

# Exhibit A

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## DRAFT RESOLUTION

### Before the Planning Commission in and for the County of Monterey, State of California

In the matter of the application of:

**CALIFORNIA DEPARTMENT OF TRANSPORTATION  
(PLN200118)**

**RESOLUTION NO. 22 -**

Resolution by the Monterey County Planning Commission rescinding the June 29, 2022 approval of a Combined Development Permit for the Caltrans State Route 156 and Castroville Boulevard interchange project (Planning Commission Resolution No. 22-013).

[State Route 156 between Castroville Boulevard (postmile R1.40) and the Moro Cojo Slough Bridge (postmile 1.60), North County Land Use Plan, Coastal Zone (Assessor's Parcel Numbers: 133-081-007-000, 133-073-002-000, 133-073-005-000, 133-073-008-000, 133-073-034-000, 133-073-009-000, 133-073-001-000, 133-073-004-000, 133-073-007-000, 133-072-031-000, 133-073-006-000, 133-073-003-000, 133-072-014-000, 133-072-006-000, 133-071-013-000, 133-071-012-000, 133-071-021-000, 133-071-010-000, 133-071-011-000, and 133-071-008-000)]

### RECITALS

**WHEREAS**, on October 28, 2021, the California Department of Transportation (CalTrans) submitted an application (PLN200118) for construction of three (3) new roundabouts to replace the existing Castroville Boulevard/Highway 156 intersection, including construction of new on & off ramps, a new bridge overpass, reuse of a portion of the current Castroville Boulevard as a mixed use bicycle & pedestrian path, driveway improvements, a new frontage road, the realignment of Castroville Boulevard & replacement along the new or modified sections of Highway 156 & Castroville Boulevard (the Project).

**WHEREAS**, the Monterey County Planning Commission considered the Project at duly noticed public hearings on May 25, 2022, June 8, 2022 and June 29, 2022. At the conclusion of the June 29, 2022 hearing on the Project, the Planning Commission adopted Resolution 22-013 approving the Project. That Resolution is attached hereto as **Attachment 1**.

**WHEREAS**, on July 11, 2022, the The Open Monterey Project (TOMP), represented by Molly Erickson, timely filed an appeal of the June 29, 2022 Planning Commission decision. The appeal is attached hereto as **Attachment 2**.

**WHEREAS**, the appeal of the Planning Commission decision for the Project was scheduled for consideration by the Monterey County Board of Supervisor on September 13,

2022. At the hearing, the Board of Supervisors continued the hearing to October 11, 2022, to provide time for Caltrans, County staff, and Coastal Commission staff to negotiate modifications to the project.

**WHEREAS**, on October 11, 2022, the Monterey County Board of Supervisors considered the appeal and the Project and unanimously voted to refer the matter back to the Planning Commission to modify the Project to include an amendment to the Monterey County Local Coastal Plan (LCP) and to review the agricultural mitigation language.

**WHEREAS**, an amendment to the LCP was not included in the June 29, 2022 Planning Commission decision on the project but the LCP amendment is recommended by Coastal Commission staff and the appellant.

**WHEREAS**, after the filing of the appeal of the Planning Commission's June 29, 2022 decision and prior to consideration of the appeal by the Board of Supervisors, CalTrans has agreed to modify their project to include an amendment to the LCP.

**WHEREAS**, pursuant to California Government Code Section 65855 and Monterey County Coastal Implementation Plan, Part 1 section 20.94.030 and Part 6 Appendix 13 (Local Coastal Program Amendment Procedures), the Planning Commission is required to consider amendments to the LCP and make a recommendation to the Board of Supervisors at a public hearing.

**WHEREAS**, rescinding the June 29, 2022 decision of the Planning Commission (Resolution No. 22-013) will nullify the prior approval and resolve the appeal of that decision filed by TOMP by undoing decision that is the subject of the appeal.

**WHEREAS**, the Planning Commission intends to take action on the project with modifications after adoption of this resolution.

**WHEREAS**, rescission of the prior decision to approve the project is not in itself a project as defined in Section 15378 of the California Environmental Quality Act (CEQA) Guidelines. Reconsideration of an action on the Project by the Monterey County Planning Commission will be subject to a separate CEQA determination.

### **DECISION**

**NOW, THEREFORE**, be it resolved, based on the above recitals, the written and documentary evidence, the staff reports, oral testimony, and the administrative record as a whole, that the Planning Commission does hereby rescind the June 29, 2022 approval of a Combined Development Permit for the Caltrans State Route 156 and Castroville Boulevard interchange project (Planning Commission Resolution No. 22-013).

**PASSED AND ADOPTED** this 4<sup>th</sup> day of November, 2022 upon motion of \_\_\_\_\_, seconded by \_\_\_\_\_, by the following vote:



AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Craig Spencer, Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON \_\_\_\_\_.

# Attachment 1

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In the matter of the application of:

**CALIFORNIA DEPARTMENT OF TRANSPORTATION  
(PLN200118)**

**RESOLUTION NO. 22 - 013**

Resolution by the Monterey County Planning Commission:

1. Considering the information and affirming the conclusions contained in the Final Environmental Impact Report/Environmental Assessment with Finding of No Significant Impact (FEIR/EA with FONSI) together with NEPA/CEQA Re-Validation Form (aka Addendum) and Mitigation Monitoring Plan for the State Route 156 West Corridor Project, certified by the California Department of Transportation on January 31, 2013 (SCH#1999111063); and
2. Approving a Combined Development Permit consisting of:
  - a. A Coastal Development Permit to allow construction of three new roundabouts to replace the existing Castroville Boulevard/State Route 156 intersection, including construction of new on and off ramps, a new bridge overpass, reuse of a portion of the current Castroville Blvd as a mixed use bicycle and pedestrian path, driveway improvements, a new frontage road, the realignment of Castroville Blvd and replacement along the new or modified sections of State Route 156 and Castroville Blvd;
  - b. A Coastal Development Permit to allow development on slopes exceeding 25%;
  - c. A Coastal Development Permit to allow the removal of 1 Coast live oak tree, and
  - d. A Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat areas.

[State Route 156 between Castroville Boulevard (postmile R1.40) and the Moro Cojo Slough Bridge (postmile 1.60), North County Land Use Plan, Coastal Zone (Assessor's Parcel Numbers: 133-081-007-000, 133-073-002-000, 133-073-005-000, 133-073-008-000, 133-073-034-000, 133-073-009-000, 133-073-001-000, 133-073-004-000, 133-073-007-000, 133-072-031-000, 133-073-006-000, 133-073-003-000, 133-072-014-000, 133-072-006-000, 133-071-013-000, 133-071-012-000, 133-071-021-000, 133-071-010-000, 133-071-011-000, and 133-071-008-000)]

**The CALIFORNIA DEPARTMENT OF TRANSPORTATION application (PLN200118) came on for a public hearing before the Monterey County Planning Commission on May 25, 2022, June 8, 2022 and June 29, 2022. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Monterey County Planning Commission finds and decides as follows:**

## FINDINGS

- 1. FINDING:** **CONSISTENCY** – The project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
- EVIDENCE:**
- a) The project has been reviewed for consistency with the text, policies, and regulations in the:
    - 1982 Monterey County General Plan (General Plan);
    - North County Land Use Plan (NC LUP);
    - Monterey County Coastal Implementation Plan, Part 2 (NC CIP); and
    - Monterey County Coastal Zoning Ordinance (Title 20).Comments have been received via email from the California Coastal Commission staff suggesting potential inconsistencies with the NC CIP related to conversion of agriculturally zoned lands for the proposed interchange improvements. Additionally, potential impacts to environmentally sensitive habitat, land use, transportation, noise, and visual resources have been considered during review of this permit. The comments, technical reports, environmental documents (CEQA/NEPA), and analysis prepared by for this project have been considered and responses are provided herein. Mitigation measures addressing resource impacts have been incorporated previously adopted by Caltrans (see Finding Nos. 8 through 14, and supporting evidence. As designed and mitigated, the Castroville Boulevard interchange safety improvement project (the “Project”) is consistent with the applicable the text, policies, and regulations as described more fully herein.
  - b) Project Purpose. State Route (SR) 156 is identified as one of the major thoroughfares used by residents, commuters, tourists, and commercial trucks traveling to and from the Monterey Peninsula. It connects Highway 101 with Highway 1 in Monterey County. As a result, more than 39,000 vehicles travel along this route each weekday, and the Route experiences periods of heavy congestion, especially on weekends. It has been recognized by Caltrans and the Transportation Agency for Monterey County (TAMC) that this two-lane conventional highway can no longer accommodate this amount of traffic, especially when impacted by the confluence of commute traffic, tourism and agricultural goods movement. With concerns about congestion and maintaining safety, Hwy 156 has been identified by Caltrans and the TAMC as one of the key transportation corridors that must be addressed. Travelers living along the corridor, including residents of the low-income Moro Coho mobile home park and students at North Monterey County High School, need improved access to these destinations from downtown Castroville – whether it be on foot or via bicycle, bus or car. The Castroville Boulevard (Blvd) Interchange Project (“Project”) is intended to provide congestion relief and local road access enhancements for businesses and residents of the local community and the region. Furthermore, the corridor is identified as a crucial aspect of the statewide freight network, as expanding its capacity to support freight is identified as a

high priority in the U.S. 101 Central Coast California Freight Strategy Report. Collision rate information (based on Traffic Accident Surveillance and Analysis System data from July 1, 2007 to June 30, 2010) concluded the total collision rate for SR 156 was 21% higher than the state average. Therefore, Caltrans has identified this Project, as a priority to address existing safety and congestion issues, which would be funded through *Measure X*. This project is intended to improve safety at the intersection and reduce congestion without expanding capacity.

- c) Project Scope. The project involves the construction of three new roundabouts to replace the existing at grade Castroville Blvd/ SR 156 intersection, construction of new on and off ramps on SR 156 with a new bridge overpass, a frontage road, reuse of a portion of the current Castroville Blvd as a mixed-use bicycle and pedestrian path, and driveway improvements and replacement along the new or modified sections of SR 156 and Castroville Blvd. The project will require removal of one Coast live oak tree and development within 100 feet of environmentally sensitive habitat areas, both of which require granting of a Coastal Development Permit. The proposed project will result in the establishment of a new Caltrans right-of-way from postmile 1.58 (just before the intersection of SR 156 and Castroville Blvd.) to the beginning of the Moro Cojo Slough to accommodate the proposed development.
- d) Location. The project is located on State Route (Highway) 156 between Castroville Boulevard (postmile R1.40) and the Moro Cojo Slough Bridge (postmile 1.60), adjacent Castroville Boulevard as it intersects Collin Road, and within the Monte Lago mobile home park. The development area contains 20 individual parcels (Assessor's Parcel Numbers [APNs]: 133-081-007-000, 133-073-002-000, 133-073-005-000, 133-073-008-000, 133-073-034-000, 133-073-009-000, 133-073-001-000, 133-073-004-000, 133-073-007-000, 133-072-031-000, 133-073-006-000, 133-073-003-000, 133-072-014-000, 133-072-006-000, 133-071-013-000, 133-071-012-000, 133-071-021-000, 133-071-010-000, 133-071-011-000, and 133-071-008-000). These parcels are zoned: Coastal Agricultural Preserve, Coastal Zone or "CAP(CZ)"; Coastal Agriculture Preserve, Building Site 7, Coastal Zone or "CAP/B-7(CZ)"; High Density Residential, 5 acres per unit, Coastal Zone or "HDR/5(CZ)"; and Coastal General Commercial, Coastal Zone "CGC(CZ)". Parcels directly north and south of the Moro Cojo Slough Bridge are zoned Resource Conservation, Coastal Zone or "RC(CZ)."
- e) Land Use. Hwy 156 is a public highway under the jurisdiction of Caltrans. The Highway has served local and regional transportation needs including serving as a primary point of access from inland areas to the coast. The Highway has existed in this capacity since well before adoption of the Coastal Act (1972) and the subsequent adoption of the NC LUP (1982). The NC LUP recognizes the existence of the highway and the need for improvements to the highway over time. The Highway is shown on in Figure 1 of the NC LUP and was therefore intended as an

allowed use. Text and policies in Chapter 3 of the NC LUP have this to say about Hwy 156:

Section 3.1 of the NCLUP states: *“The prime transportation emphasis of the Coastal Act is to preserve highway capacity for coastal access and coastal-dependent land uses. Of primary concern in North County is the improvement of Highway 1 for safety and efficiency in carrying the increasingly large volumes of traffic using this corridor. Other transportation issues in the area include the adequacy of Highway 156 and other County roads which occasionally operate at capacity, the development of bicycle paths, and the improvement of the public transit system.”* (Paragraph 1); and

*“...the capacity of the roads burdened by traffic generated by new development should be a major concern. Major arterials will need to be upgraded to provide a reasonable level of service and traffic safety. This is particularly true for Highway 156 which connects the Prunedale and Castroville communities and for the County roads which carry heavy volumes of traffic between Highway 1 and Highway 101.”* (Paragraph 4)

Key Policy 3.1.1 of the NC LUP states: *“State highways within the North County coastal area should be upgraded to provide for a safe and uncongested flow of traffic. Major County roads should be expanded or managed to accommodate traffic volumes at Level of Service C. Public transit should be expanded to provide a viable transportation alternative.”*

General Policy in Section 3.1.2 of the NC LUP state:

2. *“Highway 156 should be expanded to four lanes of traffic on the current alignment as soon as funds are available.”*

3. *“Construction of access roads to Highway 1 and Highway 156 should be limited due to impacts on the safe and free flow of traffic on these highways. Wherever feasible, access roads should be consolidated to provide fewer points where vehicles can turn onto or off of the highway.”*

4. *“Improvements to Highway 1 and 156 and the design of access points, turnoffs, and intersections shall be consistent with the objectives and standards of a designated State Scenic Highway.”*

Implementing regulations in section 20.144.120 of the NC CIP state: *“The intent of this Section is to provide development standards which will result in the: 1) upgrading of the State highways; 2) expansion and management of major County roads to accommodate traffic volumes at Service Level C; and, 3) expansion of public transit to provide a viable transportation alternative.”*

Hwy 156 specific NC CIP policies focus on limiting new access roads (20.44.120.B.4) and on maintain Hwy 156 as a visual corridor (20.144.120.B.5).

These policies clearly recognize Hwy 156 as an existing and important facility in Monterey County. They also recognize the need for upgrades and improvements. The Castroville Blvd Interchange project is consistent with NC LUP Policies in Section 3.1 as it would replace an at grade signalized intersection with a new separated grade interchange with on and off ramps from the highway improving safety for motorists in this area reducing congestion by allowing uninterrupted through access on the Highway (remove the traffic signal). The project is consistent with NC LUP Policies 3.1.2.3 and 3.1.3.3, which calls for consolidating access roads for flow and safety, because it includes construction of a new frontage road to provide safer access to the Monte Lago mobile home park and Simon Park resulting in termination of two direct highway connections and eliminating dangerous left and right turning movements onto the highway. In accordance with NC LUP Policy 3.1.3.6, the project includes construction of Class 1 bike lanes along the re-aligned Castroville Blvd and portions of the existing Castroville Blvd.

- f) Visual Resources. The intent of the NC LUP Visual Resource policies, see Section 2.2, are to protect views from Hwy 156 and Hwy 1 of the hills, agricultural lands, estuaries, ocean, beaches, wetlands, and dunes in the North County Area. There are no specific policies are provided in the NC LUP or NC CIP regarding standards for improvements to the Highway.

According to NC LUP Specific Policy 2.2.3.4, access roads should not be allowed to intrude upon public views of open frontal slopes or ridgelines visible from scenic routes or viewpoints and roadways shall be designed to conform to the natural topography in order to minimize grading, erosion, and the scarring of hillsides. In this case, the project includes roadway improvements to address hazards and changes to existing aesthetics is limited to that which is necessary to improve safety of the highway. Further, the project area is not visible from the ocean shoreline, public beaches, or along the shoreline of Elkhorn Slough. Even so, Caltrans has adopted mitigation measures requiring that all streetlights to be downlit, stormwater features shall be sited and designed to appear natural, utility lines shall be placed underground, the roundabouts and right of way be landscaped, and aesthetic design and treatment be incorporated into the overcrossing structure, bridge rail, abutment, slope paving and other associated elements (see Finding 11, Evidence “a”). Therefore, the project, as proposed and mitigated, is consistent with the visual policies of the NC LUP.

The Project will maintain the highway as a viewing corridor and undergrounding of utilities will be an improvement. Existing views from the Monte Del Lago driveway connection east to Simon Park east are currently obscured by berms on both sides of the highway and



views. Views from the current Castroville Blvd intersection east to Monte Del Lago include agricultural lands when looking south and hillsides and overhead electrical utility lines when looking north. This overall condition will not change however, new road improvements, including on/off ramps, roundabouts, and the new Castroville Blvd alignment will be visible. The proposed roundabout on the south side of the highway will impact some agricultural lands immediately adjacent to the highway but the view of the agricultural lands will continue beyond that. The new Castroville Blvd alignment and roundabout to the north of the highway will be visible across the currently open and grassy hillside. In the end, and absent other vertical development in the future, views from the highway of hillsides to the north and agricultural lands to the south will remain with the only changes being visibility of the road infrastructure.

- g) Environmentally Sensitive Habitat Areas (ESHA). The proposed project is located within 100 feet of ESHA and therefore requires granting of a Coastal Development Permit. As demonstrated in Finding 6 and supporting evidence, the project as designed and mitigated, is consistent with applicable ESHA resource policies contained in NC LUP Chapter 2.3 and regulations contained in NC CIP Section 20.144.040.
- h) Forest Resources. The project requires the removal of one Coast live oak tree (less than 24 inches diameter when measures from breast height [DBH]), and eight non-native trees: two Italian stone pines (10 and 30 inches DBH), five Silver dollar eucalyptus (between 13 and 29 inches DBH), and one red bark eucalyptus (14 inches DBH). NC CIP Sections 20.144.050.A.1.c and 20.144.050.C.1 require the granting of a Coastal Development Permit for the removal of any landmark tree (Eucalyptus or Monterey pine which is 36 inches or more in DBH, or any other type of tree which is 24 inches or more in DBH). Therefore, a Coastal Development Permit is required in this case. As demonstrated in Finding 11, Evidence “a”, mitigation implementation will require protection of all trees which are located close to construction and a replacement of all impacted trees on a 5 to 1 ratio.
- i) Wetlands. Based on the information identified in the NES (Natural Environment Study, Finding 6 and supporting evidence), approximately 1.227 acres and 0.048 acres of jurisdictional waters will be permanently and temporarily impacted, respectively. These areas are currently designated as Residential – High Density and Agricultural Preserve. The proposed project and associated use are consistent with the North County Land Use Plan and the North County Coastal Implementation Plan, as amended and certified in 2008 under Ordinance No. 5114 (Board of Supervisors Resolution No. 08-159). As identified by California Coastal Commission (CCC) and County staff, NC LUP Policies 2.4.2.1 and 2.4.2.2 provide an exemption for wetland alterations when needed for public health and safety uses. Therefore, the NC CIP amendment to CIP Sections 20.144.060.C.2 (Diking, Dredging, Filling, and Shoreline Structures Development Standards) provided clarification that the expansion of roadways and bridges into coastal wetlands and estuaries is incidental to a highway safety project when no other

alternative exists, when the expansion is required to maintain existing traffic capacity, and the improvement would not result in an increase in overall traffic capacity. The project will not expand the traffic capacity of SR 156 and Castroville Blvd. but rather improve the traffic conditions and safety resulting from the current capacity. As demonstrated in Finding 6 and supporting evidence, the project is consistent with the provisions established in NC CIP Sections 20.144.060.C.2.

