

Notices of Preparation and Comment Letters



FILED

Notice of Preparation

MAR 25 2020

STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY

Notice of Preparation

To: Trustee/Responsible Agencies From: City of Gonzales
(Address) 147 Fourth Street
(Address) Gonzales, CA 93926
(Address)

Subject: Notice of Preparation of a Draft Supplemental Environmental Impact Report

The City of Gonzales will be the Lead Agency and will prepare a supplemental environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Due to the circumstances associated with the novel coronavirus (COVID-19), non-essential public gatherings in the City of Gonzales will be cancelled or postponed. Therefore, for purposes of fulfilling CEQA mandates to obtain comments from the public agencies related to this NOP, only written comments will be accepted and there will be no public meetings to gather comments.

Please send your response to Matthew Sundt, Community Development Director at the address shown above or at msundt@ci.gonzales.ca.us or call 831-675-4203. We will need the name for a contact person in your agency.

Project Title: Vista Lucia Annexation

Project Applicant, if any: Cielo Grande Ranch LLC c/o Pembroke Development

Date March 18, 2020 Signature Matthew Sundt

Title Community Development Director

Telephone 831-675-4203

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Vista Lucia Annexation Supplemental EIR Notice of Preparation

PROJECT LOCATION AND SETTING

The Vista Lucia annexation area (project site) is located on approximately 768 acres within the City of Gonzales' Sphere of Influence (SOI) in Monterey County, immediately east of the existing City of Gonzales (City) city limits. [Figure 1, Location Map](#), presents the regional location of the project site.

Surrounding Land Uses

The project site is bound by Fanoe Road to the west, Associated Lane to the north, Iverson Road to the east, and a large agricultural property owned by D'Arrigo Brothers to the south. Adjacent land to the north and east is in unincorporated Monterey County and has been highly modified by agricultural use; land immediately to the north is in an agricultural preserve. Associated Lane, an unimproved farming road on the northern boundary, is shown as a future major roadway in the City's 2010 General Plan (General Plan). The D'Arrigo property on the south is also in active agricultural use, but is within the City's SOI and is designated in the General Plan for future commercial and residential development. To the west are two single-family subdivisions, Canyon Creek and Arroyo Estates. To the northwest are farming operations shown as "Urban Reserve" in the General Plan. Two existing rural residences are located immediately adjacent to the project site. [Figure 2, Aerial Photograph](#), presents the project site boundary and surrounding land uses.

Existing Site Conditions

The project site is comprised largely of agricultural land that is currently in agricultural production. Existing improvements include ancillary agricultural support structures, irrigation ditches, ponds and unimproved roadways.

The site is relatively flat, ranging in elevation from approximately 250 feet in the southeast corner to approximately 125 feet in the northwest corner.

PROJECT BACKGROUND

The project site is one of several locations the City identified as a future development area in the Gonzales 2010 General Plan (General Plan). According to the 2010 General Plan, AMBAG projections at that time showed “Gonzales growing to 23,418 people in the year 2035, an increase of about 14,393 over the current 2009 population of 9,025 persons.” To accommodate the anticipated growth, the City set aside “approximately 1,500 acres of additional land for residential growth, or enough land to accommodate a total City population of about 38,000.” The project site was included in the area the City set aside for growth. The project site was already within the City’s Urban Growth Boundary when the General Plan was adopted in 2010, but outside of the SOI.

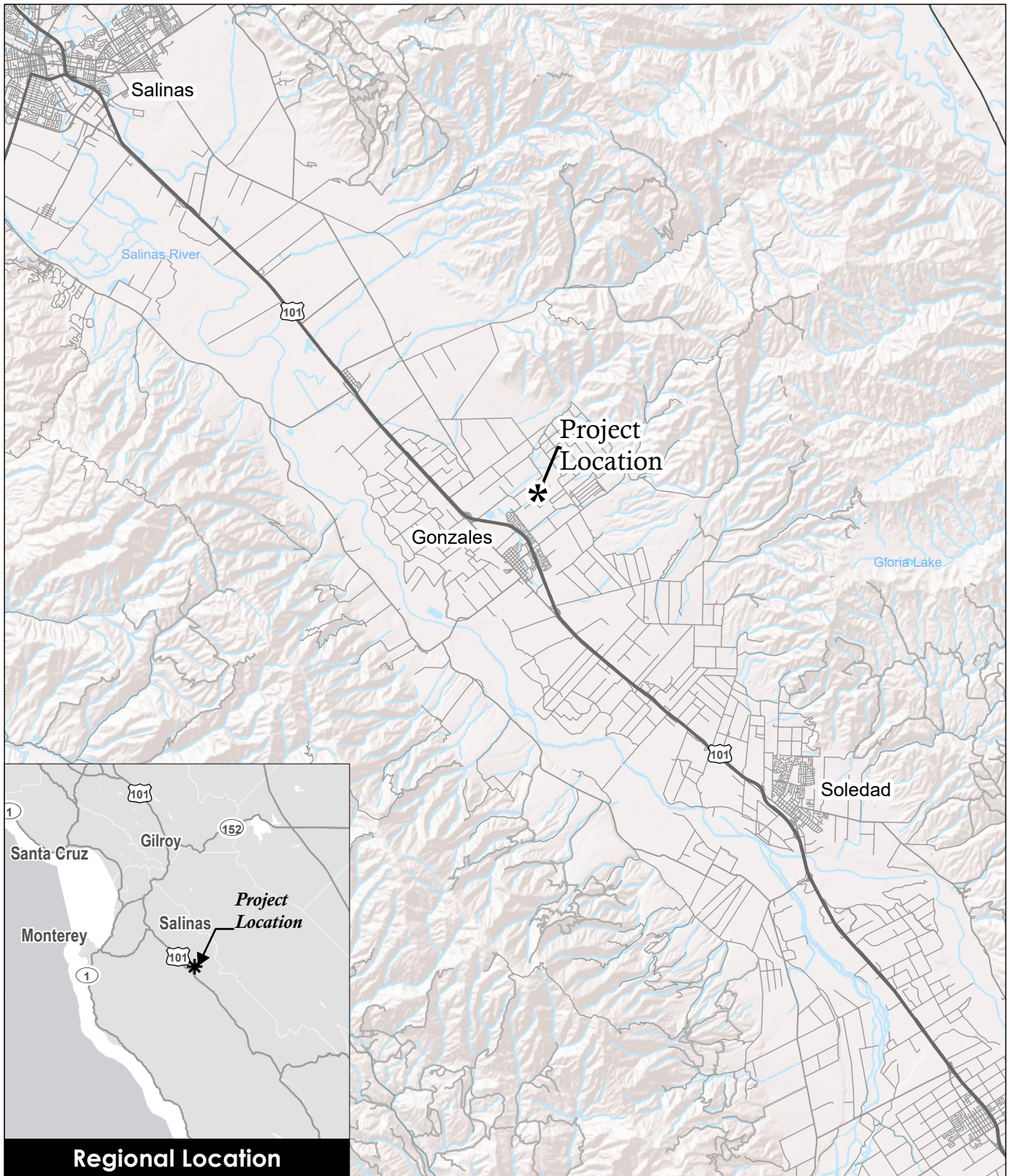
In May 2014, the Monterey County Local Agency Formation Commission (LAFCO) approved the City’s request to include the project site as well as other properties within the SOI. When LAFCO approved the City’s request to expand the SOI, it acknowledged the need to annex property within the new SOI boundary to meet the City’s demand for housing.

The proposed project is the first annexation since the SOI was expanded in 2014. There has been no new single-family residential construction in the City since 2006 and the most recent units constructed are the Fanoe Vista Apartments built in 2009, resulting in a net increase of 25 apartment units.

PROPOSED PROJECT

Cielo Grande Ranch LLC c/o Pembroke Development (applicant) has submitted an application to the City requesting annexation and pre-zoning approvals for the project site. Both requests require approval from the City and Monterey County LAFCO. CEQA documentation for the project must be certified before the City Council and LAFCO can take action to approve the annexation and pre-zoning requests.

The proposed annexation and pre-zoning actions are intended to facilitate future development of the project site with a master-planned urban community. Such future development would be the subject of a separate, future application package, with entitlement requests anticipated to include a specific plan and tentative maps(s). For purposes of evaluating the potential impacts of the current proposed annexation and pre-zoning requests, the applicant has prepared a conceptual land use plan for the site. It is on this land use plan and the proposed uses and development intensities that the impacts of the annexation and pre-zoning will be evaluated. The future entitlement requests will be subject to a separate, future CEQA process. It is assumed that CEQA documentation for the future entitlement requests will be tiered from the EIR being prepared for the current annexation and pre-zoning actions.



Source: Esri 2015

Figure 1
Location Map



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 Project Site

Source: Google Earth 2018

Figure 2
Aerial Photograph



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Conceptual Future Land Use Scenario

The conceptual plan for the project site includes two major development areas, Village One and Village Two, that would be developed in phases. The Village One site encompasses approximately 410 acres, taking up the western half of the Vista Lucia property. The Village One Land Use Plan calls for approximately 1,861 single-family and multi-family residential units of varying densities; approximately one acre of neighborhood retail commercial use; an approximately 12-acre elementary school site; approximately 70 acres of community and neighborhood parks and open space; a one-acre Village Green; and a 2.2-mile broad pedestrian promenade system that interconnects neighborhoods within Village One and beyond. In addition, bike trails, ag buffers, dual use detention and drainage areas, and other open areas will be incorporated into the open space system.

Village Two will have similar attributes on the remaining 358 acres but with approximately 1,637 residential units (for a total of 3,498 units when combined with Village One). Village Two would also include an approximately six-acre Neighborhood Commercial/Mixed-Use center; a 12-acre elementary school site; an 18-acre middle school site; and approximately 76 acres of parks, trails, promenades, drainage/detention areas, and other open space features. A drainage and agricultural buffer area will ring both Village One and Village Two along the west, north, and eastern boundaries of the project area.

