

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE

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## RECORD PACKET COPY

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 Commission Action:

**STAFF REPORT: APPEAL**  
**SUBSTANTIAL ISSUE DETERMINATION**  
**Caltrans Operational Improvements 7 & 8**

**APPEAL NUMBER:** A-3-MCO-00-010, Caltrans Operational Improvements 7 & 8  
**LOCAL GOVERNMENT:** MONTEREY COUNTY  
**DECISION:** Approved with conditions, January 11, 2000  
**APPLICANT:** Caltrans, District 5; Attn: Gary Ruggerone  
**APPELLANTS:** Citizens for Hatton Canyon, Attn: Christine Gianoscol  
**PROJECT LOCATION:** Vicinity of Highway 1/Ocean Avenue intersection and Mesa Drive/Highway 1 intersection; Carmel Area of Monterey County.  
**PROJECT DESCRIPTION:** Operational Improvement #7 to extend 180-foot long right turn lane southbound Highway 1 to westbound Ocean Avenue; Operational Improvement #8 to extend 1,200-foot long merge lane southbound Highway 1 south of eastbound Ocean Avenue.  
**FILE DOCUMENTS:** Administrative Record for Monterey County Coastal Development Permit PLN 990269; Monterey County Board of Supervisors Resolution # 00-23; Monterey County Certified Local Coastal Program; Carmel Area Land Use Plan

## 1. EXECUTIVE SUMMARY

Staff recommends that the Commission determine that **no substantial issue** exists with respect to the grounds on which the appeal has been filed. Staff has determined that Resolution # 00-23, which includes 12 special conditions established by the Planning Commission, January 11, 2000, conforms to the standards set forth in the Monterey County Certified Local Coastal Program, which includes the Coastal Implementation Plan Part 4 - Regulations for Development in the Carmel Area Land Use Plan.

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The project is located in the southbound right-of-way of California State Highway 1 in the vicinity of the Ocean Avenue/Highway 1 intersection, in an unincorporated portion of Monterey County, just east of the City of Carmel-By-The-Sea. The project area extends from approximately 280 feet (85 meters) north of the Ocean Avenue/Highway 1 intersection to approximately 230 feet (70 meters) south of the Mesa Drive/Highway 1 intersection, within the Carmel Area segment of the Coastal Zone. In this area, the California State Highway 1 narrows from a four-lane undivided highway between Carpenter Street and Ocean Avenue to a two-lane undivided highway between Ocean Avenue and Mesa Drive. The land use designation for the area adjacent to the west side of Highway 1 is single-family residential.

The project includes two operational and drainage improvements: 1) Operational Improvement 7 (Imp. 7) – 100 foot northward extension of the existing 180-foot long right-turn lane from southbound Highway 1 to westbound Ocean Avenue; and 2) Operational Improvement 8 (Imp. 8) – 500 foot southward extension of the existing 1,200-foot long merge lane on southbound Highway 1 south of Ocean Avenue.

An earlier version of this permit included Operational Improvement # 9 – a 200-foot long extension of the eastbound Carpenter Road to southbound Highway 1 lane and removal of 5 Coast Live Oak trees. Caltrans eliminated Operational Improvement #9 from the current permit following an earlier appeal of the project at the Planning Commission level.

Operational Improvements 7 and 8 are two of a total of twelve operational improvements that were developed by Caltrans and the Transportation Agency for Monterey County (TAMC) to provide interim traffic congestion relief along Highway 1 in the Carmel area. These two operational improvements will provide additional storage for southbound vehicles turning west onto Ocean Avenue (Imp. 7) and for vehicles merging from two lanes to one lane south of Ocean Avenue (Imp. 8).

The appellants contend that the project does not comply with the Monterey County Local Coastal Program (LCP) policies regarding public noticing regulations, scenic road provisions, visual resources, forest resource protection, water and marine resources, air quality and community welfare. The full appeal is attached as Exhibit 3.

As discussed in the substantial issue section of this report the approved project has been found to conform to applicable regulations for development in the Carmel Land Use Area, and is therefore consistent with the policies of the Monterey County LCP. The project has been designed and conditioned to minimize impacts to forest resources and to protect the existing scenic and visual resources of Highway 1 through the Carmel area. The additional storage provided by the project will improve traffic flow within the project area and thereby improve air quality. Drainage improvements are designed to protect water and marine resources and road widening will improve safety for residents with driveways adjacent to Highway 1. Staff is recommending, therefore, that the Commission find that no substantial issue is raised by the approved project.

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### **3. LOCAL GOVERNMENT ACTION**

The applicant, Caltrans, originally filed a CDP application (PLN990269) with the Monterey County Planning Commission for a Combined Coastal Development Permit (CDP) and Design Approval for three operational and drainage improvements along Highway 1 in the Carmel area. The earlier combined CDP (PLN990269) included: 1) Operational Improvement 7 - extend a 180-foot long right turn lane southbound Highway 1 to westbound Ocean Avenue; 2) Operational Improvement 8 - extend a 1,200-foot long merge lane on Highway 1 south of Ocean Avenue; and 3) Operational Improvement 9 - extend a 200-foot long eastbound storage lane at Carpenter Road and Highway 1. These improvements are included in a list of 12 traffic congestion relief improvements planned for the Carmel area by Caltrans and the Transportation Agency for Monterey County (TAMC). Operational Improvement 9 involved the removal of five (5) Coast Live Oaks and grading of approximately 115 cubic yards; Operational Improvements 7 and 8 involved grading of approximately 785 cubic yards and require no tree removal. As part of the earlier CDP application, Caltrans prepared a Negative Declaration and a separate Finding of No Significant Impact (FONSI) in September 1997, as well as an updated cumulative impact analysis addendum dated June 1999, which addresses the cumulative impacts of these operational improvements in relation to the other operational improvements listed by TAMC.

The Planning Commission, having denied a similar request PLN980142 on August 12, 1998, denied PLN990269 on September 29, 1999. The Planning Commission's denial was based on findings that 1) Operation Improvements 7, 8, and 9 would not provide a solution to existing traffic congestion and safety, and 2) environmental analysis did not adequately address cumulative impacts of all operational improvements.

Caltrans subsequently appealed the Planning Commission's recent denial of the project to the Monterey County Board of Supervisors on November 1, 1999, and submitted a modified version of CDP PLN990269 that included only Operational Improvements 7 and 8. Caltrans eliminated Operational Improvement 9 in order to address site specific and cumulative environmental impact issues related to tree removal and visual sensitivity at the Carpenter Street site. The Board of Supervisors then conducted a *de novo* hearing on January 11, 2000, to consider the Caltrans appeal and the modified version of PLN990269 for Operational Improvements 7 and 8. The Board of Supervisors subsequently approved the Combined Coastal Development Permit for the project with Resolution # 00-23, subject to 12 special conditions of approval, and adopted the Negative Declaration and cumulative impact section addendum/update. A copy of the Board of Supervisors Resolution # 00-23 is included in Exhibit D.

The Board of Supervisors Resolution # 00-23 was then appealed to the Coastal Commission by the Citizens for Hatton Canyon, with representation by Attorney Christine Gianoscol, February 14, 2000.

### **4. APPEAL PROCEDURES**

The grounds for appeal to the California Coastal Commission under section 30603 of the California Coastal Act are limited to allegations that the development does not conform to the standards set forth in the certified local coastal program or the public access policies of the Coastal Act. Section

30625(b) of the Coastal Act requires the Commission to conduct a *de novo* coastal development permit hearing on an appealed project unless a majority of the Commission finds that "no substantial issue" is raised by such allegations. Under section 30604(b), if the Commission conducts a *de novo* hearing, the Commission must find that the proposed development is in conformity with the certified local coastal program. Section 30603(a)(5) allows for appeals of any development that constitutes a major public works project.

## **5. STAFF RECOMMENDATION ON SUBSTANTIAL ISSUE**

**MOTION:** *I move that the Commission determine that Appeal No A-3-MCO-00-010 raises NO substantial issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act.*

### **STAFF RECOMMENDATION:**

Staff recommends a Yes vote. Passage of this motion will result in a finding of No Substantial Issue and adoption of the following resolution and findings. If the Commission finds No Substantial Issue, the Commission will not hear the application *de novo* and the local action will become final and effective. The motion passes only by an affirmative vote of the majority of the appointed Commissioners present.

### **RESOLUTION TO FIND NON-SUBSTANTIAL ISSUE:**

The Commission hereby finds that Appeal No. *A-3-MCO-00-010* does not present a substantial issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act regarding consistency with the Certified Local Coastal Plan and/or the public access and recreation policies of the Coastal Act.

## **6. RECOMMENDED FINDINGS AND DECLARATIONS**

The Commission finds and declares as follows:

### **6.1 Project Location and Description**

The project is located in the right-of-way of California State Highway 1 in the vicinity of the Ocean Avenue/Highway 1 intersection, in an unincorporated portion of Monterey County, just east of the City of Carmel-By-The-Sea. Ocean Avenue is the main road that leads west from Highway 1 to the City of Carmel. It is also one of four intersections along Highway 1 in the Carmel area that are

controlled by traffic signals along Highway 1, the others being Carpenter Street to the north and Carmel Valley Road and Rio Road to the south (see Exhibits A and B). The project area extends along southbound Highway 1, from approximately 280 feet (85 meters) north of the Ocean Avenue/Highway 1 intersection to approximately 230 feet (70 meters) south of the Mesa Drive/Highway 1 intersection. The project area is located within the Carmel Area segment of the Coastal Zone in Monterey County.

The existing California State Highway 1 is a four-lane undivided highway between Carpenter Street and Ocean Avenue and narrows to a two-lane undivided highway between Ocean Avenue and Mesa Drive. Surrounding land uses adjacent to the project area include the Carmel High School, southeast of the Ocean Avenue/Highway 1 intersection and single family residential units on both the east and west side of Highway 1. A major commercial area is located southeast of the project area between Carmel Valley Road and Rio Road.

The projects subject to this appeal include two operational and drainage improvements: 1) Operational Improvement 7 (Imp. 7) – 100 foot northward extension of the existing 180-foot long right-turn lane from southbound Highway 1 to westbound Ocean Avenue; and 2) Operational Improvement 8 (Imp. 8) – 500 foot southward extension of the existing 1,200-foot long merge lane on southbound Highway 1 south of Ocean Avenue. Each operational improvement will require road widening and re-striping for the lane extensions and includes grading of approximately 785 cubic yards. All work will be performed within the existing State Highway right of way so that no additional right of way will be required for these operational improvements. Roadwork required for each operational improvement is listed in Table 1.

These two operational improvements are intended to improve traffic congestion in the existing highway corridor by providing additional storage for southbound vehicles turning west onto Ocean Avenue (Imp. 7) and for vehicles merging from two lanes to one lane south of Ocean Avenue (Imp. 8). As proposed under Imp. 8, the two Highway 1 southbound lanes will taper into one lane approximately 230 feet (70 meters) south of Mesa Drive. The existing merge lane south of Ocean Avenue currently crosses two driveways that exit directly onto Highway 1. As proposed, the 500-foot extension of the merge lane south of Ocean Avenue will cross up to seven (7) driveways that currently exit directly onto Highway 1. The existing driveways are generally narrow, and cross over a roadside ditch that parallels the Highway. The project proposes to put the roadside drainage into one continuous culvert, grade and fill the ditch, and widen the existing narrow driveways to standard widths to better enable ingress/egress and traffic safety for the residents at these locations.

Currently, Highway 1 is constrained south of Mesa Drive by existing embankments on either side of the road, and rock outcroppings along the west side of the road. Because of physical constraints of the site, the project has been designed to maximize storage lengths while minimizing impacts to existing vegetation and driveways along the west side of the highway.

Within the project area, existing traffic lanes vary from 12 to 16 feet (3.6 to 4.8 meters), and the typical shoulder width in the area is 4 feet (1.2 meters). Typical plan sheets for the project (Exhibit C) indicate that existing lane widths at both locations are currently 12 feet (3.6 meters) wide with a typical shoulder width of 4 feet (1.2 meters). The project will not increase the existing lane widths, but will continue to provide 4-foot wide shoulders, which also serve as bike lanes at both locations. Standard lane and shoulder widths are 12 feet and 8 feet, respectively. According to Caltrans Initial Study, the project was granted a design exception in 1995 to maintain the existing 12-foot lane

width and 4-foot (1.2 meter) shoulder width in areas where such conditions currently existed in lieu of the standard 8-foot (2.4 meter) shoulder width. This design exception was granted in order to minimize impacts to existing vegetation and driveways along the west side of Highway 1.

**Table 1. Roadwork proposed for Operational Improvements 7 and 8.**

Roadwork Proposed	Operational Improvement 7	Operational Improvement 8
Description	Extend the existing right turn pocket from southbound Highway 1 onto westbound Ocean Avenue	Extend the two-lane southbound section of Highway 1, south of Ocean Avenue and taper back to one lane just north of Mesa Drive
Extension Length	100 feet	500 feet
Area of Widening	0.02 acres	0.32 acres
Area of Asphalt Concrete Overlay	None	1.45 acres
Earthwork	Excavation – 60 cubic yards Embankment – 1.3 cubic yards	Excavation – 955 cubic yards Embankment – 350 cubic yards
Drainage Pipe	None	935 feet
Asphalt Concrete Dike	110 feet	315 feet
Tree Removal	None	None

## 6.2 Project Background

As provided for in the Monterey County Congestion Management Plan (CMP), the purpose of the State Highway 1 operational improvements is to provide incremental improvements for traffic congestion relief and public safety. Earlier efforts for reducing traffic congestion in the Carmel Area included a possible alternative alignment for Highway 1 through Hatton Canyon. However, the Hatton Canyon Freeway has been removed as a possible alternative route and so is no longer a viable long-term solution to the congestion and safety problems associated with Highway 1 in the Carmel area.<sup>1</sup> Caltrans notes that the next opportunity to program long-term congestion relief projects on Highway 1 will be in the 2002 State Transportation Improvement Program (STIP).

<sup>1</sup> (In April 1999, the Transportation Agency of Monterey County (TAMC) redirected funds previously allocated to the Hatton Canyon Highway Improvement Project to the Highway 101-Prunedale Bypass Project. Without funding from TAMC, the Hatton Canyon Highway Improvement Project is unlikely to be developed by Caltrans).



Caltrans representatives have stated that the proposed operational improvements are not intended to completely solve the traffic congestion and safety issues, but rather to provide incremental improvements to these problems while a long-term solution is developed and implemented.

The operational improvements at issue in this appeal are two of a total of twelve operational improvements that were developed by Caltrans and the Transportation Agency for Monterey County (TAMC) to provide interim traffic congestion relief along Highway 1 in the Carmel area. The 12 operational improvements identified by Caltrans and TAMC are listed in Exhibit G. According to Caltrans, seven of the 12 improvements are minor improvements designed to provide additional storage at existing turn lanes and merge lanes at the four signalled Highway 1 intersections in the Carmel area (Carpenter Street, Ocean Avenue, Carmel Valley Road and Rio Road). Three of the operational improvement projects include additional through lanes on northbound Highway 1 and one operational improvement involved the replacement of the Carmel River Bridge. The remaining operational improvement involved locating a park and ride lot near Rio Road.

Three of the twelve operational improvements have already been approved: Operational Improvement #1 – Carmel River Bridge replacement, completed in 1995; Operational Improvement #3 – dual left turn channelization at the Carmel Valley Road, approved by Monterey County Planning Commission in April 1996 and completed in November 1996; and most recently, Operational Improvement #5 – dual right turn lane at Carmel Valley Road, approved by the Board of Supervisors in February, 2000. Additionally, two of the operational improvements (Imp 2 and 6) have been removed due to required impacts to on-street parking.

As described above (in Section 3), an earlier version of the currently proposed project included Operational Improvement 9 - an extension of a 200-foot long storage lane of eastbound Carpenter Street at the Highway 1 intersection (Operational Improvement 9). However, Caltrans has since eliminated Operational Improvement 9 due to required tree removal impacts. (As described above, Operational Improvement 9 included the removal of 5 Coast Live Oaks and 115 cubic yards of grading.)

In hearing the earlier version of this project, the Monterey County Planning Commission previously ruled that the twelve operational improvements should be considered a single "project". However, Caltrans contends that since each operational improvement does not require completion of the other to be viable, and that what has been referred to by the appellants as the "Operational Improvement Project" is actually made up of twelve separate and independent operational improvement projects, each with separate and independent utility. Caltrans notes that these operational improvement projects are "stand alone" projects, each with logical termini and independent utility, and none of the projects listed require the completion of any other improvement to provide the intended transportation benefit.

With regard to this appeal, the project approved by the Board of Supervisors January 25, 2000 includes Operational Improvements 7 and 8 only. Caltrans contends that with the elimination of Operational Improvement 9 at this time, there are no cumulative environmental impacts, except for insignificant noise impacts (see Substantial Issue Analysis below).

## **6.3 Substantial Issue Analysis – Consistency with Local Coastal Program**

### **6.3.1 APPELLANT'S BASIS FOR APPEAL**

The appellants contend that the project is inconsistent with LCP policies related to noticing of public hearings, comprehensive review, scenic roads, visual resources, environmentally sensitive habitats and forest resources, water and marine resources, flood hazards, air quality, and general community welfare. The full appeal is attached as Exhibit F. Caltrans response to these contentions is included in Exhibit G. The following sections provide an analysis of the projects conformance with policies of the Monterey County Local Coastal Program and regulations for development in the Carmel Area of the Coastal Zone.

### **6.3.2 IMPROPER NOTICING OF COUNTY ACTION**

#### **6.3.2.1 Appellant's Contention**

The appellant contends that improper notice was given to area residents regarding Monterey County hearings on the application and state that the list provided by Caltrans for such purposes was incomplete because it showed no cities or towns. The appellants refer to a known case where one person who resides outside of the local area did not receive notice. The applicants contend that the matter should be remanded back to the Monterey County Board of Supervisors for rehearing upon proper notice.

#### **6.3.2.2 Relevant LCP Policy**

Chapter 20.84 of the Coastal Implementation Plan contains LCP policies for public hearings. Section 20.84.060 in this chapter makes it clear that the applicant is responsible for providing a complete list of all names, addresses, and assessor's parcel numbers for all property owners and residents within 300 feet of the property as part of a CDP application. Other relevant public noticing policies include the following:

*CIP Section 20.84.030. Any action to approve or deny any application for a discretionary permit by an Appropriate Authority, including the Board of Supervisors, shall require that a public hearing be held and notice given ...*

*CIP Section 20.84.040 A.1. Notice of the public hearing shall be mailed or delivered at least 10 days prior to the public hearing to the owner of the subject real property or the owner's duly authorized agent, and to the project applicant.*

*CIP Section 20.84.040. A.3. Notice of public hearing shall be mailed or delivered at least 10 days prior to the public hearing to all owners and legal residents of real property as shown on the latest equalized assessment roll within 300 feet of the real property that is the subject of the public hearing, and all persons who have requested, in writing, notices relating to coastal permits, the Coastal Commission, and interested public agencies...*

*CIP Section 20.84.040. A.5. In-lieu of utilizing the assessment roll, the County may utilize*

*records of the County Assessor or County Tax Collector which contain more recent information than the assessment roll.*

*CIP Section 20.84.040. B. the failure of any person or entity to receive notice given pursuant to this Title shall not constitute grounds for any court to invalidate the action on any permit pursuant to this Title for which notice was given (GC 65093).*

CIP Section 20.86.060 also requires that notice of public hearings on appeals must also be provided according to the policies in Chapter 20.84 above.

### **6.3.2.3 County Actions**

The Board of Supervisors Resolution # 00-23 notes that the current project was first heard by the Planning Commission at a public hearing on September 29, 1999. Caltrans filed a timely appeal of the Planning Commission's denial to the Board of Supervisors on November 1, 1999. The appeal was heard and approved by the board of Supervisors at a public hearing on January 11, 2000.

### **6.3.2.4 Analysis**

The public notification list completed for the project was compiled based on current assessor parcel maps, as allowed for by the LCP, and included complete addresses for all property owners and occupants. In their response to the current appeal, Caltrans states that they provided the County with stamped and addressed envelopes for each property owner and occupant where applicable. Caltrans also states that stamped and addressed envelopes were provided for both addresses for those residents that were found to have different mailing and property addresses. The resident specifically referred by the appellant was included on the notification list and a stamped addressed envelope with the resident's Fresno address was provided to Monterey County for noticing.

Additionally, the project has been under consideration by Monterey County since 1998, has been heard by twice by the Carmel Area advisory Committee, twice before the Planing Commission and once before the Board of Supervisors. These public hearings have provided the public numerous opportunities to review and comment on the proposed project.

### **6.3.2.5 Conclusions**

Commission finds that no substantial issue exists with regard to public notification. Caltrans did provide the County with a list of property owners and occupants collected from the assessors parcel maps, as allowed by the LCP, and did provide the County with the materials required for proper public notice. As such, the public notification of the project was conducted in conformance with LCP policies.

## **6.3.3 NEED FOR COMPREHENSIVE REVIEW**

### **6.3.3.1 Appellant's Contention**

The appellants contend that these improvements must be evaluated in the context of the entire Operational Improvements Project, which includes a group of 12 operational improvements. The appellants contend that the operational improvements included in this permit are "...part of a larger

single "project," ...which as a whole has numerous potentially significant impacts on coastal resources." The appellants contend that as a whole, the group of operational improvement projects has not been subject to full environmental review as required by CEQA nor full evaluation under the Coastal Act. The appellants further contend that together, these 12 Operational Improvements would result in a near-continuous widening of Highway 1 from the Carmel Valley Road intersection north to the Highway 68 interchange.

### **6.3.3.2 Relevant LCP Policy**

The Monterey County LCP has no directly relevant CEQA policy. However, Section 13096 of the California Code of Regulations requires that a specific finding be made that Coastal Development Permit applications are consistent with the California Environmental Act (CEQA).

### **6.3.3.3 County Actions**

Finding # 3 of the earlier decision of the Planning Commission (pg 2 of Resolution #99054) found that these operational improvements were part of a single project that includes a total package of 12 operational improvements proposed by Caltrans along the existing alignment of State Highway 1 in the Carmel area. However, Finding # 3 of the Board of Supervisors overruling decision (pg 4 of Resolution 00-23) found that the localization of potential adverse impacts, existing conditions and the amount of time between implementation of the operational improvements would prohibit a reasonable assessment and evaluation of the 12 proposed operational improvements as one project. The staff report prepared for the Board's hearing also noted that following review of the appeal arguments presented by Caltrans, County staff concurred with Caltrans' contentions that:

*...each improvement which is part of the total project (12 improvements) are separate and independent, and do not require completion of the other operational improvements to be viable. Therefore, environmental analysis of only Improvements 7 and 8 is appropriate.*

Finding #2 of the Board of Supervisor's overruling decision (pg 3 of Resolution 00-23) found that the Negative Declaration/FONSI statement, prepared in September 1997 and cumulative impact section addendum prepared in June 1999, is in accordance with the California Environmental Quality Act and the National Environment Protection Act. The Board of Supervisor's found that the Negative Declaration and impact section addendum adequately addresses the project, and, with the proposed mitigations, reduces all impacts to a less than significant level.

Finding # 3 (pg 4 of Resolution 00-23) found that Caltrans assessed cumulative impacts of the project and determined that Operational Improvements 7 and 8 would not have a significant impact on the environment. The finding notes:

*...Caltrans determined that impacts associated with [operational improvements 7 and 8] are localized at existing intersections and will be minimal. Caltrans does not predict that these improvements will create significant cumulative adverse impacts when considered with the other nine operational improvements...*

With regard to the other operational improvements, Finding # 3 goes on to note that:

*...Four of the twelve Operational Improvements do have cumulative visual impacts*

*considered to be significant. These impacts will be addressed in an EIR/s and do not include Operational Improvements 7 [or] 8. Minor short-term impacts on noise and traffic are expected for Operational Improvements 7 [and] 8. However, the cumulative construction impact associated with the two-month construction period will not be a significant cumulative construction impact.*

#### **6.3.3.4 Analysis**

As described previously, the group of 12 Operational Improvements was developed by Caltrans and TAMC as potential interim improvements along the existing Highway 1 alignment near Carmel. Each of the 12 operational improvements proposed for Highway 1 in the Carmel area are intended to provide localized congestion relief and are not dependent on any other improvement for their construction or viability.

Three of the twelve operational improvements have already been approved to date and two have been completed, including Operational Improvement 1 - Carmel River Bridge replacement, completed in June 1995, and Operational Improvement 3 - the dual left turn at Carmel Valley Road, completed in November 1996; Operational Improvement 5 - the dual right turn lane at Carmel Valley Road was approved in February 2000.

Operational Improvements 7 and 8 will have no environmental impacts except for short term noise and traffic impacts (which are discussed in Section 6.3.9 below). The two improvements proposed under this project are designed to provide congestion relief at specific locations along Highway 1 and are not dependent on the implementation of any other improvements to be viable.

The approval of operational improvements 7 and 8 will not prejudice any future action that may be taken on the other operational improvement projects. Additionally, the other operational improvements will have separate CEQA review and so will be evaluated independently of these improvements. As no significant impacts are expected for operational improvements 7 and 8 other than minor short-term noise and traffic impacts, this project will not add to any cumulative impacts associated with the other operational improvements.

#### **6.3.3.5 Conclusions**

Commission finds that no substantial issue exists with regard to the need for comprehensive review of all twelve operational improvements prior to authorization of the coastal development permit for operational improvements 7 and 8. Operational improvements 7 and 8 are stand alone projects that do not require the implementation of any other components for their viability, will not have any long term or cumulative impacts and will not prejudice any future actions with regard to any of the other operational improvements planned for Highway 1 in the Carmel area.

### **6.3.4 SCENIC ROAD PROVISIONS**

#### **6.3.4.1 Appellant's Contention**

The appellants contend that the project is inconsistent with the scenic road and highway provisions of the LCP. The appellants refer to specific LCP policies, which include Monterey County CIP Section 20.146.100 and Carmel Area LUP Sections 2.2.5 and 3.1. The appellants make the

following contentions with regard to scenic road provisions:

- 1) The project will "...facilitate the expanded use of Highway 1 as a major thoroughfare for non-coastal priority uses and degrade the quality and enjoyment of the scenic driving experience."
- 2) Reports prepared for the project by Caltrans "...fail to contain adequate assessments of the estimated amounts and types of traffic to be generated, assessments of impacts to service level and safety, provision of adequate mitigation or cost information."
- 3) "Further action on any component of the Operational Improvements Project should be suspended until a comprehensive management plan for the Scenic Corridor has been developed and implemented..." in accordance with Carmel LUP Section 2.2.5, which calls for the County and State Department of Parks and Recreation to develop such a plan.
- 4) Operational Improvement 8 "...will interfere with this segment of Highway 1 as a bike route," by reducing the width of the shoulder.

#### **6.3.4.2 Relevant LCP Policy**

Relevant LCP policies for Scenic Road and Highway provisions include the following:

*CIP Section 20.146.100. Transportation Development Standards....It is the intent of this section for Monterey County to take a strong and active role in guiding future use and development of Highway 1 and all categories of land use related to and dependent on the highway and to see that State Route One south of the Carmel River remains a two-lane highway.*

*A.1. To conform to the Coastal Act, most remaining highway capacity shall be reserved for coastal priority uses: recreation and visitor-serving facilities, agriculture, and coastal-dependent industry....(Ref. Policy 3.1.3.1)*

*A.2. All highway improvements shall be consistent with the retention of Highway 1 as a scenic two-lane road south of the Carmel River. Bike lanes and left turn lanes are permitted. Such improvements are to be consistent with the State Scenic Highways Standards. (Ref. Policy 3.1.3.5)*

*A.3. The number of private roads and recreational access road entrances off of Highway 1 shall be limited wherever possible for traffic safety and management purposes. (Ref Policy 3.1.3.6)*

LUP Section 2.2.5 lists recommended actions designed to protect visual resources in the Carmel area. The reference made by the appellant's contention relates to the following policy:

*Section 2.2.5.1. A management plan for the Scenic Road corridor should be prepared by the County and the State Department of Parks and Recreation in cooperation with the City of Carmel and Carmel Point Community....*

LUP Section 3.1.1 provides an overview of the Public transportation system in the Carmel area and, among other things, notes the following:

*The limited capacity of Highway 1 to accommodate local and recreation traffic at a level that affords reasonable service and emergency use as well as an enjoyable scenic recreational experience is a major concern. Traffic volumes along sections of Highway 1 are at or approaching capacity during peak use periods, and future demand is expected to exceed the capacity of Highway 1. The ultimate capacity will be a major constraint on the long-range development of the Carmel area south of the Carmel River. Highway capacity north of the [Carmel] river may be increased through improvements or alternate alignments such as the proposed Hatton Canyon Freeway."*

#### **6.3.4.3 County Actions**

Finding #1 (pg 3 of Resolution 00-23) states that the proposed operational improvements 7 and 8 will not result in negative impact on the surrounding forest resources or degrade the scenic road corridor of State Highway 1. Condition #9 (pg 8) requires special measures be taken to protect existing trees located close to construction (Exhibit D).

#### **6.3.4.4 Analysis**

Highway 1 is designated as the State's first Scenic Highway and is the main north-south access route in the Carmel area. It traverses the length of the Carmel segment of the Monterey County Coastal Zone and connects the Monterey Peninsula with the Big Sur area and points south. According to the Initial Study, the existing scenic corridor between Carpenter Road and Rio Road is lined with dense, mature Monterey pines, Coast live oaks and Monterey cypress that creates the feeling of driving through a forested area. The project will not change or diminish the scenic resources along the corridor as no trees are proposed for removal in the area of Operational Improvement 7 or 8.

According to the Carmel Area LUP, use of Highway 1 south of the Carmel River is predominantly recreational. However, where Highway 1 traverses between Carpenter Road and Rio Road in the vicinity of Carmel, local residential and visitor use have a major impact on traffic congestion. Operational improvements 7 and 8 are designed to improve traffic flow through the Ocean Avenue/Highway 1 intersection during peak hours, and thereby improve traffic conditions for all coastal dependant uses, which include recreation and visitor-serving, agriculture, and coastal-dependent industry.

While the Carmel Area LUP, certified in 1983, refers to the Hatton Canyon Freeway as a potential alternative transportation route around the Carmel Area, the Transportation Agency for Monterey has since redirected funding for this route as a bypass for Highway 1 traffic around the Carmel area.

According to the Initial Study prepared by Caltrans in September 1997, traffic demand exceeds capacity and results in significant traffic congestion during peak periods and weekends. Due to the continued increase in traffic demand, the peak traffic period extends up to 14 hours per day. Traffic capacity problems escalate on weekends and during summer months when recreational and scenic driving use increases. During summer months, when tourism is at its peak, the ADT can be increased by 20%. Caltrans assessment of traffic demand was based on Average Daily Traffic (ADT) volumes measured in the Carmel Area along Highway 1 in 1996 and year 2000 traffic forecasts for Highway 1 were made based on data provided by the Transportation Agency for Monterey County. Average Daily Traffic (ADT) volume on Highway 1, between Carpenter Road

and Ocean Avenue was 54,000 vehicles per day. Between Ocean Avenue and Carmel Valley Road, ADT volumes were measured at nearly 50,000, and north of the Highway 1/Highway 68 interchange, ADT volumes were measured at nearly 58,000 vehicles per day. Traffic forecasts included in the 1997 Initial Study for Highway 1 without the Hatton Canyon Freeway expected an increase of approximately 1 to 2 percent by the year 2000. Furthermore, the County's September 8, 1999 staff report notes that excess demand, limited road capacity, lack of alternative routes and local traffic signals contribute to the corridor's functional inadequacy. According to traffic safety information from the Initial Study, the accident rate in the two-lane segment of Highway 1 is also more than twice the accident rate of the four-lane section of Highway 1.

The project itself will not generate additional traffic to Highway 1. The operational improvements are intended to reduce traffic congestion along Highway 1 in the Carmel area. These improvements are consistent with retaining Highway 1 as a scenic two-lane road south of the Carmel River.

Operational Improvements 7 and 8 are not intended to provide significant increased capacity, but are intended to benefit the travelling public by providing minor improvements at specific Highway 1 intersections. As designed, Operational Improvement 7 will lengthen the existing southbound right hand turn lane onto westbound Ocean Avenue, thereby separating traffic turning on Ocean Avenue from the two-lane through traffic on Highway 1. Operational Improvement 8 will extend the length of the southbound merge lane south of Ocean Avenue, thereby reducing the frequency of peak period traffic back-ups in into the Ocean Avenue intersection. Operational Improvement 8 will also improve drainage and safety south of Ocean Avenue by removing the existing roadside ditch, widening driveway entrances for improved driveway access, and by improving the shoulder along the merge lane which will facilitate right-turns from southbound Highway 1 to westbound Mesa Drive, as well as right-turns from eastbound Mesa Drive to southbound Highway 1.

As described above, the project will not remove any forest resources along the Highway 1 corridor, therefore the project does not require that a Scenic Corridor Plan be developed prior to implementation of Operational Improvements 7 and 8.

As proposed, the width of the shoulders along southbound Highway 1 will be 4 feet (1.2 meters), which is equivalent to with what currently exists, and will therefore not interfere with the current use of this segment of Highway 1 as a bike route. The wider reach of paving and re-striping involved in the extension of the Operational Improvements 7 and 8 will actually increase bicycle safety in the project area by removing the hazard created by the existing roadside ditch and by better defining vehicle and bicycle travel lanes.

The Initial Study for the project does include information on project costs and mitigation measures for short-term noise and construction impacts, water quality protection and forest resources protection.

#### **6.3.4.5 Conclusions**

Commission finds that no substantial issue exists with regard to scenic road provisions. As conditioned, the project approved by the County conforms with LCP policies and will have no impact on scenic road corridor along Highway 1 in the Carmel area.