- j) Water Resources. Water Resources are addressed in Section 2.5 of the NC LUP. This project will not involve ongoing water use. The project involves potential for erosion due to the grading and construction activities, including development on man-made slopes in excess of 25% immediately adjacent to the highway. Caltrans, as the lead agency under CEQA and NEPA, has recommend best management practices and conditions that mitigate potential erosion impacts. Measures will be installed during construction that prevent erosion of soils through wind and water to avoid degradation of water quality in the area, reduce air quality impacts, and avoid visual erosion scars. Drainage facilities associated with the road improvements will be constructed to capture and direct water runoff long-term. Revegetation of graded areas with native and native compatible plant species will occur to stabilize the area following grading.
- k) Agriculture. The proposed project will convert approximately 23 acres of irrigated agricultural land to non-agricultural use (Highway/right-of-way). As demonstrated in Finding 7 and supporting evidence, the project as designed and mitigated is consistent with applicable agricultural resource policies contained in NC LUP Chapter 2.6 and regulations contained in NC CIP Section 20.144.080.
- l) Other Resources. Caltrans has prepared an EIR/EA for the Corridor Improvement project that addresses all potential impacts to environmental resources including aesthetics, agriculture, air quality, biology, cultural resources, energy, soils and geology, greenhouse gases, hazards, hydrology, land use, noise, housing, public services, transportation, tribal cultural, utilities, and cumulative impacts. Alternatives were considered, changes to the project have been made, and mitigations have been applied to avoid or reduce impacts to the extent feasible.
- m) Coastal Commission Staff Comments. The California Coastal Commission (CCC) staff provided comments suggesting that amendments to the NC LUP and CIP may be required in order to approve the project due to impacts on ESHA and Agriculture. These comments have been considered and the project has been found consistent with the goals and policies despite the suggestion. CCC staff comments take a very narrow view of consistency by suggesting that specific ESHA and agricultural policies in the CIP that preclude development that impact ESHA and conversion of agricultural lands make the project inconsistent. The County finds that these policies should not be reviewed without context and must consider on the whole of the action. A project may be consistent with the purpose of a section, goal, or policy if the whole of the action achieves most desired results

but conflicts with one specific statement. For instance, this project clearly complies with the transportation goals and policies of the NC LUP and CIP (see evidence e above) but conflicts with an agricultural resource policy in the CIP that is intended to preserve agricultural lands from conversion. The transportation goals cannot be achieved without impacting agriculture so the analysis must be balanced. This project is a transportation project so transportation policies should be guiding. The purpose of the agricultural policies in North County is to: “...*protect the region's economy, pattern of employment, quality of life, open space, and scenic quality. The Coastal Act requires that the maximum amount of prime agricultural land shall be maintained in production to assure the protection of the area's economy. Agriculture shall be protected by establishing stable boundaries separating urban and rural areas, by locating new development contiguous to existing developed area, and by minimizing conversions or divisions of productive agricultural land.*” The LUP goes on to state that “...*conversion of Agriculture Preservation or Agricultural Conservation farmland for non-agricultural use shall be permitted only where there is an overriding need to protect the public health and safety or where the land is needed to infill existing "developed" areas.*” A project that is located contiguous with existing infrastructure (the highway), that supports agriculture by improving critical transportation networks, that promotes safety and social justice, that improves coastal access routes, and that does not impact the areas open spaces and economy can be consistent with the with LUP despite minor conflicts with specific implementing regulations that discourage agricultural conversion. Furthermore, in 2008, the County of Monterey working with Caltrans processed and amendment to the NC CIP for the Salinas Road/Highway 1 interchange project. That project involved the same facts and circumstances as the proposed project; an intersection improvement for public safety that impacts agricultural lands and ESHA. The Coastal Commission certified the amendments to the CIP that allowed conversion of agricultural lands for public health and safety reasons (with reference to the Bolsa Chica court decision and similar Coastal Act allowances). The only conflict with this certified CIP revision is the specific reference to the vicinity of Highway 1 and Salinas Road intersection. This project is in the same area plan boundaries and has the same circumstances (vicinity). Impacts have been minimized and mitigation measures are proposed consistent with the revised CIP language. This agricultural example similarly applies to impacts to ESHA (See Finding 6). In context and on the whole of the analysis, the Castroville Blvd. Interchange project is consistent with transportation policies and with the goals and policies of the NC LUP and CIP.

- n) Development on Slopes Exceeding 25%. The project meets the required findings for development on slopes in excess of 25% as demonstrated in Finding 15 and supporting evidence.
- o) Land Use Advisory Committee (LUAC) Review. The North County LUAC at a duly notice public hearing on November 4, 2022, reviewed the project and voted six to zero, with two members absent, to support the project as proposed. No public comment or LUAC concerns were

raised during this meeting. As directed by the Planning Commission, the project was presented to the Castroville LUAC at a duly noticed public hearing on June 21, 2022 to allow additional public outreach and receive comment. Commentors at the hearing inquired about construction timing, continued public outreach, access improvements for Oak Hills, and construction management. In response, Caltrans explained that improvements adjacent to the Oak Hills subdivision are not part of this project, but it is part of the larger original project for SR 156; there are no plans for County roadways; and that they will have continued coordination with the public and North Monterey County High School administration. They also mentioned that through their public information officer, Caltrans will begin an informational campaign prior to start of construction. This includes TV news segments, newspaper articles, social media and signage.

- p) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN200118.

**2. FINDING: SITE SUITABILITY** – The site is physically suitable for the proposed development and/or use.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and North County Fire Protection District (FPD). County staff reviewed the application materials and plans to verify that the project on the subject site conforms to the applicable plans and regulations, and there has been no indication from these departments/agencies that the site is not suitable for the development.
  - b) The project is suitable for site as it provides safety improvements to an existing interchange and roadway that currently operates at a failing and unsafe level. These improvements have been limited to either existing road right or disturbed areas as much as feasible.
  - c) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN200118.

**3. 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) The project was reviewed by HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and North County FPD. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.

- b) Pursuant to NC LUP Policy 3.1.1, State Highways, such as the proposed project, within the North County coastal area should be upgraded to provide for a safe and uncongested flow of traffic. The purpose of the of the proposed project is to improve the safety and function of the intersection at SR 156 and Castroville Blvd in a cost effective and timely manner, while minimizing environmental, social and economic impacts.
- c) In accordance with NC LUP Policy 3.1.2.5, the major arterial roads in North County should be upgraded as necessary to serve the planned growth of North County. SR 156 connects Highway 1 to Highway 101 and is considered a major arterial road. The project is not proposed to address future traffic capacity, but rather better accommodate the current unsafe traffic conditions and inefficiencies due to capacity. Rather, the project addresses existing safety issues relative to vehicular, bicycle and pedestrian traffic hazards and congestion through improvements and realignment.
- d) The proposed project will be sequenced over 4 stages, with each stage containing multiple phases. Initial construction focuses on project components with the least amount of impact to the existing roadways. Detours and road closures will then occur to allow completion of improvement segments. Traffic handling will include temporary installation of barrier systems, channelizers and crash cushions. Warning, including changeable messages, will be provided. Reduced speed limit signs will be posted and temporary radar speed feedback signs will be installed.
- e) A preliminary Bicycle and Pedestrian Access Plan prepared by Caltrans was submitted to Staff. This Bicycle and Pedestrian Access Plan will be utilized during the construction of bike lanes (“CB3” and “CB4”) at the existing Castroville Blvd alignment. This would occur towards the end of Stage 1, Phase 1 until Phase 2. A shuttle will be provided to transport bicyclists and pedestrians between designated pick up and drop off locations at the pedestrian bridge and North Monterey County High School. It is anticipated that the shuttle service will be in place between 40 and 50 working days. Existing bicycle traffic utilizing Hwy 156 will also need to be moved off the roadway during construction of the Project. Caltrans has indicated that they will have a bicycle detour in place rerouting bicyclists off of the highway and onto Meridian Road and the existing Castroville Blvd alignment.
- f) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN200118.

**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.

**EVIDENCE:** a) Staff reviewed Monterey County HCD-Planning and HCD-Building Services records and is not aware of any violations existing on subject property.

- b) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN200118.

**5. FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and applicable Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) No public access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in NC CIP Section 20.144.150.
  - b) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
  - c) The subject property is not described as an area where the Local Coastal Program requires visual or physical public access (Figure 6 of the NC LUP). The proposed project is not located between the sea and the first public road (Molera Rd) and the nearest shoreline (Salinas River State Beach) is located approximately 2.95 miles west of the subject project. Per Figure 6 of the NC LUP, the nearest primary or secondary access location is Highway 1, which is the closest corridor that provides public access for motorized and bicycle recreational traffic traveling north and south along the County. SR 156 travels east and west and provides a corridor connecting the communities of Prunedale and Castroville, as well as serving as a connection between Highway 1 and Highway 101.
  - d) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN200118.

**6. FINDING:** **ENVIRONMENTALLY SENSITIVE HABITAT AREAS** – The project minimizes impacts on environmentally sensitive habitat areas (ESHA) in accordance with the applicable goals and policies of the 1982 Monterey County General Plan (1982 GP); North County Land Use Plan (NC LUP); Monterey County Coastal Implementation Plan, Part 2 (NC CIP); and the Monterey County Zoning Ordinance (Title 20).

- EVIDENCE:**
- a) ESHA Determination. Monterey County Geographic Information System (GIS) and the NC LCP ESHA map (CIP, Part 6, Appendix 2a) indicates that portions of the project area has the potential to contain coastal wetlands which are identified as areas of special biological importance.
  - b) Report Requirement. NC LUP Policy 2.3.2.5 and CIP Section 20.144.040.A.1.a requires submittal of biological field surveys, conducted by qualified individuals, to determine precise locations of biological resources and recommend mitigation measures to ensure protection ESHA from potential development impacts. The Natural Environment Study (NES) which serves as the updated biological assessment submitted by Caltrans identified that the project area supports sensitive vegetation communities and assumes presence of special status species. The NES identified a total construction footprint

of 73.086 acres, consisting of 20.887 acres that will be permanently converted into the roadway facility and 52.199 acres that will be temporarily disturbed during construction. In all areas other than wetlands (see subsequent Evidence “d”), temporary project impacts areas include all staging, equipment storage, batch plants, and temporary construction easements. Restoration is planned to return these areas back to pre-project conditions or better. Permanent impacts will consist of new highway roads, on- and off-ramps, and overpasses, as well as the new alignment of Castroville Boulevard including all roundabouts, bike lanes, and driveways. These areas are limited to the proposed right-of-way acquisitions.

- c) NC LUP Policy 2.3.2.1 and NC CIP Section 20.144.040.B.1 prohibits development in ESHA except where allowed by the NC LUP or for activities for maintenance of roads if it has been determined that the development will not harm the habitat’s long-term maintenance. NC LUP Key Policy 3.1.1 state highways within the North County coastal area should be upgraded to provide for a safe and uncongested flow. Consistent with this policy, Caltrans has prioritized this Project to address the intersection’s higher-than-average rate of collisions (21% higher than the state average). Development associated with this project is limited to improvements that eliminate unsafe turning movements onto and off of the highway, including a T-intersection for two major roadways. Further, evidence below and Finding Nos. 10 and 11, demonstrate that best management practices and mitigation measures have been identified and adopted by Caltrans which would reduce project impacts to ESHA to a less than significant level once implemented.
- d) The NES identifies that the project area contains four types of sensitive vegetation communities, one of which -Coastal Brackish Marsh- is a wetland. The remaining types include: Herbaceous Semi-Natural, Coyote Brush Scrubland and Arroyo Willow Thicket. Herbaceous Semi-Natural is a habitat type is typically found in fallow fields, grasslands, roadsides, disturbed coastal scrub, riparian areas, and waste places. Although this type is mainly non-native and ruderal, it provides marginal habitat for birds and special status species. The project will result in permanent impacts to approximately 6.172 acres and temporary impacts to approximately 17.095 acres of Herbaceous Semi-Natural areas. The NES notes that although it is unlikely that the Coyote Brush Scrubland is native, it could provide refuge for special status species. The project will result in permanent impacts to approximately 1.969 acres and temporary impacts to approximately 4.474 acres of Coyote Brush Scrubland. The Arroyo Willow Thicket is considered riparian habitat and provides marginal habitat for special status species. The project will result in temporary impacts to approximately .078 acres of Arroyo Willow Thicket; no permanent impacts are identified. In total, the project will have permanent impacts to 8.141 acres and temporary impacts to 21.647 acres of vegetation communities. NC LUP Policy 2.3.2.8 and CIP Section 20.144.040.B.8 states that where development is permitted in or adjacent to ESHA, removal of indigenous vegetation and land disturbance shall be restricted to the minimum amount

necessary for structural improvements. As discussed in subsequent Finding 11, Evidence “b”, implementation of Caltrans’ adopted mitigations and best management practices would ensure the protection of existing vegetation. As designed, the Project includes construction of various retaining walls which will limit grading quantities by reducing the footprint and result in reducing future impacts to perennial and seasonal wetlands.

e) Wetlands. The project area contains six wetland areas, one coastal wetland area and one stream within the project area, totaling approximately 3.764 acres.

- Wetland A – 3.246 acres
- Wetland B – .322 acres
- Wetland C – .013 acres
- Wetland D – .005 acres
- Wetland E – .035 acres
- Wetland F – .026 acres
- Coastal Wetland A – .063 acres
- Stream A – .054 acres

Implementation of the project will permanently impact approximately 1.227 acres and temporarily impact approximately 0.048 acres of these areas. The NES considers permanent impacts to wetlands much more conservatively when compared to sensitive vegetation communities. Areas that will be cleared, grubbed and compacted to allow staging, equipment and material storage, batch plants, and grading for temporary roads and construction areas are included the permanently impacted wetland acreage. Temporary impacts are limited to only those areas that will be disturbed but will not be compacted, paved or built into slopes which will allow for restoration to pre-project conditions or better. Wetlands, coastal wetlands, other waters, and riparian areas are considered ESHA and pursuant to Title 20, development within ESHA is non-exempt. Therefore, this Combined Development Permit includes a Coastal Development Permit to allow development within, and adjacent to, the impacted wetlands described herein. Except for the Coastal Wetland A, the impacted wetlands fall under the jurisdiction of the US Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and/or the California Department of Fish and Wildlife (CDFW). Wetlands A, B, C, D, and E, have a demonstrable connection to downstream navigable waters and are identified as *Waters of the U.S.* Although Stream A is highly modified ditched channel, it qualifies as an *Other Waters of the U.S.* because it conveys natural flows toward a navigable water. The boundary of California Fish and Wildlife (CDFW) jurisdiction is the edge of a stream channel to the top of bank or the adjacent riparian zone. As such, Wetlands A, C, E and Stream A fall under the jurisdiction of CDFW. The project will result in permanent impacts to approximately 1.912 acres of Wetland A, the entirety of Wetlands C, D and E, and temporary impacts to a .006 acre portion of Stream A. Therefore, Caltrans will be required to obtain a Clean Water Act (CWA) Section 404 permit from the USACE, a Section 401 Water Quality Certification from the RWQCB and a Section 1602 Streambed Alteration Agreement from the CDFW.



Wetland F is identified as *Waters of the State*. The project will result in a permanent impact to this entire wetland and Caltrans is required to obtain a Section 401 Water Quality Certification from the RWQCB. Based on the CWA, wetlands are determined by the presence of three wetland parameters (i.e., hydrophytic vegetation, hydric soil, and wetland hydrology) and connection or proximity to other jurisdictional waters. However, in the coastal zone, areas that support at least one wetland parameter qualifies as a Coastal Wetland and is considered ESHA in the NC LUP but not a wetland per the CWA.

f) Special Status Species Identified. The NES identifies that the project site supports marginal upland habitat and suitable aquatic habitat for the California Tiger Salamander (CTS), Santa Cruz Long-toed Salamander (SCLTS), and California Red Legged Frog (CRLF). Further, surveys conducted in 2010 and 2011 observed presence of these amphibians in breeding habitat adjacent to the project site. An additional SCLTS habitat assessment was performed in 2019 to determine potential impacts resulting in the Project's reduced scope of work. This 2019 study identified two distinct areas as suitable SCLTS habitat; the northernmost edge of the project (within and adjacent to Wetland E and Coastal Wetland A) and the eastern edge of the project (adjacent to the southern arm of the Moro Cojo Slough. In addition, the project area contains sensitive vegetation communities (Herbaceous Semi-Natural, Coyote Brush Scrubland and Arroyo Willow Thicket) and wetland areas which provide marginal/suitable habitat for CTS and CRLF. Therefore, project implementation has the potential to impact biological resources. In addition to the required Coastal Development Permit, it is anticipated that Caltrans will be required to obtain a 2081 Incidental Take Permit an incidental take of CTS and SCLTS, both of which are listed as endangered under the California Endangered Species Act (CESA). A will be required for the project. Passing of Senate Bill 1231 amended Sections 5050 and 2081 of the California Fish and Game Code (CFGC). As amended, Section 5050(a)(1) states that except as provided in Section 2081.5, a fully protected amphibian (including the SCLTS) may not be taken or possessed at any time. As amended, Section 2081.5(a) allows CDFW to authorize by permit, the take of the SCLTS resulting from impacts attributable to the construction along the State Route 156 corridor through Moro Cojo Slough in the County of Monterey for the purpose of enhancing safety and access, if all of the following conditions are satisfied:

1. The requirements of subdivisions (b) and (c) of Section 2081 are satisfied for the take of the Santa Cruz long-toed salamander.
2. The department ensures that all further measures necessary to satisfy the conservation standard of subdivision (d) of Section 2805 are incorporated into the construction project.
3. The take authorization provides for the development and implementation, in cooperation with federal and state agencies, of a monitoring program and an adaptive management process until the department determines that any impacts resulting from the construction project described in this subdivision have been fully mitigated.

4. (b) The conditions for the permit are subject to amendment if required by the monitoring program and the adaptive management process adopted pursuant to paragraph (3) of subdivision (a).
  5. (c) This section shall not be construed to exempt the construction project described in subdivision (a) from any other law.
- g) Non-Standard Condition of Approval. Caltrans is exempt from obtaining construction permits from the County of Monterey to implement this project. Therefore, a non-standard condition of approval has been incorporated requiring Caltrans submit evidence of obtaining necessary state and federal permits for ESHA prior to commencement of work.
  - h) Siting of Development. The project minimizes disturbance to biological resources to the maximum extent feasible by utilizing existing disturbed areas such as roadways, building pads, and an existing parking area. However, complete avoidance of ESHA is not feasible. In accordance with NC CIP Section 20.144.040.B.1, activities for maintenance of existing structures and roads, such as the proposed project, may be allowed within environmentally sensitive habitats if it has been determined through the biological survey that impacts of development will not harm the habitat's long-term maintenance. Impacts to ESHA has been minimized as a result of the reduced scope of work and implementation of Caltrans' adopted mitigation measures the project would not result in long-term habitat impacts. Per NC CIP Section 20.144.040.B.8, the area of project impact has been limited to that area necessary for the safety and structural improvements, and driveway access.
  - i) Tree Removal in ESHA. The biologist findings for tree removal were independently reviewed and confirmed as described in Finding 8. In this case, the area of project impact has been limited to that area necessary for the safety and structural improvements. Modification or relocation of project components to avoid tree removal would have the potential to further impact ESHA or result in an unsafe design of the roadway. Therefore, tree removal has been reduced to minimum amount required.
  - j) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in Project File PLN200118.

**7. FINDING: AGRICULTURAL RESOURCE AREAS** – The project minimizes impacts on agricultural lands in accordance with the applicable goals and policies of the 1982 Monterey County General Plan (1982 GP); North County Land Use Plan (NC LUP); Monterey County Coastal Implementation Plan, Part 2 (CIP); and the Monterey County Zoning Ordinance (Title 20).

- EVIDENCE:**
- a) Agriculture Determination – Monterey County Geographic Information System (GIS) and the BSC LCP Environmentally Sensitive Habitat Areas (ESHA) map indicates that the subject property has the potential to contain rare, endangered, or sensitive plant habitats.
  - b) As designed, the project will require partial property acquisition (a total of 23.29 acres) from seven properties zoned Coastal Agricultural Preserve (CAP). These seven properties, totaling approximately 361.81

acres, are identified as containing farmland of statewide importance, prime farmland and unique farmland. The project will result in the permanent loss of approximately 6.44 percent of existing acreages zoned CAP within the project limits. All partial property acquisition required for the Castroville Boulevard Interchange Project will occur on the fringes or outer edges of existing farmland properties. The partial property acquisition required for the project is considered relatively small in scale and is not expected to prohibit continuing agricultural practice in the project area. As proposed, sited, and mitigated, the proposed project is not anticipated to have a substantial negative affect to the existing agricultural practices in the region.

Pursuant to NC LUP Policy 2.6.2.2, divisions of prime and productive farmland designated as CAP shall be permitted only when such division does not adversely affect the land's long term agricultural viability. The proposed project is consistent with the policy because the remainder of the parcels zoned CAP which will be impacted will remain viable or can be made viable for agriculture after implementation and construction of the proposed project.

Additionally, conversion of Agricultural Conservation lands to non-agricultural uses shall be allowed only if such conversion is necessary to: (a) establish a stable boundary between agriculture and adjacent urban uses or sensitive habitats; or (b) accommodate agriculture-related or other permitted uses which would economically enable continuation of farming on the parcel and adjacent lands (NC LUP Policy 2.6.3.5). The proposed project is to provide improved safety and operational benefits to the intersection of SR 156 and Castroville Blvd.

- c) Prime and productive farmland shall be preserved for agricultural use to the fullest extent possible as consistent with the protection of environmentally sensitive habitats and the concentration of development (NC LUP Policy 2.6.2.1) The project has incorporated avoidance, minimization and mitigation measures that would preserve agricultural lands to the fullest extent possible.
- d) North County Coastal Implementation Plan was amended and certified in 2008 under Ordinance No. 5114 (Board of Supervisors Resolution No. 08-159). The Amendment clarified that the conversion of cultivated lands to non-agriculture uses shall be permitted only when there is an overriding need to protect the public health and safety from adverse erosion and for purposes *“necessary to address a documented significant threat to life and property ... provided that such project is necessary to maintain existing traffic capacity through the intersection, and does not expand the overall capacity...”* The NC CIP Amendment established appropriate mitigation measures for such projects resulting in the conversion of cultivated lands to non-cultivated land. Per the Amendment, *“[a]ppropriate mitigation measures include, but are not limited to: preservation of existing or potentially productive croplands that under existing land division patterns could otherwise be converted to non-agricultural development; stabilization of urban-rural boundaries; restoration or enhancement of unproductive or degraded*

*agricultural lands; and community garden or educational programs that support coastal agriculture.”*

As described in above evidence “b” of this finding, the proposed project requires partial property acquisition of seven properties zoned CAP and the conversion of 23.29 acres of cultivated land to a non-agriculture use. A portion of the cultivated land to be converted into non-agriculture uses includes agricultural ditches that are regularly reconfigured and maintained and act as minimally functioning wetlands.

