

DEPARTMENT OF TRANSPORTATION

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December 9, 2003

Mike Riley, Chair
C/O Charles Lester, Deputy Director
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060

Dear Mr. Riley:

SUBJECT: PERIODIC REVIEW OF THE MONTEREY COUNTY LOCAL COASTAL PROGRAM (MOSS LANDING CORRIDOR)

Thank you for the opportunity to offer comments relating to the periodic review of Monterey County's LCP. The Department has just begun its evaluation of the preliminary staff report and will be providing comprehensive comments at a later date. However, the eleven-mile, two-lane section of State Route 1 between Castroville and the Santa Cruz County line is of particular concern. This section links two urbanized areas and is adjoined at both ends by four-lane highway facilities. It serves an average of 35,000 local and interregional vehicles per day, and this number is expected to increase to 44,000 by 2025, making it the most heavily used two-lane facility in the county. In recent years, it has increasingly become a critical commute corridor between the cities of San Jose, Santa Cruz, Salinas, and Monterey. Traffic volumes increase significantly during the summer months due to heavy tourist traffic.

Since 1976, Caltrans and the County of Monterey have recommended that this segment of State Route 1 be improved to a four-lane facility on or near the existing alignment. This was supported by the Monterey County LCP section 3.3.2.1 (certified by the California Coastal Commission in April 1995) which states: *"Highway 1 should be widened on the existing alignment to four lanes of traffic with necessary left-turn lanes as soon as possible to serve increasing traffic volumes and provide safer and less congested traveling conditions."*

We note that the Coastal Commission is proposing to change the language of the LCP to maintain a two-lane configuration for the Moss Landing segment of State Route 1. The Commission should consider the appropriateness of supporting the continuation of this section of State Route 1 as a two-lane highway, as this does not reflect the true transportation need. A two-lane concept conflicts with Caltrans' State Route 1 Transportation Concept Report, the Transportation Agency for Monterey County's

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Regional Transportation Plan, and Monterey County's 1995 Local Coastal Program, all of which promote widening this segment to four lanes.

We recognize the aesthetic values and wildlife habitat inherent in this corridor and are committed to preserving these attributes as we work to build consensus on transportation solutions.

Again, thank you for the opportunity to comment on the periodic review. If you have any questions, please contact Lars Olson of my staff at (805) 549-3131.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Krumholz". The signature is fluid and cursive, with the first name "Richard" being more prominent than the last name "Krumholz".

RICHARD KRUMHOLZ
Deputy District Director
Planning and Local Programs

cc: Monterey County Board of Supervisors, District 2

California Native Plant Society

RECEIVED

P. O. Box 381
Carmel Valley, CA 93924
Feb. 16, 2004

FEB 23 2004

Mr. Rick Hyman
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Dear Mr. Hyman:

Monterey Bay Chapter of the California Native Plant Society would like to submit the following comments on the Draft Periodic Review of the Monterey County Local Coastal Program. We are in close touch with Monterey Pine Forest Watch, the Monterey Pine Forest Ecology Cooperative, and other groups in the effort to assure that the best available scientific knowledge is used in resolving pine issues as well as other important issues in the coastal area.

General Comments: We strongly support the staff analysis of the threats to sensitive habitats in the four segments of the County Coastal Program: loss of Maritime Chaparral in North County, Del Monte Forest, Carmel Area, and Big Sur; continued fragmentation of Monterey Pine Forest in Del Monte Forest and the Carmel uplands; and loss of Sand Dune habitat in Del Monte Forest. We also share your concerns about the county's failure to adequately address groundwater overdrafting and water quality because of the impacts they can have on wildlife and natural habitat.

As you may know, our chapter has been working to protect the sensitive coastal habitats of the county for the past 37 years, since it was formed in 1966-67. Indeed, a principal impetus to its formation was a field trip in Del Monte Forest led by noted botanist Dr. Ledyard Stebbins in which he pointed out the unique botanical features of the forest (later incorporated in the introduction to *Forest Heritage: A Natural History of the Del Monte Forest*, published in 1972 by CNPS and reprinted by the Del Monte Forest Foundation in 1980--copy enclosed). We testified all through the development of the county's Local Coastal Program, pointing out the inconsistencies between the environmental policies and the land use plans. We also commented consistently on the shortcomings of such projects as Spanish Bay, particularly the misuse of scientific procedures such as monitoring. We have been very critical of the various expansion proposals put forth by Pebble Beach Co. in the past ten years because of their impacts on sensitive habitats and their failure to utilize valid technical work that disproved the claims of their in-house experts.

In the more than 15 years since the DMF and Carmel Area LCPs were approved, a great deal has been learned about the complexity and significance of the Monterey pine forest and Maritime Chaparral as well as the extent of the threats to their survival as sustainable communities. We have testified repeatedly at county hearings that misinterpretations of the LCP were allowing destruction of both these habitats in the DMF and Carmel uplands; so we strongly agree with the recommendation for greater specificity in identifying and defining ESHA. Even when the county has imposed strict conditions on developments to protect these resources, lack of enforcement has resulted in excessive, unacceptable losses.

Monterey Pine Forest: Regarding the specific proposals for protecting Monterey Pine Forest, we applaud the emphasis on preserving the forest community, rather than individual trees. On the recommendation to consider all Monterey pines equal, we urge that consideration be given



Dedicated to the preservation of California native flora

to prioritizing the six different terraces in the "ecological staircase," as certain of these terraces have become largely obliterated and therefore merit special protection. An example would be the middle-aged dunes inland from Spanish Bay. We deplore the past practice of requiring Forest Management Plans that result in boiler-plate documents that are basically a "license to kill" with replanting conditions that are seldom met. We would like to see a policy encouraging the preservation of "connectivity" between areas of the Monterey Pine Forest and other ESHA areas in order to provide for genetic mobility of both plants and animals, and we are gratified that this need is recognized in the draft report.

Maritime Chaparral: We strongly support the proposed policies to improve protection of Maritime Chaparral. A group of scientists was convened by Dr. Gray Hayes in Santa Cruz a few months ago to disseminate information about current research on Maritime Chaparral; we will try to assure that you have or will receive any proceedings or new studies that would provide helpful information in revising the guidelines for protecting this important plant community. In North County, we urge that areas of Maritime Chaparral dominated by Pajaro, Hooker's, Monterey, and sandmat manzanita, and/or containing other rare/endangered plants, be explicitly designated ESHA. As you note, protection of this habitat from development would not only save endangered plants and habitat but would also help reduce the water quality and quantity problems in North County.

Sand Dunes: Although important dune communities occur in all four of the plan areas, the greatest conflict with Coastal Act protections of ESHA occurs in Del Monte Forest. It should be the goal that all private land in dune areas will preserve existing habitat and restore it where feasible. It is painful to see how many multi-million dollar homes have iceplant landscaping in their front yards. Many homes, admittedly, were built before the LCP, but permits to expand need to be more strictly conditioned. Pacific Grove has done a better, though far from perfect, job of requiring preservation and restoration of native dune plants in approving construction of private homes in its coastal areas. Unfortunately the city has not done as good a job in its public areas, where the Pacific Grove Golf Course has eradicated substantial areas of endangered plant habitat in the years since passage of the Coastal Act.

Trails: Because a major part of our mission is to educate the public through field trips, we strongly support the section on trails including the specific recommendations for implementing the California Coastal Trail. This is consistent with the Coastal Act's emphasis on public access as long as trails are carefully designed and constructed to protect sensitive habitats. It is important for the revised plans to recognize that trail opportunities have increased substantially because of acquisition activities of public and private agencies.

We appreciate the opportunity to comment early in the periodic review process, and we hope to offer further input as the policies continue to be refined.