## 6.3.5 VISUAL RESOURCES PROVISIONS

### 6.3.5.1 Appellant's Contention

The appellants contend the project is inconsistent with LCP provisions for preservation of visual resources. The appellants refer to specific LCP policies, which include Monterey County CIP Section 20.146.120 and Carmel Area LUP Section 2.2. The appellants make the following contentions with regard to visual resources provisions:

- 1) There is no evidence that the County has complied with on-site investigation requirements and restrictions for development within the viewshed.
- 2) The project may adversely affect the existing forested corridor along Highway 1.
- 3) The project "...would conflict with [visual resource] provisions by damaging existing scenic trees, removing hundreds of trees, including Monterey Pines, and other vegetation and [by] introducing structures and other features (such as retaining walls and sound walls) that are incompatible with the scenic corridor."
- 4) The project "...will diminish the overall scenic value of the corridor."

### 6.3.5.2 Relevant LCP Policy

Visual resource policies provided in the Carmel Area LUP are intended to safeguard the coast's scenic beauty and natural appearance within the public viewshed of the Carmel area. Within the Carmel area, the term "viewshed" or "public viewshed" refers to the composite area visible from major public use areas as shown in Exhibit H. Relevant visual resource policies include the following:

*LUP Section 2.2.2. Key Policy. To protect the scenic resources of the Carmel area perpetuity, all future development within the viewshed must harmonize and be clearly subordinate to the natural scenic character of the area. All categories of public and private land use and development including all structures, the construction of public and private roads, utilities, and, lighting must conform to the basic viewshed policy of minimum visibility except where otherwise stated in the plan.*

*LUP Section 2.2.3.1. The design and siting of structures, whether residential, commercial, agricultural, or public, and the access roads thereto, shall not detract from the natural beauty of the scenic shoreline and the undeveloped ridgelines and slopes in the public viewshed.*

*LUP Section 2.2.3.7. Structures shall be located and designed to minimize tree removal and grading for the building site and access road. Where earth movement would result in extensive slope disturbance or scarring visible from public viewing points and corridors, such activity will not be allowed. Extensive landform alteration shall not be permitted.*

*LUP Section 2.2.4.3. Residential, recreational and visitor-serving, and agricultural access shall be provided by existing roads and trails, where possible, to minimize further scarring of the landscape, particularly of the visible slopes.*

*LUP Section 2.2.4.6. The existing forested corridor along Highway 1 shall be maintained as a scenic resource and natural screen for existing and new development. New development along Highway 1 shall be sufficiently set back to preserve the forested corridor effect and minimize visual impact.*

*LUP Section 2.2.4.10.e. Existing trees and other native vegetation should be retained to the maximum extent possible both during the construction process and after the development is completed. Landscape screening may be used wherever a moderate extension of native forested and chaparral areas is appropriate. All new landscaping must be compatible with the scenic character of the area and should retain existing shoreline and ocean views.*

*CIP Section 20.146.120. ... The Carmel River shall be considered the dividing line between the urban and rural areas of the Monterey Peninsula. The river shall provide the natural boundary between urban and higher intensity uses to the north and rural, lower intensity uses to the south....*

*CIP Section 20.146.120.3. Only land uses of a character, scale, or level consistent with the goal of preserving the coast's natural beauty and tranquillity will be permitted in the Carmel area. Types of uses considered inappropriate to the Carmel area and in conflict with the protection of the rural character and scenic and natural resources of the area are intensive recreational uses such as golf, cinemas, mechanized recreation other than non-motorized bicycling and scenic driving...*

### **6.3.5.3 County Actions**

Finding #1, (pg 3 of Resolution 00-23) notes that on-site inspections were conducted by the County planner on June 22, 1999 to evaluate the project's conformance with LCP policies within the Carmel Area of the Coastal Zone. The County determined that with the removal of Operational Improvement #9 (which required removal of 5 Coast live oak trees), the proposed development "... as conditioned is consistent with the plans, policies, standards and requirements of the Monterey County LCP." Additionally, Condition # 9 provides protection for existing trees during construction.

Design Approval was granted for Operational Improvements 7 and 8 by the Carmel Unincorporated Land Use Advisory Committee on July 6, 1999 with a vote of 5 approval, no denial, one abstention.

### **6.3.5.4 Analysis**

Operational Improvements 7 and 8 do not involve the removal of any existing trees or impacts to any forest resources, and therefore will not adversely impact the existing forested corridor along Highway 1, will not cause the removal of hundreds of trees, and will not diminish the overall scenic nature of the corridor within the project area. No sound walls are proposed for this project as Caltrans determined that sound walls would have a negative visual impact along the scenic corridor of Highway 1 in this area and would not be cost effective for the small noise reduction they would provide.

According to Section 20.146.120.3, bicycling and scenic driving are both considered appropriate land use activities consistent with the character, scale and level of use for the goal of preserving the natural beauty and tranquility of the Carmel area. As proposed, the project will continue to provide a four-foot wide paved shoulder and striping along the southbound lanes within the project area. The filling and grading of the roadside drainage ditch proposed in Operational Improvement 8 will also improve safety for southbound cyclists by removing the hazard the ditch creates along the right side of the road. The project has been designed to minimize impacts to the visual resources along Highway 1 in the Carmel area. All work for the project will be conducted within the existing State Highway right of way.

#### **6.3.5.5 Conclusions**

Commission finds that no substantial issue exists with regard to visual resources. The project as proposed and conditioned by the County will not change or diminish the visual resources of the Carmel area along the Highway 1 corridor, and so is in conformance with visual resource policies of the Monterey County LCP.

### **6.3.6 DEVELOPMENT IN ENVIRONMENTALLY SENSITIVE HABITAT AREAS**

#### **6.3.6.1 Appellant's Contention**

The appellants contend the project "...would result in the removal of hundreds of trees, including Monterey Pines" and so is inconsistent with LCP provisions for protection of environmentally sensitive habitat, including policies regarding cutting of trees, preservation of Monterey pine and other habitats.

#### **6.3.6.2 Relevant LCP Policy**

The key policy for environmentally sensitive habitats (described in LUP section 2.3.3), lists Monterey cypress and pine forests as sensitive plant communities. Forest resource management policies provided in the Carmel Area LUP are intended to protect and maintain Carmel's forest resources for recreation and aesthetic enjoyment, and for educational, scientific, watershed and habitat protection. In addition to the scenic and visual policies stated above, other relevant development standards for forest resources include the following:

*CIP Section 20.146.060 D.2. Removal of any trees which would result in the exposure of structures in the critical viewshed shall not be permitted ...*

#### **6.3.6.3 County Actions**

Finding # 1 (pg 2 of Resolution # 00-23) indicates that Operational Improvement 9, which included removal of 5 Coast live oak trees, was eliminated through the earlier Board of Supervisors appeal process. Therefore, the current project configuration, which includes Operational Improvements 7 and 8 only, is no longer associated with any tree removal.

Condition # 9 of Resolution 00-23 (pg 8) requires that the applicant protect native trees located close to the construction sites by wrapping trunks with protective materials and avoiding placement of fill of any type against the base of the trunks or above the tree's feeding zone or "dripline."

Condition #10 also requires additional mitigation measures to ensure that erosion and sedimentation from construction activities are prevented from occurring and from entering the stormwater discharge (see also section 6.3.7 below).

#### **6.3.6.4 Analysis**

The Carmel Area LUP has mapped the environmentally sensitive habitat areas within this segment of the Coastal Zone. According to the Carmel Area LUP, no environmentally sensitive areas are mapped within the project area (see Exhibit I). Based on the biotic survey conducted by Caltrans staff on March 7, 1996, vegetation in the project areas consists of ruderal grasses (wild oats) and herbaceous plants (*Genista* sp) along the roadside shoulders of southbound Highway 1. No special status animal or plant species were found at the project sites.

With the elimination of Operational Improvement #9 from the current CDP application, the current project does not require the removal of any existing Monterey pine tree and neither Operational Improvement 7 or 8 requires removal of any existing trees or shrubs. According to the cumulative impact section addendum, only minor trimming of existing vegetation may be required to facilitate construction activities.

#### **6.3.6.5 Conclusions**

Commission finds that no substantial issue exists with regard to environmentally sensitive habitat or forest resources. The project as proposed does not require the removal of any trees or impact on any other forest resources. As conditioned to provide additional protection of forest resources adjacent to the project, to prevent construction-related erosion or sedimentation impacts, the project conforms to policies of the Monterey County LCP intended to protect environmentally sensitive habitat and forest resources.

### **6.3.7 WATER AND MARINE RESOURCES AND FLOOD HAZARDS**

#### **6.3.7.1 Appellant's Contention**

The appellants contend that the project will increase runoff due to the paving required by the operational improvements, and that the project therefore has the potential to significantly impact water quality and flooding in the area due to the increased runoff from these areas.

#### **6.3.7.2 Relevant LCP Policy**

Section 2.4 of the Carmel Area LUP includes policies regarding water and marine resources. Section 2.7 includes policies regarding flood hazards. Relevant policies include the following:

*LUP Section 2.4.3.1. The effects of all new development proposals or intensification of land use activities or water uses on the natural character and values of the Carmel coast's streams will be specifically considered in all land use decisions...*

*LUP Section 2.4.3.2. New development including access roads shall be sited, designed and constructed to minimize runoff, erosion, and resulting sedimentation.*

*LUP Section 2.4.3.3. Point and non-point sources of pollution of... Carmel Bay [Areas of Special Biological Significance] ASBS's, coastal streams and the Carmel River Lagoon and Marsh shall be controlled and minimized.*

*LUP Section 2.4.4.C.1. All grading requiring a County permit which would occur on slopes steeper than 15 percent shall be restricted to the dry season of the year.*

*LUP Section 2.4.4.C.3. Sediment basins ...shall be installed in conjunction with the initial grading operations and maintained through the development process to remove sediment and run-off waters. All sediment should be retained onsite.*

*LUP Section 2.4.4.C.5. Provisions shall be made to conduct, surface water to storm drains or suitable watercourses to prevent erosion. Onsite drainage devices shall be designed to accommodate increased run-off resulting from site modification. Where appropriate, on-site retention of stormwater should be required.*

*LUP Section 2.7.3.1. All development shall be sited and designed to minimize risk form geologic, flood, or fire hazards.*

### **6.3.7.3 County Actions**

Condition # 10 of Resolution 00-23 (pg 8) requires that the applicant incorporate mitigation measures designed to prevent erosion and sedimentation from entering storm water discharge.

### **6.3.7.4 Analysis**

The Carmel River is approximately 1.6 miles from the project site. Neither of the project sites are close to an existing stream or tributary to the Carmel River. According to the Initial Study, runoff in the vicinity of Operational Improvement 7 and 8 is currently collected in a small (approximately 2-foot deep) drainage channel located along the western side of Highway 1. Road widening associated the project will add 0.34 acres of impervious surface coverage, but will not significantly increase the amount of runoff generated from the roadway.

As designed, Operational Improvement 8 will redirect surface runoff on the west side of Highway 1 to a corrugated steel culvert. The culvert will be buried along the west side of Highway 1 for the length of the project and will discharge into the existing open roadside drainage south of Mesa Drive. The size of the culvert is designed to accommodate existing runoff and the minor amount of additional runoff that will be associated with the project. Since the project will not generate any additional traffic, the additional runoff that will be added by the project will not significantly increase water quality pollutant levels in the drainage and so will not impact Carmel River water quality.

Mitigation measures included in the project will minimize erosion and sedimentation associated with construction activities. Erosion and sedimentation resulting from construction activities will be prevented from entering storm water discharge, and Caltrans standard specifications for the project will require the contractor to develop a water pollution control plan to insure that erosion and sedimentation associated with the project will remain on site.

The project area for Operational Improvements 7 and 8 is not subject to flooding. The road

widening associated with operational improvements 7 and 8 will add an insignificant amount of impervious surface relative to the existing amount of impervious surfaces in the residentially developed area and so is not expected to increase the risk of flooding in the area.

#### **6.3.7.5 Conclusions**

Commission finds that no substantial issue exists with regard to water and marine resources and flooding. The project as proposed and conditioned includes adequate design and mitigation measures to protect water quality and marine resources, without increasing the risk of flooding in the area, and so conforms to the water quality and marine resources policies of the Monterey County LCP.

### **6.3.8 AIR QUALITY**

#### **6.3.8.1 Appellant's Contention**

The applicants contend that the project will add capacity for idling cars, especially south of Ocean Avenue, while doing nothing to improve the overall flow of traffic in the area. The applicants further contend that an increased number of cars stuck in stop-and-go traffic will enter the yards and homes of adjacent residents and add to the bad air emissions problem of the County.

#### **6.3.8.2 Relevant LCP Policy**

The Monterey County LCP does not have any regulatory policies specifically related to air quality.

#### **6.3.8.3 Conclusions**

The appellant's contentions regarding air quality concerns do not raise an issue with regard to LCP conformance since no specific air quality policies are included in the Monterey County LCP for the Carmel area. A discussion of air quality impacts associated with the project is included in the Initial Study and Caltrans response to the appeal (see Exhibit F). In general, air quality is expected to improve in the area due to the minor traffic flow improvements the project will provide that will reduce the occurrence of idling vehicles in the vicinity of the Ocean Avenue/Highway 1 intersection.

### **6.3.9 DETRIMENT TO THE COMMUNITY**

#### **6.3.9.1 Appellant's Contention**

The appellants contend that the Monterey County Planning Commission reviewed this application in 1998 and again in 1999 and twice denied the application, "...finding, among other things ... that these improvements were detrimental to the health, safety and general welfare of the area residents."

#### **6.3.9.2 Relevant LCP Policy**

The LCP notes that clean air, clean water, low noise level, and open space are all important factors

for the viability of the Carmel area. Additionally, the following policies relate to safety and traffic management associated with transportation projects on Highway 1:

*LUP Section 2.2.4.5. New roads or driveway will not be allowed to damage or intrude upon public views of open frontal slopes or-ridgelines visible from scenic routes and public viewpoints. To this end, new roads or driveways shall be designed to avoid steep slopes and to conform to the natural topography; they should be located along the margins of forested areas, where possible, or where existing vegetation provides natural screening and should be constructed to minimum County standards consistent with the requirements of fire safety and emergency use. Road or driveway construction shall not commence until the entire project has completed the permit and appeal process.*

*LUP Section 3.1.3.7. The number of private roads and recreational access road entrances off Highway 1 should be limited whenever possible for traffic safety and management purposes.*

### **6.3.9.3 County Actions**

The County's permit includes four conditions intended to minimize noise impacts and to manage vehicle traffic during project construction. Conditions # 4 and 5 (pg 7 and 8) require that the applicant implement the recommendations contained in the Traffic Mitigation Plan and establish a phone line in the Resident Engineer's office to receive and monitor any noise complaints. The applicant is also required to publicize the phone number and proposed construction schedules in advance and to provide signage at the project site indicating where people can call if they have any complaints regarding the project. Condition #6 (pg 8) describes parking requirements for contractors and construction workers, and limitations on lane closures for public traffic use during holidays. Conditions #7 requires that construction activities that have the potential to generate a substantial increase in short-term noise levels (e.g., jack hammers, concrete saws, and pneumatic equipment) will be limited to the time period between 8 A.M. and 5 P.M. Monday through Friday. Finally, Condition #8 requires all construction equipment to be fitted with appropriate noise reducing devices (i.e., mufflers).

### **6.3.9.4 Analysis**

The existing California State Highway 1 is a four-lane undivided highway between Carpenter Street and Ocean Avenue and narrows to a two-lane undivided highway between Ocean Avenue and Mesa Drive. Under the current lane configuration, traffic merges from two lanes to one lane approximately 1,200 feet south of Ocean Avenue. Under the proposed lane configuration for Operational Improvement #8, traffic would merge from two lanes to one lane approximately 230 feet (70 meters) south of Mesa Drive and so would provide additional space for merging traffic south of Ocean Avenue. While more vehicles can be stored in this area (waiting to merge into one lane south of Mesa Drive), this is intended to improve congestion at the Ocean Avenue intersection by allowing more southbound vehicles to pass through the intersection during each signal cycle.

Operational Improvement 8 will extend the southbound merge lane across approximately 9 driveways that currently enter directly onto Highway 1. Under existing conditions, the driveways that enter directly onto Highway 1 are generally narrow, being constrained to the north and south by a ditch for roadside drainage. As proposed, Operational Improvement 8 will include replacing the

ditch with an underground culvert and filling and grading the ditch to provide a broader, relatively level roadway. It is expected that this improvement will enhance safety for drivers entering or exiting driveways along the project limits (by creating entrances that have a standard width) and are will also enable these residents to merge into traffic on southbound Highway 1.

Extension of the southbound right turn pocket onto westbound Ocean Avenue (Imp. 7) is intended to improve the delineation of the existing turn lane and improve public safety by removing potential conflicts between vehicles and bicycle traffic. Under the current configuration, southbound vehicles turning right onto westbound Ocean Avenue drive along the shoulder section of the road when traffic backs up north of the signal. Under Operational Improvement 7, the proposed lane configuration will allow more storage area for vehicles making the right turn and will provide and delineate a four foot wide bike path on the shoulder.

According to the Initial Study, the major source of noise in the project area is and will continue to be vehicular noise from Highway 1 and Ocean Avenue. Ambient noise levels were studied in the project area in 1986 and were found to be at or above the Federal Highway Administration (FHWA) noise criterion level for residential areas of 67dBA. Under FHWA regulations, noise abatement measures are required in residential areas when exterior noise levels exceed the noise criteria level. Under existing conditions vehicular traffic on Highway 1 already exceeds the noise level criteria even without the proposed operational improvements.

According to Caltrans June 1999 cumulative impact section addendum, operational improvements 7 and 8 would move traffic 12 feet closer to existing residences adjacent to the southbound lanes of Highway 1 along the length of the proposed lane extensions (see Exhibit D), affecting approximately 9 residences. However, Caltrans has determined that the proposed project will only contribute 1dBA to the ambient noise level. Since an increase of less than 3dBA is perceptible to the human ear, the increase of 1dBA will not be a significant impact of the project.

Construction activities are expected to create short-term increases in the noise levels in the project area, but as conditioned have been limited to occur during weekday daytime hours and noise reduction measures are required for construction equipment.

#### **6.3.9.5 Conclusions**

Commission finds that no substantial issue exists with regard to noise or safety in the project area. With the proposed mitigation measures for short-term construction noise and traffic safety measures, the project has been designed and conditioned to conform to the policies of the Monterey County LCP designed to protect the general welfare of the public.

### **6.4 Substantial Issue Analysis – Conclusions**

In conclusion, the appeal does not raise a substantial issue in terms of compliance with the LCP ordinances related to public notification, environmental review, scenic road provisions, visual resources, forest resources, water and marine resources, air quality and community welfare. As conditioned, Resolution # 00-23 conforms with LCP policies and protects the natural resources of the Carmel area as required by the Monterey County Certified Local Coastal Policy and the Carmel Area Land Use Plan.



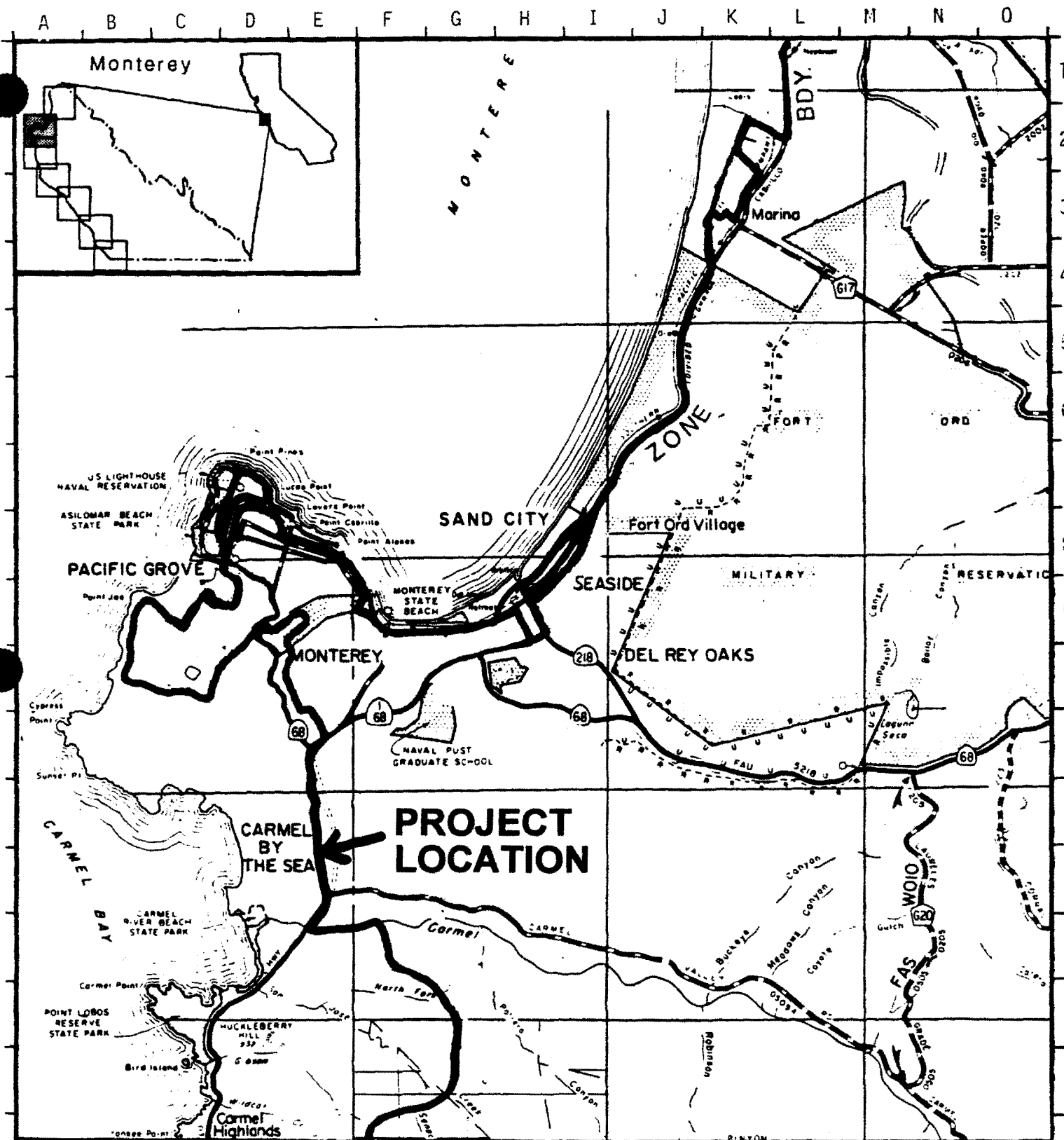
**7. EXHIBITS**

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**EXHIBIT A**

Project Location Maps

A-3-MCO-00-010



County of Monterey

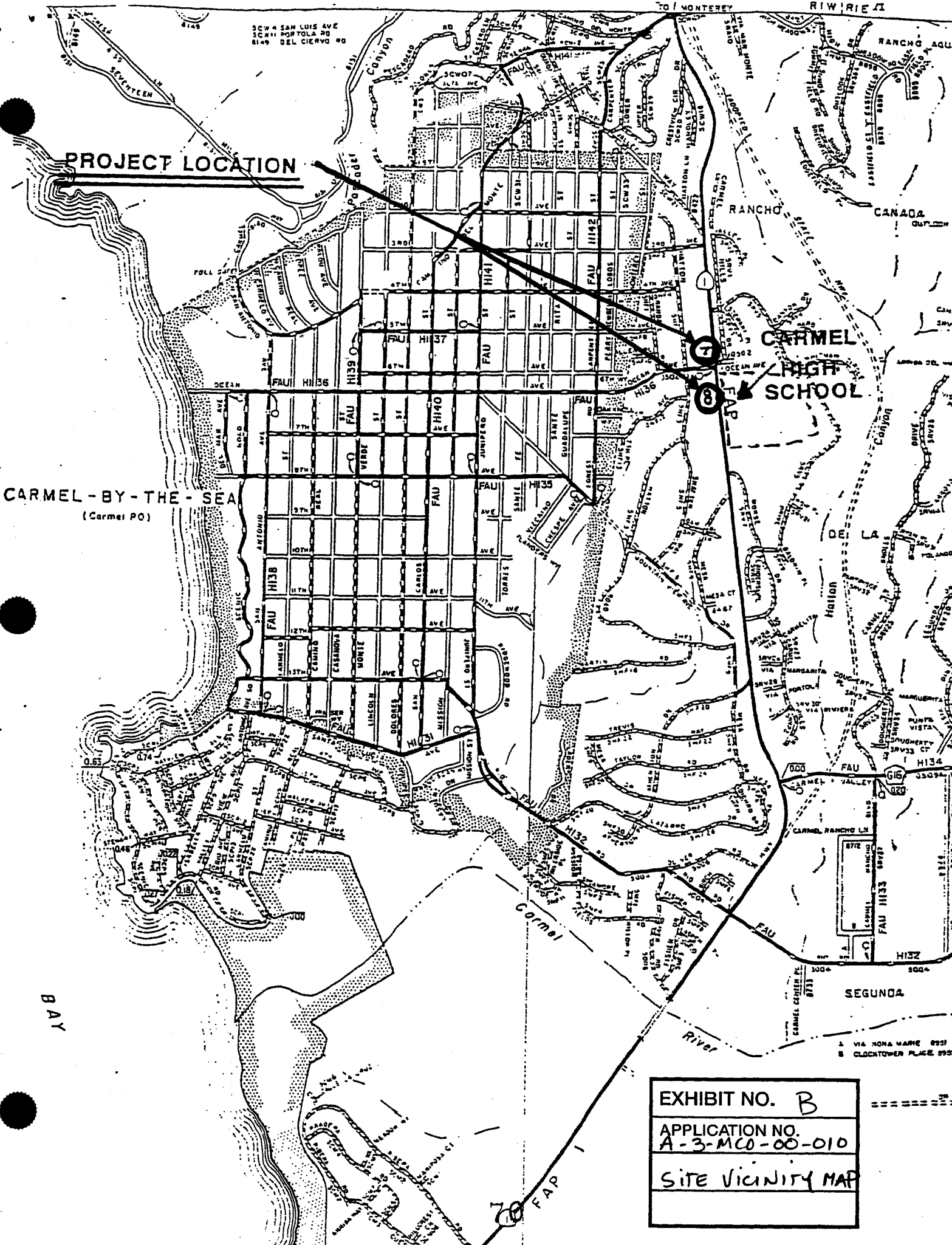


Exhibit A  
Project Location Map  
A-3MCO-00-010

**EXHIBIT B**

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Project Vicinity Map



**PROJECT LOCATION**

**CARMEL-BY-THE-SEA**  
(Carmel PO)

**CARMEL HIGH SCHOOL**

EXHIBIT NO. B
APPLICATION NO. A-3-MCO-00-010
SITE VICINITY MAP

BAY

SEGUNDA

A VIA NONA MARIE 8231  
B CLOCKTOWER PLACE 8928

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**EXHIBIT C**

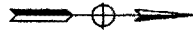
Project Plans

INDEX OF SHEETS

# STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION PROJECT PLANS FOR CONSTRUCTION ON STATE HIGHWAY

## IN MONTEREY COUNTY NEAR CARMEL AT VARIOUS LOCATIONS FROM 0.1 km SOUTH OF MESA DRIVE TO 0.1 km NORTH OF OCEAN AVENUE

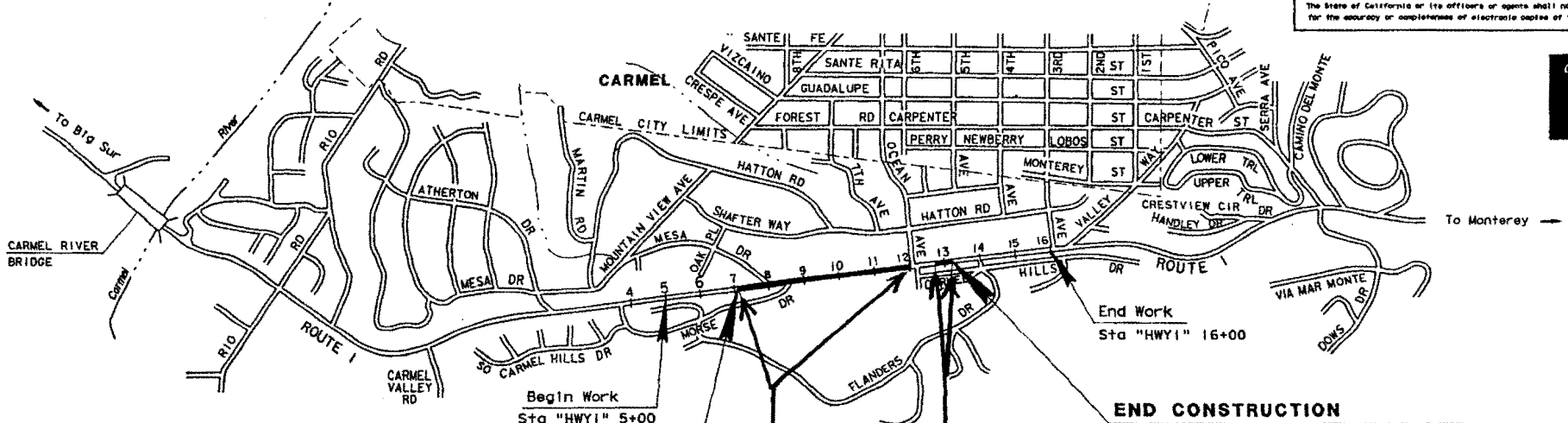
To be supplemented by Standard Plans dated July, 1999



DIST	COUNTY	ROUTE	KILOMETER POST TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
05	MON	1	118.3/118.9	1	



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**BEGIN CONSTRUCTION**  
STA 7+10 "HWY1" KP 118.3  
PM 73.5

Location 1  
STA "HWY1" 7+10  
TO  
STA "HWY1" 11+42

Location 2  
STA "HWY1" 12+70  
TO  
STA "HWY1" 13+23

**END CONSTRUCTION**  
STA 13+23 "HWY1" KP 118.9  
PM 73.9

IMPROVEMENT 8  
IMPROVEMENT 7

Class (or Classes) of License Contractors'

NO SCALE

Project Engineer Date Registered Civil Engineer



Plans Approval Date

Contract No. 05-0190M4

FOR REDUCED PLANS ORIGINAL 0 10 20 30 40 50  
SCALE 1" = 100' (VERTICAL)

USERNAME: \*\*\*\*\*  
NON FILE \*\*\*\*\*

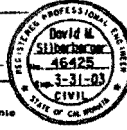
EXHIBIT NO. C  
APPLICATION NO. A-3-MCO-00-01D  
PROJECT PLANS  
Pg 1 of 9

PROJECT ENGINEER DATE REGISTERED CIVIL ENGINEER  
D.M. SILBERBERGER 4/10/05  
FORM NO. 7/00

DIST	COUNTY	ROUTE	KILOMETER POST TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
05	MON	1	118.3/118.9		



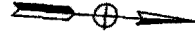
REGISTERED CIVIL ENGINEER



PLANS APPROVAL DATE

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NOTE:  
1. FOR COMPLETE R/W DATA, SEE R/W RECORD MAPS AT DISTRICT OFFICE.



"HWY1" 7+10  
BEGIN OVERLAY

"HWY1" 7+30  
5,600 LT EP  
BEGIN WIDENING  
BEGIN SAWCUT  
CONFORM

"HWY1" 7+40  
5,600 LT EP

"HWY1" 7+90  
BEGIN 1.0 DIKE TRANSITION

"HWY1" 7+91  
END 1.0 DIKE TRANSITION  
BEGIN DIKE (TYPE A)

"HWY1" 8+19  
END DIKE (TYPE A)  
BEGIN 1.0 DIKE TRANSITION

"HWY1" 8+20  
END 1.0 DIKE TRANSITION

"HWY1" 9+65.3  
BEGIN 1.0 DIKE TRANSITION

"HWY1" 9+66.2  
END 1.0 DIKE TRANSITION  
BEGIN DIKE (TYPE E)

"HWY1" 10+21.5  
END DIKE (TYPE E)  
BEGIN 1.0 DIKE TRANSITION

"HWY1" 10+22.3  
END 1.0 DIKE TRANSITION

"HWY1" 10+63  
RESET MAILBOX

AC BERM

AC BERM

R/W

R/W

MESA DRIVE

ROUTE 1  
N5° 38' 59" W

8+00 SAWCUT 8+4

"HWY1" 9+00 8+4 N6° 38' 56" W 140.039

10+00 N5° 38' 59" W

R/W

R/W

"HWY1" 7+68.7  
END 1.0 DIKE TRANSITION

"HWY1" 7+68.6  
END DIKE (TYPE E)  
BEGIN 1.0 DIKE TRANSITION

"HWY1" 7+65.8  
BEGIN DIKE (TYPE E)

"HWY1" 8+71.105 P

"HWY1" 8+60  
BEGIN SHOULDER BACKING

"HWY1" 10+33  
END SHOULDER BACKING

"HWY1" 10+11.144 P

March Line - See Sheet L-2

PROJECT ENGINEER  
David M. Silberberger

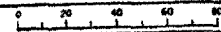
STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
PROJECT DEVELOPMENT

EXHIBIT NO. C  
APPLICATION NO. A-3-MC0-00-010  
PROJECT PLANS  
Pg 2 of 9

ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SHOWN

LAYOUT  
SCALE: 1:500 L-1

FOR REDUCED PLANS ORIGINAL SCALE IS IN MILLIMETERS



USERNAME -> \*\*\*\*\*  
DGN FILE -> \*\*\*\*\*

CU 06233

EA 0190MI



STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
**Caltrans** PROJECT DEVELOPMENT

PROJECT ENGINEER  
 David M. Silberberger

CALCULATED BY DMS 3/00  
 CHECKED BY DATE REVISED BY DATE REVISED

NOTE:  
 1. FOR COMPLETE R/W DATA, SEE R/W RECORD MAPS AT DISTRICT OFFICE.