The City acknowledges recent state legislation which requires ministerial approval of accessory dwelling units. It is considered speculative to estimate the number of accessory dwellings that may ultimately be constructed within the site. Individual future lot owners would make their own decisions about whether or not to apply for accessory dwelling unit approvals from the City.

Figure 3, [Vista Lucia Conceptual Land Use and Zoning Plan](#), presents the locations of residential, educational, commercial, and recreational land uses, along with their associated points of access, general circulation pattern, and overall open space system.

Using the California Department of Finance persons per household rate of 4.02 persons per household for Gonzales and the projected 2,498 residential units, future development could add up to 10,042 people to the City's population. Based on the types of non-residential, employment generating uses proposed (Neighborhood Commercial/Mixed Use), it is projected that the project could add approximately 317 employees.

APPROACH TO ENVIRONMENTAL ANALYSIS

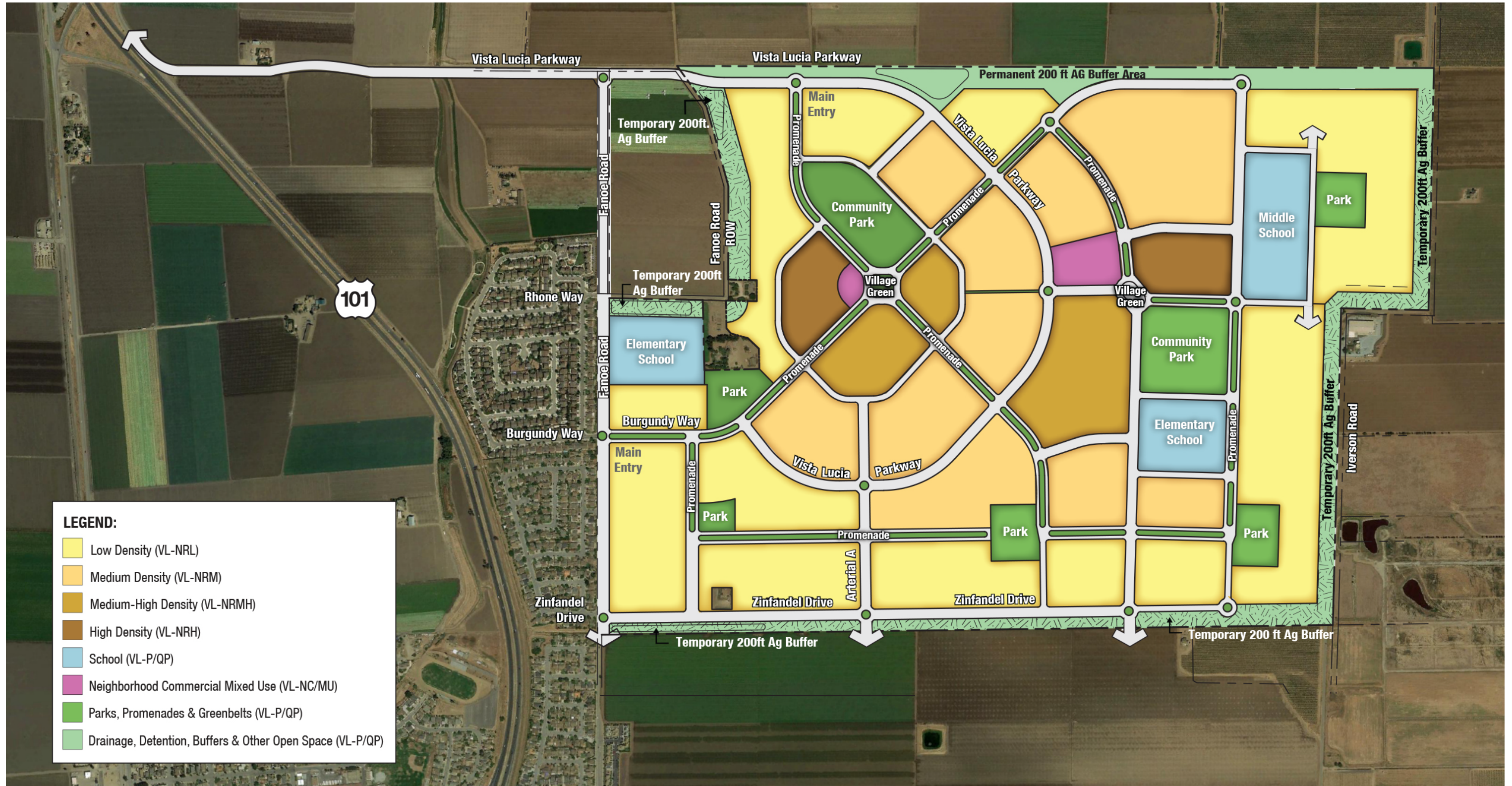
The City has determined that a supplemental EIR (SEIR) to the General Plan EIR should be prepared to assess the potential impacts of the proposed project. Though the current actions for which the SEIR will evaluate impacts are limited to annexation and pre-zoning, the SEIR

will be prepared within a sufficient level of detail that it is not only supplemental to the General Plan EIR, but can also be used to tier CEQA documentation for future project-specific entitlement requests. For many environmental issue areas addressed in this SEIR, including transportation, this will require detailed analysis that goes beyond the level of detail commonly included in a SEIR. Additional CEQA documentation for future individual project approvals would be required if any of the conditions presented in CEQA Guidelines section 15162, Subsequent EIRs and Negative Declarations, are identified in the CEQA documentation for future individual projects.

The SEIR will update the environmental setting and utilize project-specific information to determine if there are changed circumstances that lead to identification of significant impacts that were not identified in the General Plan EIR. The analysis will, in part, determine if the impacts and mitigation measures already identified in the General Plan EIR adequately address project-specific impacts. If conditions identified in CEQA Guidelines Section 15162 occur (e.g. new or more severe significant impacts than previously analyzed), mitigation measures will be developed or modified to address them.

The SEIR will evaluate in detail environmental topics for which there is potential that the General Plan EIR analysis of impacts and mitigation measures could be insufficient to address effects of the proposed project. For purposes of the proposed project, the following environmental impacts appear to have been adequately addressed in the General Plan EIR and will not likely be evaluated in detail in the SEIR:

- Agricultural Resources;
- Aesthetics;
- Geology and Soils; and
- Mineral Resources.



Source: Pembroke Development 2020



Figure 3
Vista Lucia Conceptual Land Use and Zoning Plan

Vista Lucia Annexation Supplemental EIR Notice of Preparation

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POTENTIAL ENVIRONMENTAL EFFECTS

Environmental topics that will be evaluated in detail in the SEIR are summarized below along with specific analysis considerations for each topic.

Air Quality

This analysis will be updated primarily to document changes in regulations that have occurred since the General Plan EIR was prepared and determine whether those changes create potential for the proposed project to result in significant impacts not previously identified in the General Plan EIR.

Biological Resources

Site-specific biological resources analyses will be reviewed to determine whether significant impacts may occur that were not identified in the General Plan EIR. Mitigation for those impacts, if any, will be identified. This analysis will also address changes in regulations and mitigation guidance identified by resource agencies.

Cultural and Tribal Resources

This analysis will document the findings in the applicant's cultural resources report and historic resources evaluation, to identify if impacts would occur that are not identified and mitigated in the General Plan EIR. This section will also describe tribal consultation conducted by the City, as may be required.

Energy

This analysis will be updated to reflect current practice in evaluating energy impacts in light of recent CEQA case law and heightened attention to energy use in relation to greenhouse gas effects; issues that were not as pertinent when the General Plan EIR was prepared.

Greenhouse Gas (GHG) Emissions

This analysis will be updated to reflect current practice in evaluating GHG impacts, particularly in light of the substantial evolution of state legislation and regulations pertaining to climate change since the General Plan EIR was prepared.

Hazards and Hazardous Materials

This analysis will be updated to reflect considerations specific to the conceptual land use types being proposed in order to determine if impacts identified in the General Plan EIR would remain less than significant.

Hydrology and Water Quality

This analysis will be updated to document regulatory changes and changes in the environment that have occurred since the General Plan EIR was prepared. The analysis will make reference to the *City's Conceptual Drainage Master Plan -Proposed Developments within Sphere of Influence, City of Gonzales*.

Noise

A noise analysis will be prepared to update information in the General Plan EIR to ensure that impacts and mitigations associated with future development of the project site with the conceptual land use plan land uses are adequately addressed in the General Plan EIR.

Transportation and Traffic

A vehicle miles traveled analysis will be conducted to evaluate baseline vehicle miles traveled, year 2030 vehicle miles traveled under the General Plan, and the change in vehicle miles traveled, if any, that would occur from future development of the project site. The General Plan EIR does not address vehicle miles traveled impacts given that SB 743, which requires this analysis, was only recently enacted.

Public Services

This section of the EIR will include updated information about the need for new public facilities (police, fire schools, parks) and whether the analysis of impacts in the General Plan EIR adequately addresses the changed conditions.

Water Demand and Sewer Generation

This analysis will update the analysis in the General Plan EIR utilizing the *City of Gonzales Existing City Plus Sphere of Influence Water Master Plan* and the *City of Gonzales Existing City plus Sphere of Influence Wastewater Master Plan*, as well as a SB610 water supply assessment to be prepared as an input to this SEIR.

NATIVE AMERICAN HERITAGE COMMISSION

March 17, 2020

Governor's Office of Planning & Research

MAR 20 2020

STATE CLEARINGHOUSE

Matthew Sundt
City of Gonzales
P.O. Box 647, 147 Fourth Street
Gonzales, CA 93926

Re: 2020039056, Vista Lucia Annexation Project, Monterey County

Dear Mr. Sundt:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.



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AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

 - a.** A brief description of the project.
 - b.** The lead agency contact information.
 - c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).

 - a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

 - a.** Alternatives to the project.
 - b.** Recommended mitigation measures.
 - c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

 - a.** Type of environmental review necessary.
 - b.** Significance of the tribal cultural resources.
 - c.** Significance of the project's impacts on tribal cultural resources.
 - d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

 - a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Nancy.Gonzalez-Lopez@nahc.ca.gov.

