu
To: Sidor, Joe (Joseph) x5262
Cc: Swanson, Brandon xx5334; Onciano, Jacqueline x5193; Holm, Carl P. x5103
Subject: RVPL draft sir for proposed development of Riverview at La Palmas(PLN#150372)
Date: Tuesday, April 17, 2018 10:51:50 PM

Hello Mr. Sidor,

I am very concerned about the proposed project. I understand that there are not enough senior homes in Monterey County. So I am not against building it. However, it should have its own access so whoever go to there wouldn't need to use Las Palmas 1 Road. There would be unacceptable traffic, safety and security problems. It shouldn't affect any Las Palmas residents who located here first. Please imagine that if you lived in Las Palmas1. 79.1

Respectfully,

Dennis and Yukiko Yonemitsu
17700 Riverbend Rd.
Salinas, CA 93908

Letter 79

COMMENTER: Dennis and Yukiko Yonemitsu

DATE: April 17, 2018

Response 79.1

The commenter states that the project should have a separate access route, rather than use the Subdivision roads. The commenter states that the project would cause unacceptable traffic, safety, and security problems.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Topical Response D explains that a new access route to the project site would not be necessary to avoid impacts on traffic circulation because the level of service on roads providing access to the project site would remain acceptable under the project.

April 18, 2018

Mr. Joseph Sidor, Associate Planner
Mr. Brandon Swanson, Planning Manager
Monterey County Planning Commission

Letter 80

Mr. Sidor and Mr. Swanson,

I am a resident of Las Palmas I. I am opposed to the Proposed Development of Riverview at Las Palmas (PLN#150372) because the proposed non-residential development is inconsistent with the existing residential community, and the development would create traffic, security and safety issues that would have a strongly negative impact on quality of life of Las Palmas I residents. 80.1

1. Traffic

This project would impact both the Las Palmas I neighborhood and roads in the surrounding area. 80.2

Las Palmas I is a quiet, rural community where children play, families ride bikes and walk their dogs. Community streets are narrow and designed for residential traffic. On several streets parking is limited to one side of the road. There are two entrances to Las Palmas I; however, non- resident traffic is limited to the Las Palmas Road entrance.

Construction of this project would result in deliveries, probably dozens in any day, of construction equipment and supplies for an extended period of time. (It is not unrealistic for construction to take 12-18 months.) If the project is completed, traffic would be further congested by the numerous employees (Estimated staffing level is 92 employees at any given time.) and commercial vehicles - food deliveries, linen services, medical and emergency services, and waste and removal required to support the facility. This traffic load would cause traffic to dangerously back up at the Las Palmas Road gatehouse and unto River Road.

The additional traffic coming into Las Palmas I would also impact the already congested Highway 68. Highway 68 is designated as a Level F highway. This is the current situation and two already approved County Highway 68 construction projects have not yet been built. Approval of the proposed non - residential project will only the exacerbate the problem and add to commuter misery.

2. Security.

Safety and security of our families is a high priority. To this end residents have chosen to limit access by installing gates and hiring a security guards to monitor incoming traffic. The proposed large non-residential facility would open our community to continual traffic throughout the day and night. There would be no way to regulate this traffic or the use of our private streets, parks and playgrounds and guarantee the safety and security of the community. 80.3

3. Safety

As mentioned above our roads are narrow and there are only two entrances/exits to the property. There is concern that large construction trucks and emergency vehicles will have difficulty maneuvering the tight turns onto Woodbridge Court and the proposed road leading up the hill to the non-residential 80.4

facility. Evacuation of the facility in the case of an emergency would be very time consuming and therefore pose danger to residents of both River View at Las Palmas and Las Palmas I.

4. The Proposed Non-Residential Development is Inconsistent with the Existing Residential Community

The Las Palmas Plan and Monterey County Plan was approved and developed as a residential neighborhood. The parcel of land on which the developer plans to build a large residential care and nursing facility is zoned "medium density residential," at 2.61 units per acre. Under the Las Palmas Plan this parcel was specifically approved for eight units total. The developer is requesting a "conditional use permit" to allow for the development of a non-residential facility with a total of 105 units. Clearly this is not in keeping with the Las Palmas and Monterey County Plans. 80.5

The developers are also requesting an amendment for a non-residential use. Their reasoning is that assisted living facilities are not considered residential units because they do not operate in the same manner as an independent residential unit and should not be held to the residential limitations of the Las Palmas Plan.

It seems to me that the need for a "conditional use permit" and the developers acknowledgment that the project is not residential, whereas Las Palmas I IS a residential community, that the proposed project is inconsistent with the Las Palmas and Monterey County Plans. I request that the Planning Commission consider how, in light of this inconsistency, the adverse impact on the quality of life of Las Palmas I residents, the traffic impact on the greater community, and the potential safety concerns of future residents of the assisted living facility, this proposed project benefits Monterey County. This proposed non- residential development should not be approved. 80.6

I also request that prior to the Planning Commission meeting that the Commissioners conduct an official site visit to Las Palmas I and the area under consideration.

Thank you for your consideration.

Respectfully,

Lynn Dittrich
17570 Winding Creek Road, Salinas, CA 93908
831-595-0368

Letter 80

COMMENTER: Lynn Dittrich

DATE: April 18, 2018

Response 80.1

The commenter states that the project is inconsistent with the existing residential community, and would create traffic, security, safety, and quality of life issues.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Please refer to Topical Response C for a discussion of land use compatibility and quality of life. As described therein, the project would be consistent with the site's zoning and land use requirements, and quality of life is not an environmental impact under CEQA. However, the Draft SEIR includes analysis of various impact areas such as noise and traffic that relate to quality of life.

Response 80.2

The commenter states that both construction and operation of the project would result in traffic impacts, including dangerous congestion at the Subdivision entrance. The commenter states that the project would exacerbate LOS F conditions on SR 68.

Topical Response D for a discussion of traffic impacts. As described therein, impacts related to traffic would be less than significant or less than significant with mitigation incorporated, with the exception of impacts to SR 68, which would be significant and unavoidable.

Response 80.3

The commenter states that the project would compromise security operations at the Subdivision entrance.

Please refer to Topical Response A for a discussion of safety and security. As noted therein, the project would not result in a significant impact on police protection within the Subdivision. Regarding the Subdivision's private security service, refer to Topical Response I, which discusses the project applicant's responsibility to share in the LPHOA's security costs.

Response 80.4

The commenter states that the Subdivision has only two entrances/exits and that the roads are narrow, which could result in difficult maneuvering for large construction trucks and emergency vehicles. The commenter notes the tight turns onto Woodbridge Court. The commenter states that efficient evacuation of the facility would be challenging, thus posing a danger to its residents as well as the Subdivision residents.

Please refer to Topical Response D for a discussion of site access and evacuation routes. As noted therein, a separate entry is not available for the project applicant, nor is it necessary to avoid traffic

impacts. Additionally, mitigation is required to improve emergency access and evacuation to and from the site.

Response 80.5

The commenter states that the proposed project is inconsistent with the existing residential community. The commenter states that the project would not be consistent with the site's zoning and would include more housing units than the site is meant to contain. The commenter states that the need for a conditional use permit suggests that the project is an inappropriate land use.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 80.6

The commenter requests that the Planning Commission members visit the project site and consider whether or not the project would benefit the County.

The commenter's recommendation is noted and herewith shared with County decision makers for their consideration.

From: Alan & Chris Bockenstedt 4-16-18
17556 River Run Road
Salinas, Ca

Letter 81

RECEIVED
APR 19 2018
Monterey County RMA

To: Joseph Sider
Associate Planner
Monterey County RMA- Planning
Second Floor 1441 Shilling Place
Salinas, Ca

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas(PLN# 150372)

Joseph

Hello, this is Alan & Chris Bockenstedt. We live at 17556 River Run Road which is right inside the gate at Las Palmas 1. If you look at where our house is located you will be able to see our concern with this project. The sidewalk is across the street from our house. We have grandkids and their friends which are at our house all the time. We're concerned with the amount of traffic that will come with this new development both with construction and continuing operation of a 24 hour facility. 81.1

We bought this home in April of 2017 because of the location and the fact that it had security and a limited amount of traffic within the existing community. If this proposed facility gains your approval to build, we would lose all of the qualities for which we originally purchased our home. 81.2

Besides the safety and security issues created, the noise levels will increase substantially.

For these reasons and many more which other people have brought forward, we would urge you to not grant a permit to go forward with the Parcel Q project.

Respectfully,
Alan & Chris Bockenstedt
Al Chris Bockenstedt

P.S. At the time of our home purchase, nothing was disclosed to us about the proposed development. We are hoping that our investment in a home in Las Palmas 1 does not erode with this project going forward.

11556
our home
Google
36°37'15"N 121°40'10"W 228 ft

Our home 1755
Google
Google
36°37'18"N 121°40'16"W 2,170 ft

Letter 81

COMMENTER: Alan and Chris Bockenstedt

DATE: April 19, 2018

Response 81.1

The commenters express concern that the project would increase traffic in the Subdivision.

For a discussion of traffic impacts within the Subdivision, refer to Topical Response D. As noted therein, the project would not result in a substantial increase in traffic within the Subdivision.

Response 81.2

The commenters state that the project would result in impacts related to quality of life, safety, security, and noise. The commenter urges denial of the project.

Please refer to Topical Response C. As described therein, the project would be consistent with the site's zoning and land use requirements. Further, property value and quality of life are not environmental impacts and are not directly analyzed in the Draft SEIR. Safety, security, and noise are discussed in Topical Responses A and H.

The commenter's preference for project denial is noted and herewith shared with County decision makers for their consideration.

Letter 82

17503 Sugarmill Road
Salinas, CA 93908
April 19, 2018

Joseph Sidor, Associate Planner
Monterey County RMA-Planning
Second Floor
1441 Schilling Place
Salinas, CA 93901

Dear Mr. Sidor;

I write to you today to express my concern over RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372).

I have owned my home in Las Palmas 1 since November, 2006. It is a peaceful and safe community consisting of a good mix of young families as well as senior citizens. I am worried that this proposed development will upset the balance of a well-established residential community that has existed for nearly 25 years. 82.1

My concerns are as follows:

- It appears on the surface that this proposal is a commercial endeavor which is not in keeping with the zoning and aesthetic nature of the area. 82.2
- This project will increase the traffic flow on Las Palmas roads as well as on River Road creating traffic as well as possible safety issues. 82.3
- The size of the project with its employees and residents would make it impossible to maintain the security and serenity of our community. 82.4
- I cannot imagine how the developer could possibly hope to blend his proposal with the surrounding area environment. It would be visible for miles from River Road as well as from Highway 68. 82.5
- California is already in a water crisis. This project would certainly tax local water resources to their limit and exasperate the current salt water intrusion problem. 82.6
- The current waste water plant is barely keeping up with current demands with neighbors complaining about the foul odor coming from the plant. Cal-Water says that it can accommodate the new demand by expanding the current facility. Does that mean that current residents would have to help pay for this plant expansion?
- I am concerned about the integrity of the proposed site. There is a history of landslides in the area. Is placing a facility for patients with Alzheimer's and other debilitating ailments on this site a good idea? 82.7

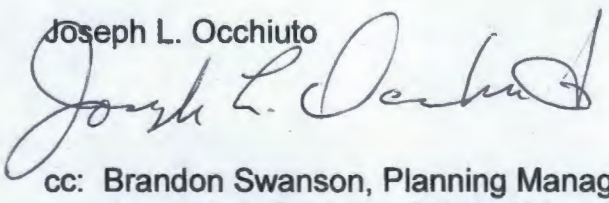
- Evacuation of patients under any conditions, especially a disaster such as fire, earthquake, landslide, etc., would be cumbersome and dangerous under the best of circumstances. 82.8
- Patients/residents of this facility would need medical care which is not immediately available in this area. In a medical emergency immediate treatment is certainly necessary. The nearest hospital and emergency care facilities are a distance away. 82.9
- The construction alone would disrupt our community for a year or more with noise as well as the coming and going of large construction equipment on roads that were not built to withstand that type of traffic. 82.10

I am certain that there are many issues not covered in my letter and I request that you consider all of them before granting the developer's request. I am sure that there are other locations more suitable for this project.

Thank you in advance for your consideration of these issues, and if possible, I would appreciate a response to my letter.

Respectfully yours,

Joseph L. Occhiuto



cc: Brandon Swanson, Planning Manager
Jacqueline Onciano, Chief of Planning
Carl Holm, Planning Director
Roy Gobets

Letter 82

COMMENTER: Joseph L. Occhiuto

DATE: April 19, 2018

Response 82.1

The commenter expresses concern that the project could upset the balance of the Subdivision community.

The commenter's concern is noted and herewith shared with County decision makers for their consideration. Please refer to Topical Response C for a discussion of land use compatibility, property value, and quality of life.

Response 82.2

The commenter states that as a commercial project, the project is not consistent with the site's zoning.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 82.3

The commenter states that the project would increase traffic in the Subdivision and on River Road.

For a discussion of traffic impacts within the Subdivision, refer to Topical Response D. As noted therein, the project would not result in a substantial increase in traffic within the Subdivision. As stated therein, the project would result in LOS C traffic conditions on River Road, which would be acceptable.

Response 82.4

The commenter states that the project would compromise security and serenity in the Subdivision.

Please refer to Topical Response A for a discussion of safety and security. As noted therein, the project would not result in a significant impact on police protection within the Subdivision. Regarding the Subdivision's private security service, refer to Topical Response I, which discusses the project applicant's responsibility to share in the LPHOA's security costs.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 82.5

The commenter states that the project would be visible from River Road and SR 68, and would not blend with the surrounding environment.

Please refer to Topical Response F regarding scenic resources and private views. As stated therein, impacts would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting.

Response 82.6

The commenter states that California is in a water crisis, and that the project would tax local water resources to their limit and exacerbate salt water intrusion.

The California Water Service, Monterey County Water Resource Agency (MCWRA), as well as water users have made great strides in reducing consumption, improving efficiency and implementing measures to improve groundwater reliability. Based on these combined efforts, and other considerations addressed in its Urban Water Management Plan, California Water Service projected that, under all hydrologic conditions, its groundwater supply for the Salinas District will fully meet future demands through 2040 (2016 California Water Service). As a result, California Water Service has committed to serving the project in its will-serve letter dated March 26, 2019 in Appendix I-2. In addition, the WCWRA continues to evaluate and implement projects to address seawater intrusion. As indicated in the Draft SEIR, Section 10.0, *Water Supply*, page 10-13, impacts to water supply would be less than significant. As a result, the project would not exacerbate salt water intrusion.

Please also refer to Response 3.3 and 3.4 regarding water supply and conservation efforts, and Response 8.25 regarding MCRWRA's report on seawater intrusion impacts and recommendations.

Response 82.7

The commenter states that they are concerned about the integrity of the proposed site because the area has a history of landslides. The commenter questions the decision to place patients with Alzheimer's disease and other debilitating ailments at the site.

Please refer to Topical Response E. As noted therein, all recommendations included in the geotechnical report would be implemented in the design and construction of the project to ensure that there would be no significant impacts associated with geologic hazards, including slope stability and landslides.

Response 82.8

The commenter states that emergency evacuation of the proposed development would be dangerous.

Please refer to Topical Response D. The discussion pertaining to emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project.

Response 82.9

The commenter states that the residents of the proposed project would not be in proximity to medical facilities.

The proposed location offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access. Salinas Valley Memorial Healthcare, the nearest hospital to the project site, is approximately five miles from the project site. For further discussion of the project's siting and land use compatibility, refer to Topical Response C.

Response 82.10

The commenter states that the project would result in traffic and noise impacts.

Please refer to Topical Response D and Topical Response H, which summarize the project's traffic and noise impacts. As described therein, traffic and noise impacts would be less than significant or less than significant with mitigation incorporated, with the exception of impacts to SR 68, which would be significant and unavoidable.

From: Marilyn
To: Sidor, Joe (Joseph) x5262
Subject: Parcel Q
Date: Friday, April 20, 2018 8:05:29 PM

Letter 83

Mr. Sidor,

We have been residents of Las Palmas l Park Side since it was built in 1989. This community was and is a sanctuary for birds, small animals, birds of prey, deer and mountain lions and bob cats. To infringe even more on their lands is not something Monterey county should encourage. 83.1

Secondly, the traffic generated by this 24 hour facility will cause congestion at the light at Las Palmas to River Road that will put 50 shift workers on to River Road at one time being funneled through this family oriented neighborhood causing delays for the people who live here in Las Palmas but also causing delays to the residents of all of the River road communities such as Las Palmas ll and Indian Springs, the farmers and field workers as well as trucks and farm equipment that use River Road, and the schools, teachers and buses that need to get to work or school every day and get home again in a timely manner. This does not include the delivery trucks, ambulances, visitors, etc. that will also use this light. This will happen 3 times a day! The red lights are frequently run and collisions and deaths have happened recently and this will be compounded by the additional volume of traffic. 83.2

This project must have it's own access to River Road as it will cause congestion and noise of idling cars in our neighborhood where people routinely enjoy walking, biking, dogs in the parks, children playing. It will compromise the security of our neighborhood which was set up because our neighborhood was targeted by thieves and the guard gate would no longer be effective. Delivery trucks and ambulances or fire trucks roaring through our neighborhood is not an option as this facility would have a lot of these occurrences. 83.3

The other matter involves the instability of the hillside that the complex would be built on. It has experienced slides whenever there is a normal or heavy rain season. There are homes at the base of the hill and any potential for slide would be disastrous. 83.4

Not only do we feel that this facility should not be built here, we feel the traffic problems will be insurmountable if the entrance to Las Palmas is used and the families here will be negatively impacted. Our peaceful quiet community where children frequently play in the street will be gone. 83.5

Fred and Marilyn Adams
21159 Old Ranch Ct

Sent from my iPad

Letter 83

COMMENTER: Fred and Marilyn Adams

DATE: April 20, 2018

Response 83.1

The commenter states that the Subdivision is a sanctuary for wildlife, and that wildlife habitat should not be infringed upon.

Please refer to Topical Response G. As described therein, the project's impacts related to wildlife would be limited due to the size and placement of the project site. To reduce potential impacts to special status wildlife species, the Final SEIR includes mitigation measures, as listed in Section 4, *Amendments to the Draft SEIR*.

Response 83.2

The commenter states that the project would congest traffic at the Subdivision entrance, as well as throughout the area.

For a discussion of traffic impacts within the Subdivision, refer to Topical Response D. As noted therein, the project would not result in a substantial increase in traffic within the Subdivision.

Response 83.3

The commenter states that the project should have its own access route from River Road, because using the Subdivision entrance would result in traffic, compromised security, and noise impacts.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Topical Response D explains that a new access route to the project site would not be necessary to avoid impacts on traffic circulation because the level of service on roads providing access to the project site would remain acceptable under the project.

Please refer to Topical Response H for a discussion of the project's potential noise impacts. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 83.4

The commenter expresses concerns about landslides from the project site damaging homes at the base of the hill.

Please refer to Topical Response E. As noted therein, all recommendations included in the geotechnical report would be implemented in the design and construction of the project to ensure that there would be no significant impacts associated with geologic hazards, including slope stability and landslides. In addition, the project includes on-site stormwater control measures designed to achieve zero net increase in the rate of stormwater discharge relative to pre-project conditions. This

would reduce the potential for runoff from new development to exceed the capacity of storm drainage facilities and contribute to off-site flood hazards.

Response 83.5

The commenter states that the project would result in traffic impacts and would disrupt quality of life in the Subdivision.

For a discussion of traffic impacts within the Subdivision, refer to Topical Response D. As noted therein, the project would not result in a substantial increase in traffic within the Subdivision.

Please refer to Topical Response C. As described therein, quality of life is not an environmental impact under CEQA. However, the Draft SEIR includes analysis of various impact areas such as noise and traffic that relate to quality of life.

RECEIVED
APR 23 2018
MONTEREY COUNTY
PLANNING DEPARTMENT

Letter 84

Alan and Myra Anthony

21028 Country Park Road
Salinas , CA 93908
Phone: 831 206-5430 or 831 277-0245
anthoae2@gmail.com

April 20, 2018

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Shilling Place
Salinas, CA 93901

CC: Brandon Swanson, Planning Manager, swansonb@co.monterey.ca.us
Roy Gobets, 21056 Country Park Rd, Salinas CA 93908 roygobets@aol.com

Subject: RVLP Draft SEIR Proposed Development of Riverview at Las Palmas (PLN#150372)

Dear Mr Sidor,

My husband and I moved to Salinas November 2011 from King City. We chose Las Palmas1 for several reasons.

Quiet, Managed, Residential, Secure Community

Due to work and family we have specific needs which were met by Las Palmas 1.

The primary reasons are Safety, Peacefulness and the close sense of Community. The Security of Las Palmas 1 made a big impact on our decision. Due to incidents that have happened in my life, I have never felt safe living anywhere until now. If this Proposed Project goes through, the feeling of safety will be taken away. 84.1

Essential Needs and Unhealthy Disruptions

We live on Country Park Road. Our home backs right against the hill on which the Planned Project will be built. Our Privacy will be disrupted by bright lights necessary for infirm patients also, staff, patients and visitors will look down into our home taking away our privacy. Further the daily noise of these business operations plus the constant vehicular traffic including Emergency Service Vehicles will be disruptive. The vehicles will have to drive up a hill, so there will also be the noise of the large commercial supply and support vehicles shifting gears. My husband along with other residents work various shift hours. His rest time will be heavily impacted. With every day being "Visitor Day" traffic will be heavy with all the vehicles driving back and forth during the day and evening and 84.2

PLN150372

the Emergency Services Vehicles will have to run with "Lights and Sirents". There will be constant sound and airborne dust.

Zoning Change to a Destructive Project - No adequate Process

If this Proposed Project goes through, the feelings of safety and privacy will be taken away. If we had known about the Development being planned, we would not have moved to Las Palmas 1. We would have either remained in King City or looked in other areas off of River Road. With the Development Project, even if we wanted to move, we will be unable due to the decreased value of our home once the Project is Approved. Therefore we should be compensated.

84.3

Other Serious Issues: (Traffic, Noise, Airborn Dirt, Privacy and Security)

If Development Project is approved, Traffic,Security, Privacy and Noise level will be affected. It has been estimated, minimum of 300 vehicles will be driving through the Front Gate, which doesn't include vehicles of Residents and Visitors of people living in Las Palmas 1. I believe estimate is low. **No study of internal traffic has been done.**

84.4

Employees could be hired for 4 and 8 hour shifts. Vehicles could include but not limited to Physicians, Medical Practitioners, Nurses, along with other Medical Professionals checking on Residents and Patients. Assigned Services along with Taxis and Uber could be used for transporting Planned Project Residents to Doctor Appointments, Shopping and other needed errands. Other vehicles but not limited to Pharmacy Delivery, Food, Janitorial, Linen, Appliance, Furniture, Medical Supplies, Plumbers, Electricians, Repairmen, Cable, Telephone Services will be driving through on a daily basis. Many people are ordering more goods through the mail, including food so there would be more types of delivery vehicles such as UPS, Fedex and USPS needing additional access. USPS has a contract with Amazon, where they deliver only for Amazon on Sundays due to the increased orders. Emergency Vehicles which include but not limited to Ambulance, Fire and Police Department will also be needed on a regular basis. The Emergency Service Vehicles alone are going to be very disruptive. With Sirens going off day and night, most likely everyday. The additional amount of vehicles driving through the Front Gate of Las Palmas 1 could affect Emergency Services Vehicles getting to Las Palmas 1 Residents and Planned Project Residents in a timely matter, causing life threatening situations and possible deaths. The Entrance Gate and access roads going to the Planned Development was not designed for this amount of traffic especially during constructon.

Resident Personal and Property Risks to Increase.

Security is going to be a huge problem. The Employees, Residents of Planned Development, Visitors and Drivers can easily wander the premises to use Parks and Walking Trails which the Residence of Las Palmas pay for upkeep. Sadly, there will be some people entering Las Palmas 1 who have other intentions than visiting Planned Project Residents and working. Most likely crime and possible physical assaults could be a problem. It is going to be hard to know if people coming through The Front Gate are here to work or visit Residents of the Development Project or just obtaining access to Las

84.5

Palmas 1. Residents of Las Palmas take great pride in keeping premises clean.There could be garbage thrown within the Community along with the need of additional cement garbage cans which not only would be expensive to purchase but also to upkeep along with being unsightly. The current garbage cans have been strategically placed so they flow with the Communities Landscaping. 84.6

Much Higher Living Costs

Security will need to be increased just to keep some control of crime. The County Sheriff's evening shift Officers are limited to only a few with Jail duties taking precedence. So, our existing Neighborhood Watch will have limitations. 84.7

One Security Guard during the day and night patrols will no longer be able to maintain the Safety, Security and the Rules of Law at Las Palmas. The Security Guard Shack was not built for more than one Guard. We will need a larger staff with three or four Security Guards during the day and possibly two or three the evening shift. The hours of operation at the Guard Shack need to be increased, needing 24 hour Security. In order to handle the extra vehicles, two Security Guards at the Front Gate from 6am to 7pm, then one Security Guard from 7pm to 6am. To protect Las Palmas 1, we will need Security driving and checking the premises of Las Palmas 1 during the day. Two Security Guards may be needed to drive around during the day in order to enforce the Security and Privacy of Las Palmas Residence. A Security Guard will be needed at night besides the Security Guard at the Front Gate. If the Planned Development is approved, we should be prepared to have two Security Guards driving and securing the premises at night in the event crime increases and nonresidential people are wandering the Community. I also have a concern, what legal rights do we have if there are people who are not Las Palmas Residents wandering in Las Palmas 1 Community and will Law Enforcement back the Security Guards when there is a problem?

Zoning Change for a large Health Support Business - Unjust and Unrealistic

The idea of the need for extra security takes away the reason many people have moved to Las Palmas 1. The tranquility will be gone. Parents will no longer feel comfortable to let their children play outside by themselves nor adults may feel comfortable to use the walking paths or to walk their dogs on a regular basis. Our dog will not do her major business in the backyard. There are times, I have taken her outside at 2am. I am at present more concerned about coyotes and skunks, than people. Recently my grand daughter visited from Modesto. It is not uncommon to see bikes, helmets, sport gear and jackets left at the different parks. People may move them out of the way of others, but no one takes them for their own use. For several days, my 11 year old granddaughter saw a bike left at Circle Park. She became very concerned, wanting me to call authorities, thinking someone had kidnapped a child. I finally was able to convince her this was normal for Las Palmas 1. Its brought me comfort I've been able to provide my grandchildren a safe place to be children when they visit. I would be saddened to see this be taken away from my grandchildren and others living in Las Palmas 1. 84.8

No Essential Services for Patients.

Most of the patients will have mobility and other challenges. However in todays world of treatment they do need and deserve good access to personal and health support services. (Coffee shop, Hairdresser, Dentists, Therapist and other Health Professsionals. We have non of these and no commercial services at Las Palmas 1. The Las Palmas development was oriented that way from the beginning. It has been successful for over 30 years.It is eminently unreasonable to change the zoning now for the financial benefit of one developer (or small group). 84.9

(NOTE: The Property, Parcel Q, is presently for sale.

No Commercial Property Here. I recently found out that the commercial zoned 3.23 acres on Unit 1 were purchased by the Las Palmas 1 owners (the grassy area in front of Corey House) in order to prevent disruptive, unsightly Commercial Buildings being built). Not only did the purchase make Las Palmas 1 more pleasant and secure but also made the drive on River Road more enjoyable for travelers. If the Planned Development Project is approved, the 3.23 acres may become land which Las Palmas 1 Residents may no longer be able to use as an additional area to relax due to the heavy traffic which will be going down the street where located. It could become unsafe with vehicles accidentally driving onto property when Las Palmas 1 Residents are enjoying or involved in sometime of activity. 84.10

Rural Ambiance - Original Attractive Design - (To be Destroyed?)

There have been additional concerns pointed out to my Husband and I. When Las Palmas 1 was planned, a lot of thought went to the environment, open areas and roads. There was to be no Commercial Development and Las Palmas 1 was to be a private gated community. People purchased the homes for the open areas and safety factors. 84.11

Access Road Not Adequate - River Road Dangerous:

When Parcel Q was originally sold, it was Zoned Residential Use never Commercial, with access right through the main entrance of Las Palmas. The access road is steep and can't maintain vehicles driving back and forth for the Planned Development Project. We don't have the resources to be able to support such a project. Current and Past Las Palmas 1 Residents have worked hard to maintain the beauty and safety. They worked hard to have the River Road traffic signal light installed. It has reduced accidents but I have seen many close calls. Last year, I saw an accident which resulted in the vehicle ending up on the street entering Las Palmas 1, close to the Guard Shack. The accident could have gone very differently. With the amount of the proposed traffic, there is a high probability of more close calls and accidents. 84.12

Potable Water & WasteWater I understand we pay higher fees for water use and WasteWater services and water is in limited supply here. We should not be impacted by 84.13

this proposed development nor should any development gain for the monies Las Palmas 1 Residents have paid for their development. When we moved to Las Palmas, because of the safety and park use - I felt the HOA fees were not out of line. My Husband paid HOA fees at his prior home in King City but we didn't feel safe nor were the parks and surrounding areas being cared for in the same manner. We paid for Security System which we haven't felt the need to have here because of the Security. If the Planned Development Project goes through, we feel having a Security System will be necessary which will be another added expense. We also see the HOA fees being raised in order to provide safety for Residents of Las Palmas 1. I understand that there has been discussion of the Planned Development Project helping with expenses but that is only one issue and nothing has been offered whicht may not even meet what the Residents of Las Palmas 1 feel is needed. Due to the best interest of both sides, I hope the Planned Development Project is not approved. It would be a safety issue for both Residents of Las Palmas 1 and Resident of The Planned Development Project! Among privacy, criminal and safety issues — the lag time of Emergency Service Vehicles getting to Residents of Las Palmas 1 and Residents of the Planned Development Project, could result in life threatening conditions.

84.14

I request a reasoned response

Thank you

Sincerely yours,

Alan E. Anthony
Myra Anthony

Alan and Myra Anthony

Letter 84

COMMENTER: Alan and Myra Anthony

DATE: April 20, 2018

Response 84.1

The commenters express concern about feeling safe in the Subdivision if the project is approved.

Please refer to Topical Response A for a discussion of safety and security. The commenters concerns are noted and herewith shared with County decision makers for their consideration.

Response 84.2

The commenter states that the project would result in impacts related to light pollution, noise, traffic, and loss of privacy for nearby residents.

Please refer to Topical Response F, which discusses impacts of the project's lighting on night sky views and loss of privacy. As described therein, mitigation measures require landscape screening, earth toned building colors, undergrounding of utility and distribution lines, and unobtrusive lighting.

Regarding traffic impacts, refer to Topical Response D. As described therein, impacts related to traffic would be less than significant or less than significant with mitigation incorporated, with the exception of impacts to SR 68, which would be significant and unavoidable.

Please refer to Topical Response H for a discussion of the project's potential noise impacts. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 84.3

The commenter states that the project will decrease home values, and that they should be compensated for that loss.

Please refer to Topical Response C. As described therein, property value is not an environmental impact and is therefore not directly analyzed in the Draft SEIR.

Response 84.4

The commenter states that the project would result in impacts related to traffic, security, privacy, and noise. The commenter states that a study of internal traffic has not been performed. The commenter lists sources of traffic that could occur as a result of the project, and states that the Subdivision entrances was not designed to accommodate high traffic volumes.

Regarding traffic impacts, refer to Topical Response D. As described therein, impacts related to traffic would be less than significant or less than significant with mitigation incorporated, with the exception of impacts to SR 68, which would be significant and unavoidable. The traffic analysis included additional study of internal streets. Additionally, a separate entry is not available for the project applicant, nor is it necessary to avoid traffic impacts.

Response 84.5

The commenter states that the project would compromise security in the Subdivision, most likely resulting in crime and physical assaults.

Please refer to Topical Response A for a discussion of safety and security. As noted therein, the project would not result in a significant impact on police protection within the Subdivision.

Response 84.6

The commenter states that Subdivision is kept clean, with strategically placed garbage cans, and that the project could result in litter and the need for new, expensive, unsightly garbage cans.

Section 11.11, *Solid Waste*, of the Draft SEIR describes the solid waste generation of the project. The proposed project would include recycling and waste bins throughout the project, which would be collected and disposed of by the Salinas Valley Solid Waste Authority. Trash bins would be sized as appropriate for the amount of waste anticipated to be generated by the project.

Response 84.7

The commenter states that the project would result in a need for added security in the Subdivision. The commenter asks what legal rights the residents have regarding non-residents wandering through the Subdivision. The commenter asks whether or not law enforcement personnel would support the Subdivision's security guards when necessary.

Please refer to Topical Response A. As stated therein, Section 11.9, *Public Services,* of the Draft SEIR, has been revised to include information about the Monterey County Sheriff's Office. The Sheriff's Office determined that the project would not require new or expanded facilities for the Sheriff's Office in order to continue providing the same level of police protection to the site and vicinity.

Response 84.8

The commenter states that the project would impact the area's tranquility, and that Subdivision residents would no longer feel comfortable walking their dogs or letting their children play outside.

As described in Topical Response C, neighborhood fit and quality of life are not environmental impacts and are not directly analyzed in the Draft SEIR.

Response 84.9

The commenter states that the residents of the senior assisted living facility would not have access to commercial services or health support services. The commenter states that it is unreasonable to change zoning for the financial benefit of a developer.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 84.10

The commenter states that if the project is approved, Subdivision residents may no longer be able to enjoy the grassy area in front of Corey House, because of traffic and the risk of vehicles accidentally driving off of the road.

Vehicles driving through the Subdivision to reach the project site would pass by the grassy area discussed in the comment by turning onto Woodbridge Court off of River Run Road. This segment of River Run Road is less than 300 feet long and ends in a stop sign. Landscaping with trees and sidewalk exists between the grassy area and the road. Therefore, use and safety of this area would not be compromised by an increase in traffic on River Run Road. For a broader discussion of traffic impacts, please refer to Topical Response D.

Response 84.11

The commenter states that the Subdivision is a private, gated community with no commercial development.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 84.12

The commenter states that the project site is zoned for residential use. The commenter states that the access road is steep and that the project would increase the probability of automobile accidents.

Please refer to Topical Response D for a discussion of the project site access. As noted therein, a separate entry is not available for the project applicant, nor is it necessary to avoid traffic impacts.

The project is a senior assisted living facility. The project site is zoned Medium Density Residential (MDR). The Draft SEIR notes that a senior assisted living facility is similar to a rest home, which is an allowed MDR use. The Draft SEIR requires an amendment to the LPRSP to clarify that an assisted living facility is an allowed use. For more detail, refer to Topical Response C.

Response 84.13

The commenter expresses concern about the project resulting in higher prices for water and security. The commenter states that emergency vehicle access to the project site is a safety concern.

The pricing of water and security service for residences is not an environmental impact and is therefore outside of the scope of the Draft SEIR.

For a discussion of security concerns, refer to Topical Response A. As noted therein, the project would not result in a significant impact on police protection within the Subdivision.

Response 84.14

The commenter states that emergency vehicle access to the project site is a safety concern.

Topical Response D explains that a new access route to the project site would not be necessary to avoid impacts on emergency vehicle access because the level of service on roads providing access to the project site would remain acceptable under the project.

From:	roygobets@aol.com
To:	Sidor, Joe (Joseph) x5262
Cc:	Swanson, Brandon xx5334; Onciano, Jacqueline x5193; Holm, Carl P. x5103
Subject:	DSEIR Considerations, Supplemental to 4/6/2018 Report
Date:	Friday, April 20, 2018 2:21:04 PM
Attachments:	Las Palmas I Neighborhood Survey.pptx

Letter 85

Hello Joe,

Please find below (3) additional concerns I wish to raise upon continued reading of the DSEIR.
These (3) supplemental items should be viewed in combination with my report submitted on 4/6.
I have not yet received your acknowledgement on that (4/6)report, did you receive it?
Please acknowledge both the (4/6) and this (4/20) submission.

Respectfully,
Roy Gobets

Storm Water Removal

From paragraph 11.6:

"A county reviewed storm water control plan in conformance with storm drainage facility design standards and NPDES requirements would be implemented ensuring that there would be no impacts related to localized flooding"

There is no such plan available in the DSEIR for review. This statement above says to me: "Our plan is to have a good plan.....Trust us - approve the plan and all will be well."

As it stands, this bold assertion in the DSEIR cannot critically be reviewed. Some serious issues are not raised.

1) Does this "plan" assume that there will be some linkage with the Las Palmas I stormwater drainage system? If so - no one here at Las Palmas is aware of any such discussions.
RVLP is NOT a member of the Las Palmas I HOA Association Membership. There is no implied consent to such a hook-up.

Diverting stormwater from an elevated plateau with 190,000 square feet of impermeable structures will overwhelm existing LPI systems designed for residential use.

If not counting on linkage with Las Palmas I systems - how would this potential torrent of precipitation be diverted? How will this storm water be mitigated?

Until the DSEIR includes a serious consideration of these critical issues it is clearly incomplete.

85.1

Waste Water
From Paragraph 10.1

" Landscape irrigation on the project site associated with the proposed project would use reclaimed water from the Las Palmas Ranch Wastewater Treatment Facility, operated by California American Water. Reclaimed water pipe connections to the treatment facility are already located on the project site."

2) Members of our LPI HOA were advised in a meeting with Cal American Water that the waste water treatment plant at the Kinship Center would be closed and waste streams would need routing to Marina along a "Force Main". Thus assumptions about California America Water serving RVLP are clearly questionable.

85.2

The RVLP DSEIR must provide further clarity how its needs will be serviced for both waste water treatment and grey water sourcing. And, just as in (1) above, any assumed dependencies on Las Palmas I infrastructure or grey water allocations must be clearly stated. Again, LPI was designed for residential use, not commercial entities. Clearly the DSEIR is lacking critical detail that precludes any intelligent discussion on this item.

Neighborhood Fit

Attached is a report summarizing a neighborhood survey to obtain direct feed back on the RVLP proposed project. The data shows overwhelming (93%) opposition to the project. This report was submitted earlier to the County and was NOT included in the DSEIR appendices. It is hereby resubmitted. The signature sheets collected are available upon request.

85.3

Letter 85

COMMENTER: Roy Gobets

DATE: April 20, 2018

Response 85.1

The commenter discusses Section 11.6 of the Draft SEIR, which states that the project would implement a stormwater control plan. The commenter states that the stormwater control plan is not included in the Draft SEIR, and thus cannot be reviewed. The commenter asks whether or not stormwater control would include connections to the Subdivision drainage system, and states that the Subdivision LPHOA has not agreed to allow such connections.

A Conceptual Stormwater Control Plan was prepared for the project as part of the preliminary design to address stormwater management for the project site and is provided in Appendix I-1. Please also refer to Topical Response E.

Response 85.2

The commenter questions the statement in Section 10.1 of the Draft SEIR that the project site would use reclaimed wastewater for irrigation. The commenter states that the wastewater treatment plant at the Kinship Center is scheduled to close, and thus future service from California American Water to the project site is in doubt. The commenter requests clarity about wastewater treatment and graywater sourcing.

The project would use recycled water from the Las Palmas treatment plant to irrigate common areas.

California American Water has stated that it will provide wastewater service to the project (see Appendix G of the Draft SEIR and Appendix I-2 of the Final SEIR). Therefore, continuous wastewater service can be reasonably anticipated, including during and after any changes to facilities.

Response 85.3

The commenter states that a neighborhood survey found that 93 percent of respondents were opposed to the project.

The comment is noted and is herewith shared with the County decision makers for their consideration.

Letter 86

David C. Dalby
21024 Country Park Road
SALINAS CA, 93908 USA

Email: dalbyd345@gmail.com
Phone 831-455-2231
Cell 831-595-6091

Mailing Address:
820 Park Row - PMB539
Salinas, CA 93901

April 20, 2018

Joseph Sidor, Associate Planner
The Monterey County RMAgency - Planning 2nd Floor
1441 Schilling Place
SALINAS , CA 93901

Reference: RVLP Draft SEIR for Proposed Development of Riverview at Las Palmas (PLN150372)

Mr Sidor,

As a 17 year resident of the Las Palmas Phase I sub-division in Salinas California and a Professional Engineer with extensive property development experience, please find and accept four copies of my report, in response to the DSEIR filed on March 12, 2018. A soft PDF copy will be sent by email for filing purposes 86.1

In summary I am rather disappointed with the DSEIR and its avoidance of several critical subjects and seemingly unsupported dismissal of subjects critical for residents rights, well-being in the Las Palmas property they have invested in. Our clear expectation is for recognition and continuity of proper planning processses and decisions.

Serious Concerns include:

- Discard of the Las Palmas Specific Plan - Process ? Precident ?
- Wastewater - present incapacity, major diversion planned.
- Water supply not consistent with the Developer's claims and needs.
- Land use inconsistent with County Standards.
- Inappropraite treatment of Memory patients .
- Both LUAC and the HOA Board withdrew specific support for this project

Although the report is my own Professional work, as a current Board Member of the Las Palmas I HOA we will collectively have significant challenges and responsibility for dealing with the aftermath of this Planning work.

I will be pleased to answer any questions that you may have and I wish to participate in future events such as relevant Planning Department and Planning Commission meetings.

Thank you,

Yours Sincerely

David C. Dalby P. Eng; NSPE

Encl. - c.c. Brandon Swanson - Planning Manager;
Jacqueline Onciano Chief of Planning;
Carl Holm, Planning Director and Roy Gobets - Las Palmas I

DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT (DSEIR) RESPONSE

For

SUBMISSION IN THE PUBLIC COMMENT PERIOD AFTER THE PUBLICATION OF THE DSEIR BY THE COUNTY OF MONTEREY

Regarding

THE RIVER VIEW AT LAS PALMAS LLC (RVLP)
DEVELOPMENT APPLICATION PLANNING FILE
Number PLN 150372

PREPARED BY
17 YEAR RESIDENT OF THE LAS PALMAS I SUBDIVISION OF SALINAS CA 93908

DAVID C. DALBY P. ENG, NSPE

APRIL 20 , 2018

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Introduction and Comments re: Draft SEIR

This report is prepared by David C. Dalby, a 17 year Las Palmas Home Owners Association (HOA) resident with over 20 years experience in HOA governance and over 2 years on the Board of the HOA of the Las Palmas I subdivision of Salinas, California. (See Bio in the Appendix). The proposal of the "River View at Las Palmas LLC" (RVLP) is to occupy part of the Phase I parcel also known as Parcel "Q" and develop a 24x 7 Seniors support and treatment facility plus 26 Casitas for residential accommodation for those who may not require treatment or support. Permission for this business enterprise requires violating the present land zoning i.e. the Las Palmas Special Plan of 1986 which overall affects over 1028 homes contained in the Las Palmas I & II Subdivisions with collective residential and community investments of many hundreds of millions of dollars providing a substantial taxing base for schools and Social Services.

SECTION 1 **DSEIR Assessment**

1.1 Summary

Issued March 12, 2018 by the Resource Management Agency - Planning Department, of Monterey County. This paper follows and lists the CEQA questions and its format guidelines as far as possible. All topics listed are considered to be capable of causing "Potentially Significant Impact" on the environment and particularly in the residential neighborhood that this commercial enterprise will affect. These conclusions are often in direct opposition to the stated remediation effects in the DSEIR. 86.2

Further, treatment of Memory patients has changed dramatically recently requiring access to family, community and modern health treatment methods not available at or near parcel Q. Descriptive sections of this report add some information given to the Planning Department at the time of the NOP and is carefully amended with comments, issues and facts regarding the DSEIR and its contents. Non-CEQA items, project related are also considered which will have critical effects on the residents of Las Palmas I and can also set important unsupportable precedents.

1.2 Conclusions

The Draft Supplemental Environmental Impact Report (DSEIR) as published March 12, 2018 is seen to contain several errors, omissions and judgements which when corrected substantially lead to negative and even dangerous side effects of the development on the present 329 owners of property in the Las Palmas I sub-division. This has been in place as a "residential only" subdivision since the 1980's. 86.3

The two votes taken of the Las Palmas Home owners in 2016/17 show overwhelming opposition to the development and is enumerated as an effective random sample follows: - .

Vote 1 - 2016, 50% of 329 homes randomly polled - - 93% opposed the RVLP project.

Vote 2 - 2017, by the Home Owner Association of 212 owners responded out of 329 - 72% opposed RVLP,

1.2.1 **Summary of DSEIR Items Missed or Poorly Represented:**

A) HOA: The DSEIR claim that the developer is a member of the Las Palmas I HOA. is incorrect i.e. not true. The developer only pays the sum of $40 per month as a part payment of the maintenance cost of the Las Palmas I roads which is proposed to provide road access for the new businesses. The developer does not pay regular dues to the HOA as do the 329 home owners and therefore is not a member with voting or management rights. Road access is the only right. Further as claimed the patients, staff, relatives and visitors do not inherit unhibited access to the trails, sidewalks of Las Palmas I. 86.4

B) Las Palmas I is **not** fully developed (per LP Specific Plan) as claimed in DSEIR sec. 2.2 page 2.2. At last count three homes could be built on Parcel Q in order to complete the development as originally planned. **As late as 2010** the published plan by the then developer (Mr Fletcher) was for between 5 or 8 such "High End Homes" on Parcel Q . Even now, such a residential development would be profitable for the present experienced developer and be compatible with the present Las Palmas Phase I development and owners. 86.5

C) **Questionable CAL-WATER and CAL-AM Supply**
These key issues are either poorly or incorrectly **addressed in the DSEIR**.
a) **CAL-WATER** Will - Serve letters to the developer only have a subjective and limited longevity. During the recent 5 year drought of this area, the "Will Serve" guarantee to Las Palmas Iwas reduced to an "11 "month supply. No service was "guaranteed" after that. So, how will that affect the parcel Q project for both long term operations and fire protection? 86.6
b) **Waste Water Unavailable:-** In 2017 CAL-AM informed (in a meeting) the HOA Boards of Las Palmas I and II that they (CAL-AM) were under direction from the County of Monterey to close down their Waste-water treatment plants on River Road for both Las Palmas I and II and transmit all effluent via the planned **Force Main** to the Regional treatment center in Marina. Estimate for completion - -2021. 86.7
Meanwhile the present LP CAL-AM Waste-water plant has only 200,000 gallons per day of capacity and is operating at over capacity in the present winter climate conditions.
Parcel Q - cannot be added to that plant which had a 123 violation record for two years to 2016. How can this development be permitted ?
Parcel Q has no natural water supply - **i.e. no irrigation and no fire protection for Parcel"Q".**

D) **Property Managment - Neglectful - High Fire Risk** - and poor dangerous egress for patients.Whilst this may not be considered a truly accepted DSEIR ISSUE it certainly should be for a"Health Facility and is an increasing danger for both the existing residents and the proposed patients of Parcel Q. Photos in this document show the extent of the grasslands covering nearly half of the parcel Q acreage which will have no irrigation water, no fire control/prevention installation or plan. 86.8

In fact the present owner has shown no consideration for the present dire state of affairs for the existing LP1 home owners.

1) Fire Risk Reduction: The present LP I home owners have had to reduce the fire danger each spring by paying for the grassy slopes of Parcel Q to be cut, but have had no cooperation from the owner who has left many dead and fallen trees as dangerous combustible material right through the 2017 fire season. they are still there to be seen in 2018

2) Mud Slide Prevention: The original developer of the Las Palmas I and II installed some concrete dams in strategic places on slopes behind Country Park Road, to prevent the slopes of parcels Q and L from causing mud slides and possibly floods.
This new developer has had no such preventative plans nor considerations.
see Page 6 below - **Why is this not a planning requirement?**
In fact in February 2017 a serious mud slide caused flooding right up to the houses of two owners who live on Country Park Road. Several other slopes remain very much at risk as climate change progresses. The danger is evidenced in the design paper submitted to the new developer by Landset Engineering. It took a lawyers letter from the Board of Las Palmas I to get the developer to correct the mud slide effects from and on parcel Q. 86.9

E) The Road Access to Parcel Q - is a problem. The angle up to the elevated property is in parts too steep for regular fire equipment to navigate. Further for the patients especially those in Casitas they have a 1/2 mile ring road to navigate and compete for egress, first with their own patients of the two large buildings and then the occupants of Chateau Coralini plus the 329 home owners of Las Palmas I. The numbers can be high - 142 patients; up to 92 staff; patient relatives and guests - Could be several hundred people with no direct egress path of their own. Clearly their safety is not considered important and local Traffic Impact of the project has not been measured. 86.10

F) **Access Over-Burden** The traffic to/from parcel Q is easily shown to overburden the permitted access road from River Road both during construction and also afterwards during commercial operations. **See Pages 12 and 13 below**

G) **Waste-Water** - With CAL-AM under Direction from Monterey County to close its Las Palmas sewage treatment facilty and have the effluent sent by the planned pressure main to the Marina Regional Facility. Therefore the DSEIR claim that the Parcel Q development will use the present "Grey Water supply" for irrigation and fire protection is clearly false. No physical plans for dealing with the Waste-Water from parcel Q are identified in the DSEIR. 86.11

H) **Storm Water Disposal** required for RVLP is at capacity. No plans for this disposal are shown in the DSEIR. With some 15 acres of property containing 190,000 sq ft of buildings; a 1/2 mile ring road; an access road and at least three visitor and staff parking areas then this requirement should be addressed in the DSEIR. It is not! 86.12

The Las Palmas I Storm Water system was designed over 30 years ago before climate change. The stream coming through Parcels "S & R" from the hills now runs 24x7 and heavily in winter. It is pumped into the Storm water system at the top of "Old Ranch Court. The system is not designed to add the large commercial development of RVLP.

I) **Incompatible Development:** It is quite clear that this profitable commercial development is far different from the County Board approved Las Palmas Specific Plan of the 1980's. This is particularly important as: 86.13
i) the existing plan for Las Palmas I, is still incomplete and
ii) the proposed development is of a completely different and commercial nature, i.e. a large profitable 24x7 commercial venture located far away from any support or community facilities normally sought by such care homes and
iii) it also also contains providing 26 ordinary family Casitas the residents of which may require neither support nor assistance i.e. **for normal residential purposes.**
So, why is the existing Las Palmas Specific Plan not being completed as originally planned and advertised ?

iv) This is a Ridge-Line development prohibited in tourism development areas and corridors. These designations include River Road and Highway # 68 and also affect Sprekels Blvd. See enhanced Ridge-Line photos and details P 8 - 10 below.

J) Dangerous Access to River Road, 86.14
This already dangerous access (see statistics showing multiple River Road drivers running red lights and subsequent accidents). It would also be overrun with the day to day increase in traffic to and from the new development. Therefore it will be impossible to safely cope with an evacuation when required due to fire, earthquake or flood. The patients, staff, visiting relatives and friends (up to say 400 people) would be in peril ying to leave down the narrow trail to the highway and the present HOA residents would be in peril competing with all other residents to exit by the very limited exit lanes onto River Road.

k) Mud Slide Prevention:The original Las Palmas Developer was required to plan for and install carefully thought out slide prevention concrete structures higher up Country Park Road. There appears to be No Planning Requirement for mud slide prevention or remediation on the steep Eastern/South slopes of lower Parcel Q --**WHY**? 86.15

Summary of Conclusions: Inescapably, this project is:

i) The Wrong project - demonstrably incompatible with the existing zoning, and ultilty regulations whilst raising owners Personal (Fire) and Property Risks during natural catastrophies while reducing personal and property security. 86.16

ii) The Wrong location - this location shows antiquated thinking, leading to poor treatment. With today's knowledge similar such developments are located not far from areas capable of providing essential community and personal interaction and support services etc. (e.g. Windsor Homes). Such suitable locations with proper zoning are available in the Salinas area and the Region.

iii) The Wrong Time - for the proposed Parcel "Q" property climate change has occured and raised the risks of Fire, Flood and other catastrophies to an alarming level - the steep, slide prone slopes of the elevated parcel offer unacceptable risks to any infirm residents and the established Las Palmas residents.

iv) Against the Present Home Owners Voted Wishes.

The Las Palmas HOA Owners took votes in 2016 and 2017, showing the majority of owners oppose the Project. (see Page 3)

The Solution Not Considered in DSEIR Section 17.0 - Alternatives:

a) Permit the Construction of the handful of the remaining "homes" on Parcel "Q" to complete the Las Palmas Development as per the original Las Palmas Specific Plan of the 1980's under which the present over 1028 home owners of LAS PALMAS I & II have bought and maintained their homes. The low property purchase price out of Bankruptcy would clearly make this a profitable venture to the experienced contractor involved. 86.17

b) The Developer's Plans need not to be wasted.

There are re-developing areas in Salinas and the Region which would be welcoming and very supportive of such a business. Patients would fully benefit from the ability to supply the latest treaments, proper support all in more holistic circumstances.

SECTION 2 ENVIRONMENTAL EFFECTS ISSUES of the PROJECT & DSEIR ITEMS

This section reviews the Project Proposal and identifies items of concern to be considered in the Environmental Impact Report for this project and expands on the effects of the various parts of the proposed business development and operations as presently known showing the DSEIR to be an incomplete document. 86.18

2.1 DSEIR SUMMARY: Essentially this paper seriously questions the accurancy of the DSEIR document as issued.
(Particularly see LUAC report; Ridgeline Development assessment and the Road Overburden analysis and lighting reports in 2.2 2 and 2.2.3 below.).

Owners Meetings
The property owners of Phase I of the Las Palmas Development originally worked hard to collaborate with the developer and have met several times in open sessions with the developer. One of the first and consistent requests by HOA residents was for the developer to access via a separate road to the Parcel "Q" lot thus reducing the operating conflicts otherwise surfacing. These conflicts include a 24x7 operations with 92 staff serving some 142 patients some even with serious health requirements. The developer has been unwilling or unable to arrange for a road access separate to Las Palmas Phase I and lately has not wished to meet with the residents.

Toro Park Land Use Advisory Committee (LUAC)
A group of owners and Board members of Las Palmas Phase I, attended a fall meeting of LUAC to outline concerns regarding the project . The LUAC Board unanimously passed a motion recommending that the project not be approved as outlined and the development of Parcel "Q" should revert to the original Las Palmas development plan of the 1980's i.e.the proposal outlined by the original Developer, Mr Fletcher at a public meeting as late as 2009 was for up to 5 high end homes to be built on this Parcel Q view property.

2.2 Aesthetics - the New Developer's RVLP Plan

CEQA Guidelines The following are considered to have a **"Potentially Significant Impact"** on the environment. 86.19

a) Have a substantial adverse effect on a scenic vista?

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

d) Create a new source of substantial light or glare which would adversely affect day or night time views in the area.

The ANSWER IS A strong YES to all of the above, also add Noise, Enhanced residents Personal and Property Security and Fire Risks (and include Odors too).

The Developer plans to construct several buildings on the parcel, two of which are major three story buildings with elevators, totalling some 82,000 sq ft giving a roofline of 30 - 40 feet above ground level, which will give high visibility to many surrounding homes, businesses, travellers and passers-by on Highway 68; River Road and Spreckels Blvd. The DSEIR table 2-1 conclusions of Impacts an Mitigations concluding all are "less than significant" is rejected almost in its entirety. The development roof lines cannot be merged into bushes and trees and the lighting requirements will be noticeable for miles around. Residents of Las Palmas particularly in the Parkside area will be affected with the higher lighting requirements for patients with disabilities.

2.2.1 SIGHT ISSUES - RIDGE-LINE DEVELOPMENT

Many existing homes can clearly see parts of the proposed new development, especially in the "Parkside" area of our present development. However, some homes in the River Run section also have that capability. The photographs below enhanced with the building lines showing and trees planned to be removed eliminated.

Outside of the Las Palmas I subdivision, travellers (on foot, bicycle and car) both on River Road and also from larger sections of Highway 68 and Speckels Blvd will have prolonged and commanding views of the development both in the daylight and from the

86.20

lights in the evening. The bridge over the Salinas River and its approaches for several hundred yards will give clear views of the development. This especially affects cyclists and walkers who are being encouraged to use the new elevated 'Foot/Cycle' path over the Salinas River. See photos below.

<u>The lower photograph above</u> shows the present ridge location of the proposed RVLP development including the tall Eucalyptus trees which are scheduled by the developer to be removed.

<u>The upper photograph</u> properly integrated with the developer's Flagging (see other photos in this document) indicates the view of RVLP as it really is, **Ridgeline development officially forbidden** in this region and also shows the real impossibility of in any way hiding the

development by integrating into the existing rural terrain with building colors and bushes etc.

The Monterey County Board of Supervisors have declared River Road to be designated as a "Wine Corridor" and highway 68 also has a "Scenic Designation..

Above - RVLP from River Road -with scheduled tree to be removed eliminated and rooflines included.

Photo Below: The proposed project site is the raised level area at the end of the street, the parking lot and buildings are constructed above the steep grassy slopes on the ridgeline.