Sincerely yours,


Mary Ann Matthews
Conservation Chair

Enclosure: *Forest Heritage*

CPOA

Coast
Property
Owners
Association

Post Office Box 59
Big Sur, CA 93920

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President

Andy Nusbaum
Vice President

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Secretary

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Sam Goldeen
Mary Ann Jardine
Bill Nye
Alan Perlmutter
Stephen L. Ryter

February 22, 2004

To: Rick Hyman, CCC

Re: Issues Analysis for 2/23/04 CPOA Special General Meeting Discussion

Following is a description of the three discussion points that will be covered at this meeting:

1. ESHA Recommended Policies (6:45PM to 7:10PM plus Q&A 10 Minutes)

Dave Potter will shed light on why the CCC feels these policies are important. Aengus Jeffers and Brian Finegan will reflect on it from a legal perspective. Vern Yadon will tackle it from a biologist's viewpoint as to implementation challenges as well as the practical impact – Will these policies help achieve the goal of protecting our natural resources or merely further punish the Big Sur Community?

2. Critical Viewshed Recommended Policies (7:20PM to 7:45PM plus Q&A 10 Minutes)

Dave Potter will help us understand why the CCC feels these policies are important for protecting the viewshed. Aengus Jeffers and Brian Finegan will share with us the legal challenges these policies represent.

3. The San Diego Experience (7:55PM to 8:20PM plus Q&A 10 minutes)

Trip Bennett, an architect from San Diego, founder of San Diegoan's for Sensible Land Use, will participate in the discussion and then provide his perspective on CCC policies and how the CCC staff and commission side-stepped the public input process during the LCP certification in San Diego.

Attached is a synopsis of Big Sur specific issues as established by CPOA's review committee and culled from the larger CCC staff reports.

Issues List Extracted from the CCC Periodic Review Documents (1/03 Preliminary Analysis of Periodic Review Issues and Recommendations (PAPRIR) and 11/03 Periodic Review of the Monterey County Local Coastal Program (PRMCLCP)) for Monterey County

Environmentally Sensitive Habitat Areas (ESHA) broadly expanded

Probably the most wide reaching section of the proposal from the CCC staff is the ESHA policy recommendations. When read in its entirety, the proposed new ESHA policies could potentially result in a building moratorium in Big Sur. Policy recommendations would:

1. Expand the definition of ESHA such that it could potentially include most areas in Big Sur. (Pages 52-56, 11/03 PRMCLCP)
2. Prevent development on property that had historical, current and/or adjacent environmentally sensitive habitat areas. This recommendation is particularly insidious because it could, by definition encompass all of Big Sur. (Pages 52-56, 11/03 PRMCLCP)
3. Require any development proposed to have a 100-foot setback from any current ESHA area, historical or potential ESHA area located on the parcel or an adjacent parcel. (Page 55, 11/03 PRMCLCP)
4. Recommend further buyout of our community with the acquisition or retirement of these properties by selling the development rights to create an open space easement or transferring the development rights to another parcel. (Page 53)
5. Recommend allowing the minimal development possible, in the event of an unconstitutional take, to provide an economically viable use of the property. What constitutes "minimal development" is not defined, although there are inferences that this may mean a less than 2,400 square foot home with no ancillary structures. (Page 53, 11/03 PRMCLCP)
6. Require restoration and protection of the remainder of the site with an "endowed conservation easement" to a third party that would allow management of the habitat in perpetuity, thereby creating a whole new business model for land trusts to further exploit the Big Sur community. (Page 54, 11/03 PRMCLCP)
7. Require an easement even if ESHA was not evident on a site. If a site has minimal or no ESHA, but is located in an area where there is ESHA (which is almost everywhere in Big Sur), as a condition of new development, an easement would be required for 21 years that allows for restoration and management of the habitat within the easement area, contingent on a restoration program being established within the area with the time period. (Page 55, 11/03 PRMCLCP)

Critical Viewshed Expanded and Double Standards Recommended

The staff of the CCC is recommending further tightening of already stringent critical viewshed policies as well as expansion of the viewshed definition so that property outside the critical viewshed would now be subject to development constraints. Additionally, recommended policies permit public agencies to do certain types of development in the critical viewshed that residents are prohibited from doing. Policy recommendations would:

1. Require that new development not be visible from public trails. (Page 11, 11/03

PRMCLCP)

2. Establish critical viewshed restrictions based on views from the ocean prior to development approval. (Page 30, 11/03 PRMCLCP)
3. Require air space protection easements in the critical viewshed to prevent additional height of buildings that would conflict with view protection. (Page 175, 1/03 PAPRIR)
4. Require the dedication of a scenic easement prior to issuance of a permit in the critical viewshed. (Page 177, 1/03 PAPRIR)
5. Provide for a double standard for trail development along the highway by allowing berming, planting, boulder barriers, guardrail or other design measures as well as picnic tables, informational signs and displays, wooden benches, gates and fencing. (Page 46, 11/03 PRMCLCP)
6. Allow excavation, screening and berming of new parking and restroom facilities along Highway 1 at Soberanes Point, Garrapata Beach and any new State Park located on the west side of the highway. Promotes pedestrian underpasses and a maximum of 75 parking spaces per facility. (Page 77, 11/03 PRMCLCP)
7. Ask property owners within the viewshed to reduce the visibility of existing structures when submitting applications for additions or improvements. (Page 77, 11/03 PRMCLCP)
8. Expand the definition of residential improvements requiring Coastal Development Permits in the viewshed to include landscaping and renovations to existing structures. (Page 79, 11/03 PRMCLCP)
9. Encourage the County to remove existing development and prevent new development - "...the County should continue to prohibit new development in the viewshed and in the long-term, continue to remove or hide intrusive development." (Page 10, 11/03 PRMCLCP)
10. Limit qualifying eligible existing residential oceanfront development for repair and maintenance as only principle residences and not accessory or ancillary structures such as garages, decks, eaves or landscaping. This would make it difficult or impossible for property owners to maintain and repair any non-qualifying part of their home in the event of coastal subsidence. (Page 157, 1/03 PAPRIR)

Required monetary contributions to Highway 1 improvements in Big Sur

Residential development would be required to pay a pro-rata share of Highway 1 improvements for the right to build. Single family residential would further trigger the need for a traffic analysis and potentially other fees. Policy recommendations would:

1. Require that new residential development "pay their fair-share" towards Highway 1 improvements to the Big Sur segment. (Page 47, 11/03 PRMCLCP)
2. Require a traffic analysis for residential development over 2,400 square feet based on the additional traffic generated by domestic employees (gardeners, cleaning personnel, etc.). (Page 45, 11/03 PRMCLCP)

Additional Permit fees to cover cost of staff recommended waterway-monitoring programs

In order to fund a study of the Big Sur River and Sycamore Canyon waterways, the CCC staff is proposing to assess new development to cover the cost of this study. Policy recommendations would:

1. Recommend assessing \$12,600 per Big Sur development permit to help fund the CCC requested monitoring program. (Page 39, 11/03 PRMCLCP)

Road maintenance recommendations would target property for retirement and/or buyout

Proposals recommend the buyout of property and retiring of roads that are deemed to impact streams that currently host or historically hosted anadromous fish. Policy recommendations would:

1. Establish a fund for purchase of property or easements for cases in which implementing riparian buffers for anadromous fish makes parcels unbuildable, even though there is not enough scientific evidence that current BMP's work. (Page 83, 1/03 PAPRIR)
2. Identify unsuitable existing development, infrastructure and roads affecting anadromous fish streams and gradually mitigate their adverse impact including eliminating unmitigatable impediments. This could result in road closure. (Page 84, 1/03 PAPRIR)

Promoting Punitive Approach as way to fund additional CCC staff policies

The CCC staff proposes to fund its recommended initiatives by increasing enforcement and raising fines. Policy recommendations include:

1. More aggressive enforcement and fining of residents to help cover additional costs generated by staff's recommendation. (Page 24, 11/03 PRMCLCP)
2. Increase in enforcement of LCP viewshed protections and requirement of greater penalties to generate funds for a coastal viewshed restoration fund. (Page 78, 11/03 PRMCLCP)