Sincerely,



Nancy Gonzalez-Lopez
Staff Services Analyst

cc: State Clearinghouse

DEPARTMENT OF TRANSPORTATION

CALTRANS DISTRICT 5
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*Making Conservation
a California Way of Life.*

March 27, 2020

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SCH#2020039056

Matthew Sundt
Community Development Director
City of Gonzales
147 Fourth Street
Gonzales, CA 93926

COMMENTS FOR THE NOTICE OF PREPARATION (NOP)-VISTA LUCIA ANNEXATION,
GONZALES, CA

Dear Mr. Sundt:

The California Department of Transportation (Caltrans), District 5, Development Review, has reviewed the Vista Lucia Annexation which facilitates the proposal of a master-planned urban community which includes 3,498 housing units, retail commercial, a school, and parks. Caltrans offers the following comments in response to the NOP:

1. Caltrans supports local development that is consistent with State planning priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety. We accomplish this by working with local jurisdictions to achieve a shared vision of how the transportation system should and can accommodate interregional and local travel and development. Projects that support smart growth principles which include improvements to pedestrian, bicycle, and transit infrastructure (or other key Transportation Demand Strategies) are supported by Caltrans and are consistent with our mission, vision, and goals.
2. As a result of Senate Bill (SB) 743, effective July 2020 Caltrans will replace vehicle level of service (LOS) with vehicle miles traveled (VMT) as the primary metric for identifying transportation impacts from local development. The focus now will be on how projects are expected to influence the overall amount of automobile use instead of traffic congestion as a significant impact. For more information, please visit: http://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf. At times, certain locations of concern, such as at-grade connections to highways without channelization, may still require future study or conflict analysis.
3. Employing VMT as the metric of transportation impact Statewide will help to promote Green House Gas (GHG) emission reductions consistent with SB 375 and can be achieved through influencing on-the-ground development. Implementation of this

Matthew Sundt
March 27, 2020
Page 2

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City of Gonzales

change will rely, in part, on local land use decisions to reduce GHG emissions associated with the transportation sector, both at the project level, and in long-term plans (including general plans, climate action plans, specific plans, and transportation plans) and supporting Sustainable Community Strategies developed under SB 375.

4. The Transportation Agency for Monterey County (TAMC) collects development impact fees to help fund transportation projects of regional significance to address project long-range traffic impacts. Caltrans supports payment of the adopted TAMC development impact fees as required to mitigate any cumulative impacts for future development projects.

Thank you for the opportunity to review and comment on the proposed project. If you have any questions, or need further clarification on items discussed above, please contact me at (805) 549-3157 or email christopher.bjornstad@dot.ca.gov.

Sincerely,



Chris Bjornstad
Associate Transportation Planner
District 5 Development Review



April 10, 2020

VIA EMAIL: MSUNDT@CI.GONZALES.CA.US

Matthew Sundt
City of Gonzales
Community Development Director
147 Fourth Street
Gonzales, CA 93926

Dear Mr. Sundt:

CITY OF GONZALES, NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE VISTA LUCIA ANNEXATION PROJECT, SCH#2020039056

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Notice of Preparation of an Environmental Impact Report (EIR) for the Vista Lucia Annexation (Project). The Division monitors farmland conversion on a statewide basis, provides technical assistance regarding the Williamson Act, and administers various agricultural land conservation programs. We offer the following comments and recommendations with respect to the proposed project's potential impacts on agricultural land and resources.

Project Description

Cielo Grande Ranch LLC c/o Pembroke Development has submitted an application to the City requesting annexation and pre-zoning approvals for the project site. Annexation requires approval from both the City Council and Monterey County Local Agency Formation Commission (LAFCO). The proposed annexation and pre-zoning actions are intended to facilitate future development of the project site with a master planned urban community. The project site is one of several locations the City identified as a future development area in the Gonzales 2010 General Plan.

The proposed project site is located on approximately 768 acres within the City of Gonzales's Sphere of Influence, immediately east of the existing city limits. The site is generally bounded by Fanoe Road to the west, Associated Lane to the north, Iverson Road to the east, and a large agricultural property to the south.

Department Comments

The City has outlined mitigating policies, actions, and goals in its 2010 General Plan. The Department thinks that the implementation of Conservation and Open Space Policy 4.2

and implementing action 4.2.1, as well as, Conservation and Open Space Policy 4.3 and implementing action 4.3.3, would be beneficial to agricultural conservation.

- Type, amount, and location of farmland conversion resulting directly and indirectly from implementation of the proposed project.
- Impacts on any current and future agricultural operations in the vicinity; e.g., land-use conflicts, increases in land values and taxes, loss of agricultural support infrastructure such as processing facilities, etc.
- Incremental impacts leading to cumulative impacts on agricultural land. This would include impacts from the proposed project, as well as impacts from past, current, and likely future projects.
- Implementation of the City's policies, actions, and goals as outlined in the Conservation and Open Space section of its 2010 General Plan.
- Proposed mitigation measure for all impacted agricultural lands within the proposed project area.

Although direct conversion of agricultural land is often an unavoidable impact under CEQA analysis, mitigation measures must be considered. In some cases, the argument is made that mitigation cannot reduce impacts to below the level of significance because agricultural land will still be converted by the project, and therefore, mitigation is not required. However, reduction to a level below significance is not a criterion for mitigation under CEQA. Rather, the criterion is feasible mitigation that lessens a project's impacts.

All mitigation measures that are potentially feasible should be considered. A measure brought to the attention of the Lead Agency should not be left out unless it is infeasible based on its elements. The Department suggests that the City consider the adoption of an agricultural land mitigation program that will effectively mitigate the conversion of agricultural land.

Conclusion

Thank you for giving us the opportunity to comment on the Notice of Preparation of an Environmental Impact Report for the Vista Lucia Annexation project. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Associate Environmental Planner at (916) 324-7347 or via email at Farl.Grundy@conservation.ca.gov.

Sincerely,

Monique Wilber

Monique Wilber
Conservation Program Support Supervisor

April 10, 2020

Matthew Sundt
Community Development Director
147 Fourth Street
Gonzales, CA 93926

via email: msundt@ci.gonzales.ca.us

RE: Comments on Notice of Preparation of a Draft Supplemental Environmental Impact Report for the Vista Lucia Annexation

Dear Mr. Sundt:

The Transportation Agency for Monterey County is the Regional Transportation Planning and Congestion Management Agency for Monterey County. Agency staff have reviewed the Notice of Preparation of a Supplemental Environmental Impact Report for the Vista Lucia Annexation.

The project requests for annexation and pre-zoning of approximately 768 acres into the City of Gonzales for a master planned urban community within the City of Gonzales' Sphere of Influence. The project anticipates adding a total of 3,498 residential units, in addition to three schools, community parks, open space features and a pedestrian promenade. Agency staff offer the following comments for your consideration:

1. Please evaluate bicycle and pedestrian safety and access at the US 101 and 5th Street interchange as part of the SEIR.
2. The Agency supports the development of a detailed traffic impact analysis to inform the SEIR about the impacts to local and regional road networks.
3. The Agency supports the use of Intersections Control Evaluations (ICE analysis) to inform intersection design and when major modifications to intersections are considered. The Agency encourages the development of roundabouts to support traffic flow and the safety of cyclists and pedestrians.
4. The Agency supports integration of bicycle trails within the development and encourages consideration of safe bicycle and pedestrian connections to the surrounding land uses. The integration of Complete Streets design in the project area can support comfortable and safe travel of bicyclists and pedestrians.

5. Consideration should be given to the installation of electric vehicle charging stations, as new construction provides an opportunity to install this needed infrastructure.

6. The Agency recommends coordination with Monterey-Salinas Transit when considering transit connections to and from the project site. Monterey-Salinas Transit's *Designing for Transit Guideline Manual* should be used as a resource when considering potential future transit access to the project site.

Thank you for the opportunity to comment on the proposed project. If you have any questions, please contact Madilyn Jacobsen of my staff at (831) 775-4402 or madilyn@tamcmonterey.org.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Hale". The signature is fluid and cursive, with the first letter of each name being significantly larger and more stylized.

Debra L. Hale

Executive Director

MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY

Carl P. Holm, AICP, Director



LAND USE & COMMUNITY DEVELOPMENT | PUBLIC WORKS & FACILITIES | PARKS
1441 Schilling Place, South 2nd Floor (831)755-4800
Salinas, California 93901-4527 www.co.monterey.ca.us/rma

April 14, 2020

City of Gonzales Community Development Department
Attn: Matthew Sundt, Community Development Director
147 Fourth Street
Gonzales, CA 93926

RE: Comments on the Vista Lucia Annexation NOP

Dear Mr. Sundt,

Thank you for providing the County of Monterey with an opportunity to review and respond to the NOP for the Vista Lucia annexation. RMA-Planning comments are provided below and comments received from RMA-Public Works Development Services and the Environmental Health Bureau are attached.

Existing Site Conditions

The County suggests the following be discussed in the existing site conditions section of the SEIR:

- The City of Gonzales and County of Monterey Memorandum of Agreement (MOA) recognizes the importance of maintaining and protecting agricultural lands. The project described in the NOP is for annexation and pre-zoning of approximately 768 acres within the City's Urban Growth Boundary/Sphere of Influence (OGB/SOI). As such, the Environmental Setting section of the SEIR should fully describe the current agricultural land use designation of the affected parcels as well as identify adjacent properties currently within agricultural preservation.

Project Description

The County suggests the following be discussed in the project description section of the SEIR:

- Figure 3 – Vista Lucia Conceptual Land Use and Zoning Plan of the NOP identifies agricultural buffer areas along the northern, eastern, and southern borders of the project site. Therefore, staff suggests the SEIR clearly describe these areas as well as their purpose (e.g. consistency with the City's General Plan and the City and County MOA).