2.2.2 Corey House , a listed Historic Building (Now Chateau Coralini - a Boutique Hotel) (CEQA Question b).

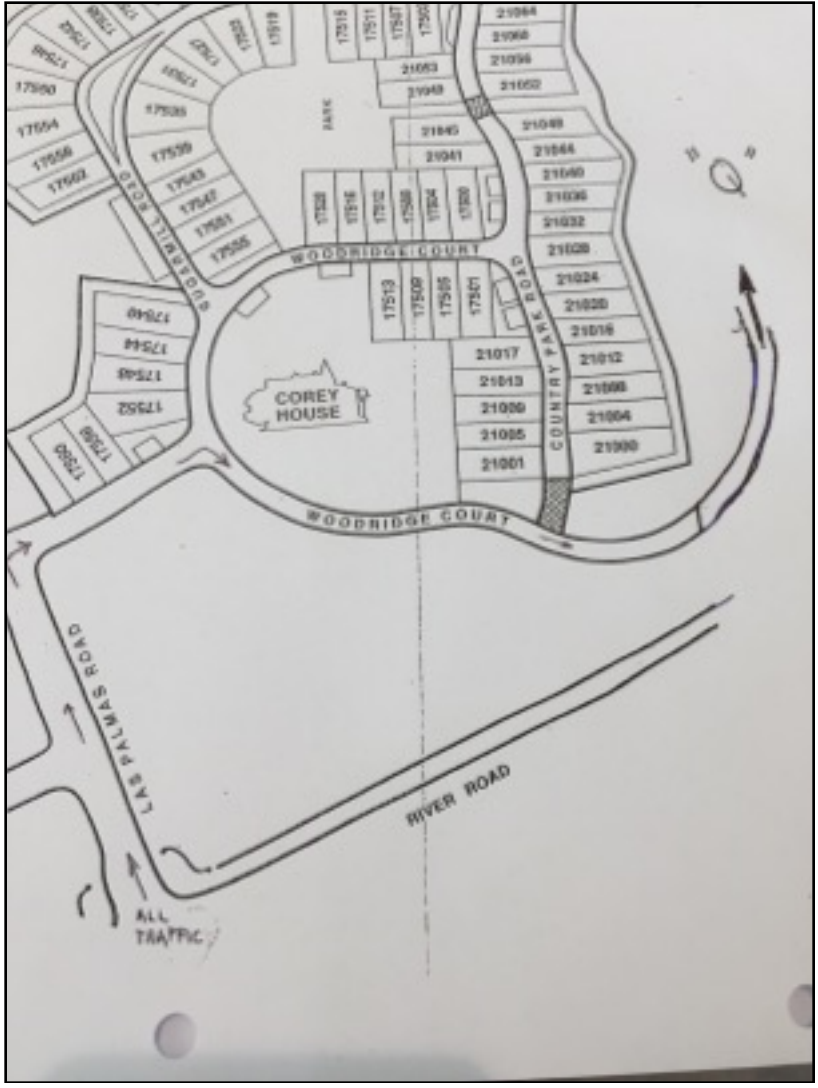
This 2 acre parcel is zoned LC-HR - Limited Commercial-Historic Resource. 86.21

Note: also the ridgeline at the building flags - Also visible from River Road.

DSEIR "Omission:"

<u>HISTORIC BUILDING</u> - Corey House a 19th Century farm house and the last remaining part of Hiram Corey's agricultural 645 acre Estate, is listed on the National Register, and is adjacent to and completely overlooked by the proposed development. It will be impacted by the 24x7 operation and 24x7 traffic as all traffic must pass round the property on journeys both to and from the Parcel Q development. All traffic to and from the proposed new development must use the road shown above then turn right at the stop sign and pass the Hotel front door and round Corey house in order to access the trail to the property above on the raised 15 acre development bench.

It is now now a Boutique Hotel and is overlooked by the proposed development just above and behind it. Also, all traffic to and from the proposed new development must use the road around it and pass the Hotel front door in order to access the trail to the higher 15 acre development bench area. (See below)



ALL TRAFFIC TO AND FROM THE PARCEL Q DEVELOPMENT passes around and in the front of Historic COREY HOUSE disruptively 24x7.

DSEIR ISSUE - ignored - Access Road Overburden:

Overburdening the access road is easy to show. As a farm access road built originally in the 1880's it is not designed to present CAL TRANS standards and will be heavily impacted by the development with the several thousands of truck loads of "fill" to be moved into and/or out of the development. Also including the intake of thousands of yards of replacement material some of which is required for the planned 1/2 mile circular road on the high part of the property. After construction the traffic side of Corey House will again be heavily and intrusively impacted i.e by a 24x7 commercial Health support operation - staff, visitors (every day), patients all moving plus traffic of the residents of the Casitas. Also add emergency vehicles with sirens and lights travelling during medical emergencies. Plus add normal service, supply and treatment agency vehicles.

Plus, **ADD** the access and egress use of the access roads by returning home owners. Most owners use the traffic light controlled access with some 140 home owners of the Parkside Section directly using most of the parcel "Q" permitted access road (recall also that every day is visitor day after 4pm, at these Senior Care and Treatment facilities). Our resident volunteers at local Carehomes over several years can attest to the resulting high traffic volume.

86.22

All of this is not considered in the DSEIR documents.
<u>Conclusion</u>: The Original Access for farming built in the 1880's is not to CAL-Trans specifications will be "<u>Overburdened Indeed</u>".

2.2.3 LIGHTING -

<u>DSEIR Comments:</u>

86.23

Lighting from this raised area cannot be mitigated by planning as claimed by the DSEIR. It has been demonstrated on more that one occasion by some users of this property in night time visits using just flashlights (now with bright LEDs) easily shine through curtains of the properties below and disturb sleeping residents. Add the planned 1/2 mile ring road on Parcel Q and traffic on a 24x7 basis all of which must use down facing headlights plus properly designed downward facing area, road and parking lot lighting has to be very visible by not only Las Palmas I residents but also traffic on River Road; Highway 68, Reservation Road and Spreckels Blvd.

This project will bring intrusive lighting to many HOA residents some of whom work variable hours..

Even today the necessary street lamps on Las Palmas I have brought complaints to the Board from some residents of the lighting interfering with sleep. The higher Street and building lights of the proposed development will directly shine into either the front or back windows of homes directly sighted which will include many homes in the "Parkside" area. **We residents already have examples of this effect!!**

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2.2.4 NOISE and SOUND LEVELS

86.24

CEQA Designations: Will there be ?

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

The answer is YES to both, but not properly analysed in the DSEIR.

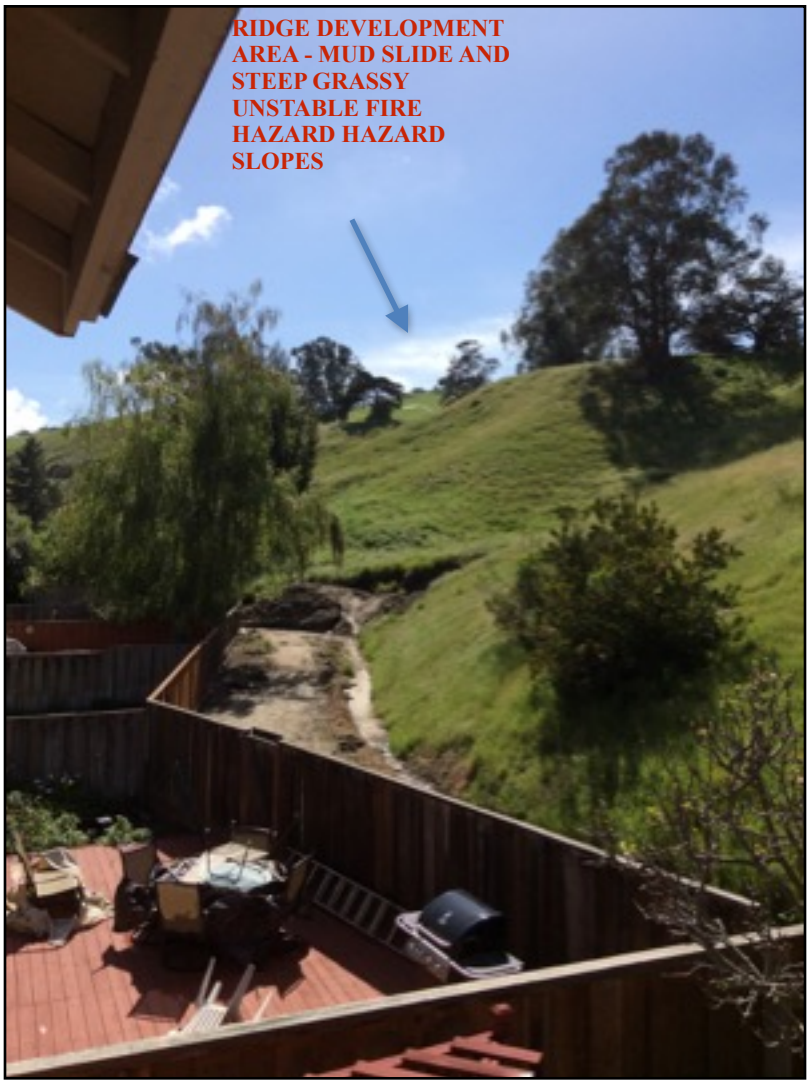
i) On a continuing basis, this is a 24x7 health support facility with some 142 patients and 92 staff has very complex requirements for various fire, gas and other alarms integrated with all buildings. These systems require regular testing and of course use. Located directly overlooking LP I residential areas the noise will be significant.

Also regular traffic of staff, suppliers, professional workers, maintenance crews, family visitors and the residents themselves must all create a new source of noise.

ii) During the construction phase of up to two years the high noise levelswill be of traffic in and out and heavy construction equipment working continually. Further the literally thousands of trucks as they access Parcel Q will be required to gear down to cope with the steep access road Because of the elevated construction site the particulate in the air will offensively drift down around the surrounding residences and Corey House. Really dirty air can be expected for up to two years according to the developer.

This will be directly contrary to the efforts of the owners of this existing development have over the years consistently taken steps to provide a quiet and safe living environment for all residents. (see below).

2.2.4.1 Commercial Development Avoided



On this Phase I property commercial development has been specifically avoided by the residential owners. The 5 acre commercially zoned area of the Phase I lands, (now called Corey Park) located to the north and adjacent to the main Las Palmas entrance was bought out by the Phase I owners with no commercial development planned. However the owners do insist on retaining the resources and the right to develop the parcels commercially at a later date when conditions warrant it.

86.25

Therefore, at this time this proposed project then goes directly against the express wishes of the present propery owners of Las Palmas Phase I some of whom have been resident there for a very long time, some from the beginning.

2.2.4.2 Contractor Work Hours Limited

Further the Board of the HOA manages regulations which set and limit hours of work for contractors working on homes or service contractors serving the whole of Phase I. Once more this development has no obligation to support the wishes of the present residents. 86.26

2.3 Climate Change and Greenhouse Gas Emissions

Whilst climate change was not considered as part of the planning of the original Las Palmas Development, the effects of climate change today are very clear, noticeable and with extreme levels of heat in summer and storms in winter at Las Palmas I. It is introducing a wide variety of risks and even damage which require addressing. 86.27

2.3.1 Drought and Grass/Forest Fire Risk - Extremely High - see photo above.
Should be a seriously considered DSEIR ISSUE
(see photo above Parcel "Q" adjacent to our Residences) 86.28

This area and region is just coming through a 5 year summer drought, but with sufficient rain in the winters to grow long stretches of significant levels of long grasses forming fuel for grass/forest fires. The Soberanes fire of 2015 was intentionally set and covered some 33 sq. miles and destroyed some 50 structures. It started in similar terrain to Las

Palmas and just a few miles south of this location. The photo above shows the slopes below the proposed development and the fence of the adjacent residences of Las Palmas I. In summer there are many continuous miles of this fire hazard of grass, brush and trees. Any natural or man-made incident would involve loss of life particularly in the proposed development.

2.3.2 Winter Heavy Rains and Flood

Climate change not only means events such as the drought outlined above but also more extreme precipitation and wind in the winter months. Parcel "Q" is not designed nor ready for those events. So, this winter stormy weather caused two mud slides from the Parcel "Q" property which spilled onto the Phase I property covering a storm drain and ditch line which resulted in a flood into the back yards and close to the homes of two residential properties. The flood also closed the Emergency Access Road to the Country Park Road residences of Phase I. The Monterey County Fire Department teams mobilized and responded to assist with the clearing of storm drain and flood water.

See below the overall mud slide some 30ft long and 10ft wide and many ft deep.

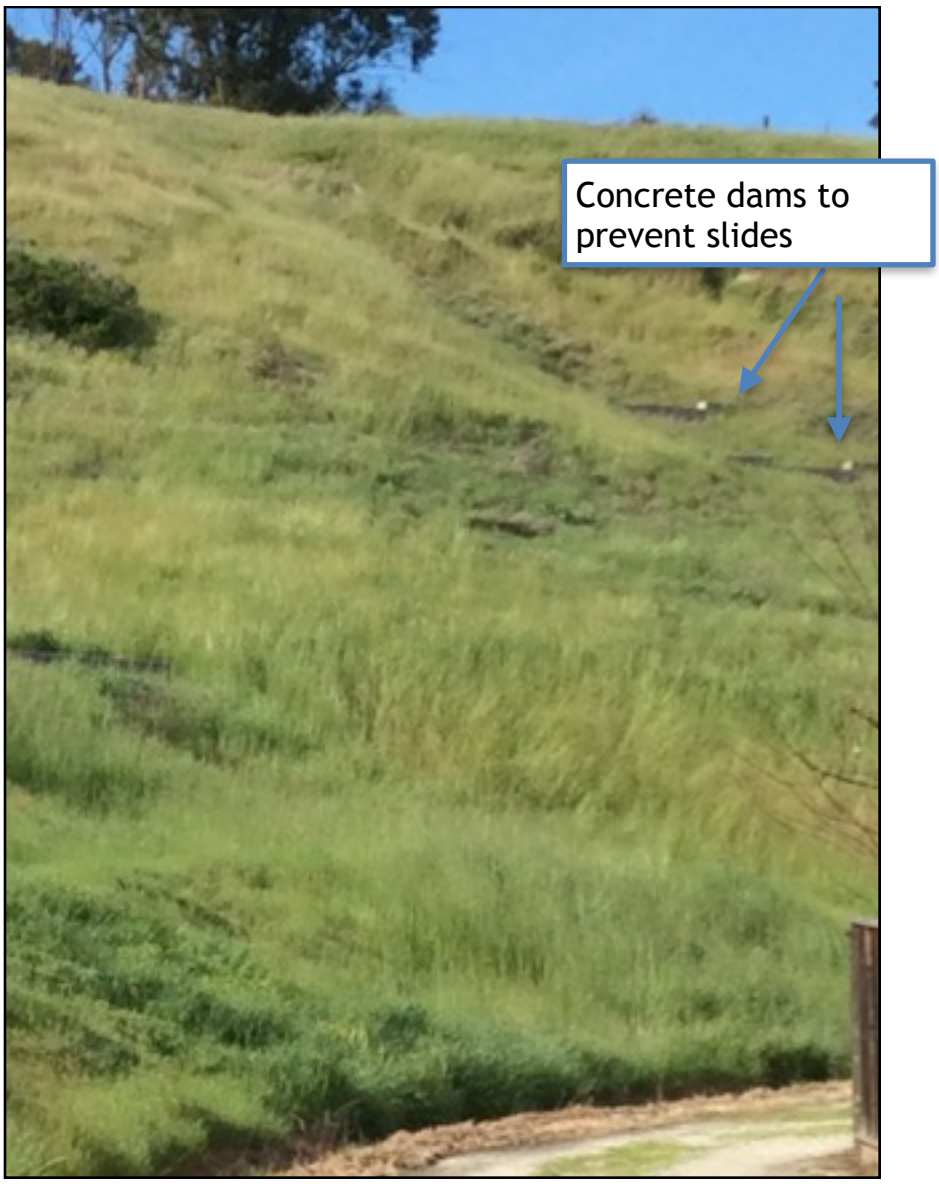
Another slide occured from the top of the rear part of the property onto River Road, the 4 lane access highway.

86.29

Photo below : Shows the mud slide and the back yard fences in March 2017 (at 21044

Country Park Road -approx) plus the debris on the Fire Access road (was impassable). The mud towered above the storm drain, the blocking of which caused the flood through the back yards right up to the adjacent homes.

These slopes have angles up to 60 degrees with no remediation to ensure stability. Remediation was required and has been constructed in other parts of the development.(see photo below) The



left part of the photo shows the start of the high Couloir which swings round. There is a lot more soft "mud" to feed slides in future storms. **The Monterey Fire Department mobilized** to help eliminate the flood.

DSEIR and Planning Omission.

There is no mention of a remediation work requirement for the lower Park Road slopes which have high slope angles and have already shown the capability in this present climate to cause mud slides and floods. **The original developer was required to protect the upper slopes**. Why is nothing required for the now at risk lower slopes? SEE ABOVE.

Showing the trail behind the House line of Country Park Road. Also showing the mud slide at the trail corner and the proposed building flagging above. Also showing above is the damage to the

86.30

ditch line part of the phase I storm drain system. The Storm Drain access at the corner became blocked causing flood waters into back yards and right to the backdoor of a home. All of which were only fixed just before year-end 2017 after a "lawyers letter" was sent to the Developer.

2.3.3 **Land Use and Occupancy Issues (+Important DSEIR Issues}**

<u>Planning for this development is argued to be deficient</u> particularly as the existing plan for Las Palmas I is not complete as per the Las Palmas Special Plan of the 1980's and the proposed re-development is of strong Commercial nature **incompatible with a "Quiet, Secure Residential Development** whose owners chose to avoid any commercial addittions to the Las Palmas Phase I. 86.31

Further this proposal is for a large profitable 24x7 commercial Health Support venture located far away from any service support or community facilities increasingly sought by such care homes. Further, the 26 ordinary family are just residences and avoid the normal requirement for "inclusionary low cost homes". The Casitas residents do not have to take any support nor assistance - i.e. they are normal residential home owners of which may require neither support nor assistance.

Higher up the Fire access Road behind Country Park Road

<u>Other Land Use Issues:</u>

a) **<u>Small Investment - Huge Tax Consquences</u>**
The 329 homeowners of LasPalmas I have an investment level in the quite secure residential sub-division in excess of $200,000,000.00 with a commensurate property tax level. The proposed developer not only puts this level of community support to a risk of a 10 - 15% assessment reduction. The business will invest only some $5 million using property which in bankruptcy was valued at only $140,000.00. A strong case for the "American Greed" TV program. 86.32

b) **<u>Dangerous Access Intersection</u>**
CHP statistics indicate that this intersection has produced a large number (24) of very serious accidents over the last few years. This development and its increased level of in/out traffic (especially in the 3.00pm to 6.00pm time periods) require traffic to queue up on River Road waiting access. 86.33

c) **<u>Natural Habitat and Rare Species</u>**
The proposed relatively high per capita occupancy of the view property certainly displaces the relatively abundant wildlife and eliminates or disturbs the flora. Naturalists have observed at least one rare species on the property and those residents who use the Las Palmas pathways are familiar with the abundant levels of wild animals, birds and flora species which will be destroyed by this development and are not adequately discussed nor analysed in the DSEIR. (see Sec 7 - P7.4 to P7.6P) 86.34

d) **Poor Social Planning** This development is unfortunately a well "out of date" level of thinking regarding supporting and treating older populations especially in the support and treatment of memory stressed patients. Locking them away with limited or no Social Interaction is antiquated thinking.
Other similar facilities in the area are examples of better thoughtful planning of locations. e.g. Windsor Homes in and around Salinas. 86.35

e) **In a catastrophic event (e.g. Fire, Flood, Earthquake)** evacuation of all patients and staff would be catastrophic on such a narrow winding access road - - Pretending as the Developer does, that all patients will be put on a bus and be gone going behind the over three hundred determined home owners plus the occupants of Chateau Coralini is irresponsible and potentially deadly for the patients.
However, it also raises the personal risk to the safety of the existing home owners - which to us is another quite unacceptable extreme example for the "American Greed" angle.(see Sec 2.6.2). 86.36

f) **This is a Ridge-Line Development** Plain and simple: from River Road; Highway 68 both of which have "Scenic Route" designations and also ridgeline when viewed from Spreckels Boulevard. Planners here have to get serious about supporting these designations as they really affect the quality of the tourist Industry's developments which are not only much higher employers but also provide more investment, jobs and taxes.
It is our (my) experience that most Municipal "Development Commissions" do take that designation seriously in supporting the vibrant Tourist Industry.
There are more suitable locations for this business in the region. 86.37

2.4 Hydrology/Water Quality

86.38

CEQA Guidlines

IX. HYDROLOGY AND WATER QUALITY -- Would the project:

a) Violate any water quality standards or waste discharge requirements?

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre- existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

f) Otherwise substantially degrade water quality?

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

j) Inundation by seiche, tsunami, or mudflow?

Several of these issues have **Potentially Significant Impact** with or without Mitigation Incorporated. See commentary below.

Commentary: FOR DSEIR

2.4.1 Potable Water - Ground Water use (CEQA a) and b): 2 items

This part of California is still officially in "Drought Condition". The water resources in Salinas Valley Zone 2C are officially in overdraft condition. This large commercial development really cannot be accommodated at present. The MCWRA "Basin Intrusion" reports are due to be updated now with the 2017 data which will definitely confirm this.

a) Whilst 'letters to serve' have been issued they are limited in time and the drought is not certain to be declared over to ensure new supplies will be available.

b) With Corey House now licensed as a full service hotel and the Owners of the commercial lots in the Las Palmas Special Plan insisting on retaining their right to develop those commercial lots at a later date, then re-assignment of existing approved water uses does not exist.

2.4.2 Wastewater Use. - -Published Plan Impossible to implement

New County CAL-AM GUIDELINES not Considered in the DSEIR

The preliminary "Project Plan/Description" (Lombardo & Assoc. - May 2016) asserts the requirement to use Las Palmas Phase I wastewater system for irrigation purposes. However, the drought has shown that these waters in today's circumstances may not be available. This deficiency has serious consequences as the elevated project will not generate its own supply, therefore ignoring raised fire risks.
Without occupation this elevated parcel "Q" already exhibits a fire risk often year round and with the potential of high occupancy that risk is raised much higher. (see Page 11).

Further: - At a meeting with the LasPalmas HOA in May of 2017, CAL-AM announced that they were under direction from Monterey County to plan to turn down their waste-water treatment facilities on River Road used by both Las Palmas I & II and use the planned "Force Main" to transfer the effluent to the Marina Regional treatment facility just as soon as it becomes available.

2.4.3 Flood Risk Established (CEQA - j)

This risk is already established even before stormwater from potential access roads, parking lots and buildings occurs. (see pages 11 and 12). Winter 2016-2017 was a wet one and runoff from Parcel "Q" caused two mudslides which pushed mud and water onto Las Palmas Phase I properties; compromised the storm drain system and caused floods which closed the Emergency Access road behind County Park Road (for 3 weeks) and flooded the backyards of two homes with flood water reaching the rear door of one home. 86.39
Winter of 2017 and 2018 is a closely similar example of extreme weather patterns alternately drought with heavy precipitation (so far this spring over 2 1/2 inches of rain in just a few days with no end in sight (3/21/2018 is very similar to 2017 conditions which resulted in the mud slide from Parcel Q onto Las Palmas I properties which the developer was reluctant to rectify.

2.4.4 Earthquake Zone - Risk Established

Within a week of the Emergency Access road being re-opened this spring, the earthquake at Aromas, clearly felt in this area, caused part of the mud wall left by the clearing contractor to fall back from Parcel Q onto the storm drain of Las Palmas. 86.40
Whilst this did not close the drain again, the risk of damage is now constant without remediation (which was only supplied by the owner of Parcel Q after our Lawyer's letter - just before the late 2017 wet season commenced).

iu**2.5 Land Use and Planning**

CEQA Guidelines The following are considered to have a "Potentially Significant Impact" on the enviroment.

86.41

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

d) Conflict with Community Plan Objectives.

Conflicts

This project conflicts with the original "Specific Plan", Las Palmas Phase I and Phase II of the 1980's for the development of a total of 1,031 residences, which so far has been carefully followed. There are also conflicts with the Monterey County General plan.

a) The original development containing Las Palmas I is almost filled out in accordance with the Las Palmas Special Plan of the1980's. The original developer's plan for parcel "Q" was for the construction of 5 high end residential homes. (see Fall 2009 Public Meeting Fletcher/HOA residents). This has not been completed. The Project Description/Plan called RVLP (see Lombardo and Associates - May 2016) is a Medical Support and Treatment Facility - a relatively large business and quite incompatible with the existing gated, secure residential development of some 329 homes most established for over twenty years.

b) **Individual Residences** However, in the detail of the new Project Description called RVLP on Page 2 includes an outline of the 13 Casitas (26 individual living units) as "allowing for independent living including fixing their own meals and keeping their vehicles". Assistance is not an obligation. Therefore these are actually independent living units which alone would take the overall growth development of Las Palmas well over its planned limit. A violation of Monterey County General Plan and the Las Palmas Specific Plan and against LUAC advice.

b) There is a County Land Use requirement that "land uses be compatible with adjacent land uses". Overall, this RVLP proposal is a large commercial business in the support and treatment of patients needing that support. This is not compatible with Las Palmas Phase I whose owners have confirmed the objective of residential quietness and security by buying out the "Commercially zoned" lots adjacent to the main Las Palmas entrance. Further, they have added extensive security to the residential development essential in today's world around Salinas. This security would be seriously compromised by the RVLP development. This incompatibility was confirmed by the unanimous voting record of the LUAC meeting (Toro Land Use Advisory Commission) of September 2016.

c) Ridge Line Development: This development on the elevated hill top parcel "Q" is essentially 'ridgeline development' which is not permited in the County, especially in the "Toro Scenic Highway Corridors". The view from the new walking/cycle trail across the Salinas River on Highway 68, also from parts of River Road, plus from street level in Las Palmas I, will all confirm that. Further the roads mentioned above are designated as visually sensitive for Tourism development purposes. Scenic values should be preserved. The three story buildings with elevators and say, a 40 ft roof line cannot be hidden on that elevated land. Few large trees are left after these winter storms and new ones will take a long time to grow. This development will be a "blot on the landscape" and will not enhance the scenic value of the area. 86.42

d) Care-Home Location: **Both the County Board of Supervisors and the City of Salinas are on record of condemning developers whose developments leave elderly citizens well outside of community facilities which could otherwise allow access to services and community activites from which they may benefit**. In the Salinas area specific critisism has been offered to the Tynan Development on Alisal. Further an analysis of other "Care Homes" in the Salinas area offering similar support and treatment facilities to RVLP are located in or adjacent to the community where medical and living support services are close-by and where beneficial services and supplies are available encouraging patients to participate in the community to some extent where possible. 86.43

2.5.1 Parcel Q - Original Plan

The published intent for the development of this parcel was for some 5 high end homes on what is in fact view property. Such a development of high end homes (or the number remaining to complete the original plan) would be compatible with the existing huge investment in homes and operations made by the present owners of Las Palmas Phase I. 86.44

2.5.2 Utilities Services Limited & Assigned

i) Corey House (now Chateau Coralini) is licensed and set up as a boutique, Full Service Hotel. 86.45

ii) Other assigned utilities services are reserved for a future commercial development on the commercially zoned lots owned by the Las Palmas Phase I owners if and when they desire that change.
Therefore services for the proposed Parcel "Q" development are in reality not available for assignment to Parcel Q.

2.6 Transportation and Traffic

CEQA Guidelines **The following are considered to have a "Potentially Significant Impact" on the enviroment.**

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

e) Result in inadequate emergency access?

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

2.6.1 Traffic Estimates - Access Issues

Those estimates from the developer are challenged. the access from River Road is also inadequate to cope with the local and/out traffic of both the parcel Q traffic and the 329 home owners. See road map on page 13. 86.46

24x7 staff cannot be seriously expected to wait in remote areas for a bus in today's society. **They will use their vehicles**. Further, our residents volunteering experience witl similar local homes shows that every day can be visitor's day. These homes increasingly rely on family members to help patients to keep socially connected with family and friends who assist with their treatment. This is especially true in the case of Memory patients.
The developer expects that visitor time i.e 4 pm to 8 or 10 pm will be a peak traffic time. This coincides with the return home of the 329 Las Palmas residents and their families returning from their daily work, school and family activities. This local travel pattern will not show in the standard traffic statistics used by traffic Engineers.
Access Requirement.

Two full lanes in (one for checking visitors in with the guard and the other for by pass traffic showing corret "resident passes") and two lanes out are required. Similar care homes in the area "card in" and Card out" visitors to the Carehome.
A larger Guard Gate Office is required to cope with 3 shift personnel and the ability to card out traffic leaving from the "Carehome".

2.6.2 Emergency Access and Egress

The addition of the proposed development and its operational traffic will change the River Road traffic paterns particularly at the several peak times.
There are two accesses to Las Palmas I.

a) The North access has a control traffic light on to River Road and
b) The second access, a few hundred yards south, has no control and in busy times is very difficult for Las Palmas residents to leave.

86.47

During a catastrophic event, (Fire, Earthquake,flood etc) it will be difficult to evacuate the 329 home owners (600 people or more), let alone also the more remote patients, employees and visitors (up to another 400 people) on the proposed development.
In this case there is no back door road to the proposed development, as other such developments often have, all must compete with local residents also wishing to leave. And it may be dark. Further, at the same time emergency crews will be trying to enter the complex via the single lane off ramp from River Road
This has to be considered a recipe for a dangerous disaster for all.

Appendix 1

Reference: D.C.Dalby - P. Eng, NS PE - - **Bio**
Degree in Electrical, Communications and IT Engineering.
plus many Post Graduate training courses at UBC; KOAU and in Management and Techology.

Experiences : - some 50 years as Senior Professional Consulting Engineer (Technology and Land Use)

Land Use A) 17 years experience in Resort design and operations with Kampgrounds of America - -expanding from 500 - 750 resorts; Board adviser to the CAO.

B) 2 1/2 years on the Development Commission of the Resort Municipality of Whistler - during construction of 11 large resorts; Marriot, Hilton etc Whistler - is North America's largest Ski Resort.

C) 20 years experience in Home Owner Associations Board Operations and Management, including the Las Palmas I Board.

Technology:- Consulting and contract work for over 40 years, specifically in voice and Data communications and Information technology, plus Industrial Electrical Controls and Emergency Communications in several jurisdictions.

Letter 86

COMMENTER: David C. Dalby

DATE: April 20, 2018

Response 86.1

The commenter states that they have prepared a report detailing their concerns with the project.

The individual concerns raised by the commenter are listed and addressed below in the subsequent comments and responses.

Response 86.2

The commenter introduces the report that they have prepared and states that their conclusions differ from the conclusions in the Draft SEIR. The commenter states that residents of the proposed project would not have nearby access to services. The commenter states that they have included material in their report that is not related to CEQA.

This comment does not specifically conflict with or challenge the analysis and conclusions in the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Regarding material not related to CEQA, the focus of this Final SEIR is to address comments pertaining to environmental issues, or adequacy of the Draft SEIR or CEQA process. Therefore, comments on issues outside of the scope of CEQA are not responded to in detail.

Response 86.3

The commenter states that the Draft SEIR contains errors, omissions and judgments. The commenter states that a 2016 survey of Subdivision homeowners found that 93 percent opposed the project, and that a 2017 survey found that 72 percent opposed the project.

This comment does not provide specific errors, omissions, and judgments to respond to, and therefore does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Response 86.4

The commenter states that the Draft SEIR incorrectly describes the developer as a member of the LPHOA. The commenter states that the developer does not have voting or management rights in the LPHOA. The commenter states that the project's residents and visitors would not have access to the trails and sidewalks of the Subdivision.

Please refer to Topical Response I. As noted therein, a written agreement between the LPHOA and the applicant would be necessary in order to clarify cost-sharing and responsibilities associated with the streets that are under the control of the LPHOA. Such an agreement is not currently in place. It is outside of the scope of the Draft SEIR to facilitate an access agreement between the applicant and the LPHOA.

Response 86.5

The commenter states that the Subdivision is not fully developed, as is stated in Section 2.2 of the Draft SEIR. The commenter states that the project site should have residential development rather than the proposed project.

The commenter does not specify what parcels, other than the project site, are undeveloped. The commenter's statements about alternative development potential on the project site do not conflict with or challenge the analysis in the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Response 86.6

The commenter states that there are limits to California American Water's guarantees to serve the project site and the Subdivision. The commenter requests more detail about water supply and fire protection.

An updated will-serve letter from California Water Service dated March 26, 2019 is provided in Appendix I-2 The letter indicates that the letter shall remain valid for two years, and that Cal Water reserves the right to rescind this letter in the event its water supply is severely reduced by legislative, regulatory or environmental actions. However, in its Urban Water Management Plan California Water Service projected its groundwater supply for the Salinas District will fully meet future demands through 2040. Please refer to Response 3.3 for additional discussion.

Response 86.7

The commenter states that the wastewater treatment plants on River Road will be closed, and that the Las Palmas treatment plant has limited capacity. The commenter states that the project cannot use the plant. The commenter states that the project site has no natural water supply.

The project would use recycled water from the Las Palmas treatment plant. The potential for the treatment plant to close is speculative. Nonetheless, the water demand calculations include irrigation, and thus, the Draft SEIR (Section 10.0, *Water Supply*, page 10-12) analysis does not assume the use of recycled water. Impacts to water supply would be still be less than significant, with or without the availability of recycled water.

Response 86.8

The commenter states that the project is at risk for fires and has a dangerous egress route. The commenter states that the applicant has not done enough to reduce fire hazards.

Please refer to Topical Response B. As noted therein, the proposed site plan has been designed to comply with the County's fuel modification standards (Title 18, Chapter 18.56.090 *Fuel Modification Standards*) to minimize potential wildfire hazards on the project site and vicinity.

Please refer to Topical Response D. The discussion pertaining to emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project.

Response 86.9

The commenter states that the project site has mudslide and risks, and asks why the applicant is not required to install concrete dams to address these risks.

Please refer to Topical Response E. As noted therein, all recommendations included in the geotechnical report would be implemented in the design and construction of the project to ensure that there would be no significant impacts associated with geologic hazards, including slope stability and landslides. The installation of concrete dams is not required, as there is no impact.

Response 86.10

The commenter discusses emergency evacuation concerns related to the large number of residents that would occupy the senior living center. The commenter notes that the project site is on a steep incline that would be difficult for firefighting equipment to navigate.

The discussion pertaining to emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project. Furthermore, the Monterey County Regional Fire District (MCRFD) reviewed the proposed site and building plans for the project as part of the County's review process and determined that MCRFD would be able to provide fire protection services to the project and vicinity. Also refer to Topical Response D.

Response 86.11

The commenter states that because the Las Palmas wastewater treatment facility is scheduled to close, the Draft SEIR's statement that the project would use recycled wastewater for irrigation is false. The commenter states that there are no physical plans for dealing with the project's wastewater.

California American Water has stated that it will provide wastewater service to the project (see Appendix G of the Draft SEIR and Appendix I-2 of the Final SEIR). Therefore, continuous wastewater service can be reasonably anticipated, including during and after any changes to facilities.

Response 86.12

The commenter states that the Subdivision's stormwater drainage facilities do not have available capacity, and that the Draft SEIR does not describe stormwater drainage for the project.

A Conceptual Stormwater Control Plan was prepared for the project as part of the preliminary design to address stormwater management for the project site and is provided in Appendix I-1. Please also refer to Topical Response E.

Response 86.13

The commenter states that the project is not an appropriate land use for the site, and asks why the project site is not being developed in accordance with the LPRSP.

Please refer to Topical Response C for a discussion of land use compatibility, including a discussion of the LPRSP Plan Area. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 86.14

The commenter states that the Subdivision entrance is already a dangerous intersection and would be worsened by the project. The commenter states that it would be impossible to safely evacuate the Subdivision in the event of an emergency.

Please refer to Topical Response D. The discussion pertaining to emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project.

Response 86.15

The commenter states that the original Subdivision developer was required to install concrete structures to prevent mudslides. The commenter asks why this is not a requirement of the proposed project.

Please refer to Topical Response E. As noted therein, all recommendations included in the geotechnical report would be implemented in the design and construction of the project to ensure that there would be no significant impacts associated with geologic hazards, including slope stability and landslides. The installation of concrete dams is not required, as there is no impact.

Response 86.16

The commenter states that the project is an inappropriate land use and that the senior living center residents would not have access to services. The commenter states that due to climate change and the site's steep slopes, the project site has a high degree of risk for fire and flood hazards.

Please refer to Topical Response E. As noted therein, the project includes on-site stormwater control measures designed to achieve zero net increase in the rate of stormwater discharge relative to pre-project conditions. This would reduce the potential for runoff from new development to exceed the capacity of storm drainage facilities and contribute to off-site flood hazards.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 86.17

The commenter states that the project site should be developed with residences in accordance with the LPRSP, and that the project should be moved to a more welcoming area.

Regarding the residential unit cap of the LPRSP, refer to Topical Response C. As noted therein, the proposed project is not a residential use under the County code or LPRSP; as such, the residential unit limitation of 1,031 does not apply to the project.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning designations, and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access.

Response 86.18

The commenter provides an overview of the communication that has occurred between the LPHOA and the project applicant.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. Therefore, no further response is required.

Response 86.19

The commenter states that the project would exceed thresholds of significance for aesthetic impacts. The commenter states that the project would be visible from surrounding homes and from scenic highway SR 68.

Please refer to Topical Response F regarding aesthetic impacts. As stated therein, potentially significant aesthetic impacts would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting.

Response 86.20

The commenter states that the project would be ridgeline development, which is not allowed in the area. The commenter notes that River Road is designated as a "Wine Corridor" and that SR 68 is designated as a scenic highway.

Please refer to Topical Response F regarding scenic resources and ridgeline development. As stated therein, impacts would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting. Further, while the project site is naturally elevated, nearby hills of substantially greater elevations would shield the site, with views of the site only momentarily visible to moving vehicles.

Response 86.21

The commenter states that the project would result in traffic that passes by the historic Corey House.

Please refer to Topical Response D regarding project site traffic access along Woodridge Court. As noted therein, the proposed project would not substantially increase safety hazards for pedestrians and bicyclists, including people accessing Corey Park. Please also refer to Response 30.3 regarding the historic nature of Corey House.

Response 86.22

The commenter states that the access road to the project site is a farm road built in the 1880's that would be impacted by construction of the project. The commenter describes various sources of traffic associated with construction and operation of the project.

Please refer to Topical Response D. As noted therein, truck trips routed through the Subdivision during construction could contribute to deterioration of private residential streets maintained through homeowners' association fees. However, as a standard grading and building permit condition, the County would require that the project applicant be responsible for repairing any damage to existing infrastructure during the temporary construction activities. Adherence to this condition of approval would prevent long-term deterioration of the circulation system from construction activity.

Additionally, please refer to Topical Response D for a discussion of a separate entry for the project. As noted therein, a separate entry is not available for the project applicant, nor is it necessary to avoid traffic impacts.

Response 86.23

The commenter states that the Draft SEIR's finding that lighting impacts can be mitigated is incorrect. The commenter states that the project would result in lighting that would disturb Subdivision residents.

This comment is noted. Please refer to Topical Response F, which discusses impacts of the project's lighting on night sky views. As described therein, mitigation is required to reduce lighting impacts to a less than significant level.

Response 86.24

The commenter states that the Draft SEIR's less than significant findings for noise impacts are incorrect. The commenter states that the project would result in high noise levels during construction and would also result in high noise levels during operation because the facility's alarm systems would require regular testing and use.

Please refer to Topical Response H for a discussion of the project's potential short- and long-term noise impacts. As described therein, construction and operational noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 86.25

The commenter states that commercial development has been avoided by the residential owners. The commenter states that the Subdivision homeowners do not want the proposed project to be built.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Response 86.26

The commenter states that the LPHOA limits the work hours for contractors working in the Subdivision, but that the project would not be obligated to abide by those limits.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Response 86.27

The commenter states that climate change is introducing a variety of risks to the region.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration. Air quality and greenhouse gas impacts are addressed in Sections 6.0 and 8.0 of the Draft SEIR, respectively.

Response 86.28

The commenter describes the region's wildfire hazards and states that a fire would result in loss of life at the proposed senior assisted living facility.

Please refer to Topical Response B. As stated therein, the proposed site plan has been designed to comply with the County's fuel modification standards (Title 18, Chapter 18.56.090 *Fuel Modification Standards*) to minimize potential wildfire hazards on the project site and vicinity.

Response 86.29

The commenter states that climate change will bring extreme precipitation and winds that would impact the project site. The commenter describes mudslide hazards at the project site, including recent instances of mudslides.

Climate change is discussed in Section 8.0, *Greenhouse Gas Emissions,* of the Draft SEIR. Please refer to Topical Response E. As noted therein, all recommendations included in the geotechnical report would be implemented in the design and construction of the project to ensure that there would be no significant impacts associated with geologic hazards, including slope stability and landslides.

Response 86.30

The commenter asks why the project is not required to include mudslide- and flood-prevention components.

Please refer to Topical Response E. As noted therein, all recommendations included in the geotechnical report would be implemented in the design and construction of the project to ensure that there would be no significant impacts associated with geologic hazards, including slope stability and landslides. The project would be required to comply with all applicable requirements relating to slope stability and runoff control.

Response 86.31

The commenter states that the project is not compatible with the surrounding residential development.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 86.32

The commenter states that the project would impact property values in the Subdivision. The commenter discusses the value of the project site.

Please refer to Topical Response C. As described therein, property value is not an environmental impact and therefore is not analyzed in the Draft SEIR.

Response 86.33

The commenter states that there have been 24 accidents at the Subdivision entrance in recent years. The commenter states that the project would result in queuing at the intersection.

Please refer to Topical Response D for a discussion of queuing concerns at the Subdivision's entry gate. As noted therein, the project would increase inbound traffic at the gate by an estimated 16

percent. However, this increase in traffic would not substantially increase queuing. An additional westbound entrance lane at the gate would not be needed, and queuing vehicles would not obstruct vehicles from turning left onto Winding Creek Road. Therefore, the project would have a less than significant impact on traffic circulation related to queuing.

Response 86.34

The commenter states that the project would displace and destroy the site's abundant wildlife, including rare species.

Please refer to Topical Response G and Section 7.0, *Biological Resources,* of the Draft SEIR. As described therein, the project's impacts related to wildlife would be limited due to the size and placement of the project site. To reduce potential impacts to special status wildlife species, the Final SEIR includes mitigation measures, as listed in Section 4, *Amendments to the Draft SEIR*.

Response 86.35

The commenter states that the project would lock away its residents with no social interaction.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Response 86.36

The commenter states that evacuation of the senior living center's residents and staff would be catastrophic due to the narrow access road. The commenter expresses doubt that busses could be used efficiently for an evacuation, and states that the project raises safety risks for the Subdivision residents as well.

Please refer to Topical Response D. The discussion pertaining to emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project. Additionally, Mitigation Measure T-2 has been added and is described in Section 4, *Amendments to the Draft SEIR* of this document.

Response 86.37

The commenter states that the project is ridgeline development and is visible from roads with scenic route designations. The commenter states that the existing regulations about scenic routes and ridgeline development should be enforced, and that not enforcing these rules would adversely impact the area's tourism industry.

Impacts to scenic vistas and visual character are discussed in Section 5.0, *Aesthetics,* of the Draft SEIR. In addition, as noted in Topical Response F, taking into account the limited visibility of the project site from public viewing areas, the project would not be considered ridgeline development given vegetative shielding, intervening topography, and the mitigation measures to reduce visual impacts.

Response 86.38

The commenter states that the project would have impacts related to hydrology. The commenter expresses the following concerns related to water supply: the area is in a drought, and water resources in Salinas Valley Zone 2C are in overdraft; the "letters to serve" from the water supplier are limited in time; existing water uses cannot be re-assigned; recycled wastewater may not be available for irrigation purposes; Cal-Am has announced that they will be closing their wastewater treatment facilities on River Road.

Please refer to Responses 86.6, 86.7, 86.11 and 86.12.

Response 86.39

The commenter states that there are existing stormwater control risks at the project site, and that the developer has been reluctant to take responsibility for stormwater control.

Please refer to Response 86.12 and Topical Response E.

Response 86.40

The commenter states that an earthquake has caused a mud wall to fall onto a storm drain at the site. The commenter states that this event did not close the drain, but it did illustrate the constant stormwater control risks.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. No response is required.

Response 86.41

The commenter states that the project conflicts with the LPRSP, which planned development of 1,031 residences, because it includes 13 Casitas consisting of 26 individual units, which would bring the overall development in the Subdivision past its limit. The commenter states that the County requires that land uses be compatible with adjacent land uses, and that the project would violate this policy.

Refer to Topical Response C. As noted therein, the proposed project is not a residential use, and the LPRSP residential unit limitation of 1,031 does not apply to this project

Response 86.42

The commenter states that the project is ridgeline development, which is prohibited. The commenter states that the project would be a "blot on the landscape."

Please refer to Response 86.37.

Response 86.43

The commenter discusses the topic of access to services and community engagement for senior living center residences.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Response 86.44

The commenter states that the parcel was intended for development of five high-end homes, and that such a development would be compatible with the investment made by Subdivision homeowners.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Response 86.45

The commenter states that utilities services would not be available to the project site, because utility services are reserved for a future commercial development on the commercially zoned lots owned by the Subdivision landowners.

The comment does not specify what utilities are in question, and does not provide sufficient description of a conflict regarding utility service to respond to. It is not anticipated that any utility service providers would be unwilling or unable to serve the project.

Response 86.46

The commenter lists the CEQA thresholds of significance for traffic impacts. The commenter states that traffic estimates provided by the developer are flawed, and that River Road is inadequate for coping with the project's traffic impacts. The commenter states that the project's staff will use private vehicles, rather than buses. The commenter states that visitors to the senior living center will also add traffic, and that visitor hours will coincide with the commuting times of Subdivision residents. The commenter states that a larger guard gate office will be required at the Subdivision entrance to cope with the increased traffic.

Refer to Response 7.2 for discussion of the Draft SEIR's methodology for estimating trip generation. As discussed therein, this methodology accounts for typical trip generation by staff at a senior living community. Therefore, the traffic analysis does not underestimate trip generation by staff.

Refer to Topical Response D for discussion of traffic impacts on Subdivision streets and at the entry gate. As discussed therein, the project would not result in traffic congestion that exceeds applicable standards for Subdivision streets, and it would not require physical changes to the gate to accommodate additional inbound traffic.

Response 86.47

The commenter states that during a catastrophic event it would be difficult to evacuate the senior living center residents and the existing Subdivision residents.

Please refer to Topical Response D. The discussion pertaining to emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project.

April 20, 2018

From: Luis and Veronica Ramirez
21009 Country Park Road
Salinas, CA 93908

Letter 87

To: Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place
Salinas, CA 93901

Cc: Brandon Swanson, Planning Manager

Re: RVLP Draft SEIR for proposed development of Riverview at Las Palmas (PLN#150372

Dear Mr. Sidor,

I am writing to you to express my concern over the proposed development Riverview at Las Palmas (PLN#150372). We are located steps from Woodbridge Road where the traffic for this proposed development will be funneled. I feel using the single entrance to Las Palmas I for current residents as well as residents of this facility, service vehicles, employees, visitors etc., will cause undue traffic, safety, and security issues for our community. We selected Las Palmas to be in a quiet and safe neighborhood where our children could be surrounded by nature. Our children enjoy playing in Corey Park (the development's largest open space), which requires us to cross Woodbridge Road. Should traffic to this proposed facility be allowed to funnel through this road I would no longer feel comfortable allowing my children to play at Corey Park. 87.1

We have a single-entry point for Las Palmas I with a single security guard that LPI residents pay to keep us safe and secure and who denies any unwanted visitors to our neighborhood. I cannot imagine the backlog of traffic that would occur on River Road as residents, visitors, service vehicles, etc. need to be checked in by this single guard. It would wreak havoc on our community.

The nature of this facility would also require trips/visits by emergency vehicles. During an emergency I doubt those operators would be concerned with security checkpoints, speed limits, or noise due to sirens when they are trying to save a life. I moved to LPI to avoid my children growing up listening to sirens blare as are so often, unfortunately, heard in Salinas. I am also fearful of evacuation capability as our community stands now. I think this threat would be increased if this development were allowed to proceed as planned. 87.2

My final point is that this proposed facility is not residential in the spirit of our current community. The number of units coupled with staffing and service vehicles is clearly a commercial project. 87.3

I would request that the developer find another location for his proposed facility.

Thank you for taking the time to consider these concerns. I look forward to your reply.

Regards,

Veronica Ramirez

Veronica Ramirez
Homeowner

Letter 87

COMMENTER: Veronica Ramirez

DATE: April 20, 2018

Response 87.1

The commenter states that using the Subdivision entrance as the access route to the project site would cause traffic, safety, and security issues. The commenter states that if traffic to the senior living center moves through Woodbridge Road, they will no longer feel comfortable allowing their children to play at Corey Park.

Please refer to Response 84.10, Topical Response A, and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Regarding traffic along Corey Park, please refer to Topical Response D. As noted therein, the proposed project would not substantially increase safety hazards for pedestrians and bicyclists, including people accessing Corey Park.

Response 87.2

The commenter states that the senior assisted living facility would require emergency vehicle trips, and that emergency vehicles would cause noise and safety impacts. The commenter states that the project would make evacuation of the Subdivision more dangerous.

Please refer to Topical Response A for a discussion of the project's impacts on security operations and emergency access, and Topical Response D for a discussion of impacts on emergency evacuation. The project would not result in a significant impact on police service or emergency preparedness within the Subdivision. Regarding the Subdivision's private security operations, an agreement would be required between the applicant and the LPHOA regarding shared costs and responsibilities, as discussed in Topical Response I.

Please refer to Topical Response H for a discussion of the project's potential noise impacts. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 87.3

The commenter states that the project is an inappropriate land use because it is a commercial project.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Letter 88

Shelley Donati
21020 Country Park Road, Salinas, CA 93908 831.902.5527 shelleydonati@hotmail.com

April 20, 2018

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901

CC: Brandon Swanson, Planning Manager;
Jacqueline Onciano, Chief of Planning
Carl Holm, Planning Director
Roy Gobets, Las Palmas Ranch Homeowner

RE: Response to RVPL EIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Dear Mr. Sidor,

As an active community member, I have grave reservations about the development of Riverview at Las Palmas which is being proposed for consideration. There are many points of view to consider in this complex project, and I wish to focus my comments on a few issues that are highly sensitive for me: **safety and security, traffic, and modification to the skyline.**

I moved into this community when I returned to California five years ago. I was attracted to the small neighborhood community, tucked into the sunbelt, giving me access to the beautiful, scenic coastline a short drive away. As a resident on Country Park Road (backing up the proposed development), part of the attraction of this location is the peaceful, serene setting, as I work from home. When I looked at the development, I looked at the Las Palmas Specific plan, understanding that it was essentially built out with the exception of this once parcel that had been permitted several years ago for a private residence. Safety for me a single woman continues to be a primary concern for me, which is one of the reasons I chose this gated community with such close proximity to the city limits of crime-ridden Salinas. I am out daily, enjoying the greenspace that has been designated for community members to enjoy, and I was pleased to learn that the HOA had purchased what we commonly known today as Corey Park (at the entrance to neighborhood, adjacent to the gate house) to maintain the privacy and security of our neighborhood. 88.1

While I'm fortunate to not have to partake in an arduous daily commute, I do go into South Salinas most days. Returning safely at peak times of the day is a challenge, exiting highway 68 westbound at River/Reservation Road. The signal light causes severe back up onto the shoulder and even the highway at times. As for River Road at Las Palmas intersection, accidents are all too common and the times I've witnessed careless drivers run red lights is innumerable. The developer is estimating 300 vehicle trips per day to the facility, and, while that number feels conservative after hearing about residents and employees, I shudder to think of the safety consequences of that impact on our roadways. 88.2

Shelley Donati

21020 Country Park Road, Salinas, CA 93908 831.902.5527 shelleydonati@hotmail.com

It cannot be disputed that this parcel of land was sold for residential development and has access deeded to the property through our neighborhood. However, this property is part of Las Palmas Ranch should therefore be subject to the Las Palmas Specific Plan, which according to the most recent numbers shows 997 of 1000 designated homes on the 1000 acres to have been built. Not to mention that this skyline is clearly visible as part of the scenic highways, and the removal of 80 eucalyptus tree and constructing on the skyline grossly compromises this scenic route. 88.3

Changing the zoning to allow a commercial business to operate on this property when it's only access is through a residential neighborhood is ludicrous. It severely compromises the quality of life, the safety and the environment of the Las Palmas Ranch Phase I residents.

Please understand, I am not opposed to additional assisted living facilities in Monterey County; however, this is not the appropriate location for such a community—without close proximity to services, up a steep incline for emergency vehicles to maneuver at all hours and jeopardizing the health and safety and current residents. I humbly request that you consider the current zoning, the Las Palmas Specific Plan, the recommendations of LUAC and the voices of those impacted by the construction and operation of an assisted living facility in this location and decline the project proposal. 88.4

Regards,

Shelley Donati
Resident
Las Palmas Ranch Phase I

Letter 88

COMMENTER: Shelley Donati

DATE: April 20, 2018

Response 88.1

The commenter describes the existing safety and security of the Subdivision.

As the comment pertains to a description of the existing Subdivision, this comment does not address the analysis and conclusions of the Draft SEIR. However, refer to Topical Response A for a discussion of safety and security. As noted therein, the project would not result in a significant impact on police protection within the Subdivision. Regarding the Subdivision's private security service, refer to Topical Response I, which discusses the project applicant's responsibility to share in the LPHOA's security costs.

Response 88.2

The commenter states that there are existing traffic concerns at the SR 68 exit onto River Road (Reservation Road) and at the Subdivision entrance. The commenter states that the developer's estimate of 300 vehicle trips is conservative, and that the project's traffic impacts are a safety concern.

Please refer to Topical Response D regarding potential impacts to SR 68 and River Road. As stated therein, the project would result in LOS C traffic conditions at the intersections of SR 68 ramps with Reservation Road, which would be acceptable. In addition, vehicle trips generated by the project would increase the existing volume of inbound traffic at the gate by an estimated 16 percent (Higgins 2017, 2019). Las Palmas Road has enough capacity to accommodate these additional trips without resulting in substantial queuing in front of the gate, or in blockage of vehicles turning into or out from Winding Creek Road. As a condition of approval of the project, the County would require employees at the senior living community to display windshield tags. This condition of approval would eliminate the need to check each employee's vehicle, reducing the length of queues at the gate. Because queues would not be significantly increased as a result of the project, they would not cause additional congestion and accidents.

Response 88.3

The commenter states that the project site should be subject to the LPRSP, which already has 997 of 1,000 designated homes built. The commenter states that the removal of 80 eucalyptus trees and construction of the project would compromise the scenic view, which is visible from a scenic highway.

Regarding the residential unit cap of the LPRSP, refer to Topical Response C. As noted therein, the proposed project is not a residential use under the County code or LPRSP; as such, the residential unit limitation of 1,031 does not apply to the project.

Please refer to Topical Response F regarding scenic views of the site. As stated therein, impacts associated with tree removal and construction of the project to scenic resources and private views would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting.

Response 88.4

The commenter states that they are not opposed to adding assisted living facilities in Monterey County, but that the project site is not an appropriate location. The commenter states that the project site would not provide access to services for the residents, and that emergency vehicles would have to maneuver a steep incline to access the site.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements. In addition, as noted in Response 8.11, the project site is appropriate for an assisted living facility, given market factors.

Please refer to Topical Response D for a discussion of impacts on emergency evacuation and emergency access. The project would not result in a significant impact on emergency preparedness within the Subdivision and would maintain adequate emergency access routes to the project site.

Otavio and Leila Bernardo
17539 Sugarmill Road
Salinas, CA 93908

Letter 89

Date: 04-21-2018

To: (Sidorj@co.monterey.ca.us),
Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262
Cc: Jacqueline Onciano, Chief of Planning, oncianoj@co.monterey.ca.us Brandon Swanson, Planning Manager, swansonb@co.monterey.ca.us Roy Gobets, roygobets@aol.com

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Mr. Sidor,

We, Otavio and Leila Bernardo, are homeowners in Las Palmas 1. I, Otavio, am a fire protection contractor who specializes in the design, installation, maintenance and monitoring of alarms, fire protection systems, and low voltage systems. I have been working in this industry for over 20 years and have worked on several projects such as the one under discussion. 89.1

We are writing this letter to voice our opposition to the proposed development of Riverview at Las Palmas 1. We are aware and understand that at some point in life, we might all seek the services that such a facility offers. We value, love and cherish the elders in our life. We also believe that it is our responsibility to care for them as they cared for us. However, the magnitude of the proposed project and location, we believe, would not be a good fit for the residents of Riverview and the residents of Las Palmas 1 for the reasons described below.

Las Palmas 1 is a peaceful rural residential neighborhood with 329 homes located in low-lying pastoral setting along River Road. It is a place where residents can escape the noise and busyness of the city and relax in the tranquility of their properties. We bought our property here 15 years ago because of the peaceful rural lifestyle in which we wanted to raise our family and eventually retire. I also would like to add that I have a sleeping disorder, and light, noise and smell adversely affect my condition. 89.2

The proposed assisted senior care living facility **with 142 beds** in the heart of the community would have a major impact and would lower the quality of life that we and our neighbors have enjoyed. We ask you to read and respond to our concerns and to take into careful consideration

the enormous negative and significant environmental impact that such a commercial operation would have on a residential community.