Making Coast Highway Management Plan (CHMP) compliance mandatory (Page 41, 11/03 PRMCLCP)

The authors of the CHMP all agreed that the CHMP should be a recommendation for all parties involved, not a regulatory document. However, the CCC staff is recommending the County include CHMP content in the GPU as policy. Policy recommendations would:

1. Require all projects within the highway corridor to comply with CHMP management strategies and guidelines even though it was agreed by the authors of the CHMP that this document would not be a regulatory document. (Page 41, PRMCLCP)
2. Impact a very broad area of Big Sur. The highway corridor, by definition in the CHMP, is very broad and as a result, would impact most projects in Big Sur. Following is Caltrans's definition of the highway corridor: "The "width" boundaries correspond with watershed boundaries, including the portion of the Monterey Bay Nat'l Marine Sanctuary within the north/south limit (Carmel/San Carpoforo Creek). This delimitation is consistent with the north/south boundary determination which was based on geographic, rather than political, features."
3. Require that the county review the CHMP for possible incorporation into the LCP. (Page 48, 11/03 PRMCLCP)



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE

Monterey Bay National Marine Sanctuary
299 Foam Street
Monterey, California 93940

February 23, 2004

Charles Lester
California Coastal Commission
Central Coast District Office
725 Front Street Suite 300
Santa Cruz, California 95060

SUBJECT: Comment on the Periodic Review of Monterey County Local Coastal Program

Dear Mr. Lester:

The Monterey Bay National Marine Sanctuary (MBNMS) is a federally protected marine area that stretches 276 miles along California's Central Coast. The protection of this region depends on effective collaboration with other agencies, stakeholders and the public. We appreciate the partnership that the MBNMS has with the California Coastal Commission (Coastal Commission) to achieve our mutual goal of protecting the region's coastal and marine environment. We look forward to continuing this productive relationship throughout the implementation of Monterey County's Local Coastal Program (LCP) as well as in the implementation of our own recently revised management plan.

We previously corresponded with the Commission in May of 2002 to recommend that specific issues related to marine protection be incorporated in the review of Monterey County's Local Coastal Program (LCP). These included such recommendations as developing a regional approach to coastal armoring, policies to address the effects of desalination on the marine environment, and strategies to deal with the growing number of beach closures within the county. We appreciate the Coastal Commission staff's consideration and inclusion of some of the issues that we previously raised. This letter provides additional comments on the current language addressing these and other issues in the Staff Report on the Periodic Review of the LCP.

Coastal Armoring

MBNMS appreciates the inclusion of CH-8.4 entitled "Support Sanctuary's regional shoreline management strategies". We look forward to continuing to work with the Coastal Commission to further develop and implement a regional approach to addressing this difficult issue.

MBNMS supports the more detailed policies that are included in the staff report to address setback methodologies, geotechnical reporting requirements, and guarantees that no future



seawalls will be constructed for new development. The Staff Report also recommends developing a comprehensive plan specifically for the Del Monte Forest area to evaluate erosion and coastal armoring, and develop measures to prevent armoring or minimize its impacts. We commend such a regional approach. However, as noted in the proposed Coastal Armoring Plan that is part of the MBNMS' Management Plan Review, a regional approach should be taken throughout the county's coastline, not just the Del Monte Forest area. We are particularly concerned about the highly erosive shoreline adjacent to southern Monterey Bay.

The need for a county-wide approach to coastal armoring should be included in the LCP, with an acknowledgement that this will likely involve analysis of specific subregions within county boundaries. This approach should minimize trends towards increasing hard armoring of the shoreline which can impact marine resources, reduce recreational access, and alter sand supply dynamics. This should include evaluation of coastal erosion and beach nourishment trends, identification of likely future sites for armoring requests and their impacts, consideration of alternative approaches to reduce the need for armoring, identification of types of armoring which will minimize harmful impacts, and identification of sensitive areas where armoring may not be appropriate. A more proactive approach to coastal armoring should be included in the LCP to minimize the need for emergency requests which can lead to approval of inappropriate structures. The Del Monte Forest could be a sub-region within the overall plan based on its specific characteristics, however, the need for this type of comprehensive planning spans the coast and should be a county-wide endeavor.

Desalination

MBNMS welcomes the inclusion of the comprehensive policy standards outlined in LU-9.4 which address concerns about proposed desalination facilities and the impacts that these facilities could bring to the marine resources offshore of Monterey County. The MBNMS and Coastal Commission staff have worked together over the past several years on the development of a regional plan to address the potential impacts to marine resources stemming from desalination plants within the MBNMS. Similar to section CH-8.4 which recognizes and states support for the Sanctuary's coastal armoring plan, we recommend including a statement in the LCP that recognizes and encourages support for and participation in the MBNMS regional Desalination Action Plan as outlined in our draft Joint Management Plan Review.

Additionally, the MBNMS recommends adding language in item D under LU 9.4 that would clarify that a regional approach to desalination should include a) consideration of and coordination with other existing and proposed desalination facilities in the area; b) evaluation of opportunities for co-location of facilities with existing facilities and discharges; and c) siting considerations such as identification of sensitive marine habitats. Also, the language in item F should be modified to: "Use, where feasible, sub-surface feedwater intakes (e.g. beach wells) or other intake systems designed to minimize entrainment and impingement to the maximum extent feasible, instead of open pipelines from the ocean, where they will not cause significant adverse impacts to either beach topography or potable groundwater supplies". This modification acknowledges that there are techniques besides beach wells to reduce impingement and entrainment. Language should also be included noting that the recommendation in F applies to

minimizing impingement and entrainment from new construction, and that consideration should first be given to the potential for utilizing intake systems from existing facilities.

Water Quality

The chapter in the Staff Report on "Water Quality and Marine Resources" takes valuable steps in the direction of marine protection and we welcome the references made to our own efforts towards this goal in Appendix A. However, as noted in our letter of May 2002, MBNMS recommends that the LCP more thoroughly address sewage and storm drain infrastructure and monitoring systems in Monterey County. The growing number of beach closures and postings is a threat to the region's economy, recreation, health and wildlife. Many of the region's sewage systems are not on an adequate replacement and maintenance schedule needed to prevent discharge or leaching into the Sanctuary. County monitoring efforts on coliform contamination are generally limited to posting of the beaches, and do not focus on tracking the sources of contamination up the watershed. Diagnostic evaluations, repairs and strategic maintenance of these infrastructure systems should be accompanied by additional efforts at source control for urban runoff, as outlined in the MBNMS' Water Quality Protection Program and in the Model Urban Runoff Program (MURP) which MBNMS developed jointly with the Coastal Commission. Steps to address beach closure and coliform contamination issues should be incorporated into Chapter 4 of the Staff report.

MBNMS supports the recommendations included in the Staff Report that seek to incorporate revised pollution prevention techniques into the LCP. These include clarifying that policies relating to sewage outfall discharges apply to all wastewater generating projects that discharge into any coastal water. We also agree that the LCP should ensure that erosion control and runoff policies are applied to all development, and support revision of the septic ordinance to better prevent contamination consistent with Regional Water Quality Control Board requirements.

Many specific additional recommendations related to beach closures, urban and agricultural runoff are incorporated in the MBNMS' Water Quality Protection Program plans, and these plans were developed in collaboration with Coastal Commission staff. We recommend that the Staff Report contain a general reference encouraging county support and participation in the implementation of these plans, similar to the statement referencing our coastal armoring plan in CH-8.4.