Potential Environmental Impacts

The County suggests the following be discussed in environmental impact section of the SEIR:

- **Agricultural Resources.** The NOP states that the General Plan EIR adequately addresses agricultural resources impacts. As such, it is unlikely the SEIR would discuss the topic in detail. To ensure transparency and disclosure, staff suggests General Plan policies and mitigation measures adopted to address agricultural impacts that would be applicable to the project should be identified and discussed. In addition, infrastructure improvements necessary to serve development allowed by pre-zoning should be

introduce, as well as potential impacts to agricultural lands to the west those improvements may cause.

- **Public Services.** Staff suggests the public services impacts include analysis of any County Services in the area that may be affected by development allowed by the pre-zoning.
- **Wildfire.** CEQA Guidelines require analysis of impacts associated wildfires. As such, staff suggests the SEIR include a wildfire impact discussion.
- **Cumulative Impacts.** County staff received NOPs for both the Puente del Monte and Vista Lucia Annexations. Thus it is highly probably that both annexations could occur simultaneously. Therefore, staff suggests any cumulative impacts be clearly discussed and analyzed.

As noted above, please see the attached comments provided by RMA-Public Works and the Environmental Health Bureau. Thank you for providing the County an opportunity to review and comment on the NOP. We look forward to reviewing the SEIR when completed.

Sincerely,

/s/ Anna V. Quenga

Anna V. Quenga, Senior Planner
RMA-Planning
(831) 755-5175
quengaav@co.monterey.ca.us

MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY

Carl P. Holm, AICP, Director



Building Services / Environmental Services / Planning Services / Public Works & Facilities
1441 Schilling Place, 2nd Floor (831)755-4800
Salinas, California 93901 www.co.monterey.ca.us/rma

April 14, 2020

City of Gonzales
Attn: Matthew Sundt
P.O. Box 647, 147 Fourth Street
Gonzales, CA 93926

Subject: Vista Lucia Project, Monterey County

Dear Mr. Sundt,

The Monterey County RMA-Department of Public Works has reviewed the Notice of Preparation of a Draft Supplemental Environmental Impact Report for the Vista Lucia project. The RMA-DPW appreciates the opportunity to comment as is very interested to know about the project's potential impacts to the surrounding traffic circulation network.

We offer the following information and recommendations to aid you with the environmental review process:

- Any mitigation measure(s) proposed by the project should conform to regional planning documents, such as the Monterey County General Plan and TAMC's Regional Transportation Plan.
- The methodologies used to calculate the Levels of Service (LOS) should be consistent with the methods in the latest edition of the Highway Capacity Manual.
- The Traffic Study should identify mitigation measures for all traffic circulation impacts on County roads. The significance criteria for County roads is described as follows:
 - Signalized Intersection: A significant impact would occur if an intersection operating at LOS A, B, C, or D degrades to E, F. For intersections already operating at unacceptable levels E, a significant impact would occur if a project adds 0.01 during peak hour or more to the critical movement's volume-to-capacity ratio. If the intersection is already operating at LOS F any increase (one vehicle) in the critical movement's volume-to-capacity ratio is considered significant.
 - Unsignalized Intersections: A significant impact would occur if any traffic movement has LOS F or any traffic signal warrant is met.
 - Road segment: A significant impact would occur if a roadway segment operating at A through E degrades to a lower level of service of E, or F. If a segment is already operating at LOS F any increase during peak hour (one vehicle) is considered significant.

- The EIR/ Traffic Study should address the project's impacts on all county, regional, and city roadways. The geographic area covered in the scope of the traffic study should be of sufficient size to adequately identify all of the project's impacts.
- In developing the cumulative scenarios for the traffic forecasts, trip distributions and traffic analysis, should be consistent with regional traffic model projections, i.e. AMBAG model. Analysis should be conducted using both operational trip distribution and vehicle miles traveled.
- At a minimum the following project scenarios should be analyzed: Existing Conditions, Existing plus Project, Background, Background plus project, Cumulative No Project, and Cumulative plus Project.
- The report should address the needs and benefits of providing pedestrian/ bicycle facilities. The project should also strive to provide carpool/ vanpool and other alternative modes of transportation that will reduce the peak demand on roadways in the project area.
- The traffic report should disclose all projects' access points and analyze the effects on county, cities, and regional roadway systems.
- In order to identify the project's potential impacts to the roadway system, the proposed Transportation / Traffic analysis for the EIR will require:
 - Level of Service Analysis (LOS) for the following intersections:
 - Iverson Rd / Fifth St
 - Iverson Rd / Associated Ln (Vista Lucia Pkwy)
 - Vista Lucia Pkwy / Fanoe Rd
 - Level of Service Analysis (LOS) for the following road segment:
 - Iverson Rd from Associate Ln (Vista Lucia Pkwy) to Fifth St
 - Associated Ln (Vista Lucia Pkwy) form Iverson Rd to Highway 101.
- The report should develop a pavement analysis report which identifies the impact to existing roadways and proposed mitigation alternatives for the following segments:
 - Iverson Rd from Vista Lucia to Puente del Monte project limit
 - Johnson Canyon Rd (Fifth St) from Fanoe Rd to Iverson Rd
 - Associated Ln from Vista Lucia project limit to Highway 101
- Furthermore, the report needs to consider traffic for all planned developments within the vicinity of the project. The analysis shall use the latest HCM methodologies (please refer to the County of Monterey's guide for the preparation of traffic impact studies).
- If approved the annexation should include the Iverson Road and Associated lane (Vista Lucia Parkway) right-of-way adjacent to areas being annexed.

Thank you for considering our comments. We also look forward to reviewing and commenting on the Draft Environmental Impact Report. Should you have any further questions please call Chad S. Alinio at (831) 755-4937 or Armando Fernandez at (831) 755-4873.

Sincerely,

Chad S. Alinio, P.E.
Senior Civil Engineer

Armando Fernandez, P.E.
Civil Engineer



**COUNTY OF MONTEREY
HEALTH DEPARTMENT**

MEMORANDUM

ENVIRONMENTAL HEALTH BUREAU

Date: April 13, 2020

To: Anna Quenga, Project Planner
Monterey County RMA-Planning Department

From: Matt Krenz, Senior REHS
Environmental Health Bureau, Environmental Health Review Services

Subject: Vista Lucia Annexation- Notice of Preparation

Thank you for the opportunity to review the above-referenced Notice of Preparation.

The Environmental Health Bureau (EHB) appreciates the opportunity to review and comment on the above-referenced Vista Lucia Annexation Notice of Preparation (NOP). Our agency will serve this project as a trustee agency and there will be permits that will be required by the EHB, but the timing of those would be unknown until the project moves forward.

The development as proposed will require all homes / businesses to be connected to the existing sewer system that is currently regulated by the Central Coast Regional Water Quality Control Board (CCRWQCB) and subject to Waste Discharge Requirements Order No. R3-2006-0005. The City of Gonzales will need to work with the CCRWQCB to determine if the existing sewage system has sufficient capacity to accommodate the increased wastewater demands from the project. Additional requirements may be imposed by the CCRWQCB. Based on review of the NOP, it appears the city is in dialogue with the CCRWQCB for this aspect.

The project as proposed will require connection to the public water supply for the City of Gonzales. The State Water Resources Control Board, Division of Drinking Water (SWRCB-DDW) is the administering agency for this permit. The City of Gonzales will work with the SWRCB-DDW to amend their current state-regulated water system permit to accommodate the increase in water demand. Based on the NOP review, it appears that the city is in dialogue with the SWRCB for this aspect. Contact Cheryl Sandoval at (831) 755-4557.

The project as proposed could be situated on soil that may have had historical pesticide and fertilizer usage as well as possible fuel storage. The City of Gonzales should as part of this process consult with licensed professionals to evaluate historical site usage and identify possible areas of concern, and address possible contamination in an approved manner under all applicable Federal and State Laws. Contact Randy McMurray at (831) 796-1269.

Vista Lucia Annexation
Environmental Health Bureau comments

All construction and demolition activities associated with the project will be required to incorporate a state-mandated written Construction and Demolition Debris Diversion Program as required by state law. The start point for this process is with the Monterey County Resources Management Agency. The applicant can contact (831) 755-5025 at the appropriate point to begin this process.

The Consumer Health Protection Services Section will require a plan check process including an operating permit for any food facility proposed to be constructed. If any employee housing becomes part of the project then the Service Section will also work with the applicant to appropriately permit possible employee housing in the project boundary. Contact Marni Flagg at (831) 647-7863.

The Solid Waste Management Services Section and the Planning Evaluation and Policy Unit have no comment.

EHB does not foresee the need to be included in project scoping meetings.

If you require further information please contact me at (831) 755-4724 or krenzmt@co.monterey.ca.us

Thank you,

Matt Krenz, Senior Environmental Health Specialist
Monterey County Health Department
Environmental Health Bureau
(831) 755-4724
krenzmt@co.monterey.ca.us

Cc by email:

Ric Encarnacion, Assistant Director, EHB
Rob Durham, Management Analyst III, EHB
Nicole Fowler, Supervising Environmental Health Specialist, EHB
Roger Van Horn, Supervising Environmental Health Specialist, EHB
Cheryl Sandoval, Supervising Environmental Health Specialist, EHB
Marni Flagg, Supervising Environmental Health Specialist, EHB
Randy McMurray, Supervising Environmental Health Specialist, EHB

LOCAL AGENCY FORMATION COMMISSION OF MONTEREY COUNTY

April 16, 2020, via email

Matthew Sundt, Community Development Director
City of Gonzales

Matthew,

Thank you for this opportunity to comment on the Notices of Preparation of draft SEIRs for the planned Vista Lucia and Puente del Monte annexations within the city's existing (2014) LAFCO-designated Sphere of Influence. The comments in this letter are intended to apply to both NOPs.

LAFCO appreciates the early outreach and consultation that the City and its consultants have provided on this project. LAFCO, as CEQA responsible agency for this proposal, will have regulatory authority for future boundary changes related to these projects. It is in this role that LAFCO will be commenting on the projects' draft SEIRs, when available.