In addition, the approval of this project against the wishes of most of the homeowners in Las Palmas 1 will encourage future litigation against the County of Monterey for approving a project that clearly violates Monterey County land use regulations and the California Environmental Quality Act (CEQA). 89.3

Violation of Monterey County Codes

- L.U.-1.4: Growth areas shall be designated only where an adequate level of services and facilities such as water, sewerage, fire and police protection, transportation, and schools exist or can be assured concurrent with growth and development.

- L.U.-1.5: Land uses shall be designated to achieve compatibility with adjacent uses.

- L.U.-1.11: Development proposals shall be consistent with the General Plan Land Use Map designation of the subject property and the policies of this plan.

- LU-2.19 The County shall refer amendments to the General Plan and zoning changes that would result in the creation of new residential, industrial, or commercial areas to the nearest cities for review and comment.

- L.U.-2.23: Medium Density Residential (MDR): Medium Density Residential areas are appropriate for a range of residential uses (1-5 units/acre) and housing types, recreational, public and quasi-public, and other uses that are incidental and subordinate to the residential use and character of the area. The extent of use of land for this designation shall be limited to building coverage of 35% of the subject property.

- OS-1.2: Development in designated visually sensitive areas shall be subordinate to the natural features of the area.

- OS-1.3: To preserve the County's scenic qualities, ridgeline development shall not be allowed.

- T-1.6: Existing legal lots of record located in the critical viewshed may transfer density from the acreage within the critical viewshed to other contiguous portions of land under the same ownership, provided the resulting development meets all other Toro Area and General Plan policies.

- T-3.1: Within areas designated as “visually sensitive” on the Toro Scenic Highway Corridors and Visual Sensitivity Map, landscaping or new development may be permitted if the development is located and designed (building design, exterior lighting, and siting) in such a manner that will enhance the scenic value of the area.

89.4

Project Comparison

The proposed project will have the capacity of housing 142 residents with 142 beds as part of a senior care assisted living community. If we look at either the Natividad Medical Center or the Salinas Valley Memorial Hospital, which can accommodate 137 beds and 225 beds, respectively, we can see that this senior care assisted living with a memory care facility project in the grand scheme of things is extremely large. Even though the hospitals provide medical services that this facility will not, the proposed 3-story memory care facility is a medical care facility. Doctors, nurses and caregivers will be a major part of the staff thereby generating a significant unavoidable impact on public services including water, traffic and emergency services.

89.5

25%-30% Population Increase

In Las Palmas, there are 329 homes with an estimated 1,000 residents. The proposed project will add an additional 142 residents, 92 employees, and vendors and visitors, which will add up to approximately 300 additional people to the community. This is an additional 25-30% of our total population in this very small residential community. This would be equivalent to adding 40,000 new residents to the city of Salinas without taking into consideration traffic, police, fire, disaster preparation, and infrastructure.

89.6

Water Supply Quality and Quantity

The proposed project will negatively affect the demand on the groundwater basin and consequently affect groundwater availability for existing and approved communities. Based on the projected population increase of 25-30%, it can be determined that water consumption in Las Palmas 1 will have more than a 10% increase. This increase in water consumption will further impact the quality of water in the entire basin. Further, the Public Utilities Commission (PUC) states that a 10% increase in production of an existing system requires the production of a Water Supply Assessment (WSA). A Water Supply Assessment (WSA) has not been prepared for the proposed facility which is required under SB 610 and California Water Code section 10910. A hydrogeologic report is needed to determine the viability of a long-term water supply of suitable quality for the proposed project. This should be an evaluation of the site-specific water supply. The location of this project is within Zone 2C. According to provided reports from Brown & Caldwell's State of the Salinas River Groundwater Basin report, Zone 2C is out of hydrologic balance, meaning that there is an unbalanced ratio of salt water to fresh water in the basin. Due to the already high usage of fresh water from this basin, the level of salt water intrusion into the fresh water is high, which has already reduced the overall quality of our water. Additionally, the basin is in severe overdraft and seawater intrusion is threatening the quality of water extracted from the aquifers. This is a significant and unavoidable environmental impact.

89.7

We feel that the applicant is relying on the Can and Will Serve letter from Cal Water. A Can and Will serve letter does not guarantee service. A long-term water supply of suitable quantity and quality must be proven. The water supplier must determine whether these supplies are acceptable as to quality, quantity and reliability. The State Water Code requires that the County shall

determine, **based on the entire record**, whether projected water supplies will be sufficient to satisfy the demands of the project, **in addition to existing and planned future uses**.

The Salinas Valley Ground Basin is in an overdraft condition. The California Department of Water Resources (DWR) has designated the 180/400 Foot Aquifer Sub basin as Critically Overdrafted Basin. The Sustainable Groundwater Management Act (SGMA) requires that a Groundwater Sustainability Agency (GSA) be formed to manage the Salinas Valley Groundwater Basin by June 2017, and that the GSA must file a Groundwater Sustainability Plan with DWR by January 2020.

- Is there sufficient hydrological evidence of acceptable water quality and quantity (sustained yield) to serve the proposed project?
- Can the new development be served by an identifiable, available, and long-term water supply?
- Will the proposed development result in an individual and cumulative impact to the aquifer's long-term safe yield level, seawater intrusion and long-term maintenance of local priority agricultural water supplies?

Until these questions are answered, there is no way to determine if there is sufficient water to serve this project.

Public Services

Fire

Due to an estimated 400+ trips directly and indirectly on Highway 68, the response time will be delayed even further from the Toro or Laureles Station located at State Route (SR) 68 . Further analysis needs to fully study the significant impacts to fire/medical services. Response time is a combination of travel time and get-away time (the time it takes the engine to leave the station once an alarm is received). 89.8

Does the Toro Station maintain a population to staff ratio standard required? Do these stations have adequate staffing to provide adequate emergency response to fires, medical incidents, rescues, vehicle accidents, hazardous materials incidents, disasters (floods, earthquakes, etc.)? Is the station equipped with ladder trucks required for 3-story high density structure?

For emergency medical services, do these stations have engines that are equipped with a full complement of first responder medical supplies including CPR equipment, semi-automatic defibrillators and rescue equipment such as Jaws of Life?

Draw down of fire/rescue resources from the MCRFD to augment and provide an adequate level of service to back-fill this project will take away critical fire and life safety services to the existing regional area taxpayers. Reflex time (time it takes from the initial 911 citizen call to on-scene arrival and set-up) is a significant issue to provide adequate fire and life safety services from the MCRFD with no fiscal or financial off sets.

Medical services which are provided for the existing population will be adversely impacted with the spike in population. The proposed 142 senior assisted care facilities complex with 250 residents counting the employees (quarter of the population of this neighborhood), will have a significant impact on fire protection and/or medical services. Therefore, we feel the EIR is deficient.

Police

The Monterey County Sheriff's Office (MCSO) services the project area and is located within Beat 4. Currently, there is one and a maximum of two deputies per shift covering the Beat 4 area. The increased caseload and additional patrol area associated with the project will negatively affect the MCSO's response times.

The MCSO has established a target ratio of one deputy per 1,000 persons. However, industry standards for law enforcements services with this type of facility usually require additional police officer staffing in the 2 staff per 1,000 population ratio. To meet response times and maintain a service standard of one deputy per 1,000 persons, additional deputies will be needed to serve the current population.

89.9

<u>Noise Pollution</u>

The proposed 3-story memory care facility, the 2-story senior care assisted living, and the 13 casitas are considered commercial due to their application, and per California Building and Fire Codes they will most likely be classified as Type R2.1.

89.10

R2.1 Explanation

R-2.1 Facilities housing clients on a 24-hour basis in a supervised environment that provides personal care services. May contain more than six non-ambulatory and/or bedridden clients, including,

<u>Assisted living such as:</u>
Residential care facilities
Residential care facilities for the elderly (RCFE's)
Adult residential facilities
Congregate living health facilities
Group homes
Residential facilities for the chronically ill
Congregate living health facilities for the terminally ill

For such a building classification (R2.1), the following are the fire alarm requirements:

- A manual fire alarm system monitored for fire dispatch 24x7 (e**ntire facility**)
- An automatic fire alarm system (smoke and heat detectors, with full coverage), including all sleeping rooms and all common public areas monitored for fire dispatch 24x7 (**memory care facility**)
- Automatic smoke detectors in all corridors, hallways and public areas monitored for fire dispatch 24x7 (**2-story senior care assisted living**)
- Single station smoke detectors (120 volts AC powered) with battery backups **(in the casitas and the sleeping rooms in the 2-story senior care assisted living)**
- Single station smoke detectors with battery backup **(all sleeping rooms except memory care building)**
- Notification appliances (horns, strobes, horn strobes combinations or chimes); the required sound level for notification appliances are 70 decibels "at the pillow" in each sleeping room; there is also a required decibel level for all other notification appliances which is 15% above the listed ambient level for all public areas (e**ntire facility**)
- Delayed egress doors with local alarms connected **(memory care facility facility**)

All of the above minimum requirements must be complied with without compromises or variances to comply with California Fire Code and NFPA 72 National Fire Protection Association and must be cleared with the Local Fire Department before State licensing would allow the occupancy of such facility. The proposed 3-story memory care facility and the 2-story senior living facility will have **150 or more** automatic smoke detectors as part of an automatic fire alarm system. If any detector in a building is activated, it will automatically trigger the fire alarm system in the entire building for evacuation, and all the notification devices (horns, strobes, and or chimes) will be sounding until the fire department arrives. Every fire alarm signal must be verified by the fire department, which means a fire engine and will be dispatched to the location. Such noise levels will be easily heard by Las Palmas 1 residents. For example, Chateau Coralini located in Las Palmas 1 has an automatic fire alarm system that has gone off several times, and noise has traveled throughout Parkside. Chateau Coralini is a small vacant building in comparison with what is currently being proposed.

<u>Delayed egress door systems (memory care facility)</u>

Similarly, per code, the proposed facility will be equipped with delayed egress door alarms. This type of automatic door release system prevents people from being trapped inside a building. If a resident or employee rests on such a door for more than 5 seconds, an alarm will sound, and the door will open. A staff member will have to manually turn off the system with a key. Again, this is a loud and noisy alarm that we, the residents of Las Palmas 1, will be subjected to.

89.11

Emergency Power Generator

Should it be required, the proposed 3-story memory care facility will also have a diesel or gas generator as a means of power backup. These generators normally self-start twice a week for about 30 minutes each time. This also is a source of noise pollution. And depending on where the generator is installed, the noise will travel and be heard by the residents of Las Palmas 1. 89.12

With all the fire alarm detection, evacuation, and all other alarm devices that this facility will require and or will have, the probability of multiple alarms sounding daily is extremely high. Most facilities with these types of systems do experience these alarms all the time. The noise level that these systems will generate is high, not to mention the noise from the emergency vehicles which will be dispatched when alarms or emergency are detected.

Other systems that will impact the noise level are:

- Security local alarms for all windows or screens **(memory care facility**)
- Nurse Call Systems or emergency pull cords **(entire facility)**
- Paging and alert systems
- HVAC systems
- Commercial kitchen with exhaust and makeup air system as part of a commercial kitchen hood system
- Vehicles: service trucks and delivery trucks with built-in refrigeration

All the above-mentioned will greatly impact the daily lives of the residents of Las Palmas 1. We are greatly concerned that studies determining the noise impact of such a facility on our residential area have not been conducted and shared with the residents. This should have been the first step. We, like many others, moved to Las Palmas 1 due to the location, safety, and the peaceful and quiet environment that this community has to offer.

For any clarification on the points mentioned above, we would strongly urge you to consult with Salinas Rural Fire since they are the AHJ (Authority Having Jurisdiction) for the area, and they can confirm the accuracy of what has been stated. Note that any type of fire protection is always a deferral permit which means the County does not approve the fire systems permit, the Fire Department does.

Lighting Pollution

For a project of this magnitude, minimum codes and standards must be met for safety and visibility. Light emanating from the buildings and casitas will radiate to the homes down the hill from the facility. Even with shades drawn, light will still be an issue. In addition, the proposed 89.13

parking spaces will directly deliver headlights into a majority of residents' bedrooms which typically face the hills.

Lighting at nighttime from inside the facility will also be intrusive for those properties in close proximity to the proposed project. Since this facility is a 24-hour operation, all public areas of the two suggested multi-level buildings will require lights to be on at any given time for the safety of the residents and staff.

Impact on Scenic View and Environment

The proposed project would be within the existing view shed of public areas, including from areas that offer views of scenic vistas and from viewpoints on designated and proposed scenic roadways (State Route 68, River Road and Reservation Road). The proposed project would also alter the existing, natural visual character of the project site. Although the LPRSP FEIR concluded that visual impacts on Highway 68 would be less than significant with full River View Draft EIR Page 2 buildout of the specific plan area, including the project site, potential visual impacts of the proposed project is considered a significant adverse environmental impact...." (p. 5-30)

89.14

Below are simulated images produced by a graphic designer (Highway 68 E or W view)

Below are simulated images produced by a graphic designer (River Road to Highway 68)

Commercial Kitchen

The proposed facility will have a commercial kitchen providing around 600 meals or more daily. Given that the residences of Las Palmas 1 are below the proposed facility, and coupled with the breezy conditions the area experiences, the smells from the facility's kitchen will easily travel to the homes. This will impact those homes which enjoy the fresh air by leaving windows and patio doors open. 89.15

Traffic and Public Safety

Another concern regarding this project is traffic and public safety. There is only one main entrance in and out of the community at Las Palmas Road. Las Palmas Road is narrow with blind corners, with very little room on the shoulders. Many residents and their children walk, run, play or bike on these roads at all times of day. River Road is already a very busy road due to traffic from other neighborhoods further down the road, Buena Vista Middle School, commercial vehicles and farming equipment. 89.16

Furthermore, the intersection of Highway 68 and Reservation Road has become a bottleneck after the addition of homes in East Garrison, Marina, and more is to come. It is important to note that the last complete traffic study for the area was conducted in the 1980s. The current traffic report prepared by Keith Higgins doesn't fully analyze the project or major arterials surrounding the community. Traffic volumes and trip generation ratio is always coming or going to Highway 68 which has been determined to currently operate at LOS F. The projected increase in trip generation from this project would exacerbate existing conditions.

The application proposed a mitigation measure as a staggered schedule to avoid peak morning and afternoon hours. However, the proposed schedule and shifts for the project and 92 employees should not be taken in full consideration since it cannot be enforced one way or another.

The increased traffic with the proposed facility will be a danger for the residents and a concern for public safety. It is already difficult to keep the cars moving through the front gate during peak hours. With a projected increase of 400 trips a day due to the facility, further traffic congestion at the entrance of our community will occur. This entrance has historically seen serious and deadly accidents. Furthermore, in the event of an emergency or a natural disaster, evacuating both residents of Las Palmas 1 and the residents of the facility would be chaotic and quite an undertaking due to the inherent traffic congestion in conjunction with emergency vehicles that will be trying to get in and out of the area.

Project Applicant Statement

According to the project description and the applicant's statement, the applicant agrees and states that the facility is not for residential use and is asking the County to amend its Specific Plan. If the County amends its plan for Parcel Q, the County will be setting precedent for future projects within the County. This constitutes spot zoning.

89.17

In closing, we simply believe that the use of the land should remain as was originally intended and zoned for by the county. We also believe that the County should have the 329 homeowners' best interest in mind, and that safety and the current County codes should be a priority with no variation or compromises. The short-term and long-term negative, significant, and unavoidable environment impacts that this project will have on this neighborhood and nearby areas do not justify any short term financial gains for the County.

We do not believe that development as a means for profit should negatively impact the quality of life for 1000 people directly and thousands more indirectly. This project, if approved, will inevitably reduce the value of the properties located in Las Palmas 1, which in turn will lower the amount of property taxes that the county will receive. We believe that the Draft Subsequent EIR

is inadequate under CEQA and contains too many holes and unanswered important and vital questions.

The site is not good for the proposed project because it is too far away from services (medical, financial services, food, shopping, transit) and infrastructure. Moreover, the parcel is not zoned appropriately. As proposed, the project will cause significant unavoidable negative environmental impacts.

Therefore, we believe that this project should be built in another location that will not significantly impact the environment and adversely impact the Las Palmas 1community.

Please confirm receipt of this letter.

Respectfully submitted,

X_____ X_____

Otavio Bernardo Leila Bernardo

Letter 89

COMMENTER: Otavio and Leila Bernardo

DATE: April 21, 2018

Response 89.1

The commenter states that it is important to care for elderly people, but that the project site is not a good fit for the proposed senior assisted living facility, due to the project's size and location.

Please refer to Topical Response C and Response 8.11. The project would be consistent with the site's zoning and land use requirements, and the project site is appropriate for an assisted living facility, given market factors.

Response 89.2

The commenter states that the project would impact quality of life for the existing Subdivision residents, by adding light, noise, and odors.

Please refer to Topical Response C. As described therein, quality of life is not an environmental impact under CEQA. However, the Draft SEIR includes analysis of various impact areas such as noise and traffic that relate to quality of life.

Please refer to Topical Response F, which discusses impacts of the project's lighting on night sky views. As described therein, mitigation is required to reduce lighting impacts to a less than significant level.

Please refer to Topical Response H for a discussion of the project's potential noise impacts. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Odor is discussed in Section 6.0, *Air Quality,* of the Draft SEIR, and again in Topical Response C. Odors released outdoors from meal preparation would be intermittent and unlikely to be objectionable to the extent of causing a public nuisance

Response 89.3

The commenter states that approval of the project would encourage litigation against the County, because the project violates County land use regulations and CEQA.

The commenter's opinion that the project violates regulations is noted. For a discussion of land use regulations, please refer to Topical Response C. Also, the comment regarding potential litigation is noted, and herewith shared with County decision makers for their consideration.

Response 89.4

The commenter lists land use policies from the County General Plan.

This comment consists only of excerpts from the County General Plan and does not include any commentary on the Draft SEIR. Therefore, specific response is not possible. Refer to Topical Response C for a discussion of the project's consistency with applicable land use plans and policies.

Response 89.5

The commenter states that the project would house 142 residents, which would result in a significant and unavoidable impact on public services including water, traffic, and emergency services.

As noted in Topical Responses A and B, Section 11.9, *Public Services,* of the Draft SEIR, has been revised to clarify that the project would have a less than significant on fire and police protection services. Implementation of the project would not require new or expanded public facilities to continue providing the existing level of fire and police protection and emergency services experienced by residents in the vicinity of the project site.

Please refer to Responses 4.5 for a discussion about water supply to the project. As noted therein and in the Draft SEIR, there is sufficient water to serve the project and impacts to water supply would be less than significant.

Response 89.6

The commenter states that the project would add 142 residents to the Subdivision community, substantially increasing the population without considering traffic, police, fire, disaster preparation, and infrastructure. The commenter states that the project would increase the Subdivision's population by 25-30 percent.

The commenter includes employees, vendors, and visitors in the population estimate of a 25-30 percent increase. Employees, vendors, and visitors would not live in the Subdivision or on the project site, and therefore would not add to the population. Regarding concerns raised in the comment, please refer to Topical Response A, Topical Response B, and Topical Response D. Impacts related to wildfire and fire protection would be less than significant. The project would not result in a significant impact on emergency preparedness within the Subdivision, and would maintain adequate emergency access routes to the project site.

Response 89.7

The commenter states that the project would result in impacts on groundwater basin demand and water quality. The commenter states that the project would increase water demand in the Subdivision by more than 10 percent, and therefore a Water Supply Assessment is required by the Public Utilities Commission. The commenter states that a hydrogeologic report is needed to determine the long-term water supply for the project. The commenter states that the project would result in a significant and unavoidable impact due to overdraft of the basin and seawater intrusion.

The commenter refers to Senate Bill 610 (SB 610), which requires a WSA for development projects that represent a ten percent increase in service connections for a water utility. "Service connection" refers to the piping that connects a building to a water distribution line. Therefore, the number of connections added by the project would be far less than the number of individuals that would reside there. Regarding the Senate Bill 610 provision that the commenter references, the number of new connections would be compared to the existing number of connections that the public water system is currently serving. The system serving the project site is the Salinas Hills service area of the California Water Service Company Salinas District. The Salinas Hills service area serves 1,639 connections, according to the 2015 Salinas District Urban Water Management Plan. Therefore, the project does not trigger a WSA based on an increase in service connections or any other parameters under SB 610.

Although the Salinas District is currently in overdraft, actions taken by both California Water Service and MCWRA, including conservation, system improvements, and future projects are projected to continue to provide for a reliable water supply. In its Urban Water Management Plan California Water Service projected its groundwater supply for the Salinas District will fully meet future demands through 2040. The proposed project would be new, and be designed, constructed, and operated with water conservation in consideration at the outset. The project would utilize the most current water efficient fixtures available, use minimal water for landscaping, and practice conservation in every day operation. Refer also to Response 3.3.

Response 89.8

The commenter states that the project would add traffic to SR 68, which would delay the response time of fire crews. The commenter requests details about the preparedness of the MCRFD Toro Station. The commenter states that the project would add residents to the area, which would adversely impact medical services for the existing population and would impact fire protection. The commenter states that due to impacts on fire protection and medical service, the Draft SEIR is deficient.

Please refer to Topical Response B. As noted therein, Section 11.9, *Public Services,* of the Draft SEIR, has been revised to clarify that the project would have a less than significant impact on fire protection services. The Toro Station's anticipated response time to the project site would meet the County' General Plan standard for fire response, and the project would not require construction of new or expanded fire service facilities or equipment. Increased traffic would not influence these response times, as the increase in vehicle trips on SR 68 would be minimal.

Section 11.9, *Public Services,* of the Draft SEIR, has been revised to include information about the capacity of and primary contingency plan at the Salinas Valley Memorial Hospital, which is the nearest public hospital to the project site. It is reasonable to assume that the Salinas Valley Memorial Hospital may receive project residents needing emergency care due to its proximity to the project site. However, the commenter is speculative in assuming the Memorial Hospital would be the sole medical care facility used by project residents and employees. The project itself would provide on-site day-to-day medical assistance for residents as noted in Section 4.0, *Project Description,* of the Draft SEIR.

Response 89.9

The commenter states that the Monterey County Sheriff's Office would need to increase its staff in order to serve the population increase that would be generated by the project.

Please refer to Topical Response A and Topical Response B. As noted therein, Section 11.9, *Public Services,* of the Draft SEIR, has been revised to clarify that the project would have a less than significant impact on police protection services. Implementation of the project would not require new or expanded public facilities to continue providing the existing level of public services experienced by residents in the vicinity of the project site.

Response 89.10

The commenter states that the proposed buildings would most likely be classified as Type R-2.1 per the California Building and Fire Code. The commenter describes the fire alarm requirements for buildings within this classification. The commenter describes the potential for smoke detectors to be activated, triggering a response from the fire department.

This comment does not conflict with the findings or analysis of the Draft SEIR. MCRFD reviewed the proposed building and site plans, and the project would be required to comply with applicable building and fire codes.

Response 89.11

The commenter describes the door alarms that could be included in the project design. The commenter states that the door alarms could result in noise impacts in the Subdivision.

For a discussion of the project's potential operational noise impacts, refer to Topical Response H. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 89.12

The commenter describes noise that could be produced by an emergency electricity generator at the project site, which could result in noise impacts in the Subdivision. The commenter summarizes concerns about noise, stating that the project-generated noise would impact the daily lives of Subdivision residents.

For a discussion of the project's potential operational noise impacts, refer to Topical Response H. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 89.13

The commenter states that the project's lighting would impact Subdivision residents.

Please refer to Topical Response F, which discusses impacts of the project's lighting on night sky views. As described therein, mitigation is required to reduce lighting impacts to a less than significant level.

Response 89.14

The commenter states that the project would be visible from scenic roadways and would alter the visual character of the project site. The commenter provides graphic design simulations of structures replacing trees from various viewpoints approaching the project site.

The graphic design images shared by commenter depict a complete removal of all trees around the project site, which is not an accurate representation of the project plans. Please refer to Topical Response F for a discussion of scenic views and visual character. As stated therein, impacts to scenic resources and private views would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting.

Response 89.15

The commenter states that meal preparation for the residents of the proposed senior assisted living facility would result in odor impacts in the Subdivision.

Odor is discussed in Section 6.0, *Air Quality,* of the Draft SEIR, and again in Topical Response C. Odors released outdoors from meal preparation would be intermittent and unlikely to be objectionable to the extent of causing a public nuisance.

Response 89.16

The commenter describes traffic conditions in and around the Subdivision. The commenter states that the traffic report prepared for the project doesn't fully analyze the project or the arterial roads in the area. The commenter states that the project would increase traffic and result in traffic safety concerns.

Regarding traffic impacts, refer to Topical Response D. As described therein, impacts related to traffic would be less than significant or less than significant with mitigation incorporated, with the exception of impacts to SR 68, which would be significant and unavoidable. The traffic analysis included additional study of internal streets. Additionally, the project would not result in a significant impact related to traffic safety.

Response 89.17

The commenter states that approving an amendment to the LPRSP to allow for project approval would constitute "spot zoning." The commenter states that the project should be denied due to land use incompatibility, environmental impacts, and impacts to the Subdivision residents.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Anita Cochetti
21084 Country Park Road
Salinas, Ca 93908

Letter 90

April 22, 2018

Joseph Sidor
Associate Planner Monterey County RMA-Planning
Second Floor
1441 Schilling Place,
Salinas, CA 93901

Hello Joe,

I am writing to inform you that I am against the proposed project in Las Palmas 1. I chose to live in Las Palmas 1 for many reasons. First, I enjoy living in a quiet, peaceful neighborhood. The proposed project would increase noise levels because much more traffic will come through, and the building/construction noise would probably be going on for many, many months, maybe even years. My home backs right up to the proposed site, which I'm sure will be subject to much noise pollution. Another reason I chose to live in LP1 is for the beauty and nature of the entire neighborhood. I cannot imagine looking up the beautiful hillside, seeing nothing but buildings. The added pollution and traffic also cannot be good for our environment both aesthetically and for our health. Most importantly, I chose to live in LP1 because of the safety. The extra traffic, noise, pollution and continuous strangers driving in and out of our neighborhood would not offer the same safety I feel currently. I am also concerned about the damage the extra vehicles will cause on our roads. LP1 pays dues that cover our roads. I would not like for our dues to increase due to the extra wear and tear the new development will cause. I hope with much consideration for our beautiful community that this project will be moved elsewhere.

90.1

Thank you,

Anita Cochetti

Letter 90

COMMENTER: Anita Cochetti

DATE: April 22, 2018

Response 90.1

The commenter states that they are opposed to the project, and lists noise, traffic, hillside aesthetics, safety, traffic, pollution, and damage to roads as concerns.

This commenters' opposition to the project is noted and herewith shared with the County's decision makers for their consideration.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Regarding aesthetic impacts, please refer to Response 30.2 above and Topical Response F. As stated therein, impacts to scenic resources and hillsides would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting.

Please refer to Topical Response H for a discussion of the project's potential noise impacts. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

As noted in Topical Response D, a standard grading and building permit condition, the County would require that the project applicant be responsible for repairing any damage to existing infrastructure during the temporary construction activities. Adherence to this condition of approval would prevent long-term deterioration of the circulation system from construction activity.

From: Kathy Della-Rose Date: April 22, 2018

Address: 21080 Country Park Road.

Salinas, CA 93908

Letter 91

To: (Sidorj@co.monterey.ca.us),

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

Cc: Brandon Swanson, Planning Manager, (831) 755-5334 same physical address
swansonb@co.monterey.ca.us

Jacqueline Onciano, Chief of Planning, (831) 755-5193, same physical address

oncianoj@co.monterey. ca.us

Carl Holm, Planning Director, (831) 755-4879, same physical address
holmcp@co.monterey.ca.us

roygobets@aol.com , Roy Gobets (831) 235-1701 21056 Country Park Road, Salinas, CA, 93908

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Hello Joe,

I am very concerned about the proposed project. Its proposed use of Las Palmas 1 roads will pose unacceptable traffic, safety and security problems in our peaceful neighborhood. Further, the large number of housing units proposed for this development, coupled with its clear commercial use, are inconsistent with the residential atmosphere that Las Palmas residents chose when they located here in the first place. 91.1

This development plan seems to conflict with the B-8 zoning of no development on the ridgelines. More disturbing is the excavation of the Eucalyptus Trees which provide a nesting ground for our beautiful owls. 91.2 91.3

Is there a buyer in place with strong credentials and viablility to execute running this type of operation ? This is not just a retail development open to many options—This is a very specific plan for a specified number of skilled employees to support the varied residents living in this residence. Also the traffic of 90 + employees coming in and out of our protected community leaves me feeling vulnerable as to the security of my home. 91.4 91.5

When I bought back in 2005, I felt there was intrinsic value in my home because it backed up to a barren hillside. With this development, I would have a huge commercial structure overlooking my backyard. Bummer!! 91.4

Kind regards,

Kathy Della-Rose

I respectfully urge the developer to find alternate venue and access for his proposed facility.

Please respond to the issues I listed above in writing.

Respectfully,

X_Kathy Della-Rose

_____

Letter 91

COMMENTER: Kathy Della-Rose

DATE: April 22, 2018

Response 91.1

The commenter states that the project would cause traffic problems, safety and security problems, and is inconsistent with the surrounding residential area.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks. In addition, the project would not result in a significant impact on police protection within the Subdivision.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 91.2

The commenter states that the project would conflict with the "B-8 zoning of no development on the ridgelines."

The comment does not provide sufficient information to respond to, as the referenced regulation is not specified. However, for a discussion of ridgeline development regulations, please refer to Topical Response F. As stated therein, impacts would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting. Further, while the project site is naturally elevated, nearby hills of substantially greater elevations would shield the site, with views of the site only momentarily visible to moving vehicles. As described in Topical Response C, the project would be consistent with the site's zoning and land use requirements.

Response 91.3

The commenter states that the project would remove eucalyptus trees that provide habitat for owls.

Tree removal and impacts to wildlife are discussed in Topical Response G and Section 7.0, *Biological Resources,* of the Draft SEIR. As noted in Topical Response G, impacts to common wildlife species would not be considered significant under CEQA and potential impacts to special status wildlife is mitigated through implementation of the Draft SEIR mitigation measures requiring preconstruction surveys and avoidance.

Response 91.4

The commenter asks if there is a "buyer in place" to purchase and operate the proposed senior living center.

Ownership and sale of the project site does not pertain to an environmental impact and is outside of the scope of the Draft SEIR. The Draft SEIR provides analysis of the environmental impacts of the

proposed project. The proposed project is that which is described in Section 4.0, *Project Description*, of the Draft SEIR. The Draft SEIR is applicable to the proposed project regardless of ownership.

Response 91.5

The commenter states that the traffic caused by employees of the proposed senior living center represents a threat to the security of Subdivision homeowners.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

From: Jennifer Lorentz
To: Sidor, Joe (Joseph) x5262
Subject: Proposed Development of Riverview
Date: Monday, April 23, 2018 3:01:02 PM

Letter 92

April 22, 2018

Mr. Joseph Sidor, Associate Planner
Mr. Brandon Swanson, Planning Manager
Monterey County Planning Commission

Mr. Sidor and Mr. Swanson,

As a resident of Monterey County, I am very concerned about the Proposed Development of Riverview at Las Palmas (LVLP) (PLN#150372). 92.1

Traffic:

A compete traffic study of the area (Highway 68, Reservation Road and River Road) has not been conducted for over twenty years. The traffic report, prepared by Mr. Higgins, does not fully consider the project and the arterial roads surrounding Las Palmas I. 92.2

Traffic on Highway 68 is already saturated and has been designated at a LOS F. Traffic will only get worse when the approved, but not yet constructed, Ferrini Ranch Project is completed.

Traffic on Reservation Road has increased since the development of East Garrison in Marina and construction is still continuing. Traffic already backs up on Reservation Road at the intersection with Highway 68.

RVLP resident, their guests, employees and vendors would utilize Las Palmas Road, the only public entrance/exit to the Las Palmas I community. Presently, incoming traffic backs up onto River Road. This situation will be exacerbated with the number of staff and commercial vehicles required to service RVLP. It is not unlikely that traffic would back up to the Highway 68 intersection. Traffic departing Las Palmas I would back up unto Las Palmas Road and Woodridge Road. This would create a dangerous situation for in the case of an emergency evacuation.

Scenic Views:

The proposed project would be within the existing view shed of public areas, including from viewpoints on designated and proposed scenic roadways I (Highway 68, River Road and Reservation Road). It would also alter the existing, rural visual nature of Las Palmas I. 92.3

I respectfully urge that the project be disapproved and the developer find an alternate venue for the proposed facility.

Jennifer Lorentz

3285 Cove Way, Marina, CA 93933

--
Jennifer Lorentz
Administrative Assistant

Cynthia E. Davis, CPA, Inc.
P.O. Box 2748
Monterey, CA 93942

Phone 831.649.1665
Fax 831.649.1667

Letter 92

COMMENTER: Jennifer Lorentz

DATE: April 22, 2018

Response 92.1

The commenter states that they are concerned about the proposed project.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Response 92.2

The commenter states that SR 68 is congested and operates at LOS F and is worsening due to recent and current projects. The commenter states that the project would exacerbate congestion at the Subdivision entrance and would make emergency evacuation more dangerous.

The Draft SEIR acknowledges that vehicle trips generated by the project would contribute to existing LOS F conditions on the segment of State Route 68 from Toro Park to State Route 218. As shown in Figure 9-2 in Draft SEIR Section 9.0, *Transportation & Traffic*, it is estimated that the project would add less than five peak-hour trips to this segment of State Route 68. Although this contribution to traffic on State Route 68 would be minimal relative to existing traffic conditions, the Draft SEIR notes that Caltrans considers a single additional peak-hour trip on highways with existing LOS F conditions to be a significant impact. Based on this conservative threshold, the Draft SEIR finds that the project would have a significant impact on traffic conditions on State Route 68. The applicant would be required to pay a regional traffic impact fee toward future improvements to State Route 68. However, because the applicant would not directly implement any improvements to this highway to offset the project's contribution to LOS F conditions, and it is unknown if future improvements using regional traffic impact fees would improve the level of service, this impact would be significant and unavoidable.

Please refer to Topical Response D for a discussion of queuing concerns at the Subdivision's entry gate. As noted therein, the project would increase inbound traffic at the gate by an estimated 16 percent. However, this increase in traffic would not substantially increase queuing. An additional westbound entrance lane at the gate would not be needed, and queuing vehicles would not obstruct vehicles from turning left onto Winding Creek Road. Therefore, the project would have a less than significant impact on traffic circulation related to queuing.

Please refer to Topical Response D for a discussion of impacts on emergency evacuation and emergency access. The project would not result in a significant impact on emergency preparedness within the Subdivision and would maintain adequate emergency access routes to the project site.

Response 92.3

The commenter states that the project would impact the area's aesthetics, including views from designated scenic roadways. The commenter urges that the project be disapproved and that the applicant find an alternate location for the project.

Please refer to Topical Response F regarding views from scenic highways. As stated therein, impacts would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting.

Letter 93

From: Kathleen Vosti

Date: April 22, 2018

Address: 175128 Sugarmill Rd, Salinas, California 93908

To: (Sidorj@co.monterey.ca.us),

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

Cc: Brandon Swanson, Planning Manager, swansonb@co.monterey.ca.us

roygobets@aol.com , Roy Gobets 21056 Country Park Road, Salinas, CA, 93908

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Hello Joe,

I am very concerned about the proposed project. Its proposed use of Las Palmas 1 roads will pose unacceptable traffic, safety and security problems in our peaceful neighborhood. Further, the large number of housing units proposed for this development, coupled with its clear commercial use, are inconsistent with the residential atmosphere that Las Palmas residents chose when they located here in the first place. 93.1

I strongly urge the developer to find alternate venue and access for his proposed facility.

Please respond to the issues I listed above in writing.

Respectfully,

x Kathleen Vosti

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APR 24 2018
MONTEREY COUNTY
PLANNING DEPARTMENT

Letter 93

COMMENTER: Kathleen Vosti

DATE: April 22, 2018

Response 93.1

The commenter states that they are concerned about the project, citing traffic, safety, security, and incompatible land use as specific concerns. The commenter urges that the applicant find alternate location and access for the project.

Traffic is discussed in Topical Response D. Please refer to Topical Response A for a discussion of the project's impacts on security operations, and Topical Response D for a discussion of impacts on emergency evacuation. The project would not result in a significant impact on police service or emergency preparedness within the Subdivision. Regarding the Subdivision's private security operations, an agreement would be required between the applicant and the LPHOA regarding shared costs and responsibilities, as discussed in Topical Response I.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning designations, and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access.

Secondary access between River Road and the project site during emergency evacuations would be available through the lawn area between County Park Road and Woodridge Court. However, secondary access would not be provided on Woodridge Court between Country Park Road and the first internal parking lot aisle. Mitigation Measure T-2 would be required to install improvements that improve access to the lawn area and Woodridge Court. With implementation of this measure, the project would have a less than significant impact on emergency access. Refer to Topical Response D for additional information.

April 23, 2018

Letter 94

Anthony & Jocelyn Driskill
17763 Riverbend Road
Salinas, CA 93908

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901

Cc. Brandon Swanson, Planning Manager;
Jacqueline Onciano, Chief of Planning;
Carl Holm, Planning Director;
Roy Gobets, Las Palmas Ranch Homeowner

Subject: RVLP Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Dear Mr. Sidor,

The Las Palmas Ranch development has long been a part of my family's history. My father and mother, Alden and Janet Barstad, were members of the original Las Palmas Ranch Partnership (and they still are, as a matter of fact.). My father was the Planner for the project from its inception and throughout the procedure, ultimately bringing it to approval by the County for development. His vision was all about families living and thriving in the beautiful Countryside setting, which is Las Palmas Ranch. My dad had grown up in the Salinas Valley. He loved working in and serving the community which he accomplished in his career as an architect and school board member. He passed away in 2012. 94.1

My husband,Tony, and I moved to Las Palmas in 2008. Then in 2014 my Mom joined us, purchasing her home on River Run Road. Dad would certainly approve as this is a place where families feel safe and secure. We are enjoying the fruit of his vision. However, the prospect of a project the scope of Riverview at Las Palmas (RVLP) has cast a different light on " safety and security ".

1. To begin, the Las Palmas One entrance has a stop light. However, with the volume of traffic River Road carries there have been accidents not only at the Light but behind our house as well (closer to the gate at River View). Vehicles are known to hit speeds 65 mph and beyond, and not wanting to slow down <u>often</u> speed through a Yellow/even Red light. There have been fatal accidents on this portion of River Road in the past few years. Adding more than 300 vehicle trips per day (the developer's conservative estimate) through the Las Palmas I stop light, into and through our quiet community defies common sense. 94.2

2. A Project such as RVLP would add a significantly negative impact at the Highway 68 off ramps to River Road and Reservation Road! Presently, during commute hours, **traffic backs up along the right hand lanes of Highway 68.** This is already a very dangerous situation. Similarly, when the Spreckles District Schools begin their day and later in the afternoon when School is out, traffic is actually stopped in those right hand lanes of Hwy 68 approaching those exits. Now, add the 300+ vehicle trips projected for RVLP. **Please don't!** 94.3

3. Once inside the Las Palmas entrance, the 300 + vehicle trips will prove a huge disruption to our way of life. Many of these vehicles will be commercial: deliveries of food and supplies for 145 residents. Medical equipment deliveries, Garbage Trucks, Landscape Maintenance, other maintenance vehicles, Visitors, and Emergency vehicles of all types driving up and down the steep grade which is the access to Parcel "Q"; sirens, engine noise, and at night, headlights. All of it is unacceptable. Ours is a quiet, safe, family residential community. RVLP is a very large commercial project. 94.4

The green space in front of the historic Corey House was purchased in 1995 by Las Palmas I homeowners for the explicit purpose of ensuring our community of families exclusive use of that grassy park. And, it is indeed utilized daily by our residents. 94.5

It is our hope and request that this project NOT be granted approval, for the reasons cited above, as well as the many major issues articulated by other concerned Las Palmas residents. The RVLP Project would only exacerbate the severe traffic congestion that already exists on highway 68, Reservation Road, River Road and the entrance to Las Palmas I. We respectfully request that the application for Riverview at Las Palmas PLN#150372 be denied and the land reserved for single family residential only. 94.6

Sincerely,

Anthony Driskill

Jocelyn Driskill

Letter 94

COMMENTER: Anthony and Jocelyn Driskill

DATE: April 23, 2018

Response 94.1

The commenter provides background information related to the project. The commenter expresses concern about the project's safety and security impacts.

Please refer to Topical Response A for a discussion of safety and security. As noted therein, the project would not result in a significant impact on police protection within the Subdivision.

Response 94.2

The commenter states that the Subdivision entrance experiences high traffic volume and traffic safety hazards. The commenter states the opinion that it would not be sensible to allow the project because it would add to the existing congestion into and through the Subdivision.

For a discussion of traffic impacts within the Subdivision, refer to Topical Response D. As noted therein, the project would not result in a substantial increase in traffic within the Subdivision or substantial increase in queues at the Subdivision entrance.

Response 94.3

The commenter states that the exit ramp from SR 68 onto River Road experiences congestion that dangerously backs up the right lane of SR 68. The commenter expresses concern about adding to this congestion.

Please refer to Topical Response D regarding potential impacts to SR 68 and Reservation Road. As stated therein, the project would result in LOS C traffic conditions at the intersections of SR 68 ramps with Reservation Road, which would be acceptable.

Response 94.4

The commenter states that project-generated traffic would disrupt the way of life for Subdivision residents.

Please refer to Topical Response C. As described therein, quality of life is not an environmental impact under CEQA. However, the Draft SEIR includes analysis of various impact areas such as noise and traffic that relate to quality of life.

Response 94.5

The commenter states that the green space in front of Corey House is utilized by Subdivision residents.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration. Further, impacts to public recreation facilities were addressed in Section 11.10, *Recreation*, of the Draft SEIR.

Response 94.6

The commenter summarizes their opposition to the project and reiterates concerns about traffic congestion. The commenter requests that the project be denied and that the project site be developed instead with a single-family residence.

The commenter's opposition to the project and preference for a single-family residence is noted and herewith shared with the County's decision makers for their consideration.

Letter 95

From: Melissa Fanning
To: Sidor, Joe (Joseph) x5262
Cc: Swanson, Brandon xx5334; Holm, Carl P. x5103; Onciano, Jacqueline x5193
Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)
Date: Monday, April 23, 2018 1:31:48 PM

To Whom it May Concern:

I am resident of Las Palmas I, and are strongly opposed to the Proposed Development of Riverview at Las Palmas (PLN#150372). This large non-residential development in Las Palmas 1 will pose traffic, noise, fire, safety and security problems in our serene neighborhood. 95.1

The scale and scope proposed for this development, coupled with its clear commercial use, are inconsistent with the residential atmosphere that Las Palmas residents chose when they located here in the first place.

I respectfully urge the developer to find alternate venue and access for his proposed facility. 95.2

This is one of the few communities left in Salinas that adults and children are able to walk, hike and utilize parks and open spaces and feel safe. This facility will take that from us. This area should not be permitted for commercial use. The homeowners should not be expected to have a commercial facility in our backyard. We bought in this community so we did not have to deal with traffic, crime, noise, etc. 95.3

This commercial facility will also cause displacement of various wildlife. 95.4

Single family homes would not create all the issues I have listed above. The area needs to remain as it was intended. 95.5

Please respond to the issues I listed above in writing.

Respectfully,
Melissa Fanning
21101 Country Park Road
Salinas, CA 93908

Letter 95

COMMENTER: Melissa Fanning

DATE: April 23, 2018

Response 95.1

The commenter states that they are opposed to the project and lists traffic, noise, fire, safety, and security as concerns.

This commenters' opposition to the project is noted and herewith shared with the County's decision makers for their consideration.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

For a discussion of wildfire impacts, please refer to Topical Response B, which includes analysis added to the Final SEIR addressing wildfire hazards. Impacts related to wildfire and fire protection would be less than significant.

Please refer to Topical Response H for a discussion of the project's potential noise impacts. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 95.2

The commenter urges the applicant to find an alternate location and access for the project.

The commenter's preference is noted and herewith shared with County decision makers for their consideration. However, as stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning classifications, and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access.

Response 95.3

The commenter states that the project would impact safety and quality of life for Subdivision residents.

Please refer to Topical Response C. As described therein, quality of life is not an environmental impact under CEQA. However, the Draft SEIR includes analysis of various impact areas such as noise and traffic that relate to quality of life.

Response 95.4

The commenter states that the project would displace wildlife.

Please refer to Topical Response G. As described therein, the project's impacts related to wildlife would be limited due to the size and placement of the project site. To reduce potential impacts to special status wildlife species, the Final SEIR includes mitigation measures, as listed in Section 4, *Amendments to the Draft SEIR*.

Response 95.5

The commenter states that developing the project site with single family homes would be less problematic than the proposed project.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Martin R. Johnson & Robin M. Mathews-Johnson, 21127 Old Ranch Court, Salinas, CA 93908 (831) 455-0622

4/23/2018

Letter 96

RECEIVED
APR 25 2018
MONTEREY COUNTY
PLANNING DEPARTMENT

Joseph Sidor, Associate Planner
Monterey County Resource Management Agency – Planning
1441 Schilling Place, 2nd Floor
Salinas, CA 93901

RE: RVPL DRAFT SEIR FOR PROPOSED DEVELOPMEMT OF RIVERVIEW AT LAS PALMAS (PLN#150372)

Dear Mr. Sidor:

We are original owners of a home in Las Palmas I, having lived in the Las Palmas Ranch Community continuously since our property was built in 1989.

Due to the negative and adverse impact on our neighborhood, we submit our strongest objections to the RVPL Draft SEIR and proposed development of Riverview at Las Palmas, as outlined below. 96.1

Please let us know if we can be of further assistance to you in this important matter.

Very truly yours,

Martin Johnson
Las Palmas I Homeowner

Robin Mathews-Johnson
Las Palmas I Homeowner

CC: Brandon Swanson, Planning Manager
Jacqueline Onciano, Chief of Planning
Carl Holm, Planning Director
Roy Gobets, Resident Las Palmas I

CEQA ENVIRONMENTAL IMPACTS INACCURATELY MINIMIZED AND MITIGATION NONEXISTANT

The Las Palmas I neighborhood is quiet, safe and aesthetically beautiful, by design. The streets are for the most part relatively narrow, and include full-width speed bumps throughout the property. The posted speed limit is 15 miles per hour on all our streets, and in many instances residents drive slower than the speed limit, in order to accommodate children playing, bicycle riders, roller bladers, baby strollers, and elderly seniors including people walking with canes and walkers, as well as walkers and runners with their pets. 96.2

In our own case, since our children have grown up, we normally walk our dogs on the streets of our community not once but twice daily, in all weather, on a year round basis. In fact, our independent-minded cat (off leash,) often follows us as we walk in the evenings, making our progress slow, but enjoyable. We and our animals are safe because traffic is quite limited, and drivers into our gated community must have a reason to be here. There is no through traffic or visitors allowed to drive on our streets without an actual reason or invitation to be here.

Only a small portion of the streets in our neighborhood have sidewalks, and street parking is quite limited, again, to allow the families who live here (and their guests,) to peacefully share our common areas, and enjoy our private homes.

The mere presence of the vehicles necessary to transport residents and staff to and from the proposed Las Palmas Assisted Living Senior Facility on a 24/7 basis when it is open year round, every day of the year, will make our (and our neighbors) current regular use of the Las Palmas I streets impossible. Furthermore, anticipated emergency vehicles plus daily vendors, independent contractors and visitors, will add to this usage of our streets and entrance area, significantly increasing traffic volume, again, 24/7.

Clearly, the CEQA environmental impacts including but not limited to aesthetics, Las Palmas I resources including roads, security staffing, curbs, policing by the Monterey County Sheriff's Dept., along with air quality, geology/soils, greenhouse gas emissions, potential increase in hazards such as carbon dioxide and other pollutants, land use and planning, noise, population, water resources, transportation and traffic will all negatively affected in our community and our use of the neighborhood as outlined above, with no viable mitigation possible or provided. 96.3

These impacts to our community are significant and have an unavoidable impact that will cause a substantial and lasting change on the physical environment, and cannot be avoided if the project is implemented.

DRAFT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT INSUFFICIENT AND INCONSISTANT ON ITS FACE

The report is flawed at its core. The environmental and use impacts on Las Palmas I and the surrounding county roads, agricultural lands (where strawberries and other crops are grown almost year round with necessary trucks, farm equipment, agricultural workers and other employees work,) along with other nearby housing, as well as the Salinas River, have not been adequately and properly vetted. 96.4

In addition, potential and serious problems have been glossed over, and in some cases, contain point blank inconsistencies and errors.

For instance, the developer asserts that they pay homeowner dues for Parcel Q on a monthly basis. This implies that they are members of Las Palmas I, with resultant legal rights including the right to vote, etc. Their assertion is untrue. It has been confirmed by our property manager that they provide a $40 per month "road maintenance," to the homeowners, but are not billed for this amount. It is further confirmed that the developer does not pay monthly dues, and is not members of our association.

It is clear that not all available information has been considered by the developer in this draft SEIR, and for that reason it should not be adopted by the county.

EXISTING EASEMENT ON LAS PALMAS I INSUFFICIENT TO SUPPORT PROPOSAL; "AN EASEMENT DOESN'T MEAN THEY CAN BUILD A FREEWAY"

A legal right to traverse the streets of Las Palmas I does not include the right to violate the intended and actual use of the property. That's what this draft SEIR does. 96.5

The easement to Parcel Q is defined as:
"A non-excusive easement for ingress, egress, road and utilities over that portion of River Run Road and Woodridge Court being a portion of Common Area Parcel C and Las Palmas Road being Common Area Parcel A as shown and designated on that Map entitled Amended Map of Las Palmas Ranch Corey House Area / Unit 1 Tract 1086A filed June 15, 1989 in Volume 16 of Cities and Towns at Page 70 in the Office of the County Records of Monterey County, California. Said easement shall be appurtenant to Parcel Q as shown and designated on the above referred to Map of Tract 1086A."

This easement was filed with the county five months before we moved into our home on Old Ranch Court in 1989. It was never intended for travel other than residential use by individual homeowners and their needed service vehicles. Our local, private roads, are just that: local and private.

Furthermore, the original development was for several (not more than three) residential homes, to fill out the housing in Las Palmas I. In fact, my husband and I recall from our personal conversations with the developer Mike Fletcher, as well as his sales staff, that he had hoped one day to build his own home at the top of the hill on Parcel Q. He declared that the rest of the property was permanent open space, and never to be developed. We relied on these assertions to buy our home. 96.6

There was never any express or implied intention that our roads would be used for anything other than personal, residential use.

Contrary to this fact, the developer asserts that Las Palmas Road, River Run and Woodridge Court were dedicated as part of the Las Palmas Subdivision with no restrictions. This is clearly in conflict with what the developer and subsequent homeowners, including ourselves, understood or intended.

Or to put it another way, this easement doesn't mean they can build a freeway!

LAS PALMAS I IS A COMMON INTEREST DEVELOPMENT, AND THIS PROPOSAL VIOLATES THE PROPERTY AND OTHER LEGAL RIGHTS OF THE HOMEOWNERS AND OUR HOMEOWNER'S ASSOCIATION

Las Palmas I is not a "typical" Salinas community or neighborhood. Instead, we are the Las Palmas Ranch Master Association, a California mutual-benefit group, also commonly referred to in layman's terms as a "Planned Unit Development," or PUD. As such we have special rights and obligations under California law. 96.7

The special nature of our neighborhood has not been addressed or adequately considered in the draft SEIR. In particular, the Covenants, Conditions and Restrictions (CC&Rs) of Las Palmas I are violated by this proposal, by 1. Not addressing them, and 2. Failing to abide by them.

This is a clear violation of the law.

For instance, we understand that the California Civil Code, Section 5300, defines, inter alia, the property rights of association members of groups such as ours as, "an ownership interest in a community's common area," who can be held personally responsible for injuries and property damage arising from the use of the common area. This is just one of the many potential risks of developing Parcel Q as proposed.

Further, and more significantly, as required by Sections 5310(a)(10) and 4765 of the California Civil Code, and as outlined in Article VI of the Master Declaration of Covenants, Conditions and Restrictions for Las Palmas Ranch Planned Unit Development, certain physical changes to a 96.8

property require Association Approval, pertaining specifically to architectural control, committee approval and design criteria.

These standards have not been met by the developer in this case, and we believe the proposed development clearly represents a violation of both California law generally with regard to associations such as ours, and our own CC&Rs specifically.

THE DEVELOPER HAS NO STANDING TO WAIVE PROPERTY RIGHTS OF LAS PALMAS I RESIDENTS

This developer is not a homeowner, and nor are they members of our Las Palmas I Homeowner's Association. Previous polls and votes taken of our residents have indicated a clear majority stand against this development. This applicant has no legal standing to waive the various and extensive property rights of our community. 96.9

THE DRAFT SEIR REPRESENTS INTERFERENCE WITH THE POSSESSORY & OWNERSHIP INTERESTS OF EACH AND EVERY HOMEOWNER IN LAS PALMAS I

The developer will in essence be exercising dominion and control over our real and personal property, and thus interfering with our rights in the property. It is clear that if this project is approved, our property rights and obligations to one another as an association will be taken away without recompense. 96.10

IT'S JUST NOT RIGHT

Finally, it is our strongly held view that the River View at Las Palmas Assisted Living Senior Facility is just not right. Not right for Monterey County. Not right for other people and ranchers living and working on River Road. Not right for Las Palmas I residents and homeowners. Not right for us. And not right for the developer's intended senior population and projected staff, no matter how nicely he describes it. 96.11

Our Las Palmas I neighborhood is quiet, safe and aesthetically beautiful, by design. For these reasons, the draft SEIR and proposed project must be denied in its entirety as unfeasible, unsafe, and inappropriate use of the land.

Thank you for your consideration.

Letter 96

COMMENTER: Martin Johnson and Robin Matthews-Johnson

DATE: April 23, 2018

Response 96.1

The commenters state that they are opposed to the project.

The commenters' opposition is noted and herewith shared with the County's decision makers for their consideration.

Response 96.2

The commenter provides a description of the Subdivision. The commenter states that project-generated traffic would impact the way that Subdivision residents are able to walk on the streets.

For a discussion of traffic impacts within the Subdivision, refer to Topical Response D. As noted therein, the project would not result in a substantial increase in traffic within the Subdivision.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 96.3

The commenter states that the project would have environmental impacts to the resource areas identified by CEQA. The commenter states that impacts to the Subdivision community would be significant and unavoidable due to changes to the physical environment.

Environmental impact analysis under CEQA generally pertains to the environment itself, rather than community members. Refer to each impact area of the Draft SEIR for the findings of significance that describe whether or not the project would result in significant impacts. The Draft SEIR identified two significant and unavoidable impacts: project-level traffic impacts to SR 68, and cumulative traffic impacts to SR 68. Refer to Section 9.0, *Transportation & Traffic*, of the Draft SEIR for an analysis of the project's traffic impacts and the mitigation measures designed to reduce traffic impacts.

Response 96.4

The commenter states the opinion that the Draft SEIR is flawed due to inconsistencies, errors, and insufficient analysis. The commenter states, as an example, that the Draft SEIR asserts that the applicant pays monthly LPHOA dues, inaccurately implying that they are members of the Subdivision community.

Page 4-17 of the Draft SEIR states that the project applicants are members of the LPHOA, have paid dues to the association, and would pay a proportionate share for the use of the roads and the drainage system. As noted in Topical Response I, page 4-6 of the Draft SEIR has been revised to clarify that an agreement would be required between the LPHOA and the project applicants, who own the project site, to clarify cost-sharing and responsibilities. This includes connection to stormwater drainage facilities, road maintenance , and cost-sharing for private security service.

Response 96.5

The commenter states that the easement for the project site only allows for residential use by individual homeowners, and that the roads are local and private.

Please refer to Topical Response I. As noted therein, a written agreement between the LPHOA and the applicant would be necessary in order to clarify cost-sharing and responsibilities associated with the streets that are under the control of the LPHOA. Such an agreement is not currently in place. It is outside of the scope of the Draft SEIR to facilitate an access agreement between the applicant and the LPHOA.

Response 96.6

The commenters state that the project site was intended to be developed with no more than three residences.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 96.7

The commenters state that the Draft SEIR does not account for the special rights and obligations that Subdivision residents have under state law as a Planned Unit Development. The commenters state that the members of the Subdivision homeowners association are responsible for injuries and property damage arising from use of the "common area," and that risk is not addressed in the Draft SEIR.

The comment is noted; however, property rights and property values are not considered environmental impacts under CEQA. Therefore, no further response is required. Regarding property damage, please refer to Topical Response A for a discussion of safety and security. As noted therein, the project would not result in a significant impact on police protection within the Subdivision.

Response 96.8

The commenters state that, pursuant to Sections 5310(a)(10) and 4765 of the California Civil Code, and as outlined in Article VI of the Master Declaration of Covenants, Conditions and Restrictions for Las Palmas Ranch Planned Unit Development, certain physical changes to a property require LPHOA Approval.

An agreement would be required between the applicant and the LPHOA regarding shared costs and responsibilities, as discussed in Topical Response I.