DIST	COUNTY	ROUTE	KILOMETER POST TOTAL PROJECT	SHEET NO	TOTAL SHEETS
05	MON	1	118.3/118.9		

REGISTERED CIVIL ENGINEER

PLANS APPROVAL DATE

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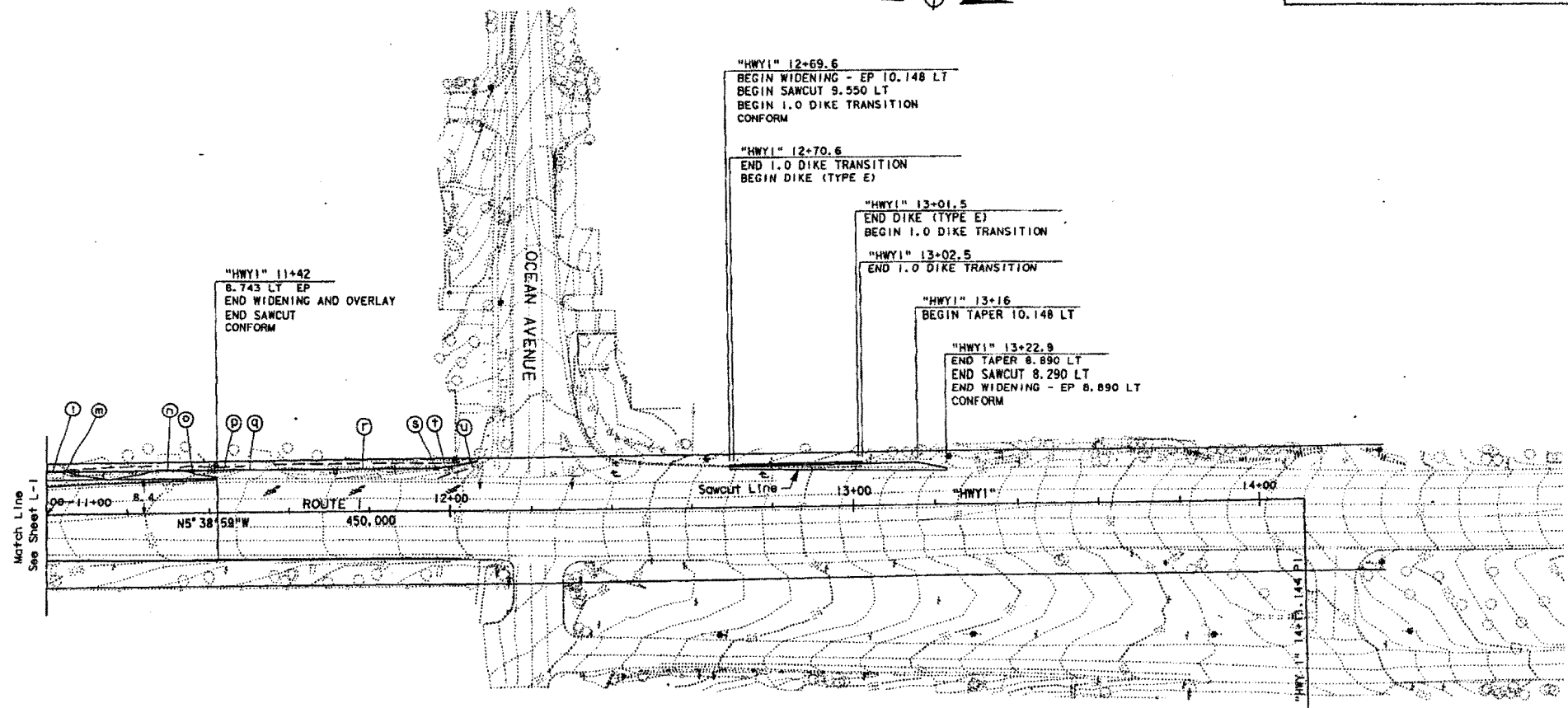
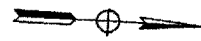
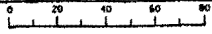


EXHIBIT NO. C  
 APPLICATION NO. A-3-MCD-00-010  
 Project Plans  
 pg 3 of 9

ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SHOWN

LAYOUT  
 SCALE: 1:500 L-2

FOR REDUCED PLANS ORIGINAL SCALE IS IN MILLIMETERS



USERNAME >> a66666USER66666666  
 DGN FILE >> s666666666666666666666666

011 06233

FA 010001



DIST	COUNTY	ROUTE	KILOMETER POST TOTAL PROJECT	SHEET NO	TOTAL SHEETS
05	MON	1	118.3/118.9		

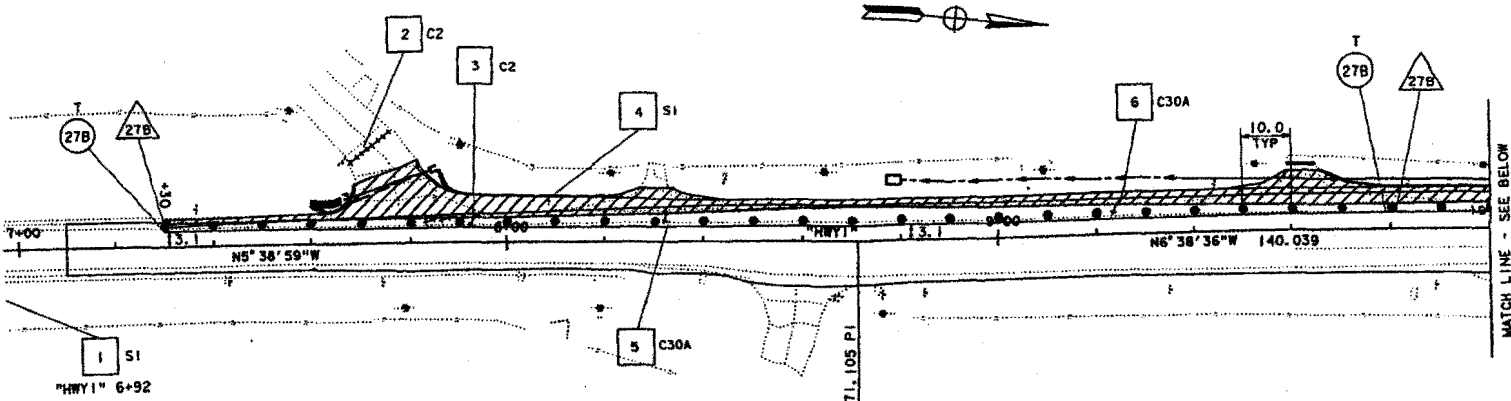
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PLANS APPROVAL DATE

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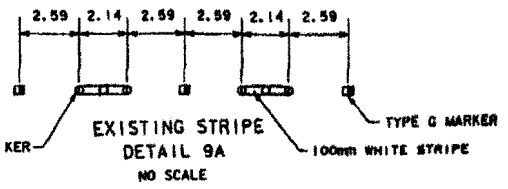
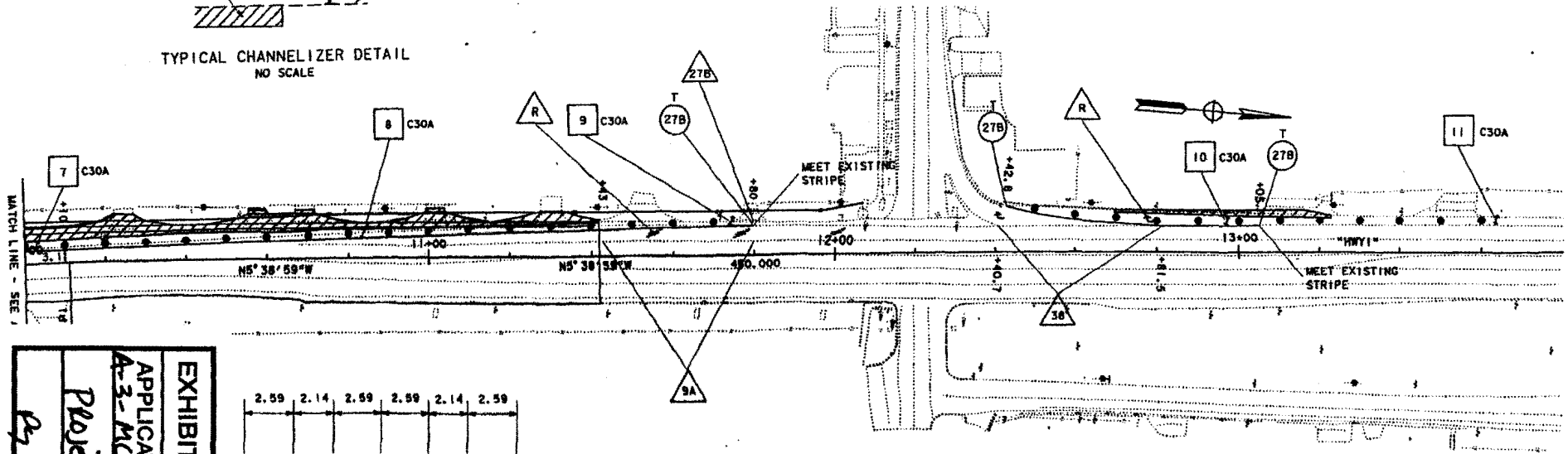
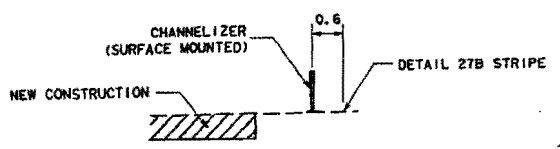
David M. Silberberger  
16422  
Exp-3-31-03  
CIVIL  
STATE OF CALIFORNIA

NOTES:  
1. EXACT LOCATION AND POSITION OF CONSTRUCTION AREA SIGNS SHALL BE DETERMINED BY THE ENGINEER.



MATCH LINE - SEE BELOW

- LEGEND**
- AREA OF CONSTRUCTION
  - CONSTRUCTION AREA SIGN
  - TEMPORARY TRAFFIC STRIPE DETAIL
  - REMOVE EXISTING STRIPE DETAIL
  - REMOVE EXISTING MARKING
  - TYPE IV ARROW
  - TYPE VI ARROW
  - CHANNELIZER (SURFACE MOUNTED)
  - TYPE III BARRICADE



ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SHOWN

**TRAFFIC HANDLING PLAN**  
LOCATION 1 AND LOCATION 2  
SCALE: 1:500 TH-1

FOR REDUCED PLANS ORIGINAL SCALE 18 IN MILLIMETERS

DATE REVISIONS BY DATE REVISIONS BY

PROJECT ENGINEER  
DESIGNED BY  
CHECKED BY

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
PROJECT DEVELOPMENT

EXHIBIT NO. C  
APPLICATION NO. A-3-MCO-00-010  
Project Plans  
Pg 4 of 9

CU 06233

EA 0190M



DIST	COUNTY	ROUTE	W/LENGTH PROJECT	SHEET NO	TOTAL SHEETS
05	MON	1	118.3/118.9		

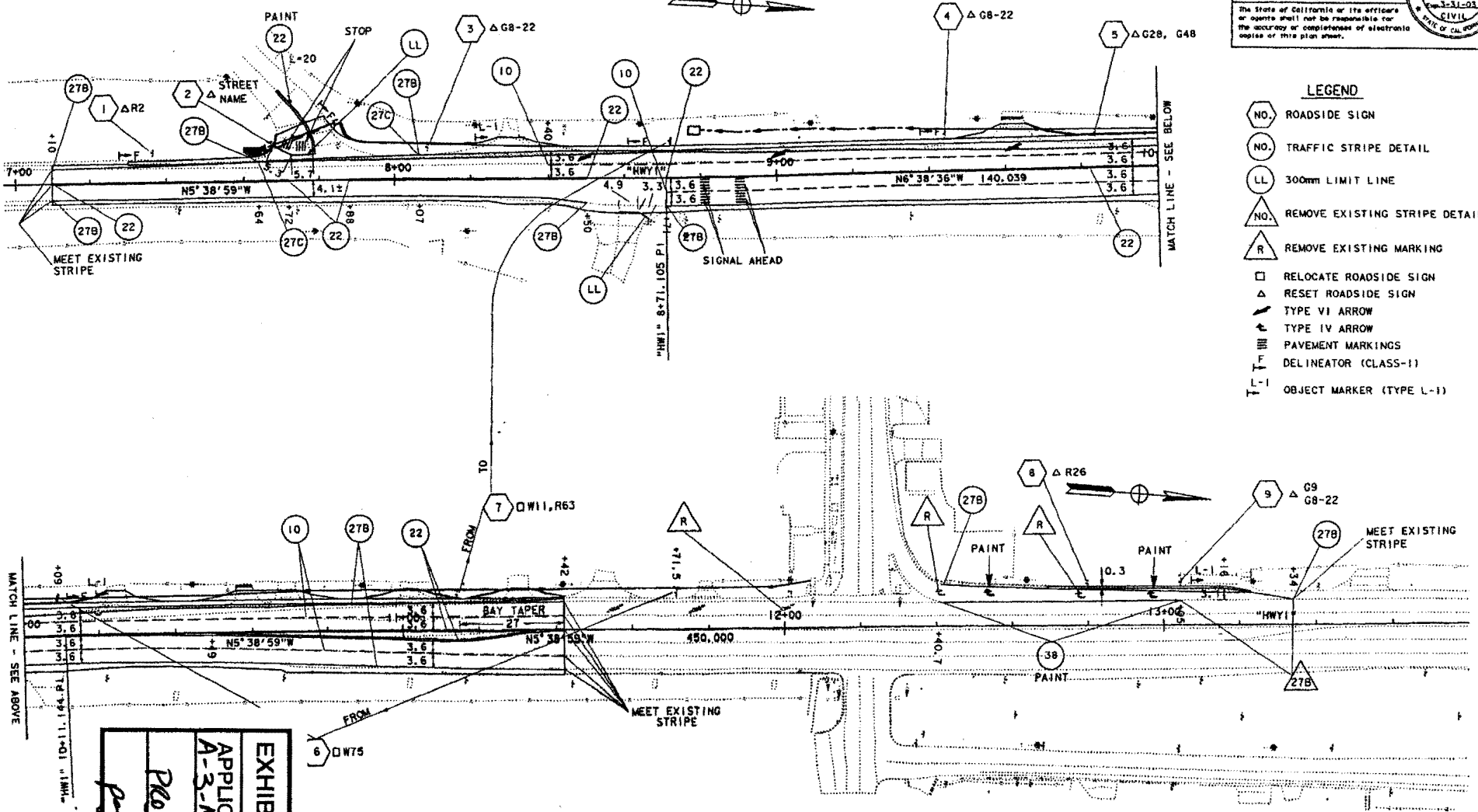
REGISTERED CIVIL ENGINEER

PLANS APPROVAL DATE: 3-31-03

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NOTES:  
1. ALL STRIPE AND PAVEMENT MARKING IS TO BE THERMOPLASTIC EXCEPT FOR DETAIL 27B OR AS SHOWN.



- LEGEND**
- NO. ROADSIDE SIGN
  - NO. TRAFFIC STRIPE DETAIL
  - LL 300mm LIMIT LINE
  - NO. REMOVE EXISTING STRIPE DETAIL
  - R REMOVE EXISTING MARKING
  - RELOCATE ROADSIDE SIGN
  - △ RESET ROADSIDE SIGN
  - ▲ TYPE VI ARROW
  - ▲ TYPE IV ARROW
  - ▨ PAVEMENT MARKINGS
  - DELINEATOR (CLASS-1)
  - L-1 OBJECT MARKER (TYPE L-1)

DATE REVISIONS BY  
DATE REVISIONS BY

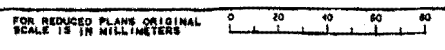
PROJECT ENGINEER  
David M. Silberberger

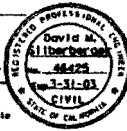
STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
PROJECT DEVELOPMENT

EXHIBIT NO. C  
APPLICATION NO. A-3-MCD-00-010  
PROJECT PLANS  
pgs of 9

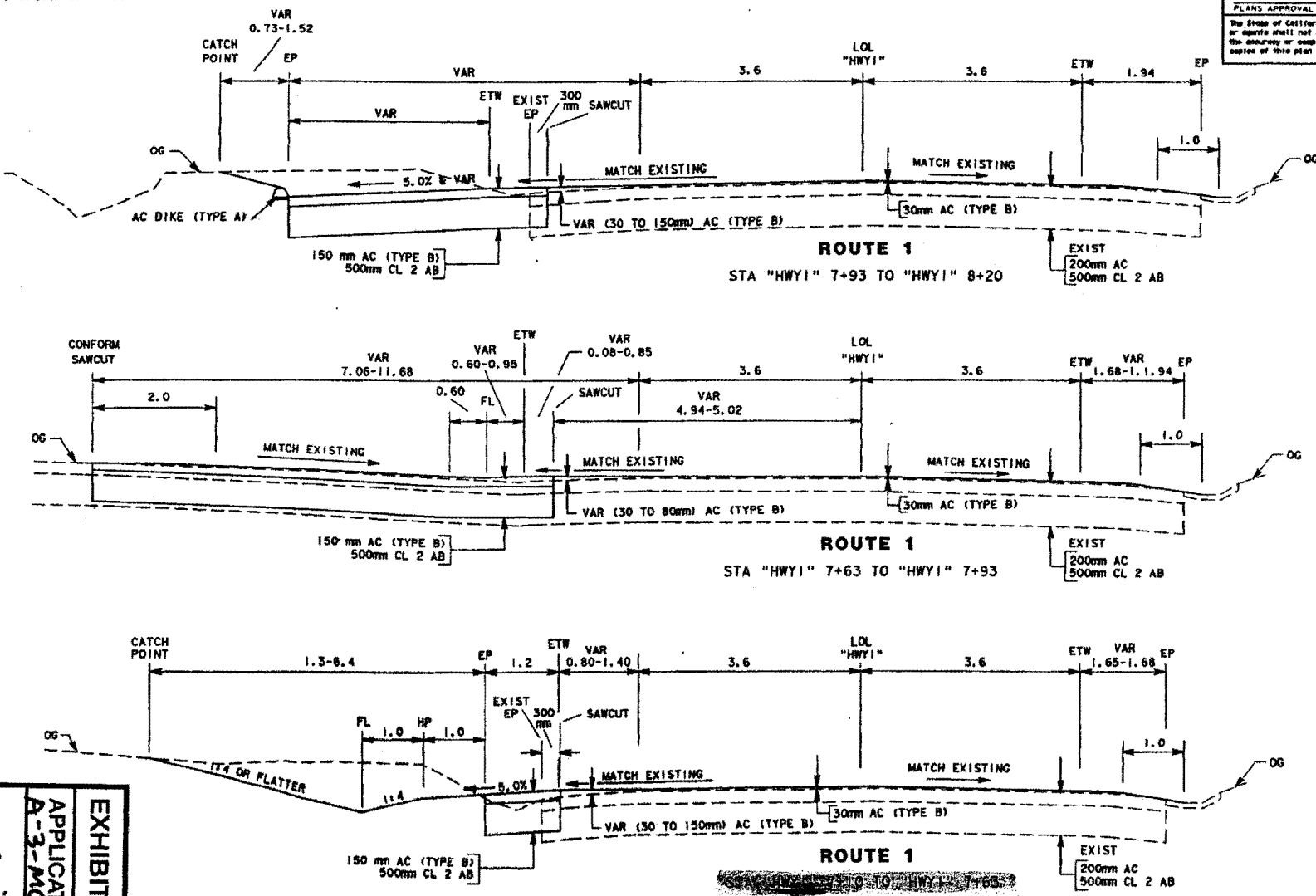
ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SHOWN

PAVEMENT DELINEATION AND SIGN PLAN  
SCALE: 1:500 PD-1



DIST	COUNTY	ROUTE	KILOMETER POST TOTAL PROJECT	SHEET NO	TOTAL SHEETS
05	MON	1	118.3/118.9		
REGISTERED CIVIL ENGINEER					
					
PLANS APPROVAL DATE					
The State of California or its officers or agents shall not be responsible for the accuracy or completeness of electronic copies of this plan sheet.					

NOTES:  
 1. SUPERELEVATION AS SHOWN OR AS DIRECTED BY THE ENGINEER.  
 2. DIMENSIONS OF THE STRUCTURAL SECTIONS ARE SUBJECT TO TOLERANCES SPECIFIED IN THE STANDARD SPECIFICATIONS.

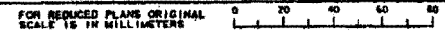


**TYPICAL CROSS SECTIONS**

ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SHOWN

NO SCALE

X-1



CU 06233

EA 01 90MI

PROJECT ENGINEER: David M. Silberberger  
 CALCULATED/DESIGNED BY: DMS/OC  
 CHECKED BY:  
 DATE REVISED:  
 DATE REVISION:

EXHIBIT NO. C  
 APPLICATION NO. A-3-MC-00-010  
 PROJECT PLANS  
 pg 6 of 9

DATE REVISIONS BY DATE REVISIONS BY  
 CALCULATED/DESIGNED BY DMS/3/00  
 CHECKED BY  
 PROJECT ENGINEER  
 David M. Silberberger  
 DEPARTMENT OF TRANSPORTATION  
 PROJECT DEVELOPMENT



DIST	COUNTY	ROUTE	KILOMETER POST TOTAL PROJECT	SHEET No	TOTAL SHEETS
05	MON	1	118.3/118.9		

REGISTERED CIVIL ENGINEER

PLANS APPROVAL DATE

The State of California or its officers or agents shall not be responsible for the accuracy or completeness or electronic copies of this plan sheet.

REGISTERED PROFESSIONAL CIVIL ENGINEER  
 David M. Silberberger  
 No. 46425  
 No. 3-31-03  
 CIVIL  
 STATE OF CALIFORNIA

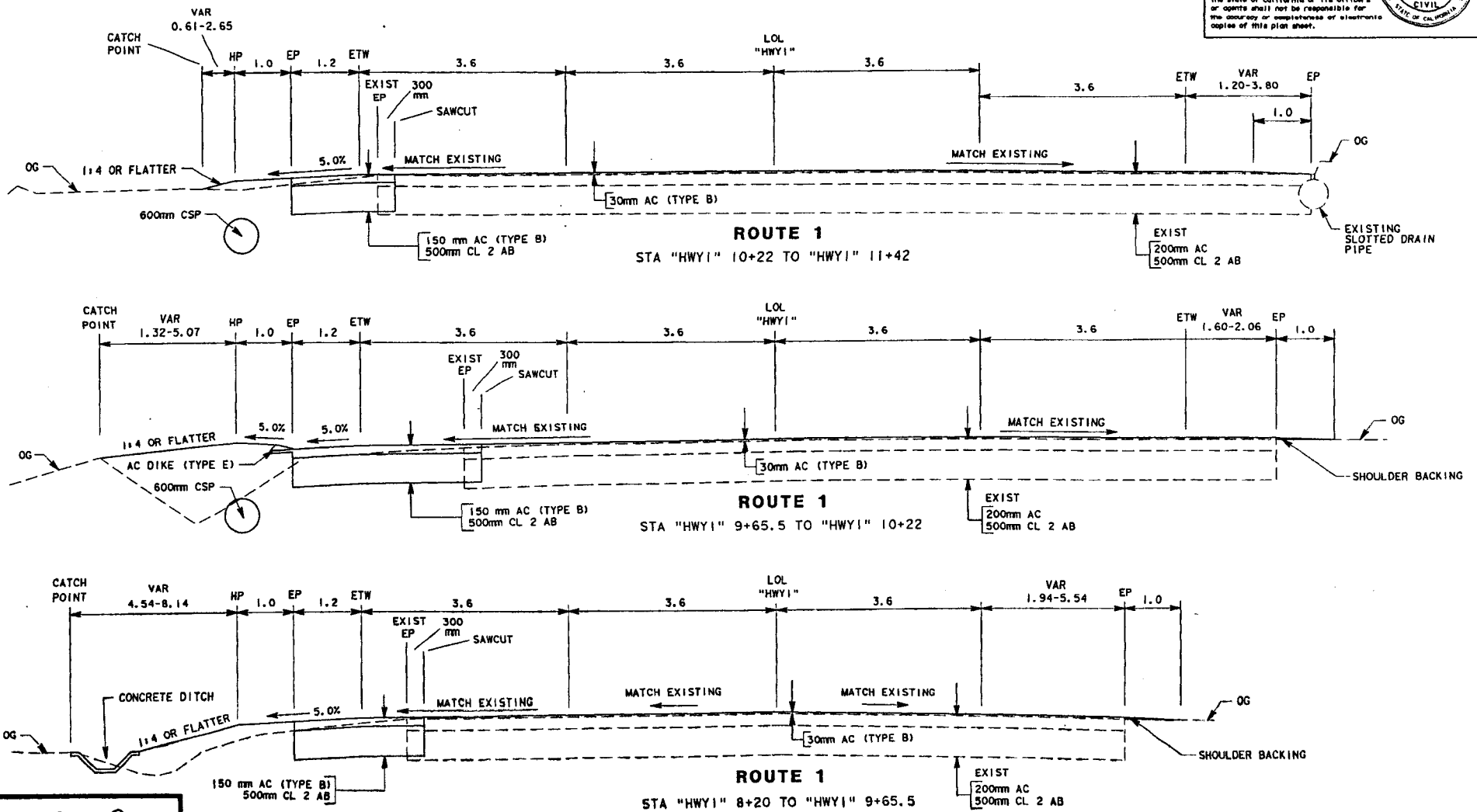


EXHIBIT NO. **C**

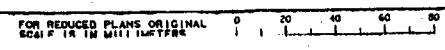
APPLICATION NO.  
**A-3-MCO-00-010**

PROJECT PLANS

pg 7 of 9

**TYPICAL CROSS SECTIONS**

ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SHOWN  
 NO SCALE  
**X-2**



CU 06233 EA 0190M

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION  
 PROJECT DEVELOPMENT  
 PROJECT ENGINEER  
 David M. Silberberger  
 CALCULATED BY  
 DMS B/OC  
 CHECKED BY  
 DATE REVISIED BY  
 DATE REVISIED BY



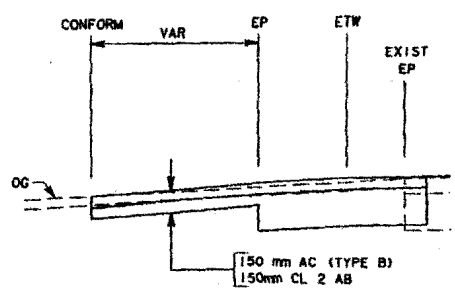
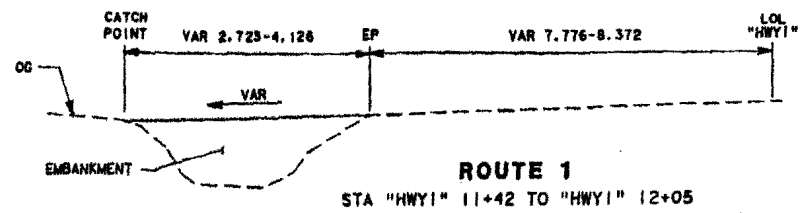
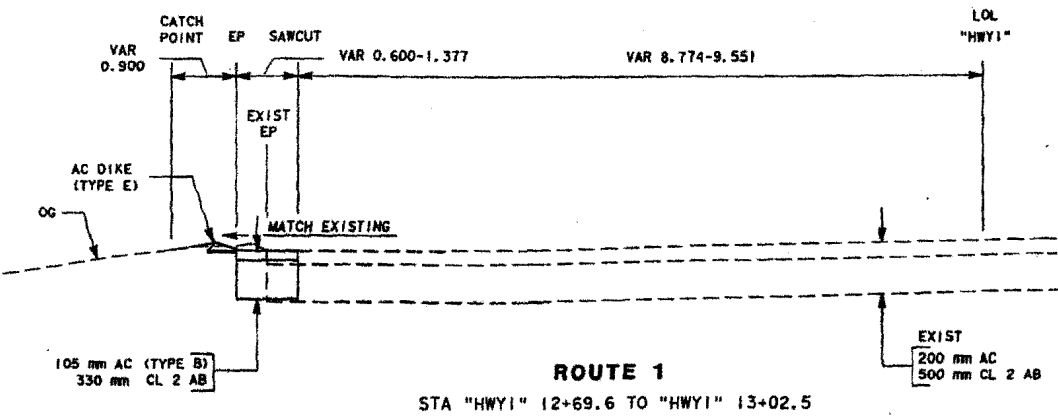
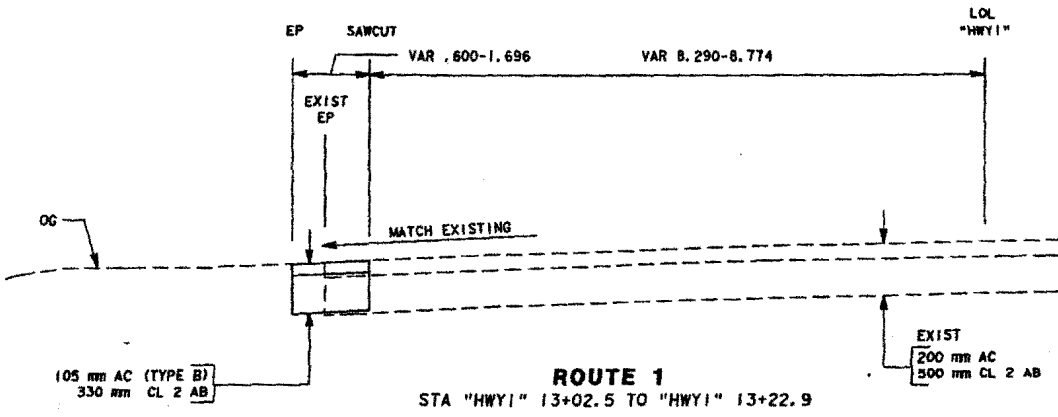
DIST	COUNTY	ROUTE	KILOMETER POST TOTAL PROJECT	SHEET NO	TOTAL SHEETS
05	MON	1	118.3/118.9		

REGISTERED CIVIL ENGINEER

PLANS APPROVAL DATE

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David M. Silberberger  
 46425  
 3-31-03  
 CIVIL  
 STATE OF CALIFORNIA



- TYPICAL DRIVEWAY DETAIL**
- STA "HWY1" 11+16 TO "HWY1" 11+42
  - STA "HWY1" 10+88 TO "HWY1" 11+15
  - STA "HWY1" 10+45 TO "HWY1" 10+83
  - STA "HWY1" 10+12 TO "HWY1" 10+37
  - STA "HWY1" 9+46 TO "HWY1" 9+79
  - STA "HWY1" 8+17 TO "HWY1" 8+44

**TYPICAL CROSS SECTIONS**  
 NO SCALE  
**X-3**

ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SHOWN

FOR REDUCED PLANS ORIGINAL SCALE IS 1/4" = 1 METER



CU 06233 EA0190M

EXHIBIT NO. C  
 APPLICATION NO. A-3-MCD-00-010  
 PROJECT PANS  
 pg 8 of 9

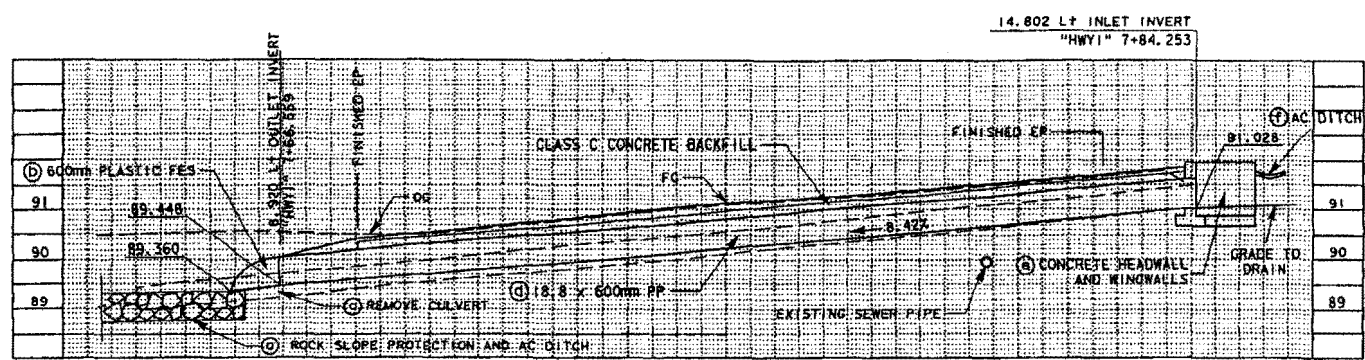
DATE REVISED BY  
 DATE REVISED  
 CALCULATED/DESIGNED BY  
 CHECKED BY  
 PROJECT ENGINEER  
 PROJECT DEVELOPMENT  
 DEPARTMENT OF TRANSPORTATION  
 OBJECT DEVELOPMENT  
 David M. Silberberger

EXHIBIT NO. C  
 APPLICATION NO. A-3-MCO-00-010  
 Project Plans  
 09/29/09

DIST	COUNTY	ROUTE	KILOMETER POST TOTAL PROJECT	SHEET NO	TOTAL SHEETS
05	MON	1	118.3/118.9		

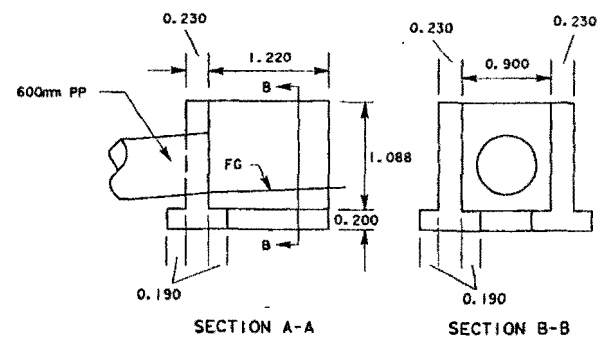
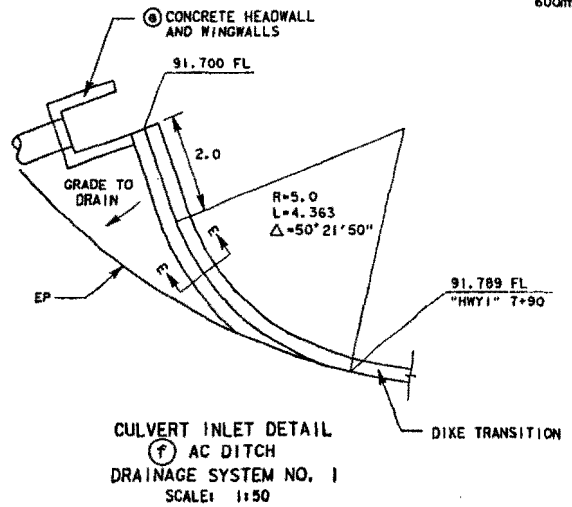
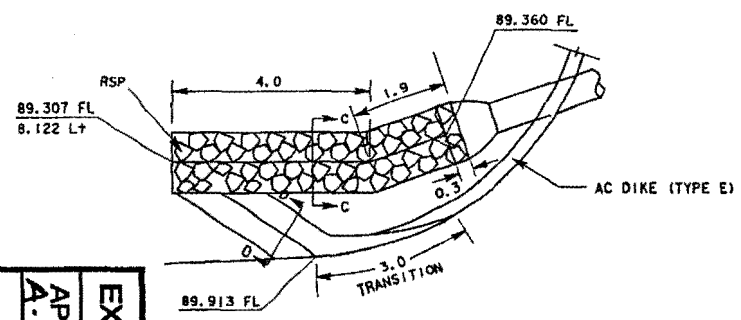
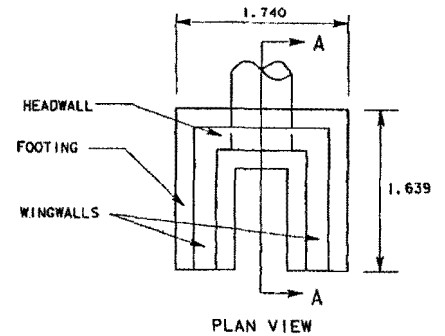
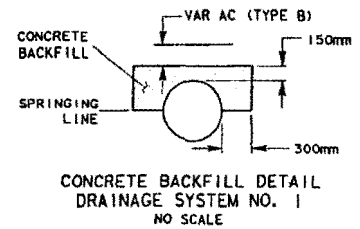
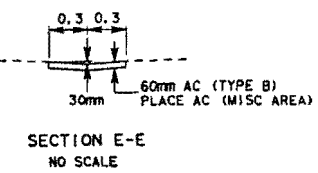
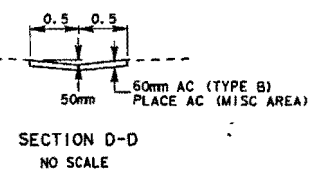
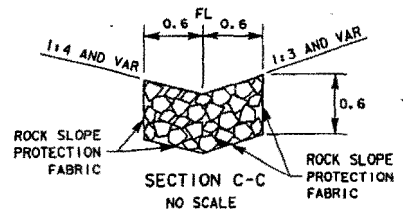
REGISTERED CIVIL ENGINEER  
 David M. Silberberger  
 46425  
 08-31-03  
 CIVIL  
 STATE OF CALIFORNIA

PLANS APPROVAL DATE  
 The State or California or its officers or agents shall not be responsible for the accuracy or completeness of electronic copies of this plan sheet.



