

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863



November 30, 2000

Ms. Wendy Waldron
California Department of Transportation, District 5
50 Higuera Street
San Luis Obispo, CA 93401-5415

Dear Ms. Waldron:

We are writing as a follow-up to past correspondence and Project Development Team meetings concerning traffic issues along Highway One between Salinas Road and Castroville, specifically the expansion of Highway One. We believe that more detailed and comprehensive analysis of alternatives to Highway One expansion is needed before additional effort is put toward the proposed 4-lane expressway project for this corridor. In particular, the Coastal Act and many policies of the North Monterey County LCP place a high priority on the avoidance of impacts to wetlands, agricultural lands, and the rural character of the Moss Landing corridor that would necessarily follow from the proposed highway expansion. It will also follow from this analysis that modification to design features for the proposed interchanges of Highway 1 at Salinas Road and Highway 183 (Merritt Street) in Castroville may be required so that they are not designed to connect to a 4-lane expressway.

CALIFORNIA COASTAL ACT REQUIREMENTS

Although a more detailed analysis of jurisdiction will be needed, we know that portions of the proposed Highway expansion are within the Commission's original coastal development permits jurisdiction. For these areas, the policies of the Coastal Act are the standard of review. Most important, Section 30254 requires that Highway One remain a "scenic two-lane road" in rural areas of the coastal zone. Inasmuch as the Salinas Road to Castroville corridor is a rural area, the proposed expansion of Highway One is inconsistent with this policy. Because of the clear intent of this policy, every effort should be made to analyze alternatives to Highway One expansion that might address the identified traffic problem.

The Coastal Act also has very high standards for the protection of wetland resources and habitats. Coastal Act Section 30240 only allows resource-dependent developments within environmentally sensitive habitats (e.g. habitat restoration). Section 30233 establishes more specific requirements for wetland protection. In particular, only certain types of projects are allowed within wetlands, and only then subject to the highest standards of alternatives analysis and mitigation requirements. Under this section, road developments typically are not an allowed use in wetlands. Any proposed Highway expansion would therefore need to be designed to avoid wetland impacts. Again, given the likely difficulty of meeting this standard with a significant highway widening in the Moss Landing corridor, comprehensive analysis of alternatives to Highway expansion should be pursued.



California Coastal Commission

The proposed Highway One expansion will also impact agricultural lands in Monterey County. Protection of these lands is a high priority of Coastal Act sections 30241, 30241.5, and 30242. Again, every effort should be made to consider transportation management alternatives that would avoid such impacts.

In addition, the proposed expansion would have adverse visual impacts in an otherwise rural setting. The scenic character of the corridor, with open farmlands on both sides of the highway and the Elkhorn Slough in the center, would be significantly degraded by a 4-lane expressway. Section 30251 of the Coastal Act addresses the importance of scenic and visual resources and requires development to be "visually compatible with the character of surrounding areas" and specifically requires that new development be "subordinate" to the surrounding character of the landscape in highly scenic areas.

LCP REQUIREMENTS

Most of the proposed Highway One expansion would occur in the jurisdiction of Monterey County, subject to the policies and standards of the County's certified Local Coastal Program (LCP). As you know, the LCP speaks directly to the proposed expansion in Policy 3.1.2.1, which recommends that Highway One in its existing alignment "should be widened . . . to four lanes of traffic . . . as soon as possible. [emphasis added]" Nonetheless, this policy can not be read as an unqualified mandate for approval of the project.

First, the policy is written as a recommendation, not a requirement, to expand the highway to address increasing traffic volumes and safety issues. This may be because Policy 3.1.2.1 was approved in a context of concern to avoid an even greater detrimental impact to Elkhorn Slough that was pending at the time of LCP development and certification, namely, a proposed new freeway segment through the middle of the Slough as opposed to the recommendation for Highway expansion on the existing alignment. This context of decision making at the time of LCP certification counsels against moving forward with project design issues until a comprehensive analysis of alternatives to Highway One expansion is performed and evaluated.

This is particularly true given the many other policies of the LCP that also must be satisfied by any proposed Highway expansion project. Thus, similar to the Coastal Act, the LCP requires that impacts to wetlands and agricultural lands be avoided where possible. For example, Policy 2.2.1 prohibits "to the fullest extent possible" any development that may adversely impact visual resources in wetlands areas. Policy 2.3.2.1 prohibits all development in wetlands, including grading, filling, and the construction of roads, unless it is a resource dependent use. Policy 2.4.2.2 specifically addresses filling in wetlands and limits this activity to "protection of public beaches, existing significant structures, coastal dependent development, and the public health and safety". Policy 2.4.2.4 goes further and restricts diking, dredging and filling in Elkhorn Slough, Bennett/Struve Slough, and Moro Cojo Slough among others, to maintain or enhance their biological productivity. These wetlands would be directly impacted by the construction of a 4-lane



expressway. Furthermore, Policy 2.6.1 requires the "preservation of prime agricultural soils exclusively for agricultural use" [emphasis added] while Policy 2.6.2.1 requires that prime agricultural lands designated for Agricultural Preservation land use (such as those adjacent to Highway 1 north of Moss Landing) be preserved for agricultural use to the fullest extent possible, and Policy 2.6.3.2 limits development in these lands to accessory buildings and uses required for agricultural activities. The Agriculture Preservation land use category is also addressed by Policy 4.3.1.E that requires this land to be used exclusively for agricultural purposes and does not allow the development of non-agricultural facilities.