Response 96.9

The commenters state that the applicant is not a member of the LPHOA, and that the Subdivision residents oppose the project. The commenter states that the applicant has no legal standing to waive the property rights of the Subdivision homeowners.

Page 4-17 of the Draft SEIR states that the project applicants are members of the LPHOA, have paid dues to the association, and would pay a proportionate share for the use of the roads and the drainage system. As noted in Topical Response I, page 4-6 of the Draft SEIR has been revised to clarify that an agreement would be required between the LPHOA and the project applicants, who

own the project site, to clarify cost-sharing and responsibilities . This includes connection to stormwater drainage facilities, road maintenance, and cost-sharing for private security service.

The commenter's suggestion that Subdivision residents oppose the project is noted, and is herewith shared with County decision makers for their consideration.

Response 96.10

The commenters state that the project would involve the applicant "exercising dominion and control over our real and personal property." The commenters state that project approval would amount to taking away the rights of the LPHOA.

The commenter's opinions are noted and herewith shared with County decision makers for their consideration.

Response 96.11

The commenters state the opinion that the project is "not right" for the surrounding community.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Ron Provost & Linda Ipong
17523 Sugarmill Road
Salinas, CA 93908

April 23, 2018

Letter 97

Mr. Joseph Sidor, Associate Planner (via email: sidorj@co.monterey.ca.us)
Mr. Brandon Swanson, Planning Manager (via email: swansonb@co.monterey.ca.us)
Monterey County Resource Agency – Planning
1441 Schilling Place, Second Floor
Salinas, CA 93901

Re: Riverview at Las Palmas (PLN#150372) - Senior Facilities

Dear Mr. Sidor and Mr. Swanson;

We write this letter as residents of Las Palmas Ranch I. We have lived at Las Palmas Ranch for 28 years. We oppose the proposed development of Riverview at Las Palmas for several reasons some of which are stated below in response to the draft SEIR. 97.1

1. The Las Palmas Ranch Specific Plan

This large proposed non-residential development is inconsistent with the Las Palmas Ranch Specific Plan ("Specific Plan") and the peaceful rural residential nature of the Las Palmas community. The Las Palmas Ranch neighborhood is a quiet community designed according to and subject to the Specific Plan. As with all new subdivisions, a lot of hard work was done to create the Specific Plan. The Specific Plan provides a plan for open space and rural neighborhoods -- to allow for children playing, people walking dogs, residents enjoying the peacefulness of this rural neighborhood, and the natural surroundings of wildlife. The Specific Plan sought to cluster the residential units in specific locations with low visual impacts and retain the remainder of the Las Palmas Ranch planned area as open space, including the frontal slopes and ridgelines. The proposed development is a drastic change to the Specific plan. The proposed development is for commercial facilities similar to multi-residential facilities. Introducing a large senior residential care facility on this visually prominent site was never contemplated in the Specific Plan. 97.2

Under the Specific Plan, the maximum build out of Las Palmas Ranch planned community was 1031 homes. Today there are 1029 homes built for the area covered by the Specific plan. The Las Palmas Ranch has now been built out accordingly, and the Specific Plan should be followed without changes. In addition, the proposed changes to the Specific Plan would create a dangerous precedence for drastic changes to an already established neighborhood.

We request that the Specific Plan be enforced without any changes or amendments.

2. Traffic Impact

The Traffic impact resulting from the proposed development would be detrimental to the Las Palmas Ranch neighborhood. The SEIR confirms and acknowledges that the main corridor to the Las Palmas Ranch is Highway 68, which has been determined to be congested and operates at a level of LOS F, the lowest level. In addition, the SEIR states that the River Road sections for the Las Palmas subdivisions operate as a C and D level. The added traffic will further stress these levels. This roadway also provides access to large slow moving farming equipment as well as large agricultural vehicles. The added traffic will also cause additional risk for vehicle accidents. 97.3

The additional traffic for the proposed development includes the residents of the 26 individual units ("casitas") plus visitors, home care personnel, home service providers, such as landscapers, housekeepers, etc., as well as doctors, personal representatives, medical supply delivery. The facilities will need to be supplied with delivery

services of all types, emergency services, and ambulance calls. All of which will dramatically increase traffic and noise within the housing area surrounding the development.

The SEIR fails to provide a detailed analysis of the traffic impact within the streets of the Las Palmas Ranch subdivision. The entrance to the subdivision consists of a one lane entry. It is anticipated there will congestion of traffic into the subdivision, causing backups at the single entry to Las Palmas Ranch along River Road. This intersection has been the site of 20 collisions between 1998 and February 2017, with at least one fatality, and additional traffic generated by the proposed development will certainly increase the risk.

Further, the neighborhood streets on the Parkside section of Las Palmas Ranch serves as the entry way to the proposed development. The streets on Parkside are narrow and winding, with certain roads ending and closed off resulting in drivers to have to turn around on the narrow roadways and back track out. Drivers could easily get confused and wander through the neighborhood aimlessly, causing more congestion within the neighborhood.

The alternative methods stated under the SEIR, such as alternative peak time work hours or providing shuttle services are not sufficient. These simply add to the stressed traffic issues.

The SEIR states in section 15.1 that the traffic impact is significant and that it is unavoidable. However, it is avoidable by not approving the proposed development and the proposed changes to the Specific Plan.

For the above reasons, the proposed changes to the Specific Plan should be denied and the proposed development rejected.

3. Aesthetics

The River Road and Highway 68 corridors are deemed scenic roadways/corridors and visually sensitive areas. The added traffic congestion will impact the scenic roadways along the River Road section. The proposed multi-story facilities will be visible throughout the roadways and cities. The ridgeline will not be protected even with proposed vegetation due to the enormous size of the facilities. 97.4

The Las Palmas Ranch homeowners maintain the subdivision at great costs and effort. The roadways, parks and infrastructure are all maintained by the homeowners through their Homeowners association. The owner of Riverview property pays for a road maintenance fee for the portion of roadway from the entry of the subdivision to their property, but it is not a member of the HOA and does not pay to maintain the subdivision as stated in the SEIR.

For these reasons, the proposed changes to the Specific Plan should be denied and the proposed development rejected.

4. Light

There will be substantial and significant light and glare impacts to the adjacent subdivision as well as the surrounding public areas. The proposed development is large, consisting of tall and large 2-story and 3-story facilities, sitting on a prominent ridge above the Las Palmas neighborhood, River Road and Highway 68, designated scenic corridors. The light from the Project will be visible throughout the surrounding areas and the night sky will no longer be naturally dark. The facility will be well lit for its operations and the lights will remain on all night. This is a substantial change from the natural darkness of the site, as it exists. A lighting plan does not adequately address the significant impact. 97.5

5. Growth Inducing

The proposed development is clearly growth inducing beyond what was approved and anticipated in the Specific Plan. It is placing increased growth in an area inconsistent with the Specific Plan. The services and facilities needed for this type of proposed development is best suited to be within the city limits where certain medical and hospital facilities and other required services are located. For this reason, we request that the change to the Specific Plan be denied and the proposed development be rejected 97.6

6. Irreversible Impacts

The SEIR states that there are no irreversible impacts. Having lived here for many years, we have been aware that the developer of Las Palmas Ranch experienced a significant slide during construction work done next to the park located at the end of the canyon, in close proximity to the proposed development site. Our concern is the potential for additional slide damage to occur for a project of such magnitude as this proposed development. For this reason, we request that the change to the Specific Plan be denied and the proposed development be rejected. 97.7

7. Noise

It is anticipated that the noise level of the neighborhood will increase significantly due to the large size of the proposed development as well as the number of people that will be utilizing the development. The SEIR fails to provide an analysis of the impacts to the noise level. The increased noise level is further impacted by the statement in the SEIR that over 80 mature trees will be removed. For this reason, we request that the change to the Specific Plan be denied and the proposed development be rejected 97.8

CONCLUSION

The impacts of the proposed development will be significant and detrimental to the surrounding area and the subdivision below, in particular, due to the impacts of the increased traffic, light, noise, potential irreversible construction effects, and overall incompatibility of the surrounding area and the Specific Plan. We request that the proposed changes to the Specific Plan be denied and the proposed development be rejected.

Respectfully,

Ron Provost

Ron Provost

Linda Ipong

Linda Ipong

Letter 97

COMMENTER: Ron Provost and Linda Ipong

DATE: April 23, 2018

Response 97.1

The commenter states that they are opposed to the project.

This commenters' opposition to the project is noted and herewith shared with the County's decision makers for their consideration. The commenter's individual concerns are listed and responded to below in the subsequent numbered comments.

Response 97.2

The commenter states that the project is inconsistent with the LPRSP, which was intended to design the neighborhood with clustered residential units, limited visual impacts, and open space. The commenter states that the Plan Area is nearly built out, with 1,029 of a maximum 1,031 homes built.

Regarding consistency with the LPRSP, refer to Topical Response C. As noted therein, the project would be consistent with LPRSP policies and the residential unit cap for the LPRSP Plan Area is not applicable to the proposed project because the project is not residential.

Response 97.3

The commenter states that the area's roadways are already congested and are used by large agricultural vehicles, and thus adding more traffic would cause traffic safety hazards. The commenter states that the Draft SEIR does not analyze traffic impacts at the Subdivision entrance or within the Subdivision's roads.

Please refer to Topical Response D. As described therein, the project would not result in a significant impact related to traffic safety. Additionally, the project would increase inbound traffic at the gate by an estimated 16 percent. However, this increase in traffic would not substantially increase queuing at the Subdivision entrance. An additional westbound entrance lane at the gate would not be needed, and queuing vehicles would not obstruct vehicles from turning left onto Winding Creek Road. Therefore, the project would have a less than significant impact on traffic circulation related to the Subdivision entrance.

Response 97.4

The commenter states that the project would impact the views along the SR 68 and River Road, which are designated scenic roadways. The commenter states that the Draft SEIR incorrectly identifies the applicant as a member of the LPHOA that pays to maintain the Subdivision.

Please refer to Topical Response F regarding views from scenic highways. As stated therein, impacts would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting.

Page 4-17 of the Draft SEIR states that the project applicants are members of the LPHOA, have paid dues to the association, and would pay a proportionate share for the use of the roads and the drainage system. As noted in Topical Response I, page 4-6 of the Draft SEIR has been revised to

clarify that an agreement would be required between the LPHOA and the project applicants, who own the project site, to clarify cost-sharing and responsibilities . This includes connection to stormwater drainage facilities, road maintenance, and cost-sharing for private security service.

Response 97.5

The commenter states that the project would result in light and glare impacts to the Subdivision and the surrounding area.

Please refer to Topical Response F, which discusses impacts of the project's lighting on night sky views. As described therein, mitigation is required to reduce lighting impacts to a less than significant level.

Response 97.6

The commenter states that the project would induce growth beyond the levels anticipated by the LPRSP. The commenter states the opinion that the proposed senior living center would more appropriately be built within the limits of a City.

Please refer to Topical Response C regarding growth inducement. As stated therein, while the proposed project would indirectly result in business and population growth due to the increased local investment from revenues generated by the project, projections of any potential growth would be speculative.

Refer to Response 8.11 for a discussion of the appropriateness of the project site for a senior assisted living facility.

Response 97.7

The commenter states the Draft SEIR lists no irreversible impacts. The commenter states that "slides" have occurred in the area, and that the project's construction activities may result in more damages from slides.

Irreversible impacts are discussed in Section 16.0, *Irreversible Impacts*, of the Draft SEIR.

The Draft SEIR discusses landslides in Section 11.4, *Geology & Soils*. As noted therein, a geologic hazards report and soil engineering feasibility investigation was prepared for the project (see Appendix F of the Draft SEIR), and impacts related to geology and soils were determined to be less than significant. The project's building envelope would be within a geologically suitable location to avoid environmental impacts related to landslides. For further discussion, refer to Topical Response E.

Response 97.8

The commenter states that the project would increase noise levels in the Subdivision, and that the Draft SEIR does not analyze noise impacts. The commenter states that tree removal would exacerbate noise impacts. The commenter provides additional summary of their previous comments.

Please refer to Topical Response H for a discussion of the project's potential noise impacts. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Rachel Sullivan
21084 Country Park Road
Salinas, Ca 93908

Letter 98

April 23, 2018

Joseph Sidor
Associate Planner Monterey County RMA-Planning
Second Floor
1441 Schilling Place,
Salinas, CA 93901

Hello Joe,

I am writing to let you know that I am in opposition the proposed project in Las Palmas 1. Las Palmas 1 is a neighborhood that is very quiet, safe and offers a beautiful environment to live in. This is why I chose to live here. I am very concerned about the added traffic, pollution and noise level the new development would cause our neighborhood. Not to mention, the concern of so many service vehicles, ambulances and strangers driving in and out of LP1, daily. I also do not want all the beautiful trees to be cut down and be replaced with a bunch of buildings. My house backs right up to the proposed developments and I do not want my privacy to be taken away. It is with these concerns that I hope this project will be moved to another location. 98.1

Thank you,

Rachel Sullivan

Letter 98

COMMENTER: Rachel Sullivan

DATE: April 23, 2018

Response 98.1

The commenter states that they are opposed to the project. The commenter states that the project would add traffic, pollution, would remove trees, and would impact the privacy and the safe/quiet atmosphere of the Subdivision.

This commenters' opposition to the project is noted and herewith shared with the County's decision makers for their consideration.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Please refer to Topical Response H for a discussion of the project's potential noise impacts. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Please refer to Topical Response C. As described therein, quality of life is not an environmental impact under CEQA. However, the Draft SEIR includes analysis of various impact areas such as noise and traffic that relate to quality of life.

Letter 99

From: Stephanie Trost
To: Sidor, Joe (Joseph) x5262
Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)
Date: Monday, April 23, 2018 8:53:14 PM

Dear Mr. Sidor,

I am very concerned about the above proposed project. Its use of Las Palmas 1 public roads will create unacceptable traffic, safety, and security problems for our established neighborhood. Further, the large number of housing units proposed for this development, coupled with its clear commercial use, are inconsistent with the residential atmosphere that Las Palmas residents chose when they moved here in the first place. Please reference the original Las Palmas Specific Plan, and you will see the discrepency between the original plans for our community and this proposed calamity. 99.1

I respectfully urge the developer to find an alternate venue and alternate access for his facility. 99.2

Please respond to the issues listed above, in writing.

Respectfully,

Stephanie Trost
17768 Riverbend Rd
Salinas, CA 93908

Letter 99

COMMENTER: Stephanie Trost

DATE: April 23, 2018

Response 99.1

The commenter states that the project would result in impacts related to traffic, safety, and security. The commenter states that the project's large number of housing units is inconsistent with the residential atmosphere of the Subdivision, and is not consistent with the LPRSP.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 99.2

The commenter urges the applicant to find an alternate location and access for the project.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning classifications, and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access.

Letter 100

From: Richard Yraceburu
To: Sidor, Joe (Joseph) x5262
Cc: Swanson, Brandon xx5334
Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)
Date: Monday, April 23, 2018 1:10:23 PM

Hello Mr. Sidor,

I am an original home owner on Woodridge Court since it was built in 1990. The proposed Riverview project raises a lot of concerns for our beautiful Las Palmas 1 community. Our roads are narrow and we can not park on them due to emergency access, an increase in vehicle traffic will create, road damage, safety and security problems 24 hours a day. 100.1

The large number of units proposed is inconsistent with Flecher Construction's development plan and why we purchased homes in Las Palmas Ranch 1. There were "NOT" any commercial businesses within our development. I strongly urge the developer to find another site and access for his facility. There are a lot of sites zoned commercial in Monterey County. 100.2

Please respond to my issues I listed above in writing. Thank you.

Respectfully,
Richard Yraceburu,
Home owner

Sent from Mail for Windows 10

Letter 100

COMMENTER: Richard Yraceburu

DATE: April 23, 2018

Response 100.1

The commenter states that they are opposed to the project. The commenter states that project-generated traffic would damage the Subdivision's roads and cause safety and security problems.

This commenters' opposition to the project is noted and herewith shared with the County's decision makers for their consideration.

For a discussion of traffic impacts within the Subdivision, refer to Topical Response D. As noted therein, the project would not result in a substantial increase in traffic within the Subdivision. Additionally, mitigation is required to reduce impacts to road surfaces to a less than significant level.

Please refer to Topical Response A for a discussion of security. As noted therein, the project would not result in a significant impact on police protection within the Subdivision.

Response 100.2

The commenter states that the project is inconsistent with Flecher Construction's development plan.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Letter 101

From: Javier Aldape
To: Sidor, Joe (Joseph) x5262
Cc: Swanson, Brandon xx5334; Onciano, Jacqueline x5193; Holm, Carl P. x5103; roygobets@aol.com
Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)
Date: Tuesday, April 24, 2018 7:24:50 AM

Gentlemen: I am resident of Las Palmas and strongly opposed to the Proposed Development of Riverview at Las Palmas (PLN#150372). This community was chosen by the residents as a quiet, safe and relatively dark haven from the Salinas proper area. . However, this large non-residential development is inconsistent with the Las Palmas community core values. I. Traffic: • River Road Traffic: The stop light at LP1 entrance has seen 20 accidents over the last 10 years. One 4-year old child has already died by a texting drunk-driver. I personally observed one accident. Additional traffic for the “Parcel Q” will aggravate this situation. • Potential Accidents: Currently, the curve blocking the visual to the LP1 light going South, allows only 4-5 seconds (traveling at 55 mph) before reaching the intersection. This short distance is suspected as the cause of several accidents at this point. If the proposal goes through, any celebrations with family members over holidays and family events at “Parcel Q” will significantly increase the traffic load and potential for blood shed. • Security Stops: Traffic already backs up into the River Road exit lane at peak times due to our security check point. Adding 50-90 cars and construction vehicles a day will increase the potential for further traffic congestion and accidents. • Emergency Situations: God forbid, the potential for a conflagration erupting on the south end of the canyon would necessitate immediate evacuation of all members of the community. A NW wind driven fire could spread exponentially in these closely packed houses as seen in recent fires in northern and southern California. There are 2 exits to get out for over 300+ homes plus the emergency vehicles, potential staff and patients! • Construction Traffic: The traffic generated by the construction phase will be extremely problematic. This quiet valley is nestled between two large hill sides. Any construction traffic noise would be echoed off the hills. Construction and delivery equipment would need to climb a steer entrance road at low gear. Any subsequent grading equipment will emit a loud back up beeping noise that will be heard from all LP1 units. This constant and increased traffic would irrevocably alter the safe, peaceful nature of the community. • Commercial Traffic: The proposed development would bring increased emergency fire and ambulance calls as both are required to attend. These will bring unwanted noise and light pollution at all hours of day and night. Any commercial vehicles -- food deliveries, medical waste, trash, linen, etc., -- and potentially 90+ employee vehicles will funnel through a narrow street originally designed for residential traffic. II. Security • Security of the neighborhood would be compromised by this unwarranted, greedy assault on LP1 community. As this will open the neighborhood to non-residential traffic, we fear an increase in crime that has decreased since installation of LP1 security personnel. There is no way to regulate this increased traffic and guarantee the security of the neighborhood. This is a real concern. III. The Proposed Non-Residential Development is Inconsistent with the Existing Residential Community • Under The Las Palmas Plan and Monterey County Plan, Las Palmas Community was approved and developed as a rural residential neighborhood. • This parcel is zoned "medium density residential," at 2.61 units per acre. Under the Las Palmas Plan this parcel was specifically approved for 8 units total. The developer now seeks a "conditional use permit" to allow development of a non-residential facility with a total of 105 units. This is inconsistent with The Las Palmas and Monterey County Plans. • The developer seeks to circumvent these plans by requesting an amendment for a non-residential use. Specifically, the developer asks you approve an amendment with the following language; “Assisted living facilities are not considered residential units (and should not be) subject to the residential limitation of the (Las Palmas) Plan.” An assisted living facility is not a residential use, because it does not operate or function in a manner like independent residential units. • Las Palmas is a highly desirable residential community with stable property values. Residents fear the loss of their investment potential from a rush to get out of LP1 due to the nature of this development. Several friends have moved out fearing this project. • To approve this amendment to the Las Palmas Plan and to allow development of a non-

residential Assisted Living Facility with 105 units, and all the commercial traffic, deliveries, medical waste, employees, visitors, and resulting security and safety concerns would unalterably destroy the rural residential nature of our community. IV Intrinsic Values: Development of this size will alter our environment. • The location in question has 80+ eucalyptus trees that will be removed under current plan. These provide reduction in wind, ridgeline exposure and Hwy 68/RR sound abatement. • Moreover, these 70+ year old eucalyptus trees are home to several generations of Red Tailed Hawks and Great Horned Owls. Last year we had an overabundance of Vols (large field mice) which were running around even in daylight. These essential predators were active in Vol reductions. Watching these great birds soar and perform aerial ballets over our hillsides is unmatched in Salinas proper. • Bobcats and deer live up on the hillsides and flats of the area in question. Last year one female bobcat brought her 3 cubs out into our common area multiple times. This was a delight of all who caught this rare event. One mother deer has birthed 5-6 pairs of babies over the last few years and we have watched them grow into adulthood. • Destabilization of the steep hillsides in question is a serious threat to mudslides. We have experienced similar abundant rain-slide events even without any development activity. • There is a sense of fear in LP1 that is unparalleled in my 15 years in the community. • Would you want this development to go forward next door to your home? • Light Pollution: We currently are able to view changing of the planets and star constellations due to our unpolluted dark areas. This will stop under the PLN#1500372. • Noise: A friend who worked to help develop a similar nursing home in Hollister indicated the potential of “Screamers” being heard in the night is real. She later regretted helping this proposal from just this perspective. • Smells: As this proposed facility will generate substantial numbers of meals, we will not enjoy sharing their menus due to prevailing winds. I request you please carefully evaluate these issues when considering this proposed development. This shell game should not be approved. Thank you for your consideration, Sincerely, Mr. and Dr. Aldape

Letter 101

COMMENTER: Javier Aldape

DATE: April 24, 2018

Response 101.1

The content of this letter is the same as the content of Letter 29. Please refer to Responses 29.1 through 29.11 above.

Received by RMA-Planning
on April 25, 2018.

Letter 102

To: Sidorj@co.monterey.ca.us

CC: swansonb@co.monterey.ca.us , roygobets@aol.com

SUBJECT: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Date: 4/24/18

TO: Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901

(831) 755-5262

FROM: Mark Miller
21176 Old Ranch Court
Salinas, CA 93908

H: 831-455-9855, C: 831-915-3446

Dear Mr. Sidor,

I am writing to express my concern about and my disapproval of the proposed Development of Riverview at Las Palmas (PLN#150372).

102.1

Our family has lived in this neighborhood for almost 11 years now. We bought a house here for a variety of reasons, but most importantly this area was everything we wanted as we strove to provide a family home for our children: a safe environment, streets surrounded by other homeowners who cared about their property and their neighbors, an area that was free of visual, noise, air, and traffic pollution – and simply put, a place we could invest in to live a quality of life that we had desired.

In the time we have lived in Las Palmas, I could not be happier. I've seen our neighbors come together and vote on important safety measures, like placing a guard and gate at the entrances to this neighborhood. We talk to many of our neighbors on a daily basis, as we are close to one of the several parks in our neighborhood and we see them on their daily walks on the streets and up to the park near our house. In a span of 6 houses on our street, there are 8 lovely little girls (2 of them mine) who are now best friends and play daily in our front yards, in the streets, and in the adjacent park. Our children run, jump, climb trees, and ride scooters, bikes, and skateboards all along the end of this cul-de-sac. Stroll into our neck of this neighborhood on almost any day after school or on a sunny weekend day, and you will be fortunate to see near our house the type of neighborhood that Normal Rockwell might have modeled a painting after: kids and parents alike out in their yards enjoying the community of neighborhood.

For these reasons, I am very concerned about how the proposed Development of Riverview at Las Palmas project might change our neighborhood in significant ways.

SAFETY – TRAFFIC & ROBBERIES: First and foremost, I am concerned about safety in this neighborhood. With increased traffic into this area, I am concerned that more people will drive into our neighborhood – and not up to the proposed area of development. Ask our guard and you will learn how many people he has to turn away as they are either a) looking for the wrong place, or b) simply lying about knowing somebody here as they want to drive through the neighborhood to scout the area. We have been able to reduce the amount of robberies and crime with the installation of a guard and gate. However, as more people enter this area, more and more people will want to (and possibly be able to) gain access to driving on our peaceful streets. Recently, I spotted a suspicious vehicle (and reported to the Sheriff, who did follow up on my concern), about a car who was scouting our neighborhood in the early mornings, pointing what was mostly likely a universal remote control for garage doors, testing to see what he could open. We do not need more of that in our neighborhood. We need fewer of these types of incidents. With more people driving into the main entrance of LP1 and the proposed development, there will be more people who will know about our neighborhood and who will want to gain access. 102.2

I am also concerned that people will enter our neighborhood instead of the new development and will not adhere to the strict speed limit of 15 miles per hour. We have many children in this neighborhood, and while their parents make their best effort to teach them to not run into the road, most young children don't really heed that warning. Neighbors here know to slow down. Other folks who are not from the neighborhood often cruise our streets in excess of 25 miles per hour and pose a real danger to children who might run out into the street.

SAFETY – FRONT ENTRANCE CONGESTION: Another grave safety concern is that traffic entering the front gate of Las Palmas will become increasingly dangerous. Recently, I turned into Las Palmas Road off of River Road and had to slow down significantly as there were 3 or 4 cars backed up at the guard entrance. Luckily, I had slowed to a reasonable speed and had no problem braking appropriately. However, with more people coming into the same entrance area to access the proposed new development, I am convinced that traffic coming off River Road onto Las Palmas Road will become backed up on a regular basis. And people coming here to visit might not have the sense to come into our neighborhood at a cautious speed. I can only imagine the number of accidents that could occur as a vehicle comes speeding around the corner and slamming into backed up vehicles at our entrance. I will refer you to the concerns originally expressed in the DSEIR: 102.3

From "DSEIR_PLN150372_Appendix B" under "2.3.1.1 Dangerous Intersection" (page 12) as part of the "Homeowners Assessment": "The entrance into Las Palmas Road from River Road will be heavily congested. Entering traffic, waiting for clearance from the guard shack, will back up into the deceleration lane on River Road and pose serious collision hazards."

Note that the three areas which received a grade of "Significant" Residual Impact on the "DSEIR_PLN150372_2_0_Summary" on Page 2-4 are all concerned with Transportation and Traffic, so there are other concerns regarding the impact of traffic to and in this neighborhood:

Summary Table page 2

Area of Concern	Significant Impact	Mitigation #	Mitigation Measure Summary	Residual Impact
Biological Resources	Potential loss or disturbance of western red bat.	BIO-4	Conduct pre-construction surveys.	Less than Significant
Biological Resources	Potential loss or disturbances of nesting birds.	BIO-5	Conduct pre-construction surveys.	Less than Significant
Transportation & Traffic	Add vehicle trips to SR 68.	TRA-1	Schedule shift changes outside morning and evening peak hours.	Significant
		TRA-2	Development shuttle service program.	Significant
Transportation & Traffic (Cumulative)	Add cumulative vehicle trips to vicinity intersections.	CTRA-1	Pay TAMC and Monterey County traffic impact fees.	Less than Significant
Transportation & Traffic (Cumulative)	Add cumulative vehicle trips to SR 68.	TRA-1, TRA-2, CTRA-1	"	Significant
Energy	Increased energy consumption.	ENG-1	Demonstrate how the project is consistent with the energy conservation policies of the Las Palmas Ranch Specific Plan.	Less than Significant

POLLUTION:

1) Visual Pollution: Without a doubt, the visual serenity of this neighborhood will be severely impacted by the addition of structures on the hills behind Las Palmas I. That, and the privacy of homes here will be affected by the views down the hill at our residences from the structures above. 102.4

2) Noise Pollution: Construction of new structures will proceed over a lengthy time. This means noise pollution from construction crews and traffic from large trucks into the area. Once completed, our neighborhood will have to endure increased noise from the added number of people living in these facilities, as well as the hum of machinery to operate those buildings – and the noise of traffic in and out of these facilities. 102.5

3) Air Pollution: During construction, dust and dirt will affect the air quality here. I have one daughter who suffers from asthma and my wife suffers badly from seasonal allergies. Added particulates in the air during construction of this new project will adversely affect the quality of health of members of my family, as I'm sure it will affect all others in our neighborhood. 102.6

For these reasons, I strongly urge the developer to find an alternate venue and access for his proposed facility. And I urge you to listen to the sincere concerns of people living in Las Palmas.

Respectfully,

Mark Miller
21176 Old Ranch Court

Letter 102

COMMENTER: Mark Miller

DATE: April 24, 2018

Response 102.1

The commenter provides a description of the Subdivision, and expresses concern that the Subdivision could change the neighborhood atmosphere.

As described in Topical Response C, neighborhood fit is not an environmental impact and is not directly analyzed in the Draft SEIR.

Response 102.2

The commenter expresses concern that project-generated traffic could increase criminal activity and unsafe driving in the Subdivision.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Response 102.3

The commenter describes existing congestion at the Subdivision entrance, and states that the project would exacerbate this problem. The commenter cites traffic comments from a report prepared by the Owners Subcommittee of Las Palmas I Subdivision. The commenter also notes that the Draft SEIR identifies significant traffic impacts.

Please refer to Topical Response D for a discussion of queuing concerns (congestion) at the Subdivision's entry gate. As noted therein, the project would increase inbound traffic at the gate by an estimated 16 percent. However, this increase in traffic would not substantially increase queuing. An additional westbound entrance lane at the gate would not be needed, and queuing vehicles would not obstruct vehicles from turning left onto Winding Creek Road. Therefore, the project would have a less than significant impact on traffic circulation related to queuing.

Response 102.4

The commenter states that the project would impact the visual serenity of the neighborhood and would reduce the privacy of Subdivision homes that would be visible from the proposed senior assisted living facility.

Please refer to Topical Response F regarding visual impacts. As stated therein, impacts would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting.

Response 102.5

The commenter states that project construction, project operation, and project-generated traffic would result in noise impacts.

Please refer to Topical Response H for a discussion of the project's potential short- and long-term noise impacts, including traffic noise impacts. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 102.6

The commenter states that project construction would add particulates to the air that would affect the health of Subdivision residents.

Suspended particulate matter emissions (including airborne dust during construction) are discussed in Section 6.0, *Air Quality*, of the Draft SEIR. As described therein, construction of the project would expose nearby residences to particulate matter emissions from the use of off-road equipment as well as large diesel-fueled trucks. Mitigation Measures AQ-1, AQ-2, and AQ-3 are required to reduce this impact to a less than significant level. These three measures require, respectively, the inclusion of dust control measures in the project's grading plan, appointment of a site monitor, and maintenance of equipment for low emissions. For a full description of particulate matter emissions and mitigation measures, refer to Section 6.0, *Air Quality*, of the Draft SEIR.

April 24, 2018

Letter 103

Mr. Joseph Sidor, Associate Planner
(Sidorj@co.monterey.ca.us) 831-755-5262
Monterey County RMA – Planning Second Floor
1441 Schilling Place
Salinas, CA 93901

Cc: Brandon Swanson, Planning Manager, Swansonb@co.monterey.ca.us
Roygobets@aol.com, Roy Gobets, 21056 Country Park Road, Salinas, CA 93908

Subject: **RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)**

Dear Mr. Sidor:

As a concerned homeowner in Las Palmas 1, I want to register my opposition to the proposed project and development of Riverview at Las Palmas. Its planned use of Las Palmas 1 roads will bring about unacceptable traffic, safety and security problems in our peaceful neighborhood. Plus, the large number of housing units and commercial use are inconsistent with the residential atmosphere that we residents chose and were promised when we located here. 103.1

Suburban paradise is what the Las Palmas Ranch developers promised, with our cluster of a neighborhood surrounded by open hillsides and nature. That's what we got in 1994 when we moved here. 103.2

Now it is all threatened by the proposed development on the hillside, just yards away from homes.

With a staff of 90, there will be such noise from car engines, horns, emergency sirens, visitors plus traffic problems will show up not only in our neighborhood but on adjacent roads including River Road and Highway 68.

Our homeowners association purchased the open space at the entrance to Las Palmas 1 for additional cushioning of a place for the visual enjoyment and use by homeowners, a place for children to play. Hundreds of vehicle trips in and out of our development daily to the commercial development would create an unsafe situation for children to cross and enjoy this feature.

Thank you for your consideration for our neighborhood concerns. I request that the application for PLN#150372 be denied and the land used for a residential or more compatible use fitting within the Las Palmas General Plan and the unique setting of our Las Palmas 1 development. 103.3

Sincerely,

David Nordstrand

David Nordstrand
17519 Sugarmill Road
Salinas, California
831-455-2877

RECEIVED
APR 25 2018
MONTEREY COUNTY
PLANNING DEPARTMENT

Letter 103

COMMENTER: David Nordstrand

DATE: April 24, 2018

Response 103.1

The commenter states that they are opposed to the project, and lists traffic, safety, security, and land use inconsistency as concerns.

This commenters' opposition to the project is noted and herewith shared with the County's decision makers for their consideration.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 103.2

The commenter states that the project-generated traffic would cause noise and traffic safety impacts, including impacting the safety of children playing in the Corey Park open space.

Please refer to Topical Response H for a discussion of the project's potential noise impacts. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

Regarding traffic along Corey Park, please refer to Topical Response D. As noted therein, the proposed project would not substantially increase safety hazards for pedestrians and bicyclists, including people accessing Corey Park.

Response 103.3

The commenter requests that the project be denied and that the land be used for a purpose that is more compatible with the residential setting.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

April 24, 2018

Letter 104

Mr. Joseph Sidor, Associate Planner
(Sidorj@co.monterey.ca.us) 831-755-5262
Monterey County RMA – Planning, Second Floor
1441 Schilling Place
Salinas, CA 93901

Cc: Brandon Swanson, Planning Manager, Swansonb@co.monterey.ca.us
Roygobets@aol.com, Roy Gobets, 21056 Country Park Road, Salinas, CA 93908

Subject: **RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)**

Dear Mr. Sidor:

As a homeowner in Las Palmas 1, I am writing to express my opposition to the proposed development of Riverview at Las Palmas commercial operation. 104.1

Our tightly clustered neighborhood lies in an amphitheater-like setting, surrounded by rolling hillsides and nature. Sounds in such a situation are a great concern. With an elderly mother in a similar facility in Sonoma County, I've spend a good amount of time (and discussion with my mother) observing the impacting traffic--large staffs with varying schedules, delivery trucks, ambulances, family visitors with multiple siblings and cars coming to visit or take resident seniors out for fun, the institution's excursion vehicles and buses for residents' trips to doctor offices or for fun rides, Ubers and taxis, and the unending ambulance and firetruck sirens as senior residents fall ill at all hours of the day and night. 104.2

The impact of this proposed development is not a good fit with our neighborhood's layout, tiny residential streets, and guarded entry situation. Our safety and security problems would be increased. 104.3

From Google Earth photos, it is clear to see how overwhelming the proposed project would be, and how the close proximity to houses would create visual and auditory impacts disrupting the way of life that was promised when we purchased homes in the 1990s. 104.4

Thank you for your consideration for our neighborhood concerns. I request that the application for PLN#150372 be denied and the land used for a residential or more compatible use fitting within the Las Palmas General Plan and the unique setting of our Las Palmas 1 development. 104.5

Sincerely,

Karen Nordstrand

Karen Nordstrand
17519 Sugarmill Road
Salinas, California
831-594-9410

RECEIVED
APR 25 2018
MONTEREY COUNTY
PLANNING DEPARTMENT

Letter 104

COMMENTER: Karen Nordstrand

DATE: April 24, 2018

Response 104.1

The commenter states that they are opposed to the project.

This commenter's opposition to the project is noted and herewith shared with the County's decision makers for their consideration.

Response 104.2

The commenter describes the potential for project-generated noise impacts due to traffic.

For a discussion of noise impacts, refer to Topical Response H. As described therein, traffic noise impacts would be less than significant or less than significant with mitigation incorporated.

Response 104.3

The commenter states that the project is not a good fit for the neighborhood due to safety and security concerns.

Please refer to Topical Response A for a discussion of safety and security. As noted therein, the project would not result in a significant impact on police protection within the Subdivision.

Response 104.4

The commenter states that the project would create visual impacts and noise impacts that would disrupt the way of life of Subdivision residents.

Please refer to Topical Response F regarding visual impacts. As stated therein, impacts would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting.

Please refer to Topical Response H for a discussion of the project's potential noise impacts. As described therein, noise impacts would be less than significant or less than significant with mitigation incorporated.

As described in Topical Response C, neighborhood fit and quality of life are not environmental impacts and are not directly analyzed in the Draft SEIR.

Response 104.5

The commenter requests that the project be denied and that the land be used for a purpose that is more compatible with the surrounding area.

The commenter's preference for denial of the project is herewith shared with the County's decision makers for their consideration. Refer to Topical Response C for a discussion of land use compatibility and policy consistency.

571 Foothill Road
Hollister, CA 95023

Letter 105

April 24, 2018

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place
Salinas, CA 93901

CC: Brandon Swanson, Planning Manager;
Jacqueline Onciano, Chief of Planning
Carl Holm, Planning Director
Roy Gobets, Home Owner

RE: Response to RVPL EIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Dear Mr. Sidor,

My husband and I are gravely concerned about the impact of the proposed developed Riverview at Las Palmas that is before the planning commission for your consideration.

We are longtime residents and active community members in San Benito County, as ranchers we understand the dichotomy between being good stewards of the land protecting natural resources and developing part of our beautiful landscape to accommodate the growth in our society. 105.1

We were first introduced to Las Palmas Ranch about 5 years ago when our daughter moved into the community as a tenant. After careful consideration in the last 3 years, we have purchased 2 rental homes in this community. Our decision to move our assets from other income properties to this location was based on a number of factors, but a couple were critical. Being a small gated community in this ideal location and family centric makes it a wise decision for us.

Both of these properties are located Parkside within the community and the quality of life at both homes would be severely compromised by safety concerns. The number of cars entering the property each day creates safety concerns exiting Highway 68 and at the signal light to enter Las Palmas Ranch, not to mention the inability to safely monitor who is allowed on property to maintain the level of security currently enjoyed by residents in this neighborhood. 105.2

In addition, one home specifically backs up to the hill (located on Country Park) slated for development, where in winter storms we've already seen the stability of the hill compromised causing damage just a few doors down from our property. The removal of trees and construction on an unstable hill side will impact that further. 105.3

While we can certainly empathize with the need for additional assisted living facilities, we ask that you consider the needs and desires of your constituents in directly impacted by this new development. Putting at risk the safety of the families currently residing here, as well as the financial investments of all current property owners, seems grossly negligent and incongruent with the responsibilities of the commission to uphold the norms established by the Las Palmas Specific Plan, the General Plan and Toro Land Use Plan. 105.4

Thank you in advance for your time and consideration; we respectfully request that you deny the application for PLN #150372, aka River View at Las Palmas.

Sincerely,

Denise Donati
Property Owner

Letter 105

COMMENTER: Denise Donati

DATE: April 24, 2018

Response 105.1

The commenter provides a description of their experience as homeowners in the Subdivision.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Response 105.2

The commenter states that project-generated traffic would impact safety for vehicles exiting SR 68 and entering the Subdivision. The commenter states that the current level of security monitoring at the Subdivision entrance would not be possible if the project is approved.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks. Regarding the Subdivision's private security service, refer to Topical Response I, which discusses the project applicant's responsibility to share in the LPHOA's security costs.

Response 105.3

The commenter states that tree removal and construction on the elevated project site would impact the stability of the hillside slope.

Please refer to Topical Response E. As noted therein, all recommendations included in the geotechnical report would be implemented in the design and construction of the project to ensure that there would be no significant impacts associated with geologic hazards, including slope stability.

Response 105.4

The commenter encourages denial of the project, citing the safety and financial investment of Subdivision homeowners, and the norms established by the LPRSP, the General Plan, and the Toro Land Use Plan.

The commenter's preference for denial is noted and herewith shared with County decision makers for their consideration. Refer to Topical Response C for a discussion of project consistency with applicable plans and policies. As noted therein, the project would be consistent with the LPRSP, the County General Plan, and the Toro Area Plan.

Letter 106

Address:

To: (Sidorj@co.monterey.ca.us),

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

Cc: Brandon Swanson, Planning Manager, (831) 755-5334 same physical address
swansonb@co.monterey.ca.us

Jacqueline Onciano, Chief of Planning, (831) 755-5193, same physical address

oncianoj@co.monterey. ca.us

Carl Holm, Planning Director, (831) 755-4879, same physical address
holmcp@co.monterey.ca.us

roygobets@aol.com , Roy Gobets (831) 235-1701 21056 Country Park Road, Salinas, CA, 93908

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Dear Reviewers,

I am a new resident of Las Palmas I since October 2017.

Having reviewed the Report, I have several concerns on the scope of the project, impact on traffic, security, environment ,and quality of life,

106.1

I am opposed to the Proposed Development of Riverview at Las Palmas (PLN#150372), this large proposed non-residential development is inconsistent with the peaceful rural residential nature of the Las Palmas community.

1 Traffic

Traffic: First hazard to the community

During the construction

106.2

- Trucks with dirt load to level the parcel and the maintenance of the parcel (trees…)
- Engine for structuring the place on flat-bedded trucks
- Trucks for watering the surface
- Trucks loaded with construction material.

All of them passing by the gate around the entrance park and running to or from the project facility, will make a major hazard to the community, children, adults, and pets. I am also deeply concerned about the stability of the pavement, bordures and trees with an added flow of heavy truck traffic (we monthly pay an HOA fee for maintaining all infrastructures).

After the construction

- Food deliveries (1)
- Emergency vehicles (2)
- Medical waste
- Trash
- Linen, cleaning suppliers and others
- Employees (3)
- Residents of the facility (4)
- Guard (+/- 20% traffic increase)
- Visitors parking (5)

1) **18 wheelers** will be a big concern in the narrow streets along the park
2) This project is **miles far away** from the closest hospital, doctors…. Fire trucks, Police, emergency vehicles will have to enter the community on a regular basis.
3) Adding from 100 to 200 more residents could impact all roads around – 68, River Rd. -
4) **No** grocery stores, hairdressers or any commodities, malls, etc. at a 3/7 miles radius. There are no pedestrian facilities on SR 68, Reservation Road, or River Road. Pedestrian facilities are provided within the Las Palmas Ranch development along internal roadways. The only way to take a walk will be to use the Las Palmas Ranch park and trails.
5) There is no parking for visitors at the project plan, where will the visitors park?
6) All vehicles will go through a narrow street originally designed for residential traffic, using the guard entrance. There are no alternate routes in and out of the facility indicated on the site plan.

Guard entrance

Using the same entrance for all listed above, could lead to a long line of waiting cars and trucks for clearance by the guard, especially during rush hour, increasing hazard for the community on River Road that is a touristic road.

106.3

Emergency in case fire, flooding or other disaster - Disaster evacuation case, this is another major problem.

From the residents: **340 homes**

- **340+ cars or pickups** going to only one exit toward River Road.

Adding a new flow from the project: 144 beds + 12 to 21 employees on site each day

- **50 to 100 more cars + bus + emergency vehicles.**

400/450 cars-pickup-emergency vehicles will be added to the usual traffic, all going to only one exit, which will increase the traffic to 20 to 25 %.

From ***one problem*** (fire, flooding, quakes), we will add ***the human hazard*** on top of a natural disaster, all vehicles will go through a narrow street originally designed for residential traffic, using the same exit. ***There are no alternate routes in and out of the facility indicated on the site plan***.

Concern on traffic

Las Palmas is a quiet community -- children playing, people walking dogs, and residents enjoying the peaceful nature at the foothills of the Toro Park.

106.4

There is no compatible way between this development and the added traffic using the existing entrance to our neighborhood.

2 Security

Security is the second hazard to the community

106.5

Residents are secure, the HOA guard keep them informed about who comes into our community.

During the construction

- Security of the neighborhood would be compromised by opening the neighborhood to non-residents.
- As a community we have taken steps to preserve the security of the neighborhood including installing gates and employing security guards to check all incoming traffic.

After the construction

- The guard's duty is to link a visitor to a house in the Las Palmas community. Who would he call when the visitors would like to enter the community?
- As visitors of the facility, anybody will be able to enter the community.
- This proposed large non-residential development would open the neighborhood to incessant traffic, coming and going throughout the daytime and evening.
- It would be almost impossible to regulate this traffic and guarantee the security of the neighborhood.
- Make the entrance of Las Palmas Ranch 1 on River Road a challenge.

3 Environment

Environment and aesthetic are the third hazard to the community. This residential community is along the Toro Park foothills (State Park), and the large proposed non-residential development is inconsistent with the peaceful rural residential nature of the Las Palmas community.

106.6

The nature has designed the hill over the time, with rain and wind, if the project changes this balance; We will have flooding and mudslides during the rainy season, we already had severe flooding at the bottom of the hill in the fire department trail. Above and around the community, a wild community exists with more than **80 (70+ year-old) eucalyptus trees:**

- Habitat for Barn Owls** (endangered species) we can hear their hooting at night
  - There are feeding on mice, rats…, destroying their habitat could result to a proliferation of pest – like Voles (large field mice).
- Habitat for Great Horned Owls
  - There are feeding on mice, rats…, destroying their habitat could result to a proliferation of pest.
- Red Tails Oak
- Coyotes
- Bobcats
- Mountain Lions
- Deer
- A large diversity of birds in the trees area

**The Barn Owl is considered endangered now. A lack of environment remaining as well as access to food has put it on this list. That means that they can't find what they used to consume in such areas before. The fact that there are various farming methods that require moving around crops is part of this. The other is that many farmers continue to plant more and more to keep up with demand. http://www.owlworlds.com/owls-endangered/

On the project area, more than **80 (70+ year-old) eucalyptus trees**, only seen in this area, that will be removed under current plan.

- These trees provide reduction in wind, ridgeline exposure
- Hwy 68/RR noise abatement.

Concerns

Having a large and flat surface for the project:

- Will add a large amount of water going to the already too **small drain collector**.
- The water will use the road to the park as a quick evacuation.
- Adding more water at the bottom of the project will increase the chance of flooding.
- This last concern will make evacuation another **hazard to the Las Palmas Ranch 1 community**.
- Make **mud slides**, like winter 2016 under the project area.

106.7

Environment: *Noises during* and after *the construction (**echoing in the Las Palmas Ranch Valley**)*

- Cutting the trees
- Beeping sound of trucks and engine
- Truck engines leveling the project area
- All trucks engines digging operation
- Construction truck engines and other
- Truck engines surfacing the streets
- Food and other deliveries trucks
- Emergency vehicles (several a week)
- Visitors
- Employees
- General use of the project

106.8

Environment: Dust during and after the construction

- Cutting the trees (dust from wind)
- Leveling the project area
- All digging operations
- Construction
- Surfacing the streets
- Trucks going to or from the area

106.9

Environment: Smell during and after the construction

- Substantial numbers of meals
- Leveling area trucks engine
- All digging operation engine
- Construction products, roofing…
- Surfacing the street -gas and more-
- Trucks going to or from the area
- Regular operative odors
- Kitchens lunches, dinners…

106.10

4 Aesthetic

From all around our community, we enjoy the view of Toro Park hills, a peaceful rural residential area with nature as our backyard.

106.11

Trees, more than **80 (70+ year-old) eucalyptus trees**, only seen in this area (the only set of it are just here at the project development area)

- **From outside the community** would be able to see a disfigured landscape from
  - River Road,
  - 68 from Salinas
  - 68 to Salinas,
  - Spreckels Road
  - While Hiking in Fort Ord Monument, the project would be seen from a distance
- **From inside the community**: Project could be seen from almost every corner of Las Palmas Ranch

Concern

For all the describe above, a large <u>non-residential development</u> is firstly inconsistent with the peaceful rural residential nature of the Las Palmas community, and secondly this will bring the houses value down.

106.12

The Proposed Non-Residential Development

- Under the Las Palmas Plan and Monterey County Plan, Las Palmas Community was approved and developed as a rural residential neighborhood.
- We have purchased our home and started to build our lives in reliance on Plans that provided an opportunity to live in and enjoy a rural residential neighborhood
- This parcel is zoned "medium density residential," at 2.61 units per acre.
- Under the Las Palmas Plan, this parcel was specifically approved for 8 units total, not 105 units as the project needs.

An assisted living facility **is not a residential use**, because it does not operate or function in a manner like independent residential units' employees are making the facility working not residents.

Conclusion

WHY HERE?

This is inconsistent with The Las Palmas and Monterey County Plan

1. In the report, there is **no mention on impact on life and depreciation of living for the Las Palmas residents**, it's looks like **<u>we are the negligible amount</u>**.
2. (***From 8 units as MDR to 105 units***) This parcel is zoned "**medium density residential**," at 2.61 units per acre. Under the Las Palmas Plan, this parcel was specifically approved for 8 units total. The developer now seeks a "**conditional use permit**" to allow development of a non-residential facility with a total of 105 units.
3. (**Non-residential development)** The proposed development is a **non-residential use**. The proposed Assisted Living Facility does not operate or function in a manner consistent with the Las Palmas Plan, nor the rural nature of the community.
4. The residents of the Assisted-Living Facility will be isolated, being miles from any hospital, medical aids, grocery stores, parks, walking trails.

5. (**Non-residential development)** Approving this amendment to the Las Palmas Plan and to allow development of a non-residential Assisted Living Facility with 105 units, and all the commercial traffic, deliveries, medical waste, employees, visitors, and resulting security and safety concerns would unalterably destroy the rural residential nature of our community and the value of each house.
6. There are no facilities of any type in a 3 to7 miles radius for the project residents.
7. Las Palmas is a highly desirable residential community. Residents have invested here, based on the rural nature of this community under the approved Las Palmas Plan. Residents have relied on the approved Las Palmas Plan and its resulting development.

I respectfully request you to carefully consider these issues when considering this proposed development **having first in mind the 340 houses** of the Las Palmas Ranch 1, the respect of the environment and the well-being of the elderly.

Thank you for your consideration.

Respectfully submitted.

Dominique Fontana

Letter 106

COMMENTER: Dominique Fontana

DATE: April 24, 2018

Response 106.1

The content of this letter is the same as the content of Letter 56. Please refer to Responses 56.1 through 56.13 above.

Letter 107

From: The Freshwaters
To: Sidor, Joe (Joseph) x5262
Cc: Swanson, Brandon xx5334; Onciano, Jacqueline x5193; Holm, Carl P. x5103; roygobets@aol.com
Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)
Date: Tuesday, April 24, 2018 9:52:11 PM

Joshua and Amelia Freshwater April 24, 2018
21127 Old Ranch Ct
Salinas, CA 93908
(559)355-5392

To: (Sidorj@co.monterey.ca.us),
Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901
(831) 755-5262

Cc: Brandon Swanson, Planning Manager (Joe's Supervisor), swansonb@co.monterey.ca.us
Roy Gobets, 21056 Country Park Road, Salinas, CA, 93908, roygobets@aol.com ,

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Hello,

We are very concerned about the proposed project. Its proposed use of Las Palmas 1 roads will pose unacceptable traffic, safety and security problems in our peaceful neighborhood. Furthermore, the large number of housing units proposed for this development, coupled with its clear commercial use, are inconsistent with the residential atmosphere that Las Palmas residents chose when they purchased/rented their homes here in the first place. 107.1 107.2

I strongly urge the developer to find an alternate location for his proposed commercial facility.

Please respond to the issues I listed above in writing.
Respectfully,

Joshua and Amelia Freshwater

Letter 107

COMMENTER: Joshua and Amelia Freshwater

DATE: April 24, 2018

Response 107.1

The commenters state that they are concerned about the project's impacts on traffic, safety, and security.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not result in a significant impact on police protection within the Subdivision, and the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Response 107.2

The commenters state that the project is a large commercial project that is inconsistent with the surrounding residential area. The commenters urge the developer to find an alternate location for the project.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Letter 108

From: Evette Selva-Kirby
To: Sidor, Joe (Joseph) x5262
Cc: Swanson, Brandon xx5334; Onciano, Jacqueline x5193; Holm, Carl P. x5103; roygobets@aol.com; 1ourtoy@comcast.net
Subject: RVPL Draft SEIR for Proposed Development of Riverview at Las Palmas (PLN#150372)
Date: Tuesday, April 24, 2018 11:07:56 PM

Dear Mr. Sidor,

My husband and I have lived in Las Palmas I for 21 years and we love it here. When we heard about the proposed project, we kept an open mind, however, as more information became available, we became very concerned. It is one thing for a limited number of single family homes to be built in Riverview for seniors which could be a good possible use. Having an assisted living facility which will result in high traffic levels where the only access is the current entrances in Las Palmas is a safety issue as well as a security issue. This is a family neighborhood where kids play outside freely. Residents pay extra fees for security to monitor access which has kept crime low. You see walkers, runners and families just enjoying the neighborhood. With the proposed project, more vigilance will be needed. There will be the need for employees to come and go as well as family members of residents, ambulances and others 24/7. This will change this neighborhood, unfortunately not for the better. 108.1

A project of the scope proposed is not a good fit for this site and my husband and I would urge the developer to find a more suitable location with the proper infrastructure to support it. 108.2

Please respond to the issues listed above in writing. Thank you for your attention to this matter.

Respectfully,

Evette and Jim Kirby
21155 Old Ranch Court
Salinas, CA 93908
831-455-1722 (home)
831-682-0144 (cell)

Letter 108

COMMENTER: Evette and Jim Kirby

DATE: April 24, 2018

Response 108.1

The commenters state that the project would add traffic into the Subdivision, which would compromise security gate operations at the Subdivision entrance and impact the safe neighborhood atmosphere.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety, including queuing at the Subdivision entrance. As noted therein, the project would not result in a significant impact on police protection within the Subdivision, and the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks.

Response 108.2

The commenter states that the project is not a good fit for the project site, and urges the developer to find a different location for the project.

Please refer to Topical Response C and Response 8.11. The project would be consistent with the site's zoning and land use requirements, and the project site is appropriate for an assisted living facility, given market factors.

The commenter's preference for an alternate location is noted and herewith shared with County decision makers for their consideration.

April 24, 2018

Letter 109

Randy Radke
17608 River Run Road
Salinas, CA 93908

Joseph Sidor, Association Planner
Monterey County Resource Agency – Planning
1441 Schilling Place, 2nd Floor
Salinas, CA 93901

Re: Draft EIR for Riverview at Las Palmas Assisted Living Senior Facility (Parcel Q)

Dear Mr. Sidor:

I am writing this letter to you to express my concerns about the DEIR for Riverview at Las Palmas Assisted Living Senior Facility and the potential impact that project would have on our community, Las Palmas Ranch No. 1. 109.1

My wife, son and I moved to this area from Seattle about 3 years ago. We rented a home for the first year while familiarizing ourselves with the different communities in Monterey County. We specifically chose, and purchased our home, in Las Palmas Ranch No. 1.

This community offered a quiet rural setting, nestled back against the hills spotted with Oak, Buckeye, Eucalyptus and Manzanita. These hills behind our house are the home to deer, who frequently take shelter under the trees; we are visited by fox, coyotes, and the occasional bobcat and mountain lion; we wake up each morning to the soft mooing of the cattle grazing on the hillside. Falcon's, hawks, owls, and a plethora of other birds nest in the trees delighting us with their songs. It's in a sun belt so we don't get the marine layer grey, a gentle breeze blows through the hills providing relief from the heat of summer, we can sit out on our deck in the evening and look up at the stars shining brightly against the night sky.

The community itself is family friendly and safe. There have been extra measures taken to ensure security with a guard at the main entrance and a gated second entry. The children can play outside, ride their bicycles and skateboards, setup lemonade stands, etc. without having to be concerned about their safety and well-being. The community as gone to lengths to create this environment, including street bollards, speed limit signs and speedbumps for traffic control and our safety… 109.2

… but all of this will change, the quality of community life will be negatively impacted if the Riverview at Las Palmas Assisted Living Senior Facility plan is approved.

Two ancient philosophers, Plato and Aristotle, debated their theories of Universals and Particulars. I would like to express the merit of both theories in regard to the Parcel Q project.

My universal concerns are the following:

1. **Not the Intended Use:** The project is inconsistent with the Las Palmas Specific Plan, as evidenced by the Applicants request that the Specific Plan be amended. The Riverview at Las Palmas Living Senior Facility structures go well beyond the intent of "residential housing" and "density" limits as set forth therein. The intent was for residential single family units not a major campus like facility with multi-story complexes and smaller structures for housing mentally and physically impaired. It also sends a message that the Specific Plan and it's intended purpose it was drafted for in the first place, can be tossed aside if the price is right. 109.3

2. **It's all about the Money**: The Applicant has no long term vested interest in the community or the impact on the existing community; they are in it for the sole purpose of making money. This is evidenced by the fact that the Applicant has the property up for sale and actively seeking a buyer. This would lead me to question their "sincere" concern for how their proposed changes will impact the community and quick and impartial remediation of the many concerns raised. Or tossing everything issues and all over to an unexpected buyer who has no background or knowledge about the site. 109.4

3. **It's all about Location, or is It?** Is this "really" the right location for this kind of facility? Think about it, a facility that houses a large population of physically and mentally impaired patients built on a steep hillside next to a family community– is that safe for either party, I can just envision run-away-wheelchairs, and battery powered carts that don't have enough power to get up the hill, individuals with dementia who wonder into the community lost and disoriented, frightening the children. There is no immediate access to services required (hospitals, doctors offices, psychiatric care, pharmacies, grocery, etc.).. 109.5

4. **Cumulative Impact, When is a little more a little too much?** With the approvals or pending approvals of projects such as Ferrini Ranch and Harpers Canyon, it has been alleged that some of the rational in approving the projects were "It is good for the community" yet the communities are against them; "We know HWY 68 Traffic is a level F, but the overall good outweighs the bad" "As a part of the project there will be highway improvements" yes extending the two lines, is a good, but that is a small section of highway improvements, "there will be new traffic lights and or a roundabout's installed" ; those are good traffic controls, but efficient – more like congestion? How many more projects can the surrounding communities support before the infrastructure and resources collapse without major reengineering? 109.6

This is where I will address the Particulars as pertaining to Parcel Q and the Las Palmas Ranch No.1 community. How many issues must be raised before it becomes beyond reason or resource to move forward with a project of this scale. I know that you have received a number of letters from the community, groups like Landwatch, and the Las Palmas Ranch No.1 HOA, so I will be brief.

