



September 20, 2018

Craig Spencer, Supervising Planner  
Monterey County Resource Management Agency  
Planning Department  
1441 Schilling Place  
Salinas, California 93901

Subject: Rio Ranch Market Place Draft Environmental Impact Report (DEIR)

Dear Mr. Spencer:

LandWatch Monterey County has reviewed the DEIR for the proposed Rio Ranch Market Place, a commercial retail development on approximately 3.8 acres located at 3705 Rio Road, Carmel Valley. Our comments follow. The retail development would consist of four commercial retail buildings, including a maximum 23,000 square foot convenience market/grocery store and three smaller buildings ranging from approximately 5,000 to 8,335 square feet.

**1. The project objectives are so narrowly defined as to preclude analysis of alternatives that would reduce project impacts. The objectives should be revised to include mixed-use development and the provision of affordable housing. (See comments in item 2 below.)**

The applicant's project objectives are:

- a. To develop a new retail center anchored by a specialty grocery store and complementary commercial uses to provide the local trade area with shopping alternatives in a high-quality shopping environment;
- b. To divert to the project shopping trips from Carmel Village, Carmel Valley, Carmel Highlands and Big Sur Coast currently destined for Monterey and Pacific Grove for shopping at Whole Foods, Trader Joe's and other specialty grocers;
- c. To contribute to the local economy through new capital investment, the creation of new employment opportunities, and the expansion of the County's tax revenues;
- d. To develop full-service retail uses near regional roadway and highway facilities, and near other commercial uses, to minimize travel lengths and utilize existing infrastructure to the maximum extent possible;
- e. To implement the County of Monterey General Plan;

f. Implement a high-quality architectural design that improves the overall aesthetics of the project site and surrounding area.

The project objectives are so narrowly defined as to preclude analysis of alternatives that would reduce project impacts. Specifically:

- Project objective (a) is so narrowly drawn that the rest of the objectives are meaningless because they are obviously not there to inform the choice of alternatives.
- If the other objectives are seriously considered, it is clear that a mixed-use alternative would better meet most of the project's objectives. Objectives (b), (d), and (e) would be better met by a mixed-use project that includes affordable housing.
- Objective (e) would be better met by an alternative that includes housing and mixed use.
- Both objectives (b) and (d) are intended to minimize trips. They would be better met by an alternative with mixed use and housing.
- Objectives f and c can as easily be met by a mixed-use project as they can be met by the proposed project.

Consider the Monterey County General Plan Policy LU-4.5:

A mix of residential and commercial uses shall be encouraged in commercial areas where good site and project design and utilization of the property are demonstrated. Mixed use of sites and buildings is appropriate. [Emphasis added]

This County policy requires the project to encourage and evaluate mixed use as an option.

Moreover, the objectives do not address critical housing needs for low-wage workers who will be needed to support the project. High housing costs on the Monterey Peninsula, the result of very limited affordable housing, mean that workers will likely commute from the Salinas Valley and other distant locations, generating more traffic on already congested roads. On-site affordable housing could significantly reduce transportation, air quality, and greenhouse gas impacts. The objectives should be revised to include a mixed-use alternative.

## **2. A mixed-use alternative would be environmentally superior to the proposed project and the Reduced Project.**

The DEIR evaluates only two alternatives: No Project and Reduced Project. The latter is identified as the environmentally superior alternative with the finding that it would meet project objectives (p. 324). The alternative's analysis does not meet the following CEQA requirements:

§ 21002. APPROVAL OF PROJECTS; FEASIBLE ALTERNATIVE OR MITIGATION MEASURES The Legislature finds and declares that it is the policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects...

15126.6. CONSIDERATION AND DISCUSSION OF ALTERNATIVES TO THE PROPOSED PROJECT. (a) Alternatives to the Proposed Project. An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. ...

(b) Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be costlier.

(c) Selection of a range of reasonable alternatives. The range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects...

A mixed-use alternative would significantly reduce traffic impacts, would meet most of the project objectives, and should be added to the alternatives analysis. The traffic analysis shows a trip rate of 91.77 per shopping center square feet for a gross of 3,883 trips (Appendix G, Exhibit 9). The square footage of the three commercial buildings that are in addition to the market is 18,810 square feet yielding a gross of 1,726 trips. Based on 10 residential units at a trip rate of 9.6 the gross trips would be 96, significantly below trips related to the three commercial buildings. Additionally, a mixed-use alternative would reduce trips generated by the commercial portion of the project as well. A trip reduction of from 9 to 30% is expected from mixed use projects (CAPCOA Quantifying Greenhouse Gas Mitigation Measures, pp. 163-166 available at [http://www.capcoa.org/wp-content/uploads/2010/11CAPCOA-Quantification\\_Report-9-14-Final.pdf](http://www.capcoa.org/wp-content/uploads/2010/11CAPCOA-Quantification_Report-9-14-Final.pdf)) A mixed use alternative would be environmentally superior to the proposed project and the Reduced Project.