In short, given the high resource protection standards of the LCP that must be satisfied, alternatives to the recommended Highway expansion should be fully explored and developed.

Second, Policy 3.1.2.1 itself requires a rigorous analysis of both the project need and alternatives to Highway expansion. Section 3.1.2.1(a) requires a finding that "added lanes are **needed** to alleviate existing inadequate capacity..."[emphasis added]" before the recommended expansion of Highway One could be approved. Given that this policy was conceived over 20 years ago, and that the LCP was certified some 15 years ago, the need for Highway expansion should be fully evaluated in light of current conditions and functioning of the Moss Landing corridor, as well as the various transportation management alternatives that may be available. Section 3.1.2.1(c) calls for the design of road construction not to require wetland fill. The current alignment of Highway One crossing certain sections of Moro Cojo Slough, Bennet Slough, and Struve Pond make it impossible to expand the roadway without wetland fill. There is no doubt that the expansion of Highway One through Moss Landing and in particular Elkhorn Slough, would have extremely significant adverse impacts on coastal resources. Indeed, this type of irreversible damage to coastal resources must receive the highest level of scrutiny. Alternatives to such impacts, including the no project alternative should be evaluated carefully prior to moving forward with project design discussions.

Finally, inasmuch as Policy 3.1.2.1 might be read to conflict with other resource protection policies of the LCP, it should be noted that such conflicts are required to be resolved according to a hierarchy established in Section 20.02.060.D of the Monterey County Implementation Plan. In the event of a conflict or inconsistency between resource protection ordinances and any County land use regulations, the Coastal Act is the ultimate determinative standard. As discussed earlier, the Coastal Act requires that Highway One remain a two-lane road in rural areas. In light of this requirement, it would be prudent to exert every effort on a comprehensive alternatives analysis. Depending on the proposed project's ultimate design and impacts, it may well be the case that the expansion of Highway One from Salinas Road to Castroville cannot be found consistent with the LCP. If no feasible alternatives can be identified, it is likely that a highway expansion along the existing corridor cannot proceed without an amendment to the LCP. Should this be a desired option to follow, Commission staff notes that the LCP in its current language has been certified to be consistent with the policies of the Coastal Act. As explained above, the proposed highway expansion is not consistent with several major policies of the Coastal Act. Therefore, any proposal for an amendment to the LCP to allow the construction of this project will raise significant



questions of consistency with the Coastal Act. Given this, it is again stressed that a comprehensive analysis of alternatives is a crucial next step for your agency to undertake.

CONCLUSION

We acknowledge that there are serious traffic issues along the Moss Landing corridor that must be addressed. There are also serious, essentially irreversible adverse impacts on resources of the coastal zone entailed by an expansion of Highway One. Such expansion also raises significant problems with respect to basic resource protection mandates of the Coastal Act and the LCP. The fact that the North Monterey County LCP has not been updated since certification, and that the policies that are in place reflect a specific set of circumstances no longer relevant, contributes to the difficulty in evaluating the proposed Highway expansion. Finally, as California's population growth continues unabated, as development takes more of the State's rural open spaces, and as the importance of tourism to the State's economy continues to increase, the State and its local partners should make extra efforts to protect and preserve the special aesthetic and spiritual quality of rural coastal landscapes that attract countless visitors to the Golden State.

Accordingly, the best course of action is to rigorously evaluate alternatives to the proposed expansion, so that the Commission, Caltrans, and the public can make the best policy choices under contemporary circumstances for the benefit of current and future generations. In the meanwhile, improvements such as Highway One intersections at Salinas Road and Highway 183, should be planned in such a way that they are not designed to connect to a future 4-lane expressway. If you have any further questions on this subject, please do not hesitate to contact our offices.

Sincerely,



Tami Grove
Deputy Director
Central Coast District

cc: Louis Calcagno, Chair Monterey County Board of Supervisors
Annette Chaplin, Monterey County Land Use Programs Director
David Silberberger, Caltrans
Stefan Galvez, CCC liaison, Caltrans
Dave Potter, Monterey County Supervisor and Coastal Commissioner
Congressman Sam Farr
Senator Bruce McPherson
Assembly Member Fred Keeley