Traffic Impact: Entrance and streets are not designed to support the increased volume of traffic. The single entrance and guard gate will be a bottle neck likely causing backups in both direction on River Road. There is insufficient access for emergency evacuation in case of fire, or other. Increased in non-residential traffic driving around in the community. 109.7

Geological Impact: We already have issues with surface water runoff, ground slides, and drainage. Grading of the hillside and ridge, removal of the vegetation will contribute erosion and drainage issues. 109.8

Biological Impact: Removal of trees and semi forested areas will destroy natural greenbelts, driving off the wildlife and disturbing the balance of predator and prey, hello ground squirrels, voles and field mice. 109.9

Water Supply Impact: What is the estimated water usage anticipated for this project? There are already water overdraft concerns for the Salinas Valley. How about processing the volumes of waste water. Will the consumptive use of recycled water and irrigation meet the demands of both communities? 109.10

… and the stars won't shine quite as bright with the light noise. 109.11

Thank you for taking the time to read this letter. I hope that you take my concerns and the concerns of my neighbors in Las Palmas Ranch No1. into consideration when making a decision that will impact our community, our home.

Sincerely,

Randy Radke

Letter 109

COMMENTER: Randy Radke

DATE: April 24, 2018

Response 109.1

The commenter provides a description of the Subdivision.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Response 109.2

The commenter states that the project would negatively impact quality of life and safety in the Subdivision.

Please refer to Topical Response A for a discussion of safety and security. As noted therein, the project would not result in a significant impact on police protection within the Subdivision. Please also refer to Topical Response C. As described therein, quality of life is not an environmental impact under CEQA. However, the Draft SEIR includes analysis of various impact areas such as noise and traffic that relate to quality of life.

Response 109.3

The commenter states that the project is inconsistent with the LPRSP and would require an amendment to the plan. The commenter states that the project site was intended for development of residential homes. The commenter states that project approval would indicate that a Specific Plan can be dismissed "if the price is right."

The project is a senior assisted living facility. The project site is zoned Medium Density Residential (MDR). The Draft SEIR notes that a senior assisted living facility is similar to a rest home, which is an allowed MDR use. The Draft SEIR requires an amendment to the LPRSP to clarify that an assisted living facility is an allowed use. Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 109.4

The commenter states that the project site is listed for sale, and expresses concern about a new landowner assuming responsibility for the project.

The comment is noted; however, property ownership is not considered an environmental impact under CEQA. Therefore, no further response is required.

Response 109.5

The commenter expresses concern about placing a senior assisted living facility on top of a hillside next to a residential neighborhood.

Please refer to Topical Response A for a discussion of safety and security. As noted therein, the project would not result in a significant impact on police protection within the Subdivision. Please

refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 109.6

The commenter expresses concern about cumulative traffic and infrastructure impacts due to allowing multiple projects in the area, including the Ferrini Ranch project and the Harper's Canyon project.

Regarding traffic impacts, refer to Topical Response D. As described therein, impacts related to traffic would be less than significant or less than significant with mitigation incorporated, with the exception of impacts to SR 68, which would be significant and unavoidable. Additionally, the Draft SEIR included the following analysis: "The cumulative traffic generation (existing plus project) is 8,009 trips per day (68% of projected), 3,712 trips less per day that originally estimated for Las Palmas Ranch."

Response 109.7

The commenter states that the project would result in traffic congestion at the Subdivision entrance, and that the road system would be insufficient for emergency evacuation.

Please refer to Topical Response D. The discussion pertaining to emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project.

Response 109.8

The commenter states that the area has existing problems related to stormwater drainage and geologic instability that would be worsened by the project's grading and vegetation removal activities.

Please refer to Topical Response E. As noted therein, all recommendations included in the geotechnical report would be implemented in the design and construction of the project to ensure that there would be no significant impacts associated with geologic hazards, including slope stability.

Response 109.9

The commenter states that the project's tree removal would destroy natural greenbelts, drive off wildlife, and disturb the balance of predators and prey.

Tree removal and impacts to wildlife are discussed in Topical Response G and Section 7.0, *Biological Resources,* of the Draft SEIR. As noted in Topical Response G, impacts to common wildlife species would not be considered significant under CEQA and potential impacts to special status wildlife is mitigated through implementation of the Draft SEIR mitigation measures requiring preconstruction surveys and avoidance.

Response 109.10

The commenter asks how much water the project would use, and states that there are existing overdraft concerns for the Salinas Valley. The commenter notes that the project would require wastewater service, and asks if recycled water would meet the demands of both communities.

As indicated in the Draft SEIR (Section 10.0, *Water Supply*, pages 10-11 to 10-12), the project would increase potable water demand by up to 11.4 AFY. The proposed project would use recycled water for landscaping, however its use would still be minimal due to the use of low-water use landscaping. As a result, the project's use of recycled water would not be expected to affect the use of any existing customers.

Although the Salinas District is currently in overdraft, actions taken by both California Water Service and MCWRA, including conservation, system improvements, and future projects are projected to continue to provide for a reliable water supply. In its Urban Water Management Plan California Water Service projected its groundwater supply for the Salinas District will fully meet future demands through 2040. The proposed project would be new, and be designed, constructed, and operated with water conservation in consideration at the outset. The project would utilize the most current water efficient fixtures available, use minimal water for landscaping, and practice conservation in every day operation. Refer also to Response 3.3.

Response 109.11

The commenter states that the project's lighting would impact night sky views.

Please refer to Topical Response F, which discusses impacts of the project's lighting on night sky views. As described therein, mitigation is recommended to reduce lighting impacts to a less than significant level.

April 24, 2018
Kimberly Zook
17792 Riverbend Road Salinas, CA 93908

Letter 110

Joseph Sidor, Associate Planner Monterey County RMA-Planning Second Floor 1441 Schilling Place, Salinas, CA 93901

C.c. Brandon Swanson, Planning Manager;
Jacqueline Onciano, Chief of Planning
Carl Holm, Planning Director
Roy Gobets, Las Palmas Ranch Homeowner

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Dear Mr. Sidor,

I am submitting formal comments in opposition to the proposed development of Riverview at Las Palmas. As a resident of the Las Palmas Ranch Community, mother of a small child and active community member, I strongly urge you to deny the application and proposal to develop this parcel. Below are my reasons to oppose this development: 110.1

1. Wildlife and Biological impacts: The property proposed for development are open space, a place which provides important habitat for California Bird Species of Special Concern and many other wildlife species. The native wildlife would be negatively affected by the excessive vehicular traffic, lighting, loss of habitat, and other man-made stresses. 110.2
2. The proposed area is in view of an official County Scenic Route designation which will not promote sensitive visual resources. 110.3
3. Increase of traffic safety hazards to residents and pedestrians. This proposition would also allow for the increase of mass transit and non-residential vehicular traffic while infringing on our private property rights. In addition, the enormous anticipated emergency personnel response through a highly used park area is of great concern. My young child along with many other youth in the community utilize this park area of outside play, exercise, recreation and learning the importance of building a sense of community. 110.4
4. Emergency Evacuation Congestion. Las Palmas Ranch offers two entrances and exits for all residents and guests. The main entrance/exit at Las Palmas Road would not allow for evacuation flow of the residents in the development and community members. During a natural disaster, fire, earth quake, or flood, this congestion and over population for the infrastructure could have dire results. 110.5
5. Impacts to the local community. The Spring green mountain area is a highly sought after location due to its unique character and access to natural areas. The proposed development offers little to no benefit to the local community; however, it is expected to impact quality of life for the reasons stated above. Any economic benefit to the County could be negated by a reduction in local property values, specifically in the highly sought after community of Las Palmas Ranch. 110.6

In summary, the proposed use will diminish the character of Las Palmas Ranch, a cherished residential community. The proposed development is in direct conflict with the Monterey County Master Plan that clearly states a goal to conserve open space to protect and enhance unique or distinctive areas of Monterey County. Allowing the addition of a developed living community in the open space would be in direct conflict with these goals and priorities. The overall residential experience would be severely compromised by the addition of any development in this proposed area. 110.7

For the reasons outlined above, I am strongly opposed to the development and sincerely hope you will consider the impacts to the surrounding community including property values, private property rights, open

space, recreational park users, and wildlife when you evaluate the application and ultimately make a decision on this extremely important matter. The proposed development is not in accordance with the Monterey County Master Plan. Therefore, I request you deny this proposed development.

Respectfully,

Kimberly Zook
17792 Riverbend Road Salinas, CA 93908

Longtime resident, Voter, Tax Payer, Resident of Las Palmas Ranch

Letter 110

COMMENTER: Kimberly Zook

DATE: April 24, 2018

Response 110.1

The commenter states that they are opposed to the project and urge that the development proposal be denied.

This commenter's opposition to the proposed project is noted and herewith shared with the County's decision makers for their consideration.

Response 110.2

The commenter states that the project site provides habitat for wildlife, including special status species, and that the project's habitat removal, traffic, and lighting would impact the wildlife.

Tree removal and impacts to wildlife are discussed in Topical Response G and Section 7.0, *Biological Resources,* of the Draft SEIR. As noted in Topical Response G, impacts to common wildlife species would not be considered significant under CEQA and potential impacts to special status wildlife is mitigated through implementation of the Draft SEIR mitigation measures requiring preconstruction surveys and avoidance.

Response 110.3

The commenter states that the project site is visible from a County Scenic Route.

Please refer to Topical Response F regarding impacts to scenic routes. As stated therein, impacts would be mitigated to less than significant by landscape screening, earth-toned building colors, underground of utility and distribution lines, and unobtrusive lighting.

Response 110.4

The commenter states that the project would increase traffic safety hazards, bringing mass transit and non-residential traffic through the Subdivision, including along a recreation area (Corey Park).

Regarding traffic along Corey Park, please refer to Topical Response D. As noted therein, the proposed project would not substantially increase safety hazards for pedestrians and bicyclists, including people accessing Corey Park.

Response 110.5

The commenter states that in the event of an emergency evacuation, the Subdivision's main entrance would be dangerously congested.

Please refer to Topical Response D. The discussion pertaining to emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project.

Response 110.6

The commenter states that the project's economic benefits would be outweighed by the reduction in Subdivision property values.

Please refer to Topical Response C. As described therein, property value is not an environmental impact and therefore is not analyzed in the Draft SEIR.

Response 110.7

The commenter states that the proposed project would diminish the residential character of the Subdivision. The commenter states that the project conflicts with the Monterey County Master Plan (General Plan) goals to preserve open space and enhance unique or distinctive areas.

Please refer to Section 5.4 of the Draft SEIR regarding visual character impacts. Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Letter 111

From: Megan E. Giovanetti
To: Sidor, Joe (Joseph) x5262
Cc: Swanson, Brandon xx5334; Onciano, Jacqueline x5193; Holm, Carl P. x5103; roygobets@aol.com
Subject: RVPL Draft SEIR for proposed development of riverview at las palmas (PLN#150372)
Date: Wednesday, April 25, 2018 9:56:07 AM

Mr. Joseph Sidor, Associate Planner
Mr. Brandon Swanson, Planning Manager
Monterey County Planning Comission

Mr. Sidor and Mr. Swanson;

I write as a resident of Las Palmas I. I am opposed to the Proposed Development of Riverview at Las Palmas (PLN#150372)

I appreaciate what the proposed development does for the senior community. However, I am strongly opposed to the proposed location for this development. Las Palmas currently has a very quiet and peaceful solely residential nature. 111.1

I. Traffic

Traffic is one of my main concerns. The proposed non-residential development would bring a massive amount of added traffic through our neighborhood. To name a few; commercial vehicles -- food deliveries, medical waste, trash, linen, etc, -- and numerous employee and visitor vehicles through a narrow street originally designed solely for residential traffic. This constant and increased traffic would irrevocably alter the peaceful nature of the community. Las Palmas is a quiet community -- children playing, people walking dogs, and residents generally enjoying the peaceful nature of the rural neighborhood. There is no way for this development and attendant traffic to use the existing entrance to our neighborhood and not destroy the peaceful nature of the neighborhood. 111.2

II. Security

Security of the neighborhood would be compromised by permanently opening the neighborhood to this non-residential development. As a community we have taken steps to preserve the security of the neighborhood including installing gates and employing security guards to check all incoming traffic. Residents are secure in knowing who comes into our community. This proposed large non-residential development would open the neighborhood to incessant traffic, coming and going throughout the daytime and evening. There is no way to regulate this traffic and guarantee the security of the neighborhood. This is a real concern. Will this proposed community also provide security? Or pay for a portion of our security guard? Will they have a list of people that have been cleared to enter or visit? How do we know that people won't just drive through our entrance claiming to be visiting the nursing home but intending to do otherwise. We currently have very low crime rates because people know that our community is guarded. 111.3

III. The Proposed Non Residential Development is Inconsistent with the Existing Residential Community

Under The Las Palmas Plan and Monterey County Plan, Las Palmas Community was approved and developed as a rural residential neighborhood. Residents purchased their homes and built their lives and their community in reliance on Plans that provided an opportunity to live in and enjoy a rural residential neighborhood. I know personally this is why I purchased my home. I have children and I want a place that they can safely go and play outside. I fear that with the reduction in security being able to adequately determine who should and should not be in our neighborhood, I will question whether or not it is safe enough for my kids to be outside unsupervised. 111.4

This parcel is zoned "medium density residential," at 2.61 units per acre. Under the Las Palmas Plan **this parcel was specifically approved for 8 units total. The developer now seeks a "conditional use permit" to allow development of a non-residential facility with a total of 105 units.** This is inconsistent with The Las Palmas and Monterey County Plans.

The developer seeks to circumvent these plans by requesting an amendment for a non-residential use.

Very simply, the developer is asking for approval of non-residential use in a planned residential community.

Las Palmas is a highly desirable ***residential community.*** Residents have invested here based on the rural nature of this community under the approved Las Palmas Plan. Residents have relied on the approved Las Palmas Plan and its resulting development. The proposed development is a non-residential use. The proposed Assisted Living Facility does not operate or function in a manner consistent with the Las Palmas Plan, nor the rural nature of the community. 111.5

To approve this amendment to the Las Palmas Plan and to allow development of a non-residential Assisted Living Facility with 105 units, and all the commercial traffic, deliveries, medical waste, employees, visitors, and resulting security and safety concerns would unalterably destroy the rural residential nature of our community.

I request you please carefully consider these issues when considering this proposed development. This proposed non-residential development is inconsistent with the existing residential community, and should not be approved.

Thank you for your consideration.

Respectfully submitted.

Megan Giovanetti

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Letter 111

COMMENTER: Megan Giovanetti

DATE: April 25, 2018

Response 111.1

The commenter states that though they appreciate what a senior living center would provide for its residents, they are opposed to the project being built at the proposed location.

This commenter's opposition to the project in this location is noted and herewith shared with the County's decision makers for their consideration.

Response 111.2

The commenter states that the project would add a massive amount of traffic through the Subdivision and that the traffic would disrupt the peaceful nature of the Subdivision community.

For a discussion of traffic impacts within the Subdivision, refer to Topical Response D. As noted therein, the project would not result in a substantial increase in traffic within the Subdivision.

As described in Topical Response C, quality of life is not an environmental impact and is not directly analyzed in the Draft SEIR.

Response 111.3

The commenter states that the project would compromise security operations at the Subdivision entrance. The commenter asks if the senior living center would have its own security operations, or if the applicant would contribute to the Subdivision's security costs. The commenter asks if the senior living center would provide a list of people that were cleared to enter the Subdivision, and discusses the potential of criminal activity as a result of unscreened visitors.

Please refer to Topical Response A for a discussion of safety and security. As noted therein, the project would not result in a significant impact on police protection within the Subdivision. Regarding the Subdivision's private security service, refer to Topical Response I, which discusses the project applicant's responsibility to share in the LPHOA's security costs.

Response 111.4

The commenter states that the project site is zoned medium density residential, for 2.61 units per acre, and that the parcel is approved for a total of eight units. The commenter states that allowing development of a non-residential facility with 105 units is inconsistent with the LPRSP and the General Plan.

Regarding the residential unit cap of the LPRSP, refer to Topical Response C. As noted therein, the proposed project is not a residential use under the County code or LPRSP; as such, the residential unit limitation of 1,031 does not apply to the project.

Response 111.5

The commenter reiterates concerns about land use incompatibility and requests that the project be denied.

The commenter's opinion is noted and herewith shared with the County's decision makers for consideration. Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Letter 112

From: Cindy Grover
To: Sidor, Joe (Joseph) x5262
Cc: Swanson, Brandon xx5334; Onciano, Jacqueline x5193; Holm, Carl P. x5103
Subject: RVPL Draft SEIR for proposed development of Riverview at Las Palmas (PLN#150372)
Date: Wednesday, April 25, 2018 4:33:58 PM

Dear Mr. Sidor,

We are the original owners of our home, and in fact, among the very first people to move into Las Palmas Ranch I. Please add our names to the long list of people who are concerned about the proposed project. When we purchased our property, we were aware of the various additional Las Palmas areas --- such as the custom home lots at the top of Riverview Court and the commercial property at the Las Palmas entryway (which was later purchased by the LPR 1 homeowners). 112.1

It was our understanding that the land along the ridge, Parcel Q, was zoned for residential use. We are opposed to the proposed commercial development of a large care facility on that property. Traffic, waste water, round-the-clock noise and activity, stability of the hillside, removal of trees, and light pollution are all issues that cause us serious concern. As longtime Monterey County residents, we are aware of the continual effort to preserve the beauty of our county ... and in particular the Highway 68 corridor. We believe this development is at odds with that effort.

Thank you for your time and consideration in listening to us. As you no doubt have heard from many others, we also respectfully request that this application be denied and the property remain reserved for residential development. 112.2

Sincerely,
James and Cynthia Grover
17803 Riverbend Road
Salinas, California 93908

Letter 112

COMMENTER: James and Cynthia Grover

DATE: April 25, 2018

Response 112.1

The commenter states that they are concerned about the project, and that they understood the project site to be zoned for residential use. The commenter lists specific concerns, including traffic, wastewater, noise, hillside stability, tree removal, light pollution, and preservation of the SR 68 corridor.

The project is a senior assisted living facility. The project site is zoned Medium Density Residential (MDR). The Draft SEIR notes that a senior assisted living facility is similar to a rest home, which is an allowed MDR use. The Draft SEIR recommends an amendment to the LPRSP to clarify that an assisted living facility is an allowed use. Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 112.2

The commenter requests that the project be denied and that the project site be used for residential development.

This commenter's preference for denial and noted and herewith shared with the County's decision makers for their consideration.

Letter 113

From: Tetyana Margolina
To: ceqacomments; Sidor, Joe (Joseph) x5262
Cc: Swanson, Brandon xx5334; roygobets@aol.com
Subject: Draft SEIR on the River View at Las Palmas Assisted Living Senior Facility project (PLN150372)
Date: Wednesday, April 25, 2018 1:04:58 AM

Attn: Joseph (Joe) Sidor, Associate Planner
Monterey County Resource Management Agency – Planning
1441 Schilling Place, 2nd Floor, Salinas, CA 93901

Cc: Mr. Brandon Swanson, Planning Manager
Mr. Roy Gobets, 21056 Country Park Road, Salinas, CA 93908

FROM: Leonid Ivanov, Tetyana Margolina
21016 Country Park Rd, Salinas, CA 93908
Phone: (831) 224-0130
E-mail: margolinat@gmail.com

Dear Mr. Sidor,

As residents of the Las Palmas I (LPI) sub-division, we strongly oppose the River View at Las Palmas Assisted Living Senior Facility project. The Draft SEIR provides sufficient information to conclude that the project will be destructive for the established residential community, will negatively impact the local environment, and will not be beneficial for the Monterey county residents. Our main concerns are listed below with reference to the DEIR sections. 113.1

Site Access and Land Use

The access to the site will be through a single private route, which belongs to and is maintained by the Las Palmas I HOA (Section **4.0 Project Description**). 113.2

The developer's statement that the project applicants are members of the LPI HOA (p. 4-17) is a misrepresentation of facts, as confirmed by the LPI HOA President. In fact, if they were our HOA members, they would have to comply with the HOA CC&Rs by obtaining approval for their project from owners of all homes adjacent to the project site, and from the HOA Board. 113.3

The statement that "The applicants will pay a proportional share for the use of the roads and drainage system" (p.4-17) is too vague to be considered valid. Proportional to what? Is there any agreement with the HOA? What happens if the site is sold? Apparently, the developers rely on the LPI homeowners to continue maintaining the private streets, which will be heavily exploited by the site owners during the construction phase, for transporting heavy construction machinery and for several thousand trips of large dump trucks (34,500 CY of fill dirt will be brought in, p. 4-17). The same private route will then be used as the only access to the Assisted Living Senior Facility by business, private, public transportation (shuttles), and emergency vehicles. The use of the private LPI roads will significantly exceed the intended use of easement for Parcel Q, which implied residential use of the site within the scope of the Las Palmas Specific plan.

DEIR describes this access route as a "private loop drive" (p. 4-17), while in fact it is not looped and provides no alternate or bypass options. In case of fire or another emergency, this single 113.4

route will be the only evacuation outlet for both the Assisted Living Senior Facility and residents of many LPI houses, including ours. If this happens, we all will become hostages of a traffic jam in the narrow passage between Parcel Q and the River Road, with firefighters and other emergency vehicles stuck in the opposite direction. The total population of the Assisted Living Senior Facility (based on estimates on pp. 4-20–4-21) is expected to be ~170-180 people, which will significantly add to the number of people who relies on the Woodridge Court – River Run Rd as the only emergence exit. Note that they would then be joined by a big part of the LP1 population (total of ~400 families) on the River Run Rd – Las Palmas Rd route.

Environmental Setting

The Las Palmas I sub-division has been established and preserved as to meet the Toro Area Plan philosophy of "***the essentially rural quality of life***" (Toro Area Plan). It is a tranquil rural area, safe for older people and for families with kids, dark at night, and naturally quiet. It follows a pure day/night cycle, in peaceful coexistence with wild life. The green open spaces and trees of several parks carefully maintained by the LPI community, compliment the surrounding hills and the historic Corey house. 113.5

The suggested project will alter all these qualities by introducing business-induced traffic through the LPI private roads, uncontrollable flow of visitors and employees through the community, and anthropogenic noise 24/7. The scenic surroundings will be negatively affected by the changed ridgeline and [downward] directed light contamination.

Note that the business traffic is intended by the developer to peak outside the normal traffic peak hours, to mitigate the project impact on the county roads (**9.0 Transportation**). This will introduce early morning and late night traffic to the LPI location, in addition to daytime flow of delivery and service vehicles, residents, and visitors of the Assisted Living Senior Facility.

Mud slides, earthquakes, and flooding

When estimating possible increase of natural disasters (landslides, earthquakes, flooding), the developer claims no significant effect on the project site but dismisses any negative effects for the LPI sub-division. However, the project will increase the risk of mud slides and flooding for the LP1 houses since they are located at the lower grounds below the Parcel Q. 113.6

Alternatives

If located in a right place, a Senior Living Facility can be beneficial for Monterey County residents. However, the present project uses an unsuitable location, which is distant from established infrastructure, does not have available medical care in a close proximity, and has a limited connection to public roads. It is intended to serve needs of senior citizens of Monterey County but will inevitably harm a comparable number of Las Palmas I residents, who have lived here for years and decades and have invested into the current state of the sub-division, as well as into the Monterey county wellbeing. The proposed project will reduce their quality of life, diminish their property value, and introduce an additional financial burden to mitigate its negative effect on the community. 113.7

The Las Palmas I sub-division is a desirable location, which attracts buyers of all ages, from young families to retirees, by its rural character combined with well-maintained, safe, and purely residential community. In fact, the developer is also relying on all these qualities in support of his project. Introducing such a large-scale and fluid business as an Assisted Living Residential Facility will remove this attractive character, cause high turnover of LPI residents, and make the area crime-prone.

We strongly encourage the developer to consider the most obvious alternative (not even mentioned in the DEIR) to follow the Las Palmas Specific plan, and use Parcel Q to build several high-end homes. 113.8

We appreciate your attention to our concerns and comments. We would also like to be notified of the public hearings when scheduled.

Respectfully,

Leonid Ivanov

Tetyana Margolina

Letter 113

COMMENTER: Leonid Ivanov and Tetyana Margolina

DATE: April 25, 2018

Response 113.1

The commenters state that they are opposed to the project. The commenters state that the Draft SEIR indicates that the project would be destructive to the Subdivision community, would negatively impact the local environment, and would not be beneficial to County residents.

This commenters' opposition to the project is noted and herewith shared with the County's decision makers for their consideration. The commenter's individual concerns are listed and responded to below in the subsequent numbered comments.

Response 113.2

The commenter states that the project site would be accessed through the private Subdivision entry.

This comment does not conflict with or challenge the analysis and conclusions of the Draft SEIR. However, the comment is herewith shared with the County's decision makers for their consideration.

Response 113.3

The commenter disputes the Draft SEIR statement that the project applicant is a member of the Subdivision LPHOA. The commenter states that the Draft SEIR's description of the applicant's financial obligation to the LPHOA is too vague and that it doesn't account for the possibility that the project could be sold to a new owner. The commenter states that project-generated traffic would damage the Subdivision's private roads.

Page 4-17 of the Draft SEIR states that the project applicants are members of the LPHOA, have paid dues to the association, and would pay a proportionate share for the use of the roads and the drainage system. As noted in Topical Response I, page 4-6 of the Draft SEIR has been revised to clarify that an agreement would be required between the LPHOA and the project applicants, who own the project site, to clarify cost-sharing and responsibilities . This includes connection to stormwater drainage facilities, road maintenance , and cost-sharing for private security service.

For a discussion of traffic impacts within the Subdivision, refer to Topical Response D. As noted therein, the project would not result in a substantial increase in traffic within the Subdivision.

Response 113.4

The commenter disputes the Draft SEIR description of the access route as a "private loop drive", stating that it is not looped and provides no alternate or bypass options. The commenter states that the Subdivision entrance would be congested in the event of an emergency evacuation.

The term "private loop drive" in the Draft SEIR refers to the proposed project, not to the existing conditions. A loop drive would be constructed around the proposed senior assisted living facility.

Please refer to Topical Response D. The discussion pertaining to emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein

concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project.

Please refer to Topical Response D for a discussion of queuing concerns at the Subdivision's entry gate. As noted therein, the project would increase inbound traffic at the gate by an estimated 16 percent. However, this increase in traffic would not substantially increase queuing. An additional westbound entrance lane at the gate would not be needed, and queuing vehicles would not obstruct vehicles from turning left onto Winding Creek Road. Therefore, the project would have a less than significant impact on traffic circulation related to queuing.

Response 113.5

The commenter states that the Subdivision meets the Toro Area Plan philosophy of "the essentially rural quality of life," and that this quality of life would be impacted by the project due to traffic, noise, and lighting.

Please refer to Topical Response C. As described therein, quality of life is not an environmental impact under CEQA. However, the Draft SEIR includes analysis of various impact areas such as noise and traffic that relate to quality of life.

Response 113.6

The commenter states that the developer claims there would be no significant natural disaster impacts on the project site, but dismisses impacts to the Subdivision. The commenter states that the project would increase the risk of mudslides and flooding in the Subdivision, because homes are located downhill from the project site.

Note that the project applicant is not the author of the Draft SEIR. The Draft SEIR was prepared by EMC Planning Group Inc. and the County of Monterey and reflects the independent judgement of the County.

Regarding mudslides and flooding, please refer to Topical Response E. As noted therein, the project includes on-site stormwater control measures designed to achieve zero net increase in the rate of stormwater discharge relative to pre-project conditions. This would reduce the potential for runoff from new development to exceed the capacity of storm drainage facilities and contribute to off-site flood hazards. Additionally, all recommendations included in the geotechnical report would be implemented in the design and construction of the project to ensure that there would be no significant impacts associated with geologic hazards, including slope stability and landslides.

Response 113.7

The commenter states that a senior living center would be beneficial to the County, but should be built in a location that is closer to established infrastructure and medical care facilities, and somewhere that would not harm existing residents. The commenter states that the project would remove the attractive character of the area, cause turnover of residents, and result in crime.

Please refer to Topical Response A for a discussion of safety and security. As noted therein, the project would not result in a significant impact on police protection within the Subdivision.

Please refer to Topical Response C regarding the availability of services to the project site. As described therein, the proposed project would provide on-site medical care, and additional higher-level medical services are available at the Salinas Valley Memorial Hospital approximately five miles

northeast of the project site. The project would not require additional staffing or facilities to be required for police, fire, hospital, library, or other similar services.

Response 113.8

The commenter encourages the applicant to build residences on the project site, rather than the proposed senior living center.

The commenter's preference for an all-residential alternative is noted and herewith shared with the County's decision makers for their consideration.

Letter 114

From: Mary Koch
To: Sidor, Joe (Joseph) x5262
Cc: Swanson, Brandon xx5334; Onciano, Jacqueline x5193; Holm, Carl P. x5103; Roygobets@aol.com
Subject: RVPL Draft SEIR for proposed development of Riverview at Las Palmas (PLN#150372)
Date: Wednesday, April 25, 2018 11:59:08 PM

Dear Mr. Sidor,

I am writing to express my opposition to the proposed development, Riverview at Las Palmas. 114.1

I have attended LUAC meetings when this proposed project has been on the agenda and have voiced concerns regarding the shifting proposed plans, as well as the traffic impact of a nursing facility (emergency vehicles, staff, and visitors will be funneled into our subdivision with its stringent entry criteria, and will negatively impact the access of LP1 residents and their visitors). 114.2

As a twenty year resident of Las Palmas Ranch 1 HOA, during which time I have served on the HOA board (including as president), I have consistently heard stated by original board members that the LP1, LP2, & Parcel Q (the latter where RV@LP is proposed the be built) was approved for just over a total of 1,000 single family homes to be developed by Mike Fletcher. 114.3

LP1 consists of 329 homes; LP2 has 700 homes (including a small number originally planned to occupy Parcel Q), leaving one single family home to be built on Parcel Q.

Note Mr. and Mrs. Samuel Pershall, the previous owners of Chateau Coralini and Parcel Q, developed plans for a 10,000 sq. foot home, consistent with the one home permitted on Parcel Q, that would complement their bed and breakfast venue, offering additional housing for event guests.

I am a retired medical LCSW who has worked in hospitals with frail elderly patients, one segment of the patient population Mr. Shingu has proposed his facility will provide care for. Last Fall, multiple Oakmont nursing homes in the larger Oakmont single family home subdivision near Santa Rosa, experienced multiple problems evacuating their patients and patients were actually left behind. In the event of a wildfire threatening our neighborhood, the planned development's location on an exposed ridge on a dead end road seems extremely unsafe; I've participated in fire drills with ambulatory and non-ambulatory patients, and getting everyone out quickly and safely can be challenging, even under non-emergency conditions. Then once these patients are loaded @ Parcel Q, this traffic will be attempting to exit along with LP1 residents thru the guardhouse or gate, and then experience traffic from LP2, Indian Springs, etc. 114.4

I hope you will review this proposed development and deny the application. 114.5

Thank you,

Mary Koch
21400 Riverview Court

Letter 114

COMMENTER: Mary Koch

DATE: April 25, 2018

Response 114.1

The commenter states that they are opposed to the proposed project.

The commenter's opposition is noted and herewith shared with the County's decision makers for their consideration.

Response 114.2

The commenter states that they have previously expressed concerns about the project's traffic impacts and the project's "shifting proposed plans."

Sufficient detail is not provided for a response regarding "shifting proposed plans." Regarding traffic, please refer to Topical Response D. As described therein, impacts related to traffic would be less than significant or less than significant with mitigation incorporated, with the exception of impacts to SR 68, which would be significant and unavoidable.

Response 114.3

The commenter states their understanding that the Las Palmas area is approved for approximately 1,000 homes. The commenter states that the Las Palmas I Subdivision consists of 329 homes, the Las Palmas II Subdivision consists of 700 homes, and only one home can be built on Parcel Q (the project site).

Regarding the residential unit cap of the LPRSP, refer to Topical Response C. As noted therein, the proposed project is not a residential use under the County code or LPRSP; as such, the residential unit limitation of 1,031 does not apply to the project.

Response 114.4

The commenter discusses the difficulties associated with evacuation of a senior assisted living facility.

The discussion pertaining to emergency access to the project site is discussed in Section 9.0, *Transportation & Traffic*, of the Draft SEIR. The analysis therein concludes that implementation of the project would not result in inadequate emergency access to the project site or to residences in the Las Palmas Ranch neighborhood, based on vehicle trip generation associated with the project. Refer also to Topical Response D.

Response 114.5

The commenter requests that the project be denied.

This commenter's request is noted and herewith shared with the County's decision makers for their consideration.

Letter 115

RECEIVED
APR 25 2018
Monterey County RMA

Joseph Sidor, Associate Planner
Monterey County RMA-Planning Second Floor
1441 Schilling Place, Salinas, CA 93901

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Dear Mr. Sidor,

Forty years ago my husband & myself moved to the Monterey Peninsula from the Bay Area (Contra Costa) to Pebble Beach, then Monterey.
We became very tired of the damp & fog. We found Las Palmas such a beautiful area for our retirement.

After writing several letters that just were not what I wanted to say about the Proposed Development of Riverview at Las Palmas (PLN#150372), I was able to see the letter written by Janet Barstad on April 5, 2018 address to you. I then realized I could not have written a better letter. Janet's letter speaks for myself in every way.
I have enclosed a copy of Janet's letter. 115.1

Please consider the above proposed development as totally changing our beautiful area that we all love & enjoy without the added traffic,etc. 115.2

Sincerely,

Roberta Pastorino

Letter 115

COMMENTER: Roberta Pastorino

DATE: April 25, 2018

Response 115.1

The commenter provides personal background information on their experience in the Subdivision. The commenter states that the April 5, 2018 letter by Janet Barstad summarizes their feelings.

The Janet Barstad letter is included herein as Letter 45. Refer to Response 45.1 through 45.5 for responses to this letter.

Response 115.2

The commenter states that the project would transform the area, and mentions traffic as a concern.

Regarding traffic impacts, refer to Topical Response D. As described therein, impacts related to traffic would be less than significant or less than significant with mitigation incorporated, with the exception of impacts to SR 68, which would be significant and unavoidable.

To: Sidorj@co.monterey.ca.us

Letter 116

Cc: Swansonb@co.monterey.ca.us
oncianoj@co.monterey.ca.us
holmcp@ co.monterey.ca.us
roygobets@aol.com

Subject: RVPL Draft SEIR for proposed Development of Riverview at Las Palmas (PLN#150372)

Hello Mr. Sidor,

I am very concerned about the proposed project. Its proposed use of Las Palmas 1 roads will pose unacceptable traffic, safety and security problems in our peaceful neighborhood. The gate already gets backed up daily with people checking in that do not live here and it will be totally crazy if this development happens. It will also add an extra safety issue to our neighborhood letting in 100's of more strangers that do not know anyone that lives in our neighborhood. It also poses a threat to our children as well as our kids who ride around on the their bikes and skateboards. I worry about who these people are and if they could kidnap or harm our children. We already have residents speeding and now you add more people it will only get worse. 116.1

Further, the scale and scope proposed for this development, coupled with its clear commercial use, are inconsistent with the residential atmosphere that Las Palmas residents chose when they located here in the first place. I moved here because it is a safe environment for my children and with the 100's of extra people going to that development would not have made me want to live here. 116.2

I respectfully urge the developer to find an alternate venue and access for his proposed facility on land where there are no neighborhoods that are affected with one entrance – it's just crazy to think this would ever work out. It is not in the best interest of the residents of LP1 for this development to take place – EVER! 116.3

Please respond to the issues I listed above in writing.

Respectfully,

Lisa and Anthony Silva
17594 Winding Creek Road
Salinas, CA 93908

Letter 116

COMMENTER: Lisa and Anthony Silva

DATE: April 26, 2018

Response 116.1

The commenter states that the project would pose traffic, safety, and security problems. The commenter states that the project would worsen the existing congestion at the Subdivision entrance. The commenter expresses concern that increased traffic could result in harm or kidnapping of children that live in the Subdivision.

Please refer to Topical Response A and Topical Response D for a discussion of the project's impacts related to traffic and safety. As described therein, the project would not substantially increase traffic within the Subdivision. As a residential Subdivision with motor vehicle traffic, traffic safety risks are an existing condition. Given the nominal addition of trips through the Subdivision, the project would not substantially exacerbate such risks. Further, as noted in Topical Response A, the project would not result in a significant impact on police protection within the Subdivision.

Response 116.2

The commenter states that the project is for a commercial use that is inconsistent with the Subdivision's residential atmosphere.

Please refer to Topical Response C for a discussion of land use compatibility. As described therein, the project would be consistent with the site's zoning and land use requirements.

Response 116.3

The commenter urges the applicant to find an alternate venue and access for the project.

As stated in Section 17.0, *Alternatives,* of the Draft SEIR, an alternative site was considered, but rejected from further consideration. The site is considered to be an appropriate location for the proposed project based upon the specific plan land use designation, County zoning designations, and the space available to allow the creation of a tranquil, park-like setting while also being located in a neighborhood setting. The proposed location also offers nearby amenities including hospitals and doctors on Romie Lane in south Salinas, shopping, and regional roadway access.

The commenter's preference for an alternative site is noted and herewith shared with County decision makers for their consideration.

Letter 117

From: Roy Gobets
To: Sidor, Joe (Joseph) x5262
Cc: aemt5@aol.com; dalbyd345@gmail.com
Subject: Fwd: Additional Input re PLN 150372 - Riverview at Las Palmas
Date: Wednesday, August 15, 2018 7:40:49 AM

Joe,
I corrected two small typos below. Apologies.
Roy

Sent from my iPad

Begin forwarded message:

From: roygobets@aol.com
Date: August 14, 2018 at 8:31:06 PM PDT
To: sidorj@co.monterey.ca.us
Cc: aemt5@aol.com, dalbyd345@gmail.com
Subject: Additional Input re PLN 150372 - Riverview at Las Palmas

Reference: River View at Las Palmas - PLN 150372 - DSEIR Storm Water System Additional Information

Hello Joe,

It has been more than three months since I submitted earlier comments and new and important information has surfaced that I believe may have a bearing on the DSEIR review. Thank you for suggesting how I may submit additional comments on the subject DSEIR. I copied Tom Mercurio and David Dalby, LPI neighbors and contributors to this memo.

By way of context, as submitted in the subject DSEIR by the Applicant, there was no detailed plan evident to address the Storm Water load that would result from the project's 190,000 square feet of impermeable coverage (facilities, parking lots and roads, etc). I remarked on this in my original letter submitted during the Public Comment phase ending 4/25/2018. 117.1

Logically it appears that the developer may consider two options:

a) The developer may use ponds and a collection system on the development property (parcel Q), as other local developers have done. However the property has limited flat surface area to hold heavy winter rain run-off . Further the property slopes are steep and unstable particularly southward so any pond could pose a danger to LPI homes. Such an engineered solution will prove technically challenging and costly in view of multiple federal, state and county regulations. It may actually not even be feasible. 117.2

b) The developer may plan to contact the LPI HOA to address his need by connecting to the existing LPI HOA system. In anticipation of this likely event, several LPI residents were requested to research our almost 30 year old LPI system components, assess its operating status, and applicable policies.

This work was recently completed and presented to the LPI HOA Board on July 12. Summarizing this report: Our existing LPI Stormwater Removal system is an extensive combination of multiple holding ponds, street and fire access road drains, miles of

underground piping, and lift and pumping stations. In short, excess Storm Water is collected and channeled underground across River Road into the Salinas River. As such, it has already proved challenging to meet solely internal LPI needs during storms. It presently requires repairs and possibly upgrading. Clearly it is not adequate to absorb a new load as might be posed by RVLP

Recent Mud Slide: Las Palmas I experienced a painful event in February 2017. Our system was compromised by that winter's severe storms and rainfall. As a matter of record, Parcel Q runoff (i.e. the parcel the Applicant plans to build RVLP on) caused a mudslide of several hundred cubic yards of material consisting of "unconsolidated silt, sand and gravel eroded off the upland areas" that overwhelmed our adjacent Fire Access road drain and caused flooding that imperiled several nearby Las Palmas homes. Only heroic effort by Portola CDF firemen and neighbors averted homes flooding. My home is located within a few yards of this flooded area and it certainly got my attention.....

117.3

All of the lengthy, steep slopes of parcel Q must be considered similarly constructed and unstable. The Applicant was contacted by our HOA with a request to repair the Mud Slide area on their property. Much later in 2017 the developer repaired the damage and in doing so actually connected his newly installed hillside 8" drainage pipe network into the adjacent LPI access road drain.

We are not aware of any formal written request by the Applicant to our HOA to make this connection. Obviously this is of great concern to LPI home owners and in turn raised the new concern that the Applicant 's plan may be to turn to our HOA for a solution to his needs should the project be approved.

Permission: We investigated how such a future request might be considered. Our research shows LPI HOA Bylaws stipulate that any consideration of an easement (and such a connection by the developer, is essentially an easement) cannot be approved by the property manager nor the HOA Board itself.

117.4

The Bylaws specifically state that if the value of the assets for the easement exceeds 5% of the annual gross budgeted expenses, it must be put to an Association Membership vote. Clearly our substantial storm water infrastructure value exceeds the ~ 30K which is 5% of the 550K 2017 budgeted expenses.

Such a required vote would not carry, as our Association Membership is overwhelmingly opposed to the project. Prior surveys and votes demonstrate this opposition. I documented these data in my earlier letter. Consequently we now know that any attempt by the Applicant to negotiate a connection to our LPI Stormwater Removal system will fail. Hence option (b) above is a dead end.

The DSEIR as submitted does not specify any details on his "plan" to deal with runoff from the projected 190,000 square feet of impermeable covering.
So, how will the Applicant comply with California State law, General Plan, Las Palmas Specific Plan and other local plans and policies governing Storm Water Removal?

I look forward to your response to this important matter.

Best Regards,
Roy Gobets
Las Palmas I Homeowner since 1998

Best Regards,

Roy Gobets

Letter 117

COMMENTER: Roy Gobets

DATE: August 14, 2018

Response 117.1

The commenter states that the Draft SEIR does not include a plan to address the project's stormwater drainage needs.

Please refer to Topical Response E. As noted therein, the project includes on-site stormwater control measures designed to achieve zero net increase in the rate of stormwater discharge relative to pre-project conditions.

Response 117.2

The commenter states that collecting stormwater on-site with ponds would be problematic because there is limited surface area for storage, so stormwater may flood down the slope towards Subdivision homes. The commenter states that an alternative to on-site stormwater collection would be to connect to the Subdivision's drainage infrastructure, but that infrastructure is not adequate to handle an increase in volume.

Please refer to Topical Response E. As indicated therein, a Conceptual Stormwater Control Plan was prepared for the project by Gateway Engineering, Inc. and has been developed for the project as part of the preliminary design to address stormwater management for the project site in conformance with County and State regulatory requirements. The site drainage is specifically designed to meet County and regulatory requirements, and emulate pre-development conditions, resulting in the water volume, rate and quality of stormwater leaving the site would be similar to current conditions. As a result, there would be no project-related downstream or off-site impacts related to flood hazards or stormwater quality related to project operation.

Response 117.3

The commenter states that the project site is on an unstable slope that has previously caused a mudslide. The commenter states that the applicant has already connected the site to the Subdivision's drainage pipes without LPHOA approval.

Please refer to Topical Response E. As noted therein, all recommendations included in the geotechnical report would be implemented in the design and construction of the project to ensure that there would be no significant impacts associated with geologic hazards, including slope stability and landslides.

Please refer to Topical Response I. As noted therein, a written agreement between the LPHOA and the applicant would be necessary in order to clarify cost-sharing and responsibilities associated with the streets that are under the control of the LPHOA. Such an agreement is not currently in place. It is outside of the scope of the Draft SEIR to facilitate an access agreement between the applicant and the LPHOA.

Response 117.4

The commenter states that connection to the Subdivision's stormwater drainage system would require a vote by the LPHOA members, and that the LPHOA would vote against such a measure. The commenter asks how the project would comply with stormwater drainage requirements without the right to connect to the Subdivision's drainage system.

Please refer to Topical Response E. As noted therein, all recommendations included in the geotechnical report would be implemented in the design and construction of the project to ensure that there would be no significant impacts associated with geologic hazards, including slope stability and landslides.

Regarding a vote by LPHOA members, refer to Topical Response I. As noted therein, page 4-6 of the Draft SEIR has been revised to clarify that an agreement would be required between the LPHOA and the project applicants, who own the project site, to clarify cost-sharing and responsibilities . This includes connection to stormwater drainage facilities.

Received by RMA-Planning on September 14, 2018.

Letter 118

HAND delivered

RECEIVED
MONTEREY COUNTY
2018 SEP 13 PM 4:25
CLERK OF THE BOARD

Dear Supervisor Luis Ajelo,

Re: Senior Housing

About a year ago, I contacted your office, said I was "early." The project for senior housing, named [River View at Las Palmas] APN 139-211-035-000, 15+ acres, still has not progressed to the Planning Commission. 118.1

Staff says "Early 2019."

Meanwhile, at every income level, the need has increased.

Enclosed is a copy of my submission in the 45 day period EIR review for this project. (March - April 2017)

Please stay aware of this.

Nancy Dreenan

Letter 118

COMMENTER: Nancy Iversen

DATE: September 13, 2018

Response 118.1

The commenter states that since they had previously submitted comments on the project, and that since then, the need for senior housing has increased. The commenter notes that they are re-submitting their comment letter from March 10.

The commenter's additional comment on the need for senior housing is noted. Please refer to Letter 13 and Responses 13.1 through 13.4 for responses to the commenter's original comments.

4 Revisions to the Draft SEIR

The following pages provide a summary record of all proposed text revisions to the Draft SEIR. Most revisions are the result of comments received during the public review period, and directly respond to those comments. These revisions serve as clarifications and amplifications on the content of the Draft SEIR. None of the changes would warrant recirculation of the EIR pursuant to CEQA Guidelines section 15088.5. The revisions serve to clarify and strengthen the content of the EIR, but do not introduce significant new information.

Changes in text are signified by strikeouts (~~strikeouts~~) where text is removed and by underlined font (underline font) where text is added. Other minor clarifications and corrections to typographical errors are also shown as corrected in this format, including corrections not based on responses to comments.

4.1 Revisions to the Draft SEIR

Section 2.0 Summary

Page 2-2:

River View at Las Palmas Senior Living Community (the proposed project) is designed to provide a range of assisted care to seniors over the age of 55 and to persons with diminishing mental capacity due to Alzheimer's, dementia, or similar causes. The entire facility would be licensed by the State of California as a Residential Care Facility for the Elderly. The senior community would be comprised of three levels of residence, each with their own level of assistance: Casitas, Assisted Living Facility, and Memory Care Facility. There are 13 Casitas structures providing 26 separate units (referred to as A, B or C units) with a total of 42 beds. The assisted living facility is a two-level structure approximately 28 feet in height and will cover about 27,000 square feet. The assisted living facility includes 40 living units ranging from 360 to 587 square feet and a total of 52 beds. The memory care facility is a three-level structure approximately 30 feet in height and will cover about 21,600 square feet. The memory care facility includes 39 living units ranging from 313 to 453 square feet and a total of 48 beds. Total structural coverage is approximately 90,006 square feet (13.2 percent of the project site). Total site coverage (including roads, driveways, and parking areas) is approximately 190,000 square feet (27.8 percent of the project site). River Road provides the northern boundary of the property. There is no direct access from River Road and none is proposed. Access to the site is from the signalized intersection at River Road and Las Palmas Road to River Run Road, then Woodridge Court. River Road is a public road maintained by the County of Monterey. Additional details are provided in Section 4.0, *Project Description*.

Section 3.0 Environmental Setting

Table 3-1:

Full table included at the end of this section.

Section 4.0 Project Description

Page 4-6:

River Road provides the northern boundary of the property. There is no direct access from River Road and none is proposed. Access to the site is from the signalized intersection at River Road and Las Palmas Road to River Run Road, then Woodridge Court. River Road is a public road maintained by the County of Monterey. Las Palmas Road, River Run Road and Woodridge Court are private roads maintained by the Las Palmas Ranch Home Owners Association. Woodridge Court terminates at the entrance to the project site. Access to the proposed development will be by a private loop drive. The project applicants, who own the site, are currently members of the Las Palmas Ranch Home Owners Association and have paid dues to the association. The applicants will pay a proportionate share for the use of the roads and drainage system. An agreement would be required between the HOA and the project applicants, who own the project site, to clarify cost-sharing associated with use of the streets, drainage facilities, and security operations.

Page 4-18:

Conditional Use Permit and Design Review

The proposed project would require approval of a Conditional Use Permit from the County of Monterey. The proposed project will also be licensed by the State of California and subject to routine State inspections.

Specifically, the proposed project would require the granting of a Combined Development Permit consisting of: 1) Use Permit and Design Approval to allow the construction and operation of an approximately 90,000 square foot assisted senior living facility consisting of multiple structures and associated site improvements on an approximately 15.74-acre site; and 2) Use Permit to allow development on slopes exceeding 25 percent.

Section 6.0 Air Quality

Throughout Section 6.0:

~~MBUAPCD~~ MBARD

Page 6-1, paragraph 1:

This section of the EIR includes evaluation of proposed project impacts on air quality at a level commensurate with the project description. Unless otherwise noted, the discussion in this section is based upon independent site investigation, information found in the *2005 Report on Attainment of the California Fine Particulate Standard in the Monterey Bay Region - Senate Bill 656 Implementation Plan*, *Monterey Bay Air Resources District (MBARD, formerly known as Monterey Bay Unified Air Pollution Control District) 2012-2015 Air Quality Management Plan*, *Monterey Bay Unified Air Pollution Control District CEQA Air Quality Guidelines*, California Emissions Estimator Model results (Appendix C), *County of Monterey General Plan*, *Toro Area Plan*, and the *Las Palmas Ranch Specific Plan.*

Page 6-23, end of Mitigation Measure AQ-3:

- Whenever feasible, construction equipment shall use alternative fuels such as compressed natural gas, propane, electricity or biodiesel.

Section 7.0 Biological Resources

Page 7-11, Table 7.2 Special-Status Wildlife Species with Potential to Occur in Vicinity, column 4 (Potential to Occur on Project Site), row 7 (California tiger salamander):

~~Not expected. No suitable habitat found on the site.~~ Low. High quality, but mostly isolated habitat is present on site, and suitable breeding habitat is present within 1.24 miles of project site.

Page 7-15, the first paragraph is deleted and replaced in its entirety with the language presented below:

~~The project site does not contain habitat suitable for California tiger salamander breeding. CDFW records indicate that there are no known occurrences of California tiger salamander within 2.5 miles of the site. There are no ponds or wetted areas on the site. The ditch that runs along the eastern edge of the property is outside the project boundary and did not support standing water at the time of the survey, even after extremely heavy rains this season (winter 2015-2016). The ditch also appears to be sprayed with herbicides, as vegetation observed in this area was yellow, in contrast to surrounding vegetation. There were very few California ground squirrel burrows observed in the grassland areas, and California tiger salamander is not expected to utilize the site for upland refuge habitat.~~

The site is located approximately two miles from the closest known California Natural Diversity Database (CNDDB) occurrence of CTS at Toro Regional Park. The site is also within 1.24 miles (i.e., the known CTS dispersal distance) of stock ponds, detention basins, the Salinas River, and other wetlands visible on aerial imagery that represent areas with suitable breeding habitat. Based on a site visit and review of aerial imagery, the habitat on-site does not include suitable breeding habitat but may provide upland habitat in ground squirrel and small mammal burrows. Connectivity for movement between known populations and potential breeding habitat in the area and the project site itself is feasible where natural habitat or landscaped areas allow for undisrupted movement. A potentially suitable stock pond was located approximately 0.33 mile west of the site but was converted to agriculture between late 2017 and early 2018. This pond was evaluated for the adjacent Ferrini Ranch Project and was determined not to provide suitable breeding habitat due to an insufficient hydro-period and shallow basin (Ferrini Ranch Subdivision EIR 2014). However, the assessment in the Ferrini Ranch Subdivision EIR was made during a period of regional drought. A review of Google Earth imagery from 2016 showed that the pond held water through April 2016, indicating a sufficient hydro-period to support breeding. Higher quality and more easily accessible habitat is present outside of the project site. CTS cannot be completely excluded from having a potential to occur at the project site; however, the site is bordered by development and agriculture on three sides, and the potential for CTS to occur on site is low.

Page 7-15, third paragraph:

~~The project site does not contain habitat suitable for California red-legged frog breeding. CDFW records indicate that there are no known occurrences of California red-legged frog within 2.5 miles of the site. As described above, there are no ponds or wetted areas on the site. There are very few California ground squirrel burrows observed in the grassland areas, and California red-legged frog is not expected to utilize the site for upland refuge habitat.~~

The closest reported occurrence of CRLF is approximately 5.1 miles to the south of the site, on the south side of Toro Regional Park. This occurrence was reported from a stock pond along

Corral Del Cielo Road. Other occurrences in the vicinity are similarly from stock ponds. No creeks provide connectivity between the project site and any known occupied habitat. As such, it is unlikely that CRLF would disperse to the site from known stock pond occurrences in the south, and protocol level surveys of Toro Creek to the south performed for the Ferrini Ranch project were negative. CRLF have also been reported from the Salinas River approximately 8.6 miles downstream of the site, where adults and juveniles were observed. American bullfrog and non-native predatory fish are also known to occur in the Salinas River and reduce the habitat suitability in that water body for CRLF. Agricultural fields and busy roads lay between the river and the site posing significant biogeographic barriers and reducing the likelihood for dispersal from distant known occurrences to the project site. Therefore, CRLF are not expected to occur on-site.

Page 7-23, under the subheading "Tree Removal" is revised as follows:

The proposed project does not include the removal of trees protected by the Monterey County Municipal Code, Chapter 16.60 – Preservation of Oak Trees and Other Protected Trees within the Toro Plan area. Eucalyptus trees proposed for removal on the project site are not native and therefore, are not protected by the county. Additionally, eucalyptus trees represent a significant fire hazard, and the removal of such trees is supported by the local fire district.

Page 7-28 immediately preceding "IMPACT Impede Movement of Common Wildlife" as follows:

IMPACT Potential Loss or Disturbance of California Tiger Salamander

If California tiger salamander is present on the project site, construction activities could result in the loss or disturbance of individual animals. This would be a significant adverse environmental impact. Implementation of the following mitigation measure would reduce the potential impact to a less-than-significant level.

BIO– 6 California Tiger Salamander Surveys, Avoidance and Minimization

Prior to the start of construction, a qualified CTS biologist shall conduct a preconstruction survey for CTS. The survey shall include a transect survey over the entire project disturbance footprint (including access and staging areas), and scoping of burrows for CTS occupancy. If CTS are documented on the surface or in burrows, no work can be conducted until the individuals leave the site of their own accord. If no CTS are found, the biologist shall collapse all small mammal burrows onsite within the disturbance footprint. After all burrows have been collapsed, a silt fence shall immediately be installed around the edges of the work area to the existing road. This fencing shall be buried to at least three inches. No equipment or disturbance shall be allowed outside of the silt fence, and fencing shall remain in place until the project is complete. If a California tiger salamander is observed at any time during burrow excavation or construction, all work shall cease, and the applicant shall contact the USFWS for guidance before commencing project activities.

Section 9.0 Transportation & Traffic

Page 9-22:

The entrance gate to the Subdivision is currently served by a security guard. Subdivision residents have windshield tags on their vehicles, which allow entrance without having to stop at the security gate (Higgins 2019). Visitors and commercial vehicles are required to stop and be

recorded in the daily log, which in turn stops all entering vehicles while the information is being recorded because there is only a single entrance lane. The gate is not served by a security guard during the afternoon rush hour, which has the highest inbound traffic flow, in order to avoid occasional queues that would extend from the gate house to River Road.