Landslide Disposal

Section LU-13 attempts to incorporate recommendations derived from the draft Big Sur Coast Highway Management Plan (CHMP). Many agencies and stakeholders, including the Sanctuary and Coastal Commission, have been involved over the past three years in Caltrans' development of the CHMP, and we appreciate the progress this group has made in evaluating the complex interactions of highway management, public transportation needs and environmental impacts. The draft CHMP document represents a carefully worded set of recommendations reflecting the concerns and priorities of the many parties involved in plan development, and includes a recognition of the need to evaluate the sensitivity of marine habitat to disposal. However, this recognition has unfortunately been largely omitted from the discussion and recommendations of

the Staff Report, and from the much longer discussion of the issue included in the background appendices to the Staff Report. Coastal Commission's staff interpretation of the issue seems to focus on ocean disposal under most conditions, without inclusion of the various marine ecological considerations that must be weighed before making any such a decision, and without adequate acknowledgement of the need to also focus on preventive approaches via highway redesign and long-term maintenance strategies which will reduce the volume of disposal requests. Since much of the language addressing these issues was already worked out in the CHMP document after many years of stakeholder effort, MBNMS suggests that more of that language be included directly, with less additional interpretation included by Coastal Commission staff.

Some specific locations where the staff report should be amended are noted below.

At the top of page 11, please add the words "and the adjacent marine environment" to the phrase "preserves the landscape".

Section LU-13.2 of the Staff Report and the discussion of the CHMP in the background appendix of the Staff Report should incorporate support for preventive measures which will reduce the overall need for disposal and minimize highway disruptions, such as highway redesign or realignment efforts and state-of-art repair techniques. Language addressing this issue is part of the CHMP Corridor Management Plan in section A-1, and a menu of options is included in the CHMP Guidelines for Landslide Management and Storm Damage Response. The LCP should encourage support for these pre-emptive approaches.

MBNMS welcomes the inclusion in Section LU 13.2.D the listing and description of "Reduce, Reuse, Recycle, Replenish, Disposal" of landslide materials as agreed to in the CHMP. However the staff report includes additional interpretation of these terms that should be avoided. For example, under the category of disposal, which refers to transport to a terrestrial site, the additional language states that this is always the least preferred option. In fact there have been in the past and certainly will be occasions in the future when the impacts of terrestrial disposal are less than impacts of disposal to the marine system. These sorts of evaluations will need to be made case-by-case on the basis of many complex criteria, and such a definitive prioritization statement should not be part of the LCP.

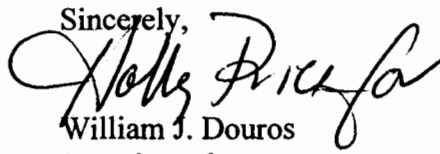
Section LU 13.2.E addressing sidecasting also includes significant additional language not agreed to in the CHMP when describing when exceptions to a prohibition on sidecasting could occur. This section should instead include more directly the application criteria incorporated on pages 73 and 74 of the CHMP Guidelines for Landslide Management and Storm Damage Response entitled "Localized Sidecasting" and "Slope Detention". Additional constraints on sidecasting which are included on those pages should be articulated in the LCP, including a) volume of material sidecast is limited to that displaced by a natural event; b) material is organic in nature, i.e. free from infrastructure elements such as concrete, asphalt and steel; c) the adjacent shoreline is an area with habitat characteristics and dynamics that indicate adaptation and tolerance of periodic inputs from natural landslides; and d) the area downslope is characterized by conditions indicating that sidecast material would not disproportionately affect sensitive habitats, including the nearshore marine environment. Also, neither the background discussion

of the issue nor the recommendations in the Staff Report acknowledge the study which the MBNMS has underway to evaluate and rank the sensitivity of various marine habitats and locations to landslide disposal, and the need to incorporate this knowledge into future decision making.

As another example of the lack of acknowledgement of marine impacts, Chapter 2 of background section on the CHMP contains a discussion on page 111 of potential environmental impacts of terrestrial disposal on butterflies, viewsheds recreation and hauling distances. However, it contains virtually no discussion of environmental impacts of disposal in the marine environment, such as burial of intertidal and subtidal habitats, increased scouring and light reduction, reduced larval settlement, loss of harbor seal haulouts, and adverse impacts to commercial and recreational fishing.

Incorporating these acknowledgements of the marine environment into the LCP recommendations would reflect the more balanced approach which we all will need to take to address this complex issue. In addition to supporting Caltrans, the Coastal Commission's and the county's efforts to reduce, reuse and recycle to reduce overall disposal needs, we recognize that there will be occasions when landslides will occur and marine disposal will be one of the options considered. To assist in those future decisions, we look forward to continuing our work in evaluating the sensitivity and adaptation of coastal habitats to landslide disposal, and coordinating that assessment with future disposal requests. This habitat sensitivity information will assist us in developing guidelines for potentially acceptable or unacceptable locations and habitats for future disposal, as a basis for future environmental reviews and more site-specific evaluations as landslide events occur. In the meantime, we ask that the Coastal Commission's Staff Report avoid the inclusion of background discussion and recommendations which imply a strong preference for marine disposal in most situations without adequate knowledge of marine impacts.

We appreciate the opportunity to provide our comments on the Periodic Review of Monterey County's LCP and look forward to our continued work with your staff and the county on the many issues of mutual concern. Please contact Holly Price of my staff at (831) 647-4247 should you have any additional questions regarding our comments.

Sincerely,

William J. Douros
Superintendent

Rick Hyman

From: Darby Fuerst [Darby@mpwmd.dst.ca.us]
Sent: Wednesday, March 03, 2004 10:51 AM
To: MCOreview@coastal.ca.gov; rhyman@coastal.ca.gov
Cc: Joe Oliver; Henrietta Stern
Subject: Comments re: Draft Findings MCo LCP Periodic Review

Attached are suggested corrections related to Issue LU-9, Water Supply in California-American Water Company Service Area, in the December 2003 Draft Findings of Monterey County LCP Periodic Review.

Page 41: Change "Surface" to "Ground", add "alluvial aquifer" after "Carmel River", change "River" to "ground water", and change "within" to "along the Carmel River" in the first sentence of the Overview. Change "River" to "Carmel River system" in the second sentence.

Change "Public Utilities Commission" to "State Water Resources Control Board (SWRCB)" in the first sentence of the last paragraph. Add "at times" after "taken" in the second sentence.

Page 42: Change "PUC" to "SWRCB" and "Agency (MPWMA)" to "District (MPWMD)" in the first paragraph. Add "and subsurface" after "surface" in the first sentence of the third paragraph. Change "MPWMS" to "MPWRS" in the fourth sentence of the fifth paragraph. Change "Management" to "Resources" in the fifth sentence.

Page 43: Change "is required to monitor" to "monitors" in the last sentence of the second paragraph and add ", which is against Cal-Am" at the end of the sentence. Delete "low water table conditions and" in the second sentence of the third paragraph. Change "and the Seaside Golf courses" to "has" in the first sentence of the fourth paragraph. Add "In addition, withdrawals to irrigate the former Fort Ord golf courses, which are now owned by the City of Seaside, have increased significantly since 1999" after the first sentence. Change "level" to "yield" in the second sentence. Delete the second "that" in the third sentence. Change "from" to "for the coastal subareas of" in the fourth sentence. Add "coastal area of the" after "withdrawals from the" in the fifth sentence. Delete "#" from "Order #98-04" in the first sentence of the last paragraph. Change "MPWMS" to "MPWRS" in footnote 31.

Page 44: Change "Nov" to "November" in the first sentence in the first paragraph. Add "coastal portion of the" before "aquifer" in the last sentence of the first paragraph. Add "in the unincorporated area of the County" after "water" in the last sentence of the second paragraph. Add "effective" after "total" and ",based on water rights constraints," after "County" in the second sentence of the third paragraph.

Page 51: Clarify whether you're referring to the Monterey County Water Resources Agency or the Monterey Peninsula Water Management District in the third sentence of the third paragraph.

Page 54: Change "MPWMA" to "MPWMD" in the last sentence of the first paragraph.

Page 56: Change "MPWMA" to "MPWMD" in the last paragraph.

Appendix D, Page 1: Change "Agency" to "District" in the last paragraph.

Appendix D, Page 2: Change "Agency" to "District" in the third and fourth paragraphs.