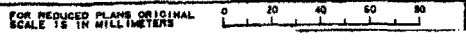
NOTES:  
 1. FOR DETAILS NOT SHOWN, SEE STANDARD PLAN D89.

DRAINAGE PROFILE  
 DRAINAGE SYSTEM NO. 1  
 SCALE: HORIZ 1:50  
 VERT 1:50



CULVERT INLET DETAIL  
 CONCRETE HEADWALL AND WINGWALLS  
 DRAINAGE SYSTEM NO. 1  
 SCALE: 1:25  
 (SEE NOTE 1)

**DRAINAGE PROFILES AND DETAILS**  
 SCALE AS NOTED  
 D-1



**EXHIBIT D**

---

Final Local Action - Monterey County Board of Supervisors Resolution #00-23  
Findings/Conditions



RECEIVED

JAN 31 2000

Before the Board of Supervisors in and for the  
County of Monterey, State of California

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Resolution No. 00-23 -- )  
 Resolution to adopt the Negative Declaration )  
 and approve the Coastal Development Permit )  
 and Design Approval for State Highway 1 )  
 operational and drainage improvements )  
 include the following: 1) extend 180 foot long )  
 right-turn channel southbound to westbound )  
 at Ocean Avenue (Improvement No. 7); and 2) )  
 extend 1,200 foot long lane-merge )  
 southbound Highway One south of Ocean )  
 Avenue (Improvement No. 8); Grading (785 )  
 cubic yards). The project is located in the )  
 right-of-way of California State Highway 1, )  
 between Carpenter Street and 0.1 km south of )  
 Mesa Drive in the Carmel Area of the Coastal )  
 Zone. )

FINAL LOCAL  
ACTION NOTICE

REFERENCE # 3-MCO-99-152  
 APPEAL PERIOD 2/1/2000 - 2/14/2000

WHEREAS, this matter was heard by the Board of Supervisors (Board) of the County of Monterey on January 11, 2000.

WHEREAS, the property which is the subject for this appeal is located in the right-of-way of California State Highway 1, between Carpenter Street and 0.1 km south of Mesa Drive in the Carmel Area of the Coastal Zone, in the County of Monterey (the property).

WHEREAS, the applicant filed with the County of Monterey, an application for a Coastal Development Permit Approval for Caltrans (PLN990269) to allow a Coastal Development Permit and Design Approval (PLN990269) for State Highway 1 operational and drainage improvements including: 1) extend 180 foot long right-turn channel southbound to westbound at Ocean Avenue (Improvement No. 7); 2) extend 1,200 foot long lane-merge southbound Highway One south of Ocean Avenue (Improvement No. 8); 3) extend 200 foot long storage of eastbound Carpenter Road at Highway One intersection (Improvement No. 9); Grading (900 cubic yards); and Tree Removal for 5 Coast Live Oaks.

WHEREAS, Caltrans prepared a Negative Declaration/Finding of No Significant Impact in September 1997 and an updated cumulative impact section addendum prepared for Coastal Development Permit (PLN990269).

WHEREAS, Caltrans application for the Combined Development Permit (PI N990769)

EXHIBIT NO. D 159  
 APPLICATION NO. A-3-MCO-00-010

came for consideration before the Planning Commission at a public hearing on September 29, 1999.

WHEREAS, at the conclusion of the public hearing on September 29, 1999, the Planning Commission did not adopt the Negative Declaration and denied the Coastal Development Permit; on the basis of the findings and evidence and conditions contained the Planning Commission Resolution No. 99054.

WHEREAS, the applicant, Caltrans, filed a timely appeal of the Planning Commission's denial to the Board of Supervisors on November 1, 1999, stating that the findings are not supported by the evidence.

WHEREAS, through the appeal process, Caltrans eliminated Operational Improvement No. 9 from the Coastal Development Permit application (PLN990269) for State Highway One Operation Improvement Nos. 7 and 8.

WHEREAS, pursuant to the provisions of the Monterey County Zoning Ordinance (Title 20) and other applicable laws and regulations, the Board, on January 11, 2000, heard and considered adoption of the Negative Declaration and approval of the Combined Development Permit.

WHEREAS, at the conclusion of the hearing, the matter was submitted to the Board for a decision. Having considered all the written and documentary information submitted, the staff reports, oral testimony, and other evidence presented before the Board of Supervisors, the Board now renders its decision to adopt findings, evidence and conditions in support of the Combined Development Permit as follows:

#### FINDINGS OF FACT

- FINDING:** The proposed Coastal Development Permit and Design Approval is for State Highway 1 operational and drainage improvements include the following: 1) 180 foot long right-turn channel located north of Ocean Avenue (Improvement No. 7); 2) widen 1,200 foot long segment of highway located south of Ocean Avenue (Improvement No. 8); 3) widen 200 foot long segment of Carpenter Road and highway intersection (Improvement No. 9); Grading (900 cubic yards); and Tree Removal for 5 Coast Live Oak trees. The project is located in the right-of-way of California State Highway One, between Carpenter Street and 0.1 km south of Mesa Drive in the Carmel Area of the Coastal Zone. The proposed development, as described in the application and accompanying materials and as conditioned, is consistent with the plans, policies, standards and requirements of the Monterey County Local Coastal Program.

**EVIDENCE:** Through the appeal process from the Planning Commission to the Board of Supervisors, Operational Improvement No. 9 has been eliminated. Extension of the 200 foot long storage length of eastbound length of Carpenter Road at the highway intersection, associated tree removal of 5 Coast live oaks, and

EXHIBIT NO. <b>D</b> <b>2.49</b>
APPLICATION NO. <b>A-3-MCO-00-010</b>

portion of grading (115 cubic yards) are no longer of a component of this Coastal Development Permit (PLN990269).

EVIDENCE: The Planning and Building Inspection Department reviewed the project, as contained in the application and accompanying materials for conformity with:

- 1) The certified Carmel Area Land Use Plan
- 2) The certified Monterey County Coastal Implementation Plan (Title 20), zoning regulations for the "MDR/2(CZ)" district in the Coastal Zone
- 3) The certified Monterey County Coastal Implementation Plan (Part 4), Chapter 20.146 "Regulations for Development in the Carmel Coastal Land Use Plan.

EVIDENCE: The project sites are physically suitable for the proposed Operational Improvement Nos. 7 & 8 as described in the project file.

EVIDENCE: The proposed Operational Improvement Nos. 7 & 8 will not result in negative impact on the surrounding forest resources or degrade the scenic road corridor of State Highway 1 (see Condition No. 9).

EVIDENCE: Design Approval request form with recommendation for approval of Operational Improvement Nos. 7 and 8 and denial of Operational Improvement No. 9 (vote 5-0-1), on July 6, 1999, by the Carmel Unincorporated Land Use Advisory Committee

EVIDENCE: The on-site inspections of the site by the project planner on June 22, 1999 to verify that the proposed project complies with the Carmel Area Coastal Implementation Plan (Part 4).

EVIDENCE: The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in File No. 990269.

2. FINDING: The proposed project will not have significant adverse impacts on the environment and a Negative Declaration and cumulative impact section addendum to update the Negative Declaration has been adopted by the Board of Supervisors.

EVIDENCE: Caltrans is the Lead Agency for this project. Caltrans prepared a cumulative impact section addendum to update a Negative Declaration/ Finding of No Significant Impact statement, prepared in September 1997, (in accordance with the California Environmental Quality Act and the National Environmental Protection Act), submitted with the previous application (PLN 980142) Caltrans addressed the Planning Commission's concerns and submitted subsequent environmental documentation to the County. The Study assessed potential cumulative impacts on: soils; geology/seismic; fire; hazardous waste; water quality; flooding and drainage; air quality; noise; biotic resources; tree removal; land use; archaeology/historic resources; scenic resources; traffic, and public safety which concludes that with the mitigations included in the project design, California State Highway 1 functions below acceptable levels-of-service during peak periods and in excess of the peak periods and on weekends. The operational improvements

are proposed to alleviate some of the congestion. Additionally, quantitative analysis of a three year period (9/1/93 to 8/31/96) for the two lane section in the project area indicate an accident rate 1.4 times the statewide average, for highways with similar characteristics. By inference, the proposed improvement will increase safety potential impacts will be reduced to a less than significant level. Planning and Building Inspection staff commented on the draft Initial Study and Negative Declaration prepared by Caltrans, and provided comments on the draft environmental document. Comments were addressed in the final document. Staff review of the Negative Declaration and additional technical reports determined that the Negative Declaration adequately addresses the project, and with the proposed mitigations, all impacts are reduced to a less than significant level.

**EVIDENCE:** The appropriate authority considered public testimony and the initial study with mitigation measures. The Negative Declaration reflects the independent judgment of Caltrans and reviewed by Monterey County based upon consideration of testimony and information received and scientific and factual data presented. All comments received on the Negative Declaration have been considered as well as all evidence in the record which includes studies, data, and reports considered in the initial study; information presented or discussed during public hearings; staff reports which include the County's independent judgment regarding the above referenced studies, data, and reports; application materials; and expert testimony.

**EVIDENCE:** The Initial Study, Negative Declaration and addendum are contained in Project File No. 990269

3. **FINDING:** The applicant has assessed the cumulative impacts of the project and determined that the highway operational improvements will not have a significant impact on the environment.

**EVIDENCE:** Caltrans determined that impacts associated with the three operational improvements are localized at existing intersections and will be minimal. Caltrans does not predict that these improvements will create significant cumulative adverse impacts when considered with the other nine operational improvements. The localization of potential adverse impacts, existing conditions and the amount of time between implementation of the operational improvements prohibits a reasonable assessment and evaluation of the 12 proposed operational improvements as one project. Four of the twelve Operational Improvements do have cumulative visual impacts considered to be significant. These impacts will be addressed in an Environmental Impact Report/Statement and do not include Operational Improvement Nos. 7, 8, and 9. Minor, short-term impacts on noise and traffic are expected for Operational Improvement Nos. 7, 8, and 9. However, the cumulative construction impact associated with the two-month construction period will not be a significant cumulative construction impact

**EVIDENCE:** File and application materials, Initial Study with mitigation measures, and

Negative Declaration contained in File No. 990269.

4. FINDING: The proposed highway Operational Improvement Nos. 7 & 8 will provide for improved traffic circulation and public safety along this segment of State Highway 1.
- EVIDENCE: California State Highway 1 functions below acceptable levels-of-service during peak periods and in excess of the peak periods and on weekends. Additionally, quantitative analysis of a three year period (9/1/93 to 8/31/96) for the two lane section in the project area indicate an accident rate 1.4 times the statewide average, for highways with similar characteristics.
- EVIDENCE: Caltrans cites, in the Negative Declaration on file, that the "forced flow" conditions of Highway 1 warrant the proposed improvements
- EVIDENCE: Accident Data Reports were prepared by Caltrans, January 21, 1997 and is contained in Project File #990269. The mitigation measures are included in the conditions of approval (see Condition Nos. 4-12).
- EVIDENCE: A memorandum regarding traffic mitigation during construction is contained in Project File #990269. The mitigation measures are included in the conditions of approval.
5. FINDING: Highway Operational Improvement Nos. 7 & 8 will not result in a significant noise impact on the surrounding residential neighborhood and noise impacts during construction will be mitigated.
- EVIDENCE: The Initial Study/ Negative Declaration states that although existing ambient noise levels exceed the design criteria of 67 dBA, the project will add only 1 dBA to the existing ambient noise level at nearby residences, and that increases of less than 3 dBA are imperceptible to the human ear. Exhibit "Q" shows County General Plan Table 6: Land Use Compatibility for Exterior Community Noise. The predicted levels would be considered "conditionally acceptable" for single family residences. Caltrans has determined that sound walls to mitigate for the slight increase in noise is not feasible and cost-effective for this project. Further, sound walls would have a negative visual impact along the scenic corridor of State Highway 1. Therefore, sound walls are not proposed for this project. Caltrans estimates construction noise can be as much as 90 dBA measured 50 feet from the source, with a reduction of approximately 6 dBA with each doubling of the distance from the source. Caltrans estimates the project will take approximately 3 months to construct with 1.5 months of night time construction. Noise mitigation proposed including confining some of the noisier operations to daylight and evening hours, providing a telephone number for noise complaints and publishing the construction schedules well in advance. Mitigation measures are identified in the environmental documentation and are included in the conditions for approval (see Condition Nos. 5, 7 & 8).
- EVIDENCE: A Memorandum regarding response to comments on Noise was prepared by Caltrans, December 18, 1997 and is contained in Project File #990269.

6. **FINDING:** In approving this Coastal Development Permit and adopting the Negative Declaration the Board of Supervisors finds that the construction of Caltrans Operational Improvement Nos. 7 & 8 will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.
- EVIDENCE:** The environmental documentation prepared by Caltrans provides adequate mitigation measures for the protection of the scenic corridor and short-term construction noise. The increase in long-term or ambient noise levels caused by the improvements is not perceptible to the human ear. The initial study indicates significant traffic hazards exist without the improvements. It is anticipated that safety will increase.
- EVIDENCE:** The project as described in the application and accompanying materials was reviewed by the Department of Planning and Building Inspection, Health Department, Public Works Department, the Parks Department, Water Resources Agency, Cypress Fire Protection District and the Carmel Unincorporated/Highlands Land Use Advisory Committee. The respective departments, agency, board and committee have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood; or the county in general (see Condition Nos. 2-12).
- EVIDENCE:** The Board of Supervisors has considered public comment on the Initial Study and Negative Declaration, and has determined that the environmental documentation is adequate and that no significant impacts will result from the project as conditioned.
- EVIDENCE:** File and application materials, Initial Study with mitigation measures, and Negative Declaration contained in File No.980142 and 990269
7. **FINDING:** The project is appealable to the California Coastal Commission.
- EVIDENCE:** Section 20.86.080 of the Monterey County Coastal Implementation Plan (Part 1).

### CONDITIONS OF APPROVAL

1. The Coastal Development Permit and Design Approval for State Highway 1 operational and drainage improvements include the following: 1) extend 180 foot long right-turn channel southbound to westbound at Ocean Avenue (Improvement No. 7); and 2) extend 1,200 foot long lane-merge southbound Highway One south of Ocean Avenue (Improvement No. 8); Grading (785 cubic yards). The project is located in the right-of-way of California State Highway 1, between Carpenter Street and 0.1 km south of Mesa Drive in the Carmel Area of the Coastal Zone. The proposed project is in accordance with County ordinances and land use regulations, subject to the following terms and conditions. Neither the use nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. Any use or construction not in substantial

EXHIBIT NO. <b>D 6 of 9</b>
APPLICATION NO. <b>A-3-MC-00-010</b>

conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (Planning and Building Inspection Department)

**Prior to Commencement of Construction**

**(Note: As a state agency, Caltrans is not required to obtain a Building Permit):**

2. The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. Proof of recordation of this indemnification agreement shall be furnished to the Director of Planning and Building Inspection prior to commencement of construction or commencement of the use. (Planning and Building Inspection Department)
3. The applicant shall record a notice which states: "A permit (Resolution #990269) was approved by the Monterey County Board of Supervisors for Caltrans Operational Improvement Nos. 7 & 8 for State Highway 1 in Carmel on January 11, 2000. The permit was granted subject to 12 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to commencement of construction or commencement of the use. (Planning and Building Inspection Department)
4. The applicant shall implement the recommendations contained in the Traffic Mitigation Plan During Construction contained in Project File No. 990269 to manage vehicle traffic during construction of the highway operational improvements (Planning and Building Inspection Department)

EXHIBIT NO. <b>D 7 of 9</b>
APPLICATION NO. <b>A-3-MCO-00-010</b>

5. Establish a telephone line in the Resident Engineer's office to receive noise complaints. Publicize the phone number and proposed construction schedules in advance. Provide signage at the project site which lists the telephone number(s) for noise complaints. (MM Construction: noise) (Planning and Building Inspection).
6. Personal vehicles of the Contractor's employees shall not be parked within the right of way. The Contractor shall notify local authorities of the Contractor's intent to begin work at least 5 days before work is begun. Whenever vehicles or equipment are parked on the shoulder within 1.8 m of a traffic lane, the shoulder area shall be closed with fluorescent traffic cones or portable delineators placed on a taper in advance of the parked vehicles or equipment and along the edge of the pavement at 7.5 m intervals to a point not less than 7.5 m past the last vehicle or piece of equipment. A minimum of 9 cones or portable delineators shall be used for the taper. A C23 (Road Work Ahead) or C24 (Shoulder Work Ahead) sign shall be mounted on a portable sign stand with flags. Lanes shall be closed only during the hours shown on the charts in Exhibit D. Lanes shall be open for use by public traffic on December 24<sup>th</sup>, December 26<sup>th</sup>, December 31<sup>st</sup>, January 2<sup>nd</sup>, July 3<sup>rd</sup>, July 5<sup>th</sup>, the Friday preceding Easter, Memorial Day, and Labor Day, and Wednesday preceding Thanksgiving Day, and the Tuesday following Memorial Day and Labor Day. When December 24<sup>th</sup>, December 31<sup>st</sup>, July 3<sup>rd</sup> fall on a Saturday or Sunday, lanes shall be open for use by public traffic on the preceding Friday. When December 26<sup>th</sup>, January 2<sup>nd</sup>, July 5<sup>th</sup> fall on a Saturday or Sunday, lanes shall be open for use by public traffic on the following Monday (Section submitted by Caltrans, 10-1 Maintaining Traffic). (Planning and Building Inspection).
7. All construction activities with the potential to result in a substantial increase in short-term noise levels (jack hammers, concrete saws, pneumatic equipment) shall be limited to 8 A.M. to 5 P.M., Monday through Friday. Construction activities that will occur between 5 P.M. and 8 A.M. shall be limited to paving and other activities that have minimal potential to result in substantial increase in short-term noise levels. (MM Construction: noise) (Planning and Building Inspection)
8. All construction equipment shall be fitted with appropriate mufflers. (MM construction: noise) (Planning and Building Inspection)
9. The native trees which are located close to the construction site shall be protected from inadvertent damage from construction equipment by wrapping trunks with protective materials. These measures shall avoid fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip line of the retained trees. Said protection shall be demonstrated prior to issuance of grading permits subject to the approval of the Director of Planning and Building Inspection. (Planning and Building Inspection)
10. Erosion and sedimentation resulting from construction activities shall be prevented from entering storm water discharge by incorporating the following measures (MM Soil Erosion):
  - a. minimize exposure of disturbed areas;
  - b. stabilize disturbed areas except where active construction is taking place



- c. protect slopes and drainage channels
- d. control site perimeter
- e. control internal erosion
- f. during the rainy season (October 15 through April 15) erosion control measures shall be in place at the end of each day if precipitation is predicted.  
(Planning and Building Inspection Department)

11. If during the course of construction activity on the subject property, cultural, archaeological, historical, paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (Planning and Building Inspection Department)
12. There are three fire hydrants in the projected work area, which are the main water source for fire equipment in the area. Any removal and reinstallation shall be done as quickly as possible pursuant to Uniform Fire Code 1001.6.2 - Fire Hydrants. (Cypress Fire Protection District)

Upon motion of Supervisor Potter, seconded by Supervisor Pennycook, and carried by those members present, the Board of Supervisors approves the Combined Development Permit, by the following vote, to wit:

AYES: Supervisors Salinas, Pennycook, Calcagno and Potter.

NOES: None.

ABSENT: Supervisor Johnsen.

I, SALLY R. REED, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board Supervisors duly made and entered in the minutes thereof at page      of Minute Book 70, on January 11, 2000

Dated: January 11, 2000 SALLY R. REED, Clerk of the Board of Supervisors, County of Monterey, State of California.

By Nancy Ruberick  
Deputy

EXHIBIT NO. <u>D9 of 9</u>
APPLICATION NO. <u>A-3-MCO-00-010</u>

**EXHIBIT E**

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Carmel Area Land Use Advisory Committee Recommendations

# Action by Land Use Advisory

Planning & Building Inspection Department  
Monterey County Courthouse  
240 Church Street  
Salinas, California  
(831) 755-5025

EXHIBIT NO. <b>E</b>
APPLICATION NO. <b>A-3-MCO-00-010</b>
<b>pg 1 of 4</b>

Advisory Committee: Carmel Unincorporated/Highlands

Please submit your recommendations for this application by Tuesday, July 06, 1999.

The Decision Making Body is: \_\_\_\_\_

Project Title: CALTRANS  
File Number: PLN990269  
File Type: PC  
Planner: WARD  
Location: WEST SIDE OF HIGHWAY 1 CARMEL

### Project Description:

COASTAL DEVELOPMENT PERMIT AND DESIGN APPROVAL FOR ROAD WIDENING ON THREE SEGMENTS OF HIGHWAY 1 WITHIN THE EXISTING ROAD RIGHT OF WAY: SOUTH OF OCEAN AVENUE (1200 FEET LONG); NORTH OF OCEAN AVENUE (180 FEET LONG); AND ON CARPENTER ROAD (200 FEET LONG). DRAINAGE IMPROVEMENTS, 900 CU YDS OF GRADING AND REMOVAL OF 5 COAST LIVE OAK TREES. CARMEL AREA, COASTAL ZONE

Committee Action  
(Recommendation):  
Ayes: \_\_\_ Noes: \_\_\_ Abstain: \_\_\_

Approval of Improvements # 7 & 8.  
Denial of Improvement # 9 at  
Carpenter St. exit

### Reasons for Recommendation:

Improvements # 7 & 8 all occur within Highway 1 right of way. No trees will be removed with these two improvements. The vote in favor of these two projects was 5 to 0.

### Recommended Conditions:

A denial vote was given for Operation Improvement # 9 (No-3, Yes-2) due to removal of the 5 oak trees which act as a visual and noise barrier for those residences along Upper & Lower Trail roads. (Please have planner check as to whether City of Carmel owns a .325 acre parcel to south of Carpenter. See map enclosed in this packet.) It is also important to retain the wooded and rustic appearance of Carpenter Street as one of the entrances to the City of Carmel. Widening of the Carpenter St. corridor will not enhance traffic movement to any great degree. Sacrificing the trees in this location would have a more detrimental affect usually. The LUP speaks to retaining the initial character.

Was Applicant Present at Meeting? Yes:  No:

Signature: B. Rainier, City

Date: 7-6-99

Date Printed: 6/24/1999

AGENDA# 3

APPLICANT: CalTrans

FILE# PLN 990 269

APPLICANT PRESENT? YES X NO     

PRESENTATION BY: A woman rep. didnt get her name

COMMITTEE DISCUSSION:

Are bike lanes being maintained? Yes per comment from agent for caltrans  
4' shoulder (paved)  
All improvements occur within highway right of way  
12' lane & 4' shoulder

1<sup>ST</sup> MOTION: M. Sarmiento: Approval of operation improvements #17 & #8 on Hwy 1.

2<sup>nd</sup> Motion: J. Fernandez

~~2<sup>nd</sup> MOTION:~~

VOTE:

ALSKY DAVIS FERNANDES HEGER RAINER SARMENTO WEBER

AYE:

     ✓      ✓ Absent      ✓      ✓

NAY:

EXHIBIT NO. <b>E</b>
APPLICATION NO. <b>A-3-M10-00-010</b>
<b>pg 2 of 4</b>

Operation Improvement #9.

Requests removal of 5 cars plus other veg.

1st Motion: A. Weber Denial of OI #9 due to removal  
of 5 cars (& other veg) and ~~the~~ visual impact on  
residential area of lower trail.

2nd Motion: P. Davis

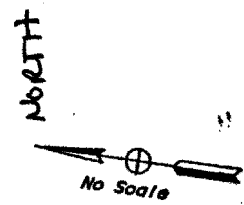
Vote Weber, Davis, Ramirez ~~for~~ in favor of motion  
for denial of improvement #9

Serrano & Fernandez - in opposition to motion.

EXHIBIT NO. E
APPLICATION NO. A-3-M10-00-010
pg 3 of 4

05-MON-1-KP 118.3/120.C  
CPM 73.5/74.6  
06-233-0190HC  
OHC-HB4N

**8**



Carmel Unified  
School District

**7**

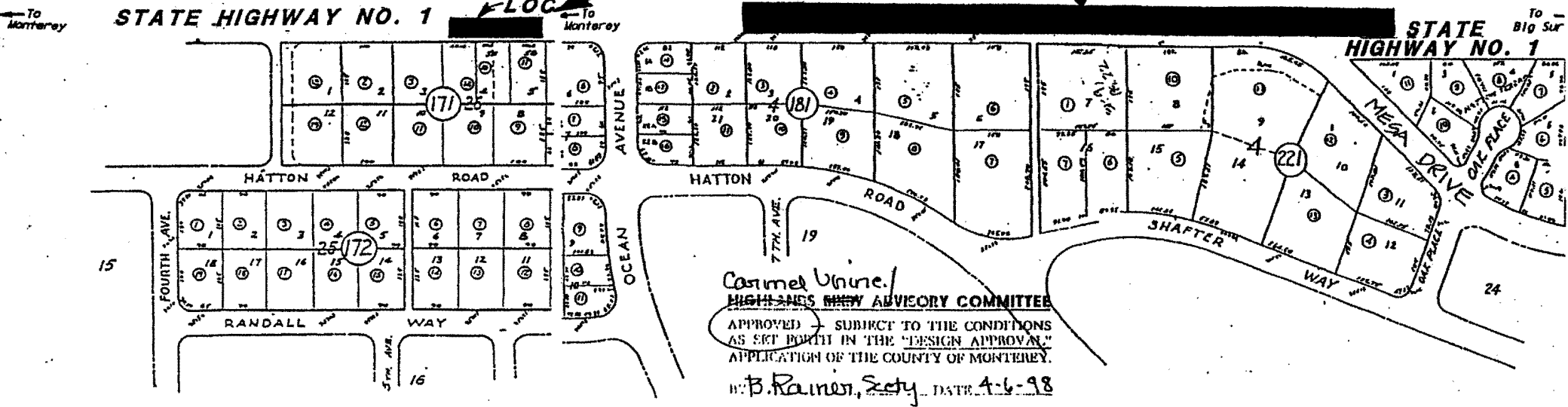
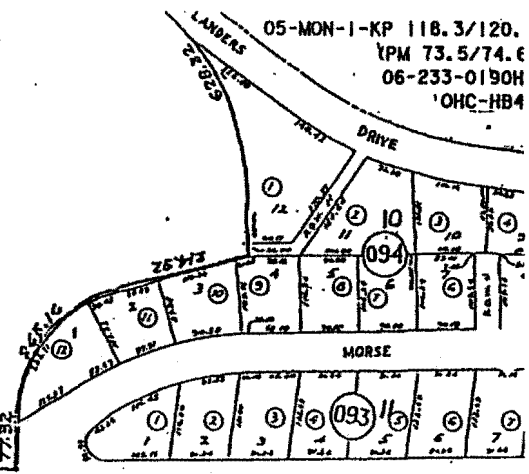
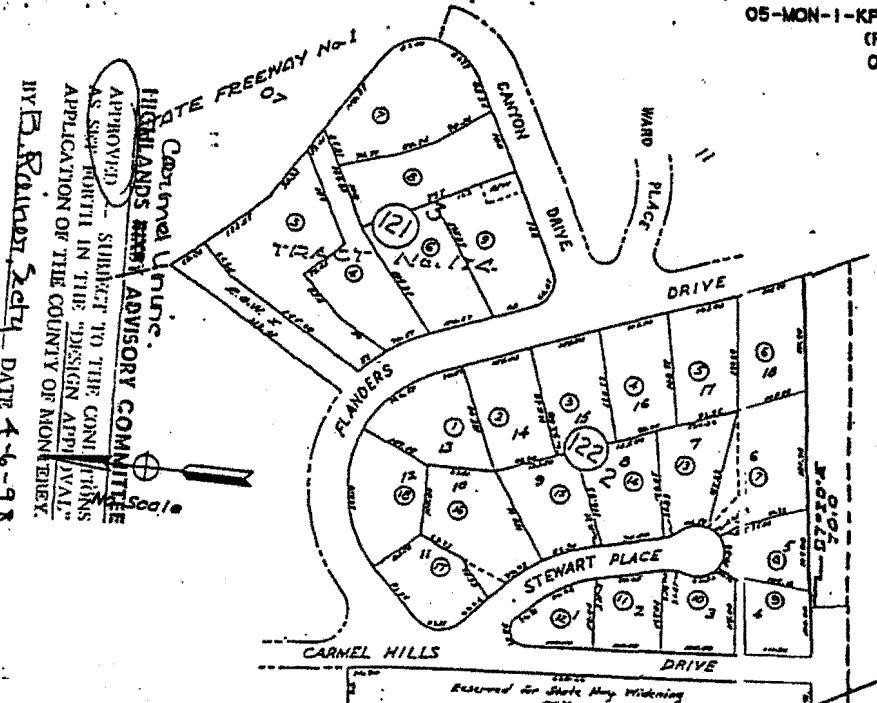
OPERATIONAL IMPROVEMENT

LOCATION 1

OPERATIONAL IMPROVEMENT

05-MON-1-KP 118.3/120.C  
CPM 73.5/74.6  
06-233-0190HC  
OHC-HB4N

Carmel Unified  
HIGHLANDS NEW ADVISORY COMMITTEE  
APPROVED SUBJECT TO THE CONDITIONS  
AS SET FORTH IN THE "DESIGN APPROVAL"  
APPLICATION OF THE COUNTY OF MONTEREY.  
BY B. Rainer, Secy. DATE 4-6-98



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**EXHIBIT F**

Appellant's Contentions

A-3-MCO-00-010

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE  
725 FRONT STREET, STE. 300  
SANTA CRUZ, CA 95060

(831) 427-4863  
HEARING IMPAIRED: (415) 904-5200



FEB 14 2000

APPEAL FROM COASTAL PERMIT  
DECISION OF LOCAL GOVERNMENT

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name, mailing address and telephone number of appellant(s):

Citizens for Hatton Canyon; Lois Starnes; George Ferguson

c/o Christine P. Gianascol, Noland, Hamerly, Etienne & Hoss

P. O. Box 2510, Salinas, CA 93902 (831 ) 424-1414

Zip

Area Code

Phone No.