Potential impacts to agricultural resources

Development of the project would include conversion of potentially hundreds of acres of designated Prime Farmland, and other agricultural lands, to urban uses. The NOPs list agricultural resources as environmental topic that was adequately addressed in the 2010 General Plan (GP) EIR and will likely not be evaluated in detail in the new SEIRs. The GP EIR and, by extension, the addendum prepared in 2014 for GP amendments and the sphere of influence amendment, categorized the project's impacts to ag resources as less-than-significant. However, based on a change of circumstances since 2010 (i.e., adoption of the City-County MOA in 2016, establishing standards for agricultural mitigation and buffering), it appears possible that this impact should now be considered as being potentially significant and warranting adoption of feasible mitigation measures.

State LAFCO law provides that "Among the purposes of a [LAFCO] are discouraging urban sprawl [and] preserving open-space and prime agricultural lands." Accordingly, LAFCO of Monterey County has adopted local policies that address impacts to, and preservation of, agricultural lands. LAFCO's consistent practice, in keeping with the adopted policies, has been to require that a city annexation application include a specific agricultural mitigation proposal, at the time of submitting the annexation application to LAFCO, to offset the project's impacts to agricultural lands. Such a proposal would most commonly consist of working with a land trust and the County of Monterey to place permanent conservation easements on other agricultural lands in the vicinity.

In summary, in order to comply with LAFCO's adopted policies, the projects evaluated in the draft SEIRs should each include a specific preservation/mitigation proposal, whether or not the agricultural mitigation is also required as a CEQA matter. We strongly encourage the City to consult with the County, as the other co-equal party to the MOA, to develop a project-specific ag mitigation strategy, as well as a plan for addressing the projects' needs for ag buffers, prior to completing the draft SEIRs. Note: some of the ag buffer locations shown in Vista Lucia figure 3 (e.g., Iverson Rd) appear they should be considered permanent rather than temporary as currently labeled, in that lands on the other side of the buffer are outside the SOI and are likely to continue in ag production indefinitely.

Other matters relevant to LAFCO's statutory mandates and policy conformance

Potential phased annexation approvals: Annexation is generally appropriate for lands that have an expected buildout of approximately five to seven years.¹ Lands with a longer expected buildout (five to twenty years)

¹ "LAFCO, in furtherance of its objectives of preserving prime agricultural land, containing urban sprawl, and in providing a reasonable assurance of a city/district's ability to provide services shall consider the appropriateness of phasing annexation proposals which include territory that is not within a city/district's urban service area and *has an expected build-out over a period longer than five to seven years.*" (LAFCO of Monterey County Policies and Procedures, p. 31, emphasis added).

are appropriate for being placed with the sphere of influence and designated as an “urban transition area” until such time as development becomes more imminent.² Please include in the project description an evaluation of the anticipated buildout of the project (based, for example, on recent annual construction/absorption of new residential units). We encourage the City to develop a phased annexation approach, beginning with annexing only the subareas most likely to be built in the near term, and to include a phasing plan in the SEIR or in the annexation application.

Public services: LAFCO has a statutory role in helping to ensure that new development can feasibly provide the necessary public services.³ Implementation of the projects evaluated in the SEIRs will likely entail major investments in infrastructure improvements and expansions. A robust discussion of anticipated facility impacts and needs in the SEIR Public Services sections, accompanied by supporting financial analysis in the annexation application, will provide support for LAFCO staff’s evaluation of the proposal when we make recommendations to our commission.

Water demand: LAFCO has a statutory and policy interest in minimizing overdraft in the Salinas Valley groundwater basin. This proposal’s compatibility with the plans prepared by the Salinas Valley Basin Groundwater Sustainability Agency pursuant to the Sustainable Groundwater Management Act will be an important consideration for future discussions prior to the Commission’s consideration of this proposal.

LAFCO locally adopted policy conformance: We request that the draft SEIRs include an analysis of the proposals’ conformance to the full set of LAFCO’s adopted policies, to the extent such analysis is possible with the information currently available about anticipated future development of these sites. I can provide examples of similar analyses (typically in table format) from other recent proposals, if needed.

Thank you for your attention to the matters identified in this letter. Please continue to keep us informed throughout your process. We look forward to continuing to work with the City on these future annexation proposals. As always, please feel free to contact me at mcbaind@monterey.lafco.ca.gov or 754-5438 if you have any questions, or for further discussions.

Very sincerely yours –

/s/

Darren McBain
Principal Analyst

CC: Ron Sisseem and Stuart Poulter, EMC Planning Group

² An urban transition area is an “area within the Sphere of Influence of a city or an urban service district which is not programmed for urban facilities or utility extensions within the next five years. This area will most likely be used for urban expansion within approximately five to twenty years.” (LAFCO of Monterey Co. Policies and Procedures, p. 8).

³ Among other considerations, State Law specifies that LAFCO must consider “the ability of the newly formed or receiving entity to provide the services that are the subject of the application to the area, *including the sufficiency of revenues for those services following the proposed boundary change.*” (Government Code section 56668, emphasis added).

Revised Notice of Preparation

Revised Notice of Preparation

To: Trustee/Responsible Agencies

From: City of Gonzales

147 Fourth Street

Gonzales, CA 93926

(Address)

(Address)

**Subject: Revised Notice of Preparation of a Draft Environmental Impact Report
State Clearinghouse Number 2020039056**

The City of Gonzales will be the Lead Agency and will prepare an environmental impact report (EIR) for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the EIR prepared by our agency when considering your permit or other approval for the project.

A Notice of Preparation (NOP) was originally circulated in March 2020 (State Clearinghouse Number 2020039056) for a project then known as the Vista Lucia Annexation Project. A supplemental General Plan EIR was to be prepared to evaluate its environmental impacts based on the conceptual land use plan, land development capacity, and other materials submitted by the applicant. Subsequent to the original NOP being circulated, the project applicant prepared a specific plan for the project site and tentative maps for two of several planned future development phases. In addition to the original annexation and pre-zoning approvals, the applicant is now also seeking specific plan and tentative map approvals. Consequently, new, more detailed project information is available as a basis for assessing the scope of potential project impacts. The City now plans to prepare a project specific EIR.

This revised NOP has been prepared to solicit comments on the scope of the EIR for the current Vista Lucia Project and to reflect the more detailed project information now available. The updated project description, project location, and updated discussion of potential environmental effects are contained in the attached materials. As is described in the attached materials, the land use plan and development capacity being proposed in the specific plan is substantially the same as was proposed in the conceptual land use and development capacity information described in the original NOP.

Due to the time limits mandated by State law, your response to this revised NOP must be sent at the earliest possible date, but not later than 30 days after receipt of this notice. Comments received on the original NOP will also be addressed in the EIR.

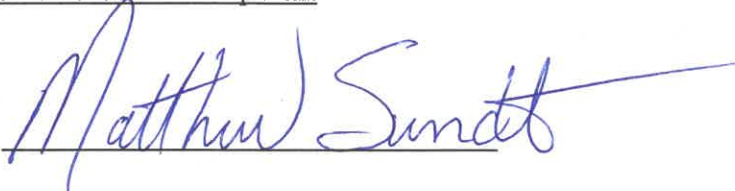
Given the circumstances associated with the novel coronavirus (COVID-19), non-essential public gatherings in the City of Gonzales may be cancelled or postponed. Therefore, for purposes of fulfilling CEQA mandates to obtain comments from the public agencies related to this NOP, only written comments will be accepted and it is assumed that there will be no public meetings to gather comments.

Please send your response to Matthew Sundt, Community Development Director at the address shown above or at msundt@ci.gonzales.ca.us or call 831-675-4203. We will need the name for a contact person in your agency.

Project Title: Vista Lucia Project

Project Applicant, if any: Cielo Grande Ranch LLC c/o Pembroke Development

Date 9/13/21

Signature 

Title Community Development Director

Telephone 831-675-4203

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

Vista Lucia Project EIR

Revised Notice of Preparation

PROJECT LOCATION AND SETTING

The Vista Lucia Project site is comprised of approximately 768 acres within the City of Gonzales' Sphere of Influence (SOI) in Monterey County, immediately east of the existing City of Gonzales (City) city limits. [Figure 1, Location Map](#), presents the regional location of the project site.

Surrounding Land Uses

The project site is bound by Fanoe Road to the west, Associated Lane to the north, Iverson Road to the east, and a large agricultural to the south. Adjacent land to the north and east is in unincorporated Monterey County and has been highly modified by agricultural use; land immediately to the north is also in an agricultural preserve. Associated Lane, an unimproved farming road on the northern boundary, is shown to be a future major roadway west of the project site in the City's 2010 General Plan (General Plan). The property on the south is also in active agricultural use, but is within the City's SOI and is designated in the General Plan for future commercial and residential development. To the west are two single-family subdivisions, Canyon Creek and Arroyo Estates. To the northwest are farming operations shown as "Urban Reserve" in the General Plan. Two existing rural residences are located immediately adjacent to the project site. [Figure 2, Aerial Photograph](#), presents the project site boundary and surrounding land uses.

Existing Site Conditions

The project site is comprised largely of agricultural land that is currently in agricultural production. Existing improvements include ancillary agricultural support structures, irrigation ditches, ponds and unimproved roadways.

The site is relatively flat, ranging in elevation from approximately 250 feet in the southeast corner to approximately 125 feet in the northwest corner.

PROJECT BACKGROUND

The project site is one of several locations the City identified as a future development area in the Gonzales 2010 General Plan. The General Plan includes AMBAG projections which at that time, showed “Gonzales growing to 23,418 people in the year 2035, an increase of about 14,393 over the current 2009 population of 9,025 persons.” To accommodate the anticipated growth, the City set aside “approximately 1,500 acres of additional land for residential growth, or enough land to accommodate a total City population of about 38,000.” The project site was included in the area the City set aside for growth. The project site was already within the City’s Urban Growth Boundary when the General Plan was adopted in 2010, but outside of the SOI.