Vehicle trips generated by the project would increase the existing volume of inbound traffic at the gate by an estimated 16 percent (Higgins 2019). Las Palmas Road has enough capacity to accommodate these additional trips without resulting in substantial queuing in front of the gate, or in blockage of vehicles turning into or out from Winding Creek Road. As a condition of approval of the project, the County also would require employees at the senior living center to display windshield tags. This condition of approval would eliminate the need to check each employee's vehicle, reducing the length of queues at the gate. Further measures to reduce queuing, including the installation of an automatic gate or the addition of a second inbound lane at the gate, would not be necessary. Therefore, the project would have a less than significant impact on traffic circulation related to queuing at the Subdivision's gate.

Page 9-23:

Emergency Access

~~The project's traffic impact assessment concluded that vehicle trip generation associated with the proposed project would be accommodated by the existing neighborhood roadway system. Therefore, implementation of the proposed project would not result in inadequate emergency access to the project site itself, or to residences in the Las Palmas Ranch neighborhood.~~

The project would involve extending Woodridge Court at a grade of approximately 15 percent to provide primary vehicular access to the project site. This grade is within the County's requirements for the Las Palmas Specific Plan and for the County in general. Therefore, the grade of site access would not create a safety hazard for emergency vehicle responding to service requests at the senior assisted living community.

Secondary access between River Road and the project site during emergency evacuations would be available through the lawn area between County Park Road and Woodridge Court. In addition, the project's interior loop street system would facilitate emergency access in more than one direction on-site. However, secondary access would not be provided on Woodridge Court between Country Park Road and the first internal parking lot aisle. To provide for additional capacity on this road segment in an emergency evacuation, turnouts on exiting and entering lanes should be provided. In addition, an all-weather surface should be provided on the lawn area between Country Park Road and Woodridge Court should be provided to facilitate emergency access. Therefore, this impact would be potentially significant without mitigation.

Mitigation Measure TRA-3 Emergency Access Improvements. Prior to occupancy of the proposed senior assisted living community, the applicant shall install eight-foot turnouts on the entering and exiting lanes of the proposed extension of Woodridge Court between Country Park Road and the first internal parking lot aisle on the project site. Also, prior to occupancy, the applicant shall install grass grid pavers on the section of lawn area between Woodridge Court and Country Park Road to provide an all-weather surface for secondary access.

Implementation of Mitigation Measure TRA-3 would involve ground disturbance to install turnouts and grass grid pavers, which could have secondary effects on unanticipated subsurface

cultural resources and water quality. However, as discussed on page 11-1 of the Draft SEIR, the applicant would apply comprehensive measures in the 2010 Monterey County General Plan to avoid and minimize impacts on archaeological resources and human remains. As discussed on page 11-6 of the Draft SEIR, compliance with stormwater permitting requirements would prevent erosion or degradation of water quality from construction activities. Therefore, the secondary environmental impacts of Mitigation Measure TRA-3 would be less than significant.

With implementation of Mitigation Measure TRA-3, the applicant would improve the capacity for and safety of emergency access routes to the project site. As a result, the proposed project would not cause inadequate emergency access to the project site itself, or to residences in the Las Palmas Ranch neighborhood. This impact would be less than significant with mitigation.

Page 9-23, "Applicant Proposed Mitigation Measures" bullet number 2:

To reduce overall trip generation to and from the project site, the project developer shall prepare a detailed plan for shuttle service. Shuttle services shall be offered to residents to access areas on the Monterey Peninsula and in Salinas from the project site. Additionally, shuttle service to nearby transportation hubs for employees shall be offered in the shuttle service plan. If feasible, the shuttle fleet shall be electrically-powered, and electric vehicle (EV) infrastructure should be added to the project for both shuttle and visitor use. The shuttle service plan shall be submitted for review and approval to Monterey County prior to approval of any building permits on the project site.

Page 9-24, impacts to residential streets:

During construction of the project, truck trips routed through the Subdivision could contribute to deterioration of private residential streets maintained through homeowners' association fees. However, as a standard grading and building permit condition, the County would require that the project applicant be responsible for repairing any damage to existing infrastructure during the temporary construction activities. This would include repairing pavements and special pavement surface treatments, as needed. Adherence to this condition of approval would prevent long-term deterioration of the circulation system from construction activity.

During operation of the project, the addition of vehicle trips, especially truck trips to serve the senior assisted living community, could incrementally contribute to deterioration of Subdivision streets. To offset this effect, payment of a fair-share contribution toward ongoing maintenance of private streets would be necessary. As a condition of approval, the County would require that the applicant pay a fair-share contribution toward ongoing maintenance of private streets maintained by the homeowners' association in the Subdivision. The fair-share contribution would be proportionate to the effect of project-generated vehicle trips on deterioration of privately maintained streets, relative to the effect of other residential traffic in the Subdivision.

With implementation of this condition, the applicant would make a fair-share contribution to repairing long-term damage to privately maintained streets in the Subdivision. Therefore, the project would have a less than significant impact related to deterioration of the circulation system.

Page 9-24, cumulative impacts:

As shown in Figure 9-4, the Cumulative + Project traffic scenario would degrade traffic conditions at two signalized intersections to below the County's threshold of LOS C. In this traffic scenario, the Reservation Road/State Route 68 westbound ramps intersection would

operate a LOS D during PM peak hours, as would the River Road/State Route 68 eastbound ramps during AM peak hours. Under existing conditions, these intersections operate at acceptable LOS C conditions. To offset a contribution to unacceptable cumulative traffic conditions at these intersections, the applicant would be required to pay impact fees toward future traffic improvements.

The Transportation Agency for Monterey County (TAMC) and its member jurisdictions have adopted a county-wide, regional development impact fee to cover the costs for studies and construction of many roadway improvements throughout Monterey County. This impact fee, which went into effect on August 27, 2008, is applied to new development within Monterey County. The governing document for the fee is the Regional Impact Fee Nexus Study Update (March 26, 2008) prepared by Kimley-Horn Associates, Inc. The Regional Impact Fee Nexus Study Update was updated in October 2018 by Wood Rodgers. Payment of the TAMC fee would satisfy the project's fair-share contribution to cumulative impact mitigation throughout the regional highway system, even for locations where an improvement has not been included in the fee program. In addition, the applicant would be required to pay a County fee for traffic impacts, which could include a pro-rata share of improvements at the River Road-Reservation Road /Highway 68 ramps intersections.

By paying required TAMC and County traffic impact fees, the project would not considerably contribute to a significant cumulative traffic impact.

Section 10.0 Water Supply

Page 10-10:

Monterey County General Plan

The Monterey County General Plan Land Use Element and Public Services Element provide the following goals, policies and objectives pertaining to water supply and distribution applicable to this project. Land Use Element goals LU-1 and LU-2 aim to concentrate development in areas where suitable access to services and facilities such as water and sewer.

Public Services Element policies PS-3.1, PS-3.2 and PS-3.3 address water supply and provide as follows:

PS-3.1 Except as specifically set forth below, new development for which a discretionary permit is required, and that will use or require the use of water, shall be prohibited without proof, based on specific findings and supported by evidence, that there is a long-term, sustainable water supply, both in quality and quantity to serve the development.

This requirement shall not apply to:

a. The first single family dwelling and non-habitable accessory uses on an existing lot of record; or

b. Specified development (a list to be developed by ordinance) designed to provide: a) public infrastructure or b) private infrastructure that provides critical or necessary services to the public, and that will have a minor or insubstantial net use of water (e.g. water facilities, wastewater treatment facilities, road construction projects, recycling or solid waste transfer facilities; or

c. Development within Zone 2C of the Salinas Valley groundwater basin, provided the County prepares or causes to be prepared a study for the Board of Supervisors regarding Zone 2C, to be completed no earlier than October 31, 2017 and no later than March 31, 2018 that does the following:

   1) Evaluates existing data for seawater intrusion and groundwater levels collected by Monterey County Water Resources Agency as of the date the study is commenced.

   2) Evaluates the total water demand for all existing uses and future uses designated in the General Plan EIR for the year 2030;

   3) Assesses and provides conclusions regarding the degree to which the total water demand for all uses designated in the General Plan for the year 2030 are likely to be reached or exceeded;

   4) Evaluates on an annual basis during the study period groundwater elevations and the seawater intrusion boundary;

   5) Based on historical data and the data produced by the study, evaluates and provides conclusions regarding future trends and any expected movement of groundwater elevations and the seawater intrusion boundary;

   6) Should the study conclude that i) total water demand for all uses designated in the General Plan for the year 2030 is likely to be exceeded; or ii) groundwater elevations are likely to decline by the year 2030 and iii) the seawater intrusion boundary is likely to advance inland by the year 2030, the study shall make recommendations on measures the County could take to address any or all of those conditions; and

   7) Addresses such other matters as the Board of Supervisors determines are appropriate.

Within two months following the completion of the study, the Board of Supervisors shall hold an open and noticed public hearing on the results of the study. If the study reaches the conclusions for Zone 2C identified in subsection 6) i or 6) ii and 6) iii, the Board of Supervisors shall adopt one or more measures identified in the study, or other appropriate measures, to address the identified conditions. This exception for Zone 2C shall be a rebuttable presumption that a Long Term Sustainable Water Supply exists within Zone 2C, and the presumption shall remain in effect until and unless the study reaches the conclusion for Zone 2C identified in subsection 6) i or 6) ii and 6) iii. Development in Zone 2C shall be subject to all other policies of the General Plan and applicable Area Plan.

Following completion of the study described herein, and the adoption of measures as may be recommended in the study, if any, the County shall prepare a report to the Board of Supervisors every five (5) years for Zone 2C that examines the degree to which a) total water demand for all uses predicted in the General Plan EIR for year 2030 will be reached; or b) groundwater elevations, the seawater intrusion boundary have changed since the prior reporting period; and c) other sources of water supply are available.

PS-3.2 Specific criteria shall be developed by ordinance for use in the evaluation and approval of adequacy of all domestic wells. The following factors shall be used in developing criteria for both water quality and quantity including, but not limited to:

a. Water quality;
b. Authorized production capacity of a facility operating pursuant to a permit from a regulatory agency, production capability, and any adverse effect on the economic extraction of water or other effect on wells in the immediate vicinity, including recovery rates;
c. Technical, managerial, and financial capability of the water purveyor or water system operator;
d. The source of the water supply and the nature of the right(s) to water from the source;
e. Cumulative impacts of existing and projected future demand for water from the source, and the ability to reverse trends contributing to an overdraft condition or otherwise affecting supply; and
f. Effects of additional extraction or diversion of water on the environment including on in-stream flows necessary to support riparian vegetation, wetlands, fish or other aquatic life, and the migration potential for steelhead, for the purpose of minimizing impacts on the environment and to those resources and species.
g. Completion and operation of new projects, or implementation of best practices to renew or sustain aquifer or basin functions.
h. The hauling of water shall not be a factor nor a criterion for the proof of a long-term sustainable water supply.

PS-3.3 Specific criteria shall be developed by ordinance for use in the evaluation and approval of adequacy of all domestic wells. The following factors shall be used in developing criteria for both water quality and quantity including, but not limited to:

a. Water quality.
b. Production capability.
c. Recovery rates.
d. Effect on wells in the immediate vicinity as required by the Monterey County Water Resources Agency or Environmental Health Bureau.
e. Existing groundwater conditions.
f. Technical, managerial, and financial capability of the water purveyor of a water system.
g. Effects of additional extraction or diversion of water on in-stream flows necessary to support riparian vegetation, wetlands, fish or other aquatic life, and the migration potential for steelhead, for the purpose of minimizing impacts on the environment and to those resources and species.

Page 10-13, first paragraph:

Monterey County General Plan

Policy PS-3.1. The first component of policy PS-3.1 is the requirement *to provide proof of a sustainable water supply to serve the development*. Policy PS-3.1 includes an exception to

development in Zone 2C of the Salinas Valley groundwater basin, which would include the proposed project. Instead the provisions of subsection c. of the policy are applicable. Subsection c. requires the County to conduct a specific study on Zone 2C, conduct a hearing on the study results, adopt measures to address identified conditions, and prepare a report every 5 years on the results of any measures. The requisite study and related actions have not been conducted.

Subsection c. further provides, "This exception for Zone 2C shall be a rebuttable presumption that a Long Term Sustainable Water Supply exists within Zone 2C, and the presumption shall remain in effect until and unless the study reaches the conclusion for Zone 2C identified in subsection 6) i or 6) ii and 6) iii. Development in Zone 2C shall be subject to all other policies of the General Plan and applicable Area Plan. Based on these considerations, the project is consistent with Policy PS-3.1, and the availability of a long-term water supply will be further discussed in conjunction with other policies below.

Policy PS-3.2. This policy provides guidance and criteria for the development of a County ordinance outlining the requirements for proof of a long term sustainable water supply and an adequate water supply system for new development requiring a discretionary permit. Thus, this policy is relevant to development of an ordinance that could be applied to the proposed.

Nonetheless, this project is reviewed below applying these criteria:

- Water is the same quality as current local California Water Service wells and is thus, of acceptable water quality.
- The analysis in the Draft SEIR (Section 10.0, *Water Supply*, page 10-11) shows that the project would use 11.4 acre-feet of water per year (AFY), approved Specific Plan anticipated uses associated with 599-AFY, and is using only 182 AFY. With consideration of the proposed project, total water use in the entire Specific Plan Area would be 194 AFY. In addition, common area landscape irrigation would use recycled water, resulting in less than 11.4 AFY of potable water demand. The project water would demand represents a 0.002 percent increase in the annual groundwater extraction for Zone 2C. California Water Service has confirmed that it can and will serve the project, which indicates the applicable water purveyor for the site is able to provide water supply for the proposed project. See updated will-serve letter from California Water Service dated March 26, 2019 in Appendix I-2
- California Water Service has demonstrated its technical, managerial and financial capabilities to deliver water.
- Potable water would be provided by California Water Service via its entitlements detailed in the Draft SEIR (Section 10.0, *Water Supply*, page 10-1). In addition, the property has rights to 2.5 acre-feet of reclaimed water which would further offset demand on potable water.
- As indicated in the Draft SEIR (Section 10.0, *Water Supply*, pp. 10-11 to 10-12), the project would increase potable water demand by up to 11.4 AFY. The "can and will" service letter provided by California Water Service for the proposed project indicates the applicable water purveyor for the site is able to provide water supply for the proposed project based on its existing facilities.
- The project does not involve any extraction or diversion of water but would utilize California Water Service water and recycled water associated with existing entitlements. In addition, the project would utilize water efficiency methods including water efficient fixtures, low-water use landscaping, and principles of low impact development in design to manage stormwater and emulate pre-development hydrologic conditions.

- The project would not adversely affect aquifer or basin functions and would not hinder other efforts to renew aquifer or basin functions.
- The project would not involve any hauling of water.

Therefore, substantial evidence related to proof of a sustainable water supply for the project includes the analysis and references in the Draft SEIR, including Section 10.0, *Water Supply,* the Cal Water will-serve letter include in Draft SEIR Appendix E, the updated will-serve letter attached herein (see Appendix I-2), the previous EIR for the Plan Area, and discussion and analysis in this response to comments/Final SEIR. The project is consistent with Policy PS-3.2.

Policy PS-3.3. This policy provides criteria for the evaluation of development of new domestic wells. The project does not involve any well development. Therefore, PS-3.3 would not be applicable.

Page 10-13, "Groundwater Impacts" subsection:

MCWRA is a regional leader in the area for groundwater management efforts to reduce overdraft and increase the reliability of the water supply. Cal Water is supportive of these efforts and prepared to work with MCWRA and make necessary investments to augment future basin recharge. Relevant efforts are highlighted below.

- **Salinas Valley Water Project**. The Salinas Valley Water Project aims to address both overdraft and related sea water intrusion into the aquifer. Reservoirs were previously constructed to capture excess storm flow on the upper reaches of the Salinas River and its tributaries and recharge this water in the upper valley and Forebay sub-areas of the Salinas Valley. Monitoring and study of conditions is ongoing, along with evaluation of additional solutions to improve conditions.
- **Conservation Master Plan**. Cal Water has an aggressive conservation program that has and will continue to reduce per-capita usage via demand management measures. Cal Water has a variety of programs to help its customers use water efficiently and conducts comprehensive program and analysis in a 5-year cycle in conjunction with the Urban Water Management Plan. Demand management measures include water waste prevention ordinances, metering, public education and outreach, distribution system water loss management, water conservation program coordination, water efficiency rebate, giveaway and installation programs, among other efforts.
- **Greater Monterey County Integrated Regional Water Management Program**. Cal Water monitors and supports the goals of this plan, which include improving water supply reliability, protecting groundwater and surface water supplies, and promoting regional communication, cooperation and education regarding water resource managements.

Based on the above, and other considerations addressed in its Urban Water Management Plan, California Water Service projected that, under all hydrologic conditions, its groundwater supply for the Salinas District will fully meet future demands through 2040 (2016 California Water Service).

As presented earlier in the groundwater setting of this section, the average annual groundwater extraction for the four noted subareas that compose Zone 2C was about 523,000 AFY from 1959 to 2013. The proposed project would add 11.376 acre feet per year, which is a 0.002 percent increase. This contribution to the cumulative existing impact is not considerable, and therefore, is a less-than-significant impact.

Water Conservation Measures

Similar to existing users, the project would employ strict water conservation measures in construction, design and operation and maintain responsible use of water. Specific measures to be included are discussed further below.

Project design and development would be subject to the most current requirements of the County and the State which include provisions for water efficiency, including California Building Standards Code and the California Green Building Standards Code (CALGreen). The project would also be subject to County Ordinance No. 3932[1] regarding mandatory water conservation regulations which governs design and development, as well as the operation and use of water.

Water conservation design measures to be implemented in conjunction with the proposed project include the following conditions of approval:

- Use of non-potable water for common area landscaping
- Use of xeriscape and low-water use landscaping to be utilized. The project shall use vegetation that uses little to no water once established. No turf will be used.
- Water efficient fixtures:
  - Ultra-low-flow toilets (maximum 1.6 gallons)
  - Shower heads (maximum 2.5 gallons/minute)
  - Recirculating hot water systems where fixtures are more than 10-feet from source
- Implementation of low impact development (LID) principles in hydrologic and water quality design. Low impact development techniques enable water to infiltrate into the soil on-site, rather than runoff. Benefits of LID include reducing stormwater runoff, erosion, and downstream impacts of flooding and/or water pollution, recharge of water into the groundwater, filter of pollutants from water prior to metered release. Project development will incorporate these methods to promote recharge, reduce runoff, and filter water to emulate pre-development conditions.

In addition, the project would be required to comply with the operational provisions of Ordinance No. 3932, including:

- Immediately repair of water leaks including irrigation, pipes, faucets and fixtures
- Wash vehicles at a commercial washing facility or equip hoses with automatic shutoff nozzles or low volume/high pressure system
- Equip hoses used to clean exterior of structures with shut-off valves or low volume/high pressure system
- Prohibit use of potable water to clean sidewalks, driveways, roads, parking and other paved or hard surfaces, except to protect public health or safety
- Prohibit water to spill into streets, curbs, or gutters, which exceeds reasonable beneficial use
- Post water-conservation oriented placards in appropriate locations (bathrooms, kitchens, water faucets, etc.) to highlight conservation practices to residents, employees and visitors

[1] 1997 Monterey County Water Resources Agency. Ordinance No. 3932 *An Ordinance of the Monterey County Water Resources Agency Amending Ordinances Nos. 3539 and 3596 and enacting mandatory water conservation regulations*.

- Provide literature to residents and employees describing the water conservation requirements of the facility

The project would also implement the following measures as conditions of approval during construction:

- If needed for dust suppression only recycled water would be used
- Soil shall be immediately stabilized following construction via erosion control measures and establishing of drought tolerant vegetation

Project Wastewater

The region has seen an overall demand in wastewater as users seek alternatives to potable water for irrigation of landscaping, golf courses, and other recreation facilities. Wastewater from the project site would be collected and treated at Las Palmas Ranch Wastewater Treatment Facility operated by California American Water Company. The wastewater would be recycled and used for irrigation.

Page 10-13:

The MCWRA's Recommendations to Address the Expansion of Seawater Intrusion in the Salinas Valley Groundwater Basin (2017) provides a discussion of the current knowledge and related background information surrounding seawater intrusion pathways and potential impacts thereof on the Salinas Valley Groundwater Basin. Six specific recommendations are included in the report with the objective of having the strongest potential to ensure success in slowing or halting father seawater intrusion when implemented simultaneously. The report also indicates each recommendation can be implemented on its own.

The recommendations from the report are as follows:

1. An immediate moratorium on groundwater extractions from new wells[2] in the Pressure 400-Foot Aquifer[3] within an identified Area of Impact[4], except for the following use categories:
   a. Wells operating under the auspices of the Castroville Seawater Intrusion Project; and,
   b. Monitoring wells owned and maintained by the Agency or other water management agencies.
2. Enhancement and expansion of the Castroville Seawater Intrusion Project (CSIP) Service Area. The expansion should include, at a minimum, lands served by wells currently extracting groundwater within the Area of Impact.
3. Following expansion of the CSIP Service Area, termination of all pumping from existing wells Pressure 180-Foot or Pressure 400-Foot Aquifer wells within the Area of Impact, except for the following use categories:

[2] "New well" is not intended to include (a) any well for which a construction permit has been issued by the Monterey County Health Department or (b) any well for which drilling or construction activities have commenced in accordance with a well construction permit issued by the Monterey County Health Department.
[3] Aquifer means: a water-bearing or saturated formation that is capable of serving as a groundwater reservoir supplying enough water to satisfy a particular demand, as in a body of rock that is sufficiently permeable to conduct groundwater and to yield economically significant quantities of water to wells and springs (Poehls and Smith, 2009).
[4] See Section 1.5 of the report for a description of the Area of Impact. The Area of Impact is also depicted in Figure 4.

a. Municipal water supply wells;

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

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

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

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

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

   b. The moratorium should include a prohibition of:

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

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

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

Section 11.0 Effects Not Found to be Significant

Page 11-1:

The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, or timberland. The Monterey County General Plan identifies the property as Grazing Land. The project site has been lightly grazed over the years, but only as part of a much larger grazing operation on adjoining properties. The project site is not of a sufficient size to be considered a viable agricultural unit for anything other than grazing. ~~The project will not have an impact on existing or adjoining agricultural uses, or result in the loss or conversion of forest land to non-forest use.~~

The nearest crops to the project site are at a distance of approximately 330 feet, across River Road. Property adjacent to the west is used for cattle grazing. Development adjacent to farmland can create conflicts with agricultural operations in adjacent areas. The increase in the number of residents in the area would increase public access near existing agricultural areas, increasing the potential for conflicts, such as vandalism to farm equipment or fencing, and theft of crops. These effects can result in direct economic impacts to agricultural operations, potentially impacting the overall economic viability of continued agricultural operations. In addition, residents living adjacent to agricultural operations commonly cite odor nuisance impacts, noise from farm equipment, dust, and pesticide spraying as typical sources of conflict.

The distance and landscaping buffer between the project site and the adjacent agricultural operations would minimize conflicts between the land uses. Specifically, mature trees would remain along River Road to buffer the project site against the effects of nearby agriculture such as pesticides and odors. Landscape buffering and topography would also minimize potential conflicts between the project and the surrounding grazing land. In addition, the County ensures a "right to farm" through Chapter 16.40, *Protection of Agricultural Activities*, of the Monterey County Municipal Code. Therein, an agricultural operation that is considered to be "properly operated" is inherently defined as a non-nuisance, and any transfer of real property within the County includes a "right to farm" notice provided to the purchaser. Therefore, the proposed project would not infringe on the farming rights of nearby agricultural operations, nor result in conversion or loss of farmland. The project would have a less than significant impact on agricultural or forest resources.

Page 11-2:

While the steep slopes on the north and south flanks of the site are prone to landslides and slope failure, future building foundations will be located within the geologically suitable building envelope as described in the report, which would avoid environmental impacts related to landslides. Building within this area would be adequate to reduce the impact because, as determined by Landset Engineering, Inc., the area within the geologically suitable building envelope is less steep than the steep slopes on the north and south flanks of the site, and more geologically stable. As displayed in Figure 11-1, Project Site Slopes, a portion of the project site proposed for development is located in an area of slopes greater than 25%.

As a condition of approval, all recommendations included in the geotechnical report would be implemented in the design and construction of the project. These recommendations include, but are not limited to: building within the geologically suitable building envelope to ensure that future building foundations are built on the most stable part of the site that would expose neither those nor other structures to harm from landsliding and slope instability; having the project geologist review final site grading and improvement plans prior to construction and site grading during earthwork to properly account for and, if necessary, adjust to actual conditions found during grading; requiring that on-site soils are inspected by a soil engineer prior to any site clearing or grading to ensure the internal consistency and stability of on-site soils; measures to ensure stability of existing on-site soils during and after site preparation and grading; and measures to ensure stability of foundations, footings, pile and grade beam foundations, retaining walls, and utility trenches.

In addition, the applicant would be required to comply with applicable building codes and standard County conditions of approval relating to slope stability and stormwater drainage. For example, the applicant would be required to comply with Monterey County Code Chapter 16.08, Grading, which prohibits the issuance of grading permits for projects that would be hazardous by reason of flood, geological hazard, seismic hazard, or unstable soil; and Monterey County Ordinance Code, specifically Chapter 16.12, which requires an erosion control plan prior to permit issuance for building, grading, or land clearing.

Compliance with recommendations in the geotechnical report, which would be required as a condition of project approval, and compliance with applicable County code requirement would ~~to~~ ensure that there would be no significant impacts associated with geologic hazards.

Page 11-5:

According to the Monterey County General Plan, the project site is ~~not~~ located in a moderate to high ~~or very high~~ fire hazard area. Fire protection to the project site would be provide by the Monterey County Regional Fire District, which as mutual aid agreements with neighboring fire departments and CAL FIRE for additional support in the event of wildfires.

Page 11-6 in Section 11.6, *Surface Hydrology*:

The proposed project would result in increases in impervious area that in turn would result in increases in the volume and rate of storm water runoff relative to existing conditions.

The project site is undeveloped and does not currently contain storm drainage infrastructure. A Conceptual Stormwater Control Plan was developed for the project as part of the preliminary design to address stormwater management for the project site in conformance with County and State regulatory requirements. The plan illustrates the location of impervious and pervious areas, storm flow direction and storm water control facilities.

The project would introduce new impervious surfaces in the form of building rooftops, and paved drives, parking areas and walkways. A large proportion of the site would remain impervious and feature landscaping to promote groundwater infiltration and uptake. The project site would also feature three bioretention areas where stormwater would be captured and filtered prior to infiltration or metered release to a connecting storm drain. Grading and contouring on the project site would collect and direct flows into one of these three basins.

~~However, the proposed project design includes storm drainage facilities (collection, conveyance and disposal) as detailed in the storm water control plan (Gateway Engineering 2016) to meet the generation of storm water runoff. Proposed development must not exceed the pre-project rate of discharge.~~ The purpose is to reduce the potential for increased erosion within receiving waters due to an increase in the rate of storm water flow. The site drainage is specifically designed to meet County and regulatory requirements, and emulate pre-development conditions, resulting in the water volume, rate and quality of stormwater leaving the site would be similar to current conditions.

The storm water control plan includes on-site storm water control measures designed to achieve a no net increase in rate of storm water discharge relative to pre-project conditions. This reduces the potential that runoff from new development could exceed the capacity of storm drainage facilities and contribute to off-site flood hazards.

A county reviewed storm water control plan in conformance with storm drainage facility design standards and NPDES requirements would be implemented ensuring that there would be no impacts related to localized flooding. As a result, there would be no project-related downstream or off-site impacts related to flood hazards or stormwater quality related to project operation.

Page 11-7, Section 11.8:

To quantify existing noise levels on and near the project site, one 24-hour noise measurement and four short-term noise measurements were taken using an ANSI Type II integrating sound level meter. Figure 11-2 shows the locations of these measurements with respect to the project site. The measurements were taken during midday hours on Wednesday, June 26, 2019. These measurements were located adjacent to residences on Country Park Road and to River Road.

Figure 11-2 Noise Measurement Locations

They were intended to be representative of existing traffic noise levels along River Road and at the nearest residences facing the project site. Table 11-1 summarizes the noise monitoring results.

Table 11-1

Noise Measurement Results

Measurement Location	Description	Primary Noise Source	Sample Time	Noise Level (L_{eq} dBA)
1	Northeast corner of project site adjacent to residence on Country Park Road (285 feet south of River Road centerline)	Traffic, birds	11:06 A.M. – 11:36 A.M.	48.3
2	Eastern property line adjacent to residence on Country Park Road (850 feet south of River Road centerline)	Traffic, animals	11:46 A.M. – 12:06 P.M.	46.7
3	South side of River Road to west of Las Palmas Road (120 feet south of River Road centerline)	Traffic	12:14 P.M. – 12:34 P.M.	66.3
4	North side of River Road to west of Country Park Road (100 feet north of River Road centerline)	Traffic, tractor	12:43 P.M. – 1:03 P.M.	67.1
24-Hour Noise Measurement	Northern edge of project site (175 feet south of River Road centerline)	Traffic	24 hours	70.0
[1] Figure 11-1 shows the noise measurement locations. Refer to Appendix J for noise measurement results.				

As shown in Table 11-1, existing ambient noise is as high as 70.0 dBA Leq at a distance of 175 feet from River Road, over the course of a 24-hour measurement period. (The metric L_{eq} is an equivalent noise level over a given period of time.) Ambient noise decreases with greater distance from River Road. At measurement locations 1 and 2 next to residences on Country Park Road, ambient noise during midday weekday hours ranged from 46.7 to 48.3 dBA Leq.

Page 11-7, Section 11.8, first paragraph:

During operation of the proposed senior assisted living community, heating, ventilation, and air conditioning (HVAC) equipment would continuously generate noise. It is anticipated that HVAC equipment would be located on the rooftops of the proposed assisted living and senior assisted living facilities, which would be located as close as approximately 250 feet from the nearest residences on Country Park Road to the east. Rooftop-mounted HVAC equipment typically generates an average noise level of up to 70 dBA L_{eq} at a distance of 15 feet from the source (Illington & Rodkin 2009). Since noise from a point source would attenuate at a rate of approximately 6 dBA per doubling of distance from the source, it is estimated that HVAC noise would decrease to 46 dBA L_{eq} at a distance of 250 feet. This noise level would not approach the existing measured 24-hour noise level of 70.0 dBA L_{eq} in northern section of the project site. It

would also not exceed the range of ambient noise measured during midday weekday hours next to residences on Country Park Road (46.7 to 48.3 dBA L_{eq}). Therefore, HVAC noise would not have a substantial effect on ambient noise at off-site sensitive receptors.

Infrequent sources of long-term noise during operation of the project would include emergency vehicles and emergency generators. Emergency vehicles would be used on occasion to transport seniors needing emergency care from the project site to medical facilities. Sirens from emergency vehicles on River Road would result in a short-term spike in ambient noise levels at nearby residences. However, there is an agreement in place that the Subdivision is a "no-siren zone." Furthermore, Section 10.60.040.C.3 of the County Code exempts "emergency vehicles being operated by authorized personnel or equipment used in an emergency, such as chain saws" from noise regulation. Emergency generators would rarely be used, except in the event of a disruption in the normal power supply and at infrequent intervals when automatically starting up. Generators typically create noise reaching 82 dBA L_{eq} at a distance of 50 feet from the source (FTA 2018). It is assumed that generators, if placed outside, would serve the proposed assisted living and senior assisted living facilities, which are located approximately 250 feet away from the nearest residences. At this distance, generator noise would be about 68 dBA L_{eq}, assuming no attenuation by intervening topography. As noted above, equipment used in an emergency is exempt from the County's noise ordinance. Therefore, equipment noise would not result in a long-term increase in noise levels.

~~The proposed project is not expected to produce significant temporary or continuous noise from on-site operations that would significantly increase exiting ambient noise levels. The proposed project does not include point sources of high intensity noise or sources that are unique or excessive relative to other types of residential uses.~~ Due to the nature of the use at a senior assisted living community, the daily activities would be mostly confined inside of buildings. Any outdoor activities are expected to be low intensity passive uses that would not generate excessive noise. ~~Design of the facility, berms, and landscaping would further preclude noise from travelling off the property. On-site operations would not generate noise with an intensity that exceeds county standards at the nearby noise sensitive residential use.~~ On-site noise sources during operation of the proposed project, including HVAC equipment, emergency vehicles, and emergency generators, would have a less than significant impact on long-term noise levels.

Page 11-7, Section 11.8, second paragraph:

The Federal Highway Administration's Roadway Construction Noise Model (RCNM) was used to estimate the equipment noise levels for the proposed project at the nearest sensitive receptors for each phase of project construction: site preparation, grading, building construction, paving, and architectural coating. RCNM predicts noise levels based on the expected construction equipment in each phase of construction, empirical data for noise generated by this equipment, the expected usage of equipment during each work day, and formulas to estimate sound attenuation from source to receiver. A list of anticipated equipment and the number of each piece of equipment during construction was obtained from default settings for senior retirement communities in the California Emissions Estimator Model (CalEEMod).

Construction noise levels would attenuate at a rate of approximately 6 dBA per doubling of distance. Ground absorption adds to the attenuation from distance alone. This analysis is conservative because it does not account for further attenuation from intervening topographic features or structures between construction equipment and receivers and does not account for soft-site attenuation. The analysis makes another conservative assumption that construction

equipment would typically operate as close as 50 feet from sensitive receptors. This assumption does not take into account the fact that equipment is typically dispersed in various areas of a construction site, at greater distances from sensitive receptors. Due to site and equipment limitations, only a limited amount of equipment can operate near a given location at a particular time. Therefore, this analysis of construction noise impacts is highly conservative.

Construction activity on the project site would occur periodically during development of the proposed project, with the use of heavy equipment generating noise. Sensitive receptors that may be exposed to construction noise include existing residences in the Las Palmas Ranch #1 Subdivision to the east of the project site. Residences on Country Park Road, which parallels the eastern boundary of the project site, would be closest to construction noise on-site. In addition, assisted living facilities that would be built during an earlier construction stage could be exposed to noise generated by construction of subsequent buildings.

The effect of construction noise on sensitive receptors would depend on type of activity being undertaken and the distance to the receptor location. Construction noise impacts are most severe if construction activities occur during times of day when people are most sensitive to noise (early morning, evening, or nighttime hours), in areas immediately adjoining noise-sensitive land uses, or when construction duration lasts over extended periods of time. Table 11-2 shows the maximum expected noise levels at distances of 50 and 100 feet from construction equipment, based on the combined use of equipment anticipated to be used concurrently during each phases of construction modeled in RCNM.

Table 11-2

Estimated Noise Levels by Construction Phase

Construction Phase	Equipment	Estimated Noise Levels at Nearest Sensitive Receptors (dBA L_{eq})	
		50 feet	100 feet
Site preparation	Backhoe, bulldozer, tractor	86	80
Grading	Backhoe, bulldozer, excavator, grader, scraper	87	81
Building construction	Backhoe, crane, forklift, generator, tractor, welder	89	83
Paving	Paver, roller	80	74
Architectural coating	Air compressor	74	68

As shown in Table 11-2, construction activity at a distance of 50 feet from sensitive receptors would generate noise levels up to an estimated 89 dBA L_{eq} during building construction, 87 dBA L_{eq} during grading, and 86 dBA L_{eq} during site preparation. These estimates are highly conservative because they assume no attenuation of noise by topographic features or intervening structures and construction activity adjacent to sensitive receptors.

Compliance with County requirements would reduce the exposure of sensitive receptors to temporary increases in construction noise. Section 10.60.040 of the Monterey County Code of Ordinances would prohibit nighttime construction activity that generates exterior noise levels of at least 45 dBA L_{eq} or 65 dBA L_{max}, between 10 p.m. and 7 a.m. (The metric L_{max} is a maximum

noise level.) In addition, Policy S-7.9 in the Monterey County General Plan's Safety Element (2010) would prohibit construction activities that exceed "acceptable" noise levels "within 500 feet of a noise sensitive land use during the evening hours of Monday through Saturday, or anytime on Sunday or holidays, prior to completion of a noise mitigation study." This policy would apply to the proposed project because the existing measured 24-hour ambient noise level of 70.0 dBA L_{eq} in the project site exceeds the normally acceptable level of 60 dBA L_{eq} for residential land uses in Table S-2 of the Safety Element. Policy S-7.10 also would require the following standard noise reduction measures: ~~Construction activities on the project site would be subject to Monterey County construction noise standards, including:~~

- Construction shall occur only during times allowed by ordinance/code unless such limits are waived for public convenience;
- All equipment shall have properly operating mufflers; and
- Lay-down yards and semi-stationary equipment such as pumps or generators shall be located as far from noise-sensitive land uses as practical.

Adherence to construction noise restrictions in the Monterey County Code Chapter 10.60.40 and Monterey County General Plan Policies S-7.9 and S-7.10 would substantially reduce the exposure of sensitive receptors to temporary increases in construction noise, especially during sensitive evening and nighttime hours. As a condition of approval, the County would require that the project adhere to these General Plan policies to minimize construction noise. These requirements would reduce construction-related noise impacts to less than significant.

Pages 11-7, last paragraph, and 11-8, first paragraph:

~~Increases in traffic generation may result during construction activities and from employee trips to and from the facility, which may elevate noise levels along local roadways. The Monterey County General Plan EIR concluded that the General Plan Noise Element provides sufficient analysis thresholds and recommendations for noise attenuation to effectively mitigation transportation noise impacts.~~ The project would increase traffic and traffic-related noise through the Subdivision during both the construction and operational phase. ~~C~~Construction traffic would be temporary and would not have a long-term effect on traffic noise near the project site. The effect of operational traffic on ambient noise from traffic on River Road was estimated using the U.S. Department of Housing and Urban Development's Site Day/Night Noise Level (HUD DNL) Calculator (DNL calculation sheets can be viewed in Appendix J to the Final SEIR). The HUD DNL Calculator is an electronic assessment tool based on the HUD Noise Assessment Guidelines that calculates the Day/Night Noise Level from roadway traffic. Modeled noise levels are in terms of the Day/Night Noise Level (L_{dn}), a 24-hour metric which adds a penalty of 10 dBA to actual nighttime (10:00 p.m. to 7:00 a.m.) noise levels to account for the greater sensitivity to noise during that time period.

The noise analysis conducted with the HUD DNL Calculator is based on traffic volumes in the Riverview at Las Palmas Senior Housing Traffic Impact Analysis prepared in June 2017 (Higgins 2017). The nighttime percentage of trips was assumed to be the default value of 15 percent, and speed limit was set at 55 miles per hour (as posted). A modal split of 80 percent cars, 15 percent medium trucks, and 5 percent heavy trucks was assumed for River Road. Traffic on low-volume residential streets in the Subdivision was not modeled because it does not substantially contribute to ambient noise levels relative to traffic on River Road. Based on the roadway traffic volumes presented in the traffic study (Higgins 2017), the volume of average daily traffic on River Road would be approximately five to ten times higher than the volume of existing traffic

plus project-generated trips on Subdivision streets. Therefore, traffic on River Road is the primary driver of ambient noise levels near the project site.

Two locations at ground level on the project site were analyzed with the HUD DNL Calculator, one where the 24-hour noise measurement was taken in the northern section of the project site (175 feet from River Road) and one where a 20-minute noise measurement was taken near the southern end of Country Park Road (850 feet from River Road). These locations were selected to reflect the range of ambient noise across the project site. While the HUD DNL Calculator does not account for differences in elevation between the noise source and sensitive receptors. intervening topography does partially block traffic noise in the southern portion of the project site. For this reason, it is expected that modeled noise in the southern portion of the project site would be higher than actual noise. Therefore, the approach to modeling traffic noise is conservative.

Using the HUD DNL Calculator, traffic noise in the project site at a distance of 175 feet from River Road was estimated at 68 dBA L_{dn} under both existing and with-project traffic conditions. At a distance of 850 feet from River Road, traffic noise was estimated at approximately 58 dBA L_{dn} under both existing and with-project traffic conditions. The addition of traffic generated by operation of the proposed project would not perceptibly increase traffic noise from River Road.

Project-generated traffic would also increase traffic volumes on residential streets in the Subdivision that lead to the project site, including Las Palmas Road, River Run Road, and Woodridge Court. However, these residential streets are secondary noise sources relative to River Road, and their traffic volumes would not increase to the extent that ambient noise at sensitive receptors would substantially increase. Therefore, the project would have a less than significant impact from increasing traffic noise.

Pages 11-8 through 11-9:

The proposed project may contribute to future demand for new fire and police protection facilities, the construction of which could have potential to create adverse impacts.

Neighboring Las Palmas Ranch #1 currently has private security for the subdivision. The proposed project would participate proportionately in the cost of that security and will provide additional on-site security, which would lessen the need for on-site police protection. As described in the Project Description, a written agreement between the project applicants and the HOA would be necessary to clarify cost-sharing for road maintenance and private security service.

The Monterey County General Plan EIR determined that impacts would be less than significant with full buildout of the general plan because if new facilities are required in the future to meet demand, they would be subject to independent CEQA review~~; mitigation of any significant impacts that may be identified would be required where feasible~~.

Fire Protection

The Monterey County Regional Fire District (MCRFD) provides fire protection and emergency services to portions of the county, which includes the project site. Services include response to fires (structural, wildland, vehicle, and other types), medical emergencies, vehicle accidents, and hazardous materials accidents with staffing across seven fire stations (MCRFD 2019). The MCRFD covers a service area of approximately 400 square miles and maintains mutual aid agreements with neighboring fire departments and CAL FIRE (Monterey County RMA 2008). As of 2019, the MCRFD had 62 full-time employees and 15 volunteer firefighters (MCRFD 2019).

The Toro Station (19900 Portola Drive, City of Salinas) is located nearest to the project site, approximately one mile southwest from the project site (MCRFD 2019). Personnel, fire protection resources, and emergency medical response and transport from the Toro Station would be first to respond to the project site when calls are placed to the MCRFD. The anticipated response time from the Toro Station to the project site is approximately five minutes for "Code 3" emergency calls, while "Code 2" non-emergency calls may be five minutes or slightly more based on traffic conditions at the time of the call (Priolo 2019). The maximum emergency response time service standard for fire protection is five to eight minutes for calls received in urban (developed) areas according to the County General Plan Public Services Element (Monterey County RMA 2010). Therefore, the Toro Station's anticipated response time to the project site would meet the County' General Plan standard for fire response. The Toro Station's current fire protection equipment stock and personnel rotation were determined by MCRFD to be sufficient in meeting fire protection and emergency medical response for the project's residents and employees (Priolo 2019). The project would not require construction of new or expanded fire service facilities or equipment.

The MCRFD also provides technical review of building construction plans to ensure proposed buildings, proposed site access, and on-site circulation meet the Fire District's adopted 2013 California Fire Code and applicable roadway design requirements prior to construction. The MCRFD reviewed the proposed site and building plans for the project as part of the County's review process and determined that a fire flow rate of 1,500 gallons per minute at a pressure of 20 pounds per square inch for a duration of up to three hours would be sufficient for the project since a fire sprinkler system for all proposed buildings would also be included as part of the project (Monterey County RMA 2015, 2016). The project would implement all design recommendations provided by the MCRFD to ensure project compliance with the Fire District's regulations and reduce fire hazards on the project site, as noted in Topical Response B of Section 2, *Topical Responses*.

Furthermore, developers in Monterey County are required to pay development impact fees that would go toward fire protection facilities, pursuant to Monterey County's Fire Mitigation Fee Ordinance (County Ordinance Title 10, Chapter 10.80) which constitute the project's contribution to the cumulative impact on the existing fire protection equipment and facilities Monterey County 2019; Priolo 2019). Therefore, the project would have a less than significant impact on fire protection since no new or expanded facilities are required as a result of the project, and with the project's adherence to applicable fire safety codes and design features as approved by MCRFD and payment of the County's Fire Mitigation Fee.

Police Protection

The Monterey County Sheriff's Office provides police protection services to unincorporated portions of the county, which includes the project site. Services include patrol, crime prevention, and crime investigation provided from three offices located in Monterey, Salinas, and King City (Monterey County RMA 2008). The Sheriff's Office has a total of 442 employees that consists of 320 sworn officers and deputies, and 122 non-sworn officers and professional staff (Galletti 2019). Based on the County's current population estimate of 110,000 residents (unincorporated; CA DOF 2019), the Sheriff's Office maintains a service ratio of approximately three sworn officers for every 1,000 residents (unincorporated).

The project site is located in Beat 4B, which is served by officers and staff located in the Central Station (1414 Natividad Road, City of Salinas), which is approximately six miles northwest from the project site (Galletti 2018). The Central Station has one Beat 4 deputy officer for each of the

three daily shifts, who patrols both the Beat 4A and Beat 4B areas. However, additional personnel assigned to the Central Station include one Station Commander, nine sergeants, and 45 deputies across the three daily shifts (Galletti 2019).

The average response time for all call types for the Las Palmas area of the Beat 4B area is 17 minutes and 47 seconds, where average response time for Priority 1 (emergency) calls is 12 minutes and 55 seconds (Galletti 2019). The County General Plan Public Service Element states that maximum emergency response time for emergency calls for the Sheriff's Office in urban (developed) areas is five to eight minutes (Monterey County RMA 2010). Therefore, the Central Station does not currently meet the County' General Plan standard for Sheriff response.

The project would increase demand for emergency police services with the construction of the proposed senior and assisted living units and the addition of approximately 142 residents and a total of 92 employees across five shifts per day. The project site is located adjacent to the Las Palmas Ranch Phase #1 Subdivision community, which is already served and patrolled by the Sheriff's Office. The 66 proposed assisted living units would not exceed the capacity of the Sheriff Department to provide police services to the area, and the project would have no impact on the Sheriff's Office's ability to provide police protection services (Galletti 2018, 2019).

Furthermore, the Las Palmas Ranch Phase #1 Subdivision currently pays for private security service. There is a guard at the main entrance during the day time, but the post is not staffed in the evening or nighttime hours. A periodic patrol through the Subdivision is done at night. Given the project is for a senior assisted living community it is unlikely there will be a significant exposure to the need for increased police protection. Fire and ambulance service already exist for the project site vicinity and there is an agreement in place that the Subdivision is a "no-siren zone." The proposed project would participate proportionately in the cost of the Subdivision's security service, as discussed in Topical Response A of Section 3, *Responses to Comments on the Draft SEIR*.

Therefore, the proposed project would have a less than significant impact on police protection since no new or expanded facilities would be required as a result of the project, and with the project's payment of applicable taxes and/or fees and the proportional contribution to private security services with adjacent existing communities.

Schools

~~As a senior living facility, the project would not generate any students. Therefore, the project would not result in the need for new or physically altered school facilities.~~ The proposed project would intensify residential density at the project site by a net increase of 66 residential units to be occupied by 142 residents. As a senior assisted living facility, all proposed residential units would be occupied by seniors (i.e., age 55 +) requiring living assistance, and school-aged children would be prohibited from residing at the proposed project. Therefore, the project would not generate any students for the Salinas Union High and the Spreckels Union School Districts, which provide public school services to the project site. Although the proposed assisted living development would not increase the number of school attendees, the project applicant would be required to pay applicable developer fees to both school districts prior to the issuance of building permits, pursuant to the Leroy F. Greene School Facilities Act of 1998 (SB 50) and Government Code Section 65995(h). Therefore, the project would not require new or expanded school facilities, and the project would have no impact on local school services.

Parks and Other Facilities

~~There would likely only be minimal use of existing recreational facilities in the area. Due to the projects nature and design as a senior assisted living facility containing its own recreational facilities, it is unlikely residents would use off site recreation facilities. No new recreation facilities will be required to be constructed other than those which will be incorporated into the project.~~ The proposed site plan indicates the provision of open space for residential use and other recreational amenities on the project site. Due to the nature and design of the project with the proposed use as a senior assisted living facility containing its own recreational amenities, it is unlikely residents would use off-site recreation facilities. No new public recreation facilities will be required to be constructed other than those which will be incorporated into the project. The project would have no impact on public recreational facilities.

The project site is served by the Buena Vista Branch Library (18250 Tara Drive, City of Salinas), located approximately two miles southeast of the project site. The Buena Vista Branch Library is part of the Monterey County Free Libraries (MCFL) system, which is financed by property tax collected from the service area and the Foundation for MCFL (MCFL 2019). The project would incrementally increase the demand for library use, but would not require the construction or expansion of new library facilities since library visits by project residents may be limited based on mobility as not all residents would have personal vehicles. Furthermore, the MCFL has several programs in place to ensure County residents have access to library resources such as the MCFL's Library by Mail program, electronic books and media that can be borrowed on personal electronic devices, and visits to the facility from the MCFL's bookmobile which can be coordinated between the facility and MCFL's Outreach Department (Ricker 2019). The facility would provide a shuttle service to residents, who may visit the Buena Vista Library which is ADA accessible with a vanpool parking space. The MCFL also provides workshops and events that may be of specific interest to senior citizens, such as tax preparation assistance and senior health resource presentations (Ricker 2019). Furthermore, the project would contribute to the financing of library services through property taxes, which would mitigate the need for new or physically altered government facilities that support library use. Therefore, the project would have a less than significant impact on the Buena Vista Branch Library since the project would not require new or expanded library facilities.

The Salinas Valley Memorial Hospital (450 E. Romie Lane, City of Salinas) is the nearest public hospital to the project site, located approximately five miles northeast from the project site. The Memorial Hospital contains 263 beds for acute care and over 1,800 hospital and medical staff that includes over 300 board-certified physicians (Salinas Valley Memorial Healthcare System 2019). The Memorial Hospital had over 55,000 emergency room visits in 2017 (Salinas Valley Memorial Healthcare System 2017). Emergency medical transportation from the project site would be dispatched through the MCRFD and County Sheriff's Office, pursuant to their respective response times. The Memorial Hospital assigns one patient per room during normal operations, though under seasonal peaks (i.e., flu season), two patients may be assigned to each room with a privacy curtain and additional staff may be brought in to provide care as part of the Memorial Hospital's primary contingency plan (Rusk 2019). Patients may also be diverted to neighboring hospitals if the Memorial Hospital reaches maximum capacity beyond the primary contingency plan (Rusk 2019). Because of the existing provisions to provide care during seasonal peaks, it is not anticipated that the proposed project would generate demand sufficient to require expansion of the existing hospital. Therefore, the project would have a less than

significant impact on the Salinas Valley Memorial Hospital for project since the project would not require new or expanded public hospital facilities.

Table 3-1 Policy Consistency Review (Las Palmas Ranch Specific Plan, Monterey County 2010 General Plan, Toro Area Plan)

	Consistency	Discussion
Las Palmas Ranch Specific Plan Policy		
Housing and Residential Land Use		
Policy 7. In order to preserve the semi-rural character of the area and to mitigate adverse impacts on significant viewshed areas, higher density housing should be clustered behind natural land forms, generally at lower elevations and not on steeper slopes or ridge lines.	Consistent with application of mitigation measures	Although the proposed project is not a residential project, it is located within an area designated "sensitive viewshed." Section 5.0, *Aesthetics,* of the Draft SEIR included visual simulations from SR 68 and from Reservation Road. The simulations show that although the project would be visible from these locations, the project is not located on steeper slopes and will not constitute ridgeline development. Mitigation measures ensuring the adverse impact is less than significant are: 1) requiring a landscape plan to screen the project site from SR 68, Reservation Road, and River Road, as well as from the adjacent neighborhood and trail; 2) building colors and materials to be earth toned to blend with the existing vicinity landscape; and 3) requiring all new utility and distribution lines on the project site to be underground.
Circulation		
Policy 1. Provide a system of pathways suitable for pedestrian and bicycle use to connect residential areas with commercial, educational and recreational areas of the project.	Consistent	As a condition of project approval, the County will require a system of pathways suitable for pedestrian and bicycle use both internal to the project and to connect the project with the existing system of pathways to other areas of Las Palmas Ranch.
Policy 3. Adequate off-street parking should be provided as a means of reducing road congestion, particularly in areas where reduced road right-of-way is proposed.	Consistent	The project meets the County standards for provision of off-street parking. The project requires a minimum of 86 parking stalls, and the project will provide 106 parking stalls.
Policy 4. Turnouts and turnaround facilities may be required to accommodate emergency vehicles in areas of reduced right-of-way or where longer cul-de-sacs are proposed.	Consistent with application of mitigation measures	Secondary access between River Road and the project site during emergency evacuations would be available through the lawn area between County Park Road and Woodridge Court. Secondary access would not be provided on Woodridge Court between Country Park Road and the first internal parking lot aisle. Mitigation Measure TRA-3 would be required to install improvements that improve access to the lawn area and Woodridge Court. With implementation of this measure, the project would have a less than significant impact on emergency access
Policy 5. Interior roads shall have longitudinal grades not exceeding 15 percent.	Consistent	The project is not proposing any roads with a grade of greater of 15 percent.

	Consistency	Discussion
Policy 7. The internal circulation system should be designed to accommodate a level of service "C" at full buildout. A trip generation factor of 8.0 trips per day per unit shall be used for this project.	Consistent	The Higgins traffic report evaluated the proposed project's traffic impact on the existing Las Palmas neighborhood streets that would be used to access the project. The report concluded that existing Las Palmas traffic averages about 7.1 trips per home, less than the 8.0 trip generation factor in this policy, and less than the ITE trip generation rate of 9.57 trips per home. The ITE trip generation rate for the proposed project ranges from 2.74 for assisted living facilities to 3.44 for attached senior housing. The proposed project is projected to result in 363 average trips per day. If the project site were developed with 40 medium density homes as allowed by the project site's existing zoning, the daily trip generation would be 284 (40 units x 7.1 trips per day). Therefore, the proposed project would result in about 28 percent more trips per day than would a 40-unit multi-family subdivision. However, the report concluded that even with the project, each street used to access the project would operate well below the designed carrying capacity of each street. See Section 4.3, Existing Plus Project Conditions Road Segment Operations, in the traffic report.
Policy 10. Horizontal and vertical street alignments should relate to the natural contour of the site insofar as practical, while retaining safe sight distance for expected driving speeds but not less than 25 mph.	Consistent	The proposed street alignment follows the natural contours of the site, as shown in the site plan.
Policy 14. Internal road connections should be provided where feasible between the areas of the subdivision in order to minimize the need for River Road to provide a route for intra-subdivision traffic.	Consistent	The proposed project is designed to take access from the signalized intersection at River Road and Las Palmas Road to River Run Road, then Woodridge Court. River Road is a public road maintained by the County of Monterey. Las Palmas Road, River Run Road, and Woodridge Court are private roads maintained by the Las Palmas Ranch Home Owners Association. Woodridge Court terminates at the entrance to the project site. Access to the proposed development will be by a private loop drive. Therefore, the proposed project includes an internal road connection between the proposed project and the adjacent residential subdivision, which eliminates the need for River Road to provide a route for intra-subdivision traffic.
Policy 16. The developer shall pay a development fee to the County for improvements to SR 68. This development fee shall be $620.75 per residential unit (a total of $640,000.00 being 10.66% of the estimated cost of the two lane first phase of the Corral de Tierra bypass), and shall be payable as to each residential unit at the time the building permit for the residence is issued.	Consistent	There are no residential units associated with the proposed project and therefore, this policy does not apply. However, as a condition of project approval, the applicant will be required to pay the Monterey County countywide traffic impact fee and the TAMC regional development impact fee to mitigate for the project's fair share of cumulative traffic impacts.

	Consistency	Discussion
Open Space And Conservation		
Policy 1. The following constitute the open space elements of Las Palmas Ranch to be protected: a. The Salinas River bank and the riparian vegetation adjacent thereto; b. The agricultural land north of River Road; c. The central ridge lines and north-facing frontal slopes visible from the SR 68 Scenic Corridor. d. The Corey House.	Consistent	The proposed project would not have an effect on the Salinas River bank and its associated riparian vegetation, nor would it have an effect on agricultural land north of River Road. The proposed project would not have an effect on the Corey House. The proposed project would be visible from SR 68. However, as presented in Section 5.0, *Aesthetics,* of the Draft SEIR, visual simulations from SR 68 and from Reservation Road were prepared. The simulations show that although the project would be visible from these locations, the project is not located on steeper slopes and will not constitute ridgeline development. Mitigation measures ensuring the adverse impact is less than significant are: 1) requiring a landscape plan to screen the project site from SR 68, Reservation Road, and River Road, as well as from the adjacent neighborhood and trail; 2) building colors and materials to be earth toned to blend with the existing vicinity landscape; and 3) requiring all new utility and distribution lines on the project site to be underground.
Policy 2. Prohibit building on ridgelines visible from designated scenic corridors, as delineated.	Consistent	See discussion of Open Space Policy 1 above.
Policy 10. Utilize mounding, informal massing, or irregularly spaced trees, planting and other overall landscaping treatment to screen development.	Consistent	A mitigation measure is presented in Section 5.0, *Aesthetics,* of the Draft SEIR to ensure the proposed project is adequately screened from SR 68, River Road, and Reservation Road.
Policy 11. Visually obtrusive building materials and finishes shall be avoided.	Consistent	A mitigation measure is presented in Section 5.0, *Aesthetics,* of The Draft SEIR that requires the applicant submit a final plan for colors and materials used for the buildings, which shall be earth toned to blend with the existing vicinity landscape.
Energy Conservation Policies		
Policy 1. Each residential unit should be should be afforded adequate solar access for the operation of active and passive solar systems. Locating structures with their major axis oriented within 22.5 degrees of true east/west is generally the best means to insure adequate south-facing solar access. For single-family homes, the orientation is fairly simple to implement as is full access to the south wall for passive solar design. For multi-family units, orientation and access are more difficult; generally south roof access for active space hearing or domestic water hearing systems is considered sufficient.	Consistent	The proposed project does not currently include the use of solar energy in the project materials. However, the Energy section of the Draft SEIR requires the applicants to demonstrate how the project will be consistent with this policy, prior to issuance of building permits.