The proposed project is consistent with the allowed uses established in the NC CIP. Caltrans has prioritized the proposed project due to the higher-than-average rates of collisions at this intersection. The proposed project directly addresses the unsafe traffic conditions which have resulted from the current traffic capacity. The proposed project will not result in the expansion of the overall traffic capacity of this section of SR 156 and the subject intersection. Therefore, the proposed project meets the NC CIP provision which requires that projects resulting in the conversion of cultivated land to non-agriculture uses to be limited to those needed for public health and safety and necessary to address a documented significant threat to life.

- e) Siting of Development – The project minimizes disturbance to agricultural lands to the maximum extent feasible by utilizing existing disturbed areas such as roadways, building pads, and an existing parking area. However, complete avoidance is not feasible in this case. In accordance with NC CIP Section 20.144.080.D.2, this Project qualifies as a public health and safety project for maintenance of existing structures and roads. As such, conversion of agricultural land is allowed in this case because land conversion has been minimized resulting from the reduced scope of work and mitigation adopted by Caltrans would ensure the long-term protection of viable agricultural use of lands in the North County area.
- f) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in Project File PLN200118.

**8. FINDING:** **CEQA and NEPA (Previously Adopted EIR/EA)** - The Monterey County Planning Commission has considered the Environmental Impact Report/Environmental Assessment (EIR/EA) (SCH#1999111063) for the State Route 156 West Corridor Project, that was previous certified by the California Department of Transportation (Caltrans).

**EVIDENCE:** a) A Final EIR/ Final EA for the project (SCH#1999111063) was prepared by Caltrans as lead agency under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). Caltrans certified the EIR/EA on August 6, 2013. The EIR/EA assessed the current environmental conditions and evaluated the environmental effects associated with the construction and operation of all three phases of the State Route 156 West Corridor Project, which at the time were identified as two phases.

- b) The EIR/EA identified potential impacts to Aesthetics, Agriculture Resources, Air Quality, Biological Resources, Geology and Soils, Hazards & Hazardous Materials, Hydrology and Water Quality, Land Use Planning, Noise, Utilities and Service Systems, and Cumulative effects. The EIR/EA was adopted with a Finding of No Significant Impact (FONSI).
- c) In accordance with 23 CFR 771.129, a written evaluation of a draft EA is required there is a change in scope, setting, effects, mitigation measures, requirements. The NEPA/CEQA Re-validation form is used to document the determination of whether: 1) the original Draft EA remains valid, or 2) additional documentation is needed to keep the document valid, or 3) a supplemental EA or a new Draft EA is required. Therefore, to capture the reduced scope of work (only a portion of Phase 1), Caltrans prepared and approve a NEPA/CEQA Re-validation form on October 8, 2020. This re-validation form concluded that the EIR/EA required additional documentation to keep the document valid. This re-validation form identified project specific potential impacts to land use (primarily agriculture), natural communities & habitats, jurisdictional waters, California tiger salamanders (CTS), Santa Cruz long-toed salamanders (SCLTS), California red-legged frogs (CRLF), migratory nesting birds and visual resources. Caltrans subsequently prepared a Natural Environment Study (NES) to serve as the updated biological assessment. The NES identified the required minimization and avoidance measures to reduce impacts to jurisdiction waters, SCLTS, CTS, CLRF, migratory nesting birds and trees to a less than significant level. Minimization and avoidance measures for land use and visual impacts are identified in the re-validation form.
- d) The County is a responsible agency under CEQA due to the County's permitting authority for projects that are within the unincorporated area of the County. As a responsible agency, the County's role is more limited than a lead agency. The County has responsibility for mitigating or avoiding only the direct and indirect environmental effects of those parts of the project which it decides to "... approve." (California Code of Regulations, Title 14 (CEQA Guidelines) sec. 15097(g).) The County has considered the environmental effects of the SR 156 and Castroville Blvd safety improvements as analyzed in the EIR/EA and updated in the NEPA/CEQA revalidation form, has required all feasible mitigation measures within the County's powers for the project components, and found no feasible alternative (see findings below).
- e) The EIR/EA, as revised by the NEPA/CEQA revalidation form, includes mitigation measures that will reduce all impacts to a less than significant level, with the exception of impacts to Agriculture Resources (See Finding 11 below.)
- f) Findings with respect to each of the identified significant effects, per the NEPA/CEQA re-validation form, are set forth below pursuant to CEQA Guidelines sections 15091 and 15093.

**9. FINDING: CEQA (NO SUPPLEMENTAL OR SUBSEQUENT EIR IS NEEDED).** The Planning Commission finds that no Supplemental or Subsequent EIR is required pursuant to Public Resources Code Section

21166 and CEQA Guidelines, Sections 15162 or 15163 since adoption of the Final EIR. Pursuant to Public Resources Code section 21166, “no subsequent or supplemental environmental impact report shall be required by the lead agency or by the responsible agency” unless major revisions of the EIR are required due to substantial changes in the project or substantial changes in circumstances or “new information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.”

- EVIDENCE:**
- a) There have not been any substantial changes to the project which require major revisions to the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects. The EIR/EA and subsequent NEPA/CEQA re-validation form analyzed the same project for which the applicant is seeking approval of a Combined Development Permit.
  - b) No substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effect.
  - c) No new information of substantial importance has been presented, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete and the re-validation form was approved, that shows any of the following: that “the project will have one or more significant effects not discussed in the previous EIR”; that significant effects previously examined in the EIR “will be substantially more severe than previously shown in the previous EIR”; that “mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative”; or that “mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative.” (CEQA Guidelines section 15162.) A Final EIR/EA was adopted by Caltrans on August 6, 2013. A NEPA/CEQA Re-validation form was approved on June 7, 2022.

**10. FINDING: CEQA EFFECTS WITH NO IMPACT OR LESS THAN SIGNIFICANT IMPACT** – The Final EIR/EA and subsequent NEPA/CEQA Re-validation form found that SR 156 – Castroville Blvd interchange project will have no impact or less than significant impacts on the areas listed below and fully detailed in the FEIR/EA and revalidation form.

- EVIDENCE:**
- a) The following impacts, fully detailed in the FEIR/EA with FONSI, would have no impact: Cultural Resources, Mineral Resources, Parks and Recreation, Paleontology, and Cultural Resources.
  - b) The following impacts, fully detailed in the FEIR/EA with FONSI, would be less than significant: Aesthetics, Air Quality, Biological Resources, Geology and Soils, Hazards & Hazardous Materials,

Hydrology and Water Quality, Land Use Planning, Noise, and Utilities and Service Systems. Although the EIR/EA identified these as less than significant, the following best management practices (BMPs) have been incorporated into the project made applicable by this approval. These BMPs are outlines in the project specific Water Quality Summary prepared by Caltrans.

- Non-Storm Water: Implementation of water conservation practices; clear water diversion; illicit connection/illegal discharge detection and reporting; proper vehicle and equipment cleaning, fueling and maintenance; concrete curing; proper material and equipment use over water; concrete finishing; and proper structure demolition/removal over or adjacent to water.
- Temporary Sediment Control: Installation of check dams, fiber rolls, street sweeping and vacuuming, and storm drain inlet protection.
- Temporary Soil Stabilization: Proper construction scheduling, preservation of existing vegetation, and spreading hydraulic mulch.
- Wind Erosion Control: Implement wind erosion control.
- Waste Management and materials Pollution Control: Proper material delivery and storage, material use, stockpile management, spill prevention and control, solid waste management, hazardous waste management, concrete waste management, sanitary & septic waste management, and liquid waste management.

**11. FINDING:**

**EIR-ENVIRONMENTAL IMPACTS MITIGATED TO LESS THAN SIGNIFICANT** - The Final EIR/EA and subsequent NEPA/CEQA Re-validation form found that SR 156 – Castroville Blvd interchange project identified potentially significant impacts to Land Use, Visual/Aesthetics, Biological Resources. Changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the potentially significant environmental effects of the construction and operation of the roadway safety improvement project. For each potential impact summarized below, the mitigation measures have been identified and adopted by Caltrans that reduce that potential impact to less than significant.

**EVIDENCE:** a)

Aesthetics. The proposed project would potentially have an adverse effect on visual/aesthetics since the project would include vegetation and tree removal, has the potential to degrade the existing visual character of the site and would result in new sources of light. The project would also have a substantial adverse effect on a scenic vista. As adopted, Caltrans mitigation measures would require:

- Undergrounding all affected overhead utility lines, where feasible per State Scenic Highway policy.
- Installation of high visibility fencing or flagging around the dripline of trees to be protected within project limits. All trees that cannot be saved, or are proposed for removal, would be

replaced by native or other horticulturally appropriate trees at a minimum ratio of 5 to 1.

- Installation of landscaping and natural elements around all project components and apply aesthetic treatment to all retaining or sound walls which would be visible from the Highway or nearby communities.
- Consultation with a landscape architect to determine the most appropriate location and appearance of storm water basins and other visible stormwater prevention measures.
- Prohibiting project related contour-grading and slope rounding which would cause additional tree removal and result in unnatural-appearing landforms.
- Darkening of all metal beam guardrail beams and posts, and install wood or metal T-post and wire fencing, where appropriate.
- Utilizing hooded or cut-off shields for all lighting on bridge structures.

- b) Biological Resources. The proposed project would potentially have an adverse effect on biological resources, including effects on special status, sensitive or candidate species, temporary impacts (approximately 0.078 acres of riparian and 0.048 of wetlands) and permanent impacts (approximately 1.227 acres of wetlands) to sensitive habitat areas.

As adopted, Caltrans mitigation measures would require:

- Installation of exclusionary fencing along the boundary of the API that directly abuts suitable habitat for SCLTSs and CTSs.
- Obtaining a USFWS-approved biologist to capture and relocate of all CTS and SCLTS outside of the project area, monitor initial ground disturbing activities, hand-dig necessary vegetation, and conduct a biological education program for construction employees (BEPE training) which includes but is not limited to instructing attendees on habitat sensitivity, identification of special-status species and raptors, required practices prior to start of construction, general measures that are being implemented to conserve these species as they relate to the project, guidelines to avoid impacts to these species during the construction period, and penalties for non-compliance. Work activities, when conducted in potential habitat for California red-legged frogs, California tiger salamanders and Santa Cruz long-toed salamanders, will be completed between May 1 and November 1.
- Obtaining CTS and SCLTS incidental take permits from the USFWS and Section 2081 incidental take permits from the CDFW.
- Completely screen all intake pipes, if needed for pumping, with wire mesh, and to pump water downstream at an appropriate rate.
- On an on-going basis, ensuring all trash that may attract predators will be properly contained, removed from the work



site, and disposed of regularly, and all refueling, maintenance, and staging of equipment and vehicles shall occur at least 60 feet from riparian and pond habitat and conform to the Caltrans Construction Site Best Management Practices.

- Installation of protective fencing, silt fencing, fiber rolls, and barriers around jurisdictional resources, and conduct on-site biological monitoring.
- Obtaining a Section 404 Water Quality Certification from the USACE, a Section 401 Water Quality Certification from the RWQCB, and a Section 1602 Lake and Streambed Alteration Agreement from CDFW.
- Restoration of impacted jurisdictional water areas as close as possible to their original condition, as defined by the jurisdictional delineation report (see Offsite Compensatory Mitigation and Monitoring Plan and Onsite Wetland Enhancement Plan below).
- Ensuring that project related hazardous materials are cleaned up immediately and that all cleaning and refueling of vehicles and equipment conform to the Caltrans Construction Site Best Management Practices.
- Obtaining a migratory bird nesting survey no more than 7 days prior to tree removal or vegetation removal.
- On-going basis, if a white-tailed kite is seen nesting within 500-feet of the project area, Caltrans shall immediately stop all work in that area. Caltrans will immediately notify CDFW. A biological monitor will be called to monitor the white-tailed kite weekly until it has fledged the nest. Work within the 500-foot buffer will only commence once the white-tailed kite's offspring have fledged the nest, as confirmed by both the biological monitor and with approval of CDFW.
- On an ongoing basis, Caltrans shall ensure that no rodent control pesticides are used, including anticoagulant rodenticides such as brodifacoum, bromadiolone, difethialone, and difenacoum.

An Offsite Compensatory Mitigation and Monitoring Plan was adopted by Caltrans in April 2022. This Offsite Mitigation Plan, proposed at Elkhorn Highlands Reserve, would offset permanent wetland impacts from the Project. The Elkhorn Highlands Reserve is located within the Moro Cojo Slough sub-watershed, which is part of the Lower Salinas watershed. This Offsite Mitigation Plan requires Caltrans to re-establish wetland at a 2.3:1 ratio and rehabilitate wetland at a 3.3:1 ratio. However, Caltrans is proposing to re-establish more area than required to mitigate the permanent wetland impacts of the proposed project; a 5.4:1 ratio rather than a 2.3:1 ratio. Although riparian restoration is not required, the Offsite Mitigation Plan requires Caltrans to restore 1.02 acres of riparian areas if the RWQCB requires such mitigation for project impacts.

An Onsite Wetland Enhancement Plan was adopted by Caltrans in August 2021. The Onsite Enhancement Plan would offset the project

related temporary impacts to wetlands by improving wetland functions near culvert outlets that are within the project limits. This Onsite Wetland Enhancement Plan requires Caltrans to restore the temporarily impacted wetlands and conduct annual monitoring for 3 years or until the performance standards are achieved. These performance standards include monitoring an increase of at least 20% in native species, an increase of 20% in the native vegetation community, a decrease of at least 20% in non-native vegetation coverage, and an increase in vertical biotic interspersion.

- c) Geology and Soils. The proposed project would potentially have an adverse effect on geology and soil resulting from extensive cut and fill, both of which are susceptible to erosion and the temporary and permanent modifications to the existing topography of the subject properties.

As adopted, Caltrans mitigation measures would require:

- Re-compaction of the cut slope material samples to test for strength, use excavated material to create embankments with slope angles of less than 2:1 (horizontal: vertical), utilize benches for embankments higher than 50 feet, and erect retaining walls where necessary. This mitigation measure requires Caltrans to adhere to vegetation and erosion control programs for all constructed slopes and to obtain geotechnical reports to determine groundwater levels, soil types and strengths, and susceptibility to liquefaction, landslides or settlement.

- d) Noise. The proposed project would potentially have an adverse effect on noise resulting in the exposure of persons to or generation of noise in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

As adopted, Caltrans mitigation measures would require:

- Publishing a notice in the local new media of the dates and duration of the proposed construction activities, and such notice shall include a telephone number for local residents to use to ask questions or raise concerns about the project. If complaints are received, temporary noise barriers can be constructed where construction activities are conducted near residential receptors.
- Construction of recommended barriers would not interfere with subsequent construction activity, they should be among the first items of work to minimize the impacts of construction (noise, dust, light, and glare) for residences adjacent to the construction zone.
- Scheduling noisier activities during the earlier parts of the evening or afternoon.

- e) Utilities and Service Systems. The proposed project would potentially have an adverse effect on utilities and service systems resulting in the construction of new storm water drainage facilities or expansion of existing facilities. Temporary interruption of utility services may occur,

but no permanent interruption of utility services is anticipated during relocation.

As adopted, Caltrans mitigation measures would require:

- Coordinating route closures and detours during construction with emergency services and the local sheriff's department.

**12. FINDING:**

**EIR/EA-CUMULATIVE IMPACTS MITIGATED TO LESS**

**THAN SIGNIFICANT** – California Environmental Quality Act Guidelines Section 15130 describes when a cumulative impact analysis is warranted and what elements are necessary for an adequate discussion of cumulative impacts. The definition of cumulative impacts under the California Environmental Quality Act can be found in Section 15355 of the California Environmental Quality Act Guidelines. A definition of cumulative impacts under the National Environmental Policy Act can be found in 40 Code of Federal Regulations, Section 1508.7 of the Council on Environmental Quality regulations. The EIR/EA identified cumulative impacts to Land Use, Visual Resources and Biological Resources. Changes or alterations have been required in or incorporated into the project which avoid or substantially lessen the potentially significant cumulative environmental effects. For each potential impact summarized below, the mitigation measures are identified that reduce that potential impact to less than significant.

**EVIDENCE:**

- a) Cumulative Impacts to Land Use (Farmland). The project could contribute to cumulative impacts on farmlands. Conversion of farmland is required for construction of the project and other foreseeable projects. The only option to avoid the conversion of farmland would be the No-Build Alternative, which does not meet the purpose and need of the project. However, the loss of farmland will be mitigated through the application of measures discussed in Finding 13, Evidence a.
- b) Cumulative Impacts to Visual Resources. The project in addition to future Caltrans projects in and next to the project area would have minor cumulative impacts on visual resources that may be mitigated to a level of less than significance because on-site mitigation measures are incorporated into these projects as provided in Finding 11, Evidence a.
- c) Cumulative Impacts to Biological Resources. The project in addition to future Caltrans projects in and next to the project area would have minor cumulative impacts on sensitive habitats and species that may be mitigated to a level of less than significance because on-site mitigation measures are incorporated into these projects as provided in Finding 11, Evidence b.

**13. FINDING:**

**EIR-ENVIRONMENTAL IMPACTS NOT MITIGATED TO**

**LESS THAN SIGNIFICANT** –The project would result in significant and unavoidable impacts that would not be mitigated to a less than significant level even with incorporation of mitigation measures, as further described in the evidence below. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained

workers, make infeasible mitigation measures that would reduce these impacts to less than significant. The County makes the following findings with respect to the following significant and unavoidable impacts of the desalination plant project.

- EVIDENCE:**
- a) In accordance with Section 15093 of the CEQA Guidelines, the County has evaluated the economic, legal, social, technological, or other benefits of the proposed project against its unavoidable significant environmental impacts in determining whether to approve the proposed project, and has determined that the benefits of the project outweigh its unavoidable adverse environmental effects so that the adverse environmental effects may be considered “acceptable.” The proposed project will result in development that will provide benefits described herein to the surrounding community and the County has a whole.
  - b) Unavoidable Impacts to Agriculture Resources. The FEIR/EA and subsequent re-validation form found that project related impacts will result in permanent take of nearby agriculture properties. As designed, the project will require partial property acquisition (a total of 23.29 acres) from seven properties zoned Coastal Agricultural Preserve (CAP). These seven properties, totaling approximately 361.81 acres, are identified as containing farmland of statewide importance, prime farmland and unique farmland.
  - c) Health and Safety. SR 156 has a collision rate that is 21% higher than the state average. The project would result in improvements to existing roadways, a roadway and highway interchange, and driveway intersections. SR 156 provides a corridor connecting the communities of Prunedale and Castroville, as well as serving as a connection between Highway 1 and Highway 101. Therefore, the project would result in providing safer roadways to the traveling public. In addition, Class 1 bike and pedestrian paths would be added providing safer opportunities for alternative modes of transportation.
  - d) Relief of Traffic Congestion. The project includes removal of an at-grade signaled interchange and replacing it with roundabouts and an overpass allowing efficient vehicle flow along 156. In addition, direct access driveways off SR 156 would be replaced with a frontage road that would access the realigned Castroville Blvd. This would provide relief to the highly congested condition of the existing SR 156 roadway.
  - e) Economic Benefit. The SR 156 corridor provides a primary access point for regional and state traffic. This corridor is identified as a major thoroughfare used by residents, commuters, tourists. As a crucial aspect of the statewide freight network for commercial trucks, it is identified as a high priority in the U.S. 101 Central Coast California Freight Strategy Report. Reducing safety issues and improving congestion would continue to support travelers resulting in an economic benefit to the County as well as cities within the region.
  - f) Non-Standard Condition of Approval. In this case, the project’s result in permanent loss of agricultural land (preceding Evidence “b”) are outweighed by the public benefits identified in preceding Evidence “c”, “d” and “e”. Caltrans has identified offsite mitigation to provide

protection on long-term viability of agricultural lands. Although implementation would not reduce impacts to a less than significant level, the mitigation is necessary for consistency with the NC CIP. To ensure this occurs, a Non-Standard Condition of Approval has been incorporated requiring Caltrans submit a final agricultural mitigation plan to HCD-Planning prior to commencement of construction demonstrative how the loss of agricultural lands necessitated by this project will be adequately offset. If required through resolution of appeal, the condition also requires review and approval by the Executive Director of the Coastal Commission pursuant to Coastal Commission Regulations section 13574. The plan shall include, but not limited to, preservation of existing or potentially productive croplands that under existing land division patterns could otherwise be lost to development; stabilization of urban-rural boundaries; restoration or enhancement of unproductive or degraded agricultural lands; and community garden or educational programs that support coastal zone agriculture. If the acreage of agricultural lands protected by these measures is less than the lands which are converted for the project, permittee shall demonstrate that the net public benefit of the proposed mitigation measures will nonetheless outweigh any diminution of available area dedicated to agricultural production. The permit for any such conversion shall be conditioned to require that the mitigation measures remain in place for the life of the project.