SECTION II. Decision Being Appealed

1. Name of local/port government: Monterey County Board of Supervisors

2. Brief description of development being appealed: Portion of CalTrans Operational Improvements Project consisting of a coastal development permit to extend southbound Hwy 1 to Ocean Avenue right turn lane 180 feet and extend southbound Hwy 1 merge lane 1,200 feet south of Ocean Avenue to Mesa Drive (Operational Improvements 7 and 8)

3. Development's location (street address, assessor's parcel no., cross street, etc.): State Hwy 1 near Carmel north and south of Ocean Avenue

4. Description of decision being appealed:

a. Approval; no special conditions: \_\_\_\_\_

b. Approval with special conditions: Monterey County Board of Supervisors' approval (on appeal) overturning Monterey County Planning Commission

c. Denial: \_\_\_\_\_

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A-3-MCO-00-010

DATE FILED: 2/14/2000

DISTRICT: Central Coast

H5: 4/88

EXHIBIT NO. <u>F</u>
APPLICATION NO. <u>A-3-MCO-00-010</u>
<u>pg 1 of 21</u>



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- a.  Planning Director/Zoning Administrator      c.  Planning Commission  
b.  ~~City/County~~/Board of Supervisors      d.  Other \_\_\_\_\_

6. Date of local government's decision: January 11, 2000

7. Local government's file number (if any): PLN 990269

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:  
CalTrans, c/o Gary Ruggerone  
District 5  
50 Higuera Street, San Luis Obispo, CA 93401

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

- (1) See attached list Attachment "A"  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(2) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(3) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(4) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SECTION IV. Reasons Supporting This Appeal

Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section, which continues on the next page.

EXHIBIT NO. <b>F</b>
APPLICATION NO. <b>A-3-MCO-00-010</b>
<b>pg 2 of 21</b>

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

See attached - Attachment "B"

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

*Ch. DUNGER*  
Signature of Appellant(s) or Authorized Agent

*Noland Hamerly  
Etienne & Hoss  
for Citizens of  
Hutton Canyon,  
Lois Starnes*

Date February 14, 2000

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization *Morrison & Forester and/or*  
I/We hereby authorize Noland Hamerly Etienne Hoss *by Christine Gianasof* to act as my/our representative and to bind me/us in all matters concerning this appeal.

*Lois Starnes*  
Signature of Appellant(s)

EXHIBIT NO. **F**  
APPLICATION NO. **A-3-140-00-0**  
**pg 3 of 21**

**ATTACHMENT A  
INTERESTED PARTIES LIST  
CALIFORNIA COASTAL COMMISSION APPEAL  
CALTRANS HIGHWAY 1 OPERATIONAL IMPROVEMENTS**

Christine P. Gianascol, Esq.  
Noland, Hamerly, Etienne & Hoss  
Post Office Box 2510  
Salinas, CA 93902-2510

William Fleishhacker, Esq.  
Morrison & Foerster  
425 Market Street  
San Francisco CA 94105-2482

Ms. Wendy O'Hallaren  
California Department of Transportation  
50 Higuera Street  
San Luis Obispo, CA 93401-5414

Mr. Gary Ruggione  
Environmental Planning Branch  
California Department of Transportation  
50 Higuera Street  
San Luis Obispo, CA 93401-5414

Nancy Lukenbill  
Clerk of the Board of Supervisors  
240 Church Street  
Salinas, CA 93901

Kris Berry  
Monterey County Planning Department  
240 Church Street  
Salinas, CA 93901

Mrs. Lois Starnes  
3512 Ocean Avenue  
Carmel, CA 93923

George Ferguson  
24795 Outlook Drive  
Carmel, CA 93923

Joan Shirley  
Post Office Box 256  
Carmel, CA 93921-0256

Fran Farina  
7532 Fawn Court  
Carmel, CA 93923

Gary Tate  
170 Chaparral Road  
Carmel Valley, CA 93924

James Rodda  
3474 Rio Road  
Carmel, CA 93923

Joyce Stevens  
Post Office Box 2116  
Carmel, CA 93921-2116

Willis Shepard  
25602 Morse Drive  
Carmel, CA 93923

Patricia Lockhart  
2734 Pradera Road  
Carmel, CA 93923

Tom Gray  
1 Rancho San Carlos Road  
Carmel, CA 93923

Alan Williams  
Carmel Development Company  
Post Office Box 450  
Carmel, CA 93921

Denise Duffy  
Denise Duffy & Associates  
947 Cass Street  
Monterey, CA 93940

EXHIBIT NO. <b>F</b>
APPLICATION NO. <b>A-3-MCO-00-010</b>
<b>pg 4 of 21</b>

Pat Bernardi  
27195 Meadows Road  
Carmel, CA 93923

Rob and Joan Wellington  
25175 Stewart Place  
Carmel, CA 93923

Jack Van Zander  
Bestor Engineers  
9701 Blue Larkspur Lane  
Monterey, CA 93940

John Banister  
24791 Handley Drive  
Carmel, CA 93923

Pam Gillooly  
24718 Upper Trail  
Carmel, CA 93923

George Boelter  
Carmel Valley Property Owners' Association  
30 Miramonte Road, #A  
Carmel Valley, CA 93924

Barbara Rainer  
2747 Pradera  
Carmel, CA 93923

Paul Ernst  
66 Yankee Point Drive  
Carmel Highlands, CA

Haslidi H. Jonsson  
25875 Mesa Drive  
Carmel, CA 93923

Linda Hanel  
26240 Atherton Drive  
Carmel, CA 93923

Ann LaMothe  
Post Office Box 543  
Pebble Beach, CA 93953

Fred Ziegler, M.D.  
P. O. Box 3685  
Carmel, CA 93921

Julie Ziegler,  
P. O. Box 3685  
Carmel CA 93921

Nancy Reiley  
25057 Hatton Road  
Carmel, CA 93923

Kathleen Livingstone  
Post Office Box 5452  
Carmel, CA 93921-5452

Peggy Jones  
25222 Highway 1  
Carmel, CA 93923

Marta and Ramon Santiago  
Post Office Box 263  
Carmel, CA 93921-0263

Do-Yun and Tai-Choon Han  
3507 Ocean Avenue  
Carmel, CA 93921

Rodney and Marget Windfield  
3483 Ocean Avenue  
Carmel, CA 93921

Mr. and Mrs. Uyeda  
25388 Highway 1  
Carmel, CA 93923

John and Karen Egan  
25418 Highway 1  
Carmel, CA 93923

Steven and Jeanne Bricker  
25475 Shafter Way  
Carmel, CA 93923

Pam and Byron Swenson  
25455 Shafter Way  
Carmel, CA 93923

Dean and Cindy James  
25425 Hatton Road  
Carmel, CA 93923

EXHIBIT NO. F
APPLICATION NO. A-3-140-00-010
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John and Betty Lou Faia  
25393 Hatton Road  
Carmel, CA 93923

Lily and Harry Hallaian  
25486 Highway 1  
Carmel, CA 93923

Micah Chung  
25522 Highway 1  
Carmel, CA 93923

William and Joan Dorey  
2555 Shafter Way  
Carmel, CA 93923

Susan Lacy Williams Buck  
25630 North Mesa Drive  
Carmel, CA 93923

Dorothy Howze  
25613 Shafter Way  
Carmel, CA 93923

Joan Godwin  
25525 Shafter Way  
Carmel, CA 93923

Howard and Jane Given  
25502 Shafter Way  
Carmel, CA 93923

John and Whitney Wheeler  
25495 Shafter Way  
Carmel, CA 93923

Alan and Amanda Covell  
25615 North Mesa Drive  
Carmel, CA 93923

Alex and Eleanor Szaszy  
3525 Oak Place  
Carmel, 93923

John O'Day  
25635 North Mesa Drive  
Carmel, CA 93923

Al and Ann Cottingham  
353 Oak Place  
Carmel, CA 93923

Hugh and Rosemary Smith  
Post Office Box 22638  
Carmel, CA 93923-2638

Lewellyn and Suzanna Howell  
25582 Morse Drive  
Carmel, CA 93923

The Gates  
25618 Morse Drive  
Carmel, CA 93923

Curtis and Lillian Gorham  
25636 Morse Drive  
Carmel, CA 93923

Mary Ann and Luis Medeiros  
25654 Morse Drive  
Carmel, CA 93923

Carmel Unified School District  
3600 Ocean Avenue  
Carmel, CA 93923

John and Virginia Crisan  
2523 North Carmel Hills Drive  
Carmel, CA 93923

James and Louise Suchan  
25225 North Carmel Hills Drive  
Carmel, CA 93923

Eda Linda Corr  
25215 North Carmel Hills Drive  
Carmel, CA 93923

Evelyn Cate  
25932 North Mesa Drive  
Carmel, CA 93923

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## ATTACHMENT B

### Reasons Supporting This Appeal

**Appeal of Monterey County Approval PLN990269  
CalTrans' Application For Coastal Development Permit  
For Operational Improvements 7 and 8 On Highway 1 Near Carmel**

This appeal involves CalTrans' application to build two Operational Improvements, known as 7 & 8, along Highway 1, a State Scenic Highway, near the City of Carmel.

The California Coastal Commission should deny CalTrans' request to build these two "improvements" because improper notice was given to area residents regarding the County's hearings on this application, this application does not conform to the standards set forth in the Carmel Area Local Coastal Plan or Monterey County Implementation Plan; this application has the potential to create significant environmental impacts which have not been adequately addressed; this application is not necessary; and will be detrimental to the community, without providing any traffic benefit.

In 1998 and again in 1999, the Monterey County Planning Commission reviewed this application, including conformity with the Carmel Area Land Use Plan and Monterey County Coastal Implementation Plan, and twice denied the application finding, among other things, that the these improvements must be evaluated in the context of the entire Operational Improvements Project and that these improvements were detrimental to the health, safety and general welfare of the area residents. On appeal, the Monterey County Board of Supervisors overturned the Planning Commission's most recent denial.

Appellants Citizens for Hatton Canyon ("Citizens") is an unincorporated association composed of individuals who have joined together for the purpose of protecting the remaining scenic value and rural character of the existing Highway 1, a State Scenic Highway, near the City of Carmel in Monterey County (the "County").<sup>17</sup> Lois Starnes is the founding member of Citizens. George Ferguson is a member of Citizens.

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<sup>17</sup> Citizens filed suit against CalTrans challenging the Operational Improvements Project. This litigation has been stayed pending CalTrans' perfecting a final coastal development permit for any portion of the Operational Improvement Project. As part of this litigation, Citizens stipulated not to oppose Operational Improvement 5 (a dual right turn lane from westbound Carmel Valley Road to northbound Highway 1), as this improvement was required as a condition of approval for several planned developments. By stipulation and court order, Citizens' agreement not to object to Operational Improvement 5 cannot be construed as an agreement that CalTrans' processing of Operational Improvement 5 was lawful, nor can CalTrans assert that Citizen's failure to object to Operational Improvement 5 constitutes a waiver or admission or in anyway impairs Citizens' legal rights with respect to the Operational Improvements Project either as to the individual pieces or the entire project.

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**A. Notice Of The County's Action On This Application Was Improper**

The list, provided by CalTrans, of those persons required to be notified of this coastal permit application, attached hereto as **Exhibit A**, is incomplete. As shown on Exhibit A, no cities or towns are listed. In many cases these people reside out of the area. Accordingly, it must be assumed that notice was not received by them. Moreover, Citizens has been informed that notice was, in fact, not received in at least one case. Mr. Bricker, who also resides in Fresno called Citizens' counsel, following the Board's action stating he had received no notice of this application and that he knew nothing of this application until reading about its approval in the local newspaper, after the fact. As set forth below, the residents along this portion of Highway 1 will be significantly and detrimentally impacted by this permit. They are entitled to proper notice. The matter should be remanded back to the Monterey County Board of Supervisors for rehearing upon proper notice.

**B. Improvements 7 and 8, And The Operational Improvements Project As A Whole, Are Inconsistent With The Coastal Plan, The Monterey County General Plan And County Ordinances**

**1. Improvements 7 and 8 are part of a larger Operational Improvements Project Which Requires Comprehensive Review.**

The evidence before this Commission leaves no doubt that Improvements 7 & 8 are part of a larger single "project," (the Operational Improvements) which, as a whole, has numerous potentially significant impacts on coastal resources. The Operational Improvements Project was developed based on direction provided by the California Transportation Commission (the "CTC") in 1993, as a package of short-term roadway construction measures that comprise the Project. This single Project contains multiple elements, which are described in **Exhibit B** and depicted on **Exhibit C**, attached hereto. In April 1995, CalTrans prepared and presented to the Transportation Authority of Monterey County ("TAMC") an Action Plan for the implementation of the Project. A copy of the Action Plan is attached as **Exhibit D**.

In its Action Plan, CalTrans described the implementation of the Project as a single "plan" containing multiple elements of roadway construction. Subsequently, CalTrans adopted two Project Reports, which considered and ultimately approved implementation of several elements of the overall Project. Again, CalTrans described the Operational Improvements as a "package" and a "group."

In addition, the design of the Operational Improvements Project shows it is one cohesive "action" or "project" designed and intended to provide a continuous traffic facility along Highway 1 land would result in a near-continuous widening of Highway 1 from the Carmel Valley Road intersection north to the Highway 68 interchange, as well as the associated intersection widenings and the already-completed reconstruction of the Carmel River Bridge.

The Operational Improvements Project, as a whole, has never been subject to full environmental review as required by CEQA nor full evaluation under the Coastal Act. Nevertheless, it is clear that many of its components will have potentially significant impacts to

coastal resources. CalTrans already has acknowledged that several elements of the Operational Improvements Project, Improvements 4, 11 and 12, would cause significant adverse impacts. In addition, the Federal Highway Administration ("FHWA") has been unwilling to support these elements of the Project because of the severe cumulative environmental impacts that would result from them.

CalTrans' own Action Plan, Project Report, Project Study Report and other documents candidly admit the acknowledged environmental impacts of the Project. For example:

- In its Action Plan, CalTrans noted that its "legal staff have expressed strong reservations over their ability to defend a decision" to implement part of the Operational Improvements Project "due to the environmental ramifications and conflicts" with the findings of the FEIR/S. The Action Plan also noted that "obtaining environmental certification and permits" for portions of the Operational Improvements Project "will be difficult."
- In its Action Plan, CalTrans further noted that "[d]ue to impacts on existing trees," portions of the Operational Improvements Project "appear to be inconsistent with specific provisions of the Carmel Area Local Coastal Plan and the California Coastal Act."
- In its Project Study Report, CalTrans noted that the Operational Improvements Project would have substantial environmental impacts. Such impacts include increased noise, decreased parking, destruction of natural resources (including the removal of pine and oak trees), decreased visual quality for views from and of the highway, and potential reductions in air quality. In that report, CalTrans stated that "[c]onsideration should be given to the preparation of one environmental document for all of the operations improvements to address the cumulative impacts and avoid potential segmentation issues." (Exhibit E, Project Study Report at p. 23, emphasis added.)
- In a public statement to TAMC on April 26, 1995, CalTrans noted that its legal counsel "feels it is unlikely CalTrans would enter into a lawsuit to defend" a decision to implement a portion of the Operational Improvements Project which requires the widening of Highway 1 "due to the environmental ramifications of removing 100 plus trees and the conflict with the FEIS [sic] findings."
- CalTrans has never performed comprehensive review as required by law on the entire Operational Improvements Project. Instead, CalTrans has attempted to "piecemeal" the project into smaller segments, reviewing them one at a time. A proper review would compel CalTrans to acknowledge that the Project, as a whole, could cause unacceptable impacts to coastal resources, including the removal of trees and impact to the pine forest, destruction of habitat and impact to biologic resources and wetlands, impact to the scenic corridor, impacts regarding flooding, siltation, and erosion, air quality impacts, noise, and safety impacts, and impacts associated with cumulative development and growth-inducing impacts.

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**2. Improvements 7 and 8, and The Operational Improvements Project as a Whole, Are Inconsistent With Coastal Plan Scenic Road Provisions**

Improvement 7 and 8 and the Operational Improvements Project, as a whole, are inconsistent with the scenic road and highway provisions of the Local Coastal Plan, including Section 20.146.100 of the Carmel Area Implementation Plan and Sections 3.1.1, 3.1.2, 3.1.3 and 3.1.4 of the Carmel Area Land Use Plan ("Carmel LUP"). These provisions state that most remaining highway capacity shall be reserved for coastal priority uses. These sections also provide that "[i]n order to *afford reasonable* traveling speeds for residents and visitors, protect emergency use of the highway, and enhance the quality and enjoyment of the scenic driving experience, reductions in peak use period traffic should be sought." Section 3.1.3.5 of the Carmel LUP further provides that "[t]he overall objective for Highway 1 should be to maintain the highest possible standard of scenic quality in management and maintenance activities carried on within the State right-of-way."

Contrary to these policies, Improvements 7 and 8 and the Operational Improvements Project, as a whole, will facilitate the expanded use of Highway 1 as a major thoroughfare for non-coastal priority uses and degrade the quality and enjoyment of the scenic driving experience. Moreover, the Project Report and the Project Study Report prepared by CalTrans for the various components of the Operational Improvements Project do not satisfy the requirements of Section 20.146.100.A.4 of the Carmel Implementation Plan in that these reports fail to contain adequate assessments of the estimated amounts and types of traffic to be generated, assessments of impacts to service level and safety, provision of adequate mitigation or cost information.

In addition, the Carmel Plan calls for the County and the State Department of Parks and Recreation to develop a management plan, with specified elements, for the Scenic Road corridor. See Carmel LUP Section 2.2.5. Citizens' does not believe that the County has complied with this policy. Further action on any component of the Operational Improvements Project should be suspended until a comprehensive management plan for the Scenic Corridor has been developed and implemented in accordance with this policy.

Moreover, Highway 1 in this area is the Pacific Coast Bicycle Route. Improvements 7 & 8, in particular, interfere with use of this segment of Highway 1 as a bike route. Improvement 8 calls for design exceptions which reduce the shoulder widths making it nearly impossible to ride along this section of Highway 1.

**3. Improvements 7 and 8, and The Operational Improvements Project as a Whole, Are Inconsistent With Coastal Plan Visual Resources Provisions**

Improvements 7 and 8 and the Operational Improvements Project, as a whole, also are inconsistent with Local Coastal Plan provisions for preservation of visual resources. There is no evidence that the County has complied with on-site investigation requirements and Coastal Plan and General Plan restrictions for development within the public viewshed. (See e.g., Carmel LUP Sections 2.2.2, 2.2.3, 2.2.4.) The Operational Improvements (including Improvement 7 and 8) are proposed for development in the designated Scenic Corridor and may adversely affect the existing

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forested corridor along Highway 1. The Local Coastal Plan and the General Plan specify that this corridor "shall be maintained as a scenic resource and natural screen." (See e.g., Carmel LUP Policies 2.2.3 and 2.2.4; see also Carmel Implementation Plan Sections 20.146.030 and 20.146.120.) The documentation for Improvement 7 and 8 and the Operational Improvements Project, as a whole, do not demonstrate that these requirements will be satisfied.

Moreover, Improvements 7 and 8 and the Operational Improvements Project, as a whole, would conflict with these provisions by damaging existing scenic trees, removing hundreds of trees, including Monterey Pines, and other vegetation and introducing structures and other features (such as retaining walls and sound walls) that are incompatible with the scenic corridor. The improvements would diminish the overall scenic value of the corridor

**4. The Operational Improvements Project Is Inconsistent With Local Coastal Plan and General Plan Requirements for Development in Environmentally Sensitive Habitat Areas**

The Operational Improvements Project also is inconsistent with Local Coastal Plan and General Plan standards for development in environmentally sensitive habitats. These include policies regarding cutting and removal of trees, preservation of Monterey pine and other habitats. (See e.g. Carmel LUP Policies 2.3.2, 2.3.3, 2.3.4, 2.3.5 and 2.5.1; Carmel Implementation Plan Sections 20.146.040 and 20.146.060; General Plan Objectives and Policies 11.1-11.2.)

As set forth above, the Operational Improvements Project would result in the removal of hundreds of trees, including Monterey Pines.

**5. Improvements 7 and 8, and The Operational Improvements Project As a Whole, Are Inconsistent With Local Coastal Plan Requirements for the Protection of Water and Marine Resources and Flood Hazards**

Improvements 7 and 8 and the Operational Improvements Project as whole will increase runoff by adding additional impervious coverage/asphalt to Highway 1, all of which will drain directly into the Carmel River and ultimately into the Carmel Bay - an Area of Special Biological Significance (ASBS). (see Carmel LUP 2.4.1, 2.4.2, 2.4.3, 2.4.4.B.2). Moreover, homes and businesses along the Carmel River adjacent to Highway 1 in this area have experienced severe flooding in the past several years. With the increased impervious surface and runoff being added, this project has the potential to significantly impact both water quality and flooding in this area.

**6. Improvements 7 and 8 and The Operational Improvements Project As a Whole, are Inconsistent With Requirements for the Protection of Air Quality**

Monterey County has been classified as a moderate non-attainment area for certain air emissions. Overall Improvements 7 and 8 will add capacity for idling cars, especially south of Ocean Avenue, but will do nothing to improve the overall flow of traffic in this. The residents of

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this area already suffer from car exhaust coming in to their yards and homes. More cars caught in stop and go traffic and idling along this stretch of Highway 1 will add to an already bad air emissions problem.

C. **Improvements 7 and 8, as Stand Alone Projects, Have No Benefit and Are Detrimental to the Community**

Equally important, construction of Improvements 7 and 8, in and of themselves, will provide no perceptible improvement in the traffic flow in this area of State Scenic Highway 1. Construction of these elements will therefore waste State and County resources. These improvements alone cannot achieve the project purpose of relieving traffic congestion on Highway 1. Worse, these elements of the Project, if built, will needlessly harm and inconvenience residents of the area.

CalTrans concludes that Improvements 7 and 8 will result in an increase in noise levels for adjoining areas and exceed of Federal, State and/or local noise criteria. Moreover, the cumulative noise impacts of the Operational Improvements Project as a whole could be expected to be significantly greater due to the increased traffic load.

These improvements also create serious safety concerns. A number of residents have driveways with direct access onto Highway 1 in this area. With Improvement 8, residents living along this stretch of Highway 1 will have to cross two lanes of traffic to enter or exit their driveways. CalTrans admits, Improvements 7 and 8 may actually make existing difficult problems even worse. For example, the ND/FONSI acknowledges:

While the additional storage may provide some minor improvements for traffic on Highway 1, Operational Improvement 8 will impact access to seven residences with direct access to Highway 1. The access for these residences will not be closed, however, additional storage area on Highway 1 will make it more difficult for residents to access their driveways.

Moreover, CalTrans states that these improvements "would not provide any measurable improvement in congestion and traffic demand would continue to exceed the available capacity on Highway 1 during peak traffic periods." (Exhibit F, ND/FONSI at p. 28, emphasis added.) This should be dispositive. Since the whole point of the Operational Improvements Project is to provide traffic relief, if this construction would not do so, it should not be approved.

The impact on these individual homeowners will be great. Road widening will bring the noise and traffic of Highway 1 even closer to their properties. It is already difficult for these residents to use their driveways to exit their properties onto Highway 1, and, as discussed above, Improvements 7 and 8 would amplify these difficulties.

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	APN	Owners	Property / s	Mail Address
1	009-171-018-000	CRAVIOTTO VINCENT/TR	25146 STEWART PL	25146 STEWART PL
2	009-171-002-000	LIVINGSTONE KATHLEEN	26204 HWY 1	PO BOX 5452
3	009-171-003-000	JONES PEGGY B	25222 HWY 1	855 MAHLER RD
4	009-171-014-000	SANTIAGO RAMON A & MARTA L/TR	25240 HWY 1	PO BOX 263
5	009-171-016-000	HAN TAI-CHOON & DO-YUN	HWY 1	3507 OCEAN AVE
6	009-171-017-000	HAN TAI-CHOON & DO-YUN	25260 HWY 1 HY	3507 OCEAN AVE
7	009-171-006-000	HAN TAI-CHOON & DO-YUN	3507 OCEAN AV	3507 OCEAN AVE
8	009-171-007-000	WINFIELD RODNEY M & MARGARET E	3483 OCEAN AV	3483 OCEAN AVE
9	009-171-008-000	BARGER MARY JANET	25287 HATTON RD	25287 HATTON RD
10	009-171-009-000	WEST JAMES S & JESSIE L	25289 HATTON RD	224 PATRICIA LN
11	009-171-010-000	MCNAMARA DANIEL F & JACQUELINE	25247 HATTON RD	25247 HATTON RD
12	009-171-011-000	WOOD SUSAN L S/TR	25227 HATTON RD	70 DEL MESA CARMEL
13	009-181-014-000	STARNES LOIS/TR	3512 OCEAN AV	3512 OCEAN AVE
14	009-181-013-000	STARNES LOIS/TR	3512 OCEAN AV	3512 OCEAN AVE
15	009-181-015-000	STARNES LOIS/TR		3512 OCEAN AVE
16	009-181-016-000	STARNES LOIS/TR		3512 OCEAN AVE
17	009-181-002-000	MILLER THOMAS T & LOUISE S	25328 HWY 1	PO BOX 222659
18	009-181-003-000	SHIRLEY JOAN B	25360 HWY 1	PO BOX 256
19	009-181-004-000	UYEDA TRUST	25388 HWY 1	5388 HIGHWAY 1
20	009-181-005-000	EGAN JOHN F & KAREN D/TR	25418 HWY 1	2190 BROADWAY ST #4
21	009-181-006-000	BRICKER STEVEN M & JEANNE S	25475 SHAFTER WY	3705 N CLOVIS AVE
22	009-181-007-000	SWENSON BYRON E & PAMELA JEANNE	25455 SHAFTER WY	25455 SHAFTER WAY
23	009-181-008-000	JAMES DEAN & CINDY	25425 HATTON RD	25425 HATTON RD
24	009-181-009-000	FAIA JOHN JR & BETTY LOU/JT	25393 HATTON RD	25393 HATTON RD
25	009-181-010-000	KASTROS MITCHELL A & AMBER C KAST/TR	25365 HATTON RD	25365 HATTON RD
26	009-181-011-000	BOOTH HORACE	25343 HATTON RD	PO BOX 2526
27	009-221-001-000	HALLAIAN HARRY M & LILLY/TR	25486 HWY 1	1024 W SAN BRUNO AVE
28	009-221-010-000	CHUNG MICHA	25522 HWY 1	PO BOX 299
29	009-221-011-000	DOREY WILLIAM G & JOAN E/JT	25555 SHAFTER WY	25555 SHAFTER WAY
30	009-221-012-000	MOORES JOHN & REBECCA/CP		PO BOX 1146
31	009-221-003-000	BUCK SUSAN LACY WILLIAMS	25630 N MESA DR	PO BOX 5427
32	009-221-004-000	HOWZE DOROTHY P/TR	25613 SHAFTER WY	25613 SHAFTER WAY
33	009-221-013-000	MOORES JOHN & REBECCA/CP		PO BOX 1146
34	009-221-005-000	GODWIN JOAN F/TR	25525 SHAFTER WY	25525 SHAFTER WAY
35	009-221-006-000	GIVEN HOWARD C II & JANE C	25505 SHAFTER WY	25505 SHAFTER WAY
36	009-221-007-000	WHEELER JOHN & WHITNEY	25495 SHAFTER WY	25495 SHAFTER WAY
37	009-231-011-000	COVELL ALAN C & AMANDA P	25615 N MESA DR	25615 N MESA DR
38	009-231-009-000	SZASZY ALEX L & ELEANOR	3525 OAK PL	3625 OAK PLACE
39	009-231-010-000	O'DEA JOHN R	25635 N MESA DR	25635 N MESA DR
40	009-231-008-000	COTTINGHAM ALFRED M & ANN/TR	3535 OAK PL	3535 OAK PL
41	015-093-001-000	SMITH HUGH E & ROSEMARY/TR	25558 MORSE DR	PO BOX 22638
42	015-093-002-000	HOWELL LLEWELLYN D & SUSANA G (	25582 MORSE DR	10458 N 9TH ST
43	015-093-003-000	SHEPARD WILLIS I & ERNESTINE W	25602 MORSE DR	25602 MORSE DR
44	015-093-004-000	GATES JOHN D & JANE C/TR	25618 MORSE DR	25618 MORSE DR
45	015-093-005-000	GORHAM CURTIS B & LILLIAN GORHA	25636 MORSE DR	25636 MORSE DR
46	015-093-006-000	MEDEIROS LOUIS J & MARIANN E T C	25654 MORSE DR	25654 MORSE DR
47	015-081-001-000	CARMEL UNIFIED SCHOOL DIST	3600 OCEAN AV	CARMEL CA
48	015-122-009-000	CRISAN JOHN L & VIRGINIA/JT	25235 N CARMEL HILLS DR	25235 N CARMEL HILLS DR
49	015-122-010-000	SUCHAN JAMES E & LOUISE/JT	25225 N CARMEL HILLS DR	25225 N CARMEL HILLS DR
50	015-122-011-000	CORR EDA LINDA	25215 N CARMEL HILLS DR	PO BOX 8361
51	015-122-012-000	OLIVIE JOHN-PIERRE	25205 STEWART PL	PO BOX 2919
52	009-051-009-000	JAUREGUI STEPHEN & WILMA/TR	24490 S SAN LUIS AV	24490 S SAN LUIS AV
53	009-051-010-000	GRIMM GORDON C & GAY F/CP	24500 S SAN LUIS AV	PO BOX 644
54	009-051-011-000	FORBES JANE W	24510 S SAN LUIS AV	24510 S SAN LUIS AVE
55	009-051-028-000	WHITING EDWARD/EA	24520 S SAN LUIS AV	
56	009-051-013-000	AIELLO JOHN & LORI M	24534 S SAN LUIS AV	
57	009-051-029-000	SABIH DAVID & ELAINE/JT	3391 CARPENTER RD	
58	009-051-014-000	MOORER STEPHEN A/EA	3373 CARPENTER RD	
59	009-051-015-000	MIDDLETON BOBBETTE GRUNIG & CLARE/TR	3351 CAMINO DEL MONTI	

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	APN	Owners	Property / s	Mail Address
60	009-051-016-000	OBERG JANET G	3327 CAMINO DEL MONTE	PO BOX 1351
61	009-051-017-000	CONIGLIO CARLA LEPORI & CARA M CO	3309 CAMINO DEL MONTE	26048 AHERTON DR
62	009-073-020-000	RODRIGUEZ RONALD A & PATRICIA R	24580 LOWER TR	24580 LOWER TRL
63	009-073-019-000	HAGAR WARREN A & OLGA	24590 LOWER TR	24590 LOWER TRL
64	009-073-018-000	SELVIG LILLI/TR	24600 LOWER TR	24600 LOWER TRL
65	009-073-026-000	BURKLEO DAN B & JEAN/TR	24604 LOWER TR	24604 LOWER TRL
66	009-073-025-000	BOWEN TRUST	24610 LOWER TR	PO BOX 221846
67	009-073-024-000	KEATS JAMES E & OLIVE E/TR	24614 LOWER TR	PO BOX 924
68	009-073-014-000	WYLLY PHILLIPS & SHIRLEY A NN WI	LOWER TR	1147 WILDCAT CANYON RD
69	009-071-014-000	CAMPBELL RON R & CAROLYN/JT	24603 UPPER TR	24603 UPPER TRL
70	009-072-027-000	SAUER GERALD F & MARGARET J	24620 UPPER TR	24620 UPPER TRL
71	009-072-032-000	FOY LAWRENCE D	24603 LOWER TR	24603 LOWER TRL
72	009-072-033-000	CLIFF FRANK B & SHIRLEY A	24611 LOWER TR	531 SAINT CLAIRE DR
73	009-072-034-000	ANLOFF GARRY J JR/EA	24617 LOWER TR	801 ROSEMOUNT RD
74	009-072-035-000	LAYTON DAVID L & LOIS H/TR	24660 UPPER TR	24660 UPPER TRL
75	009-072-024-000	OLIPHANT TRUST	24655 LOWER TR	3294 AMENO DR
76	009-073-030-000	GROWER ROBERT G & BETTY J/JT	24640 LOWER TR	24640 LOWER TRL
77	009-073-031-000	KIRCHENBAUER BRIGITTE VACH AL	CARPENTER ST	24645 LOWER TRL
78	009-171-012-000	LIPSCOMB MICHAEL J	25207 HATTON RD	183 SARGENT CT
79	009-171-019-000	CROSSMAN PAUL DAYSON & KAREN MA	25193 HATTON RD	25193 HATTON RD
80	009-231-007-000	JACKE WILLIAM LOUIS JR & KATHRY	3540 OAK PL	PO BOX 221984

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# HIGHWAY 1 OPERATIONAL IMPROVEMENTS NEAR CARMEL

<u>PROJECT</u>	<u>ESTIMATED COST</u>	<u>ANTICIPATED ENV DOC TYPE</u>	<u>ESTIMATED RTL DATE</u>	<u>COMMENTS</u>
1 Replace Carmel River Bridge	\$4,400,000	Cat Ex	Delivered 03/95	Project Completed 06/95 (Storm Damage)
2 Second WB Through Lane at Rio Road	\$ 100,000	Cat Ex (Completed)	See Comments	Design Completed; Project Eliminated By Monterey County Board Of Supervisors Due To Rejection Of On-Street Parking Restriction Involving 7 Local Residences
3 Dual Left Turn at Carmel Valley Road	\$ 200,000	Cat Ex (Completed)	12/95	Design Nearing Completion; RTL Date Subject To Iss. of Coastal Development Permit By 12/95
4 NB Climbing Lane From Carmel Valley Road to Morse Drive	\$2,600,000	Neg Dec	10/97	PSR To Be Completed 8/31/95; Impacts Include Removal of 100 to 120 Trees*, Construction of Sound/Retaining Walls Required
5 Dual Right Turn WB Carmel Valley Rd To NB Highway 1	\$ 200,000	Neg Dec	10/97	PSR To Be Completed 8/31/95; Some Tree Removal and Wetland Impact Adjacent to Carmel Valley Road
6 Exclusive Right Turn Lane EB Ocean Avenue To SB Highway 1	\$ 100,000	Neg Dec	10/96	PSR To Be Completed 8/31/95; Removal of 2 Trees and On-Street Parking Elimination
7 Extend Right Turn Lane SB Highway 1 To WB Ocean Ave	\$ 100,000	Neg Dec	10/96	PSR To Be Completed 8/31/95; Minor Tree Removal
8 Extend Lane Reduction Southbound South of Ocean Avenue	\$ 100,000	Cat Ex (Completed)	12/95	Design Nearing Completion; RTL Date Subject To Iss. of Coastal Development Permit By 12/95
9 Extend Storage Length EB Leg at Carpenter St	\$ 100,000	Neg Dec	10/96	PSR To Be Completed 8/31/95; Removal of 10 to 12 Tr
10 Park and Ride/Shuttle Lot at Ocean Ave or Rio Road	\$ 100,000.	Neg Dec	03/97	PSR To Be Completed 8/31/95; Removal of Some Trees Likely Depending on Location and Design
11 Left Turn Channelization NB Hwy 1 To WB Handley Dr	\$ 500,000	Neg Dec	06/97	PSR To Be Completed 8/31/95; Removal of 80 to 100 Trees, Construction of Retaining Walls Required
12 Third Northbound Lane From Handley Dr To Pacific Grove Interchange	\$1,000,000	Neg Dec	08/97	PSR To Be Completed 8/31/95; Removal of 50 to 60 Trees, Construction of Large Retaining Walls

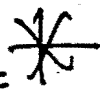
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EXHIBIT B

\* The Carmel Area Local Coastal Plan Specifically Identifies Trees Along The Existing Highway 1 Corridor As A Scenic Resource And This

I. INTRODUCTION

part of a package of Operational Improvements along the existing Route 1 alignment near Carmel (see subsequent sections of this report for background and history), it is proposed to provide the following improvements:



<u>OPERATIONAL IMPROVEMENT NUMBER *</u>	<u>DESCRIPTION</u>	<u>EST. CONSTR COST</u>	<u>EST R/W COST</u>	<u>EST MITIGATION COST</u>	<u>TOTAL</u>
4	Construct a Northbound Climbing Lane On Route 1 From Carmel Valley Road to Morse Drive	\$2,770,000	\$270,000	\$200,000	\$3,240,000
5	Construct a Dual Right Turn Lane From Westbound Carmel Valley Road Onto Northbound Route 1	\$ 590,000	\$ 23,000	\$ 7,000	\$ 620,000
6	Construct an Exclusive Right Turn Lane From Eastbound Ocean Avenue Onto Southbound Route 1	\$ 80,000	\$ 22,000	\$ 2,000	\$ 104,000
7	Extend the Existing Right Turn Pocket From Southbound Route 1 Onto Westbound Ocean Avenue	\$ 40,000			\$ 40,000
9	Extend the Storage Lengths For Eastbound Moves From Carpenter Street	\$ 180,000	\$ 5,000	\$ 12,000	\$ 197,000
10	Construct Park and Ride/Shuttle Lot at Ocean Avenue and/or Rio Road	\$ 100,000		\$ 10,000	\$ 110,000
11	Construct Left Turn Channelization From Northbound Route 1 Onto Handley Drive	\$ 690,000	\$ 10,000	\$ 50,000	\$ 750,000
12	Construct a Third Northbound Lane On Route 1 From Handley Drive to the Highway 68 (Pacific Grove) Interchange	\$ 860,000	\$ 20,000	\$ 40,000	\$ 920,000
<b>TOTALS:</b>		<b>\$5,310,000</b>	<b>\$350,000</b>	<b>\$321,000</b>	<b>\$5,981,000</b>

\* The "Operational Improvement Number" is in reference to the group of 12 Operational Improvements developed as a result of a joint task force to examine potential interim improvements along the existing Highway 1 alignment near Carmel. See "Background" section of this report for further detail.