These comments are based on my quick review. Let me know if you have any questions. Others at the District, e.g., Henrietta Stern and Joe Oliver, have not had the opportunity to review the draft document and may provide additional comments at a later date. The District would like to receive a copy of the report for our library. -- darby

March 8th 2004

Charles Lester, Deputy Director
California Coastal Commission
Central Coast District Office
725 Front Street, Suite 300
Santa Cruz
CA 95060-4508

RECEIVED

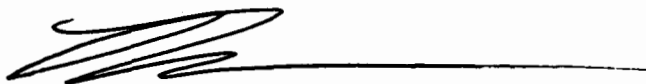
MAR 09 2004

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Dear Mr. Lester,

Please find enclosed a letter that many Monterey Peninsula residents signed in support of the Coastal Commission's findings regarding the preservation of Monterey pine forest habitat.

Thank you,



Richard Newman
Wendi Newman
and all who signed (see enclosed)

RECEIVED

REPRESENTATIVE FORM
LETTER SIGNED BY 116
INDIVIDUALS

MAR 09 2004

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

March 1, 2004

Dear Mr. Lester,

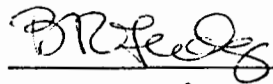
I am a Monterey Peninsula resident and am very concerned about the impacts of development in the Del Monte forest. I am aware of the findings of the Coastal Commission's Monterey County Local Coastal Program Periodic Review dated December 2003. I vigorously support the findings of the Commission regarding protection of environmentally sensitive habitats, especially Monterey Pine forest, and I believe continuous native stands of trees should be preserved in tact. There are many acres of native forest that are in danger of being cut down or fragmented. We urge the Commission to require protection for the remaining acres of this delicate, precious, and rare resource.

We request that the Commission to take into account these comments and the impacts on the surrounding communities when considering development in, and fragmentation of, the Del Monte forest.

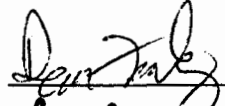
Respectfully,



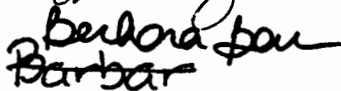
Sam Oelthoff 840 Cedar St Pacific Grove 93952




Bonnie R Fernandez 1418 Simpson Ct Marina CA 93933



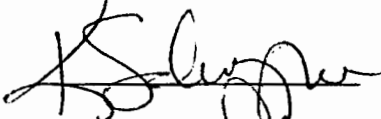
Daniel M Fernandez 1418 Simpson Ct Marina CA 93933



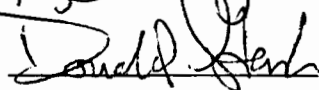
Barbara Bauer 461 Corral de Tierra Sal. 93901



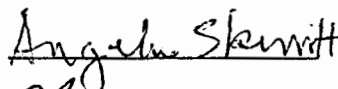
Carla Rosal 600 Terry St Monterey CA 93940



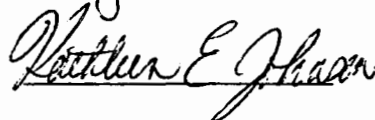
Katie Schwirzke 1595 Josselyn Cny 93946



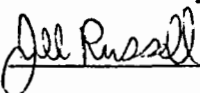
Donald Slack 146 Edde Ct Marina 93933



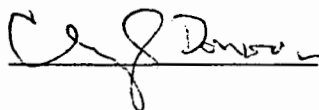
Angela Skeritt 33 Via Descanso, Monterey



Kathleen E Johnson 148 Edde Court, Marina 93933



Jill Russell PO Box 1299 Carmel 93921



Cheryl Donovan 1540 Hilby Ave 93955

MONTEREY COUNTY

PLANNING & BUILDING INSPECTION DEPARTMENT

2620 1st AVENUE MARINA, CA 93933

(831) 883-7522 FAX: (831) 384-3261



MEMORANDUM

DATE: March 16, 2004

TO: Rick Hyman, Deputy Chief Planner
California Coastal Commission

FROM: Carl P. Holm, AICP, Senior Planner
Monterey County, Planning and Building Inspection

SUBJECT: NORTH COUNTY TOWN HALL MEETING 3/11/04
MOSS LANDING CHAMBER OF COMMERCE BUILDING

The following is a summary of questions and answers from the town hall meeting in Moss Landing on March 11, 2004:

PANEL:

LOU CALCAGNO, Supervisor

CURTIS WEEKS, Manager of Monterey County Water Resource Agency

WENDY STRIMLING, Deputy County Counsel

SCOTT HENNESSY, Director of Planning and Building Inspection

RICK HYMAN

INTRODUCTIONS

OVERVIEW:

PERIODIC REVIEW SERVES TO EVALUATE IF THE COASTAL ACT IS BEING IMPLEMENTED BY THE LOCAL COASTAL PROGRAM (LCP)

NORTH COUNTY LCP HAS GOOD LANGUAGE. RESULT IS FEWER CORRECTIONS AND SERVES AS MODEL FOR OTHER LCP'S

PERIODIC REVIEW PROVIDES SUGGESTIONS FOR GPU. RESOURCE DOCUMENT IS START OF PROCESS-NOT END ALL

Q: ONCE GPU APPROVED THERE IS STILL 1 YEAR TO CERTIFY. DOES THIS RAISE AN ISSUE OF CONSISTENCY WITH NEW GPU?

KEEP OLD LCP UNTIL NEW LCP CERTIFIED (LCP INCLUDES ZONING)

WHEN GPU ADOPTED COUNTY BOARD OF SUPS COULD CLARIFY THAT OLD LUP REMAINS IN EFFECT UNTIL NEW LCP IS CERTIFIED

ISSUE #1-WATER

WATER SUPPLY. 1982 IDENTIFIED SALT WATER INTRUSION. OVERDRAFT HAS INCREASED. RECOMMEND NO ADDITIONAL LOTS UNTIL RESOLVED (SUBDIVISIONS). VACANT LOTS NEED TO HAVE WATER OFFSET (REFERENCE CAMBRIA PROGRAM). CSTL COMM PAPER COMING OUT. NEED POLICIES TO LIMIT POTENTIAL SO NOT GROWTH INDUCING.

Q: PREVIEW OF CSTL COMM VIEW OF DESALINATION (DESAL).
CSTL COMM HAS NO POSITION, BUT HAS CRITERIA TO MEET CSTL ACT STANDARDS. RECOGNIZE POTENTIAL TO DEVELOP DESAL PLANTS SO NEED TO SET CRITERIA.
CSTL COMM REPORT ON DESAL ON WEBSITE MONDAY 3/15/04. PAPER RAISES ISSUES RELATIVE TO CSTL ACT. ISSUES INCLUDE IMPACT TO MICROORGANISMS, BRINE DISCHARGE.

Q: STRONG IMPLICATION IN REPORT TO LIMIT # OF DESAL PLANTS.
DESALINATION POLICY TO HAVE FEWER BUT LARGER FACILITIES ALONG THE COAST VERSUS LOTS OF SMALL PRIVATE OPERATIONS BECAUSE NEED GOOD PUBLIC OVERSIGHT WITH REGULATIONS.

Q: LINKAGE BETWEEN PROVIDING/SUPPLYING WATER AND GROWTH INDUCING DEVELOPMENT TECHNIQUES. HOW MUCH GROWTH? HOW MUCH WATER? LIMIT PIPE & PUMP SIZE TO LIMIT GROWTH FROM IMPROVEMENT. DEFINE SERVICE AREA/FEE. 1 FOOT NO UTILITY BUFFER STRIP SERVES TO LIMIT ADDITIONAL HOOK UP FOR GROWTH.

Q: PAJARO VALLEY BASIN MANAGEMENT PLAN (+OTHERS)...HOW IS IT AFFECTED BY THE PERIODIC REVIEW? NO POSITION ON PROJECTS. COUNTY SETS POLICY THAT ADDRESSES ISSUES.