**14. FINDING:**

**EIR-CEQA ALTERNATIVES TO THE PROPOSED PROJECT -**

The EIR/EIS considered several alternatives to the proposed project in compliance with CEQA Guidelines Section 15126.6. Nine build alternatives were considered but subsequently withdrawn. Alternative 11, which is the project approved by Caltrans and the project that is the subject of this approval, was identified as the Preferred Alternative. The EIR/EIS considered alternatives described below and as more fully described in the FEIR/EIS. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible other alternatives that would reduce the significant and unavoidable impacts to less than significant, as explained further below.

**EVIDENCE:**

- a) No-Build Project Alternative. The no-build project alternative involves not constructing the State Route 156 West Corridor Project. Applicable to the proposed project, the no-build alternative would not include constructing the three roundabouts, new roadway alignments, a bridge overpass and associated on and off ramp, bike paths, driveway improvements, etc. SR 156 would continue to operate in its current conditions. The no-build alternative would have the least significant environmental impacts; however, it would not address the unsafe conditions of SR 156 and Castroville Blvd. It would not provide a provide bike routes for nearby residents or tourists, it would not provide improved drainage, it would not provide safer conditions at the intersection of SR 156 and Castroville Blvd, it would not provide increase local road access to SR 156, and it would not provide traffic congestion relief or improve traffic flow. The no-build project

alternative does not meet the Project goals and objectives and is not a feasible alternative.

- b) Alternative Designs. The FEIR/EA evaluated two alternative designs for the State Route 156 West Corridor Project: Alternative 11 and Alternative 12. Alternative 11 and 12 would have similar design features.
- c) Alternative 11. Alternative 11 includes 1) converting the existing 156 Highway from a two-lane highway to a four-lane highway with 10 foot-wide outside shoulders and 5 foot wide inside shoulders, 2) increasing the speed limit to 70 miles per hour (MPH), and 3) converting SR 156 into a frontage road between Castroville Blvd and Prunedale North Road.
- d) Alternative 12. Alternative 12 also includes converting the existing SR 156 into a four-lane highway but instead only proposes to add two lanes south of the existing route whereas the four-lanes proposed in Alternative 11 are split (2 in each direction). Alternative 12 also includes increasing the speed limit to 70 MPH, but proposes to realign Cathedral Oaks Road and connect Meridian Road to Prunedale North Road. Neither of the differences between Alternative 11 or 12 are reflected in the proposed project as it only consists of a portion of Phase 1.
- e) Environmentally Superior Alternative. The FEIR/EIS found that neither design alternative would result in a project which fully avoided or minimized potential impacts. Alternative 11 would have slightly less impact to wetlands and other waters, natural communities and threatened and endangered species than Alternative 12 would. Chapter 1 Proposed Project Route 156 West Corridor 15 Alternative 12 would have fewer impacts to farmland and water quality than Alternative 11 would. Alternative 11 would preserve the existing oak trees on the south side of State Route 156. Alternative 12 would remove the existing oak trees on the south side of State Route 156. Alternative 12 acquires less farmland acres, and less paved area affecting visual resources and has less impervious surface area to contribute to storm water runoff. Alternative 11 would affect more land due to the addition of four new lanes south of the existing State Route 156 alignment. Alternative 12 would use the existing State Route 156 and would add two lanes along the existing alignment. Alternative 12 is included in the Monterey County's certified Local Coastal Program. Alternative 11 is not included in the Monterey County's certified Local Coastal Program. Based on these impacts, Alternative 12 would be the environmentally superior alternative.
- f) Selection of Preferred Alternative. After public circulation of the draft EIR/EIS document, Alternative 11, as modified, was selected as the preferred build alternative based on engineering and environmental analysis, and community and agency input. Modifications Alternative 11 include using the existing SR 156 alignment as a frontage road between the proposed realigned Castroville Blvd and the existing Prunedale North Road, constructing an overcrossing at Messick Road for access to residential properties south of Highway 101, and

constructing a frontage road connecting Berta Canyon Road and Vierra Canyon Road.

- 15. FINDING: DEVELOPMENT ON SLOPES** – There is no feasible alternative which would allow development to occur on slopes of less than 25%. Additionally, the proposed project better achieves the objectives and policies of the North County Land Use Plan.
- EVIDENCE:**
- a) In accordance with the Section 20.144.070.E of the North County CIP, a Coastal Development Permit is required and the criteria to grant said permit have been met.
  - b) Approximately a third of the SR 156 right of way and small portions along the existing Castroville Blvd. contain man made slopes exceeding 25%. These slopes are a result of excess cut when constructing the existing highway and road. The proposed frontage road adjacent to Monte de Lago, realigned SR 156, and the northern most roundabout will be located on slopes exceeding 25%.
  - c) Caltrans has prioritized this Project to address the intersection’s higher-than-average rate of collisions (21% higher than the state average). Although other alternatives were analyzed under the FEIR/EA, each alternative, except the No-Build Alternative, would have required development on slopes exceeding 25%. Development associated with this project is limited to improvements that eliminate unsafe turning movements onto and off of the highway, including a T-intersection for two major roadways. Therefore, there is no feasible alternative which would allow the proposed development to occur on slopes of less than 25% while addressing the intersection’s higher-than-average rate of collisions.
  - d) Consistent with LUP Policy 2.2.3.4 and NC CIP Section 20.144.030.B.8, the project is limited to safety improvements for an existing intersection and roadways resulting in minimizing grading, erosion, and scarring to the maximum extent feasible in this case. Grading and construction of the proposed roadway facilities is limited to that which is necessary to improve safety of the interchange and highway. Caltrans has designed the facility to meet state requirements and HCD-Engineering Services has reviewed the project and has found it acceptable. Implementation of Caltrans mitigation measures and Best Management Practices requires proper re-compaction, erosion control and revegetation of disturbed areas. Additionally, the Project is consistent with applicable Transportation (Chapter 3.1) related policies of the NC LUP in that the purpose of the proposed project is to improve the safety and function of an existing interchange and highway in a cost effective and timely manner, while minimizing environmental, social and economic impacts.
  - e) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development are found in Project File PLN200118.

- 16. FINDING: APPEALABILITY** – The decision on this project may be appealed to the Board of Supervisors and California Coastal Commission.

- EVIDENCE:**
- a) Title 20 Section 20.86.030 identifies that the Board of Supervisors is the appropriate appeal authority for decisions made by the Planning Commission.
  - b) Title 20 Section 20.86.080.A.3 identifies that projects involving development permitted as conditional uses and those that constitute a major public works project are appealable to the California Coastal Commission.

### **DECISION**

**NOW, THEREFORE,** based on the above findings and evidence, the Planning Commission does hereby:

1. Consider the information and affirms the conclusions contained in the Final Environmental Impact Report/Environmental Assessment with Finding of No Significant Impact (FEIR/EA with FONSI), together with NEPA/CEQA Re-Validation Form (aka Addendum) and Mitigation Monitoring Plan for the State Route 156 West Corridor Project, certified by the California Department of Transportation on January 31, 2013 (SCH#1999111063); and
2. Approve a Combined Development Permit consisting of:
  - a. A Coastal Development Permit to allow construction of three new roundabouts to replace the existing Castroville Boulevard/Highway 156 intersection, including construction of new on and off ramps, a new bridge overpass, reuse of a portion of the current Castroville Blvd as a mixed use bicycle and pedestrian path, driveway improvements, a new frontage road, the realignment of Castroville Blvd and replacement along the new or modified sections of Highway 156 and Castroville Blvd;
  - b. A Coastal Development Permit to allow development on slopes exceeding 25%;
  - c. A Coastal Development Permit to allow the removal of 1 Coast live oak, and
  - d. A Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat areas.

All of which are in general conformance with the attached sketch (Attachment 2) and subject to the attached conditions (Attachment 1), all being attached hereto and incorporated herein by reference.



**PASSED AND ADOPTED** this 29<sup>th</sup> day of June, 2022 upon motion of Commissioner Getzelman, seconded by Commissioner Mendoza, by the following vote:

AYES: Roberts, Diehl, Monsalve, Getzelman, Gonzalez, Mendoza, Daniels, Work  
NOES: None  
ABSENT: Coffelt, Carrillo  
ABSTAIN: None

DocuSigned by:

*Craig Spencer*

188DB67A496B450...

Craig Spencer, Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON 6/30/22

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE 7/11/22

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County HCD-Planning and HCD-Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

Form Rev. 1-27-2021

# Monterey County RMA Planning

## Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN200118

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** This Combined Development Permit (PLN200118) allows construction of the State Route 156 and Castroville Interchange project, including development within environmentally sensitive habitat areas, on slopes in excess of 25% and the removal of one protect Coast live oak tree. The property is located at State Route 156 between Castroville Boulevard (postmile R1.40) and the Moro Cojo Slough Bridge (postmile 1.60) (Assessor's Parcel Numbers 133-081-007-000, 133-073-002-000, 133-073-005-000, 133-073-008-000, 133-073-034-000, 133-073-009-000, 133-073-001-000, 133-073-004-000, 133-073-007-000, 133-072-031-000, 133-073-006-000, 133-073-003-000, 133-072-014-000, 133-072-006-000, 133-071-013-000, 133-071-012-000, 133-071-021-000, 133-071-010-000, 133-071-011-000, and 133-071-008-000)), North County Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. 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 RMA - 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. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

## 2. PD002 - NOTICE PERMIT APPROVAL

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall record a Permit Approval Notice. This notice shall state:  
"A Combined Development Permit (Resolution Number 22-013) was approved by Planning Commission for Assessor's Parcel Numbers 133-081-007-000, 133-073-002-000, 133-073-005-000, 133-073-008-000, 133-073-034-000, 133-073-009-000, 133-073-001-000, 133-073-004-000, 133-073-007-000, 133-072-031-000, 133-073-006-000, 133-073-003-000, 133-072-014-000, 133-072-006-000, 133-071-013-000, 133-071-012-000, 133-071-021-000, 133-071-010-000, 133-071-011-000, and 133-071-008-000) on June 29, 2022. The permit was granted subject to 7 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

## 3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** 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. Monterey County RMA - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register 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 measures required for recovery.  
(RMA - Planning)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall adhere to this condition on an on-going basis.  
Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County RMA - Planning 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.

#### 4. PW0001 - ROADWAY IMPROVEMENT (COUNTY R/W)

**Responsible Department:** RMA-Public Works

**Condition/Mitigation Monitoring Measure:** The design and construction of proposed improvements (Roadway, Curb & Gutter, Sidewalks, ADA Ramp, striping, etc.) within County of Monterey Right of Way are subject to the approval of the PWFP. Encroachment Permits are required for all work within the public right-of-way.

**Compliance or Monitoring Action to be Performed:** Applicant shall submit the design for review and approval of the PWFP, obtain an encroachment permit from the HCD-Engineering Services prior to issuance of construction or grading permits, and construct and complete improvements prior to commencement of use. Applicant is responsible to obtain all permits and environmental clearances.

#### 5. PDSP002 - WATERS OF THE U.S AND STATE

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** Applicant/Owner shall comply with the Clean Water Act and Fish and Game Code and coordinate with the Army Corps of Engineers (USACE) to obtain a Section 404 Water Quality Certification Permit, the Regional Water Quality Control Board (RWQCB) to obtain a Section 401 Water Quality Certification, and California Department of Fish and Wildlife (CDFW) to obtain a Section 1602 Lake and Streambed Alteration Agreement. All measures included in the permits to avoid, reduce, or mitigate impacts to waters of the U.S. and state shall be implemented. These measures may include, but not be limited to, construction timing restrictions, revegetation of disturbed areas, monitoring, and reporting.

**Compliance or Monitoring Action to be Performed:** Prior to initiation of any ground disturbance, applicant/owner shall submit to HCD-Planning a copy of the approved Section 404 Water Quality Certification from the USACE.

Prior to initiation of any ground disturbance, applicant/owner shall submit to HCD-Planning a copy of the approved Section 401 Water Quality Certification from the RWQCB.

Prior to initiation of any ground disturbance, applicant/owner shall submit to HCD-Planning a copy of the approved Section 1602 Lake and Streambed Alteration Agreement from CDFW.

## 6. PDSP001 - CTS AND SCLTS INCIDENTAL TAKE PERMITS

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The applicant/owner shall comply with the Endangered Species Act (ESA) or the California Endangered Species Act (CESA) and consult with CDFW and USFWS to obtain Section 2081 Incidental Take Permits for the incidental take of California Tiger Salamander (CTS) and Santa Cruz Long-toed Salamander (SCLTS) prior to the issuance of a grading permit. The project applicant will be required to implement the approved mitigation monitoring plan and any additional permit requirements.

**Compliance or Monitoring Action to be Performed:** Prior to initiation of any ground disturbance, the Applicant/Owner shall submit to HCD-Planning a copy of the approved CTS incidental take permits from the CDFW.

Prior to initiation of any ground disturbance, the Applicant/Owner shall submit to HCD-Planning a copy of the approved SCLTS incidental take permits from the CDFW and USFWS.

## 7. PDSP003 – MITIGATION MONITORING PLAN FOR CONVERSION AGRICULTURE LAND (NON-STANDARD)

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The Applicant/Owner shall prepare a mitigation plan that will adequately offset the loss of agricultural lands necessitated by this project. Such plan shall also be submitted for review and approval to the HCD-Planning, and potentially, Coastal Commission Executive Director, for review and approval if required through resolution of appeal, or if required for review of recordable open space documents pursuant to Coastal Commission Regulations section 13574.

Consultation with appropriate agricultural and/or land trust experts, including but not limited to, the local office of the USDA Natural Resources Conservation Service and the Ag. Land Trust shall occur.

**Compliance or Monitoring Action to be Performed:** Within the 1st year of commencement of construction, the Applicant/Owner shall submit a proposed agriculture mitigation plan to the HCD-Chief of Planning, and potentially, Coastal Commission Executive Director, for review and approval. Should Caltrans be unable to acquire appropriate off-site agricultural lands for mitigation, Caltrans shall issue a monetary bond to the County of Monterey in the amount proportional to the agricultural lands permanently lost by project implementation.

**STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION**

**PROJECT PLANS FOR CONSTRUCTION ON  
STATE HIGHWAY**

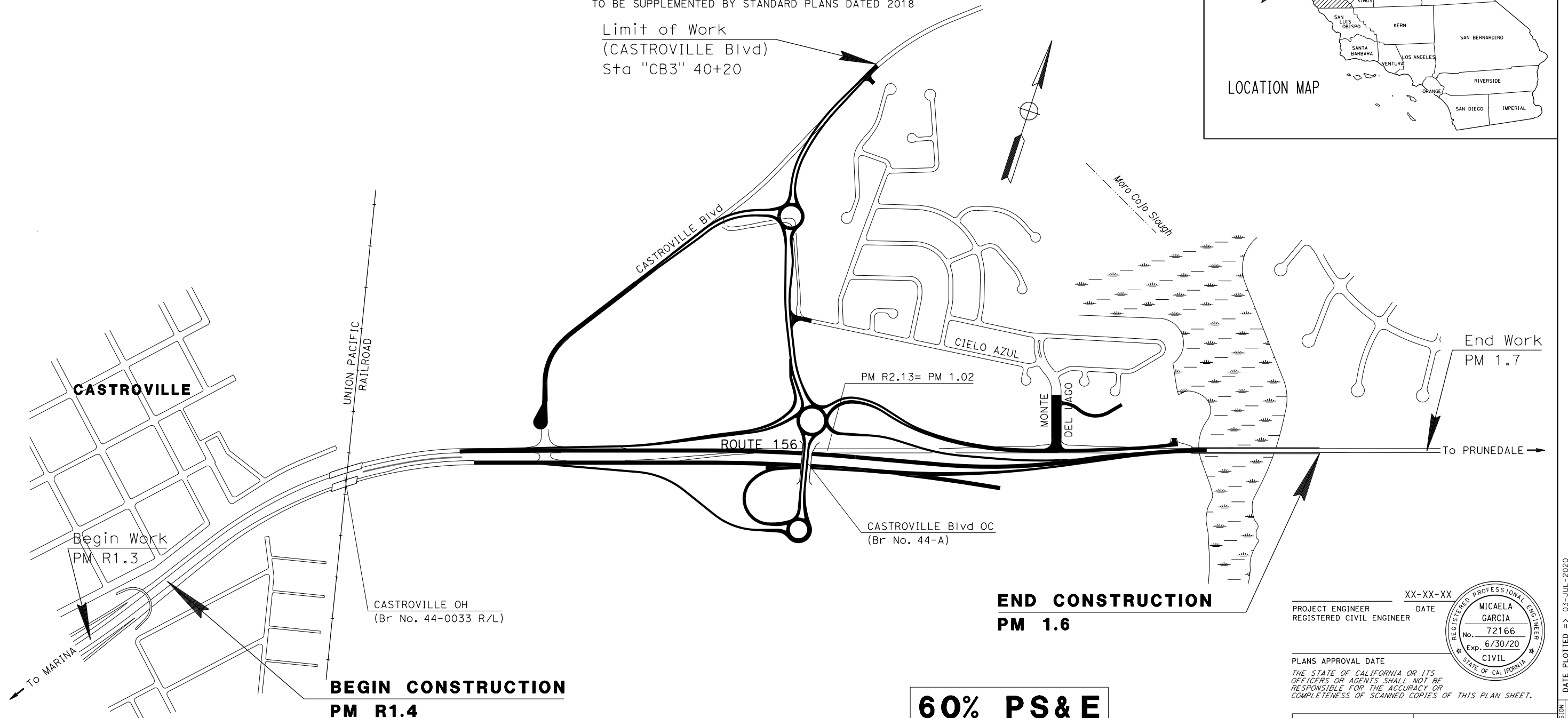
**IN MONTEREY COUNTY NEAR CASTROVILLE  
ON ROUTE 156 FROM 0.1 MILE WEST OF CASTROVILLE BOULEVARD  
TO MORO COJO SLOUGH**

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
05	Mon	156	R1.4-R2.1 /1.0-1.6	1	??



TO BE SUPPLEMENTED BY STANDARD PLANS DATED 2018

Limit of Work  
(CASTROVILLE Blvd)  
Sta "CB3" 40+20



PROJECT MANAGER  
DAVID SILBERBERGER

DESIGN MANAGER  
ROBERTO BANDA

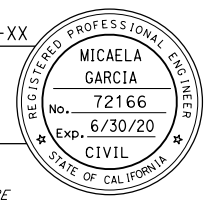
THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES) OF LICENSE AS SPECIFIED IN THE "NOTICE TO BIDDERS."

NO SCALE

**60% PS&E**

**END CONSTRUCTION  
PM 1.6**

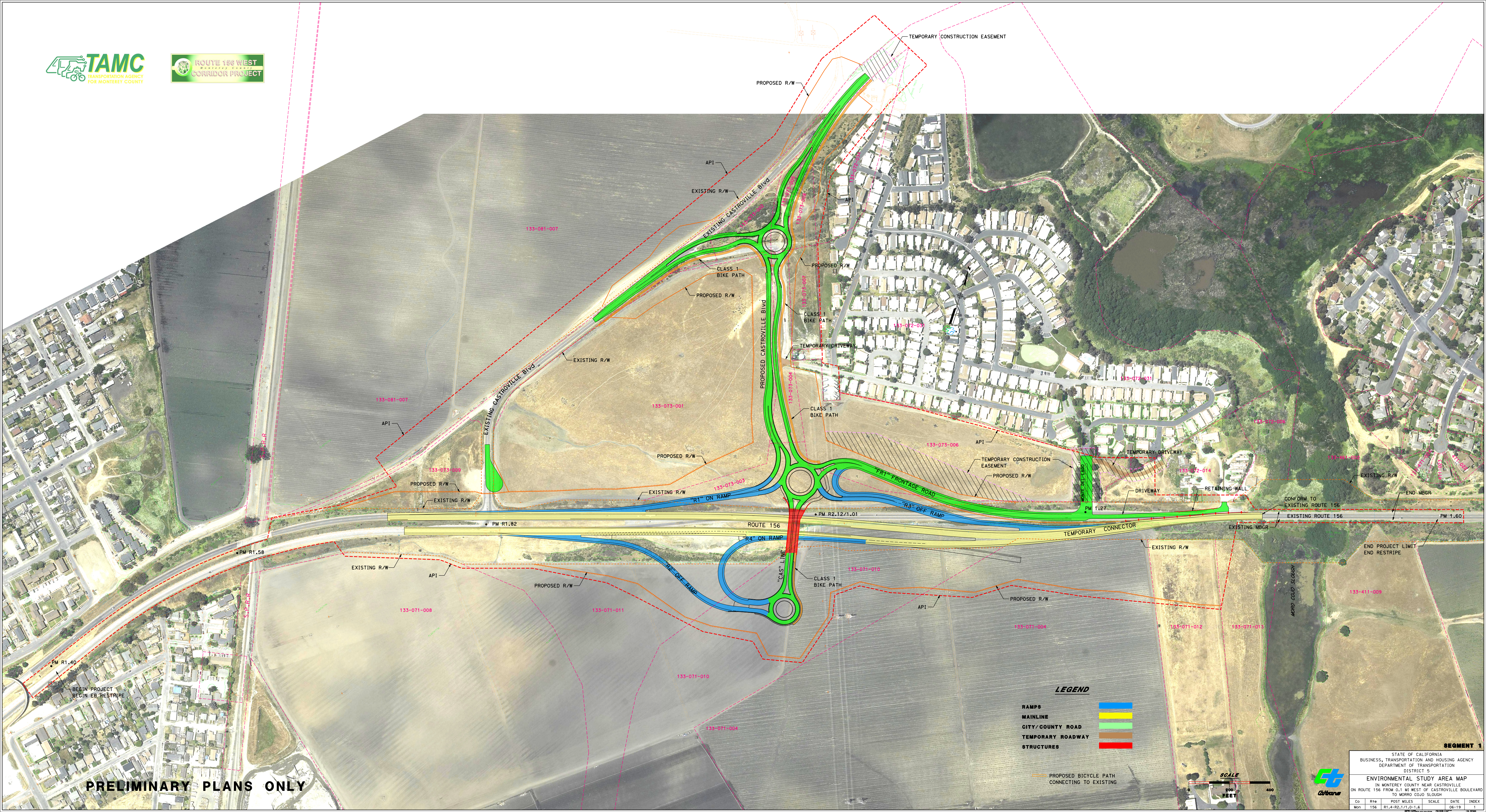
PROJECT ENGINEER DATE  
REGISTERED CIVIL ENGINEER XX-XX-XX



PLANS APPROVAL DATE  
THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.