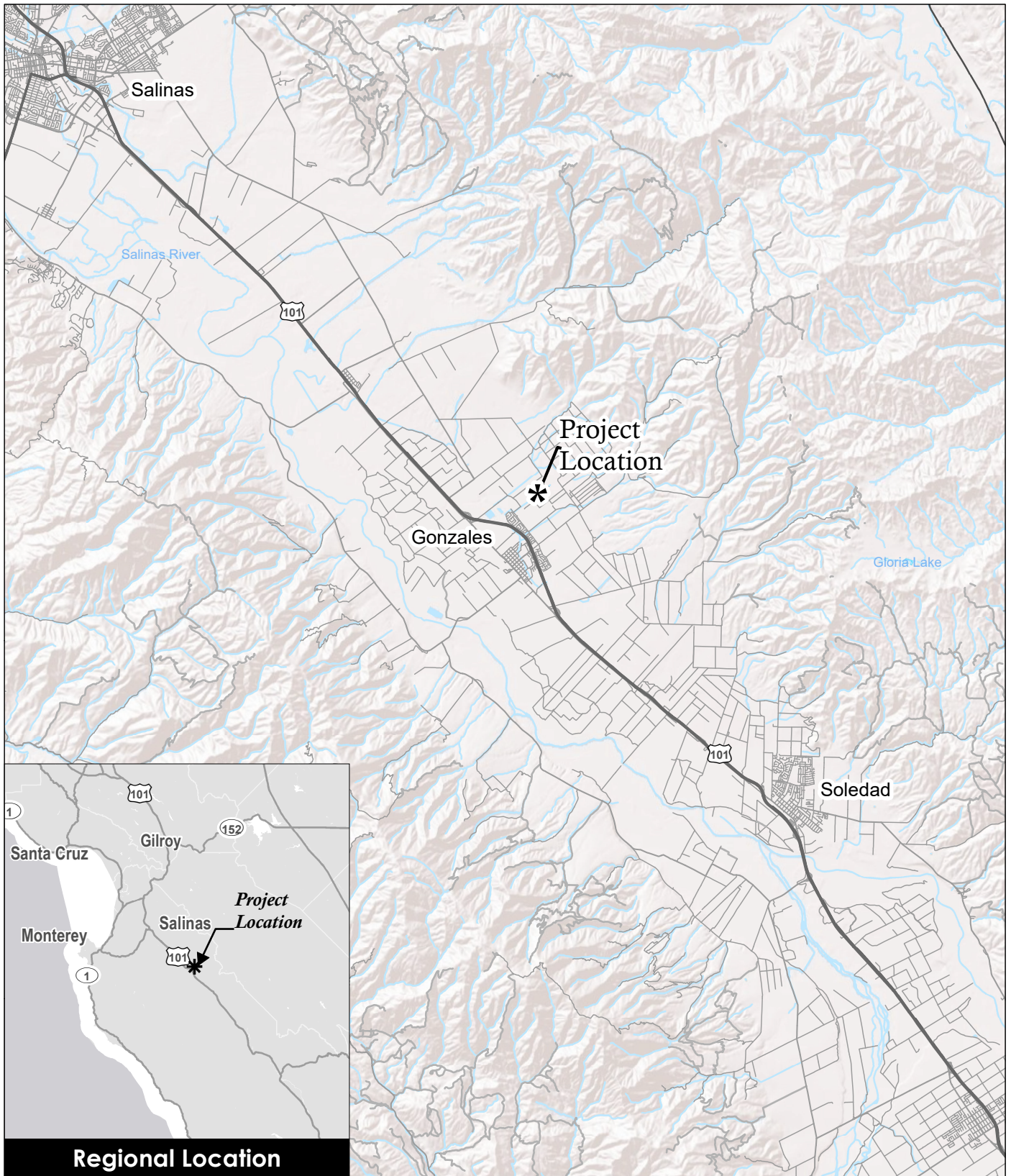
In May 2014, the Monterey County Local Agency Formation Commission (LAFCO) approved the City’s request to include the project site, as well as other properties, within the SOI. When LAFCO approved the City’s request to expand the SOI, it acknowledged the need to annex property within the new SOI boundary to meet the City’s demand for housing.

The proposed project is the first annexation and development project proposed since the SOI was expanded in 2014. There has been no new single-family residential construction in the City since 2006. The most recent units constructed are the Fanoé Vista Apartments built in 2009, which included a net increase of 25 apartment units. Three accessory dwelling units were built in 2020/21.

PROPOSED PROJECT

Cielo Grande Ranch LLC c/o Pembroke Development (applicant) has submitted an application to the City requesting annexation, pre-zoning, specific plan, and two tentative map entitlement approvals for the project site. The annexation and pre-zoning requests require approval from both the City and Monterey County LAFCO, while the specific plan and tentative map approvals require only City approval. Combined, the two tentative maps include 389 residential lots. They represent the first two of several future development phases identified in the specific plan. The project EIR must be certified before the City Council and LAFCO can take approval actions.

The proposed annexation and pre-zoning actions are intended to facilitate future development of the project site under the jurisdiction of the City. The specific plan provides guidance for how the project site would be developed over an assumed 20-year time horizon.

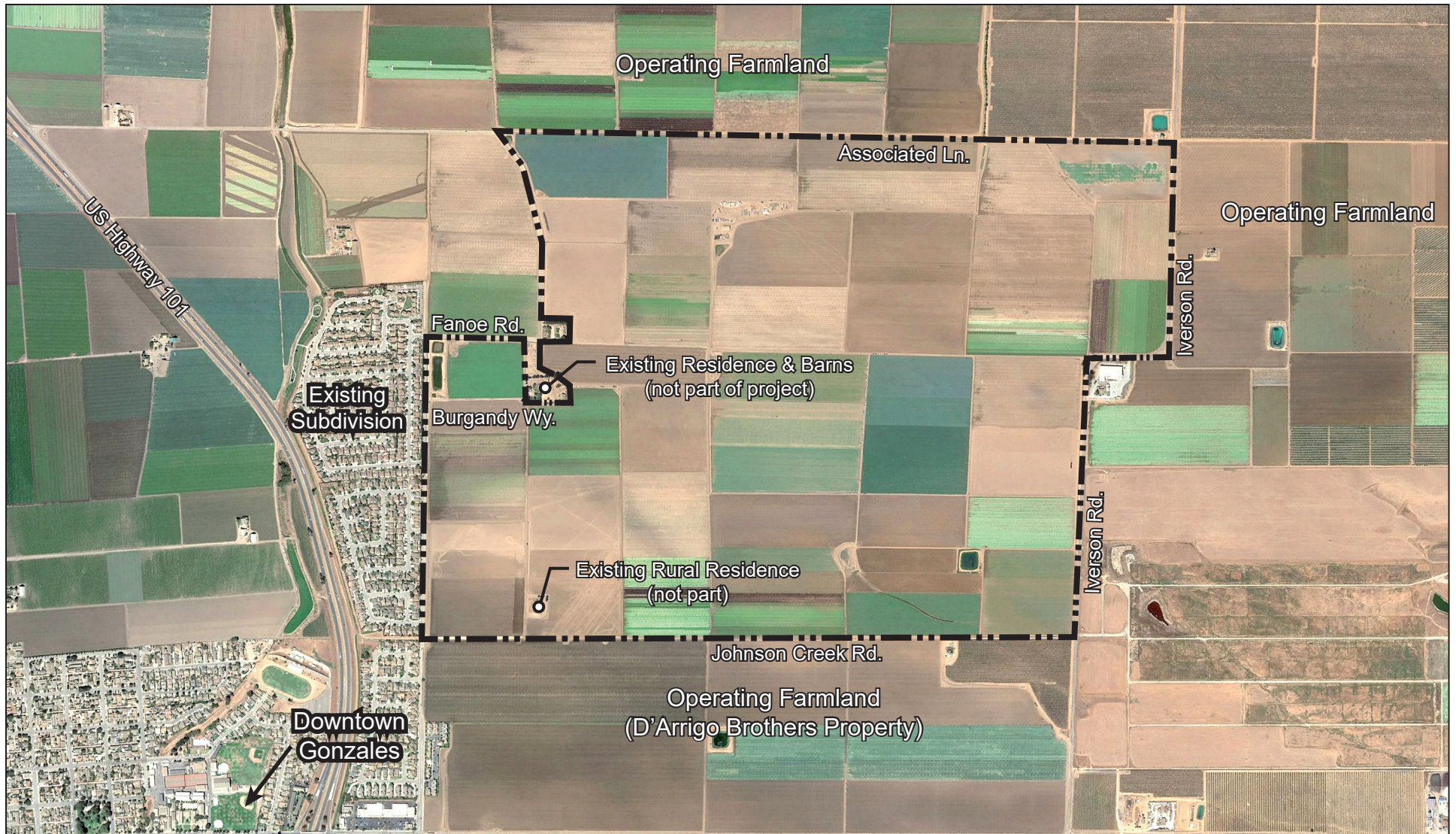



Source: Esri 2015



Figure 1
Location Map

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 Project Site

Source: Google Earth 2018



Figure 2
Aerial Photograph

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Land Use Plan

The specific plan includes a land use plan and land use summary for the project site. The project includes two major development areas, Village One and Village Two, that would be developed in phases. The Village One site encompasses approximately 410 acres, taking up the western half of the Vista Lucia property. The Village One Land Use Plan calls for approximately 1,861 single-family and multi-family residential units of varying densities; approximately one acre of neighborhood retail commercial use; an approximately 12-acre elementary school site; approximately 70 acres of community and neighborhood parks, open space, and detention areas; a one-acre Village Green; and a 2.2-mile broad pedestrian promenade system that interconnects neighborhoods within Village One and beyond. In addition, bike trails, ag buffers, and other open areas will be incorporated.