Q: EXTENT OF JURISDICTION TO WATER SHED? NO CSTL COMM AUTHORITY IF PART OF PROJECT OR IMPACTS NOT IN CSTL ZONE. ON FEDERAL PROJECTS, CSTL COMM CAN REACH OUTSIDE CSTL ZONE.

Q: LU8.6 PRIVATE WATER SUPPLIES/WELLS. WHERE ARE URBAN SERVICE AREAS? DO THEY HAVE CAPACITY? INTRIGUE ON PRIVATE WATER RIGHTS. DISAGREE. DIFFERENCE BETWEEN WATER RIGHTS AND PERMIT/ENTITLEMENT PROCESS TO USE UNFETTERED. IF AREA TO BE SERVED BY PURVEYOR THERE SHOULD BE NO INDIVIDUAL WELLS DRAWING WATER FROM THE SAME AQUIFER IN ORDER TO AVOID OVER-USE UNLESS NO OTHER OPTION FOR USE OF THAT PROPERTY. DO NOT ALLOW FOR PROPERTY THAT SERVICE AREA CANNOT SERVE. DO NOT PROHIBIT. NEED OVERALL MANAGEMENT.

Q: HOW CSTL COMM DEFINES "URBAN SERVICE AREA"?

VARIETY OF PURVEYOR SYSTEMS NEED SOME DEFINITION.

NOTE: JUDGE VOGLE RULING TODAY: ORDERED ALCOE COMPANIES TO BE UNDER SUNNY MESA.

Q: CSTL COMM AND COUNTY HAVE NO AUTHORITY TO LIMIT/TAKE CORRELETIVE RIGHT. SO IF SAY NO WELLS THEN THERE IS POTENTIAL TAKING. HOWEVER, DRILLING A WELL IS CONSIDERED DEVELOPMENT WHICH REQUIRES A PERMIT UNDER THE CSTL ACT AND THAT PROVIDES AUTHORITY TO REGULATE.

Q: QUESTION DEFINING URBAN SERVICE AREA. SUNNY MESA SPHERE OF INFLUENCE? NORTH COUNTY.

ISSUE #2 – HIGHWAY ONE (HWY 1)

RATIONAL TO KEEP 2-LANE HAS A 2-PRONG APPROACH:

- CSTL ACT SAYS HWY 1 REMAIN 2-LANE AS A RESOURCE (CAN DEBATE)
- CSTL ACT DESIGNED TO PROTECT AGRICULTURE AND WETLANDS.

WIDENING TO 4-LANE CREATES POTENTIAL IMPACTS INCONSISTENT WITH CSTL ACT AND LUP.

SUGGEST SAFETY & INTERSECTION IMPROVEMENTS IN LCP
SUPPORT COMPREHENSIVE TRANSPORTATION PLANNING.

Q: ANY PLANS FOR SALINAS ROAD/DOLAN ROAD?

THIS IS PART OF WHAT THE PERIODIC REVIEW IS TALKING ABOUT. NOT AWARE OF SPECIFIC PLANS TO MAKE IMPROVEMENTS. THERE IS NO PROBLEM IF THERE IS NO IMPACT TO WETLANDS. LIMITED TO POLICIES TO ALLOW AND IN WHAT CAPACITY (NOT GROWTH INDUCING). CALTRANS OPPOSED.

LCP PROVIDES LOCAL AUTHORITY OVER STATE. THEREFORE, PUTTING SIGNALS INTO LCP MAY ALLOW COUNTY TO SUPERCEDE CALTRANS AUTHORITY. NEED TO BE MORE SPECIFIC FOR PARAMETERS ALONG HIGHWAY ONE. IMPROVE SAFETY WITHOUT INCREASING CAPACITY.

ISSUE #3-HABITAT/MARITIME CHAPARRAL

NO MAJOR SHIFT. FEW CLARIFICATIONS; IDENTIFY ENTIRE HABITAT IN BIOLOGY REPORTS; ELIMINATE 25% THRESHOLD (WHAT IF ALL CHAPARRAL)? THERE ARE DIFFERENT CIRCUMSTANCES EVALUATED IN CSTL COMM REPORT; EASEMENTS NOT MANAGED OR COODINATED FOR OVERSIGHT.

Q: IS THIS HABITAT IN CSTL ZONE OR ENTIRE COUNTY?

CONCERN IS CENTRAL MARITIME CHAPARRAL ONLY. PRETTY LIMITED TO NORTH COUNTY, CARMEL, NORTHERN BIG SUR AREAS.

GENERAL QUESTIONS

Q: WHAT DOES SH2-3 AND SH-25 MEAN (EXPAND)?

PORTRERO ROAD-PRIVATE OWNERSHIP

SH-23 NORTH SIDE OF PORTRERO; REMOVE POSSIBILITY FOR RESIDENTIAL DEVELOPMENT.

SH-25 WAS BASED ON PRIOR POSSIBILITY TO RELOCATE THE SANDHOLT BRIDGE TO THE SOUTH AND ELIMINATE COMMERCIAL DESIGNATION. SINCE NO CHANGE IN BRIDGE LOCATION, THIS IS OUTDATED. RESIDENT BELIEVES DESIGNATED COMM TO AVOID TAKINGS ISSUE WHEN PLAN ADOPTED.

RECOMMEND DESIGNATION CHANGES – UPDATE MOSS LANDING COMMUNITY PLAN TO MEET CURRENT NEEDS. CONFUSION WITH “COMMUNITY AREA” RURAL CENTER” AND ‘COMMUNITY PLAN” TERMINOLOGY. QUESTION OF CONSISTENCY FOR GPU WITH MOSS LANDING COMMUNITY PLAN IF NOT CHANGED.

REVISE FROM COMMUNITY UP. CSTL COMM NOT SAYING WHAT TO CHANGE, BUT TO EVALUATE NEEDS AND PARAMETERS.

WHAT IS IMPLICATION OF DESIGNATION AS RURAL CENTER AND CONSISTENCY WITH MOSS LANDING COMMUNITY PLAN?

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3101
FAX (805) 549-3329
TDD (805) 549-3259
<http://www.dot.gov/dist05>



*Flex your power!
Be energy efficient!*

March 12, 2004

Charles Lester, Deputy Director
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, CA 95060

Sent by email to: clester@coastal.ca.gov

Dear Mr. Lester:

Periodic Review of Monterey County Local Coastal Program

This is in response to the staff recommendations of the document mentioned above. The Department of Transportation (Department) recognizes that a common objective for each of our organizations is to provide safe and reliable access to and along the coast. I understand that while drafting the proposed language you were striving toward greater certainty in the Coastal Development Permit process. Working more effectively to integrate Coastal Act and Local Coastal Program (LCP) considerations early and throughout transportation planning and project delivery is very important. However, our review detected some of the unintended consequences of the current approach and our comments advocate a shift in direction by focussing on desired outcomes.

Enclosed with this letter is a document with detailed comments that focus on the Moss Landing Corridor and the Big Sur Coast. Highway 1 between Castroville and the Santa Cruz county line is an important interregional link between two urbanized areas. The Department opposes the current staff recommendations to reverse existing plans that acknowledge the potential for widening. We support the references to the Big Sur Coast Highway Management Plan, but caution against recommendations that might depart from what has been developed with broad stakeholder involvement.

Thank you for the opportunity to provide input. We appreciate your staff's dedication toward facilitating sound transportation projects in the coastal zone. We will continue this effort with Monterey County as part of the General Plan Update process. If you have questions regarding our enclosed comments, please contact Aileen Loe at (805) 549-3103 or e-mail Aileen_Loe@dot.ca.gov.

Sincerely,

R. GREGG ALBRIGHT
District Director

California Department of Transportation
Monterey Co Periodic Review

Recommendation 1: The Department encourages policy that promotes integrated planning activities that are outcome-driven; the outcome being an efficient transportation system that seeks to avoid and minimize effects to coastal resources, including wetlands, agricultural lands, sensitive habitat, scenic views/landscapes and cultural resources.