CONTRACT No.	<b>05-316014</b>
PROJECT ID	<b>0518000120</b>



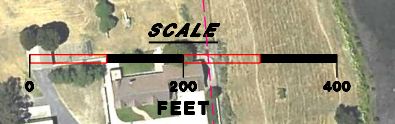


**PRELIMINARY PLANS ONLY**

**LEGEND**

- RAMPs [Blue line]
- MAINLINE [Yellow line]
- CITY/COUNTY ROAD [Green line]
- TEMPORARY ROADWAY [Brown line]
- STRUCTURES [Red line]

— PROPOSED BICYCLE PATH CONNECTING TO EXISTING



**SEGMENT 1**




STATE OF CALIFORNIA  
BUSINESS, TRANSPORTATION AND HOUSING AGENCY  
DEPARTMENT OF TRANSPORTATION  
DISTRICT 5

**ENVIRONMENTAL STUDY AREA MAP**  
IN MONTEREY COUNTY NEAR CASTROVILLE  
ON ROUTE 156 FROM 0.1 MI WEST OF CASTROVILLE BOULEVARD  
TO MORRO COJO SLOUGH

Co	R#	POST MILES	SCALE	DATE	INDEX
Mon	156	R1.4-R2.1/1.0-1.6		06-19	1



**LEGEND**

-  REMOVE BASE AND SURFACING
-  CONFORM TO EXISTING PAVEMENT
-  OBLITARATE SURFACE

**ABBREVIATIONS**

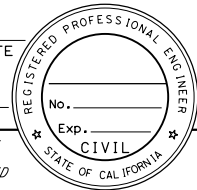
HSSG HIGH SIDE SURFACE GUTTER

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
05	Mon	156	R1.4-R2.1 /1.0-1.6		??

REGISTERED CIVIL ENGINEER DATE

PLANS APPROVAL DATE

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.

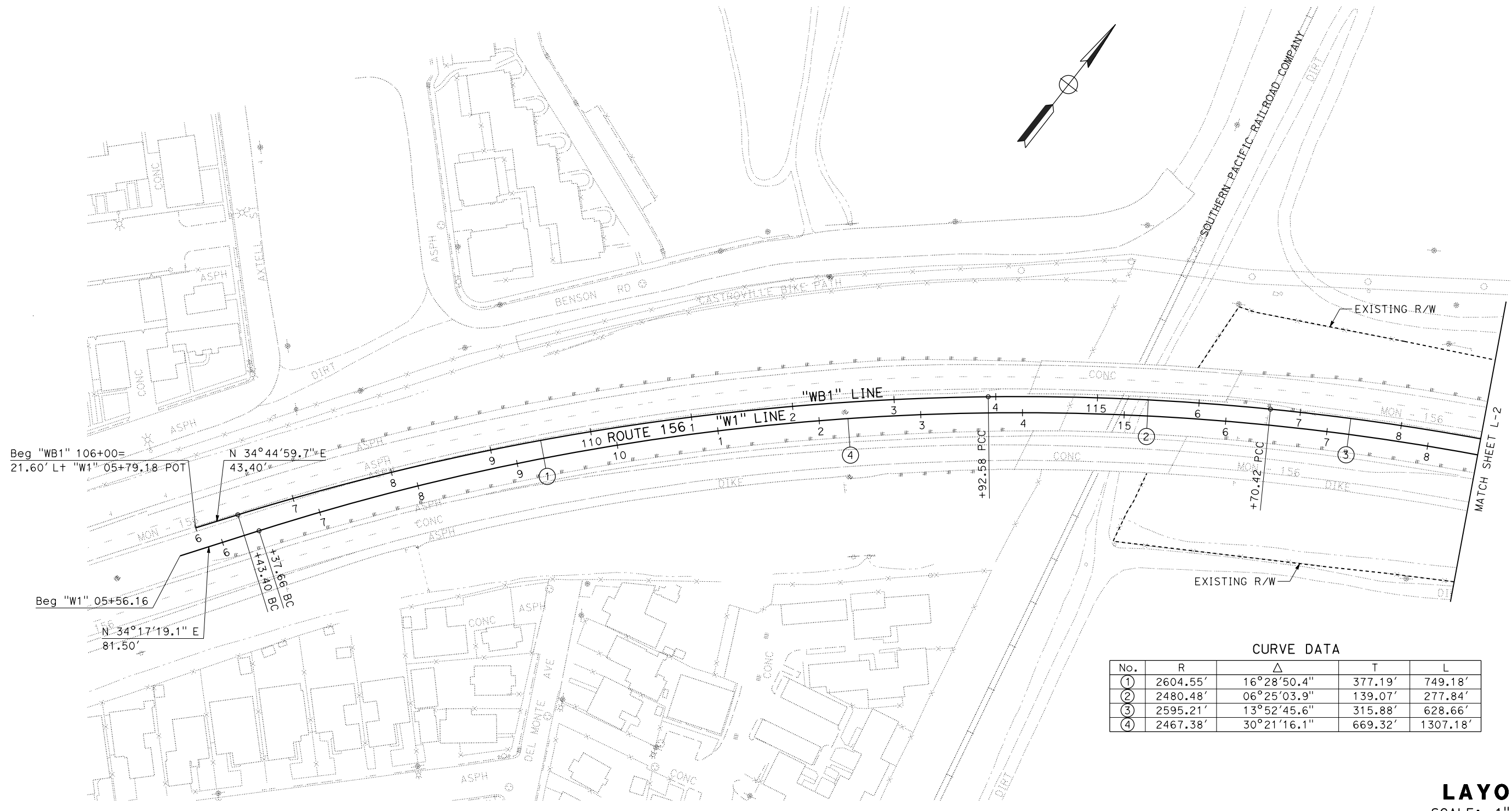


STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**Caltrans** DESIGN DIVISION

FUNCTIONAL SUPERVISOR: ROBERTO BANDA

CALCULATED-DESIGNED BY: MICAELA GARCIA  
 CHECKED BY: ARMANDO OROZCO

REVISED BY: DATE REVISED



**CURVE DATA**

No.	R	Δ	T	L
①	2604.55'	16°28'50.4"	377.19'	749.18'
②	2480.48'	06°25'03.9"	139.07'	277.84'
③	2595.21'	13°52'45.6"	315.88'	628.66'
④	2467.38'	30°21'16.1"	669.32'	1307.18'

**LAYOUT**  
 SCALE: 1" = 50'

**L-1**

DATE PLOTTED => 03-JUL-2020  
 TIME PLOTTED => 09:15  
 LAST REVISION 01-10-20



Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
05	Mon	156	R1.4-R2.1 /1.0-1.6	??	??

REGISTERED CIVIL ENGINEER	DATE
PLANS APPROVAL DATE	

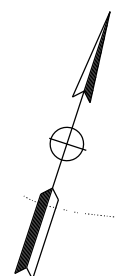
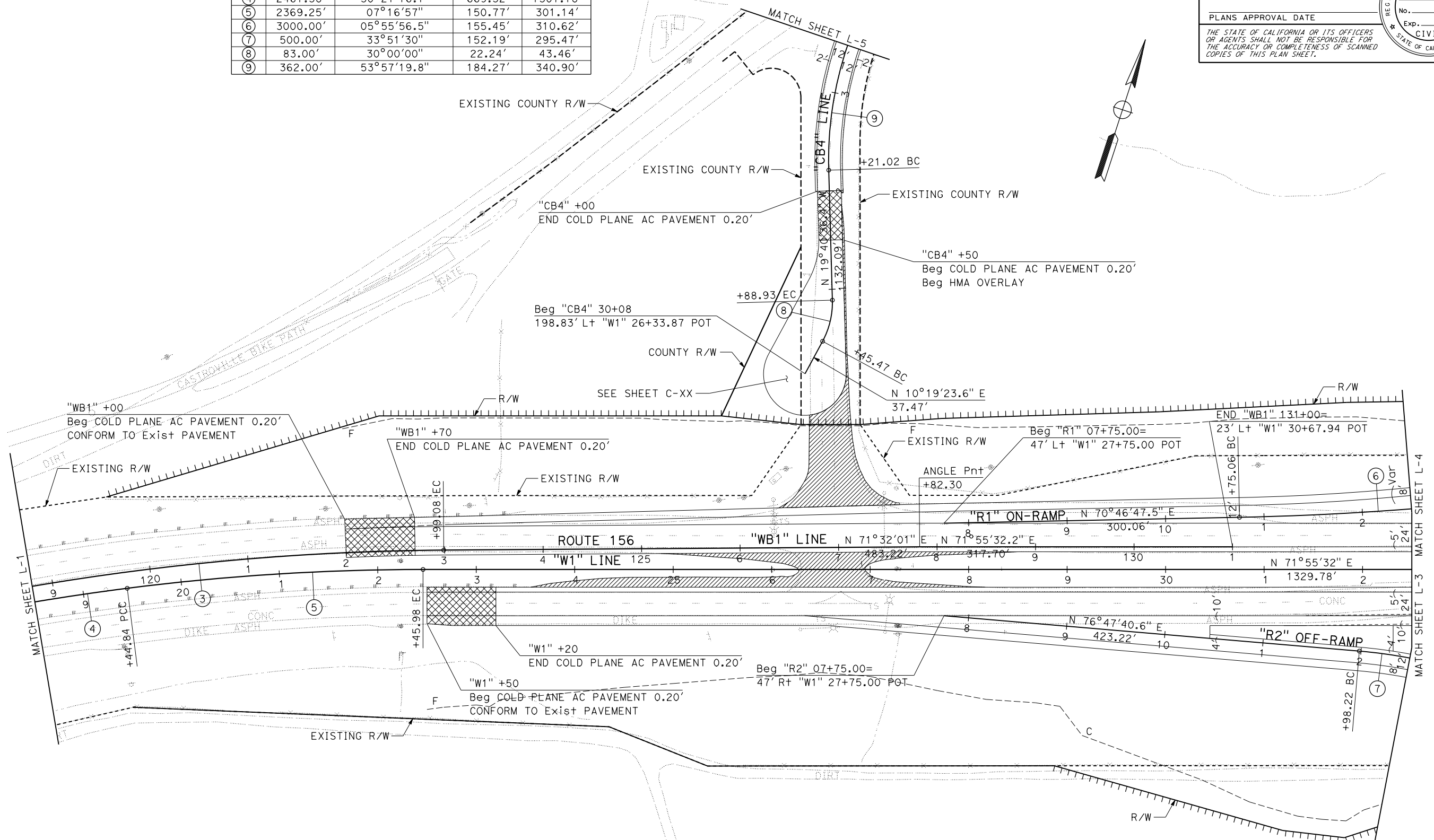
  

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.



**CURVE DATA**

No.	R	$\Delta$	T	L
③	2595.21'	13°52'45.6"	315.88'	628.66'
④	2467.38'	30°21'16.1"	669.32'	1307.18'
⑤	2369.25'	07°16'57"	150.77'	301.14'
⑥	3000.00'	05°55'56.5"	155.45'	310.62'
⑦	500.00'	33°51'30"	152.19'	295.47'
⑧	83.00'	30°00'00"	22.24'	43.46'
⑨	362.00'	53°57'19.8"	184.27'	340.90'



STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**Caltrans** DESIGN DIVISION  
 FUNCTIONAL SUPERVISOR: ROBERTO BANDA  
 CALCULATED/DESIGNED BY: MICHAELA GARCIA  
 CHECKED BY: ARMANDO OROZCO  
 REVISED BY: DATE REVISED

**LAYOUT**  
SCALE: 1" = 50'

**L-2**

LAST REVISION: 01-10-20  
 DATE PLOTTED => 03-JUL-2020  
 TIME PLOTTED => 09:15

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**Caltrans** DESIGN DIVISION

FUNCTIONAL SUPERVISOR: ROBERTO BANDA  
 CALCULATED/DESIGNED BY: MICHAELA GARCIA  
 CHECKED BY: ARMANDO OROZCO  
 REVISED BY: DATE  
 REVISIONS: (Grid for revisions)

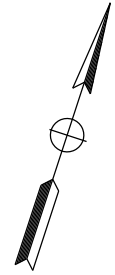
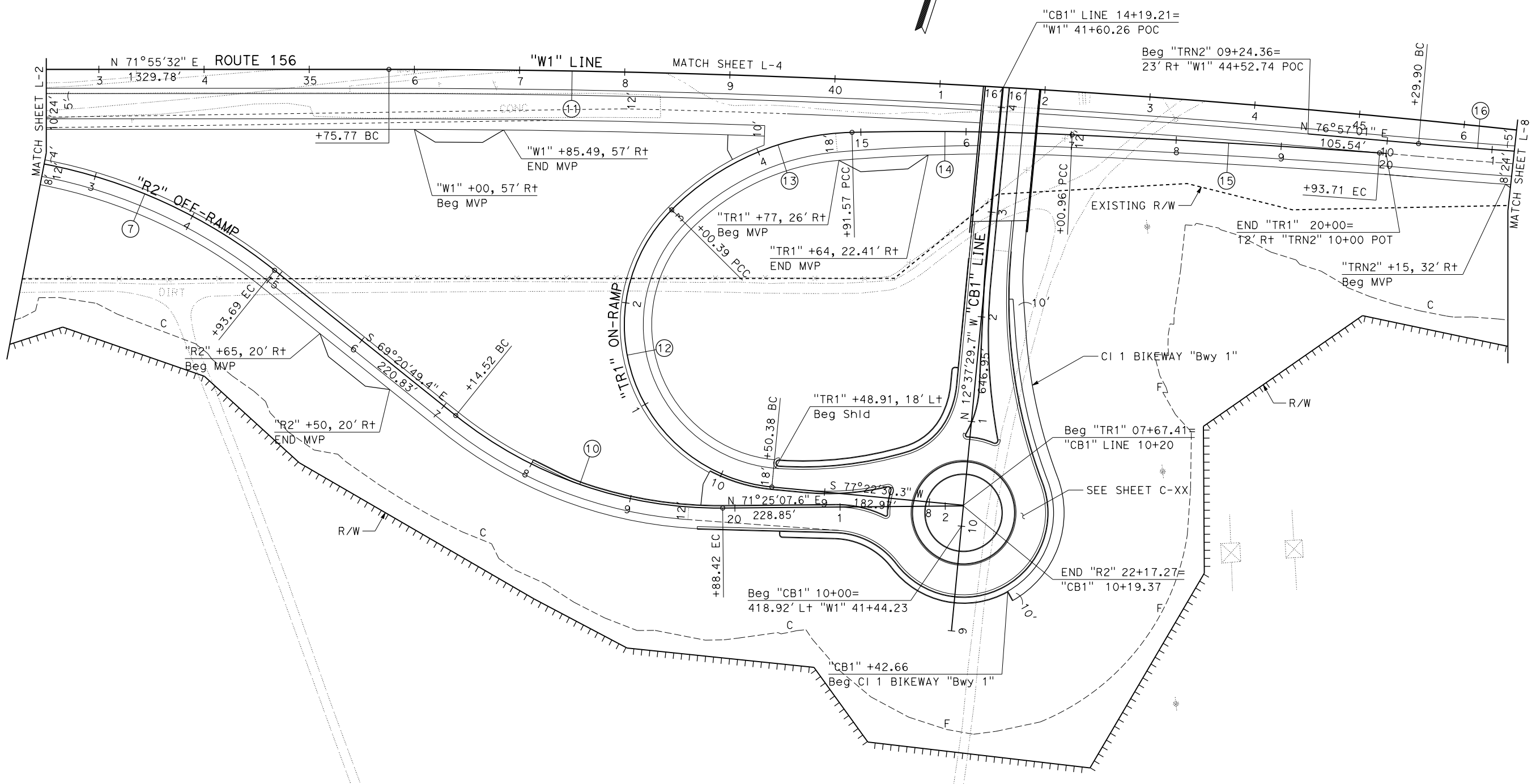
**CURVE DATA**

No.	R	$\Delta$	T	L
⑦	500.00'	33°51'30"	152.19'	295.47'
⑩	400.00'	39°14'03"	142.57'	273.91'
⑪	10000.00'	09°09'47.1"	801.34'	1599.26'
⑫	155.00'	129°22'45.1"	327.75'	350.00'
⑬	250.00'	43°48'59.6"	100.54'	191.19'
⑭	3000.00'	03°59'56"	104.73'	209.38'
⑮	11400.00'	01°28'16.9"	146.38'	292.75'
⑯	5000.00'	13°01'25.5"	570.73'	1136.54'

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
05	Mon	156	R1.4-R2.1 /1.0-1.6		??

REGISTERED CIVIL ENGINEER DATE \_\_\_\_\_  
 PLANS APPROVAL DATE \_\_\_\_\_

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.



**LAYOUT**  
 SCALE: 1" = 50'

**L-3**

LAST REVISION      DATE PLOTTED => 03-JUL-2020      TIME PLOTTED => 09:15

CURVE DATA

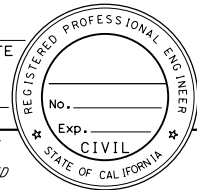
No.	R	Δ	T	L
⑥	3000.00'	05°55'56.5"	155.45'	310.62'
⑪	10000.00	09°09'47.1"	801.34'	1599.26
⑰	600.00'	25°49'22.3"	137.54'	270.42'
⑱	170.00'	42°38'33.2"	66.35'	126.52'
⑲	400.00'	25°13'03.8"	89.48'	176.05'
⑳	92.00'	53°31'13.5"	46.39'	85.94'
㉑	600.00'	14°02'44.9"	73.91'	147.09'
㉒	1640.00'	17°45'36.3"	256.23'	508.35'
㉓	810.00'	10°51'12.7"	76.95'	153.44'

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
05	Mon	156	R1.4-R2.1 / 1.0-1.6		??