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EXHIBIT b

# HIGHWAY 1 OPERATIONAL IMPROVEMENTS

## VICINITY MAP

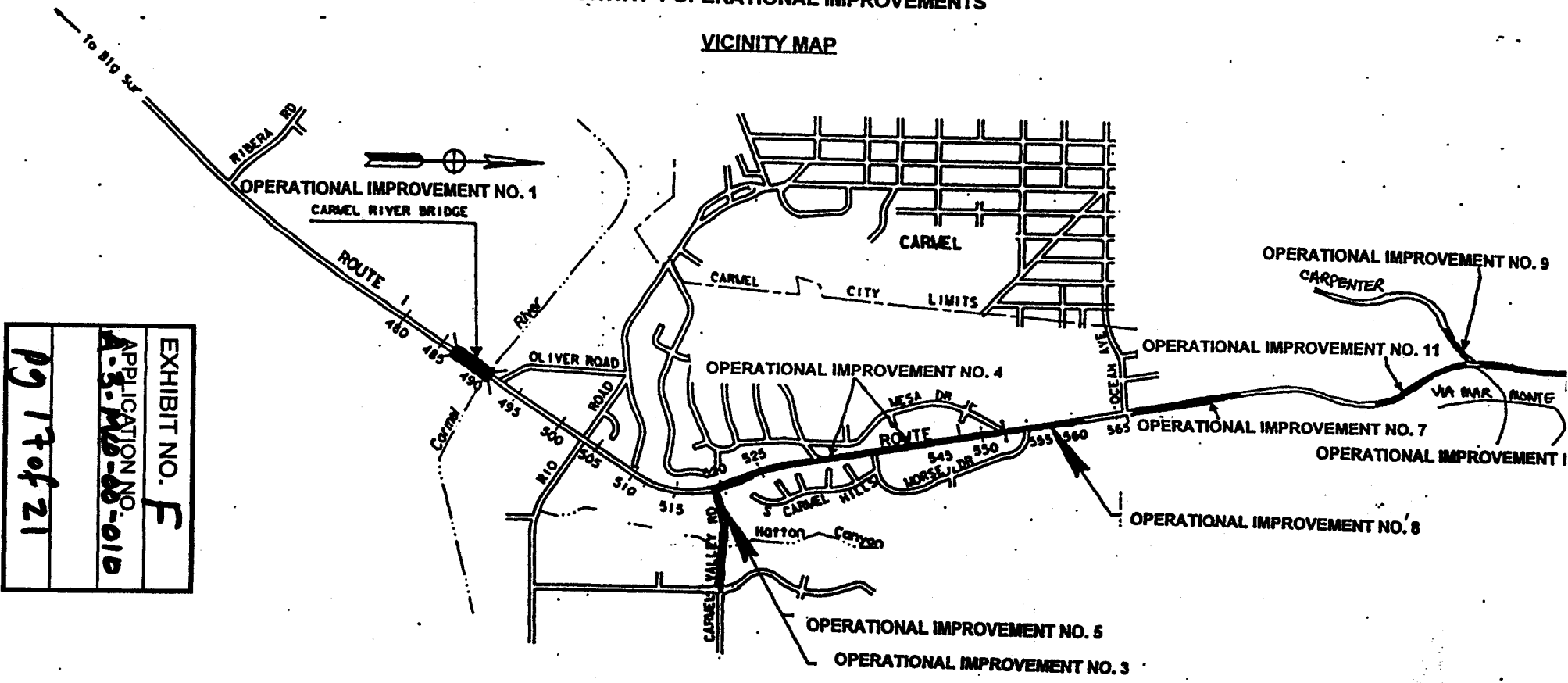


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EXHIBIT



Action Plan



April 12, 1995

Mon-1-72.1/75.1  
0190AK, 0190CO, 0190EK,  
0190FK & 0190CHK

TO: Transportation Agency for Monterey County  
FROM: Caltrans, District 5  
SUBJECT: Route 1 Operational Improvements, Information Item  
DATE: April 14, 1995

**ACTION PLAN:**

Caltrans will be proceeding with the following Operational Improvements Implementation Plan. This plan is based, in part, on our ability to prepare construction plans, secure funding, and obtain environmental certification and permits.

The plan has been divided into three phases with the most obtainable improvements done first. This phasing plan will allow TAMC and Caltrans to develop additional justification and substantiation for subsequent phases.

Operational Improvement Implementation Plan

Immediately prepare a Project Study Report for Operational Improvements 4-7 and 9-12. This programming document will define construction years in the following phases:

**Phase 1- 95/96 FY**

Proceed with project development of the Hatton Canyon Bypass and Operational Improvements 3 & 8. If the Hatton Canyon Bypass continues to progress, no additional operational improvements would be pursued.

**Phase 2- 96/97 FY**

During the 95/96 FY, re-evaluate the progress of the Hatton Canyon Bypass. If the bypass is not advancing, proceed with the implementation of Operational Improvements 6, 7, 9 & 10.

**Phase 3- 97/98 FY**

During the 96/97 FY, re-evaluate progress on the Hatton Canyon Bypass. If the Bypass is significantly delayed, continue to pursue Operational Improvements 4, 5, 11 and 12.

**PROBLEM STATEMENT/DISCUSSION:**

Some of the operational improvements, particularly those adding additional through-lanes, may be difficult to implement. The following issues must be addressed:

- The findings of the approved Final Environmental Impact Statement for Route-1 (FEIS) rejected construction of both the bypass and a climbing-lane.
- Obtaining environmental certification and permits for Operational Improvements 4, 11 & 12 will be difficult. ) \*

DISTRICT 5 - PROVIDING QUALITY

COAST



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EXHIBIT D

- Due to impacts on existing trees, Operational Improvements 4, 6, and 9-12 appear to be inconsistent with specific provisions of the Carmel Area Local Coastal Plan and the California Coastal Act.
- The Federal Highway Administration (FHWA) has stated they will not participate in funding a climbing-lane. Using 100% State funding for the operational improvements is extremely questionable when prioritizing these limited funds with seismic, safety and emergency relief projects.
- Placing Operational Improvement 4 as the highest priority project, could delay more obtainable improvements.
- ~~Caltrans' legal staff have expressed strong reservations over their ability to defend a decision to implement Operational Improvement 4, due to the environmental ramifications and the conflicts with the FEIS findings.~~

**BACKGROUND:**

The operational improvements can be clustered into logical groups based on type of work, degree of interdependency, environmental issues and funding. The potential construction year is noted for each grouping though the above stated issues could cause delays.

**Operational Improvement 1- Construct 94/95 FY**

*Description: Carmel River Bridge replacement. Due to the flood damage, the bridge will proceed utilizing Emergency Relief funds.*

**Operational Improvement 2- Eliminated**

*Description: additional WB through-lane at Rio Road. This project will not be constructed.*

**Operational Improvements 3 & 8- Construct 95/96 FY**

*Description: dual left turn-lane (SB to EB) at Carmel Valley Road and the extend SB lane reduction south of Ocean Ave. Operational Improvements 3 & 8 are good projects providing important relief, minimal environmental concerns and a relatively early construction schedule.*

**Operational Improvements 6, 7, 9 & 10- Construct 96/97 FY**

*Description: exclusive right turn-lane (EB to SB) at Ocean Avenue, extend right turn-lane (SB to WB) at Ocean Avenue, extend storage for eastbound moves at Carpenter Street and improve bus pullout area, and park & ride lot. These operational improvements would provide interim benefits and environmental certification should be obtainable. Funding and public acceptance may still be an issue.*

**Operational Improvements 4 & 5- Construct 97/98 FY**

*Description: NB climbing-lane and dual right turn-lane (WB to NB) at Carmel Valley Road. These two projects are among the most promising for improving traffic flow. Unfortunately, Operational Improvement 4 is the most difficult to implement due to funding and environmental issues.*

**Operational Improvements 11 & 12- Construct 97/98 FY**

*Description: left turn channellization (NB to WB) at Handley Drive and third northbound through-lane from Handley Drive to Highway 68 Interchange. Like Operational Improvement 4, these improvements will face the same funding and environmental problems.*



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Aug 30, 1995 PRO, en Jimmy

**Cumulative Impacts**

Each of the operational improvements will have noise, natural resource, and visual impacts on Highway 1. The cumulative impact from each of these projects must be evaluated to determine whether there would be a cumulative significant impact that can not be avoided. This is especially important for visual impacts to this Designated State Scenic Highway. The cumulative impacts will be addressed in the Environmental Document Preparation phase of each individual project.

Consideration should be given to the preparation of one environmental document for all of the operational improvements to address the cumulative impacts and avoid potential segmentation issues. At a minimum, the following operational improvements should be grouped and evaluated in several environmental documents, each of which would address cumulative impacts associated with all of the improvements:



- Operational Improvement 4 (EIR/S)
- Operational Improvement 5 (CE or ND/FONSI)
- Operational Improvements 6 & 7 (CE)
- Operational Improvement 10 (CE or ND/FONSI)
- Operational Improvement 9 (CE or ND/FONSI)
- Operational Improvements 11 & 12 (ND/FONSI)

**IX. PROGRAMMING**

It is proposed that these projects be programmed and funded as part of the 1996 SHOPP, within the HB-4N (Operational Improvements) Program, OHC Element. Individual projects or a combination of projects estimated at less than \$300,000 could be pursued as part of the District Minor A Capital Program.

The construction cost is \$5,631,000 (August 1995), including \$321,000 for mitigation, and the escalated right of way cost is \$350,000. It is recommended that the project be programmed in the 1998/99 FY.

We will combine groups of these projects together when prudent from an "environmental process" or "cost effective" standpoint, or to maximize the delivery of as many of these projects as possible in an expeditious manner. This would most likely be determined early in the Project Report/Environmental Document Preparation phase of these projects.

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EXHIBIT E

Transportation

Highway capacity north of the Carmel River may be increased through improvements or alternate alignments such as the proposed Hatton Canyon Highway. Monterey County will take a strong active role in guiding future use and development of Highway 1. State Route 1 south of the Carmel River will remain a two-lane highway. Highway 1 and Transportation Policies (3.1.3):

\* The overall objective for Highway 1 should be to maintain the highest possible standard of scenic quality in management and maintenance activities carrier on within the State right-of-way. Bike lanes and left turn lanes are permitted.

Operational Improvement's 7, 8, & 9 will extend existing turn/merge lanes. There will be no change in the scenic character of Highway 1 (See Scenic or Visual Resource Impacts)

Monterey County Transportation Plans

The Monterey County Regional Transportation Improvement Program (RTIP-1996/98) and Congestion Management Plan (CMP) specifically include Operational Improvement's 7, 8, & 9.

SOCIO-ECONOMIC IMPACTS (#33 through #40)

The proposed projects will have no foreseeable socioeconomic impacts.

AFFECT PUBLIC SERVICES (#41)

The proposed projects will provide minor short-term operational improvements on Highway 1 at the intersections with Ocean Avenue and Carpenter Street. The proposed projects would provide very minor improvements for emergency vehicle access on Highway 1 through small increases in vehicle storage area on Highway 1 immediately south of Ocean Avenue and at the Ocean Avenue and Carpenter Street intersections.

TRANSPORTATION IMPACTS (#42, #43, #44, & #46)

The project, in itself, would not generate additional traffic. Proposed project improvements would offer minor operational improvements by providing small increases in vehicle storage area on Highway 1 immediately south of Ocean Avenue and at the Ocean Avenue and Carpenter Street intersections. The improvements would not provide any measurable improvement in congestion and the traffic demand would continue to exceed the available capacity on Highway 1 during peak traffic periods. Even with the proposed project improvements "forced flow" or stop-and-go conditions can be expected to continue for increasingly extended periods during the day.

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EXHIBIT F

**EXHIBIT G**

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Caltrans Response to Appellants' Contentions

**RESPONSE TO APPEAL OF MONTEREY COUNTY APPROVAL PLN990269  
CALTRANS APPLICATION FOR COASTAL DEVELOPMENT PERMIT  
FOR OPERATIONAL IMPROVEMENTS 7 & 8 ON HIGHWAY 1 NEAR CARMEL<sup>1</sup>**

The Citizens for Hatton Canyon appeal of PLN990269 is based on four main issues; improper noticing, nonconformance with the Carmel Area Local Coastal Plan, significant impacts that were not addressed, and impacts to the community without any benefit.

**A. Improper Noticing**

The noticing that was completed for the project was based on current Assessor Parcel Maps. Where the property owner had a mailing address that differed from the property address, a letter was sent to each of the addresses. For the Coastal Development Permit applications in 1998 and 1999, Caltrans was required to provide the Assessor Parcel information, and stamped envelopes addressed for each property owner, and each occupant, where applicable. The City and/or town were included on each of the envelopes. Mr. Steven Bricker of 3705 N. Clovis Avenue, Fresno was included on Caltrans list of property owners and a stamped envelope with Mr. Bricker's address was provided to Monterey County for noticing.

Monterey County completed the noticing for the appeal. Caltrans was not requested to provide a new Assessor Parcel list or stamped envelopes addressed for each property owner/occupant.

This project has been under consideration by Monterey County since 1998. There have been two hearings before the Carmel Area Advisory Committee, two hearings before the Monterey Planning Commission, and a hearing before the County Board of Supervisors. The Citizens for Hatton Canyon were well represented at each of the hearings and have continued to present the same arguments at each of the hearings. The issues surrounding this project are well known.

**B. Improvements 7 & 8, and the Operational Improvement Project as a Whole, are Inconsistent with the Coastal Plan, the Monterey County General Plan, and County Ordinances**

**1) Improvements 7 & 8 are part of a larger Operational Improvements Project which requires comprehensive review**

In 1993, Caltrans and the Transportation Agency for Monterey County (TAMC) identified a list of 12 Operational Improvements on Highway 1 near Carmel that were needed as interim measures until the Hatton Canyon Highway was constructed. Seven of the 12 improvements were minor improvements to provide additional storage at existing turn lanes and merge lanes on at Highway 1 intersections with Rio Road, Carmel Valley Road, Ocean Avenue, and Carpenter Street. In addition, three of the Operational Improvement projects proposed additional through lanes on northbound Highway 1, and one of the Operational Improvements proposed to replace the Carmel River Bridge.

The operational improvement projects are "stand alone" projects, each with logical termini and independent utility. Operational Improvement 7 involves a minor extension (100 feet) of an existing right turn lane from SB Highway 1 to WB Ocean Avenue. Operational Improvement 8 involves the extension (500 feet) of the existing SB Highway 1 merge from two lanes to one lane, south of Ocean Avenue. Neither of these operational improvements will require the completion of the additional operational improvements to provide the intended transportation benefit.

The construction of Operational Improvement 7 & 8 do not necessitate the completion of the remaining operational improvements. In fact, several of the operational improvements have been dropped (Operational Improvement's 2, 6 due to required impacts to on-street parking, and Operational Improvement 9 due to required tree removal impacts). The deletion of these three

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<sup>1</sup> Received by Coastal Commission Central Coast District Office 3/20/2000

operational improvements has no impact on the intended transportation benefit of the other operational improvements.

Only three of the operational improvement projects (Operational Improvement's 4, 11, and 12) have the potential for significant environmental impacts. These operational improvements will provide a near-continuous widening of the NB lanes of Highway 1 from Carmel Valley Road to the Highway 1/ Highway 68 (West) Interchange. To accommodate the proposed additional traffic capacity, the proposed projects will provide additional through lanes, move the through travel lanes closer to existing residences, and remove a large number of existing mature trees. Based on the potential for significant impacts associated with Operational Improvement's 4, 11, & 12, Caltrans will prepare an Environmental Impact Report/Statement (EIR/S) and Coastal Development Permit.

Operational Improvement's 7 & 8 does not have environmental impacts. These improvements will not provide additional through lanes, will not move through travel lanes closer to existing residences, and will not require the removal of any trees.

**2) Improvements 7 and 8 and the Operational Improvements Project as a Whole are Inconsistent with Coastal Plan Scenic Road Provisions**

Operational Improvement's 7 & 8 have no impact on scenic resources. They will not remove any of the existing trees that line Highway 1. The construction of Operational Improvement's 7 & 8 does not "facilitate the expanded use of Highway 1 as a major thoroughfare"; they provide very minor operational improvements on Highway 1 near the intersection of Ocean Avenue. Operational Improvement's 7 & 8 do not provide additional capacity on Highway 1 to accommodate expanded use.

Operational Improvement's 7 & 8 do not "reduce shoulder widths". Existing shoulder widths are varied through the project area but the roadway typically has 4- foot paved shoulders. Operational Improvement's 7 & 8 will provide a consistent 4- foot shoulder throughout the project area. A design exemption was necessary for the 4-foot shoulder width because standard design calls for 8-foot shoulders. A design exemption was granted for the 4-foot shoulders due to the tree removal and visual impacts that would be associated with the 8-foot standard shoulder.

Operational Improvement's 7 & 8 will not interfere with the use of this segment as a bike route. Operational Improvement's 7 & 8 maintain a 4-foot shoulder width for use by bicyclists. In addition, Operational Improvement 8 will improve safety for bicyclists. The existing highway has a drainage ditch with a 2-foot drop-off immediately adjacent to the paved shoulder. Operational Improvement 8 will improve the drainage through the project area, removing the potential drop-off adjacent to the bike lane.

Operational Improvement's 4, 11, & 12 will have impacts on scenic resources through the removal of large Monterey pines that currently line Highway, a designated State Scenic Highway. As stated previously, the impacts associated with Operational Improvement's 4, 11, & 12 will be addressed in an EIR/S and a separate Coastal Development Permit. Construction of Operational Improvement's 7 & 8 does not necessitate the completion of Operational Improvement's 4, 11, & 12 to provide the intended transportation benefit.

**3) Improvement's 7 & 8, and The Operational Improvements Project as a Whole, are Inconsistent With Coastal Plan Visual Resources Provisions**

Operational Improvement's 7 & 8 have no impact on visual resources. They will not remove any of the existing trees or shrubs that line Highway 1. The existing "natural screen" will be

maintained. Operational Improvement's 7 & 8 will not diminish the overall scenic value of the corridor.

Operational Improvement's 4, 11, & 12 will have impacts on visual resources through the removal of large Monterey pines that currently line Highway 1. As stated previously, the impacts associated with Operational Improvement's 4, 11, & 12 will be addressed in an EIR/S and a separate Coastal Development Permit. Construction of Operational Improvement's 7 & 8 does not necessitate the completion of Operational Improvement's 4, 11, & 12 to provide the intended transportation benefit.

**4) The Operational Improvement Project is Inconsistent with Local Coastal Plan and General Plan Requirements for Development in Environmentally Sensitive Habitat Areas**

Operational Improvement's 7 & 8 are confined to the existing Highway 1 unpaved shoulder area. The project area is a highly disturbed area vegetated with ruderal grasses and herbs and Genista, an invasive exotic.

Operational Improvement's 4, 11, & 12 will have impacts on Monterey pine forest, an environmentally sensitive habitat. As stated previously, the impacts associated with Operational Improvement's 4, 11, & 12 will be addressed in an EIR/S and a separate Coastal Development Permit. Construction of Operational Improvement's 7 & 8 does not necessitate the completion of Operational Improvement's 4, 11, & 12 to provide the intended transportation benefit.

**5) Improvement's 7 & 8, and the Operational Improvements Project As a Whole, Are Inconsistent With Local Coastal Plan Requirements for the Protection of Water and Marine Resources and Flood Hazards**

Operational Improvement's 7 & 8 would add an insignificant amount of impervious road surface (1,361 square meters), especially when considered in the context of the existing impervious road surfaces in this developed portion of the Carmel Area. The distance to the Carmel River (more than 1.5 miles) is adequate to settle out any pollutants prior to entering any "area of special biological significance." All unpaved areas disturbed by construction activities will receive erosion control treatment. In addition, the Caltrans Standard Specifications for the project will require the Contractor to develop a Water Pollution Control Plan to insure that erosion and sedimentation associated with the proposed project will be retained on-site.

Operational Improvement's 4, 11, & 12 has the potential to impact water quality. As stated previously, the impacts associated with Operational Improvement's 4, 11, & 12 will be addressed in an EIR/S and a separate Coastal Development Permit. Construction of Operational Improvement's 7 & 8 does not necessitate the completion of Operational Improvement's 4, 11, & 12 to provide the intended transportation benefit.

**6) Improvement's 7 & 8, and the Operational Improvements Project As a Whole, are Inconsistent With Requirements for the Protection of Air Quality**

Air Quality Studies were completed for Operational Improvement's 7 & 8. The proposed projects are traffic flow improvement measures that are identified as Traffic Control Measures in the Monterey County Air Quality Management Plan. While the proposed improvements will not improve the overall flow of traffic in this area, they do provide minor traffic flow improvements in the vicinity of the Highway 1/Ocean Avenue intersection.

**7) Improvements 7 & 8, as Stand Alone Projects, Have No Benefit and are Detrimental to the Community**



Operational Improvement's 7 & 8 are stand-alone projects with benefits to the travelling public.

**Operational Improvement 7:**

Lengthens and provides a formal delineation of the existing right-turn pocket from SB Highway 1 to WB Ocean Avenue.

Helps to separate traffic turning on Ocean Avenue from the through traffic on Highway 1.

**Operational Improvement 8:**

Improves drainage and safety by removing the existing open ditch along Highway 1

Moves the end of the SB lane merge further from the Ocean Avenue signal, thereby reducing the frequency of peak period traffic back-ups into the intersection.

Improves drainage and the shoulder at Mesa Drive to facilitate right-turns from SB Highway 1 to WB Mesa Drive.

Improves driveway access by widening the driveway entrances.

Operational Improvement's 7 & 8 were never intended to relieve traffic congestion on Highway 1. They were intended as interim measures until long-term transportation improvements can be completed for Highway 1. As interim improvements, the goal is to provide minor improvements at specific intersection locations, not capacity enhancement. Operational Improvement's 7 & 8 were developed in consultation with the Transportation Agency for Monterey County (TAMC) and were approved by the Carmel Area Advisory Committee and the Monterey County Board of Supervisors.

Operational Improvement's 7 & 8 do not create serious safety concerns. In fact, Operational Improvement 8 will improve existing driveways with direct access on Highway 1. While some residents along Operational Improvement 8 will have to cross an additional lane of traffic to access their driveway, this is a condition that already exists for many residents along this section of Highway 1. Based on traffic safety information from the 1997 Negative Declaration/Finding of No Significant Impact, the accident rate (2.75 A/MVM) for the 2-lane section of Highway 1 (PM 72.0/73.8) is more than twice the accident rate (1.36 A/MVM) of the 4-lane section of Highway 1 (PM 73.8/75.1).

Operational Improvement 8 will provide additional storage area on Highway 1 during peak travel periods. During these peak periods, access for the seven residents with direct access along Highway 1 in this area may be more difficult. It may take residents longer to find an opening to turn into their driveways, however, with the extremely low traffic speeds; the impact on safety is minimal. During off-peak travel periods, Operational Improvement 8 may improve access time to the driveways.

**EXHIBIT H**

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Operational Improvements Planned for Carmel Area

# HIGHWAY 1 OPERATIONAL IMPROVEMENTS

<u>PROJECT</u>	<u>ESTIMATED COST</u>	APRIL 1994		<u>COMMENTS</u>
		<u>CTC TIMEFRAME</u>	<u>FISCAL YEAR RTL DELIVERY</u>	
1. Replace Carmel River Bridge	\$4,400,000	36-48 MO.	94/95	Project Completed
2. Second WB Through Lane at Rio Road	\$ 100,000	24-36 MO.	95/96	Project Eliminated By Monterey County
3. Dual Left Turn at Carmel Valley Road	\$ 200,000	24-36 MO.	95/96	Project Report Completed; Project In Mid-Design
4. NB Climbing Lane From Carmel Valley Rd To Morse Drive	\$2,600,000	36-48 MO.	97/98	PSR To Be Completed 9/1/95; Combined With No. 5
5. Dual Right Turn WB Carmel Valley Rd To NB Highway 1	\$ 100,000	36-48 MO.	97/98	PSR To Be Completed 9/1/95; Combined With No. 4
6. Exclusive Right Turn Lane EB Ocean Ave To SB Highway 1	\$ 100,000	24-36 MO.	96/97	PSR To Be Completed 9/1/95
7. Extend Right Turn Lane SB Highway 1 To WB Ocean Ave	\$ 100,000	24-36 MO.	96/97	PSR To Be Completed 9/1/95
8. Extend Lane Reduction Southbound South of Ocean Avenue	\$ 100,000	24-36 MO.	95/96	Project Report Completed; Project in Mid-Design
9. Extend Storage Length EB Leg at Carpenter St	\$ 100,000	24-36 MO.	96/97	PSR To Be Completed 9/1/95
10. Park and Ride/Shuttle Lot at Ocean Ave or Rio Road	\$ 100,000	24-36 MO.	96/97	To Be Pursued Separately Under Rideshare Program
11. Left Turn Channelization NB Highway 1 To WB Handley Dr	\$ 500,000	24-36 MO.	97/98	PSR To Be Completed 9/1/95; Combined With No. 12
12. Third Northbound Lane From Handley Dr To Pacific Grove Interchange	\$1,000,000	24-36 MO.	97/98	PSR To Be Completed 9/1/95; Combined With No. 11

<p style="font-size: 2em; margin: 0;">pg 1 of 2</p>	<p style="font-size: 0.8em; margin: 0;">APPLICATION NO. A-3-M10-88-010</p>	<p style="font-size: 0.8em; margin: 0;">EXHIBIT NO. H</p>
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# HIGHWAY 1 OPERATIONAL IMPROVEMENTS

## VICINITY MAP

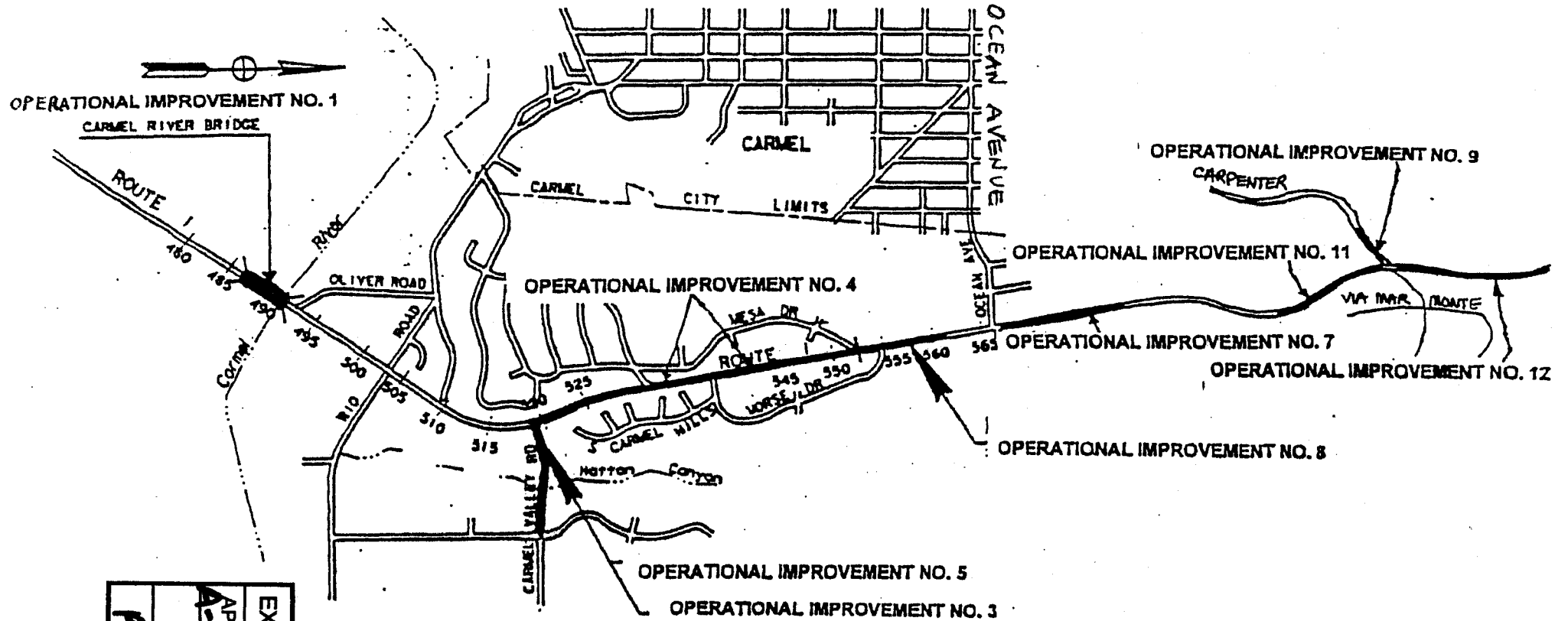
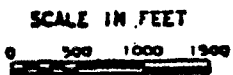


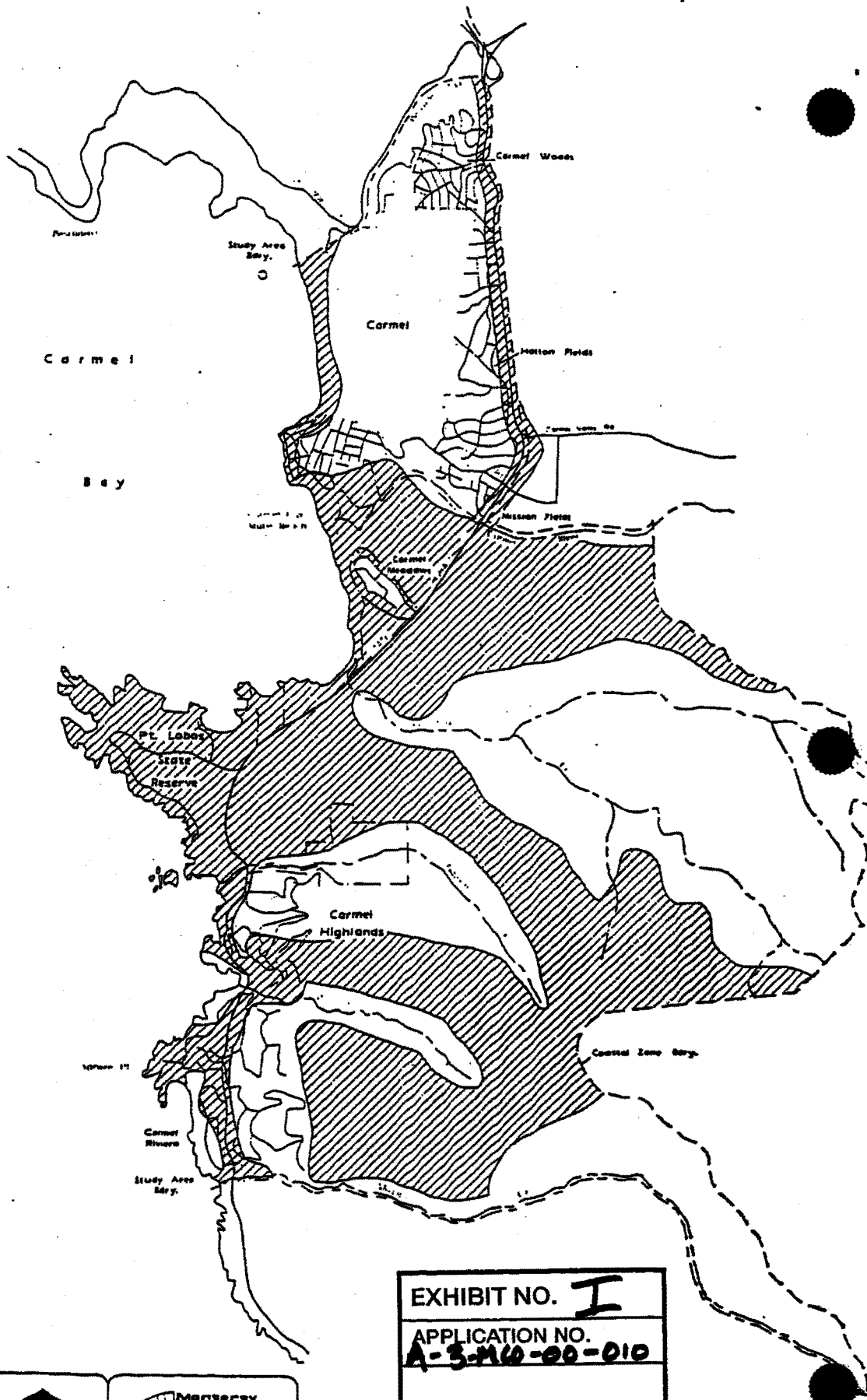
EXHIBIT NO. H
APPLICATION NO. A-3-146-00-010
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**EXHIBIT I**

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Map of Carmel Area Public Viewshed



**ILLUSTRATIVE ONLY**



- VIEWSHED - As Seen From:**
- Highway 1 corridor and turnouts
  - Scenic Road
  - Public lands, within the Carmel segment, and Carmel City Beach

Source: Monterey County Planning Department, 1982.