2) Outcome driven policies for the Moss Landing Corridor

As outlined in the Department's previous correspondence on this subject (March 2002 and December 2003), the transportation concept for Highway 1 north of Castroville is a 4-lane facility. This concept is reflected in the Regional Transportation Plan for Monterey County and is also supported in the existing LCP. The Department opposes the current staff recommendations to reverse those early plans. Nevertheless, this does not obviate the need for future transportation decisions to consider the sensitivity, abundance and diversity of coastal resources in this corridor.

While the proposed filing requirement language (as part of LU-14.1) includes steps of a sound process, the Department has concerns about the specificity and breadth of the expectations. Future decisions must be made with benefit of reliable traffic modeling, a well-developed project purpose and need, reasonable range of alternatives, thorough alternatives analysis and selection and commitments to mitigate environmental impacts through a hierarchy of mitigation (avoidance, minimization, compensation). For example, constructive guidance can be provided with language that emphasizes avoidance and minimization of visual impacts, including limitations on the visual profile, but without specifying that "...any grade separation structure (be constructed) at the lowest elevation feasible and not project above the approximate original natural surface."

Recommending design details in the LCP for the Salinas Road interchange would also be problematic. While the interchange is being designed to operate with two highway lanes to the south, it will not preclude the opportunity for future widening.

In recommendations to other agencies (LU-14.8 through LU-14.13), an outcome-driven emphasis would explore optimal demand reduction strategies and multi-modal alternatives that might alleviate or defer a need for widening. The trouble with recommending specific demand reduction strategies in the LCP is a lack of supporting evidence that these strategies could be effective in this application; absent this evidence, implementation of these measures would not be a responsible choice.

Recommendation 2: Modify the individual project-specific references (LU-14) to express a collective set of criteria that must be considered for any project in the area to succeed. Measures of achieving this outcome must include a reasonable range of alternatives to traditional highway widening, but not preclude widening as a component of an overall transportation solution.

California Department of Transportation
Monterey Co Periodic Review

1) Integrated decision-making

The Department would like to suggest policy language that promotes *active participation* and *accountability* in the Coastal Development Permit process and that provides appropriate *guidance* to facilitate planning and project delivery. Language should acknowledge the authority for transportation decision-making held by the Regional Transportation Planning Agencies, the Department of Transportation and the Federal Highway Administration. Similarly, these agencies acknowledge the approval authority of the Coastal Act for transportation-related development. Implementation should be complementary, even if conflicts sometimes arise.

Active participation: Promote early and continuous coordination to consider Coastal Act and LCP policies in the transportation decision-making process. Recommendation LU-14.7 “Support regional transportation planning” begins to suggest this, but is guarded by the qualifier “...to the extent resources allow.” It is critical that responsible agencies participate fully in regional transportation planning decisions, consider all modes and support an efficient transportation system that can be developed, constructed and maintained while upholding the values of the Coastal Act. We find the “recommendations to other agencies” (Appendix D LU-14.8 through 14.13) to be unnecessary since federal law guides the transportation planning process. The recommendations should instead focus on promoting participation (by responsible agency staff) necessary to ensure full consideration and integration of the Coastal Act and LCP policies. A very successful example of this point has been demonstrated with the Salinas Road interchange project where Commission staff’s participation has truly helped facilitate the project’s development.

Accountability: A process that provides for accountability may be derived with a consistent level of integrity and reliability in the transportation planning/project delivery and coastal development permitting processes. Effective participation provides continuity from early planning stages continuing through project delivery and must document progress to avoid revisiting past decisions, unless new information or other circumstances warrant.

Guidance: Appropriate guidance should highlight desired outcomes and avoid prescribing detail and methodology. Suggesting that project level details be incorporated into the LCP is problematic. For example: “...paving shoulders up to 8-feet...” (LU-14.1) is inconsistent with the Highway Design Manual in the cited application; designing all culverts for 100-year flow (LU-13.2) is not obtainable or desirable; confining development to the existing right-of-way or to areas that avoid impacts to agricultural lands (LU-14) prejudices consideration of the full range of potential environmental impacts required by CEQA and NEPA. The Department is concerned that prescribing design details and impact findings in an LCP would set a precedent where even minor project changes could require an LCP amendment. Appropriate guidance should emphasize the location-specific resource values that require special consideration for a project.

California Department of Transportation
Monterey Co Periodic Review

3) **Big Sur Coast**

LU-13 Big Sur Coast Highway Management Plan (CHMP)

The Department appreciates the emphasis on recommending that key aspects of the CHMP be integrated into the LCP, especially when it will improve interagency coordination. A few aspects of the recommendations, however, reach beyond the scope or detail of what is contained in the CHMP.

LU-13.1 Address CHMP in permit review. This reference is mostly consistent with the Department's expectations with the following clarifications:

- Part B should not make reference to FHWA's acceptance of the CHMP since they have no review or approval authority of the plan. The 1996 Corridor Management Plan served its purpose for designation; the current substantive update is being prepared in response to local needs.
- Since the CHMP itself is not a regulatory document, Part C should reference only applications that involve state highway right-of-way.

LU-13.2 Design standards. This section seems mostly unnecessary in light of recommendation LU-13.1 that outlines the expectation for consulting the CHMP in development review (for projects within state right-of-way). If this recommendation is meant to add specificity or interpretation to the CHMP in its present form, please consider the following:

- The Department opposes the suggestion to "add design standards for Highway 1", since the Highway Design Manual establishes that. The Big Sur CHMP: *Guidelines for Corridor Aesthetics* is the document that the Department supports for addressing concerns about design related features along the highway. The elements addressed in Parts A, B & F (visual clutter, operational features, traveler amenities, roadside safety devices) should simply refer to these guidelines, rather than attempt to interpret, change or modify that language.
- Part C addresses concepts that should be considered when the Department submits a proposed Public Works Plan (PWP) to the Commission. Incorporating detailed elements for the LCP while the PWP is still under development would be problematic. The Department should be allowed to submit a comprehensive program to the Commission that is not prejudiced by preliminary (detailed) language. The Department will consider these points in the development of the PWP, but opposes the recommendation to add the proposed language into the LCP.
- Parts D & E outline a process that is similar but not identical to language in the Big Sur CHMP: *Guidelines for Landslide Management & Storm Damage Response*. The Department appreciates the attempt to advance consideration of instituting practices that are consistent with background natural processes.

California Department of Transportation
Monterey Co Periodic Review

LU-13.3 Road access to Highway 1. The term “capacity” should be replaced with “operations”.

LU-13.5 Address domestic employee trip generation. Including this recommendation under LU-13 makes it appear that it may have origins in the CHMP, however, this issue was not identified or addressed therein.

LU-13.6 Public access within the Highway 1 corridor. The Department supports the concept of the California Coastal Trail (CCT), but opposes the specific recommendations suggested for its implementation. We do support and look forward to actively working through the challenges to realize the CCT along the Big Sur Coast, which could serve as a model for other parts of the state. The Department also understands that providing a consistent 4-foot wide paved shoulder as part of other highway improvements (per the route’s Transportation Concept), is one feature that supports the CCT since it would improve conditions for non-motorized travel.

Consideration of any dedicated path or trail physically separated from the highway but within the right-of-way would require examining proposed trail uses and connections; design standards (consistent with state and federal accessibility requirements); funding, construction and maintenance responsibilities.

Please know that the Department is responsible for incorporating appropriate features into regular highway improvements when it is mitigation for a project impact. The Department is willing to consider incorporation of enhancement-type features (i.e., those not considered to be mitigation) into future project designs when all the critical elements, including but not limited to the commitment of funds, are identified during project scoping.

The Department will look to the Coastal Commission and the Coastal Conservancy to initiate and lead the process to resolve these important issues; the Department will be a full partner in considering how the CCT could be accommodated within the highway right-of-way.