	Consistency	Discussion
Policy 2. Careful design of structures to utilize solar access and to control heat loss and heat gain can achieve significant energy conservation. When these design elements are coupled with passible design features (thermal storage units, south facing glass, domestic hot water systems and other energy conserving components), the energy conservation potential greatly increases. Support structures built by the developer such as commercial areas, swimming pools, recreation and community buildings should make maximum use of alternate energy sources both to reduce operation costs and to serve as community examples.	Consistent	See the Energy Conservation Policy 1 discussion above.
Design and Sensitivity		
Policy 1. All areas of the project proposed for structural development shall be placed in a sign and design control district to ensure county enforcement of the design policies of this specific plan.	Consistent	The project site has a zoning designation of MDR/2.61-D (Medium Density Residential, 2.61 units per acre; Design Control).
Policy 3. All structures, including residential, commercial, recreational and accessory buildings; fences; walls; decks and signs shall require design approval. Approval shall be based upon conformity with the policies of this plan as well as the following specific criteria: A. Compatibility of external design, materials and colors with existing ground elevations and natural land forms. B. Conformity of design and location of structures with respect to existing ground elevations and natural land forms. C. Mitigation of visual impacts from within the development and from major designated view corridors outside of the project. D. Protection of significant trees and vegetation. Trees over 36" in circumference (four feet above the ground) shall be retained. Where it is necessary to remove such trees for better design or layout, then they shall be replaced on a two for one basis subject to the approval of the Director of Planning. E. Prevention of erosion, sedimentation and visual impacts resulting from grading, excavation, cutting or filling.	Consistent	The proposed project requires a conditional use permit and design review. A. A mitigation measure is presented in Section 5.0, *Aesthetics,* of the Draft SEIR that requires the applicant submit a final plan for colors and materials used for the buildings, which shall be earth toned to blend with the existing vicinity landscape. B. The project site is a generally level plateau, which has been identified as an acceptable building envelope from a geologic and soils perspective. The project will not result in ridgeline development or have an adverse effect on natural land forms. C. A mitigation measure is presented in Section 5.0, *Aesthetics,* of the Draft SEIR to ensure the proposed project is adequately screened from SR 68, River Road, and Reservation Road. D. The project does not include the removal of trees protected by the Monterey County Municipal Code, Chapter 16.60 – Preservation of Oak Trees and Other Protected Trees within the Toro Plan area. Eucalyptus trees are not native and therefore, are not protected by the county. E. As described in Section 11.0, *Effects Not Found to be Significant,* of the Draft SEIR, the proposed project would not have significant impacts with erosion, sedimentation, or visual impacts resulting from grading, excavation, cutting or filling. Refer to Topical Response E of this Final SEIR for more information.
Policy 4. To the extent feasible, all structures should utilize natural materials such as wood and native stone and low intensity earth-tone exterior colors. Visually obtrusive building materials shall be avoided.	Consistent	A mitigation measure is presented in Section 5.0, *Aesthetics,* of the Draft SEIR that requires the applicant submit a final plan for colors and materials used for the buildings, which shall be earth toned to blend with the existing vicinity landscape.

	Consistency	Discussion
Policy 5. Low level exterior lighting, including street lighting shall be utilized with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. Street lights may not be used unless approved as conditions of permits obtained pursuant to this plan.	Consistent	Section 5.0, *Aesthetics,* of the Draft SEIR concluded that the proposed project could have an adverse lighting effect. With implementation of Mitigation Measure AES-4, which requires all exterior lighting to be unobtrusive, down-lit, harmonious with the local area, and constructed or located sot that only the intended area is illuminated and off-site glare is fully controlled, lighting impacts would be less than significant and the proposed project would be consistent with this policy.
Policy 6. Horizontal and vertical street alignments should relate to the natural contours of the site insofar as is practical. Roads which are perpendicular to viewing areas or which involve excessive cut and fill should be discouraged.	Consistent	The proposed street alignment follows the natural contours of the site, as shown in the site plan. The site is not located perpendicular to a viewing area, nor would it require excessive cut and fill.
Policy 7. Mounding, informal massing, or irregularly spaced trees, planting and other overall landscaping treatment should be utilized to screen development.	Consistent	A mitigation measure in Section 5.0, *Aesthetics,* of the Draft SEIR requires the use of mounding, informal massing, or irregularly spaced trees and plantings.
Policy 8. Preserve vegetation significant to the maintenance of visual quality and to the provision of erosion control on sensitive slopes.	Consistent	The vegetation on the slopes surrounding the development area would be preserved.
Erosion Drainage and Flood Control		
Policy 1. A comprehensive drainage plan for the entire project shall be prepared by the developer, and submitted to and approved by the County prior to final discretionary approval is given by the County for any portion of the development authorized by this specific plan.	Consistent	A Conceptual Stormwater Control Plan (Gateway Engineering 2017) was developed for the project as part of the preliminary design to address stormwater management for the project site in conformance with County and State regulatory requirements. The plan illustrates the location of impervious and pervious areas, storm flow direction and stormwater control facilities.
Policy 3. Provide drainage reports for each phase of development showing all tributary areas and information pertinent to the capability of stormwater detention and silt control facilities and mitigations for such identified impacts will be implemented.	Consistent	The proposed project design includes storm drainage facilities (collection, conveyance and disposal) as detailed in the stormwater control plan (Gateway Engineering 2017) to meet the generation of stormwater runoff. Proposed development must not exceed the pre-project rate of discharge. The purpose is to reduce the potential for increased erosion within receiving waters due to an increase in the rate of stormwater flow. The stormwater control plan includes on-site stormwater control measures designed to achieve a no net increase in rate of stormwater discharge relative to pre-project conditions. This reduces the potential that runoff from new development could exceed the capacity of storm drainage facilities and contribute to off-site flood hazards.
Policy 4. Provide stormwater detention/siltation ponds so that the flow rate from development will not exceed that from the tributary areas in its natural state during a ten year design storm.	Consistent	See discussion of Erosion Drainage and Flood Control Policy 3 above.
Policy 7. Minimize disturbance or removal of existing vegetation, including trees, shrub and grasses or other ground covers.	Consistent	The project is proposed on approximately 17 percent of the project site. The remainder of the site would be retained in its existing vegetation.

	Consistency	Discussion
Policy 8. Provide engineering plans with each phase of development demonstrating that cut and fill slopes can be stabilized; the specific method of treatment and type of planting by area for each soil type and slope required to stabilize cut and fill slopes; and the time and amount of maintenance required to stabilize cut and fill slopes.	Consistent	According to the geologic hazards report and soil engineering feasibility investigation prepared for the project (Landset Engineers 2014), the steep slopes on the northerly and southerly flanks of the non-developable portion of the project site are prone to landsliding and slope failure. In order to mitigate the potential hazards from landsliding and slope instability, building foundations must be located within the geologically suitable building envelope as presented in the report. The proposed project is located within the geologically suitable building envelope, and the project would be required to comply with the recommendations of the geotechnical report as a condition of approval.
Public Facilities and Services - Water		
Policy 1. As the first priority the entire development must be served by a public utility water company providing domestic and fire flow in accordance with the requirements of State and County health and fire agencies. If a public utility water company satisfactory to the County if not feasible, then an incorporated mutual water company may perform this function.	Consistent	Water demand is evaluated in the Water Demand section of the Draft SEIR. The proposed project would have a water demand of approximately 11.4 acre feet per year (AFY). California Water Service, the water purveyor for the specific plan area, has provided a "can and will serve" for the proposed project. As presented in Table 10-2 in the Water Demand section, the 1982 EIR identified that buildout of Las Palmas Ranch would require 922 AFY. However, the Board of Supervisors modified the proposed specific plan, and the adopted specific plan required on 599 AFY. Actual water use at Las Palmas is estimated to be about 182 AFY. Therefore, with the addition of the proposed project, the total water use at Las Palmas is expected to be about 193.4 AFY, significantly less that what was allowed by the adopted specific plan.
Policy 2. Availability of water meeting the requirements of Policy No. 1 shall be demonstrated as to each increment of development prior to filing of a final subdivision map or issuance of any building permit for that increment of development.	Consistent	California Water Service, the water purveyor for the specific plan area, has provided a "can and will serve" for the proposed project.

	Consistency	Discussion
General Plan Policy		
Land Use		
LU-1.5 Land uses shall be designated to achieve compatibility with adjacent uses.	Consistent	Adjacent uses include the Las Palmas Ranch residential neighborhood to the east, open space to the south and west, and agricultural land across River Road to the north. The proposed project is located about 300 feet from the agricultural fields and is buffered by an existing grove of eucalyptus trees and River Road. The proposed project is a continuum of care residential community designed to provide care to seniors over the age of 55 and to persons with diminishing mental capacity due to Alzheimer's, dementia, or similar causes. This type of use, as well as the density and design of the proposed project, is similar to and consistent with residential uses in Las Palmas Ranch.
LU-1.9 Infill of vacant non-agricultural lands in existing developed areas and new development within designated urban service areas are a priority. Infill development shall be compatible with surrounding land use and development.	Consistent	The proposed project is located on land that is designated Medium Density Residential, is non-agricultural land, is vacant, and is located in the existing developed Las Palmas Ranch. Urban services, including water and wastewater, are available to the project.
LU-1.11 Development proposals shall be consistent with the General Plan Land Use Map designation of the subject property and the policies of this plan. (Land Use Maps for each of the following Planning Areas are shown at the end of their respective Area/Master Plan except the Coast Area, which is located at the end of this Element). a. Coast Area, Figure LU1 b. Cachagua (CACH), Figure LU2 c. Carmel Valley Master Plan, (CV), Figure LU3 d. Central Salinas Valley (CSV), Figure LU4 e. Greater Monterey Peninsula (GMP), Figure LU5 f. Fort Ord Master Plan, (FO), Figure LU6 g. Greater Salinas (GS), Figure LU7 h. North County (NC), Figure LU8 i. South County (SC), Figure LU9 j. Toro (T), Figure LU10	Consistent	The proposed project is located on land designated for Medium Density Residential (MDR) uses. The MDR designation allows for "…a range of residential uses (1-5 units/acre) and housing types, recreational, public and quasi-public, and other uses that are incidental and subordinate to the residential use and character of the area…" The proposed project meets the definition for a quasi-public use, as well as the Monterey County MDR zoning district the site is located in, and is therefore consistent with the General Plan Land Use Map designation. The proposed project also includes the following amendment to the Las Palmas Ranch Specific Plan to clarify allowance of the proposed use in the MDR district. "Assisted living facilities are conditionally allowable uses in the MDR district in that they are similar to other uses such as rest homes and public quasi-public uses currently allowed in the district. Assisted living facilities are not considered residential units and are not subject to the current 1,031 residential unit limitation of the specific plan. An assisted living facility is not considered a residential development because it does not operate or function in a manner like independent residential units. An assisted living facility may, therefore, be considered and approved through a conditional use permit on Parcel Q of Las Palmas Ranch Unit #1." The proposed project would be consistent with this policy, and with the proposed amendment this consistency would be made clear.

	Consistency	Discussion
LU-1.13 All exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range visibility is reduced of the lighting source, and off-site glare is fully controlled. Criteria to guide the review and approval of exterior lighting shall be developed by the County in the form of enforceable design guidelines, which shall include but not be limited to guidelines for the direction of light, such as shields, where lighting is allowed.	Consistent	Section 5.0, *Aesthetics,* of the Draft SEIR concluded that the proposed project could have an adverse lighting effect. With implementation of Mitigation Measure AES-4, which requires all exterior lighting to be unobtrusive, down-lit, harmonious with the local area, and constructed or located sot that only the intended area is illuminated and off-site glare is fully controlled, lighting impacts would be less than significant and the proposed project would be consistent with this policy.
LU-1.19: Community Areas, Rural Centers and Affordable Housing Overlay districts are the top priority for development in the unincorporated areas of the County. Outside of those areas, a Development Evaluation System shall be established to provide a systematic, consistent, predictable, and quantitative method for decision-makers to evaluate developments of five or more lots or units and developments of equivalent or greater traffic, water, or wastewater intensity. The system shall be a pass-fail system and shall include a mechanism to quantitatively evaluate development in light of the policies of the General Plan and the implementing regulations, resources and infrastructure, and the overall quality of the development. Evaluation criteria shall include but are not limited to: a. Site Suitability b. Infrastructure c. Resource Management d. Proximity to a City, Community Area, or Rural Center e. Mix/Balance of uses including Affordable Housing consistent with the County Affordable/Workforce Housing Incentive Program adopted pursuant to the Monterey County Housing Element f. Environmental Impacts and Potential Mitigation g. Proximity to multiple modes of transportation h. Jobs-Housing balance within the community and between the community and surrounding areas i. Minimum passing score Residential development shall incorporate the following minimum requirements for developments in Rural Centers prior to the preparation of an Infrastructure and Financing Study, or outside of a Community Area or Rural Center: 1) 35% affordable/Workforce housing (25% inclusionary; 10% Workforce) for projects of five or more units to be considered. 2) If the project is designed with at least 15% farmworker inclusionary housing, the minimum requirement may be reduced to 30% total. This Development Evaluation System shall be established within 12 months of adopting this General Plan.	Consistent	The project site is not within a Community Area, Rural Center, or Affordable Housing Overlay District. Thus, the project should be analyzed pursuant to the Development Evaluation System (DES) required by this policy. Pending adoption of a detailed program implementing the DES, the County has been implementing the DES through application of the criteria in LU-1.19. Accordingly, an interim analysis has been completed for this project based on the Policy LU 1.19 criteria. The objective of the DES is to strongly discourage or avoid "leap frog" development not proximate to urbanized or community areas where public services and facilities exist. The project meets this objective of the DES. This proposed project is infill in nature and is the last developable site in the LPRSP area, near existing communities, major roadways, and services. The proposed project is consistent with the majority of the specified DES criteria, if the criteria are deemed to apply to an infill location such as the subject site. The affordable housing and jobs-housing balance criteria do not apply because the proposed project is not residential. In terms of "site suitability," "proximity to cities and communities," and "multiple modes of transportation," the project's location near an existing residential development makes the site suitable for the assisted living use proposed. The proposed site is less than 2 miles from the River Road Rural Center. The site's location provides efficient access to SR 68 via River Road, the major transportation corridor to the west of the site. Residents of the proposed project are not expected to need significant services outside of those provided at the assisted care facility, but the nearby Monterey Peninsula communities of Spreckels, Creekside, and Salinas are within short travel distance of the site and offer a wide range of commercial and personal services and medical care facilities if desired. The project will also include walking paths, and the applicants have proposed shuttle services for residents to access areas on the Monterey Peninsula and Salinas, including regular shuttle service for employees to transportation hubs nearby, as not all residents will have access to personal vehicles. Regarding "infrastructure and services," the site has received a "can and

	Consistency	Discussion
		will serve" letter from Cal Water and, as discussed above in the LPRSP analysis above under "Public Facilities and Services – Water", total water use at Las Palmas is expected to be about 193.4 AFY, significantly less than the 599 AFY that was allowed by the adopted specific plan. Additional infrastructure is existing or will be built concurrently with the project so the project site will be adequately served. Finally, regarding "resource management" and "environmental impacts and potential mitigations," the project would result in significant but mitigatable impacts on special status animal species. Construction of the proposed project could directly impact American badger, Monterey dusky-footed woodrat, western red bat, burrowing owl or nesting birds. This impact is also considered significant but mitigatable. In summary, when considered in relation to the DES criteria specified in General Plan Policy LU-1.19, the project is, overall, consistent with LU-1.19.
LU-8.1 The open space needs of the community and new development shall be reviewed and addressed through the planning process. The extent of use of land for this designation shall be limited to building coverage of 25% of the subject property.	Consistent	The project site is 15.67 acres. Proposed building coverage totals 90,006 square feet (approximately 2.1 acres). Therefore, total building coverage is approximately 13 percent.
Circulation		
C-1.1 The acceptable level of service for County roads and intersections shall be Level of Service (LOS) D, except as follows: a. Acceptable level of service for County roads in Community Areas may be reduced below LOS D through the Community Plan process. b. County roads operating at LOS D or below at the time of adopting this General Plan shall not be allowed to be degraded further except in Community Areas where a lower LOS may be approved through the Community Plan process. c. Area Plans prepared for County Planning Areas may establish an acceptable level of service for County roads other than LOS D. The benefits which justify less than LOS D shall be identified in the Area Plan. Where an Area Plan does not establish a separate LOS, the standard LOS D shall apply.	Consistent	The traffic report includes an evaluation of project impacts at the River Road/Las Palmas Road intersection, which would be the county intersection most affected by the proposed project. The intersection currently operates at level of service A, with a 4.9 second delay in the AM peak hour, and LOS A with a 4.2 second delay in the PM peak hour. With the addition of project traffic, the intersection would continue to operate at LOS A with a 5.0 second delay in the AM peak hour, and LOS A with a 4.4 second delay in the PM peak hour. Therefore, the proposed project would be consistent with this policy. The Toro Area Plan does not establish a separate level of service.
C-1.3 Circulation improvements that mitigate Traffic Tier 1 direct on-site and off-site project impacts shall be constructed concurrently (as defined in subparagraph (a) only of the definition for "concurrency") with new development. Off-site circulation improvements that mitigate Traffic Tier 2 or Traffic Tier 3 impacts either shall: a. be constructed concurrently with new development, or b. a fair share payment pursuant to Policy C-1.8 (County Traffic Impact Fee), Policy C-1.11 (Regional Development Impact Fee), and /or other applicable traffic fee programs shall be made at the discretion of the County.	Consistent	According to the traffic report (Exhibit 5, Intersection Levels of Service) the project would not result in significant impacts at the studied intersections, and with minimal increases in the existing delays at the intersections. Therefore, there are no Tier 1 project impacts to mitigate. However, under cumulative project conditions, the SR 68 intersections with Reservation Road and River Road would operate at unacceptable LOS D in one of the peak hours. Although the project's contribution to the traffic at these intersections would be minimal, the project would be required to pay the appropriate impact fees (county and TAMC) to

	Consistency	Discussion
Note: Tier 1 means impacts that are direct impacts on site, or off-site, but in the immediate vicinity of the project. *Tier 2 means direct or cumulative impacts to county roadways not in the immediate vicinity of development.* *Tier 3 means impacts to regional roadways and highways identified in the TAMC Regional Development Impact Fee Program.*		mitigate for the project's share of the necessary improvements to these intersections, in accordance with Policy C-1.8 and Policy C-1.11. These Tier 2 impacts would be mitigated though the payment of these impact fees. Additionally, the project would add one or more trips to SR 68 in the AM and PM peak hours, which is currently operating at unacceptable LOS F. This Tier 3 impact is also mitigated with the payment of county and TAMC fees. However, the impact is still considered significant and unavoidable, as there are currently no definitive plans to improvement SR 68 operations to an acceptable level of service.
C-1.4 Not withstanding Policy C-1.3, projects that are found to result in reducing a County road below the acceptable LOS standard shall not be allowed to proceed unless the construction of the development and its associated improvements are phased in a manner that will maintain the acceptable LOS for all affected County roads. Where the LOS of a County road impacted by a specific project currently operates below LOS D and is listed on the CIFP as a high priority, Policy C-1.3 shall apply. Where the LOS of a County road impacted by a specific project currently operates below LOS D and is not listed on the CIFP as a high priority, development shall mitigate project impacts concurrently. The following are exempt from this Policy except that they shall be required to pay any applicable fair share fee pursuant to Policies C-1.8, C-1.11, and /or other applicable traffic fee programs: a. first single family dwelling on a lot of record; b. allowable non-habitable accessory structures on an existing lot of record; c. accessory units consistent with other policies and State Second Unit Housing law; d. Any use in a non-residential designation for which a discretionary permit is not required or for which the traffic generated is equivalent to no more than that generated by a single family residence (10 ADT); and e. Minimal use on a vacant lot in a non-residential designation sufficient to enable the owner to derive some economically viable use of the parcel.	Consistent	According to the traffic report, and as discussed in C-1.3 above, the project would not result in reducing a county road below the acceptable LOS standard.
C-1.11 In addition to the County Traffic Impact Fee established in Policy C-1.8, the County shall require new development to pay a Regional Traffic Impact Fee developed collaboratively between TAMC, the County, and other local and state agencies to ensure a funding mechanism for regional transportation improvements mitigating Traffic Tier 3 impacts.	Consistent.	As described above under General Plan policy C-1.3, the project would be required to pay the appropriate Regional Traffic Impact Fee to mitigate for the project's share of the necessary improvements the SR 68 intersections with Reservation Road and River Road. These Tier 2 impacts would be mitigated though the payment of these impact fees.

	Consistency	Discussion
C-2.7 New development shall be located and designed with convenient access and efficient transportation for all intended users and, where possible, consider alternative transportation modes.	Consistent	Monterey-Salinas Transit does not serve development along River Road. The applicants propose shuttle services for residents to access areas on the Monterey Peninsula and Salinas, including regular shuttle service for employees to transportation hubs nearby. The nearest MST bus stop is located at Creekside Terrace and Reservation Road, approximate 1.1 miles from the entrance to the project site. With implementation of the applicant-proposed shuttle service, the project would be consistent with this policy.
C-3.4 Strategies to encourage travel in non-peak hours shall be supported.	Consistent	The project includes a mitigation measure to schedule shift changes outside of morning and evening peak commute hours.
C-3.5 Transportation alternatives such as bicycles, car pools, public transit, and compact vehicles shall be encouraged and accommodated within and outside the public right-of-way and may be included as part of an Area Plan and also in Policy OS-1.10.	Consistent	See discussion of Policy C-2.7 above.
Conservation and Open Space		
OS-1.2 Development in designated visually sensitive areas shall be subordinate to the natural features of the area.	Consistent	The project site is located within an area designated "sensitive viewshed." Section 5.0, *Aesthetics,* of the Draft SEIR included visual simulations from SR 68 and from Reservation Road. The simulations show that although the project would be visible from these locations, the project is not located on steeper slopes and would not constitute ridgeline development. Mitigation measures ensuring the adverse impact is less than significant are: 1) requiring a landscape plan to screen the project site from SR 68, Reservation Road, and River Road, as well as from the adjacent neighborhood and trail; 2) building colors and materials to be earth toned to blend with the existing vicinity landscape; and 3) requiring all new utility and distribution lines on the project site to be underground.
OS-1.3 To preserve the County's scenic qualities, ridgeline development shall not be allowed. An exception to this policy may be made only after publicly noticed hearing and provided the following findings can be made: a. The ridgeline development will not create a substantially adverse visual impact when viewed from a common public viewing area; and either, b. The proposed development better achieves the goals, policies and objectives of the Monterey County General Plan and applicable area plan than other development alternatives; or, c. There is no feasible alternative to the ridgeline development. Pursuant to Policy OS-1.6, in areas subject to specific plans, the ridgeline policies and regulations of the applicable specific plan shall govern.	Consistent	See discussion of Policy OS-1.2 above. The proposed project would not result in ridgeline development.

	Consistency	Discussion
OS-1.6 In areas subject to specific plans, the ridgeline policies and regulations of the applicable specific plan shall govern. Each specific plan shall address viewshed issues, including ridgeline development, as part of the plan, including, but not limited to, provisions for setbacks, landscaping, height limits, or open space buffers.	Consistent	See discussion of Policy OS-1.2 above, as well as the specific plan policy discussions presented earlier. The proposed project would not result in ridgeline development.
OS-1-9 Development that protects and enhances the County's scenic qualities shall be encouraged.	Consistent	See discussion of Policy OS-1.2 above.
OS-1.12 The significant disruption of views from designated scenic routes shall be mitigated through use of appropriate materials, scale, lighting and siting of development	Consistent	See discussion of Policy OS-1.2 above.
OS-3.5 The County shall regulate activity on slopes to reduce impacts to water quality and biological resources: 1) Non-Agricultural. a) Development on slopes in excess of twenty five percent (25%) shall be prohibited except as stated below; however, such development may be allowed pursuant to a discretionary permit if one or both of the following findings are made, based upon substantial evidence: 1. there is no feasible alternative which would allow development to occur on slopes of less than 25%; 2. the proposed development better achieves the resource protection objectives and policies contained in the Monterey County General Plan, accompanying Area Plans, and all applicable master plans. b) Development on slopes greater than 25% or that contain geologic hazards and constraints shown on the County's GIS Geologic (Policy S-1.2) or Hydrologic (Policy PS-2.6) Hazard Databases shall require adequate special erosion control and construction techniques and the discretionary permit shall: 1. evaluate possible building site alternatives that better meet the goals and policies of the general plan; 2. identify development and design techniques for erosion control, slope stabilization, visual mitigation, drainage, and construction techniques; and 3. minimize development in areas where potentially unstable slopes, soil and geologic conditions, or sewage disposal pose substantial risk to public health or safety. c) Where proposed development impacting slopes in excess of twenty five percent (25%) does not exceed ten percent (10%), or 500 square feet of the total development footprint (whichever is less), a discretionary permit shall not be required.	Consistent	According to a slope map exhibit prepared by Gateway Engineering for the applicant, the project site area has approximately 0.6 acres with slopes greater than 25 percent, which represents 7.5 percent of the proposed eight-acre development area of project site. A portion of the upper loop road and portions of four casitas are on slopes over 25 percent. This area generally consists of non-native grasslands (see Section 7.0, *Biological Resources* of the Draft SEIR) and no significant biological resources were identified in this area. The loop road is essential to fire protection and project circulation. It may be possible to relocate some of the casitas units but that would may require they be placed closer to the homes in Las Palmas #1 and would result in potential loss of privacy to those homes. Relocation would also result in result in additional grading for fire department access, parking areas, and would elevate a number of the casitas units on the site which could increase visibility. Because there is no feasible alternative to completely avoid the 25% slopes and because the project achieves the resource protection objectives and policies contained in the Monterey County General Plan, accompanying Area Plans, and all applicable master plans, findings for a discretionary permit can be made and the project would be considered consistent with this policy.

	Consistency	Discussion
d) It is the general policy of the County to require dedication of a scenic easement on a slope exceeding twenty five percent (25%).		
OS-5.4 Development shall avoid, minimize, and mitigate impacts to listed species and critical habitat to the extent feasible. Measures may include but are not limited to: a. clustering lots for development to avoid critical habitat areas, b. dedications of permanent conservation easements; or c. other appropriate means. If development may affect listed species, consultation with United States Fish and Wildlife Service (USFWS) and California Department of Fish and Game (CDFG) may be required and impacts may be mitigated by expanding the resource elsewhere on-site or within close proximity off-site. Final mitigation requirements would be determined as required by law.	Consistent	The project site does not contain habitat for listed species and is not designated critical habitat. However, the project site does contain habitat for several plant and wildlife species of special concern. Potential plant species include Congdon's tarplant, fragrant fritillary, Hickman's onion, Hutchinson's larkspur, and Santa Cruz microseris. Potential wildlife species include American badger, burrowing owl, Monterey dusky-footed woodrat, hoary bat, western red bat, nesting raptors, and migratory birds. Several pre-construction mitigation measures are presented in Section 7.0, *Biological Resources,* of the Draft SEIR that would reduce potential impacts to these plant and wildlife species should they occur on the project site prior to construction activities.
OS-5.5 Landowners and developers shall be encouraged to preserve the integrity of existing terrain and native vegetation in visually sensitive areas such as hillsides, ridges, and watersheds. Routine and Ongoing Agricultural Activities shall be exempt from this policy.	Consistent	The project site is located within an area designated "sensitive viewshed." Approximately 27.6 percent of the project site is proposed for development. The balance will be retained in open space. According to Section 7.0, *Biological Resources,* of the Draft SEIR, most of the site supports non-native grassland and other prevalent non-native species. Various native wildflowers and other herbaceous plants occur seasonally in the grassland habitat at low densities. Scattered native shrubs are also present in some areas. Mature native coast live oaks are present on the hillsides outside the development area. The proposed project includes the removal of approximately 40 non-native eucalyptus trees, retains other non-native eucalyptus trees, and does not include removal of native oak trees.
OS-5.10 Regulations for tree removal, including Timberland Conversion, shall be established and maintained by ordinance, implementing Area Plan policies that address the following: a. Criteria when a permit is required including: 1. number of trees, 2. minimum size of tree, 3. Post Timberland conversion land-use b. How size is measured for each protected species of tree, and what constitutes a landmark tree depending on the rate of growth for that species. c. Hazardous trees d. Pest and disease abatement e. Replacement criteria	Consistent	The only trees proposed for removal are non-native eucalyptus trees, which are not a protected species of tree. No County-regulated native trees are proposed for removal.

	Consistency	Discussion
f. Ensure minimal removal		
OS-5.16 A biological study shall be required for any development project requiring a discretionary permit and having the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of an endangered, rare, or threatened species.	Consistent	The applicant prepared biological studies (Regan Biological and Horticultural Consulting December 2011 and October 2013) and the Draft SEIR consultant EMC Planning Group biologist reviewed those studies, conducted a site visit, and prepared an independent analysis that is included in Section 7.0, *Biological Resources,* of the Draft SEIR. However, the project site does contain habitat for several plant and wildlife species of special concern which could be adversely affected by development of the project. Potential plant species include Congdon's tarplant, fragrant fritillary, Hickman's onion, Hutchinson's larkspur, and Santa Cruz microseris. Potential wildlife species include American badger, burrowing owl, Monterey dusky-footed woodrat, hoary bat, western red bat, nesting raptors, and migratory birds. Several pre-construction mitigation measures are presented in Section 7.0, *Biological Resources,* of the Draft SEIR, that would reduce potential impacts to these plant and wildlife species should they occur on the project site prior to construction activities. Therefore, the proposed project does not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of an endangered, rare, or threatened species.
OS-5.24 The County shall require discretionary projects to retain movement corridors of adequate size and habitat quality to allow for continued wildlife use based on the needs of the species occupying the habitat. The County shall require that expansion of its roadways and public infrastructure projects provide movement opportunities for terrestrial wildlife and ensure that existing stream channels and riparian corridors continue to provide for wildlife movement and access.	Consistent	The proposed project would impede to a limited degree the local movement of common wildlife due to habitat loss. However, the site does not function as a regional wildlife movement corridor or habitat linkage, and therefore, the proposed project would not disrupt movement corridors to allow for continued wildlife use in the vicinity.
OS-5.25 Occupied nests of statutorily protected migratory birds and raptors shall not be disturbed during the breeding season (generally February 1 to September 15). The county shall A. Consult, or require the developer to consult, with a qualified biologist prior to any site preparation or construction work in order to: (1) determine whether work is proposed during nesting season for migratory birds or raptors, (2) determine whether site vegetation is suitable to nesting migratory birds or raptors, (3) identify any regulatory requirements for setbacks or other avoidance	Consistent.	An evaluation of potential impacts to nesting birds and raptors is included in Section 7.0, *Biological Resources,* of the Draft SEIR. Mitigation measure BIO-6 requires pre-construction surveys if any construction-related activities will take place during the nesting bird season.

	Consistency	Discussion
measures for migratory birds and raptors which could nest on the site, and (4) establish project-specific requirements for setbacks, lock-out periods, or other methods of avoidance of disruption of nesting birds. B. Require the development to follow the recommendations of the biologist. This measure may be implemented in one of two ways: (1) preconstruction surveys may be conducted to identify active nests and, if found, adequate buffers shall be provided to avoid active nest disruption until after the young have fledged; or (2) vegetation removal may be conducted during the non-breeding season (generally September 16 to January 31); however, removal of vegetation along waterways shall require approval of all appropriate local, state, and federal agencies. This policy shall not apply in the case of an emergency fire event requiring tree removal. This policy shall apply for tree removal that addresses fire safety planning, since removal can be scheduled to reduce impacts to migratory birds and raptors.		
OS-6.4 Development proposed in low sensitivity zones are not required to have an archaeological survey unless there is specific additional information that suggests archaeological resources are present.	Consistent	According to the Monterey County General Plan Archaeological Sensitivity Map, the project site is located in an area of low archaeological sensitivity; thus, the likelihood of resources being present on the project site is low. Therefore, no archaeological survey was conducted for the project site.
OS-9.1 The use of solar, wind and other renewable resources for agricultural, residential, commercial, industrial, and public building applications shall be encouraged.	Consistent	The project would be required to comply with all applicable County ordinances and the current California Building Code in affect at the time the project is constructed. The Energy Conservation policies of the Las Palmas Ranch Specific Plan require the use of renewable energy. While the proposed project does not include the use of solar, wind, or other renewable resources, Section 12.0, *Energy*, the Draft SEIR includes a mitigation measure requiring the developer to demonstrate consistency with these energy conservation policies prior to issuance of building permits.
OS-10.2 Mass transit, bicycles, pedestrian modes of transportation, and other transportation alternatives to automobiles shall be encouraged.	Consistent	Monterey-Salinas Transit does not serve development along River Road. The applicants propose shuttle services for residents to access areas on the Monterey Peninsula and Salinas, including regular shuttle service for employees to transportation hubs nearby. The nearest MST bus stop is located at Creekside Terrace and Reservation Road, approximately 1.1 miles from the entrance to the project site. With implementation of the shuttle service, the project would be consistent with this policy.

	Consistency	Discussion
OS-10.9 The County of Monterey shall require that future development implement applicable Monterey Bay Unified Air Pollution Control District control measures. Applicants for discretionary projects shall work with the Monterey Bay Unified Air Pollution Control District to incorporate feasible measures that assure that health-based standards for diesel particulate emissions are met. The County of Monterey will require that future construction operate and implement MBUAPCD PM_{10} control measures to ensure that construction-related PM_{10} emissions do not exceed the MBUAPCD's daily threshold for PM_{10}. The County shall implement MBUAPCD measures to address off-road mobile source and heavy duty equipment emissions as conditions of approval for future development to ensure that construction-related NO_x emissions from non-typical construction equipment do not exceed the MBUAPCD's daily threshold for NO_x.	Consistent	A mitigation measure presented in Section 6.0, *Air Quality,* the Draft SEIR requires the developer to maintain and properly tune all off-road construction vehicles and equipment in accordance with the manufacturer's specifications and to implement several measures to ensure that construction-related NO_x and PM_{10} emissions are less than significant.
Safety		
S-1.1 Land uses shall be sited and measures applied to reduce the potential for loss of life, injury, property damage, and economic and social dislocations resulting from ground shaking, liquefaction, landslides, and other geologic hazards in the high and moderate hazard susceptibility areas.	Consistent	According to the geologic hazards report and soil engineering feasibility investigation prepared for the project (Landset Engineers 2014), the project site is in an area of low to very low potential for liquefaction, lateral spreading, subsidence, expansion, collapse, dynamic compaction, and ridgetop shattering. While the steep slopes on the north and south flanks of the site are prone to landslides and slope failure, future building foundations will be located within the geologically suitable building envelope as described in the report, which would avoid environmental impacts related to landslides. As a condition of project approval, all recommendations in the report would be required.
S-1.3 Site-specific geologic studies may be used to verify the presence or absence and extent of the hazard on the property proposed for new development and to identify mitigation measures for any development proposed. An ordinance including permit requirements relative to the siting and design of structures and grading relative to seismic hazards shall be established.	Consistent	See discussion of Policy S-1.1 above.
S-1.7 Site-specific reports addressing geologic hazard and geotechnical conditions shall be required as part of the planning phase and review of discretionary development entitlements and as part of review of ministerial permits in accordance with the California Building Standards Code as follows: a. Geotechnical reports prepared by State of California licensed Registered Geotechnical Engineers are required during building plan review for all habitable structures and habitable additions over 500 square feet in footprint area. Additions less than 500 square feet and non-habitable buildings may require geotechnical reports as determined by the pre-site inspection. b. A Registered Geotechnical Engineer shall be required to review and approve the foundation conditions prior to plan check approval, and if recommended by the	Consistent	See discussion of Policy S-1.1 above.

	Consistency	Discussion
report, shall perform a site inspection to verify the foundation prior to approval to pour the footings. Setbacks shall be identified and verified in the field prior to construction. c. All new development and subdivision applications in State- or County-designated Earthquake Fault Zones shall provide a geologic report addressing the potential for surface fault rupture and secondary fracturing adjacent to the fault zone before the application is considered complete. The report shall be prepared by a Registered Geologist or a Certified Engineering Geologist and conform to the State of California's most current Guidelines for evaluating the hazard of surface fault rupture. d. Geologic reports and supplemental geotechnical reports for foundation design shall be required in areas with moderate or high landslide or liquefaction susceptibility to evaluate the potential on- and off-site impacts on subdivision layouts, grading, or building structures. e. Where geologic reports with supplemental geotechnical reports determine that potential hazards effecting new development do not lead to an unacceptable level of risk to life and property, development in all Land Use Designations may be permissible, so long as all other applicable General Plan policies are complied with. f. Appropriate site-specific mitigation measures and mitigation monitoring to protect public health and safety, including deed restrictions, shall be required.		
S-1.8 As part of the planning phase and review of discretionary development entitlements, and as part of review of ministerial permits in accordance with the California Building Standards Code, new development may be approved only if it can be demonstrated that the site is physically suitable and the development will neither create nor significantly contribute to geologic instability or geologic hazards.	Consistent	See discussion of policy S-1.1 above.
S-3.1 Post-development, off-site peak flow drainage from the area being developed shall not be greater than pre-development peak flow drainage. On-site improvements or other methods for stormwater detention shall be required to maintain post-development, off-site, peak flows at no greater than predevelopment levels, where appropriate, as determined by the Monterey County Water Resources Agency.	Consistent	The proposed project design includes storm drainage facilities (collection, conveyance and disposal) as detailed in the stormwater control plan (Gateway Engineering 2017) to meet the generation of stormwater runoff. Proposed development must not exceed the pre-project rate of discharge. The purpose is to reduce the potential for increased erosion within receiving waters due to an increase in the rate of stormwater flow. The stormwater control plan includes on-site stormwater control measures designed to achieve a no net increase in rate of stormwater discharge relative to pre-project conditions. This reduces the potential that runoff from new development could exceed the capacity of storm drainage facilities and contribute to off-site flood hazards.

	Consistency	Discussion
S-3.2 Best Management Practices to protect groundwater and surface water quality shall be incorporated into all development.	Consistent	The proposed project would be required to comply with the National Pollutant Discharge Elimination System (NPDES) Permit for Discharges of Stormwater Associated with Construction Activities. In Monterey County, the Central Coast Regional Water Quality Control Board (RWQCB) is charged with enforcing NPDES requirements, including runoff management programs that include Best Management Practices to control erosion and sedimentation. Through implementation of Best Management Practices (BMPs), construction of the proposed project would not impact surface and groundwater water quality from stormwater runoff during construction.
S-3.9 In order to minimize urban runoff affecting water quality, the County shall require all future development within urban and suburban areas to implement Best Management Practices (BMPs) as approved in the Monterey Regional Stormwater Management Program which are designed to incorporate Low Impact Development techniques. BMPs may include, but are not limited to, grassy swales, rain gardens, bioretention cells, and tree box filters. BMPs should preserve as much native vegetation as feasible possible on the project site.	Consistent	See discussion of Policy S-3.2 above.
S-4.11 The County shall require all new development to be provided with automatic fire protection systems (such as fire breaks, fire-retardant building materials, automatic sprinkler systems, and/or water storage tanks) approved by the fire jurisdiction.	Consistent	The proposed project would be required to meet the minimum requirements in the Title 24 California Building Standards Code. Chapter 7, Fire and Smoke Protection Features and Chapter 9, Fire Protection Systems, address this requirement.
S-4.13 The County shall require all new development to have adequate water available for fire suppression. The water system shall comply with Monterey County Code Chapter 18.56, NFPA Standard 1142, or other nationally recognized standard. The fire authority having jurisdiction, the County Departments of Planning and Building Services, and all other regulatory agencies shall determine the adequacy and location of water supply and/or storage to be provided.	Consistent	The California Water Service Company performed a fire flow test on November 10, 2010. Required fire flow for the proposed project is 3,750 gallons per minute for a duration of three hours. The fire flow test concluded an available flow of up to 6,429 gallons per minute, meeting the requirement for adequate water available for fire suppression.
S-4.22 Every building, structure, and/or development shall be constructed to meet the minimum requirements specified in the current adopted state building code, state fire code, Monterey County Code Chapter 18.56, and other nationally recognized standards.	Consistent	The proposed project would be required to meet the state building code, state fire code, and Monterey County Code Chapter 18.56 as a condition of approval.
S-7.1 New noise-sensitive land uses may only be allowed in areas where existing (Figures 9 A-H) and projected (Figures 10 A-E) noise levels are "acceptable" according to "Land Use Compatibility for Community Noise Table" (Table S-2, next page). A Community Noise Ordinance shall be established consistent with said Table that addresses, but is not limited to the following (Noise level maps are located at the end of this Element): a. Capacity-related roadway improvement projects.	Consistent	Table S-2, Community Noise Exposure, identifies acceptable noise levels for various land use categories. The proposed project would fall under the "nursing home" category, which identifies 70 dB and below as normally acceptable. According to General Plan Figure 10C, Greater Monterey Peninsula, Carmel Valley and Toro Projected Noise Contours, the noise at the project site is below 60. Noise measurements conducted for the Final SEIR confirm that noise interior to the project site is below 60. Refer to Topical Response H in the Final SEIR for more information.

	Consistency	Discussion
b. Construction-related noise impacts on adjacent land uses. c. New residential land uses exposed to aircraft operations at any airport or air base. d. Site planning and project design techniques to achieve acceptable noise levels such as: building orientation, setbacks, earthen berms, and building construction practices. The use of masonry sound walls for noise control in rural areas shall be discouraged. e. Design elements necessary to mitigate significant adverse noise impacts on surrounding land uses. f. Impulse noise. g. Existing railroad locations & noise levels.		
S-7.10 Construction projects shall include the following standard noise protection measures: ▪ Construction shall occur only during times allowed by ordinance/code unless such limits are waived for public convenience; ▪ All equipment shall have properly operating mufflers; and ▪ Lay-down yards and semi-stationary equipment such as pumps or generators shall be located as far from noise-sensitive land uses as practical.	Consistent	Construction noise is quantified in Topical Response H of the Final SEIR. Adherence to construction noise restrictions in the Monterey County Code Chapter 10.60.40 and Monterey County General Plan Policies S-7.9 and S-7.10 would substantially reduce the exposure of sensitive receptors to temporary increases in construction noise, especially during sensitive evening and nighttime hours. As a condition of approval, the County would require that the project adhere to these General Plan policies to minimize construction noise. These requirements would reduce construction-related noise impacts to less than significant.
Public Services		
PS-2.3 New development shall be required to connect to existing water service providers where feasible. Connection to public utilities is preferable to other providers.	Consistent	The proposed project would connect to the existing Las Palmas system, operated by California American Water. California American Water has provided a "can and will serve" letter for the proposed project.
PS-2.8 The County shall require that all projects be designed to maintain or increase the site's pre-development absorption of rainfall (minimize runoff), and to recharge groundwater where appropriate. Implementation shall include standards that could regulate impervious surfaces, vary by project type, land use, soils and area characteristics, and provide for water impoundments (retention/detention structures), protecting and planting vegetation, use of permeable paving materials, bioswales, water gardens, and cisterns, and other measures to increase runoff retention, protect water quality, and enhance groundwater recharge.	Consistent	The proposed project design includes storm drainage facilities (collection, conveyance and disposal) as detailed in the stormwater control plan (Gateway Engineering 2017) to meet the generation of stormwater runoff. Proposed development must not exceed the pre-project rate of discharge. The purpose is to reduce the potential for increased erosion within receiving waters due to an increase in the rate of stormwater flow. The stormwater control plan includes on-site stormwater control measures designed to achieve a no net increase in rate of stormwater discharge relative to pre-project conditions. This reduces the potential that runoff from new development could exceed the capacity of storm drainage facilities and contribute to off-site flood hazards. According to the 2010 General Plan Draft EIR (page 4.3-5), During spring and summer, the two reservoirs on the Nacimiento and San Antonio rivers regulate flow to minimize outflow to the ocean and maximize groundwater recharge through the Salinas River bed. Under current

	Consistency	Discussion
		reservoir operations, water is released into the river during summer to recharge groundwater in the basin. The proposed project will not affect the ability of groundwater recharge at the Salinas River. See also the discussion of Policy S-3.1 presented earlier.
PS-3.1 Except as specifically set forth below, new development for which a discretionary permit is required, and that will use or require the use of water, shall be prohibited without proof, based on specific findings and supported by evidence, that there is a long-term, sustainable water supply, both in quality and quantity to serve the development. This requirement shall not apply to: a) The first single family dwelling and non-habitable accessory uses on an existing lot of record; or b) Specified development (a list to be developed by ordinance) designed to provide: a) public infrastructure or b) private infrastructure that provides critical or necessary services to the public, and that will have a minor or insubstantial net use of water (e.g. water facilities, wastewater treatment facilities, road construction projects, recycling or solid waste transfer facilities; or c) Development within Zone 2C of the Salinas Valley groundwater basin, provided the County prepares or causes to be prepared a study for the Board of Supervisors regarding Zone 2C, to be completed no earlier than October 31, 2017 and no later than March 31, 2018 that does the following: d) Evaluates existing data for seawater intrusion and groundwater levels collected by Monterey County Water Resources Agency as of the date the study is commenced. e) Evaluates the total water demand for all existing uses and future uses designated in the General Plan EIR for the year 2030; f) Assesses and provides conclusions regarding the degree to which the total water demand for all uses designated in the General Plan for the year 2030 are likely to be reached or exceeded; g) Evaluates on an annual basis during the study period groundwater elevations and the seawater intrusion boundary; h) Based on historical data and the data produced by the study, evaluates and provides conclusions regarding future trends and any expected movement of groundwater elevations and the seawater intrusion boundary; i) Should the study conclude that i) total water demand for all uses designated in the General Plan for the year 2030 is likely to be exceeded; or ii) groundwater elevations are likely to decline by the year 2030 and iii) the seawater intrusion boundary is likely to advance inland by the year 2030, the study shall make recommendations on measures the County could take to address any or all of those conditions; and	Consistent	Water demand is evaluated in Section 10.0, *Water Supply,* of the Draft SEIR. The proposed project would have a water demand of approximately 11.4 acre feet per year (AFY). California Water Service, the water purveyor for the specific plan area, has provided a "can and will serve" for the proposed project. As presented in Table 10-2 in the Water Demand section, the 1982 EIR identified that buildout of Las Palmas Ranch would require 922 AFY. However, the Board of Supervisors modified the proposed specific plan, and the adopted specific plan required on 599 AFY. Actual water use at Las Palmas is estimated to be about 182 AFY. Therefore, with the addition of the proposed project, the total water use at Las Palmas is expected to be about 193.4 AFY, significantly less that what was allowed by the adopted specific plan. The first component of policy PS-3.1 is the requirement to provide proof of a sustainable water supply to serve the development. Policy PS-3.1 includes an exception to development in Zone 2C of the Salinas Valley groundwater basin, which would include the proposed project. Instead the provisions of subsection c. of the policy are applicable. Subsection c. requires the County to conduct a specific study on Zone 2C, conduct a hearing on the study results, adopt measures to address identified conditions, and prepare a report every 5 years on the results of any measures. The requisite study and related actions have not been conducted. Subsection c. further provides, "This exception for Zone 2C shall be a rebuttable presumption that a Long Term Sustainable Water Supply exists within Zone 2C, and the presumption shall remain in effect until and unless the study reaches the conclusion for Zone 2C identified in subsection 6) i or 6) ii and 6) iii. Development in Zone 2C shall be subject to all other policies of the General Plan and applicable Area Plan. Based on these considerations, the project is consistent with Policy PS-3.1, and the availability of a long-term water supply will be further discussion in conjunction with other policies below.

	Consistency	Discussion
j) Addresses such other matters as the Board of Supervisors determines are appropriate. Within two months following the completion of the study, the Board of Supervisors shall hold an open and noticed public hearing on the results of the study. If the study reaches the conclusions for Zone 2C identified in subsection 6) i or 6) ii and 6) iii, the Board of Supervisors shall adopt one or more measures identified in the study, or other appropriate measures, to address the identified conditions. This exception for Zone 2C shall be a rebuttable presumption that a Long Term Sustainable Water Supply exists within Zone 2C, and the presumption shall remain in effect until and unless the study reaches the conclusion for Zone 2C identified in subsection 6) i or 6) ii and 6) iii. Development in Zone 2C shall be subject to all other policies of the General Plan and applicable Area Plan. Following completion of the study described herein, and the adoption of measures as may be recommended in the study, if any, the County shall prepare a report to the Board of Supervisors every five (5) years for Zone 2C that examines the degree to which a) total water demand for all uses predicted in the General Plan EIR for year 2030 will be reached; or b) groundwater elevations, the seawater intrusion boundary have changed since the prior reporting period; and c) other sources of water supply are available.		
PS-3.2 Specific criteria for proof of a Long Term Sustainable Water Supply and an Adequate Water Supply System for new development requiring a discretionary permit, including but not limited to residential or commercial subdivisions, shall be developed by ordinance with the advice of the General Manager of the Water Resources Agency and the Director of the Environmental Health Bureau. A determination of a Long Term Sustainable Water Supply shall be made upon the advice of the General Manager of the Water Resources Agency. The following factors shall be used in developing the criteria for proof of a long term sustainable water supply and an adequate water supply system: a. Water quality; b. Authorized production capacity of a facility operating pursuant to a permit from a regulatory agency, production capability, and any adverse effect on the economic extraction of water or other effect on wells in the immediate vicinity, including recovery rates; c. Technical, managerial, and financial capability of the water purveyor or water system operator; d. The source of the water supply and the nature of the right(s) to water from the source; e. Cumulative impacts of existing and projected future demand for water from the source, and the ability to reverse trends contributing to an overdraft condition	Consistent	This policy provides guidance and criteria for the development of a County ordinance outlining the requirements for proof of a long term sustainable water supply and an adequate water supply system for new development requiring a discretionary permit. Thus, this policy is relevant to development of an ordinance that could be applied to the proposed. Nonetheless, this project is reviewed below applying these criteria: ▪ Water is the same quality as current local California Water Service wells and is thus, of acceptable water quality. ▪ The analysis in the Draft SEIR (Section 10.0, *Water Supply*, p. 10-11) shows that the project would use 11.4 acre-feet of water per year (AFY), approved Specific Plan anticipated uses associated with 599-AFY, and is using only 182 AFY. With consideration of the proposed project, total water use in the entire Specific Plan Area would be 194 AFY. In addition, common area landscape irrigation would use recycled water, resulting in less than 11.4 AFY of potable water demand. The project water would demand represents a 0.002 percent increase in the annual groundwater extraction for Zone 2C. California Water Service has confirmed that it can and will serve the project, which indicates the applicable water purveyor for the site is able to provide water supply for the proposed project. See updated will-serve letter from California Water Service dated March 26, 2019 in Appendix I-2.

	Consistency	Discussion
or otherwise affecting supply; and f. Effects of additional extraction or diversion of water on the environment including on in-stream flows necessary to support riparian vegetation, wetlands, fish or other aquatic life, and the migration potential for steelhead, for the purpose of minimizing impacts on the environment and to those resources and species. g. Completion and operation of new projects, or implementation of best practices, to renew or sustain aquifer or basin functions. The hauling of water shall not be a factor nor a criterion for the proof of a long term sustainable water supply.		▪ California Water Service has demonstrated its technical, managerial and financial capabilities to deliver water. ▪ Potable water would be provided by California Water Service via its entitlements detailed in the Draft SEIR (Section 10.0, *Water Supply*, p. 10-1). In addition, the property has rights to 2.5 acre-feet of reclaimed water which would further offset demand on potable water. ▪ As indicated in the Draft SEIR (Section 10.0, *Water Supply*, pp. 10-11 to 10-12), the project would increase potable water demand by up to 11.4 AFY. The "can and will" service letter provided by California Water Service for the proposed project indicates the applicable water purveyor for the site is able to provide water supply for the proposed project based on its existing facilities. ▪ The project does not involve any extraction or diversion of water but would utilize California Water Service water and recycled water associated with existing entitlements. In addition, the project would utilize water efficiency methods including water efficient fixtures, low-water use landscaping, and principles of low impact development in design to manage stormwater and emulate pre-development hydrologic conditions. ▪ The project would not adversely affect aquifer or basin functions and would not hinder other efforts to renew aquifer or basin functions. ▪ The project would not involve any hauling of water. Therefore, substantial evidence related to proof of a sustainable water supply for the project includes the analysis and references in the Draft SEIR, including Section 10.0, *Water Supply*, the Cal Water will-serve letter include in Draft SEIR Appendix E, the updated will-serve letter attached herein (see Appendix I-2), the previous EIR for the Plan Area, and discussion and analysis in this response to comments/Final SEIR. The project is consistent with Policy PS-3.2.
PS-4.5 New development proposed in the service area of existing wastewater collection, treatment, and disposal facilities shall seek service from those facilities unless it is clearly demonstrated that the connection to the existing facility is not feasible.	Consistent	The California American Water Company has provided a "can and will serve" letter to for the proposed project, confirming the availability of wastewater treatment accommodation.
PS-5.4 The maximum use of solid waste source reduction, reuse, recycling, composting, and environmentally-safe transformation of wastes, consistent with the protection of the public's health and safety, shall be promoted.	Consistent	The proposed project will be served by the Salinas Valley Solid Waste Authority, which includes and promotes a recycling and waste reduction program consistent with state solid waste diversion regulations.

	Consistency	Discussion
PS-8.1 Programs that provide a full range of health care from local and regional health care programs for Monterey County residents, including preventive care, primary care, hospitals, and long-term care services, shall be promoted.	Consistent	The proposed project is a continuum of care residential community designed to provide care to seniors over the age of 55 and to persons with diminishing mental capacity due to Alzheimer's, dementia, or similar causes.
PS-8.2 Programs to promote access to health care and support the establishment of needed health care services in areas with high population concentrations, such as cities, Community Areas, and Rural Centers, shall be supported. Where services do not exist, medical transportation programs to address the unmet transportation needs of residents shall be coordinated with the Transportation Agency of Monterey County.	Consistent	See discussion of Policy PS-8.1 above. Although the proposed project is not located in a city, Community Area, or Rural Center, it is located in the Las Palmas Ranch community, one mile driving distance from SR 68 and 3.5 miles driving distance from west Salinas. Salinas Valley Memorial Hospital is located about 4.75 miles driving distance from the project site.
PS-9.4 The County shall promote meeting the needs of the elderly and establish adult day care facilities or other services that maintain older persons in an independent setting.	Consistent	See the discussion of Policy PS-8.1 and Policy PS-8.2 above.
PS-13.2 All new utility lines shall be placed underground, unless determined not to be feasible by the Director of the Resource Management Agency.	Consistent	A mitigation measure located in Section 5.0, *Aesthetics,* of the Draft SEIR requires all new utility and distribution lines to be placed underground.
Toro Area Plan Supplemental Policy		
Land Use		
T-1.5 Subdivisions shall be designed so that new lots have building sites located outside of the critical viewshed.	Not applicable.	The project is not located with the area designated "critical viewshed." It is located with an area designated "sensitive viewshed." Mitigation measures located in Section 5.0, *Aesthetics,* of the Draft SEIR would reduce the impact of the proposed project on viewsheds.
Circulation		
T-2.1 Employers in surrounding areas should be encouraged to stagger employees' work hours in order to ease peak hour traffic congestion on SR 68 and in other areas.	Consistent	The proposed project is projected to employ about 92 people when operating at maximum capacity. This will include managers and supervisors, trained care givers, chefs and facility maintenance personnel. There will be three shifts: morning, day, and evening. ▪ Morning Shift A (6:00 am to 2:00 pm): 15 employees ▪ Morning Shift B (7:00 am to 3:00 pm): 20 employees ▪ Day Shift A (8:00 am to 4:00 pm): 12 employees ▪ Day Shift B (10:30 am to 6:30 pm): 21 employees ▪ Evening Shift A (3:30 pm to 11:30 pm): 12 employees ▪ Evening Shift B (11:30 pm am to 6:30 am pm): 12 employees As a mitigation proposed by the applicant, shifts will be staggered to minimize peak hour trips on SR 68.