Village Two will have similar attributes on the remaining 358 acres. A total of approximately 1,637 residential units are planned, for a total of 3,498 units when combined with Village One. Village Two would include an approximately six-acre Neighborhood Commercial/Mixed-Use center, that when combined with the Village One retail commercial use, would enable up to 120,000 square feet of commercial building square footage. A 12-acre elementary school site; an 18-acre middle school site; and approximately 82 acres of parks, trails, promenades, drainage/detention areas, and other open space features are also proposed. A drainage and agricultural buffer area will ring both Village One and Village Two along the west, north, and eastern boundaries of the project site.

The City acknowledges recent state legislation which requires ministerial approval of accessory dwelling units. It is considered speculative to estimate the number of accessory dwellings that may ultimately be constructed within the site. Individual future lot owners would make their own decisions about whether or not to apply for accessory dwelling unit approvals from the City.

[Figure 3, Vista Lucia Project Land Use Plan](#), presents the locations of residential, educational, commercial, and recreational land uses, along with their associated points of access, general circulation pattern, and overall open space system.

Based on the 4.40 persons per household figure in the City of Gonzales 2015-2023 Housing Element and the projected residential capacity of 3,498 units, the proposed project could add approximately 15,391 people to the City's population. Based on the projected retail/commercial use building capacity of 96,000 square feet and an employment density of one job per 550 square feet of retail/commercial building capacity, the proposed project could generate approximately 175 new jobs.

The proposed project would trigger the need for several off-site improvements, including constructing a new segment of Fanoe Road, and widening existing roads (Fanoe Road and Associated Lane) as has been planned for by the City. Improvements to the U.S. Highway

101/North Alta Road interchange would also be required. The preliminary improvement concept for the interchange will be included in the EIR. Reasonably foreseeable potential impacts resulting from constructing the interchange will be described based at the level of information available, with detailed environmental analysis to be conducted by Caltrans as part of its interchange design and approval process.

APPROACH TO ENVIRONMENTAL ANALYSIS

The City has determined that a EIR should be prepared to assess the potential impacts of the proposed project. If the City and LAFCO were to approve the project, no further CEQA documentation would be required for individual future projects developed consistent with the specific plan unless any of the conditions presented in CEQA Guidelines section 15162, Subsequent EIRs and Negative Declarations, were to occur.

Where appropriate, the EIR will reference information in the General Plan EIR. In some cases, the analysis of impacts in the General Plan EIR may, in whole or part, be largely adequate to address project-specific impacts. For purposes of the proposed project, the following environmental impacts may be adequately addressed in the General Plan EIR and consequently, may not be evaluated in detail in the EIR: aesthetics, geology and soils, and mineral resources.

POTENTIAL ENVIRONMENTAL EFFECTS

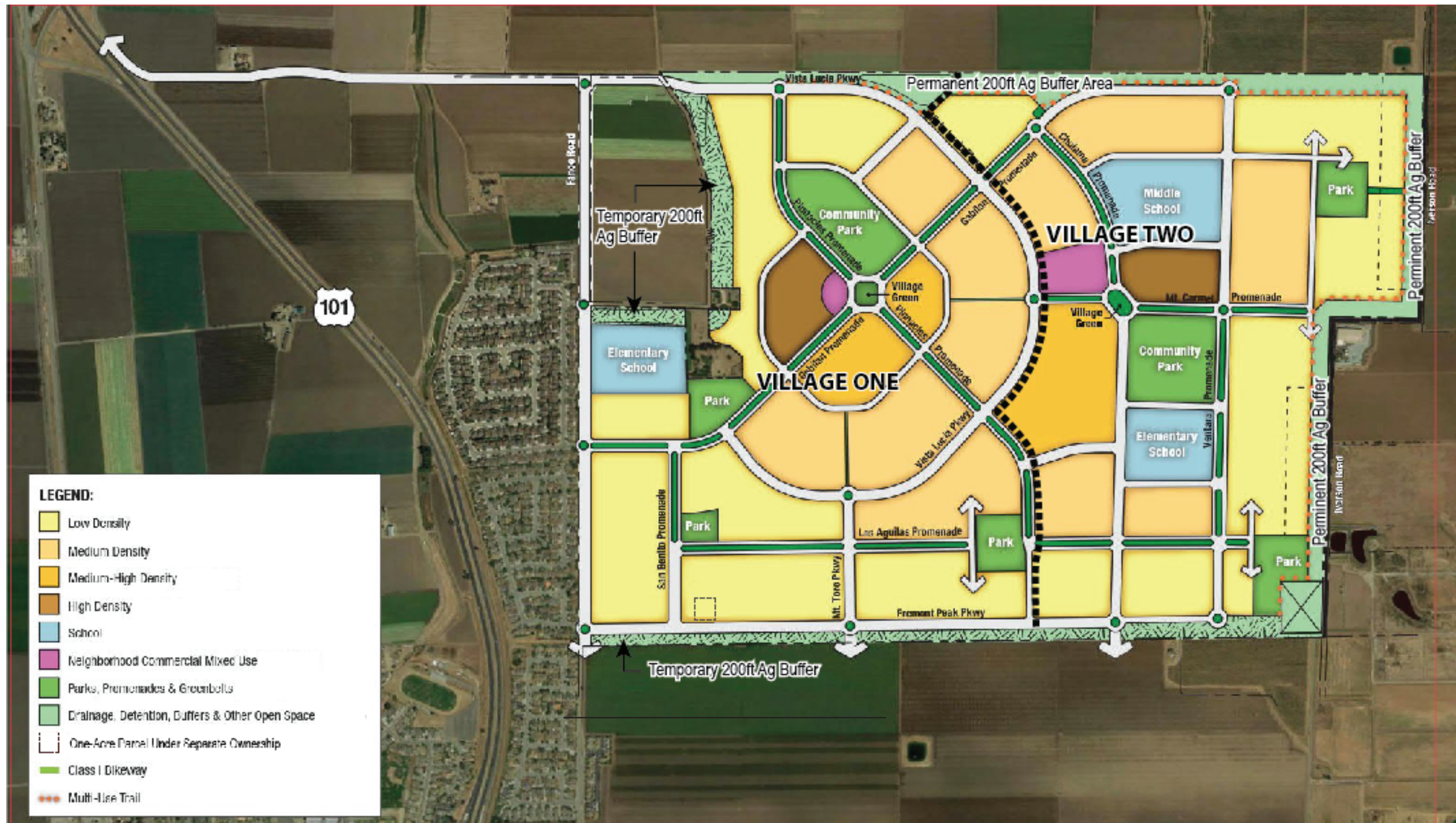
Environmental topics that will be evaluated in detail in the EIR are summarized below along with specific analysis considerations for each topic.

Air Quality

The potential for the proposed project to generate criteria air pollutants and toxic air contaminants with potential to cause significant impacts will be the focus of this analysis. Air emissions will be modeled and compared to thresholds of significance.

Biological Resources

Though the vast majority of the project site is in agricultural production and has been substantially modified, the potential presence of protected biological resources will be evaluated to determine whether significant impacts may occur. Mitigation for those impacts, if any, will be identified.



Source: Pembroke Development 2020

Figure 3
 Vista Lucia Project Land Use Plan
 Vista Lucia Project EIR Notice of Preparation



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Cultural and Tribal Resources

This analysis will document the findings in the applicant's cultural resources report and historic resources evaluation, and a supplemental historic evaluation to be prepared to identify potential impacts. This section will also describe the City's tribal consultation process and outcomes.

Energy

This analysis will be updated to reflect current practice for evaluating energy impacts in light of recent CEQA case law and heightened attention to energy use in relation to greenhouse gas effects. Sources of energy demand will be identified and quantified. Project features and mitigation measures that affect energy demand will be noted.

Greenhouse Gas Emissions

The greenhouse gas analysis will include a quantified emissions inventory for the project, describe the City's adopted climate action plan, identify whether the proposed project is consistent with the land use and growth assumptions in the climate action plan, describe measures in the climate action plan that are applicable to the proposed project, and identify mitigation measures, as needed, to ensure the project is implemented consistent with the climate action plan.

Hazards and Hazardous Materials

Potential impacts related to historic/current hazardous materials conditions within the site will be of particular relevance. This analysis will make reference to prior environmental site assessment analyses and updated environmental site assessment analyses that have been prepared by the applicant.

Hydrology and Water Quality

The analysis will make reference to the City's *Conceptual Drainage Master Plan - Proposed Developments within Sphere of Influence, City of Gonzales* as a basis for examining potential storm water management and quality issues.

Noise

A noise analysis will be prepared to assess whether new stationary and mobile-source s have potential to exceed noise compatibility standards in the General Plan and standards contained in the Municipal Code.

Transportation and Traffic

A vehicle miles traveled analysis will be conducted to evaluate baseline vehicle miles traveled, year 2030 vehicle miles traveled under the General Plan, and the change in vehicle

miles traveled that would occur with the proposed project. The analysis and impact determination will be based on guidance provided in the Office of Planning and Research's "Technical Advisory on Evaluating Transportation Impacts in CEQA".

Public Services

This section of the EIR will assess the need for new public facilities (police, fire schools, parks) and address, to the extent possible, whether constructing and operating such facilities could result in significant impacts.

Water Demand and Wastewater Treatment

Project effects will be examined with reference to the *City of Gonzales Existing City Plus Sphere of Influence Water Master Plan*, the *City of Gonzales Existing City plus Sphere of Influence Wastewater Master Plan*, and a SB 610 water supply assessment to be prepared for the project.



NATIVE AMERICAN HERITAGE COMMISSION

September 15, 2021

Matthew Sundt, Community Dev. Director
City of Gonzales
P.O. Box 647, 147 Fourth Street
Gonzales, CA 93926

CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
Reginald Pagaling
Chumash

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Merri Lopez-Keifer
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PARLIAMENTARIAN
Russell Atebery
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COMMISSIONER
William Mungary
Paiute/White Mountain
Apache

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Julie Tumamala-
Stenslie
Chumash

COMMISSIONER
[Vacant]

COMMISSIONER
[Vacant]

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EXECUTIVE SECRETARY
Christina Snider
Pomo

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

Re: 2020039056, Vista Lucia Project, Monterey County

Dear Mr. Sundt:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b) (CEQA Guidelines § 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:

 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subs. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Katy.Sanchez@nahc.ca.gov.