LU-13.7 Require contributions to Highway 1 improvements in Big Sur. As with LU-13.5 above, this issue has not been raised in the context of the CHMP. However, the Department supports the recommendation on a countywide basis, including the Big Sur Coast, when applicable. A countywide policy should require that all contributions received for state highway improvements by the approving authority be strictly accounted for on a bi-annual basis to the Department. Specific reporting information should include improvement “account” records supported by the generators’ conditions of approval.

LU-13.8 Regulate parking prohibitions. The Department has the authority to restrict parking in accordance with the California Vehicle Code and its own policy. Restrictions are imposed when necessary to protect the safety and welfare of the

California Department of Transportation
Monterey Co Periodic Review

traveling public. Exercising this authority and responsibility cannot be considered "development" under the Coastal Act. The Department, however, often receives requests from neighboring public and private landowners or managers to restrict parking, usually as a means to control property access. Requests that are not determined by the Department to have an immediate safety and welfare component to the traveling public could be routed to the County to determine the implications for coastal access. Ultimately, the decision on whether or not to restrict parking would be made by the Department consistent with the responsibilities cited above.

LU-13.9 Incidental work in riparian and wetland areas. The Department supports this recommendation in concept. The recommendation should be expanded to include other sensitive areas where work or impacts are similarly incidental. Part B. should include a provision for "practicability" in reference to finding "no feasible less environmentally damaging alternative". "Practicability" accounts for elements of cost and time to determine whether an option can reasonably be considered.

Appendix D: LU-13 Big Sur Coast Highway Management Plan

LU-13.11 Complete the Big Sur CHMP: Since the CHMP is nearing completion, a more appropriate expectation would be for its implementation. Submittal of one or more Public Works Plans may also be expected as described.

LU-13.2 Address pullouts as a follow-up CHMP study: This particular item has not been identified as an action in the CHMP. The development of corridor segment profiles and consideration for optimizing highway operations (in relation to slow-moving vehicles) have been identified (Actions B-3.4 and E-1.1 in the CHMP) and would address some of the elements listed.

Elkhorn Slough Foundation
P.O. Box 267
Moss Landing, Ca 95039
(831)761-1719

March 15, 2004

Ms. Kelly Cuffe, Mr. Rick Hyman
California Coastal Commission
Santa Cruz, Ca 95060

Dear Ms. Cuffe & Mr. Hyman:

I am writing to transmit concerns about the Commission's Review of the Monterey County Local Coastal Plan and the Monterey County General Plan Update.

The Elkhorn Slough Foundation presented to the county, in 2002, detailed natural resource maps in Geographic Information System format for the North Monterey County/Elkhorn Slough watershed. These maps are the most detailed ever developed for the area and have been ground-truthed and tested. The partners who developed these resource maps have invested over \$100,000 in their creation and refinement. The county assisted with aerial imagery and parcel data.

Our concern, relative to the concurrent reviews underway by the Commission, is that these data be incorporated into the plans. The new maps will update the information in the LCP with current conditions.

With respect to the Monterey County General Plan update, these maps were not incorporated into the most recent draft. A much coarser-grain mapping was used in this draft that gives a serious misimpression of the cover of critical habitats and natural areas. We are concerned that project proponents and county staff will be misled about sensitive resources causing an increase in up-front costs of projects replicating information that already exists. It seems to us to be poor planning to overlook key information at the earliest stages of project development.

Please insure that these key data are incorporated into both of these plans as they move forward. A summary of the pertinent information from the natural resource maps is available on-line in the "Elkhorn Slough at the Crossroads" publication at www.elkhornslough.org.

Thank you for your attention to this matter.

Sincere Regards,

Mark Silberstein, Executive Director

RECEIVED

MAR 15 2004

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Th 10a

BRIAN FINEGAN
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SALINAS, CALIFORNIA 93902

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SALINAS TELEPHONE 757-3641
MONTEREY TELEPHONE 375-9652
FACSIMILE 757-9329
E-MAIL brian@bfinegan.com

RECEIVED

MAR 17 2004

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

March 15, 2004

Mr. Rick Hyman
Deputy Chief Planner
Central Coast District
California Coastal Commission
725 Front Street, Suite 300
Santa Cruz, California 95060

Periodic Review – Monterey County General Plan Update

Dear Mr. Hyman:

I represent the Armstrong Family who are the owners of APNs 203-011-003 and 203-011-021 in the North County Coastal Zone in the Marina Area (the "Subject Property").

The Subject Property has been designated as Light Industrial in the current Monterey County North County Area Plan since 1985. It is currently zoned LI (CZ) Light Industrial (Coastal Zone) under Title 20. The LI (CZ) zoning allows as principal uses a variety of light manufacturing uses, mini-warehouse facilities, warehouses, auto repair facilities, contractors' yards, and shops of a light commercial nature. Conditional uses include executive and professional offices, animal hospitals, hotels, motels and restaurants, wholesale distribution and food processing, among other uses.

The January 2004 draft of the Monterey County General Plan Update (GPU3) recommends that the Subject Property be designated as Special Treatment (see NCC Policy LU-12 and Map NCC-1). As drafted, the policy would limit permitted uses to agriculture-related or coastal dependent industries, a significant reduction in uses from that presently allowed. NCC Policy LU-12 places further restrictions on development by providing that new development "...should emphasize protection of the site's vernal ponds and adjacent agricultural lands, and should be designed and landscaped to be aesthetically

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pleasing to travelers on Highway 1." The Armstrong Family do not object to this land use designation or to the provisions of NCC Policy LU-12.

Your staff report for the periodic review of the Monterey County Local Coastal Program contains the following recommendation:

"Issue LU-16: Armstrong Ranch

"LU-16.1 Designate Armstrong Ranch Agricultural and/or Resource Conservation: Redesignate portion of the Armstrong Ranch within the coastal zone (APNs 203-011-003 and 203-011-021), from "Light Industrial" to "Agricultural Conservation" and/or "Resource Conservation- Wetlands and Coastal Strand," and revise zoning designations accordingly, and delete Special Treatment overlays."

The recommendation does not appear to be supported by any analysis. The "Agricultural Conservation" land use designation is proposed for "prime agricultural soils for crop production" (see GPU3, p. 91). Neither the County's Local Coastal Program Resource Maps nor your own Q-12 North County Ag. Lands map (December 29, 2003) designates these properties as prime farmland. In fact, none of the Subject Property is used for or is suitable for crop production. APN 203-011-021 is suitable only for cattle grazing, which is its historic use. APN 203-011-003 is too small for grazing (sandwiched between Del Monte Boulevard and the railroad tracks) and has no water; it is vacant land.

The Subject Property also does not conform to the provisions of the Resource Conservation – Wetlands and Coastal Strand designation. By definition, that designation applies to shorelines and intertidal areas, coastal wetlands, the lower reaches of major riparian corridors, and floodprone areas (see GPU3, p. 91). None of those characteristics describes the Subject Property. The County's Local Coastal Program Resource maps do not designate the Subject Property as Environmentally Sensitive Habitat or as any other protected natural resource area.

The Armstrong Family vigorously oppose the Coastal Commission staff recommendation, and support the County's proposed General Plan designation.

Very truly yours,



Brian Finegan

cc: Jack Armstrong

Rick Hyman

From: Barbara cormeny [bcormeny805@msn.com]
Sent: Monday, March 01, 2004 6:42 PM
To: MCOreview@coastal.ca.gov
Subject: Desalinization Programs

Dear Staff:

It seems two flaws exist in the pricing data for the desalinization procedures.

First, ample supply means prices for all sources will be stabilized. Having surplus supplies of potable water means few if any suppliers can dominate the market at any time. This was true with electricity, and it will be true if there's another drought.

Secondly, Californians tend to disregard the need for more space and areas for housing. Cooperation should be the key between Mexico which has undeveloped land in Baja California and would greatly benefit if it had a ready supply of water. This opening of Baja greatly eases the problems of the Coastal Commission and liberates many staff members from the tasks of allocating time and effort to growth or non-growth policies.

Bill Cormeny 805 547-1540
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