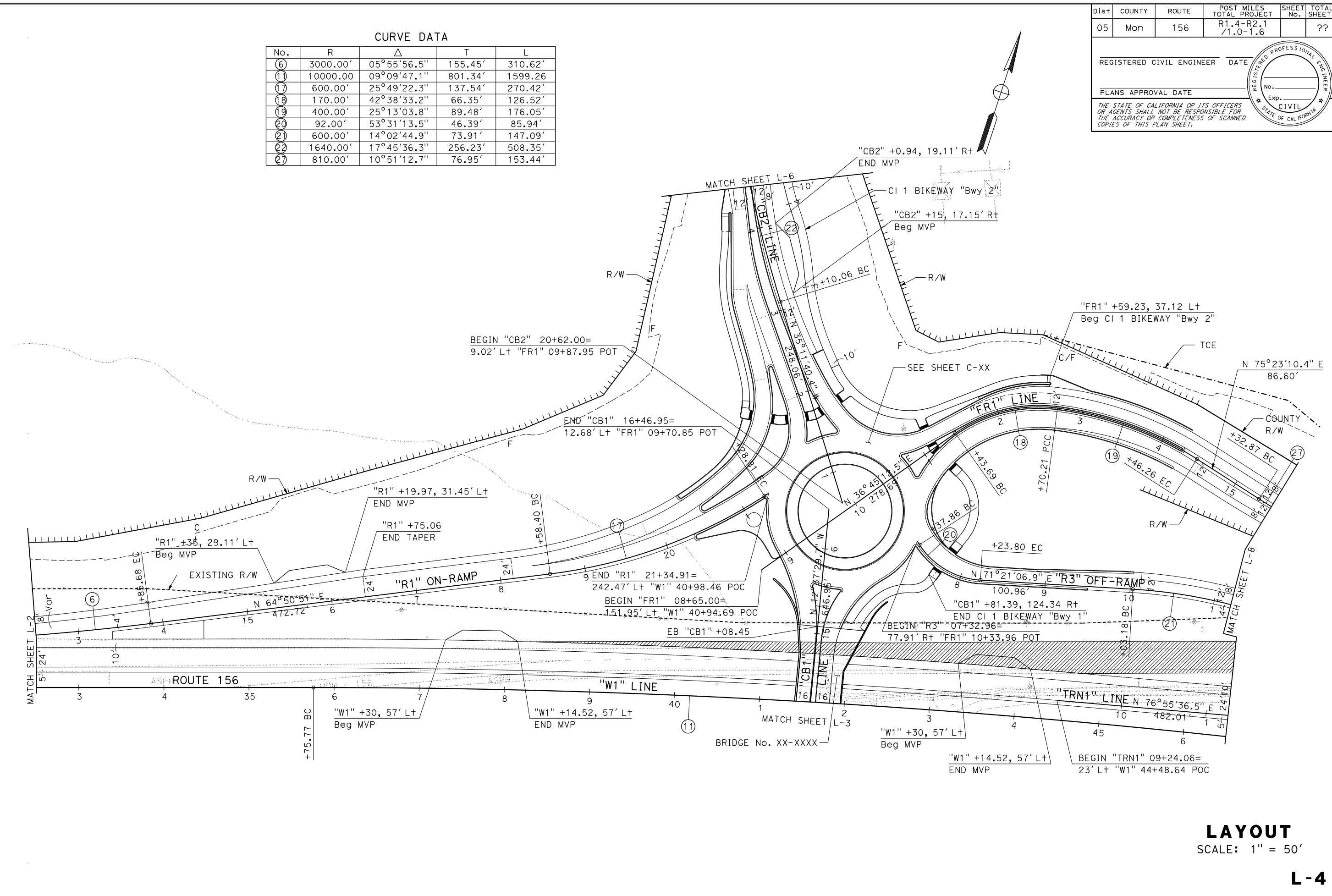
REGISTERED CIVIL ENGINEER DATE

PLANS APPROVAL DATE

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.



STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**Caltrans** DESIGN DIVISION



**LAYOUT**  
 SCALE: 1" = 50'  
**L-4**

LAST REVISION 01-10-20 DATE PLOTTED => 03-JUL-2020 TIME PLOTTED => 09:15

REVISOR: MICHAELA GARCIA  
 CHECKED BY: ARMANDO OROZCO  
 DESIGNED BY: ROBERTO BANDA  
 SUPERVISOR: ROBERTO BANDA

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**Caltrans** DESIGN DIVISION

FUNCTIONAL SUPERVISOR  
 ROBERTO BANDA

CALCULATED-DESIGNED BY  
 CHECKED BY

MICAELA GARCIA  
 ARMANDO OROZCO

REVISED BY  
 DATE REVISED

CURVE DATA

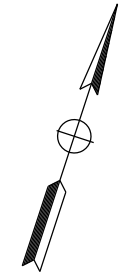
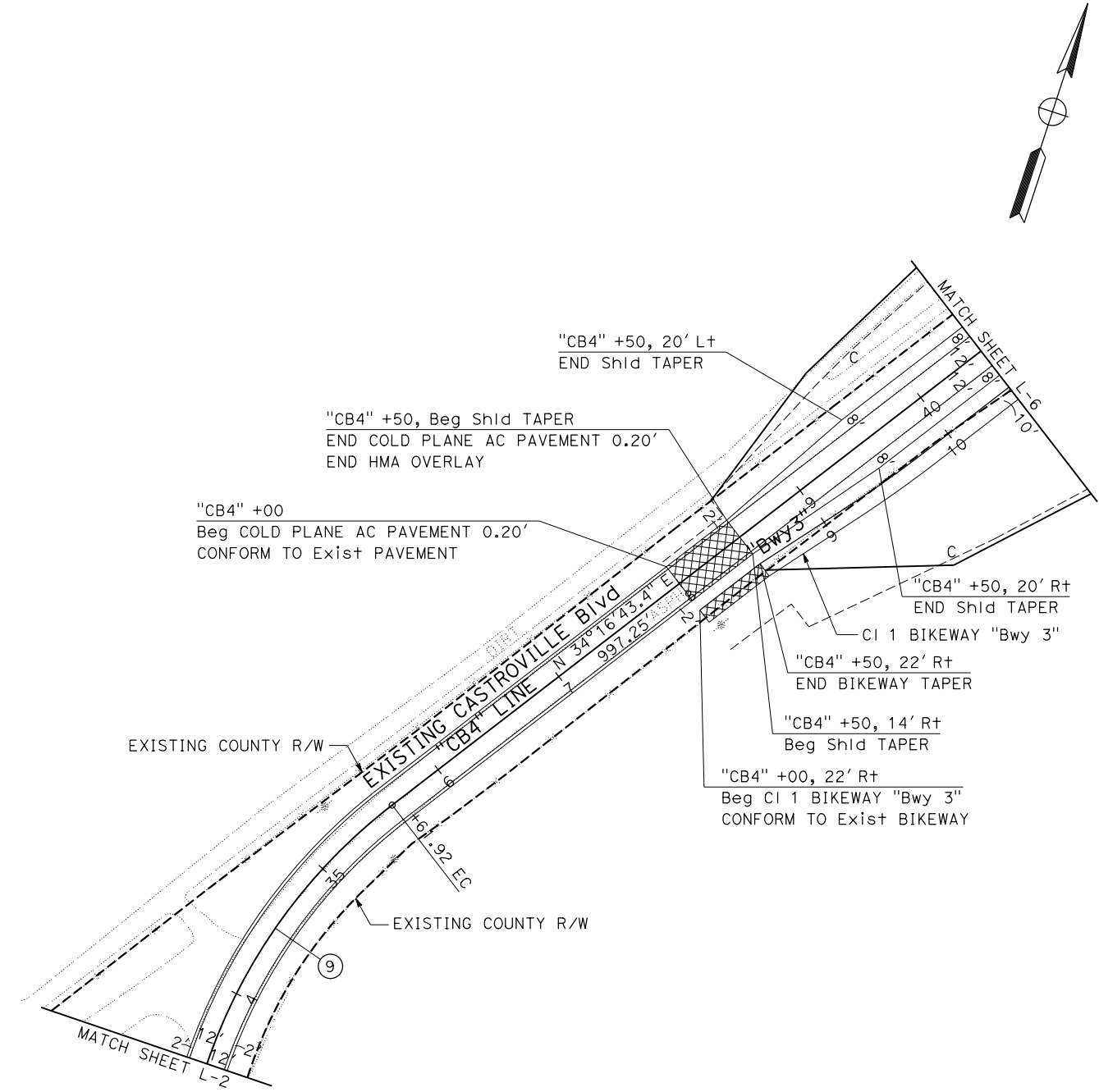
No.	R	$\Delta$	T	L
⑨	362.00'	53°57'19.8"	184.27'	340.90'

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
05	Mon	156	R1.4-R2.1 /1.0-1.6		??

REGISTERED CIVIL ENGINEER DATE

PLANS APPROVAL DATE

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.

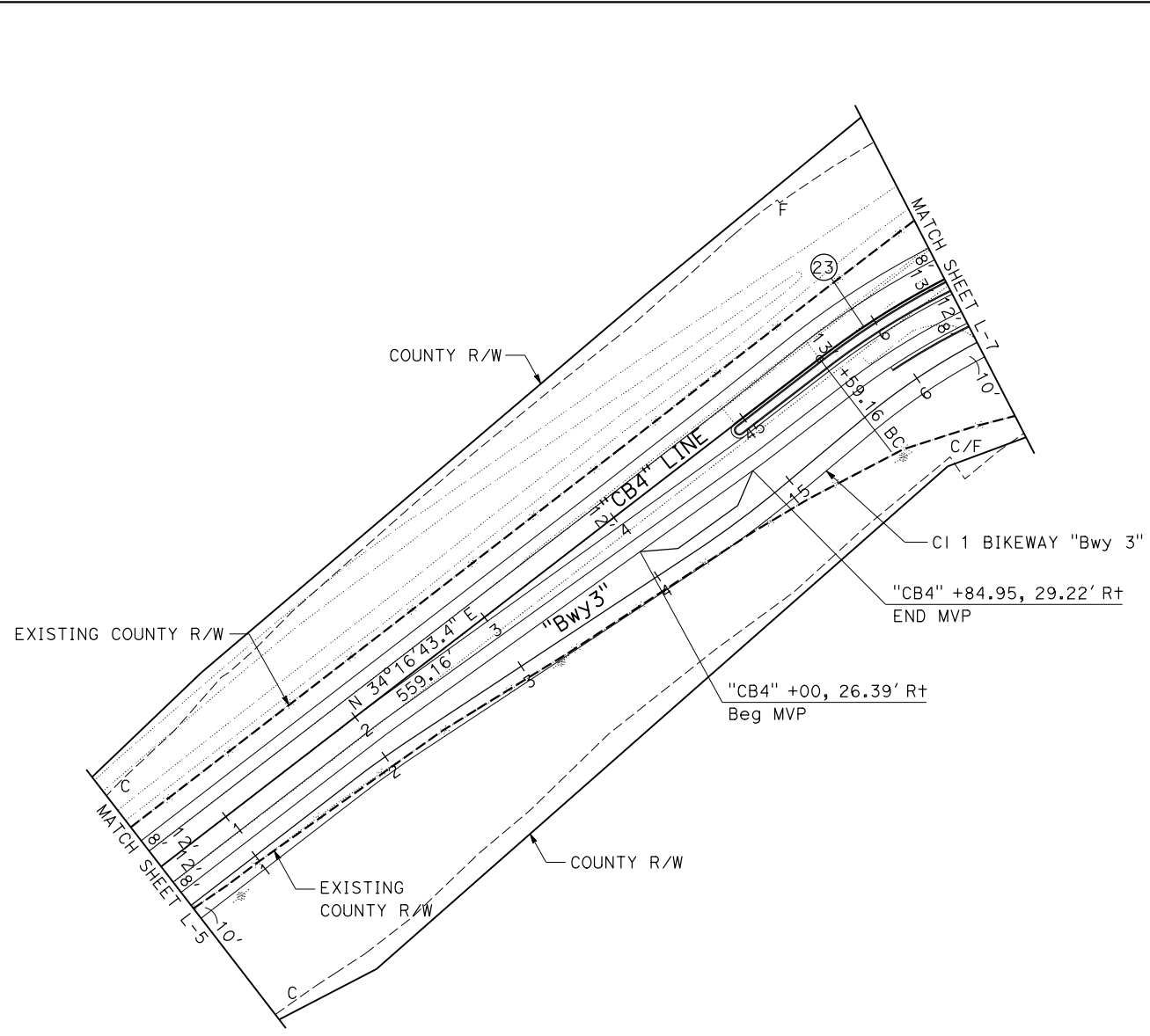


**LAYOUT**  
 SCALE: 1" = 50'

**L-5**

LAST REVISION DATE PLOTTED => 03-JUL-2020 TIME PLOTTED => 09:15  
 01-10-20

FUNCTIONAL SUPERVISOR	ROBERTO BANDA
CALCULATED-DESIGNED BY	CHECKED BY
MICAELA GARCIA	ARMANDO OROZCO
REVISED BY	DATE REVISED



**CURVE DATA**

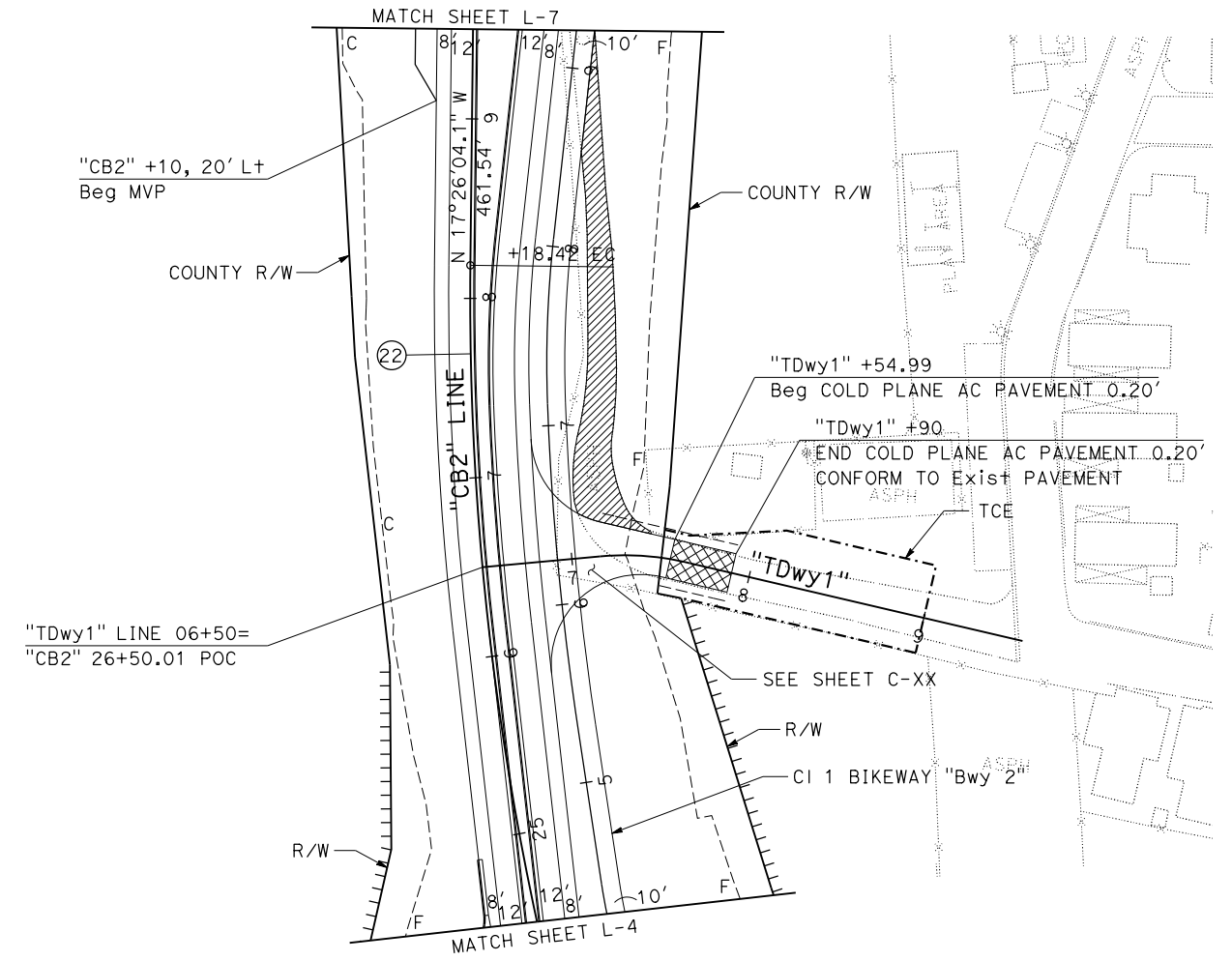
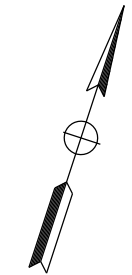
No.	R	Δ	T	L
22	1640.00'	17°45'36.3"	256.23'	508.35'
23	500.00'	37°26'57.2"	169.48'	326.81'

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
05	Mon	156	R1.4-R2.1 / 1.0-1.6		??

REGISTERED CIVIL ENGINEER DATE \_\_\_\_\_

PLANS APPROVAL DATE \_\_\_\_\_

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.



**LAYOUT**  
 SCALE: 1" = 50'

LAST REVISION DATE PLOTTED => 03-JUL-2020 TIME PLOTTED => 09:15

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**Caltrans** DESIGN DIVISION

FUNCTIONAL SUPERVISOR: ROBERTO BANDA  
 CHECKED BY: ARMANDO OROZCO  
 DESIGNED BY: MICHAELA GARCIA  
 REVISIONS: REVISED BY: DATE REVISED:

**CURVE DATA**

No.	R	$\Delta$	T	L
23	500.00'	37°26'57.2"	169.48'	326.81'
24	500.00'	25°02'15.7"	111.02'	218.50'
25	1200.00'	16°57'09.2"	178.83'	355.05'
26	1430.00'	08°38'08.4"	107.97'	215.53'

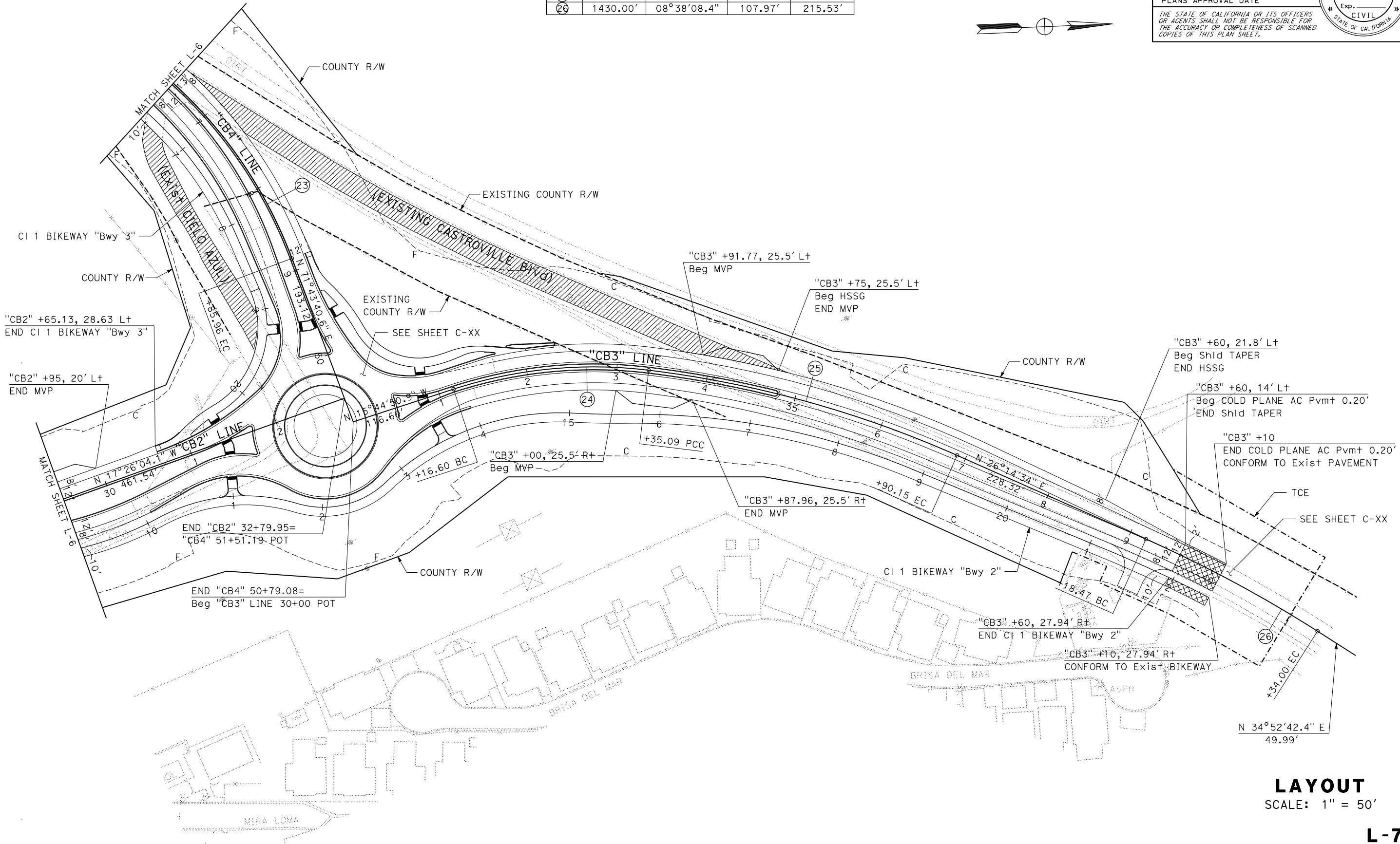


Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
05	Mon	156	R1.4-R2.1 / 1.0-1.6		??

REGISTERED CIVIL ENGINEER DATE

PLANS APPROVAL DATE

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.



**LAYOUT**  
 SCALE: 1" = 50'

**L-7**

DATE PLOTTED => 03-JUL-2020  
 TIME PLOTTED => 09:15  
 LAST REVISION 01-10-20

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
05	Mon	156	R1.4-R2.1 /1.0-1.6	??	??