**3. The DEIR fails to address project consistency with the 2010 Monterey County General Plan; cumulative impacts; air quality impacts; greenhouse gas emissions; hydrology and water quality; and traffic and circulation.**

*a. Project Consistency with 2010 Monterey County General Plan:* Project consistency is addressed in Table 18 and throughout the document. Table 18 is not a comprehensive listing of applicable General Plan Policies, including General Plan Policy LU 1.19, which mandates preparation of a Development Evaluation System (“DES”) “to provide a systematic, consistent, predictable, and quantitative method for decision-makers to evaluate developments of five or more lots or units and developments of equivalent or greater traffic, water, or wastewater intensity.”. Because the project is outside a Community Area or Rural Center, the project is subject to the Development Evaluation System (DES). While the County has failed to adopt the DES in accordance with the General Plan policy, the DEIR should address relevant DES policies for consistency.

*b. Cumulative Project List:* Table 5 excludes development on vacant parcels. In 2014 county planning staff estimated that there were 413 existing vacant lots in Carmel Valley (Data from the County’s Geographic Information System). The cumulative traffic impact analysis should be revised to include trips from vacant parcels. Development of these parcels is clearly foreseeable.

*c. Air Quality:* Based on Rincon staff calculations provided in Appendix B, the project would result in 8,832 cubic yards (cy) of net exported material and 22,483 cy of net imported material. (DEIR p. 72) The assumptions regarding the number of truck haul trips and trip lengths required to export and import material are not readily apparent in Appendix B. Assuming 14 cy per dump truck, over 10,000 one-way truck trips or 20,000 round-trips would be required to move the material. If haul trips and related trip lengths were excluded, the air quality analysis must be revised.

*d. Greenhouse Gas Emissions:* The DEIR finds (p. 115):

The combined annual emissions associated with the proposed project would total an estimated 4,503.3 MT CO<sub>2</sub>e per year, which would equate to 18.0 MT CO<sub>2</sub>e per year per service population... the most appropriate significance threshold to be applied to the proposed project is SLOAPCD’s efficiency threshold of 4.9 MT CO<sub>2</sub>e per year. Thus, the project would result in annual GHG emissions that would exceed this significance threshold...Therefore, the proposed project would have a significant but mitigable environmental impact due to GHG emissions.

Based on the SLOAPCD’s target efficiency threshold level of 4.9 MT CO<sub>2</sub>e per person and a service population of 250 people, the project would need to reduce its annual emissions down to 1,225 MT CO<sub>2</sub>e to meet the target threshold. As stated above, 89 percent of the project’s GHG emissions, or 4,018.6 MT CO<sub>2</sub>e, would result from vehicle trips generated by the project. ...the following Mitigation Measure would help reduce the project’s GHG emissions impact.

The DEIR’s statement that “reducing vehicle trips and vehicle emissions is largely addressed at the regional level and statewide level...” understates the importance of reducing vehicle emissions at the project level. For example, proposed CEQA

Guidelines for assessing traffic impacts focuses on reducing VMT impacts at the project level. A determination that a project that increases VMT in the project area compared to existing conditions would be the basis to conclude that it has a significant transportation impact.

The DEIR requires preparation of a GHG Reduction Plan prior to permit issuance. The DEIR identifies potential mitigation measures to be included in the plan. Additional mitigation measures identified in the CAPCOA report cited above should also be considered. The DEIR also requires purchase of carbon offsets if the measures are insufficient to reduce impacts. Please identify the availability and cost of carbon offsets.

*e. Hydrology and Water Quality:* The DEIR addresses 2010 General Plan Policies related to hydrology and water quality. However, the following policy is excluded:

Policy PS 2.8 The County shall require that all projects be designed to maintain or increase the site's pre-development absorption of rainfall (minimize runoff), and to recharge groundwater where appropriate. Implementation shall include standards that could regulate impervious surfaces, vary by project type, land use, soils and area characteristics, and provide for water impoundments (retention/detention structures), protecting and planting vegetation, use of permeable paving materials, bioswales, water gardens, and cisterns, and other measures to increase runoff retention, protect water quality, and enhance groundwater recharge.

*f. Traffic and Circulation:* The DEIR fails to address impacts of construction traffic on circulation. As noted above, based on Rincon staff calculations provided in Appendix B, the project would result in 8,832 cubic yards of net exported material and 22,483 cubic yards of net imported material (DEIR p. 72). The DEIR should identify the impact of haul trucks on level of service and the circulation system required to transport the fill.

Thank you for the opportunity to review the DEIR.

Sincerely,



Michael DeLapa  
Executive Director