	Consistency	Discussion
T-2.5 Fair-share financial contributions from each new development in the Toro Planning Area shall be required to expedite funding and construction of SR 68 improvements.	Consistent	Funding provided by existing development at Las Palmas Ranch was used for construction of SR 68 improvements, including improving a portion of River Road to four lanes, traffic signals and additional improvements at other River Road intersections. As a condition of project approval for the proposed project, the applicant would be required to pay the Monterey County countywide traffic impact fee and the TAMC regional development impact fee to mitigate for the project's fair share of cumulative traffic impacts throughout the County, which may include additional improvements to SR 68.
T-2.9 If new sites for office, employment, services, and local conveniences are found to be appropriate, such sites should incorporate designs to allow use of alternate modes of transportation.	Consistent	Monterey-Salinas Transit does not serve development along River Road. The applicants propose shuttle services for residents to access areas on the Monterey Peninsula and Salinas, including regular shuttle service for employees to transportation hubs nearby. The nearest MST bus stop is located at Creekside Terrace and Reservation Road, approximate 1.1 miles from the entrance to the project site.
Conservation/Open Space		
T-3.1 Within areas designated as "visually sensitive" on the Toro Scenic Highway Corridors and Visual Sensitivity Map (Figure 16), landscaping or new development may be permitted if the development is located and designed (building design, exterior lighting, and siting) in such a manner that will enhance the scenic value of the area. Architectural design consistent with the rural nature of the Plan area shall be encouraged.	Consistent	The project site is located within an area designated "sensitive viewshed." Section 5.0*, Aesthetics,* of the Draft SEIR included visual simulations from SR 68 and from Reservation Road. The simulations show that although the project would be visible from these locations, the project is not located on steeper slopes and will not constitute ridgeline development. Mitigation measures ensuring the adverse impact is less than significant are: 1) requiring a landscape plan to screen the project site from SR 68, Reservation Road, and River Road, as well as from the adjacent neighborhood and trail; 2) building colors and materials to be earth toned to blend with the existing vicinity landscape; and 3) requiring all new utility and distribution lines on the project site to be underground.
T-3.2 Land use, architectural, and landscaping controls shall be applied, and sensitive site design encouraged, to preserve Toro's visually sensitive areas and scenic entrances: a. River Road/SR 68 intersection b. Laureles Grade scenic vista overlooking the Planning Area	Consistent	See discussion of Policy T-3.1 above. Landscaping for the proposed project includes mostly native plants designed to preserve and enhance the natural landscape of the project site. Non-native plants included in the Landscape Plan are: magnolia tree, source magnolia, Japanese maple, western red bud, European white birch, pheasant tail grass, silver grass, Australian fuchsia, bunny tail grass, and Pacific coast iris.
T-3.4 Placement of existing utility lines underground shall be encouraged, particularly along Laureles Grade Road, Corral de Tierra, San Benancio, River Road, and SR 68.	Consistent	See discussion of General Plan Policy 13.2 above.

	Consistency	Discussion
T-3.5 Exterior/outdoor lighting shall be located, designed, and enforced to minimize light sources and preserve the quality of darkness. Street lighting shall be as unobtrusive as practicable and shall be consistent in intensity throughout the Toro area.	Consistent	Section 5.0, *Aesthetics,* of the Draft SEIR concluded that the proposed project could have an adverse lighting effect. With implementation of Mitigation Measure AES-4, which requires all exterior lighting to be unobtrusive, down-lit, harmonious with the local area, and constructed or located sot that only the intended area is illuminated and off-site glare is fully controlled, lighting impacts would be less than significant and the proposed project would be consistent with this policy.
T-3.7 Removal of healthy, native oak trees in the Toro Planning Area shall be discouraged. An ordinance shall be developed to identify required procedures for removal of these trees. Said ordinance shall take into account fuel modification needed for fire prevention in the vicinity of structures and shall include: a. Permit requirements. b. Replacement criteria c. Exceptions for emergencies and governmental agencies	Consistent	The proposed project does not include removal of oak trees.
Public Services		
T-5.1 To ensure cost-effective and adequate levels of wastewater treatment, the County shall promote relatively higher densities in areas where wastewater treatment facilities can be made available.	Consistent	The proposed project would connect to the Las Palmas Wastewater Treatment Plant, operated by California American Water Company. As presented in the Draft SEIR, there is sufficient capacity to serve the project and the wastewater provider has supplied a “can and will serve” letter for the project.

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Appendix H

April 2017 Botanical Survey

Dale Ellis
Anthony Lombardo and Associates
A Professional Corporation
144 West Gabilan
Salinas, CA 93901

RE: Follow up survey based on DEIR for Shingu Senior Living Housing Project

Dear Dale,
At your request, I visited the property at APN 139-211-035 above River Road in Salinas on April 20, 2017, to conduct a spring botanical survey for five plants that are on database lists as occurring or documented in the past for the Spreckels Quadrant of the USGS. (Congdons tarweed , Fragrant Friltillary , Hickmans onion, Hutchinson's larkspur and Santa Cruz microseris) These 5 species are all Spring or Summer bloomers and would not have been easily found or identifiable during surveys I conducted in the past or those that EMC planning group conducted this past winter. Timing of this survey captured the appropriate season and optimal conditions for detecting flowering examples of 4 of these species and is still a bit early for the 5th species: Congdon's tarweed, were it to occur here.[1]

Based on observed flowering of 3 of the species (*Allium hickmanii, Fritillaria liliacea, Delphinium hutchinsoniae*) in other locations near Carmel and Carmel Highlands in the last two weeks it would be assumed that were those species to occur on the Shingu property they would be in flower and observable during my visit on April 20.
During my survey, I walked the entire perimeter of the property (excluding the steep lower slopes of the north side of the property that will not be impacted by the development) and then in transects from west to east and north to south through the middle of the site to allow observation of all areas with particular focus on topographical transition zones and edges of vegetation transition zones where soil conditions and aspect often influence what grows and dominates. The proposed development area was covered with a vegetative canopy n the high 90's to nearly 100% of which at least 90% was made up of nonnative annual and perennial grasses and forbs. There were small patches in some of the edge areas; along the slope top on the north end of the property where a handful of native species were scattered in the mosaic of nonnative weeds. Those native species included Pretty faces (*Triteleia ixioides*), Checker mallow (*Sedalia malviflora*), Blue dicks (*Dichelostema capitatum*), Common yarrow (*Achillea millefolium*), Blue-eyed grass (*Sisyrinchium bellum*), California buttercup (*Ranunculus californicus*) and Fiesta flower (*Pholistoma auritum*). These are some of our most widespread, common and persistent wildflowers (all perennials except for the Fiesta flower) that can be found in thoroughly disturbed habitats as well as healthy intact woodland and grasslands through much of California.
I did not find any of the 5 species that were being surveyed for. The habitat requirements of each of these 5 species are not met here on the Shingu property. The site has clearly been completely altered from its original natural plant community assemblage by historic livestock grazing, and land grading and clearing and planting with nonnative trees and shrubs for previous attempts to develop it. Again, save for some relatively low disturbed woodland habitat with Buckeye, Toyon and Oak on the steep north facing slope over River Road, there is no natural plant community habitat remaining on the property and thus no risk of impacts to any of those 5 species because of developing the Senior living facility.

[1] Congdons tarweed is documented in low swales and fields where rain water collects and even temporarily inundates these areas during the rainy season. It is associated with ponds and seasonally saturated grasslands, not sloping hillsides.

Results of April 21 Spring survey for 5 Special status Plant Species on Shingu Property at

Centromadia parryi ssp.*congdoni* Congdon's tarweed	June to October	Not found.	
Frilillaria liliacea Fragrant Friltillary	February to April	Not found.	
Allium hickmanii Hickmans onion	March to May	Not found	
Delphinium hutchinsoniae Hutchinson's larkspur	March to June	Not found	

Stebbinsoseris decipiens Santa Cruz microseris	April- May	Not found		

Incidentally, I did observe a couple snake species on the property that I had not seen during previous surveys. They are both common residents throughout the area but add to the known list of species documented for this property. The California King snake (*Lampropeltis californiae*) is found throughout most of the State of California except for the highest regions of the Sierra and far northeast California. It is a non-venomous snake, but powerful constrictor that hunts many species of rodents and other reptiles including rattlesnakes. This is not a special status species, but it is a good snake to have around!

The Monterey Ring-neck snake (*Diadophis punctatus vandenburghii*) a subspecies of the California ring-necked snake, is a small, secretive snake found throughout the Central coast region, usually found under the cover of rocks, wood, bark, boards and other surface debris, but occasionally seen moving on the surface on cloudy days, at dusk, or at night. These particular snakes were found under a sheet of plywood left on site near the top of the northerly north facing slope. While they do have a mild venom released from fangs in the rear of the mouth, it is only effective for small animals like salamanders, lizards, worms and slugs, that they can grip in their jaw long enough to drip the venom into the wounds.

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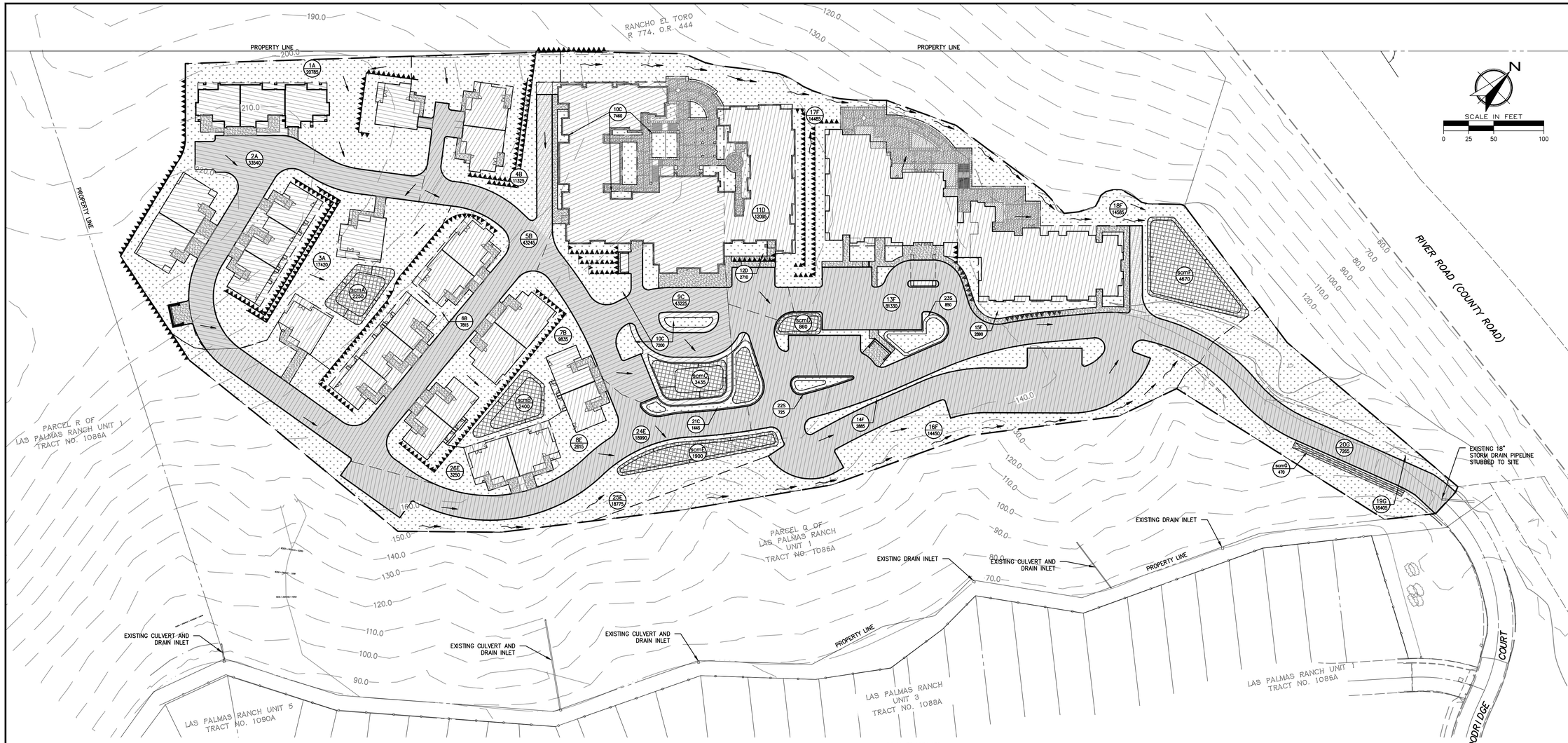
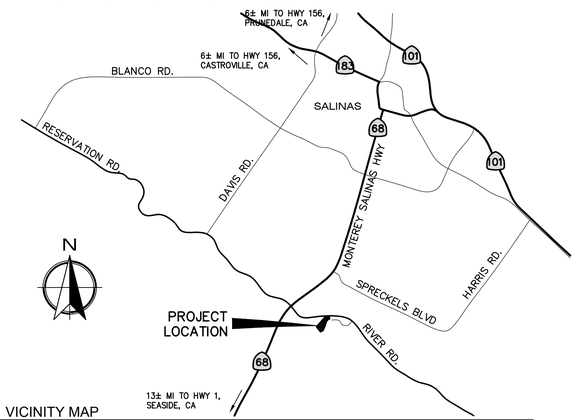
Appendix I-1

Conceptual Stormwater Control Plan



CONSTRUCTION LEGEND

SYMBOL	DESCRIPTION
XX / XXX	DRAINAGE MANAGEMENT AREA NAME / DRAINAGE AREA (SQUARE FEET)
	BOUNDARY OF SITE. LIMIT OF CONSTRUCTION AREA
	IMPERVIOUS AREA BOUNDARY
	LANDSCAPE AREA BOUNDARY
	3:1 MAX. SLOPE AREA FOR SCM
	PROPOSED IMPERVIOUS AREA (ROOF, PAVING, OR EQUAL)
	PROPOSED LANDSCAPING AREA
	PROPOSED BIORETENTION AREA



VICINITY MAP

NOT TO SCALE

NOTES

1. ABBREVIATION (S) = SELF RETAINING AREA
2. EACH DRAINAGE MANAGEMENT AREA NAME, HAS THE NAME OF THE OF THE STORMWATER MANAGEMENT CONTROL THAT IT DRAINS TO DIRECTLY AFTER THE NAME. E.G. DMA "14E" DRAINS TO SCM E.

BASIS OF BEARING

THE WEST LINE OF PARCELS 7 AND 13, AS SHOWN ON THE PARCEL MAP RECORDED IN VOLUME 17 OF PARCEL MAPS AT PAGE 140, MONTEREY COUNTY OFFICIAL RECORDS, TAKEN TO BE: NORTH 33° 41' 21" EAST

BASIS OF ELEVATION

NGS BENCHMARK PID: GU1981, DESIGNATION: GWM 27 USGS

FOUND BRASS DISK SET IN THE TOP OF A CONCRETE POST PROJECTING 0.2 FEET ABOVE THE GROUND, 0.8 MILES WEST OF ALONG RESERVATION ROAD FROM THE MONTEREY HIGHWAY, AT THE TOP OF A GRADE, 21.8 FEET EAST OF THE CENTERLINE OF THE ROAD, 2.6 FEET WEST OF A FENCE LINE AND 1.3 FEET SOUTH OF A METAL WITNESS POST.

ELEVATION = 211.15 FEET (NAVD'88 DATUM)

GATEWAY ENGINEERING, INC.
CIVIL ENGINEERS | LAND SURVEYORS
P: 559-320-0544 | F: 559-320-0545 | WWW.GATEWAYENG.COM
5811 EAST PRINCETON AVENUE, FRESNO, CA 93727-1327

REGISTERED PROFESSIONAL ENGINEER
DANIEL K. BOND
No. 57,133
EXP: 12/31/2017
Civil
STATE OF CALIFORNIA

RIVER VIEW AT LAS PALMAS
COUNTRY ROADS SENIOR LIVING
APN: 139-211-35
MONTEREY COUNTY, CA
CONCEPTUAL STORMWATER CONTROL PLAN

REV No.	DESCRIPTION	DATE

ENGINEER: D.BOND
LICENSE NO: 57,133
DRAWN BY: MW
CHECKED BY:
SCALE: AS SHOWN
PROJECT NO:
SHEET
SW1

COPYRIGHT 2015 BY GATEWAY ENGINEERING, INC. ALL RIGHTS RESERVED. THE FIRM OF GATEWAY ENGINEERING, INC. EXPRESSLY RESERVES ITS COMMON LAW COPYRIGHT AND OTHER APPLICABLE PROPERTY RIGHTS IN THESE PLANS. THESE PLANS ARE NOT TO BE REPRODUCED, CHANGED, OR COPIED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO A THIRD PARTY WITHOUT FIRST OBTAINING THE WRITTEN PERMISSION AND CONSENT OF GATEWAY ENGINEERING, INC. IN THE EVENT OF UNAUTHORIZED REUSE OF THESE PLANS BY A THIRD PARTY, THE THIRD PARTY SHALL HOLD THE FIRM OF GATEWAY ENGINEERING, INC. HARMLESS, AND SHALL BEAR THE COST OF GATEWAY ENGINEERING, INC.'S LEGAL FEES ASSOCIATED WITH DEFENDING AND ENFORCING THESE RIGHTS.

12/29/2016 1:25 PM K:\GATEWAY PROJECTS\COUNTRY ROADS\LAS PALMAS\DRAWINGS\EXHIBITS\M_EXHIBIT\PCP-MAIN.DWG

Appendix I-2

March 2019 California Water Service Can and Will Serve Letter

4318.001

CALIFORNIA WATER SERVICE
Salinas District 254 Commission Street
Salinas, CA 93901 *Tel:* (831) 757-3644

RECEIVED
MAR 29 2019
By

March 26, 2019

Dale Ellis
Anthony Lombardo & Associates
144 West Gabilan Street
Salinas, CA 93901

Will Serve Letter
Tract or Parcel Map No: ***Riverview at Las Palmas***
Developer: ***Anthony Lombardo & Associates***

Dear Mr. Ellis:

As a regulated utility, California Water Service Company Salinas district ("Cal Water") has an obligation to provide water service in accordance with the rules and regulations of the California Public Utility Commission (CPUC). Assuming you receive all required permits from the County of Monterey, Cal Water will provide water service to the above referenced project. Cal Water agrees to operate the water system and provide service in accordance with the rules and regulations of the California Public Utilities Commission (CPUC) and the company's approved tariffs on file with the CPUC. This will serve letter shall remain valid for **two years** from the date of this letter. If construction of the project has not commenced within this **two year** time frame, Cal Water will be under no further obligation to serve the project unless the developer receives an updated letter from Cal Water reconfirming our commitment to serve the above mentioned project. Additionally, Cal Water reserves the right to rescind this letter at any time in the event its water supply is severely reduced by legislative, regulatory or environmental actions.

Cal Water will provide such potable water at such pressure as may be available from time to time as a result of its normal operations per the company's tariffs on file with the CPUC. Installation of facilities through developer funding shall be made in accordance with the current rules and regulations of the CPUC including, among others, Tariff Rules 15 and 16 and General Order 103-A. In order for us to provide adequate water for domestic use as well as fire service protection, it may be necessary for the developer to fund the cost of special facilities, such as, but not limited to booster pumps and/or storage tanks, in addition to the cost of mains and services. Developer will also be required to contribute towards Cal Water's water supply by paying facilities fees on a per lot basis as described in Rule 15. Cal Water will provide more specific information regarding special facilities and fees after you provide us with your improvement plans, fire department requirements, and engineering fees for this project.

This letter shall at all times be subject to such changes or modifications by the CPUC as said Commission may, from time to time, require in the exercise of its jurisdiction.

If you have any questions regarding the above, please call me at (831) 757-3644.

Sincerely,

Brenda Granillo

Brenda Granillo
District Manager

cc: Michael Hurley – Cal Water Engineering Dept
File

Appendix J

Noise Modelling Results

- Freq Weight : A
- Time Weight : FAST
- Level Range : 40-100
- Max dB : 68.8 - 2020/06/25 11:16:47
- Level Range : 40-100
- SEL : 80.7
- Leq : 48.3
-

No.s	Date Time	(dB)
1	2020/06/25 11:05:26	41.9
2	2020/06/25 11:06:26	45.0
3	2020/06/25 11:07:26	50.0
4	2020/06/25 11:08:26	50.4
5	2020/06/25 11:09:26	43.8
6	2020/06/25 11:10:26	44.8
7	2020/06/25 11:11:26	50.8
8	2020/06/25 11:12:26	43.5
9	2020/06/25 11:13:26	45.0
10	2020/06/25 11:14:26	44.9
11	2020/06/25 11:15:26	45.7
12	2020/06/25 11:16:26	50.7
13	2020/06/25 11:17:26	44.9
14	2020/06/25 11:18:26	49.3
15	2020/06/25 11:19:26	50.3
16	2020/06/25 11:20:26	43.1
17	2020/06/25 11:21:26	43.5
18	2020/06/25 11:22:26	43.0
19	2020/06/25 11:23:26	44.1
20	2020/06/25 11:24:26	45.5
21	2020/06/25 11:25:26	44.6
22	2020/06/25 11:26:26	47.6
23	2020/06/25 11:27:26	44.3
24	2020/06/25 11:28:26	45.5
25	2020/06/25 11:29:26	46.1
26	2020/06/25 11:30:26	43.0
27	2020/06/25 11:31:26	44.6
28	2020/06/25 11:32:26	51.4
29	2020/06/25 11:33:26	44.8
30	2020/06/25 11:34:26	59.1

- Freq Weight : A
- Time Weight : FAST
- Level Range : 40-100
- Max dB : 72.3 - 2020/06/25 11:46:56
- Level Range : 40-100
- SEL : 77.4
- Leq : 46.7
-

No.s	Date Time	(dB)
1	2020/06/25 11:46:13	40.7
2	2020/06/25 11:47:13	37.0
3	2020/06/25 11:48:13	37.9
4	2020/06/25 11:49:13	37.5
5	2020/06/25 11:50:13	39.6
6	2020/06/25 11:51:13	46.8
7	2020/06/25 11:52:13	46.8
8	2020/06/25 11:53:13	52.6
9	2020/06/25 11:54:13	54.7
10	2020/06/25 11:55:13	44.4
11	2020/06/25 11:56:13	48.6
12	2020/06/25 11:57:13	53.3
13	2020/06/25 11:58:13	42.4
14	2020/06/25 11:59:13	42.7
15	2020/06/25 12:00:13	40.3
16	2020/06/25 12:01:13	47.8
17	2020/06/25 12:02:13	50.3
18	2020/06/25 12:03:13	47.3
19	2020/06/25 12:04:13	51.0
20	2020/06/25 12:05:13	42.2

- Freq Weight : A
- Time Weight : FAST
- Level Range : 40-100
- Max dB : 77.2 - 2020/06/25 12:31:45
- Level Range : 40-100
- SEL : 97.0
- Leq : 66.3
-

No.s	Date Time	(dB)
1	2020/06/25 12:13:51	61.8
2	2020/06/25 12:14:51	63.7
3	2020/06/25 12:15:51	56.3
4	2020/06/25 12:16:51	68.8
5	2020/06/25 12:17:51	66.1
6	2020/06/25 12:18:51	59.2
7	2020/06/25 12:19:51	52.9
8	2020/06/25 12:20:51	66.4
9	2020/06/25 12:21:51	55.4
10	2020/06/25 12:22:51	57.8
11	2020/06/25 12:23:51	62.4
12	2020/06/25 12:24:51	59.5
13	2020/06/25 12:25:51	61.4
14	2020/06/25 12:26:51	55.1
15	2020/06/25 12:27:51	68.4
16	2020/06/25 12:28:51	65.7
17	2020/06/25 12:29:51	68.0
18	2020/06/25 12:30:51	73.1
19	2020/06/25 12:31:51	65.5
20	2020/06/25 12:32:51	55.3

- Freq Weight : A
- Time Weight : FAST
- Level Range : 40-100
- Max dB : 86.0 - 2020/06/25 12:45:30
- Level Range : 40-100
- SEL : 97.8
- Leq : 67.1
-

No.s	Date Time	(dB)
1	2020/06/25 12:43:36	71.5
2	2020/06/25 12:44:36	74.4
3	2020/06/25 12:45:36	70.2
4	2020/06/25 12:46:36	56.9
5	2020/06/25 12:47:36	59.2
6	2020/06/25 12:48:36	66.6
7	2020/06/25 12:49:36	68.3
8	2020/06/25 12:50:36	61.8
9	2020/06/25 12:51:36	59.2
10	2020/06/25 12:52:36	63.5
11	2020/06/25 12:53:36	68.7
12	2020/06/25 12:54:36	57.9
13	2020/06/25 12:55:36	61.8
14	2020/06/25 12:56:36	52.9
15	2020/06/25 12:57:36	63.3
16	2020/06/25 12:58:36	60.1
17	2020/06/25 12:59:36	65.2
18	2020/06/25 13:00:36	69.2
19	2020/06/25 13:01:36	54.6
20	2020/06/25 13:02:36	58.1

- Freq Weight : A
- Time Weight : SLOW
- Level Range : 40-100
- Max dB : 92.5 - 2019/06/27 08:42:13
- Level Range : 40-100
- SEL : 119.3
- Leq : 70.0
-

No.s	Date Time	(dB)
1	2019/06/26 10:55:17	68.6
2	2019/06/26 10:59:17	64.0
3	2019/06/26 11:03:17	69.2
4	2019/06/26 11:07:17	65.8
5	2019/06/26 11:11:17	55.0
6	2019/06/26 11:15:17	65.1
7	2019/06/26 11:19:17	66.7
8	2019/06/26 11:23:17	63.0
9	2019/06/26 11:27:17	69.9
10	2019/06/26 11:31:17	57.4
11	2019/06/26 11:35:17	62.1
12	2019/06/26 11:39:17	71.4
13	2019/06/26 11:43:17	53.3
14	2019/06/26 11:47:17	57.4
15	2019/06/26 11:51:17	67.8
16	2019/06/26 11:55:17	71.1
17	2019/06/26 11:59:17	59.6
18	2019/06/26 12:03:17	62.9
19	2019/06/26 12:07:17	67.1
20	2019/06/26 12:11:17	69.3
21	2019/06/26 12:15:17	73.7
22	2019/06/26 12:19:17	71.5
23	2019/06/26 12:23:17	67.1
24	2019/06/26 12:27:17	68.4
25	2019/06/26 12:31:17	68.9
26	2019/06/26 12:35:17	66.8
27	2019/06/26 12:39:17	74.7
28	2019/06/26 12:43:17	75.5
29	2019/06/26 12:47:17	69.9
30	2019/06/26 12:51:17	64.1
31	2019/06/26 12:55:17	59.4
32	2019/06/26 12:59:17	60.8
33	2019/06/26 13:03:17	74.1
34	2019/06/26 13:07:17	70.7
35	2019/06/26 13:11:17	68.5
36	2019/06/26 13:15:17	62.3
37	2019/06/26 13:19:17	63.2
38	2019/06/26 13:23:17	71.0
39	2019/06/26 13:27:17	70.0
40	2019/06/26 13:31:17	63.0
41	2019/06/26 13:35:17	69.5
42	2019/06/26 13:39:17	71.1
43	2019/06/26 13:43:17	65.8
44	2019/06/26 13:47:17	70.9
45	2019/06/26 13:51:17	66.6
46	2019/06/26 13:55:17	70.5
47	2019/06/26 13:59:17	61.3
48	2019/06/26 14:03:17	67.6
49	2019/06/26 14:07:17	68.3
50	2019/06/26 14:11:17	66.4
51	2019/06/26 14:15:17	70.3
52	2019/06/26 14:19:17	62.1
53	2019/06/26 14:23:17	67.5
54	2019/06/26 14:27:17	64.6
55	2019/06/26 14:31:17	69.9
56	2019/06/26 14:35:17	65.4
57	2019/06/26 14:39:17	69.6
58	2019/06/26 14:43:17	68.2
59	2019/06/26 14:47:17	70.8
60	2019/06/26 14:51:17	59.5
61	2019/06/26 14:55:17	71.6
62	2019/06/26 14:59:17	59.5
63	2019/06/26 15:03:17	72.3
64	2019/06/26 15:07:17	72.5
65	2019/06/26 15:11:17	71.0
66	2019/06/26 15:15:17	59.5
67	2019/06/26 15:19:17	64.7
68	2019/06/26 15:23:17	56.9
69	2019/06/26 15:27:17	73.9
70	2019/06/26 15:31:17	73.2
71	2019/06/26 15:35:17	73.8
72	2019/06/26 15:39:17	68.1
73	2019/06/26 15:43:17	66.8
74	2019/06/26 15:47:17	62.7
75	2019/06/26 15:51:17	70.1
76	2019/06/26 15:55:17	70.0
77	2019/06/26 15:59:17	69.4
78	2019/06/26 16:03:17	71.1
79	2019/06/26 16:07:17	71.8
80	2019/06/26 16:11:17	67.0
81	2019/06/26 16:15:17	66.7
82	2019/06/26 16:19:17	73.2
83	2019/06/26 16:23:17	73.9
84	2019/06/26 16:27:17	72.1
85	2019/06/26 16:31:17	61.9

86	2019/06/26	16:35:17	61.0
87	2019/06/26	16:39:17	65.2
88	2019/06/26	16:43:17	66.4
89	2019/06/26	16:47:17	69.5
90	2019/06/26	16:51:17	62.8
91	2019/06/26	16:55:17	65.9
92	2019/06/26	16:59:17	64.6
93	2019/06/26	17:03:17	56.4
94	2019/06/26	17:07:17	70.6
95	2019/06/26	17:11:17	68.3
96	2019/06/26	17:15:17	63.3
97	2019/06/26	17:19:17	64.0
98	2019/06/26	17:23:17	69.0
99	2019/06/26	17:27:17	72.3
100	2019/06/26	17:31:17	71.9
101	2019/06/26	17:35:17	60.5
102	2019/06/26	17:39:17	67.8
103	2019/06/26	17:43:17	70.3
104	2019/06/26	17:47:17	69.4
105	2019/06/26	17:51:17	63.8
106	2019/06/26	17:55:17	71.8
107	2019/06/26	17:59:17	64.3
108	2019/06/26	18:03:17	70.6
109	2019/06/26	18:07:17	76.2
110	2019/06/26	18:11:17	65.7
111	2019/06/26	18:15:17	67.5
112	2019/06/26	18:19:17	57.9
113	2019/06/26	18:23:17	64.1
114	2019/06/26	18:27:17	51.4
115	2019/06/26	18:31:17	66.7
116	2019/06/26	18:35:17	55.5
117	2019/06/26	18:39:17	58.8
118	2019/06/26	18:43:17	53.2
119	2019/06/26	18:47:17	67.0
120	2019/06/26	18:51:17	63.7
121	2019/06/26	18:55:17	63.5
122	2019/06/26	18:59:17	65.2
123	2019/06/26	19:03:17	69.7
124	2019/06/26	19:07:17	63.0
125	2019/06/26	19:11:17	72.1
126	2019/06/26	19:15:17	57.0
127	2019/06/26	19:19:17	60.0
128	2019/06/26	19:23:17	53.8
129	2019/06/26	19:27:17	65.8
130	2019/06/26	19:31:17	54.0
131	2019/06/26	19:35:17	59.4
132	2019/06/26	19:39:17	68.3
133	2019/06/26	19:43:17	64.2
134	2019/06/26	19:47:17	61.6
135	2019/06/26	19:51:17	68.4
136	2019/06/26	19:55:17	63.5
137	2019/06/26	19:59:17	71.6
138	2019/06/26	20:03:17	55.1
139	2019/06/26	20:07:17	69.7
140	2019/06/26	20:11:17	60.6
141	2019/06/26	20:15:17	71.9
142	2019/06/26	20:19:17	52.5
143	2019/06/26	20:23:17	62.3
144	2019/06/26	20:27:17	71.2
145	2019/06/26	20:31:17	64.1
146	2019/06/26	20:35:17	75.4
147	2019/06/26	20:39:17	72.4
148	2019/06/26	20:43:17	62.9
149	2019/06/26	20:47:17	64.2
150	2019/06/26	20:51:17	69.7
151	2019/06/26	20:55:17	70.4
152	2019/06/26	20:59:17	70.2
153	2019/06/26	21:03:17	60.1
154	2019/06/26	21:07:17	48.0
155	2019/06/26	21:11:17	69.4
156	2019/06/26	21:15:17	64.1
157	2019/06/26	21:19:17	46.3
158	2019/06/26	21:23:17	53.8
159	2019/06/26	21:27:17	56.6
160	2019/06/26	21:31:17	57.3
161	2019/06/26	21:35:17	59.7
162	2019/06/26	21:39:17	50.2
163	2019/06/26	21:43:17	50.2
164	2019/06/26	21:47:17	61.9
165	2019/06/26	21:51:17	52.8
166	2019/06/26	21:55:17	50.3
167	2019/06/26	21:59:17	65.4
168	2019/06/26	22:03:17	58.6
169	2019/06/26	22:07:17	51.9
170	2019/06/26	22:11:17	55.5
171	2019/06/26	22:15:17	62.0
172	2019/06/26	22:19:17	61.8
173	2019/06/26	22:23:17	50.7
174	2019/06/26	22:27:17	74.2
175	2019/06/26	22:31:17	56.1
176	2019/06/26	22:35:17	66.8
177	2019/06/26	22:39:17	65.5
178	2019/06/26	22:43:17	61.0
179	2019/06/26	22:47:17	50.9
180	2019/06/26	22:51:17	53.0
181	2019/06/26	22:55:17	45.4
182	2019/06/26	22:59:17	48.2
183	2019/06/26	23:03:17	63.8
184	2019/06/26	23:07:17	44.0

185	2019/06/26 23:11:17	45.2
186	2019/06/26 23:15:17	57.0
187	2019/06/26 23:19:17	68.4
188	2019/06/26 23:23:17	45.8
189	2019/06/26 23:27:17	51.2
190	2019/06/26 23:31:17	43.9
191	2019/06/26 23:35:17	50.3
192	2019/06/26 23:39:17	43.7
193	2019/06/26 23:43:17	44.2
194	2019/06/26 23:47:17	46.6
195	2019/06/26 23:51:17	44.8
196	2019/06/26 23:55:17	44.3
197	2019/06/26 23:59:17	54.1
198	2019/06/27 00:03:17	47.1
199	2019/06/27 00:07:17	62.1
200	2019/06/27 00:11:17	47.3
201	2019/06/27 00:15:17	41.4
202	2019/06/27 00:19:17	48.3
203	2019/06/27 00:23:17	51.2
204	2019/06/27 00:27:17	53.9
205	2019/06/27 00:31:17	42.8
206	2019/06/27 00:35:17	46.0
207	2019/06/27 00:39:17	44.8
208	2019/06/27 00:43:17	37.9
209	2019/06/27 00:47:17	40.4
210	2019/06/27 00:51:17	40.9
211	2019/06/27 00:55:17	41.2
212	2019/06/27 00:59:17	41.7
213	2019/06/27 01:03:17	38.1
214	2019/06/27 01:07:17	41.8
215	2019/06/27 01:11:17	38.1
216	2019/06/27 01:15:17	39.9
217	2019/06/27 01:19:17	40.8
218	2019/06/27 01:23:17	38.9
219	2019/06/27 01:27:17	38.2
220	2019/06/27 01:31:17	38.0
221	2019/06/27 01:35:17	39.2
222	2019/06/27 01:39:17	38.9
223	2019/06/27 01:43:17	40.4
224	2019/06/27 01:47:17	46.4
225	2019/06/27 01:51:17	38.2
226	2019/06/27 01:55:17	34.5
227	2019/06/27 01:59:17	35.4
228	2019/06/27 02:03:17	36.9
229	2019/06/27 02:07:17	47.3
230	2019/06/27 02:11:17	56.1
231	2019/06/27 02:15:17	40.3
232	2019/06/27 02:19:17	39.2
233	2019/06/27 02:23:17	35.8
234	2019/06/27 02:27:17	41.5
235	2019/06/27 02:31:17	37.5
236	2019/06/27 02:35:17	51.2
237	2019/06/27 02:39:17	40.1
238	2019/06/27 02:43:17	32.3
239	2019/06/27 02:47:17	31.2
240	2019/06/27 02:51:17	33.0
241	2019/06/27 02:55:17	48.6
242	2019/06/27 02:59:17	32.3
243	2019/06/27 03:03:17	35.5
244	2019/06/27 03:07:17	36.1
245	2019/06/27 03:11:17	37.5
246	2019/06/27 03:15:17	46.6
247	2019/06/27 03:19:17	49.5
248	2019/06/27 03:23:17	37.9
249	2019/06/27 03:27:17	39.6
250	2019/06/27 03:31:17	38.7
251	2019/06/27 03:35:17	35.6
252	2019/06/27 03:39:17	39.7
253	2019/06/27 03:43:17	59.7
254	2019/06/27 03:47:17	62.8
255	2019/06/27 03:51:17	50.4
256	2019/06/27 03:55:17	35.0
257	2019/06/27 03:59:17	44.6
258	2019/06/27 04:03:17	39.3
259	2019/06/27 04:07:17	45.0
260	2019/06/27 04:11:17	46.3
261	2019/06/27 04:15:17	53.0
262	2019/06/27 04:19:17	44.1
263	2019/06/27 04:23:17	44.4
264	2019/06/27 04:27:17	53.7
265	2019/06/27 04:31:17	44.9
266	2019/06/27 04:35:17	44.9
267	2019/06/27 04:39:17	46.7
268	2019/06/27 04:43:17	48.7
269	2019/06/27 04:47:17	66.3
270	2019/06/27 04:51:17	70.0
271	2019/06/27 04:55:17	47.5
272	2019/06/27 04:59:17	51.1
273	2019/06/27 05:03:17	54.1
274	2019/06/27 05:07:17	56.0
275	2019/06/27 05:11:17	56.5
276	2019/06/27 05:15:17	71.2
277	2019/06/27 05:19:17	54.3
278	2019/06/27 05:23:17	62.5
279	2019/06/27 05:27:17	70.8
280	2019/06/27 05:31:17	55.9
281	2019/06/27 05:35:17	71.8
282	2019/06/27 05:39:17	67.4
283	2019/06/27 05:43:17	68.6

284	2019/06/27	05:47:17	70.6
285	2019/06/27	05:51:17	55.8
286	2019/06/27	05:55:17	61.9
287	2019/06/27	05:59:17	66.2
288	2019/06/27	06:03:17	64.1
289	2019/06/27	06:07:17	71.6
290	2019/06/27	06:11:17	69.3
291	2019/06/27	06:15:17	68.4
292	2019/06/27	06:19:17	65.9
293	2019/06/27	06:23:17	70.1
294	2019/06/27	06:27:17	68.9
295	2019/06/27	06:31:17	70.5
296	2019/06/27	06:35:17	73.3
297	2019/06/27	06:39:17	75.4
298	2019/06/27	06:43:17	68.8
299	2019/06/27	06:47:17	71.1
300	2019/06/27	06:51:17	70.6
301	2019/06/27	06:55:17	64.4
302	2019/06/27	06:59:17	68.4
303	2019/06/27	07:03:17	66.9
304	2019/06/27	07:07:17	69.9
305	2019/06/27	07:11:17	69.9
306	2019/06/27	07:15:17	62.0
307	2019/06/27	07:19:17	61.5
308	2019/06/27	07:23:17	72.0
309	2019/06/27	07:27:17	71.4
310	2019/06/27	07:31:17	68.8
311	2019/06/27	07:35:17	69.8
312	2019/06/27	07:39:17	67.1
313	2019/06/27	07:43:17	67.3
314	2019/06/27	07:47:17	72.5
315	2019/06/27	07:51:17	69.6
316	2019/06/27	07:55:17	54.1
317	2019/06/27	07:59:17	72.1
318	2019/06/27	08:03:17	64.6
319	2019/06/27	08:07:17	69.5
320	2019/06/27	08:11:17	73.4
321	2019/06/27	08:15:17	62.5
322	2019/06/27	08:19:17	72.4
323	2019/06/27	08:23:17	71.7
324	2019/06/27	08:27:17	59.5
325	2019/06/27	08:31:17	69.0
326	2019/06/27	08:35:17	65.9
327	2019/06/27	08:39:17	73.0
328	2019/06/27	08:43:17	69.6
329	2019/06/27	08:47:17	68.4
330	2019/06/27	08:51:17	74.3
331	2019/06/27	08:55:17	63.7
332	2019/06/27	08:59:17	73.3
333	2019/06/27	09:03:17	59.0
334	2019/06/27	09:07:17	71.4
335	2019/06/27	09:11:17	70.0
336	2019/06/27	09:15:17	67.5
337	2019/06/27	09:19:17	52.6
338	2019/06/27	09:23:17	67.7
339	2019/06/27	09:27:17	68.4
340	2019/06/27	09:31:17	54.3
341	2019/06/27	09:35:17	75.0
342	2019/06/27	09:39:17	61.1
343	2019/06/27	09:43:17	57.5
344	2019/06/27	09:47:17	59.9
345	2019/06/27	09:51:17	56.4
346	2019/06/27	09:55:17	60.0
347	2019/06/27	09:59:17	71.5
348	2019/06/27	10:03:17	62.3
349	2019/06/27	10:07:17	68.8
350	2019/06/27	10:11:17	60.2
351	2019/06/27	10:15:17	69.4
352	2019/06/27	10:19:17	72.1
353	2019/06/27	10:23:17	61.9
354	2019/06/27	10:27:17	54.4
355	2019/06/27	10:31:17	72.3
356	2019/06/27	10:35:17	68.2
357	2019/06/27	10:39:17	61.6
358	2019/06/27	10:43:17	59.4
359	2019/06/27	10:47:17	62.2
360	2019/06/27	10:51:17	67.7

Roadway Construction Noise Model (RCNM),Version 1.1

Report date: 07/05/2019

Case Description: River View site preparation

**** Receptor #1 ****

Baselines (dBA)

Description	Land Use	Daytime	Evening	Night
Residences at 50 feet	Residential	70.0	50.0	45.0

Equipment

Description	Impact Device	Usage (%)	Spec Lmax (dBA)	Actual Lmax (dBA)	Receptor Distance (feet)	Estimated Shielding (dBA)
Dozer	No	40		81.7	50.0	0.0
Dozer	No	40		81.7	50.0	0.0
Dozer	No	40		81.7	50.0	0.0
Tractor	No	40	84.0		50.0	0.0
Tractor	No	40	84.0		50.0	0.0
Backhoe	No	40		77.6	50.0	0.0
Backhoe	No	40		77.6	50.0	0.0

Results

	Calculated (dBA)		Noise Limits (dBA)			Noise Limit Exceedance (dBA)					
			Day		Evening		Night		Day		Evening		Night	
Equipment	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq
Dozer	81.7	77.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Dozer	81.7	77.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Dozer	81.7	77.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Tractor	84.0	80.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Tractor	84.0	80.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Backhoe	77.6	73.6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Backhoe	77.6	73.6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Total	84.0	86.3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**** Receptor #2 ****

Baselines (dBA)

Description	Land Use	Daytime	Evening	Night
Residences at 100 feet	Residential	70.0	50.0	45.0

Equipment

Description	Impact Device	Usage (%)	Spec Lmax (dBA)	Actual Lmax (dBA)	Receptor Distance (feet)	Estimated Shielding (dBA)
Dozer	No	40		81.7	100.0	0.0
Dozer	No	40		81.7	100.0	0.0
Dozer	No	40		81.7	100.0	0.0
Tractor	No	40	84.0		100.0	0.0
Tractor	No	40	84.0		100.0	0.0
Backhoe	No	40		77.6	100.0	0.0
Backhoe	No	40		77.6	100.0	0.0

Results

Noise Limits (dBA)	Noise Limit Exceedance (dBA)

	Calculated (dBA)		Day		Evening		Night		Day		Evening		Night	
Equipment	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq
Dozer	75.6	71.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Dozer	75.6	71.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Dozer	75.6	71.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Tractor	78.0	74.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Tractor	78.0	74.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Backhoe	71.5	67.6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Backhoe	71.5	67.6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Total	78.0	80.2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Roadway Construction Noise Model (RCNM),Version 1.1

Report date: 07/05/2019
Case Description: River View grading

**** Receptor #1 ****

Baselines (dBA)

Description	Land Use	Daytime	Evening	Night
Residences at 50 feet	Residential	70.0	50.0	45.0

Equipment

Description	Impact Device	Spec Usage (%)	Actual Lmax (dBA)	Receptor Lmax (dBA)	Estimated Distance (feet)	Shielding (dBA)
Dozer	No	40	81.7	50.0	0.0	
Backhoe	No	40	77.6	50.0	0.0	
Backhoe	No	40	77.6	50.0	0.0	
Excavator	No	40	80.7	50.0	0.0	
Excavator	No	40	80.7	50.0	0.0	
Grader	No	40	85.0	50.0	0.0	
Scraper	No	40	83.6	50.0	0.0	
Scraper	No	40	83.6	50.0	0.0	

Results

	Noise Limits (dBA)			Noise Limit Exceedance (dBA)		
	Calculated (dBA)	Day	Evening	Night	Day	Evening	Night
Equipment	Lmax Leq	Lmax Leq	Lmax Leq	Lmax Leq	Lmax Leq	Lmax Leq	Lmax Leq

Dozer	81.7	77.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Backhoe	77.6	73.6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Backhoe	77.6	73.6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Excavator	80.7	76.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Excavator	80.7	76.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Grader	85.0	81.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Scraper	83.6	79.6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Scraper	83.6	79.6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Total	85.0	87.1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**** Receptor #2 ****

Baselines (dBA)

Description	Land Use	Daytime	Evening	Night
Residences at 100 feet	Residential	70.0	50.0	45.0

Equipment

Description	Impact Device	Spec Usage (%)	Actual Lmax (dBA)	Receptor Lmax (dBA)	Estimated Distance (feet)	Shielding (dBA)
Dozer	No	40	81.7	100.0	0.0	
Backhoe	No	40	77.6	100.0	0.0	
Backhoe	No	40	77.6	100.0	0.0	
Excavator	No	40	80.7	100.0	0.0	
Excavator	No	40	80.7	100.0	0.0	
Grader	No	40	85.0	100.0	0.0	
Scraper	No	40	83.6	100.0	0.0	
Scraper	No	40	83.6	100.0	0.0	

Results

			Noise Limits (dBA)				Noise Limit Exceedance (dBA)			
	Calculated (dBA)		Day		Evening		Night		Day		Evening		Night	
Equipment	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq
Dozer	75.6	71.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Backhoe	71.5	67.6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Backhoe	71.5	67.6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Excavator	74.7	70.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Excavator	74.7	70.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Grader	79.0	75.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Scraper	77.6	73.6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Scraper	77.6	73.6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Total	79.0	81.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Roadway Construction Noise Model (RCNM),Version 1.1

Report date: 07/05/2019

Case Description: River View building construction

**** Receptor #1 ****

Baselines (dBA)

Description	Land Use	Daytime	Evening	Night
Residences at 50 feet	Residential	70.0	50.0	45.0

Equipment

Description	Impact Device	Spec Usage (%)	Actual Lmax (dBA)	Receptor Lmax (dBA)	Estimated Distance (feet)	Shielding (dBA)
Crane	No	16	80.6	50.0	0.0	
All Other Equipment > 5 HP	No	50	85.0	50.0	0.0	
All Other Equipment > 5 HP	No	50	85.0	50.0	0.0	
All Other Equipment > 5 HP	No	50	85.0	50.0	0.0	
Generator	No	50	80.6	50.0	0.0	
Backhoe	No	40	77.6	50.0	0.0	
Backhoe	No	40	77.6	50.0	0.0	
Tractor	No	40	84.0	50.0	0.0	
Welder / Torch	No	40	74.0	50.0	0.0	

Results

	Calculated (dBA)		Noise Limits (dBA)			Noise Limit Exceedance (dBA)			
	Day		Evening		Night		Day		Evening		Night	
Equipment	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq

Crane	80.6	72.6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
All Other Equipment > 5 HP	85.0	82.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
All Other Equipment > 5 HP	85.0	82.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
All Other Equipment > 5 HP	85.0	82.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Generator	80.6	77.6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Backhoe	77.6	73.6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Backhoe	77.6	73.6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Tractor	84.0	80.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Welder / Torch	74.0	70.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Total	85.0	88.5	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**** Receptor #2 ****

Baselines (dBA)

Description	Land Use	Daytime	Evening	Night
Residences at 100 feet	Residential	70.0	50.0	45.0

Equipment

Description	Impact Device	Usage (%)	Spec Lmax (dBA)	Actual Lmax (dBA)	Receptor Distance (feet)	Estimated Shielding (dBA)
Crane	No	16		80.6	100.0	0.0
All Other Equipment > 5 HP	No	50		85.0	100.0	0.0
All Other Equipment > 5 HP	No	50		85.0	100.0	0.0
All Other Equipment > 5 HP	No	50		85.0	100.0	0.0
Generator	No	50		80.6	100.0	0.0

Backhoe	No	40	77.6	100.0	0.0
Backhoe	No	40	77.6	100.0	0.0
Tractor	No	40	84.0	100.0	0.0
Welder / Torch	No	40	74.0	100.0	0.0

Results

		Noise Limits (dBA)			Noise Limit Exceedance (dBA)		
	Calculated (dBA)	Day	Evening	Night	Day	Evening	Night
Equipment	Lmax Leq	Lmax Leq	Lmax Leq	Lmax Leq	Lmax Leq	Lmax Leq	Lmax Leq
Crane	74.5 66.6	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A
All Other Equipment > 5 HP	79.0 76.0	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A
All Other Equipment > 5 HP	79.0 76.0	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A
All Other Equipment > 5 HP	79.0 76.0	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A
Generator	74.6 71.6	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A
Backhoe	71.5 67.6	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A
Backhoe	71.5 67.6	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A
Tractor	78.0 74.0	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A
Welder / Torch	68.0 64.0	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A
Total	79.0 82.5	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A	N/A N/A

Roadway Construction Noise Model (RCNM),Version 1.1

Report date: 07/05/2019

Case Description: River View building construction

**** Receptor #1 ****

Baselines (dBA)

Description	Land Use	Daytime	Evening	Night
Residences at 50 feet	Residential	70.0	50.0	45.0

Equipment

Description	Impact Device	Usage (%)	Spec Lmax (dBA)	Actual Lmax (dBA)	Receptor Distance (feet)	Estimated Shielding (dBA)
Paver	No	50		77.2	50.0	0.0
Paver	No	50		77.2	50.0	0.0
Roller	No	20		80.0	50.0	0.0
Roller	No	20		80.0	50.0	0.0

Results

	Calculated (dBA)		Noise Limits (dBA)				Noise Limit Exceedance (dBA)			
			Day		Evening		Night		Day		Evening		Night	
Equipment	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq
Paver	77.2	74.2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Paver	77.2	74.2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Roller	80.0	73.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Roller	80.0	73.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Total	80.0	79.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**** Receptor #2 ****

Baselines (dBA)

Description	Land Use	Daytime	Evening	Night
Residences at 100 feet	Residential	70.0	50.0	45.0

Equipment

Description	Impact Device	Spec Usage (%)	Actual Lmax (dBA)	Receptor Lmax (dBA)	Estimated Distance (feet)	Shielding (dBA)
Paver	No	50	77.2	100.0		0.0
Paver	No	50	77.2	100.0		0.0
Roller	No	20	80.0	100.0		0.0
Roller	No	20	80.0	100.0		0.0

Results

	Calculated (dBA)		Noise Limits (dBA) Day		Evening		Night		Noise Limit Exceedance (dBA) Day		Evening		Night	
Equipment	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq
Paver	71.2	68.2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Paver	71.2	68.2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Roller	74.0	67.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Roller	74.0	67.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
Total	74.0	73.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	

Roadway Construction Noise Model (RCNM),Version 1.1

Report date: 07/05/2019

Case Description: River View architectural coating

**** Receptor #1 ****

Baselines (dBA)

Description	Land Use	Daytime	Evening	Night
Residences at 50 feet	Residential	70.0	50.0	45.0

Equipment

Description	Impact Device	Usage (%)	Spec Lmax (dBA)	Actual Lmax (dBA)	Receptor Distance (feet)	Estimated Shielding (dBA)
Compressor (air)	No	40		77.7	50.0	0.0

Results

	Calculated (dBA)		Noise Limits (dBA)			Noise Limit Exceedance (dBA)			
			Day		Evening		Night		
Equipment	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq
Compressor (air)	77.7	73.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Total	77.7	73.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

**** Receptor #2 ****

Baselines (dBA)

Description	Land Use	Daytime	Evening	Night
Residences at 100 feet	Residential	70.0	50.0	45.0

Equipment

Description	Impact Device	Usage (%)	Spec Lmax (dBA)	Actual Lmax (dBA)	Receptor Distance (feet)	Estimated Shielding (dBA)
Compressor (air)	No	40		77.7	100.0	0.0

Results

	Calculated (dBA)		Noise Limits (dBA)				Noise Limit Exceedance (dBA)			
			Day		Evening		Night		Day		Evening		Night	
Equipment	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq	Lmax	Leq
Compressor (air)	71.6	67.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Total	71.6	67.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

DNL Calculator

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Guidelines

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- **Note #2:** DNL Calculator assumes roadway data is always entered.

DNL Calculator

Site ID	River View - existing plus project run
Record Date	July 5, 2019
User's Name	Rincon Consultants

Road # 1 Name:	**River Road**

Road #1

Vehicle Type	**Cars** ☑	**Medium Trucks** ☑	**Heavy Trucks** ☑
Effective Distance	175	175	175
Distance to Stop Sign			
Average Speed	55	55	50
Average Daily Trips (ADT)	11448	2147	716
Night Fraction of ADT	15	15	15
Road Gradient (%)			1
Vehicle DNL	60.6597	63.3907	64.7142
Calculate Road #1 DNL	67.9928	Reset	

Add Road Source | Add Rail Source

Airport Noise Level	
Loud Impulse Sounds?	○**Yes** ○**No**

Combined DNL for all Road and Rail sources	**67.9928**
Combined DNL including Airport	**N/A**
Site DNL with Loud Impulse Sound	

Calculate

Mitigation Options

If your site DNL is in Excess of 65 decibels, your options are:

- **No Action Alternative**: Cancel the project at this location
- **Other Reasonable Alternatives**: Choose an alternate site
- **Mitigation**
  - **Contact your Field or Regional Environmental Officer (/programs/environmental-review/hud-environmental-staff-contacts/)**
  - Increase mitigation in the building walls (only effective if no outdoor, noise sensitive areas)
  - Reconfigure the site plan to increase the distance between the noise source and noise-sensitive uses
  - Incorporate natural or man-made barriers. See ***The Noise Guidebook (/resource/313/hud-noise-guidebook/)***
  - Construct noise barrier. See the **Barrier Performance Module (/programs/environmental-review/bpm-calculator/)**

Tools and Guidance

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DNL Calculator

Site ID	River View - existing plus project run
Record Date	July 5, 2019
User's Name	Rincon Consultants

Road # 1 Name:	**River Road**

Road #1

Vehicle Type	**Cars** ☑	**Medium Trucks** ☑	**Heavy Trucks** ☑
Effective Distance	850	850	850
Distance to Stop Sign			
Average Speed	55	55	50
Average Daily Trips (ADT)	11448	2147	716
Night Fraction of ADT	15	15	15
Road Gradient (%)			1
Vehicle DNL	50.3639	53.095	54.4185
Calculate Road #1 DNL	57.6971	Reset	

Add Road Source | Add Rail Source

Airport Noise Level	
Loud Impulse Sounds?	○**Yes** ○**No**

Combined DNL for all Road and Rail sources	**57.6971**
Combined DNL including Airport	**N/A**
Site DNL with Loud Impulse Sound	

Calculate

Mitigation Options

If your site DNL is in Excess of 65 decibels, your options are:

- **No Action Alternative**: Cancel the project at this location
- **Other Reasonable Alternatives**: Choose an alternate site
- **Mitigation**
  - **Contact your Field or Regional Environmental Officer (/programs/environmental-review/hud-environmental-staff-contacts/)**
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DNL Calculator

Site ID	River View - existing run
Record Date	July 5, 2019
User's Name	Rincon Consultants

Road # 1 Name:	**River Road**

Road #1

Vehicle Type	**Cars** ☑	**Medium Trucks** ☑	**Heavy Trucks** ☑
Effective Distance	175	175	175
Distance to Stop Sign			
Average Speed	55	55	50
Average Daily Trips (ADT)	11280	2115	705
Night Fraction of ADT	15	15	15
Road Gradient (%)			1
Vehicle DNL	60.5955	63.3255	64.647
Calculate Road #1 DNL	67.9268	Reset	

Add Road Source | Add Rail Source

Airport Noise Level	
Loud Impulse Sounds?	○**Yes** ○**No**

Combined DNL for all Road and Rail sources	**67.9268**
Combined DNL including Airport	**N/A**
Site DNL with Loud Impulse Sound	

Calculate

Mitigation Options

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- **Other Reasonable Alternatives**: Choose an alternate site
- **Mitigation**
  - **Contact your Field or Regional Environmental Officer (/programs/environmental-review/hud-environmental-staff-contacts/)**
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DNL Calculator

Site ID	River View - existing run
Record Date	July 5, 2019
User's Name	Rincon Consultants

Road # 1 Name:	**River Road**

Road #1

Vehicle Type	**Cars** ☑	**Medium Trucks** ☑	**Heavy Trucks** ☑
Effective Distance	850	850	850
Distance to Stop Sign			
Average Speed	55	55	50
Average Daily Trips (ADT)	11280	2115	705
Night Fraction of ADT	15	15	15
Road Gradient (%)			1
Vehicle DNL	50.2997	53.0298	54.3513
Calculate Road #1 DNL	57.631	Reset	

Add Road Source | Add Rail Source

Airport Noise Level	
Loud Impulse Sounds?	○**Yes** ○**No**

Combined DNL for all Road and Rail sources	**57.631**
Combined DNL including Airport	**N/A**
Site DNL with Loud Impulse Sound	

Calculate

Mitigation Options

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  - **Contact your Field or Regional Environmental Officer (/programs/environmental-review/hud-environmental-staff-contacts/)**
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