REGISTERED CIVIL ENGINEER DATE \_\_\_\_\_

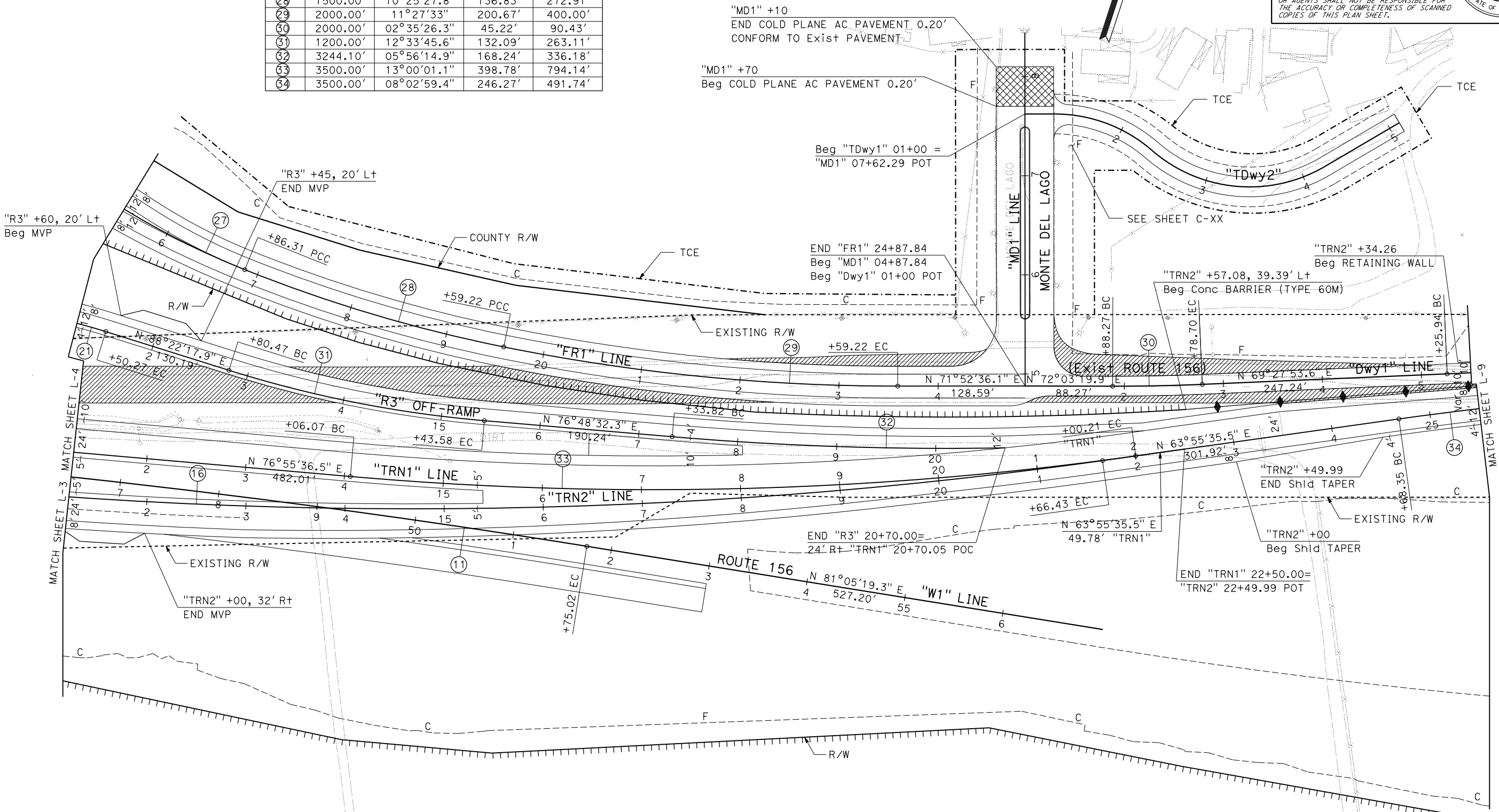
PLANS APPROVAL DATE \_\_\_\_\_

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.

REGISTERED PROFESSIONAL ENGINEER  
No. \_\_\_\_\_  
Exp. \_\_\_\_\_  
CIVIL  
STATE OF CALIFORNIA

**CURVE DATA**

No.	R	Δ	T	L
11	10000.00'	09°09'47.1"	801.34'	1599.26'
16	5000.00'	13°01'25.5"	570.73'	1136.54'
21	600.00'	14°02'44.9"	73.91'	147.09'
27	810.00'	10°51'12.7"	76.95'	153.44'
28	1500.00'	10°25'27.8"	136.83'	272.91'
29	2000.00'	11°27'33"	200.67'	400.00'
30	2000.00'	02°35'26.3"	45.22'	90.43'
31	1200.00'	12°33'45.6"	132.09'	263.11'
32	3244.10'	05°56'14.9"	168.24'	336.18'
33	3500.00'	13°00'01.1"	398.78'	794.14'
34	3500.00'	08°02'59.4"	246.27'	491.74'



STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**Caltrans** DESIGN DIVISION

FUNCTIONAL SUPERVISOR: ROBERTO BANDA  
 CALCULATED/DESIGNED BY: MICHAELA GARCIA  
 CHECKED BY: ARMANDO OROZCO  
 REVISED BY: DATE REVISED

MATCH SHEET L-3

MATCH SHEET L-9

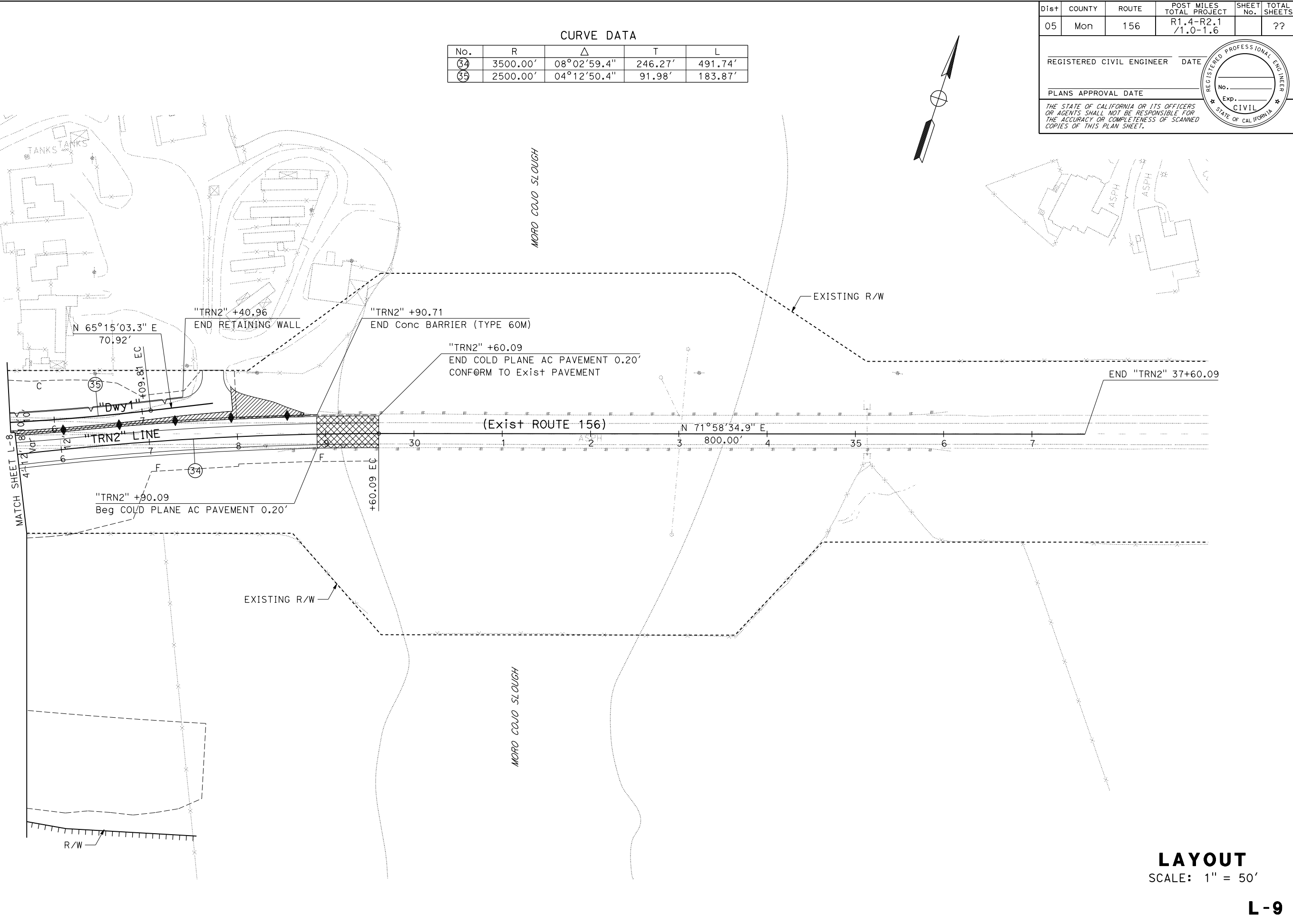
**LAYOUT**  
SCALE: 1" = 50'

**L-8**

DATE PLOTTED => 03-JUL-2020  
TIME PLOTTED => 09:15

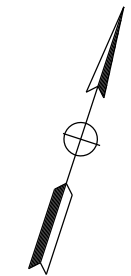
STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**Caltrans** DESIGN DIVISION

FUNCTIONAL SUPERVISOR: ROBERTO BANDA  
 CALCULATED-DESIGNED BY: MICAELA GARCIA  
 CHECKED BY: ARMANDO OROZCO  
 REVISED BY: DATE REVISED



**CURVE DATA**

No.	R	Δ	T	L
34	3500.00'	08°02'59.4"	246.27'	491.74'
35	2500.00'	04°12'50.4"	91.98'	183.87'



Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
05	Mon	156	R1.4-R2.1 /1.0-1.6		??

REGISTERED CIVIL ENGINEER DATE \_\_\_\_\_

PLANS APPROVAL DATE \_\_\_\_\_

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.

REGISTERED PROFESSIONAL ENGINEER  
 No. \_\_\_\_\_  
 Exp. \_\_\_\_\_  
 CIVIL  
 STATE OF CALIFORNIA

**LAYOUT**  
 SCALE: 1" = 50'

**L-9**

LAST REVISION DATE PLOTTED => 03-JUL-2020 TIME PLOTTED => 09:15

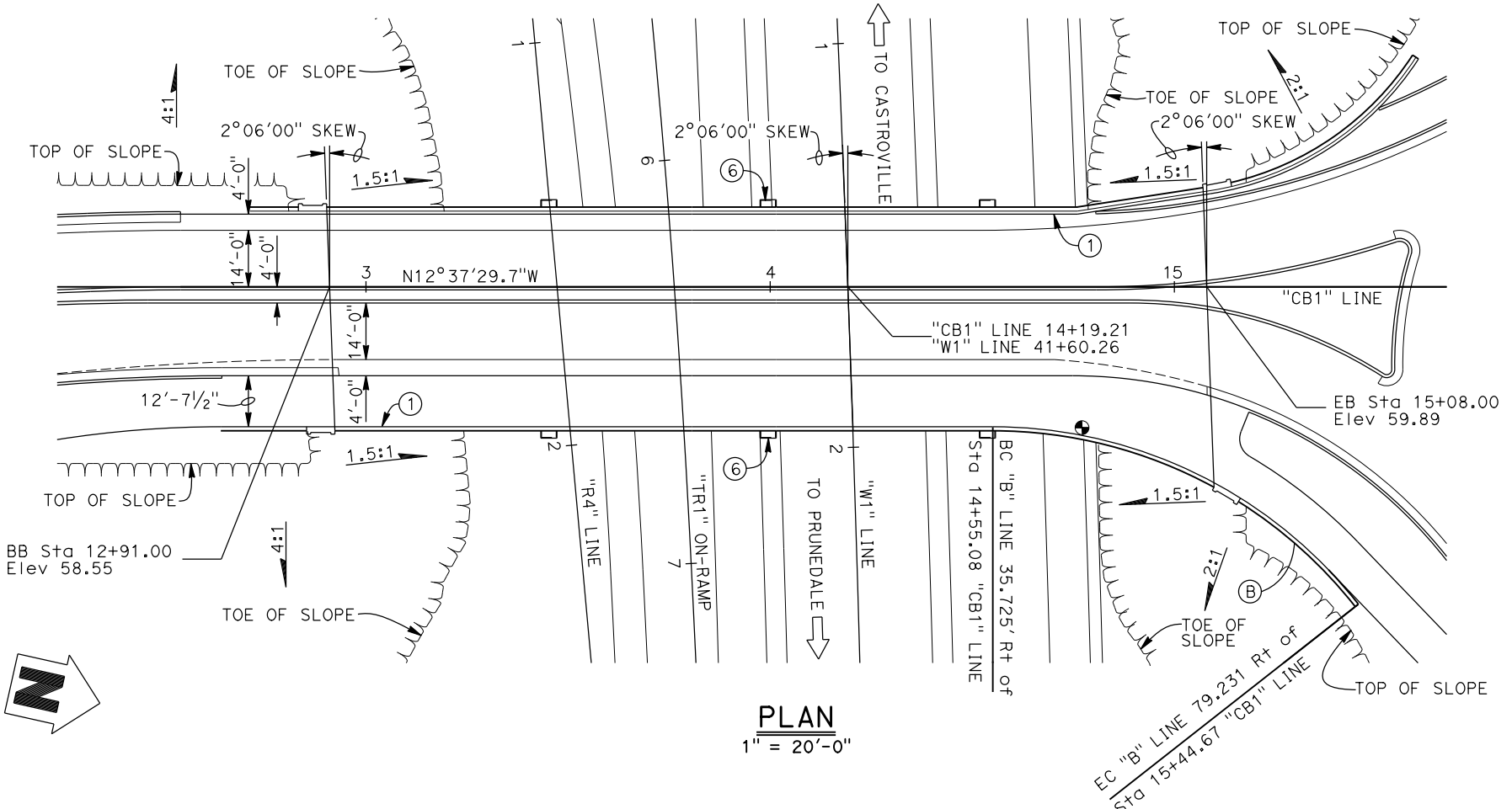
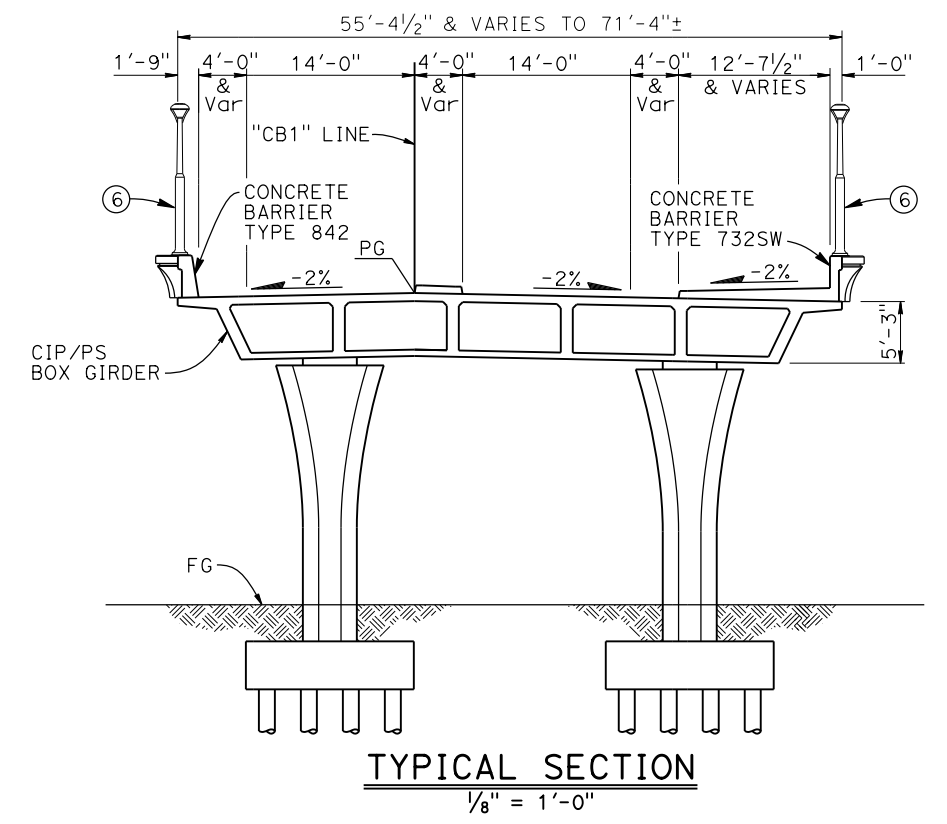
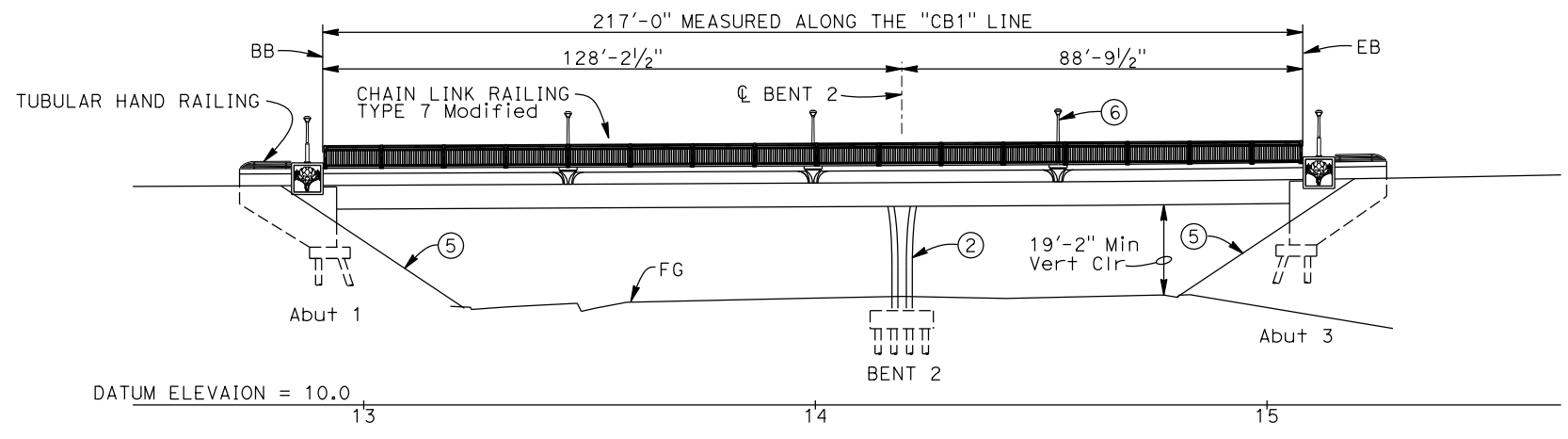
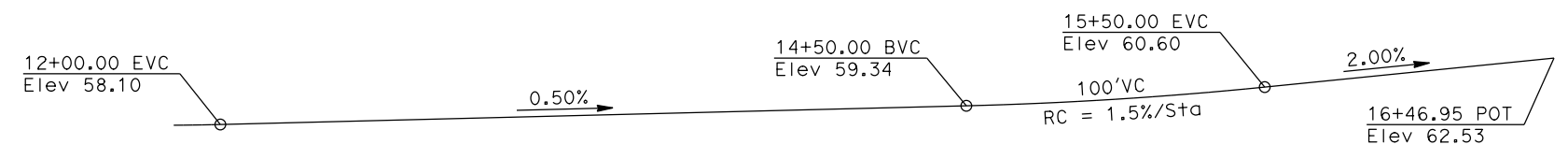


Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
REGISTERED CIVIL ENGINEER			X	DATE	
PLANS APPROVAL DATE					
THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.					