**CARMEL AREA  
LOCAL COASTAL PROGRAM  
GENERAL VIEWSHED**



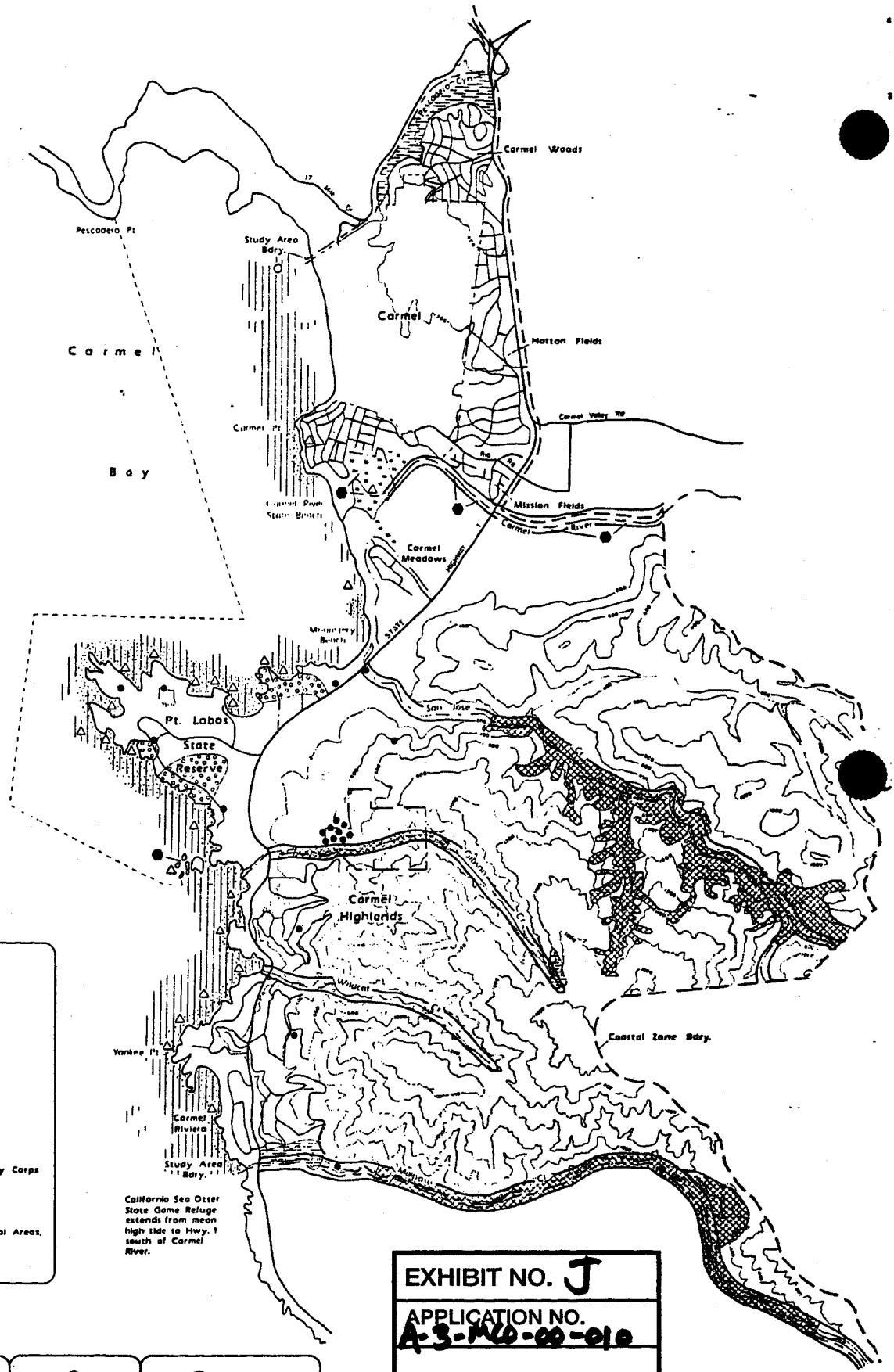
**EXHIBIT NO. I**  
**APPLICATION NO.**  
**A-3-MC-00-010**  
 pg 1 of 1

Source: U.S.G.L. 7.5 minute quads & Monterey County base maps, Dec 1979

**EXHIBIT J**

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Map of Environmentally Sensitive Areas in Carmel Area



**MAP B**

ILLUSTRATIVE ONLY

**-TERRESTRIAL PLANT HABITATS**

● Rare, Endangered, or Sensitive Plants

■ Significant Stands of Monterey Pine

■ Northern Coastal Prairie

■ Redwoods

Note: Dwarf Coastal Chaparral is not shown.

**-MAJOR WILDLIFE HABITATS**

△ Rookeries, Roosting, and Haul-out Sites

— Riparian Corridors

■ Wetlands

**-MARINE HABITATS**

■ Kelp Beds - from U2 flight, Jan. 1977 and Army Corps of Engineers flight, 1975

■ Intertidal Habitat

**-HABITATS WITH SPECIAL STATUS**

--- Areas of Special Biological Significance, Natural Areas, Ecological Reserves

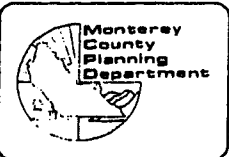
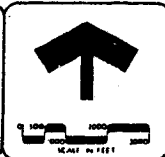
● Areas of Special Biological Importance

Source: See text of background report.

California Sea Otter State Game Refuge extends from mean high tide to Hwy. 1 south of Carmel River.

**CARMEL AREA LOCAL COASTAL PROGRAM**

**ENVIRONMENTALLY SENSITIVE HABITATS - KNOWN LOCATIONS**



**EXHIBIT NO. J**  
**APPLICATION NO.**  
*A-3-MC-00-010*  
 pg 1 of 1

Source: U.S.G.S. 7.5 minute quads & Monterey County base maps, Dec. 1979



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**EXHIBIT K**

Project Correspondence

A-3-MCO-00-010

RECEIVED

January 5, 2000

JAN 10 2000

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Board of Supervisors  
East Wing, Room 225  
240 Church St.  
Salinas, Ca. 93901

SUBJECT: COUNTY/SUPERVISOR POTTER  
WIDENING HIGHWAY I

We strongly oppose the current plans for projects to Highway I from Carpenter Street to Carmel Valley Road. Why waste money on this project when we know it will do nothing to alleviate the traffic problem on Highway I.? Safety and air pollution are other reasons to cancel this project immediately. Hatton Canyon bypass funds should be returned to the project, as we know Hatton Canyon is the ONLY solution to traffic problems on Highway I.

*Willis Shepard Ernestine Shepard*

Willis & Ernestine Shepard

cc:;Memebers of Board of Supervisors  
Cal Trans.  
Acting County Counsel  
Mo.Co. Administrative Officer  
Coastal Planner, Central Coast Area

EXHIBIT NO. K
APPLICATION NO. A-3-140-00-010
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RECEIVED

JAN 11 2000

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Rick Hyman  
Coastal Planner, Central Coast Area  
California Coastal Commission  
725 Front Street  
Santa Cruz CA 95060

We urge you to oppose the current plans for  
widening Highway 1 from Carpenter Street to  
Carmel Valley Road.

Please support the Monterey County Planning  
Commission in its recent decisions on this  
matter.

*Raymond F. Kelly*  
*Ruth G. Kelly*  
Raymond and Ruth Kelly  
26010 Via Portola  
Carmel CA 93923

EXHIBIT NO. <b>K</b>
APPLICATION NO. <b>A-3-MCO-00-010</b>
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RECEIVED

JAN 10 2000

January 5, 2000

CALIFORNIA  
COASTAL COMMISSION  
GENERAL REGIONAL OFFICE

With this letter I want to express my opposition to the current proposal for construction of a climbing lane and associated projects on Highway 1 in Carmel. The addition of a climbing lane is at best an attempt to solve only half the traffic problem in mouth of Carmel Valley for clearly it won't affect southbound congestion at all. Likely, it won't either provide much relief on the northbound lanes. The lights on the Highway will continue to halt the traffic there. Caltrans engineers have shown anyway that neither these, nor any others, of the many proposed alterations to the Highway will provide a long term solution. These projects are a waste.

The proposed action on the Highway will increase the risk of accidents. Recent construction and renovation of sports facilities at Carmel High School increasingly tempts students to stay there after school. I come upon these kids jaywalking across the Highway on their way home from the after-school sports. They already risk their lives doing this and will be further endangered by increased speed on the road. The risk and killing power of collisions will also increase with speed. So will frequency of collisions associated with ingress from driveways and side roads. As high speed truck traffic is brought up to the walls of homes, mistakes by drivers now threaten the lives and safety of people inside their bedrooms and living rooms. The projects thus unacceptably raise the risk of bloodshed, without providing much relief.

The distress afflicted upon the people who live along the Highway by these proposed projects is nothing short of abuse. The road noise they live with is already so intense that the proponents of the projects can truthfully state that any additional noise will not be discernible. Dare anyone mention vibration? Next to the road it is equivalent to 3-4 on Richter scale whenever the Cross Roads delivery trucks go by. They usually do between 5 and 7AM. Both the noise and vibration increase with speed and with the road's proximity to the houses. The driveways from which ingress already requires acrobatics under the wheel will become steeper and less negotiable. This requires speed reduction before egress, increasing the risk of rear ending. It also increases difficulties of ingress, promoting rage and erratic driving. I have watched an attempt at a left turn ingress onto Highway 1 from a driveway below Ocean Avenue. After sitting many minutes with the left blinker on, the driver suddenly gunned the engine and the car jolted onto the road in a right turn. He then immediately slammed on the brakes and stopped to then repeat the jolt when a break occurred, across the northbound lane, into the High school parking lot, and up the lot to the light on Ocean Avenue. There he finally made it onto the northbound lane. Similarly dangerous acrobatics are frequent, not only on driveways, but also on both the Morse and Atherton intersections. The proposed action on the Highway will aggravate all this, and still will not solve the traffic knots.

Every legitimate environmental concern raised in the Hatton Canyon applies to the Highway 1 corridor. The ecosystem is similar, the trees and bugs are the same, the birds are the same. There is even a similar seasonal wetland north of Atherton Drive. The scale is different all right, but so is also the fact that along Highway 1 there is a habitat of people directly affected. Highway 1 runs through a built-up area, and the road has already encroached too much upon the adjacent properties. It is ironic, if not hypocritical, that some of those who champion the laws and regulations that protect our environment should now be willing to violate laws and regulations that protect ourselves. I urge you, sir, to rise above such perversion and oppose the proposed projects on Highway 1.

Sincerely,

*Hafli H. Jonsson*

Hafli H Jonsson  
25875 Mesa Drive  
Carmel, CA 93923

EXHIBIT NO. K
APPLICATION NO. A-5-140-00-010
pg 3 of 36

25670 Morse Drive  
Carmel, California 93923  
5 January, 2000

RECEIVED

Mr. Rick Hyman  
Coastal Planner, Central Coast Area  
California Coastal Commission  
725 Front Street, Suite 300 ~~92461~~  
Santa Cruz, California 95060

JAN 10 2000

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Subj: Supervisor Potter's Proposal to Widen Highway 1

Dear Mr. Hyman:

I strongly oppose the current plans for projects on Highway 1 from Carpenter Street to Carmel Valley Road. I request that they be cancelled immediately in the interests of safety, sound, and air quality in the area and beyond, degradation of this State Mandated Scenic Highway, and peril to residents of the entire area, Carmel Valley, the Carmel Highlands and the Big Sur area when ambulance or emergency equipment is a vital need.

I further request that you encourage CalTrans to re-allocate funding to the Hatton Canyon Freeway project and to commence immediate construction on this vitally needed, long overdu roadway.

Sincerely,



Marcia U. Beaumont

EXHIBIT NO. K
APPLICATION NO. A-3-M10-00-010
pg 4 of 36

1/5/2000

JAN 10 2000

Rick Hyman,

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

I am writing this letter in protest of adding another climbing lane from Counsel Valley Rd. to Morse Dr. It simply will not solve the problem of long range. As a property owner living on Morse Dr. it is an intolerable situation now on getting either north or south on to highway one. With so many people living in this area and with more traffic in the future, it will be completely inadequate. The Hattan canyon project is the only thing that will solve our increasing population and traffic problems. There are many dangers and complications involved with just adding another lane. The money that was allocated for Hattan Canyon many years ago should be turned back to be used only for the development of a Highway for the people of this community.

Ruth C. Gmitz

EXHIBIT NO. K
APPLICATION NO. A-3-MCO-00-010
pg 5 of 36

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JAN 10 2000

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Rick Hyman

Coastal Planner, Central Coast Area  
California Coastal Commission  
725 Front Street, Suite 300  
Santa Cruz, CA 95060

25057 Hatton Road  
Carmel, CA 93923-8365  
January 6, 2000

Dear Mr. Hyman:

Please vote NO on widening Highway 1 north of Rio Road in Carmel. Not only would widening destroy the beauty of this MANDATED SCENIC HIGHWAY, but would pose a real danger to people. There would be no "Pullover Room" for cars when emergency vehicles need to get through. In addition, widening the highway south of Ocean Avenue would endanger residents pulling out of their driveways. And most intolerable, would be the construction activity along this busy road. Daytime work would severely impact already congested traffic, and night work would make sleep impossible for the many residents along highway 1.

PLEASE VOTE NO!!!

Sincerely,

Nancy J. Reiley



Carlton G. Reiley, MD

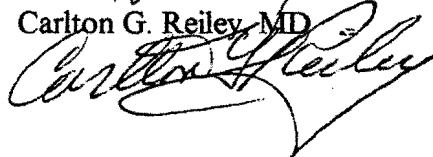


EXHIBIT NO. <b>K</b>
APPLICATION NO. <b>A-3-MCO-00-010</b>
<b>pg 6 of 36</b>

RECEIVED

Charles Felder  
25685 Morse Dr  
Carmel, CA 93923

JAN 10 2000

Mr. Rick Hyman

5 Jan

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Rightfully oppose the current plans for projects on Highway 1 from Carpenter Street to Carmel Valley Road. We respectfully request that they be cancelled immediately in the matter of safety, sound and air quality in the area and beyond, degradation of this State Mandated Scenic Highway, and peril to residents of the entire area, Carmel Valley, the Carmel Highlands and the Big Sur when ambulances/emergency equipment is a vital need.

Further, the program of widening is a shameful retreat from the expectation that governments follow the law.

Number One:

The County/Supervisor Potter are completing plans to build three 11-foot wide lanes to replace two 12-foot wide lanes from 700 feet north of Carmel Valley Road to Mesa Drive.

A long section of the road runs through a "cut" with tall rock sidewalls - a roadspace width of 40 feet. (Forty feet is their figure.)

The three 11-foot wide lanes would take up all but 7 feet of the 40 feet from rock wall to rock wall.

On one side a 4-foot drop would accommodate a drainage ditch. The remaining 3-feet would be the total space along the other rock wall.

Years ago CalTrans wrote that this area was at or above capacity 14 hours a day, and the volume of traffic has increased enormously.

Three lanes with no shoulders would in essence be like a cork in a bottle, where motorists cannot pull aside at a time of breakdown or to let ambulances and fire equipment pass.

The Community Hospital of the Monterey Peninsula is a short distance north of the area. Residents of Carmel Valley, the Highlands and the Big Sur would wait for an ambulance to attempt to get through the "cut" and experience long waits once in the ambulance to turn around to drive to the hospital...back through the "cut."

California Coastal Commission Coastal Planner Rick Hyman advised CalTrans Gary Ruggerone and Transportation Agency for Monterey County Mary Orrison on March 14, 1997, that Highway 1 in this location is the Pacific Coast Bicycle Route, and Coastal permit #3-83-7 issued to CalTrans approved the bike lanes on the segment and "they should be retained."

Thank you

Charles Felder

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APPLICATION NO. A-3-MCO-00-01
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RECEIVED

JAN 10 2000

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

3535 Oak Pl.  
Carmel, CA 93923  
January 5, 2000

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

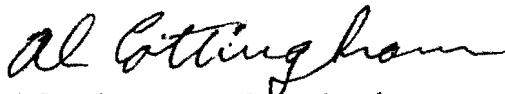
Dear Supervisor:

Re: Widening Highway 1.

We were pleased to see that there was a group of people still thinking about what is good for the community and the people and not for some political or personal agenda. The Planning Commission we believe are using their minds to do what is right.

I urge you to respect their decision and not to overturn it.

Sincerely



Alfred & Ann Cottingham

EXHIBIT NO. <i>K</i>
APPLICATION NO. <i>A-3-110-00-010</i>
<i>pg 8 of 36</i>

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JAN 10 2000

Page 1

Subject: County Super. Patten widening  
Highway 1

Caltrans appeal to the Board of  
Supervisors to overturn Monterey County  
Planning Commission denial of widening  
of Hwy 1 from above Ocean Ave. to  
below the Avenue past Mesa Drive

I am enclosing a letter to  
you from Lois Starns with  
an addition (on page 4). She  
felt that her letter addressed  
the issue. Please consider  
this.

Thank you.

EXHIBIT NO. K
APPLICATION NO. A-3-MC-02-010
pg 7 of 36

January 3, 2000

We rightfully oppose the current plans for projects on Highway 1 from Carpenter Street to Carmel Valley Road. We respectfully request that they be cancelled immediately in the matter of safety, sound and air quality in the area and beyond, degradation of this State Mandated Scenic Highway, and peril to residents of the entire area, Carmel Valley, the Carmel Highlands and the Big Sur when ambulances/emergency equipment is a vital need.

Further, the program of widening is a shameful retreat from the expectation that governments follow the law.

Number One:

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A long section of the road runs through a "cut" with tall rock sidewalls - a roadspace width of 40 feet. (Forty feet is their figure.)

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On one side a 4-foot drop would accommodate a drainage ditch. The remaining 3-feet would be the total space along the other rock wall.

Years ago CalTrans wrote that this area was at or above capacity 14 hours a day, and the volume of traffic has increased enormously.

Three lanes with no shoulders would in essence be like a cork in a bottle, where motorists cannot pull aside at a time of breakdown or to let ambulances and fire equipment pass.

The Community Hospital of the Monterey Peninsula is a short distance north of the area. Residents of Carmel Valley, the Highlands and the Big Sur would wait for an ambulance to attempt to get through the "cut" and experience long waits once in the ambulance to turn around to drive to the hospital...back through the "cut."

California Coastal Commission Coastal Planner Rick Hyman advised CalTrans Gary Ruggerone and Transportation Agency for Monterey County Mary Orrison on March 14, 1997, that Highway 1 in this location is the Pacific Coast Bicycle Route, and Coastal permit #3-83-7 issued to CalTrans approved the bike lanes on the segment and "they should be retained."

The current plan is to build the bicycle path outside of the widening project. The Pacific Coast Bicycle Route would be built via Rio Road and the Hatton Fields neighborhood roads of Atherton Drive and Mesa Drive. On Rio Road the path would take out parking, and the road space through Atherton and Mesa Drive is not even wide enough for sidewalks.

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It is a matter of amazement that the "experts" believe that there is need for two lanes only driving Northbound, and that would solve the congestion situation. Why do they believe that more people drive North than the number who drive Southbound?

One can only imagine the delays and danger that project would impose upon South Carmel Hills residents entering and leaving South Carmel Hills Drive or Morse Drive.

Funded by a developer and Monterey County.

Number Two:

CalTrans will appeal to the Board of Supervisors on Tuesday, January 11, 2000, at 3:15 p.m. to overturn the Planning Commission denial of widening Highway 1 above Ocean Avenue and South of the Avenue to just past Mesa Drive.

The meeting will be held in the Board of Supervisors Chambers, Second Floor, East Wing, Room 225, Courthouse, 240 Church Street, Salinas.

The Monterey County Planning Commission has twice denied permits for the widening projects (called Operational Improvements 7 and 8). The denial for widening was by unanimous vote on September 8, 1999. Only two members (Scott Hennessey of Monterey and one other) voted to allow the widening at the meeting on July 29, 1998.

To widen the curb lane above Ocean Avenue would push the traffic farther against the yards of homes, making it even more dangerous for the residents to enter and leave their driveways. The father of three small children tells us of his fear of a rear-ender accident every time he slows down to enable him to make a right turn into his driveway.

With more road space, speed increases.

.....

The CalTrans appeal to allow widening South of Ocean Avenue to just past Mesa Drive now calls the merging lane a second lane. What has been added to the project is what is in fact a third lane by filling in the open ditch that is snug up to the properties on the West side of the highway.

The excuse is that the covered ditch would provide "a more forgiving roadway" to enhance safety for drivers entering and exiting driveways along the length of the project.

Entirely the opposite is true.

If a lane (shoulder) is added, motorists will drive in it - crossing directly over the culverts at driveways where residents wait out at the edge in order to dart out when there is a lull in the traffic.

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APPLICATION NO. A-3-M16-00-010
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When the Highway 1 residents built their homes they received permits from CalTrans for those driveway-culvert entrances. (I may add here, that the homes were built a-f-t-e-r the State and County had signed a freeway agreement to build a bypass in Hatton Canyon and keep Highway 1 as a rural road.)

There have been many accidents in front of our house. In one instance, a truck came down Highway 1, just missing me as I pulled into our driveway. The truck then crashed into a large pine tree in front of our home. The tree had to be removed that day by Cal-Trans.

Question: what is the solution to the congestion and danger?

The Hatton Canyon bypass needed a short delay to re-state environmental review of the pitch canker in Monterey Pine trees, etc. yet the Hatton bypass funds were transferred to the Prunedale bypass.

Funds were supposed to be transferred only to projects ready to be built. The State roads fund has such a large backlog of unspent money that supporters of a bond issue for more money may find it difficult to receive approval of the voters. Out-of-order transfers such as Hatton

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JAN 10 2000

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CENTRAL COAST AREA

EXHIBIT NO. <b>K</b> <b>2214 of 36</b>
APPLICATION NO. <b>A-3-MCO-00-010</b>

January 6 ,2000

Frank Uyeda  
25388 Highway One  
Carmel, CA 93923

Rick Hyman  
Coastal Planner, Central Coast Area  
California Coastal Commission  
725 Front Street, Suite 300  
Santa Cruz, CA 95060

Dear Mr. Rick Hyman-

Those of us who have jobs or businesses are not able to be at the County Board of Supervisor's Meeting which is scheduled for Jan. 11, 2000, in the middle of the afternoon 3:15 p.m. and in Salinas. Consequently I am writing this letter to all the governmental Politicians involved in the project to widen Hwy. 1 - - Rio Road to Mesa Drive.

I live on Hwy. 1 just across from Carmel High School and I generally try to leave for my business in Monterey by 7:00 am. If I leave at 7:30 a.m. or 7:45 am the traffic is so bad that I have not been able to get out of my driveway for at times through two signal light changes at Hwy. 1 and Ocean Ave. which can seem like hours. One person, over a 2 week period was kind enough to stop and let me onto the Highway and because he did that, a lot of impatient people were angry with him and began blowing their horns. It is amazing how vicious people can be when they're on the road.

The traffic speed has increased considerably especially when the traffic is lighter. One day I found myself driving bumper to bumper 55 mph in a 40 mph zone going North to keep up with the traffic and not upset those angry drivers (and that's in the right slow lane) I figure the fast lane people are going 60 to 65 mph.

Increasing more lanes at Rio Road to Mesa Road is severely going to make matters worse as I have discussed once again angry people are going to be upset with the people merging into the traffic. Try driving in this mess as my family and neighbors do daily.

Over the holidays we had some guests in our home. We apologized for the noisy traffic in front of our home. They graciously commented that it wasn't too bad but it had gotten noisy since the last time they visited us. They were surprised, however, the amount of times they heard sirens even in the late evening. This brings another point of the problem -- Ambulance, Fire Dept., Sheriff, and Highway Patrol are really held up for emergencies. There have been numerous fender benders and several major accidents in the last year. Every time we hear a crash noise we run out to see if we can help with our Cellular phone in hand.

During a home fire or forest fire we see fleets of fire dept. cars and trucks weaving their way to their emergency like the "Streets of San Francisco".

I am surprised the amount of commercial trucks using Hwy. 1. One day while on vacation I sat in my vehicle on my driveway in the middle of the week about 9 a.m. and

counted 16 semi - trucks (some of them with tandem trailers). I guess that's why the road is in such bad shape (Rio Road to Carpenter Street).

Widening or putting in climbing lane on Hwy. 1 is not even a band aid to the problems, instead it would make matters worse. We insist that the prescribed original plan to build Hatton Canyon Parkway be taken post haste for the good of all the people.

The fund for Hwy. 1 being transferred to Prunedale cut off was not fair since Hatton Canyon Parkway has had priority many times for over 30 years.

Our area has had limited growth while North County, Salinas, and Gonzales area has had tremendous growth and expansion. In the 1920's my dad had a ranch in Salinas which is now John Street and Alisal Street. Now driving out toward the Posse Grounds there are acres and acres of houses and how many new large shopping areas have come up in recent years in those areas.

For the safety of the people in our area and those using Hwy. 1, the only solution as Cal-Trans states is that Hatton Canyon Parkway be built to relieve the mess on Hwy. 1. The property is there, the funds were there, environmental reports all justified and many costly suites have been fought and won.

After moving into our dream home 20 years ago this Highway problem has been a nightmare.

Thank You For You Patience  
and Consideration

Sincerely Yours,

  
Frank Uyeda

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APPLICATION NO. <b>A-3-MC-00-010</b>
<b>pg 15 of 36</b>





# Citizens For Hatton Canyon

3512 Ocean Avenue • Carmel, CA 93923

March 11, 2000

California Coastal Commission  
Central Coast Area Office  
725 Front Street, Suite 300  
Santa Cruz, CA 95060

**RECEIVED**

MAR 13 2000

CALIFORNIA  
COASTAL COMMISSION  
CENTRAL COAST AREA

Agenda No.

Application No.

Lois Starnes  
3512 Ocean Avenue  
Carmel, CA 93923

Public Hearing, New Appeal

Permit No. A-3-MCO-00-010

APPLICANTS: CalTrans District 5, Attn: Gary Ruggerone,  
Senior Environmental Planner

APPELLANTS: Citizens for Hatton Canyon, Attn: C/o Christine Gianascol

In the matter of CalTrans application to extend the right turn lane southbound Highway 1 to westbound Ocean Avenue (Operational Improvement #7) and Operational Improveent #8 to extend the merge lane southbound Highway One south of Ocean Avenue:

We object to the projects, and at OI #7 the Commission is made aware that it is an extreme danger to occupants of homes along the route to enter and leave driveways. In a somewhat steep area of Highway 1, residents merge into fast traffic when they come out of properties behind their front yard fences. To increase the number of homes affected and increase the peril to occupants of the homes and their children is uncommon in the matter of building safe roads.

This is by plan and promise of the State of California and County of Monterey a residential street. Traffic to the huge population south of Carmel Hill was diverted from the streets of Monterey to a bypass East of the City. Planned, then, was to continue the four-lane divided bypass southward through the Hatton Canyon.

By not completing that promise all that massive traffic merges with local area users down to a 2-lane road inside a narrow "cut." I emphasize that the **PROMISE** that the bypass would continue when the California Highway Commission adopted the Hatton Canyon route as a freeway January 18, 1956 - and the state and county signed a freeway agreement the following spring on May 6, 1957.

NEXT: TO THE MATTER OF OPERATIONAL "IMPROVEMENT" # 8:

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APPLICATION NO.  
A-3-MCO-00-010

As the Highway continues below the Ocean Avenue intersection, entry and exit at residences would be even more critical.

More than that, the added merging lane would extend past the Mesa Drive entrance to Highway 1. **Three lanes would immediately merge into one...AND the lane they would enter is edged by a high dirt and rock wall that would close out any chance to "move over."**

Note: you need to know that proponents of the lengthened merging lane may tell you that the problem of merging into one lane can be solved by widening the two 12-foot wide lanes into three 11-foot wide lanes. That is not a solution.

The third lane would be **NORTHBOUND**. The mass of three lanes would still nudge down into one lane.

Even ten years ago the project area was at or over capacity fourteen hours a day. A current traffic count would be enlightening.

(Notice on the enclosed picture of the intersection where the three lanes would merge into one, the evidence that to construct the third lane through this narrow "cut" of Highway 1 could not meet Federal or State highway design requirements.

(It may be useful to you to read the complete engineering study of that plan. Enclosed is letter from the Department of Transportation to Mr. Don Wilcoxon, dated January 2, 2000.)

It is pertinent that you know that the Monterey County Planning Commission twice **rejected the projects - once with all but two members voting to reject, and the recent second vote was unanimous to deny**. When appealed to the Board of Supervisors the four members who voted to transfer funds of the only solution to the congestion in the area (the Hatton Canyon bypass) to a project in Prunedale, made a political statement instead of an engineering statement and approved the dangerous and useless widening, disregarding the months of study made by the members of the Planning Commission.

Highway 1 forms the Eastern border of the California Coastal lands, has been declared a State Mandated Scenic Highway, and the Commission by letter made this statement to the Department of Transportation in regard to a study of Highway 1:

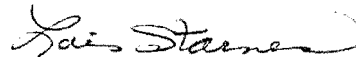
EXHIBIT NO. <b>K</b>
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<b>pg 17 of 36</b>

"We do recommend that the project (widening) include as wide shoulders as possible to allow for safe bicycle access. Highway One in this location is the Pacific Coast Bicycle Route and is a popular recreation attraction."

Finally, we call to your attention that the local High School borders the Highway, and the entrance is at the dangerous intersection of Ocean Avenue and Highway 1. There is no safe path for high school students or residents along the highway. **The ambient noise level deemed satisfactory in the area is far above acceptable.** Any roadbed widening endangers the Monterey Pine where the traffic would travel over the root spread of those shallow rooted trees. **The Highway is the only route to the local hospital for the huge number of residents in Carmel Valley, the Highlands, the Big Sur, and all areas in the county south of the hospital. Without proper shoulders in most of the area the ability to "move over" for ambulances and fire equipment is precarious.** We have a taped picture of the traffic of an ambulance attempting to move through the area of Carmel Valey Road and Highway One wherein the ambulance was required to back up and drive through the streets of the Village of Carmel to get to the hospital a few miles to the North.

We respectfully request that the projects not be given your vote of approval.

Sincerely,



Lois Starnes, Founding Member  
CITIZENS FOR HATTON CANYON

Enclosures: as stated

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<b>pg 18 of 36</b>

## DEPARTMENT OF TRANSPORTATION

50 Figueroa Street  
 SAN LUIS OBISPO, CA 93401-5415  
 TELEPHONE: (805) 548-3111  
 TDD (805) 548-3258  
 INTERNET <http://www.dot.ca.gov/d1805/>



**RECEIVED**

MAR 13 2000

CALIFORNIA  
 COASTAL COMMISSION  
 CENTRAL COAST AREA

January 13, 2000

05-MON-01-73.0/73.6  
 0599 6MC 0943

Don Wilcoxon  
 Rancho San Carlos Partnership  
 1 Rancho San Carlos Road  
 Carmel, CA 93923

Dear Mr. Wilcoxon:

Subject: Widen Highway One to Provide Additional Northbound Lane

Thank you for your recent application for the proposed northbound climbing lane on State Route 1 between Carmel Valley Road and Morse Drive in the vicinity of Carmel-by-the-Sea. As you are aware, the Department has been very involved with its own projects to address the significant traffic congestion along this stretch of highway. The Department has been attempting to implement several projects to resolve this consisting of various interim operational improvements on existing State Route 1. Unfortunately, all actions have proven controversial, and have been mired in debate and litigation for many years.