NOTES:

- ① Paint "CASTROVILLE BLVD OC BRIDGE No. 44-A" Year constructed
- ② Paint Bent Number
- ③ Concrete Barrier, Type
- ④ Structure Approach, Type
- ⑤ Slope Paving
- ⑥ Electrolier, See "Roadway Plans"

For "INDEX TO PLANS", "GENERAL NOTES" and "STANDARD PLANS" list see "INDEX TO PLANS" sheet

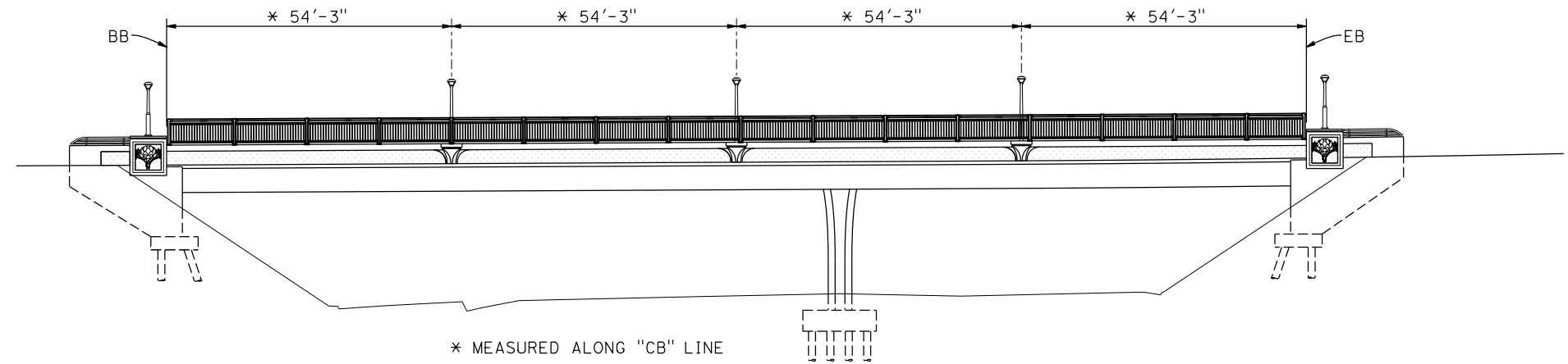
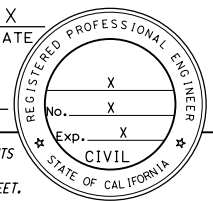


CURVE DATA

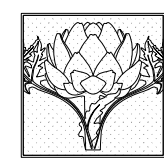
"B" LINE
R = 114.00'
Δ = 51°48'10"±
T = 55.36'±
L = 103.07'±

P. Peterson BRANCH CHIEF	DESIGN	BY J. Peterson	CHECKED P. Peterson	LOAD & RESISTANCE FACTOR DESIGN	BY J. Peterson	CHECKED P. Peterson	<b>STATE OF CALIFORNIA</b> DEPARTMENT OF TRANSPORTATION	DIVISION OF ENGINEERING SERVICES BRIDGE DESIGN <b>BRANCH 13</b>	BRIDGE No.	44-A	<b>CASTROVILLE BLVD OVERCROSSING</b> <b>GENERAL PLAN</b>						
	DETAILS	BY A. Onodera / C. Cancino	CHECKED P. Peterson	LAYOUT	BY J. Peterson	CHECKED P. Peterson			POST MILE	X.X							
	QUANTITIES	BY J. Peterson	CHECKED P. Peterson	SPECIFICATIONS	BY X	PLANS AND SPECS COMPARED											
STRUCTURES DESIGN GENERAL PLAN SHEET (ENGLISH) (REVISION 3/10/2021)				DATE PLOTTED => 21-DEC-2021	TIME PLOTTED => 08:38	ORIGINAL SCALE IN INCHES FOR REDUCED PLANS	0	1	2	3	UNIT: 3586	COUNTY/ROUTE: MON/156	DISREGARD PRINTS BEARING EARLIER REVISION DATES	REVISION DATES	SHEET 1	OF X	
FILE => 44-a-gp.dgn					USERNAME => s134003						PROJECT NUMBER & PHASE: 05180001201	CONTRACT No.: 05-316014		4-21-21	10-15-21	12-08-21	12-20-21

Dist	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET No.	TOTAL SHEETS
			X		
REGISTERED CIVIL ENGINEER			DATE		
PLANS APPROVAL DATE					
<p>THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.</p>					

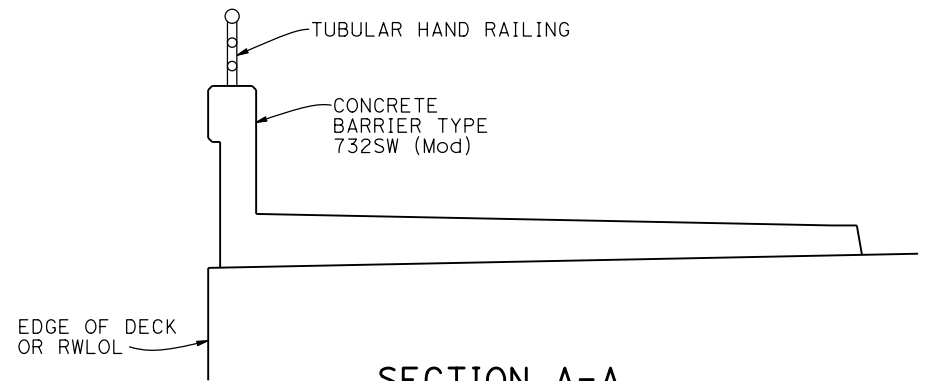


**DEVELOPED ELEVATION**  
1" = 15'-0"

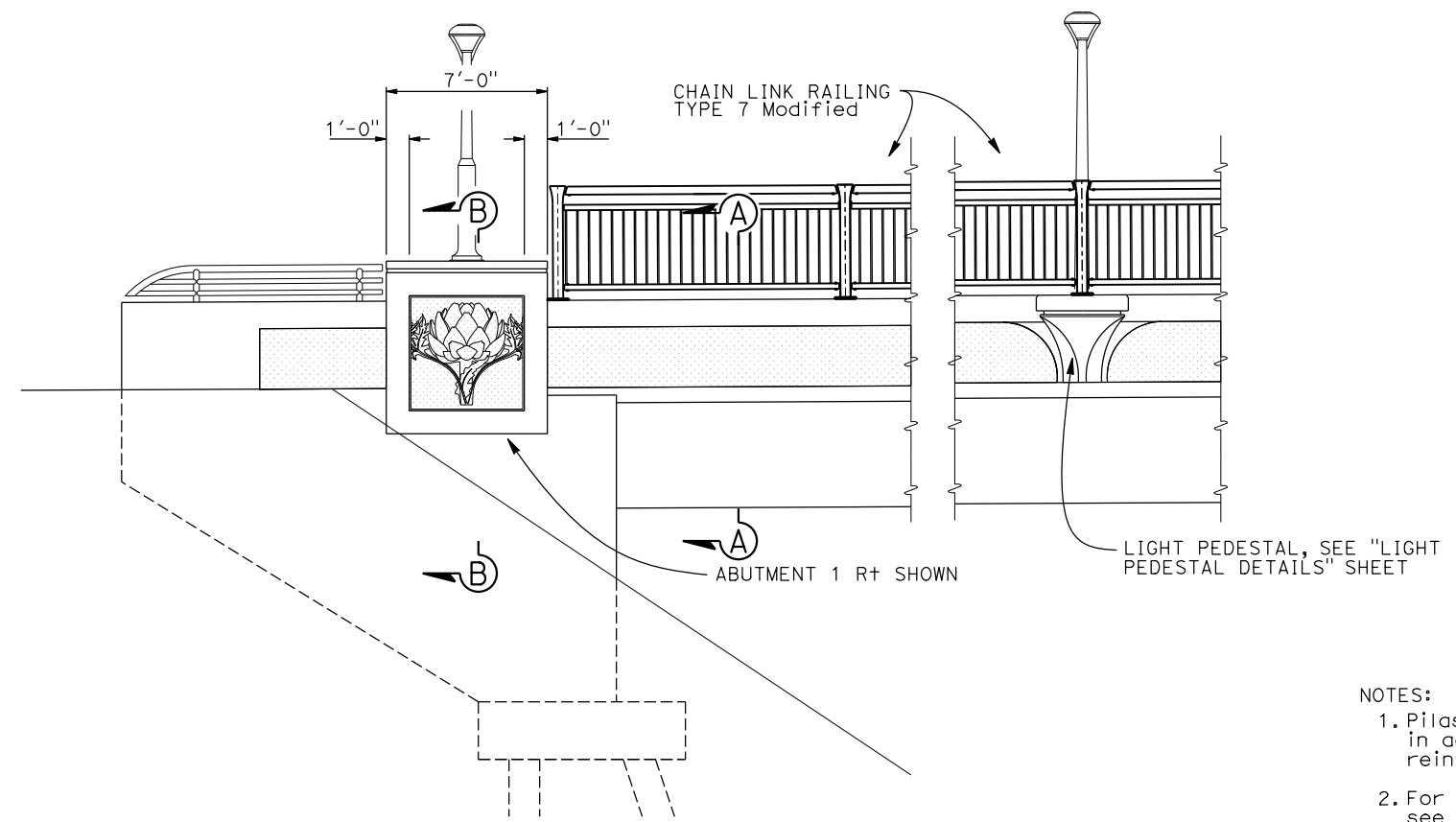


SEE "ROADWAY PLANS" FOR ADDITIONAL DETAILS

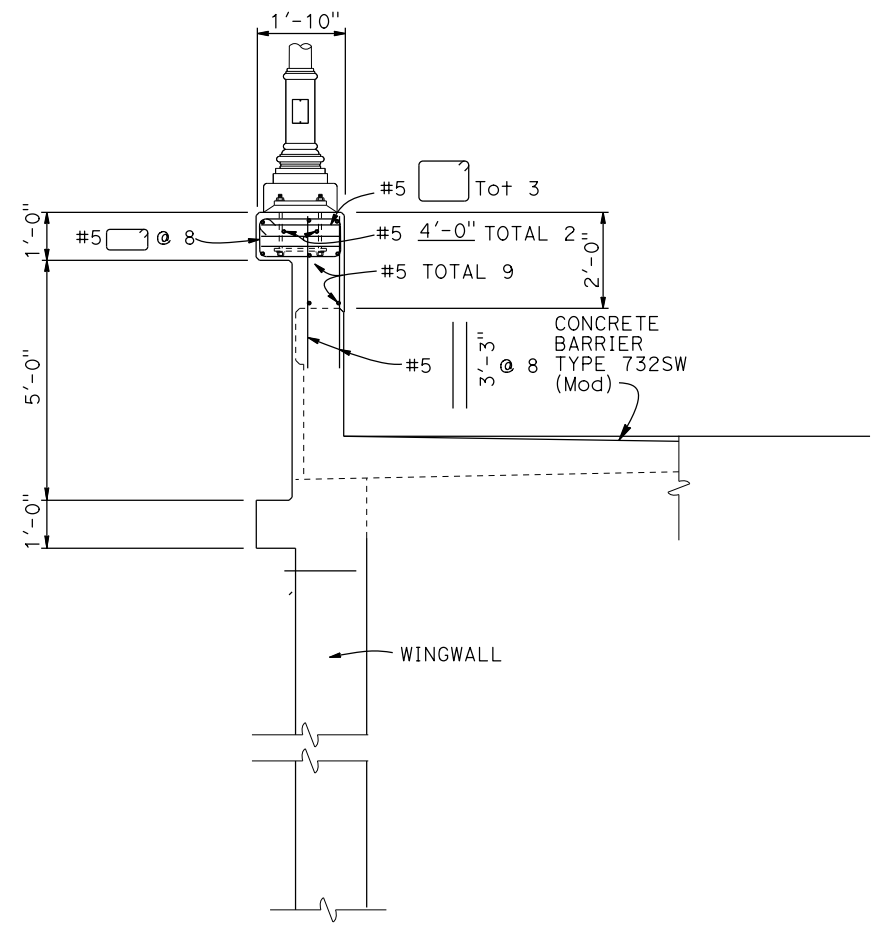
**DECORATIVE PANEL**  
1/4" = 1'-0"



**SECTION A-A**  
1/2" = 1'-0"



**PART ELEVATION**  
1/4" = 1'-0"



**SECTION B-B**  
1/2" = 1'-0"

- NOTES:
- Pilaster reinforcement is in addition to barrier reinforcement
  - For electorlier details, see "Roadway Plans"
  - Wall and barrier reinforcement not shown

STRUCTURES DESIGN DETAIL SHEET (ENGLISH) (REVISION 3/10/2021)	DESIGN	BY J. Peterson	CHECKED P. Peterson	<b>STATE OF CALIFORNIA</b> DEPARTMENT OF TRANSPORTATION	DIVISION OF ENGINEERING SERVICES BRIDGE DESIGN <b>BRANCH 13</b>	BRIDGE No.	44-A	<b>CASTROVILLE BLVD OVERCROSSING</b> <b>ARCHITECTURAL DETAILS</b>	
	DETAILS	BY A. Onodera / C. Cancino	CHECKED P. Peterson			POST MILE	X.X		
	QUANTITIES	BY J. Peterson	CHECKED P. Peterson						
DATE PLOTTED => 21-DEC-2021	TIME PLOTTED => 08:20	ORIGINAL SCALE IN INCHES FOR REDUCED PLANS	0 1 2 3	UNIT: 3586	COUNTY/ROUTE: MON/156	DISREGARD PRINTS BEARING EARLIER REVISION DATES	REVISION DATES	SHEET	OF
FILE => 44-a-q-arcn01.dgn	USERNAME => s134003			PROJECT NUMBER & PHASE: 05180001201	CONTRACT No.: 05-316014		4-21-21 12-21-21 12-21-21	X	X

# Attachment 2

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# NOTICE OF APPEAL

Monterey County Code  
Title 19 (Subdivisions)  
Title 20 (Zoning)  
Title 21 (Zoning)

RECEIVED  
MONTEREY COUNTY  
2022 JUL 11 PM 12:02  
CLERK OF THE BOARD

*[Signature]*  
VICENTE RAMIREZ  
DEPUTY

No appeal will be accepted until written notice of the decision has been given. If you wish to file an appeal, you must do so on or before \_\_\_\_\_ (10 days after written notice of the decision has been mailed to the applicant).

Date of decision: June 29, 2022

1. Appellant Name: The Open Monterey Project  
Address: c/o Molly Erickson, Stamp / Erickson Box 2448, Monterey CA 93942  
Telephone: 831-373-1214

2. Indicate your interest in the decision by placing a check mark below:

Applicant \_\_\_\_\_

Neighbor \_\_\_\_\_

Other (please state) Public interest organization that advocates for government accountability, good planning and environmental protection

3. If you are not the applicant, please give the applicant's name:

Caltrans

4. Fill in the file number of the application that is the subject of this appeal below:

	Type of Application	Area
a) Planning Commission: PC-	<u>22-013</u>	<u>PLN200118 – Caltrans State Route 156/Castroville Blvd Interchange. North County Land Use Plan, Coastal Zone</u>
b) Zoning Administrator: ZA-	_____	_____
c) Administrative Permit: AP-	_____	_____

## Notice of Appeal

5. What is the nature of your appeal?

a) Are you appealing the approval or denial of an application? Approval

b) If you are appealing one or more conditions of approval, list the condition number and state the condition(s) you are appealing. (Attach extra sheet if necessary)

Please see attached.

6. Place a check mark beside the reason(s) for your appeal:

There was a lack of fair or impartial hearing \_\_\_\_\_  
The findings or decision or conditions are not supported by the evidence  X   
The decision was contrary to law  X

7. Give a brief and specific statement in support of each of the reasons for your appeal checked above. The Board of Supervisors will not accept an application for an appeal that is stated in generalities, legal or otherwise. If you are appealing specific conditions, you must list the number of each condition and the basis for your appeal. (Attach extra sheets if necessary)

Please see attached pages.

Appellant reserves the right to submit additional information, argument and evidence.

8. As part of the application approval or denial process, findings were made by the decision-making body (Planning Commission, Zoning Administrator, or Chief of Planning). In order to file a valid appeal, you must give specific reasons why you disagree with the findings made. (Attach extra sheets if necessary)

Please see attached pages.

Appellant reserves the right to submit additional information, argument and evidence.

9. You must pay the required filing fee of \$3,540.00 (make check payable to "County of Monterey") at the time you file your appeal. (Please note that appeals of projects in the Coastal Zone are not subject to the filing fee.)

**This project is in the Coastal Zone and is not subject to a filing fee.**

10. Your appeal is accepted when the Clerk to the Board accepts the appeal as complete and receives the required filing fee. Once the appeal has been accepted, the Clerk to the Board will set a date for the public hearing on the appeal before the Board of Supervisors.

**The appeal and applicable filing fee must be delivered to the Clerk to the Board or mailed and postmarked by the filing deadline to PO Box 1728, Salinas CA 93902. A facsimile copy of the appeal will be accepted only if the hard copy of the appeal and applicable filing fee are mailed and postmarked by the deadline.**

APPELLANT SIGNATURE  /s/ Molly Erickson (electronically signed)  Date:  July 7, 2022

RECEIVED SIGNATURE \_\_\_\_\_ Date: \_\_\_\_\_

Attachment to  
The Open Monterey Project (TOMP) appeal from Planning Commission approval of Castroville Blvd./Highway 156 interchange project and environmental review.

Appeal issues and reasons:

1. The project is inconsistent with the agricultural conversion policies of the North County Land Use Plan and its implementing policies and code sections including section 20.144.080. That section was amended in 2008 to allow the Salinas Road interchange project to be developed. As amended, it applies only to and allows only that interchange project. It does not apply to this Hwy 156/Castroville Boulevard interchange project. An LCP amendment is necessary for the project to be approved by the County. The LCP amendment process could help to ensure appropriate design and mitigation, and to reduce impacts as much as possible. Each project should comply with all policies, and there is no allowance for the local agency to take a “holistic” balancing approach or make something like a statement of overriding considerations.
2. The project does not appear to be consistent with the ESHA policies of the LCP including section 20.144.040.B.1. To the extent that the County and Caltrans may be relying on SB 1231 passed in 2020, the reliance does not resolve the ESHA concerns. While SB 1231 may have provided some leeway with regard to possible authorization by the California Department of Fish & Wildlife for a take of Santa Cruz longtoed salamander in the Moro Cojo area under the California Endangered Species Act, SB 1231 did not address ESHA impacts under the Coastal Act. The CESA and the Coastal Act are two different regulatory schemes.
3. The environmental review of this project should include the other projects that are part of the whole of the action, including the extension of Blackie Road. The County of Monterey (County) is the project sponsor for the Blackie Road Extension project and is actively working on it with TAMC. The County has in 2022 completed an RFP/RFQ for engineering services



and the Blackie Road extension project is funded. One purpose of reviewing the whole of the project is to allow alternatives and mitigations to be considered that could be foreclosed or more limited if the project were reviewed in a piecemeal fashion. Another purpose is to ensure that a single environmental document can be relied on by all agencies that would be considering entitlements for the project.

4. The project review to date has not adequately addressed issues of sea level rise. As Moro Cojo Slough inundates there would be potential impacts to the proposed interchange and the surrounding area. The original CEQA document is more than a decade old, and this issue was not adequately explored in the revalidation process in light of the new and current scientific information available.
5. The growth inducing and cumulative impacts have not been adequately analyzed, especially in light of the issues in North County coastal area including water supply, water quality, and conversion of agricultural land. The County is processing the application for the Castroville Oaks Subdivision, County PLN150248. The subdivision project is for 215 homes “located at the intersection of Highway 156 and Castroville Boulevard.” The subdivision project description “includes consideration of intersection improvements for future Highway 156 and Castroville Boulevard interchange,” according to the County. These projects are related and interdependent.
6. County Condition 7 is inadequate. It says in key part as follows:

The Applicant/Owner shall prepare a mitigation plan that will adequately offset the loss of agricultural lands necessitated by this project.

and



Within the 1st year of commencement of construction, the Applicant/Owner shall submit a proposed agriculture mitigation plan to the HCD-Chief of Planning, and potentially, Coastal Commission Executive Director, for review and approval. Should Caltrans be unable to acquire appropriate off-site agricultural lands for mitigation, Caltrans shall issue a monetary bond to the County of Monterey in the amount proportional to the agricultural lands permanently lost by project implementation.

The condition is inadequate for reasons that include as follows:

- The requirement to “prepare a mitigation plan” is an impermissible deferral of mitigation because there are no performance standards stated and no criteria on which to determine whether the proposed plan “adequately offsets” the loss of agricultural lands.
- The term “necessitated” is overly limiting. Any mitigation should ensure mitigation for all agricultural lands harmed, whether necessary or not.
- Nothing in the mitigation requires performance by a date certain.
- The mitigation does not establish the date of evaluation and the date and terms of payment.
- A monetary bond is ineffective and inadequate alternative mitigation because there is no established County fund dedicated for the purpose of agricultural land mitigation and preservation.
- Even if there is a County fund, which there is not, it has not been reviewed under CEQA.
- There is no stated method or mechanism for establishing the dollar amount “proportional to the agricultural lands permanently lost” and the requirement for “permanent” loss is less than the total harms, permanent and temporal, caused by the project.

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CLERK OF THE BOARD

*[Handwritten signature]*  
VICENTE  
RAMIREZ

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

93901-243740





# Attachment 3

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## Monterey County Board of Supervisors

### Board Order

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066  
www.co.monterey.ca.us

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Chris Lopez to:  
Refer the project back to the Planning Commission on Wednesday, November 9, 2022, for review and recommendation including a proposed amendment to the North County Coastal Implementation Plan and return to the Board of Supervisors on Tuesday, December 6, 2022.

PASSED AND ADOPTED on this 11<sup>th</sup> day of October 2022, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew, and Adams  
NOES: None  
ABSENT: None  
(Government Code 54953)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting October 11, 2022.

Dated: October 13, 2022  
File ID: 22-953  
Agenda Item No.: 19

Valerie Ralph, Clerk of the Board of Supervisors  
County of Monterey, State of California

Emmanuel H. Santos, Deputy