We recognize that there is merit to your proposal to provide the uphill-climbing lane. It might provide some degree of short-term congestion relief at no construction cost to the public. However, we have serious concerns about the proposal that prevent us from issuing the encroachment permit for the proposed work at this time. Your proposal is closely related to Operational Improvement 4, one of the interim improvements currently being developed by the Department. It is basically the same project with narrower (non-standard) lane and shoulder widths. A legal challenge to all of the operational improvements, filed by Citizens for Hatton Canyon, remains pending in Monterey County Superior Court at this time. Because of this, the Department is currently bound by a Court Order issued in the case by the Honorable Richard M. Silver. The Order requires the preparation of at least a Negative Declaration pursuant to the provisions of the California Environmental Quality Act for Operational Improvement 4.

Your proposal would have the Department act as lead agency and prepare a Categorical Exemption for its proposal. If the Department were to approve the categorical exemption for this proposal, it would arguably be in violation of the Court Order. Caltrans' legal staff has contacted counsel for Citizens for Hatton Canyon to see if a modification of the Order could be agreed upon to resolve this problem. Citizens for Hatton Canyon has declined to agree to such a modification.

We are also concerned that you do not intend to apply for a coastal development permit, contending that the proposal would be exempt from permitting as a maintenance project. The Department's legal

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19.1.36
APPLICATION NO.
A-3-440-00-010

staff has reviewed this issue and believes that a coastal development permit would be required for this proposal. This entire stretch of highway is located within the Coastal Zone. On September 3, 1978, the California Coastal Commission adopted a specific definition of its maintenance exemption as applied to the Department's activities. The definition states that activities requiring any excavation outside of the roadway prism are not subject to the maintenance exemption. The definition also states that restriping to add more lanes is not subject to the maintenance exemption. Your proposal involves tree removal, excavation outside of the existing roadway prism, pavement widening, and restriping to add lanes. This work would, therefore, require a coastal development permit. The issuance of an exemption appears to be a violation of the Coastal Act, and as the underlying property owner authorizing the encroachment permit, Caltrans would be held responsible.

Approval of your permit would also necessarily involve the County at this point. The Department has indicated its willingness to continue working with Monterey County and coordinate the implementation of your proposal. We have advised the County of the need for meeting to address the Department's concerns: such as obtaining an agreement from Citizens for Hatton Canyon to modify the court order to allow a categorical exemption, having the County act as the CEQA lead agency to prepare the environmental document, and resolve the issue of needing a coastal development permit.

There are also additional concerns regarding community, environmental and non-standard design features that need to be addressed as follows:

### **ENVIRONMENTAL and COMMUNITY**

The following items must be provided:

- 1) A noise report that identifies sensitive noise receptors in the project area, ambient (1999) noise levels, predicted noise levels through the design year (construction year plus 20 years), and warranted noise mitigation.
- 2) An analysis of the proposed projects effects on pedestrian and bicycle traffic associated with the Carmel High School. This will need to be discussed with the School District.
- 3) An evaluation of proposed excavation in the area of large trees by a Registered Forester or Certified Arborist to determine the potential for impact to the trees and appropriate protective measures.
- 4) An environmental document approved by the CEQA lead agency.

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APPLICATION NO. <b>A-3-MC-00-010</b>
<b>pg 20 of 36</b>

## DESIGN REVIEW

### I. REDUCED DESIGN STANDARDS

A. The following are noted to contain nonstandard features:

- Lane widths reduced from 12' to 11'
- Traveled way cross slope of 3%
- Shoulder widths reduced from 4' to 2'-3'
- Shoulder cross slopes of 8%

B. Fact sheers will need to be prepared by your engineer to address the standards for which exceptions are required as listed below:

- The basic lane width standard for new construction on two lane highways shall be 3.6 meters (ref: index 301.1).
- Standards for paved right shoulder width for conventional highways with a slow-moving vehicle lane shall be 1.2 meters. (ref: index 302.1). Standards for shoulder widths on two-lane roadbed with ADT over 400 shall be 2.4 meters (ref: index 307.2).
- For resurfacing or widening to match existing cross slopes, the min shall be 1.5% and the max 3%, however cross slopes on multilane AC highways should be 2% (ref index 301.2 (b)).
- In a normal tangent section, standard shoulders to the right of traffic shall slope on a 5% grade away from the traveled way (ref index 302.2).
- On highways the minimum horizontal clearance shall be 1.2 meters. (Reference index 309.1 (3b)).
- When adding lanes, a minimum 1.2-meter shoulder shall be provided for bicycle travel (Ref index 1002.1).
- If left turn movements are not prohibited from South Carmel Hills Drive onto southbound Highway 1, an exception for corner sight distance will be required. (Ref. index 405.1(2a)).

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## 2. PLAN COMMENTS

### A. GENERAL

1. There is a posted pedestrian crossing at Atherton Road, alternative passage is to be provided if shoulder width is reduced. The principal of Carmel High School must be contacted prior to removal of a school crossing or establishing a new facility.
2. The proposed bicycle route requires significant out of direction travel. Provide documentation that reflects County and State Coastal Commission support.
3. The proposed project needs to extend approximately 370' to the south in order to tie into operational improvement #5 and provide a continuous climbing lane.
4. The plans do not have any provisions for the existing MBGR. With the proposed widening, the MBGR is to be replaced as it shields vehicles from many trees within the clear recovery area. With the widening, the new edge of pavement will fall at the face of many trees. These trees would need to be removed prior the reconstruction of the MBGR.
5. Paving conforms at public road approaches need to extend out to Right of Way line.
6. Typical X-Sections show shoulder grinding which will be done at night. Due to the noise, considerations for adjacent homeowners should be made when performing night work.
7. The entire project impacts the existing roadway surface drainage system. Provide substantiating hydraulic calculations that demonstrate that the proposed system has adequate capacity consistent with the following discussion under the heading of "Hydraulics."

### B. SPECIFIC

#### Title Sheet:

- List of Std Plans reflects 1992. Should use 1999, as there have been changes to MBGR end treatments.
- Unless work is to be performed, do not show bike route. The "begin" and "end bike route" implies work or improvement is to be done.

#### Typical X-Section: Left

- Shoulder shows 3'. However, isn't 2' being proposed?

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- Station 539+75 to 549+00 shows AC dike Type B, layouts show Type A. Structural section is inadequate for mainline and shoulder traffic. See attached from materials.

**Layout L-1:**

- Sta 528+00 Cross-culvert does not show up on the plans. By widening, it will need to be extended. Double post sign should be relocated to the west.
- Dike on the east side needs to be replaced with Type E.

**Layout L-2:**

- Sta 540+00 inlet design needs to be traversible and hydraulically efficient.

**HYDRAULICS**

Our Hydraulics Department performed preliminary calculations for hydrology and hydraulic capacity within the project area. These calculations were based on the design cross sections submitted with the contract plans, as well as field observations.

The main hydraulics concern for this project is the shoulder/gutter storage capacity through the roadway cut limits from Station (STA) 529+50 Left to STA 553+00 Left and STA 539+85 Right to STA 554+00 Right. Once the 25-year design flows were determined, the spread widths were checked every 50 feet through the cut limits. In the existing condition, the spread widths do not exceed the outside edge of traveled way. The runoff is stored well within the 7-foot to 8-foot shoulder width for the left and right sides of the roadway. See TABLE 3 for the flows and associated spread widths per 50 feet for the existing condition.

Because the apex of the crown is shifted 4 feet to the left in order to accommodate the proposed climbing lane, the volume of runoff is increased to the right shoulder/gutter. By shifting the apex, the right shoulder/gutter width is reduced to 3-feet which decreases the storage volume. In this new condition, the spread widths exceed the shoulder/gutter area into the traveled way from STA 539+85 to STA 548+00. See TABLE 1 for the flows and associated spread widths in the new condition and compare to TABLE 3 for the existing. Runoff will be concentrated in the traveled way that does not occur in the existing condition. According to Table 831.3 of the HDM, design water spreads (spread widths) shall not exceed the shoulder or parking lane for the 25-year design storm.

In order to prevent runoff from concentrating in the traveled way for the right side (northbound lanes) of the roadway, a 24-inch minimum diameter storm drain must be placed longitudinally under the shoulder from STA 539+85 to STA 548+00 with grated inlets and a manhole (cleanout). This is based on the preliminary hydrology. Type G-1 (Std. Plan D73) inlets must at least be placed at STA 548+00, STA 542+50, STA 539+85 to intercept flow and prevent water from encroaching into the traveled

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<b>A-3-M60-00-010</b>



way. The bicycle proof grates for the Type G-1 inlets must be Type 24-12X (Std. Plan D77B). See TABLE 2 for a summary of the inlet-spread analysis. The Type OCP (Std. Plan D75B) manhole or cleanout shall be located at STA 545+75. This inlet must have a solid steel cover and constructed without side openings. Other forms of interception, such as slotted pipes and trench drains, were not considered as alternatives because of maintenance difficulties. This section of roadway is narrow with high traffic volumes, so it would be very difficult to frequently clean them as would be required.

The new 24-inch diameter will have to tie into the existing culvert at STA 539+85 that runs under Carmel Hills Drive with a Type G-1 inlet mentioned previously. The need for the proposed L-shaped headwall will be eliminated, which will also eliminate a potential traffic obstruction. Because the minimum height of a Type G-1 inlet is 3 feet and it has 6-inch thick walls, the flow line of the storm drain must be a minimum of 5.5 feet below the existing finish grade. After reviewing existing corroded metal culverts in the project area, I strongly recommend that a reinforced concrete pipe be placed. In addition, the pipe will require concrete backfill (0.5-foot thick) to resist potential traffic loads from large trucks that will likely weave into the shoulder. The possible occurrence of traffic weaving in the shoulder is high because of the narrow 11-foot wide lanes.

Conversely, the shoulder/gutter on the left side of the roadway from STA 539+50 to STA 553+00 has adequate storage capacity in the proposed condition based on the preliminary hydrology. This is due to the 4-foot shift of the crown to the left, which results in less surface area generating runoff to the left shoulder/gutter. Also, the 8% shoulder cross slope contributes to the storage adequacy by allowing higher flow depths. Even though the shoulder/gutter width will be reduced from 7 feet to 4 feet, water can still be adequately stored based on these two factors. See TABLE 4 for the flows and associated spread widths for the new (proposed) condition. If a design exception cannot be obtained for the non-standard 8% cross slope, the storage capacity will have to be re-evaluated.

The proposed outfall for the runoff on the left side of the roadway through the cut limits is an AC overside drain at STA 539+75. The AC overside drain cannot intercept all of the flow conveyed in the shoulder/gutter. Given an 8% shoulder cross slope and 7% profile grade, the maximum interception is approximately 1.5 cubic feet per second (cfs). This means that about 0.5 cfs would be concentrated across the new sliver fill slope, which will cause erosion.

Instead of the AC overside drain, a 12-inch minimum diameter down drain (Std. Plan D87A&B), or a structure having equivalent interception capabilities, must be used so that virtually all of the runoff can be intercepted. This will nearly eliminate bypass flow that could erode the new sliver fill slope. The down drain location should approximately be STA 539+50. At STA 539+75 where the plans call for the AC overside drain, a cut slope exists. A swale down the fill has been cut (eroded) at STA 539+50 from the present shoulder flow, which makes it a more logical location.

The fill slope where the down drain is to be located is 2:1 or steeper. Outlet velocities from the down drain will be high and a rock slope protection (RSP) energy dissipater is needed. The RSP must be sized based on the outlet velocity, though RSP Light (Std. Specifications Section 72) would be the minimum class recommended based on the potential high velocities. An energy dissipater would be required even if the original proposed AC overside drain was used.

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Mr. Wilcoxon  
January 13, 2000  
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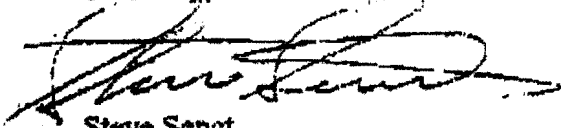
Permit No. 0599 6MC 0943

The AC dike proposed on the plans needs to be extended to assure proper training. On the left side of the roadway, dike must begin prior to STA 539+50 (downdrain location), governed by entrance conditions from the Std. Plans for downdrains, and end at STA 553+00 or beyond. AC dike on the right side of the roadway must begin before STA 539+85 (Type G-1 inlet location) and end at STA 554+00 or beyond.

As for the fill sections in the project area, pavement runoff will continue to discharge as sheet flow down the fill slopes as it currently behaves. Since the impervious surface area virtually does not increase through the fill section, additional flow is not generated and mitigation for this condition is not technically warranted.

Our staff will be pleased to meet with you to discuss our comments. Please use the permit number (0599 6MC 0943) to identify your permit. If the Permit Department does not receive a reply within 50 calendar days of the date of this letter, your application will be denied without prejudice. Please feel free to contact me at (805) 549-3206 if I can assist you in any way.

Sincerely,



Steve Senet  
District Permit Engineer

Attachments (4)

cc: Jay Walter  
Orville Morgan  
Steve Price  
Richard Krumholz  
Ken Whitson

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APPLICATION NO. A-3-MC-00-010
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Appeal number A-3-MCO-00-010  
Monterey County, Th 10c, March 16, 2000  
CalTrans Operational Improvements to Highway 1

A-3-MCO-00-010  
Opened &  
Continued  
3/16/2000

STATEMENT TO CALIFORNIA  
COASTAL COMMISSION  
MARCH 16, 2000

My name is Christine Gianascol. I am an attorney representing Citizens for Hatton Canyon. Citizens for Hatton Canyon was formed many years ago to preserve the rural scenic nature of the existing Highway 1 near the City of Carmel – the gateway to one of the most spectacular coastlines in the world. You all probably drove down this narrow stretch of scenic highway to get to the meeting today.

The so-called “improvements” before you today do nothing to alleviate traffic congestion in this area. CalTrans own documents readily admit this (see Negative Declaration page 28, attached).

CalTrans should not be allowed to proceed with this piecemeal approach to an overall project that results in the near continuous widening of Highway 1.

As the guardians of our coastal resources and coastal scenic routes, we implore you to deny these two so-called “improvements” and require CalTrans to come back with a comprehensive plan that will protect our environment and the scenic quality of our area.

Under current policy, funding for the Hatton Canyon freeway has been eliminated and all traffic will be directed to the existing Highway 1 alignment. This action has the potential to inflict significant, irreversible environmental degradation and injury (including the destruction of trees and other vegetation, and adverse noise, air, congestion, and aesthetic impacts) on the existing alignment

of Highway 1 which has long been protected as a State Scenic Highway.

Not only will this action diminish the quality of life of the community and residents near Highway 1, it will adversely affect the traveling experience for in-and out-of-state visitors who have selected the Highway 1 route for the purpose of exploring and enjoying the unique California coastline along a designated State Scenic Highway. This section of Highway 1 is also part of the California Centennial Bike Route and is shown on the TAMC/CalTrans' Monterey County Bike Map.

If such an action is going to be done, then it must be done under a comprehensive plan, that addresses all issues raised, rather than the piecemeal action you have before you today. Even CalTrans' own Project Study Report for the operational improvements project acknowledges that this should be done in a comprehensive manner "to address the cumulative impacts and avoid potential segmentation issues". (see Project Study Report page 23, attached).

The Monterey County Planning Commission TWICE denied these so-called "improvements" finding they were part of an overall project which needed comprehensive review, and that as stand alone projects, they were detrimental to the public welfare.

The Monterey Planning Commission was RIGHT. The two so-called "improvements" before you today are part of an overall package of CalTrans improvements which will result in the near continuous widening of Highway 1 with soundwalls, retaining walls, significant tree removal and increased runoff into Carmel Bay, increased noise and air pollution. While proponents of these "improvements" claim they are required under the County's Deficiency Plan, they fail to tell you that the Deficiency Plan was predicated on building the Hatton Canyon freeway.

Now that the funding for that may be gone – all prior plans are out the window and a new comprehensive solution, with proper

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environmental review and coastal consistency issues fully addressed, must be put in place.

Last but CERTAINLY NOT LEAST these two "improvements" have absolutely NO BENEFIT as stand alone projects and, moreover, they are actually detrimental to the travelling public and the residents who live along this corridor. As Planning Commission Parsons pointed out

I'm reminded of the refrain of that song "Tomato, tomahto; potato, pohtahto; Let's call the whole thing off." The Commission ate this dinner last summer and they found it indigestible then and I don't think it's any more wholesome now. The same conditions are existing. Now we need to do something but I don't think this is the right thing. Our Staff Report, and Ms. O'Hallaren, the CalTrans engineer, has stated repeatedly that these improvements will only afford *minor* or *minimal* relief. And over this weekend I visited the Egan home, which is about four houses south of Mrs. Starnes, or Ms. Starnes, who was referred to earlier. The roar in her front yard, of the Egan home, the roar in that front yard is deafening. When you go in their home, the only reason that the sound is baffled at all is because there are special windows installed. If you go in their backyard, you can't really stay out there conveniently. And this was about twelve noon, I guess, between twelve and one on Sunday. And there, I would say there are eight or nine houses that are going to be affected like this residence is. And if you're going to penalize these people this much for the public good, then you'd better to doing a *lot* for the

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APPLICATION NO.
<b>A-3-MCO-00-010</b>

public good. And I don't think you *are* in this instance. Trying to get out, Mr. Egan stood in the driveway for me to try and exit south on Highway 1. If there hadn't been some nice person, who actually stopped in the road and backed everybody up behind. I would've missed this meeting because I would be sitting in my car even now. That's how difficult it is to get out. I only had to do it once. These people have to do it several times a day. I think we need to give up the idea of these improvements and Hatton Canyon and throw the whole process open to some new thinking. There are many, many retired engineers on the Peninsula. There's a lot of imagination, and I think we need some fresh thinking on this topic. And at the very end, we may come back one or more of these improvements. We may come back to Hatton Canyon, but I believe the people in this instance need to lead the bureaucrats as is happening now in Carmel Valley, and I think it is very positive development."

The negative declaration for these "improvements" indicates that these "improvements would offer minor operational improvements by providing small increases in vehicle storage area . . . **the improvements would not provide any measurable improvement in the congestion and traffic demand, would continue to exceed the available capacity on Highway 1 during peak traffic periods.** Even with the proposed project's improvements, forced flow or stop and go conditions can be expected to continue for increasingly extended periods during the day." (Negative Declaration, p. 28.)

A number of residents have driveways with direct access on to Highway 1 in this area (See attached photographs). Operational Improvement 8, in particular, in CalTrans' own words will "make it

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APPLICATION NO.	A-3-111-00-010

more difficult for residents to access their driveways” and “existing delays . . . in gaining access to their driveways will be increased, especially during peak traffic periods.”

Not only will access to and from these driveways be more difficult, it will also be more dangerous. Residents heading north on Highway 1 now will have to cross at least two lanes of traffic to enter their driveways. With Operational Improvement 8, these residents would be forced to cross three lanes of traffic. Pushing a second lane of traffic closer to these residences will reduce the value of the residences, create increased noise, and create a dangerous situation, with absolutely no apparent benefit.

We implore you, as guardians of our coastal resources and coastal scenic routes, to deny these two improvements. If CalTrans wants to proceed to widen the existing Highway 1, then they must do it right with a comprehensive plan that can be fully evaluated and analyzed to assure that proper protections and mitigations are put in place to protect our environment and coastal resources.

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Operational Improvement's 7, 8, & 9

### Transportation

Highway capacity north of the Carmel River may be increased through improvements or alternate alignments such as the proposed Hatton Canyon Highway. Monterey County will take a strong active role in guiding future use and development of Highway 1. State Route 1 south of the Carmel River will remain a two-lane highway. Highway 1 and Transportation Policies (3.1.3):

- \* The overall objective for Highway 1 should be to maintain the highest possible standard of scenic quality in management and maintenance activities carrier on within the State right-of-way. Bike lanes and left turn lanes are permitted.

Operational Improvement's 7, 8, & 9 will extend existing turn/merge lanes. There will be no change in the scenic character of Highway 1 (See Scenic or Visual Resource Impacts)

### Monterey County Transportation Plans

The Monterey County Regional Transportation Improvement Program (RTIP-1996/98) and Congestion Management Plan (CMP) specifically include Operational Improvement's 7, 8, & 9.

### SOCIO-ECONOMIC IMPACTS (#33 through #40)

The proposed projects will have no foreseeable socioeconomic impacts.

### AFFECT PUBLIC SERVICES (#41)

The proposed projects will provide minor short-term operational improvements on Highway 1 at the intersections with Ocean Avenue and Carpenter Street. The proposed projects would provide very minor improvements for emergency vehicle access on Highway 1 through small increases in vehicle storage area on Highway 1 immediately south of Ocean Avenue and at the Ocean Avenue and Carpenter Street intersections.

### TRANSPORTATION IMPACTS (#42, #43, #44, & #46)

The project, in itself, would not generate additional traffic. Proposed project improvements would offer minor operational improvements by providing small increases in vehicle storage area on Highway 1 immediately south of Ocean Avenue and at the Ocean Avenue and Carpenter Street intersections. The improvements would not provide any measurable improvement in congestion and the traffic demand would continue to exceed the available capacity on Highway 1 during peak traffic periods. Even with the proposed project improvements "forced flow" or stop-and-go conditions can be expected to continue for increasingly extended periods during the day.

\*

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APPLICATION NO.	A-3-1160-00-010
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Cumulative Impacts

Each of the operational improvements will have noise, natural resource, and visual impacts on Highway 1. The cumulative impact from each of these projects must be evaluated to determine whether there could be a cumulative significant impact that can not be avoided. This is especially important for visual impacts to this Designated State Scenic Highway. The cumulative impacts will be addressed in the Environmental Document Preparation phase of each individual project.

Consideration should be given to the preparation of one environmental document for all of the operational improvements to address the cumulative impacts and avoid potential segmentation issues. At a minimum, the following operational improvements should be grouped and evaluated in several environmental documents, each of which would address cumulative impacts associated with all of the improvements:



- Operational Improvement 4 (EIR/S)
- Operational Improvement 5 (CE or ND/FONSI)
- Operational Improvements 6 & 7 (CE)
- Operational Improvement 10 (CE or ND/FONSI)
- Operational Improvement 9 (CE or ND/FONSI)
- Operational Improvements 11 & 12 (ND/FONSI)

**I. PROGRAMMING**

It is proposed that these projects be programmed and funded as part of the 1996 SHOPP, within the HB-4N (Operational Improvements) Program, MC Element. Individual projects or a combination of projects estimated at less than \$300,000 could be pursued as part of the District Minor A Capital Program.

The construction cost is \$5,631,000 (August 1995), including \$321,000 for mitigation, and the escalated right of way cost is \$350,000. It is recommended that the project be programmed in the 1998/99 FY.

We will combine groups of these projects together when prudent from an environmental process" or "cost effective" standpoint, or to maximize the delivery of as many of these projects as possible in an expeditious manner. This would most likely be determined early in the project Report/Environmental Document Preparation phase of these projects.

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10c. Rec'd at  
3-16-00  
mtg.

**HOPE - Helping Our Peninsula's Environment**

Box 1495, Carmel, CA 93921 - 831/624-6500

Coastal Commission

Mar 16 2000

Re: Highway 1 at Carmel

We oppose this permit because of its environmental impacts.

The bumper sticker way to distill our opposition is that study after study shows -

"You Can't Pave Your Way out of Congestion."

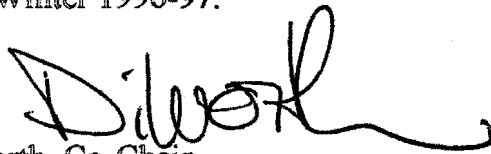
Indeed that was a Campaign slogan used by Commissioner Potter when first campaigning for Supervisor.

There is now overwhelming evidence, including a nationwide study of 70 Highway capacity increases (Texas Institute 1998), and a California specific study (Hansen 1995) which included Monterey County, that you can't relieve congestion by adding more lane miles.

These studies show that when an area is congested - additional lanes do not provide congestion relief - that additional lanes increase traffic.

Further it has been demonstrated in San Francisco and New York that when lane miles are removed congestion is alleviated (e.g. SF Central Freeway 1996, New York's West Side Highway 1988) shows that "When road capacity shrinks - So Can traffic" - Auto Free Times Winter 1996-97.

Thank you,



David Dilworth, Co-Chair

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APPLICATION NO. A-3-142-00-010
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**X**

# Citizens For Hatton Canyon

3512 Ocean Avenue

3-19-00

EXHIBIT NO. <b>K</b>
APPLICATION NO. <b>A-3-M60-00-010</b>
<b>pg 34 of 36</b>

Facts pertinent to adding a lane, plus a-lane-by-filling the ditch, in the area of Highway 1 south of Ocean Avenue to past Mesa Drive.

In 1997 the area was at or above capacity 14 hours of the day. (Year 2000 far greater number of vehicles, including heavy trucks for increased construction.)

The area at that time had a higher traffic volume than any 2-lane road in the State.

Those statements signed by CalTrans Registered Engineer Mike Giuliano on March 31, 1998.

oooooooooooooooooooo

Reference attached letter from California Coastal Commission Coastal Planner Rick Hyman:

"We do recommend that the project include **as wide shoulders as possible** to allow for safe bicycle access. Highway One in this location is the Pacific Coast Bicycle Route and is a popular recreation attraction...Coastal permit #3-83-7 issued to your agency (CalTrans) approved bike lanes on this segment of Highway One, and they should be retained as part of the proposed project."

The next paragraph of the enclosed letter states that "All Highway improvements shall be consistent with the retention of Highway 1 as a scenic two-lane road **south** of the Carmel River. Therefore, it appears that the County will be able to approve a coastal permit for the proposed project (which is north of the Carmel River)as being consistent with the Plan."

However, the last sentence is not true: On May 21, 1970, the State extended the mandate of a scenic highway from the Carmel River to the Salinas Highway-Freemont Street interchange.

That is to say, the entire area is a State Mandated Scenic Area, **AND** Highway 1 forms the Eastern border protected by the Coastal Commission.

oooooooooooooooooooo

Be aware that rarely is there a shoulder wide enough to meet prescrib requirements for shoulders, and not even wide enough for a bicycle path, along this section of Highway 1. A cyclist would need to weave in and out of the traffic lanes in this area. (HEAVY traffic: In 1997 the count was 59,000 vehicles per day...untold present total. A recent count from the Monterey bypass is 62,000 - and add to that the traffic from Pacific Grove and Pebble Beach, represents an enormous increase.

*Lois Slamer*

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE  
 725 FRONT STREET, SUITE 300  
 SANTA CRUZ, CA 95060  
 (408) 427-4863  
 HEARING IMPAIRED: (415) 904-6200



March 14, 1997

Gary Ruggerone  
 CALTRANS  
 50 Higuera Street  
 San Luis Obispo, CA 93401

RE: *Highway One Operational Improvements Initial Study*

Dear Gary,

Coastal staff have reviewed the draft Negative Declaration for the proposed Highway One Operational Improvements near Carmel. We concur in your evaluation of the environmental issues.

We do recommend that the project include as wide shoulders as possible to allow for safe bicycle access. Highway One in this location is the Pacific Coast Bicycle Route and is a popular recreational attraction. Both the Coastal Act and the *Carmel Area Land Use Plan* are supportive of non-vehicular coastal access. Coastal permit #3-83-7 issued to your agency approved bike lanes on this segment of Highway One, and they should be retained as part of the proposed project.

We also note that your evaluation (page 22) indicates that the proposed project is inconsistent with the *Carmel Area Land Use Plan*. However, Plan policy #3.1.3.5 states, "All highway improvements shall be consistent with the retention of Highway 1 as a scenic two-lane road south of the Carmel River." Therefore, it appears that the County will be able to approve a coastal permit for the proposed project (which is north of the Carmel River) as being consistent with the *Plan*.

Sincerely,

Lee Otter  
 Chief Planner

*Rick Hyman*

Rick Hyman  
 Coastal Planner  
 Central Coast Area Office

cc: Bud Carney, Supervising Monterey County Coastal Planner  
 Mary Orrison, TAMC

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# Citizens For Hatton Canyon

3512 Ocean Avenue • Carmel, CA 93923

3.19.2000

Of concern:

The young humans who built their homes AFTER A MAJORITY VOTE OF THE Board of Supervisors, and the State of California signed a freeway agreement for a bypass in Hatton Canyon. Now old!

(The part of the area plan to move traffic was completed when the bypass was constructed to bring through traffic out of the City of Monterey, but then almost unbelievable activity that has stalled the bypass on the South side of Carmel hill.

(January 18 1956 = the California Highway Commission adopted the Hatton Canyon Route as a freeway (bypass).  
May 6, 1957 the State and County signed a freeway agreement.)

The motoring public, and in particular the folks stalled in traffic en route to go to work. Many come all the way from Salinas to Carmel Valley and Highlands jobs and their days are very, very long.

The utter danger every day of ambulances and fire equipment needing to rush through the area....many times all the lanes are full and there simply is not room to "move over."

This spring I watched as a fire truck was stalled in even the six lanes North of Ocean Avenue and had to back up and drive through narrow residential streets to get through.

We have a tape of a massive traffic situation on Highway 1 just south of the Carmel Valley Road where an ambulance could not get through and turned back and drove through the narrow streets of Carmel to get to the hospital. (When Leon Panetta saw the tape, he said that his wife's mother was in that ambulance. Of course -- lives are equally important, but I make that point of specific knowledge.)

The hospital is a few miles north of Ocean Avenue intersection, and the massive population of Carmel Valley, the Highlands, the Big Sur, and the unincorporated areas throughout the region all must thread through the narrow Highway 1.

Loss of trees as motor vehicles drive over their shallow roots, and removal of 200 if the adjoining widening project to the South is built - high retaining walls, sound walls.

And more than all, the fumes from the trucks and cars that idle in stalled traffic, the deafening noise until use of outdoor patios is a thing of the past, and danger of entering/leaving homes.

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APPLICATION NO.  
A-3-MCO-00-010

*Lois Starnes*



Photo 1. Highway 1 at Ocean Avenue - view looking north.



Photo 2. View looking south from Highway 1-Ocean Avenue intersection.



Photo 3. Existing merge lane Highway 1 south of Ocean Avenue - view looking south.



Photo 4. Wide angle view of existing merge lane Highway 1 south of Ocean Avenue - view looking south.



Photo 5. Souhtbound Highway 1 at Morse Drive - view looking north.

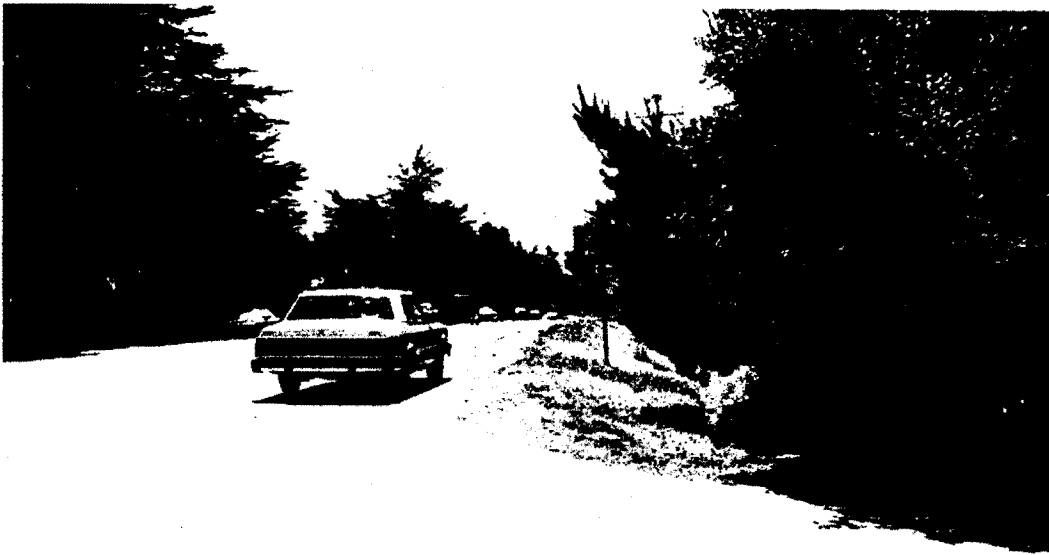


Photo 6. Souhtbound Highway 1 at Morse Drive - view looking south.





Photo 7. Southbound Highway 1 at Mesa Drive - view looking north.



Photo 7. Southbound Highway 1 at Mesa Drive - view looking south.

**EXHIBIT L**

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Photographs from March 19, 2000 Site Visit

**EXHIBIT M**

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Photographs Submitted by Appellants

AREA OF OI 8 ON WEST SIDE OF HIGHWAY 1



Photos come out with a pastel  
road...that in truth is a  
MASSIVE... stretch of bl...

AREA OF OI 8 ON WEST SIDE OF HIGHWAY 1

EXHIBIT NO. M
1 of 4
APPLICATION NO.
A-3-M-00-010

AREA OF OI 7 AND 8  
LOOKING NORTH ON HIGHWAY 1



High School. Plus grade school busses come and go at this campus.



Photos come out with a pastel road...that in truth is a MASSIVE... stretch of black.

EXHIBIT NO.	M
APPLICATION NO.	A-3-M10-00-010

AREA OF OI 8 ON WEST SIDE OF HIGHWAY 1

To fill in the ditch would put autos next to the trunks of trees all along the route.

\* The trees in front of the Miller home just a short time ago were full and healthy. With autos running over their reots, now at end of life. NO PITCH CANKER.

AREA OF OI 8 ON WEST SIDE OF HIGHWAY 1



AREA OF OI 8 ON WEST SIDE OF HIGHWAY 1

EXHIBIT NO. M
APPLICATION NO. A-3-MO-00-010

AREA OF OI 8 ON WEST SIDE OF HIGHWAY 1



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AREA OF OI 8 ON WEST SIDE OF HIGHWAY 1

EXHIBIT NO.	M
4 of 4	
APPLICATION NO.	A-3-MCO-00-010