Sincerely,



Katy Sanchez
Associate Environmental Planner

cc: State Clearinghouse



October 1, 2021

Matthew Sundt
Community Development Director
City of Gonzales
P.O. Box 647
Gonzales CA 93926
msundt@ci.gonzales.ca.us

Re: Vista Lucia Revised NOP; SCN 2020039056

Dear Matthew:

I write on behalf of LandWatch Monterey County to comment on the September 13, 2021 Notice of Preparation (“NOP”) of a Draft Environmental Impact Report for the Vista Lucia Project (“Project”).

LandWatch remains committed to supporting a diverse range of housing options for local working families – apartments, condominiums, townhouses, and small-lot single family homes. A broad range of options make it possible for people in the Gonzales community and greater Salinas Valley to live and work in the same community, start as renters and move up the economic ladder, and also to reduce greenhouse gas emissions and mitigate climate impacts. To be affordable to Gonzales’ local working families, which according to census data make ~ \$65,000, most of the housing will need to be multifamily and compact.

The Vista Lucia Project is one of two specific plans the City is current considering. Together, the plans are vastly oversized – twice the housing needs that AMBAG has forecast for the next 30 years. The Vista Lucia Project proposes to convert 768 acres of prime farmland to 3,500 dwelling units. It will be followed by the Puente Del Monte project that proposes to convert another 550 acres of prime farmland to 2,600 more dwelling units.

Together, the projects would convert 1,318 acres of prime farmland into 6,100 dwelling units, quadrupling the size of the City.

In this context, LandWatch has the following comments on the NOP for the Draft Environmental Impact Report for the Vista Lucia Project.

1. **Public scoping meeting.** The NOP states that there will be no public meetings to gather comments, citing COVID-19. This violates CEQA, which requires such a meeting for any project that includes more than 500 housing units. (14 CCR § 15206(b), 15082(c)(1).) The Governor’s State of Emergency Proclamation and Executive Order N25-20 did not relieve the City of public meeting obligations, but merely permitted such meetings to be held via teleconferencing, requiring the agency to make such “public meetings accessible telephonically or otherwise electronically to all members of the public seeking to attend and to address the local legislative body or state body.” (EO N-25-20, ¶ 11.) Furthermore, even that provision was suspended June 30, 2021. (EO N-08-21, ¶ 1.) LandWatch repeats its previous request for notice of this mandatory scoping meeting. (14 CCR § 15081(c)(2).)

2. **Project objectives in NOP project description.** The NOP fails to identify the Project's objectives. An NOP must include the Project description; and a statement of objectives is required as part of a project description. (14 CCR §§ 15082(a)(1)(A), 15124(b).) The objectives are critical to the formulation of alternatives. (14 CCR § 15124(b).) An important purpose of early public consultation or scoping is to identify alternatives. (14 CCR § 15083(a).) Failure to include the Project objectives in the NOP is a prejudicial error because it denies the public the opportunity to propose alternatives for evaluation in the Draft EIR that are consistent with the Project objectives. The City should reissue the NOP with the project objectives provided.
3. **Project description – project objectives in DEIR:** Without waiving objections to the failure to set forth Project objectives in the NOP, LandWatch urges the City to include the following objectives in the Project description in the draft EIR:
 - a. to provide affordable housing;
 - b. to provide housing for the existing workforce in Gonzales and vicinity;
 - c. to balance the distribution of housing sites affordable to lower and moderate income families so that it is not concentrated in a single location;
 - d. to provide housing suited for all income levels in proportion to the AMBAG Regional Housing Needs Allocation;
 - e. to avoid becoming a bedroom community to Salinas, the Monterey Peninsula, and Silicon Valley;
 - f. to discourage low density suburban development with separate or car-dependent commercial services;
 - g. to protect agricultural land and minimize urban encroachment onto farmland;
 - h. to manage GHG through compact urban form and by minimizing vehicle use;
 - i. to perpetuate a competitive development environment in which the urban growth area land is owned or controlled by a variety of interests.

These objectives are intended to fulfill express policies of the City's General Plan.

4. **Project description – description of units by affordability and tenure:** The DEIR must describe the housing units by their type (e.g., detached single family residential unit (SFR), attached SFR, town home, condominium, apartment), their projected affordability level (lower income, moderate income, workforce, market rate), and their tenure (rental or purchase) in order to support an analysis of the Project's consistency with the Housing Element and regional housing needs allocation (RHNA). The ability of the project to accommodate the City's RHNA is critical because it represents more than half of the City's planned future residential development over the next 25 years. If the project cannot accommodate its proportionate share of the City's RHNA over its projected buildout, then the City will need to annex additional land elsewhere.

The DEIR must also make a reasonable projection of the number of parcels zoned for single family residential use that will be developed as duplexes and/or lot-splits under SB 9.

5. **Phasing plan:** The Specific Plan or its DEIR must provide a phasing plan that is sufficiently detailed to support determinations whether buildout of the project's revenue producing units (e.g., residential units paying impact fees) will be enable funding of the water supply, wastewater, transportation, and drainage infrastructure required to mitigate project impacts. This will require assessment of market absorption of new units and a phasing plan for the construction of necessary infrastructure.

6. **Alternatives:** The DEIR must assess a reasonable range of alternatives focused on avoiding or reducing significant impacts. Because it is likely that the project as proposed will cause or contribute considerably to significant impacts to transportation, air quality, greenhouse gas, and agricultural resources, the alternatives evaluated should address these impacts.

First, the DEIR should evaluate a reduced scale alternative that would reduce the project size by 50%, which is closer to being consistent with actual housing needs for Gonzales over the next 25 years, particularly in light of the expected Puente Del Monte Specific Plan and approved residential development projects in Salinas and Soledad.

Second, the DEIR should evaluate an increased density alternative that would require at least 40% of the residential units to be on sites zoned for a minimum density of 20 units per acre. This will ensure that the City is in position to meet its RHNA commitments without having to annex additional territory and provide a better match of housing to available jobs.

Third, the DEIR should evaluate an alternative that combines a 50% reduction in scale with a requirement that 40% of units be zoned for a minimum 20 units per acre.

Each of these alternatives would reduce impacts to transportation, air quality, greenhouse gas, and agricultural resources.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael D. DeLapa". The signature is stylized with a large initial "M" and a long horizontal stroke at the end.

Michael D. DeLapa
Executive Director

DEPARTMENT OF TRANSPORTATION

CALTRANS DISTRICT 5
50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3101
FAX (805) 549-3329
TTY 711
www.dot.ca.gov/dist05/



Making Conservation
a California Way of Life.

October 5, 2021

MON-101-71.25
SCH#2020039056

Matthew Sundt
Community Development Director
City of Gonzales
P.O. Box 647
Gonzales, CA 93926

Dear Mr. Sundt:

COMMENTS FOR THE NOTICE OF PREPARATION (NOP)-VISTA LUCIA PROJECT, GONZALES, CA

The California Department of Transportation (Caltrans), District 5, Development Review, has reviewed the Vista Lucia Project which proposes annexation and pre-zoning actions intended to facilitate future development of the 758-acre project site. Caltrans offers the following comments in response to the NOP:

1. Caltrans supports local development that is consistent with State planning priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety. We accomplish this by working with local jurisdictions to achieve a shared vision of how the transportation system should and can accommodate interregional and local travel and development. Projects that support smart growth principles which include improvements to pedestrian, bicycle, and transit infrastructure (or other key Transportation Demand Strategies) are supported by Caltrans and are consistent with our mission, vision, and goals.
2. As a result of Senate Bill (SB) 743, effective July 2020 Caltrans replaced vehicle level of service (LOS) with vehicle miles traveled (VMT) as the primary metric for identifying transportation impacts from local development. Additionally, the Caltrans Transportation Impact Study Guide (TISG) replaces the Guide for the Preparation of Traffic Impact Studies (Caltrans, 2002) and is for use with local land use projects. The focus now will be on how projects are expected to influence the overall amount of automobile use instead of traffic congestion as a significant impact.

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3. Employing VMT as the metric of transportation impact Statewide will help to promote Green House Gas (GHG) emission reductions consistent with SB 375 and can be achieved through influencing on-the-ground development. Implementation of this change will rely, in part, on local land use decisions to reduce GHG emissions associated with the transportation sector, both at the project level, and in long-term plans (including general plans, climate action plans, specific plans, and transportation plans) and supporting Sustainable Community Strategies developed under SB 375. In addition to any site-specific access or safety concerns with the project, it is likely that the Caltrans correspondence will focus attention on meeting overall VMT reducing goals.
4. Due to COVID-19, Caltrans policy on collecting traffic data has changed until further notice. Traffic analysis conducted for all projects on the State Highway System (SHS) are now required to use traffic data collected before March 13, 2020 to avoid abnormal traffic patterns. Traffic analysis and data usage will need to meet Caltrans standards of sound engineering justification and source documentation of historical traffic data. Additional information can be found at <https://dot.ca.gov/programs/traffic-operations>.
5. All work in, on, under, over, or affecting State highway right of way is subject to a Caltrans encroachment permit. Depending on the complexity of the project improvements requiring an encroachment permit, Caltrans Oversight may be the more appropriate avenue for project review and approval by Caltrans. The District Permit Engineer has been granted authority by Caltrans to make this decision. Please consult with the District Permit Engineer to determine the most appropriate Caltrans project permitting system.

Thank you for the opportunity to review and comment on the proposed project. If you have any questions, or need further clarification on items discussed above, please contact me at (805) 549-3157 or email christopher.bjornstad@dot.ca.gov.

Sincerely,

Christopher Bjornstad

Chris Bjornstad
Associate Transportation Planner
District 5 Development Review

October 13, 2021, via email

Matthew Sundt, Community Development Director
City of Gonzales
147 Fourth Street
Gonzales, California 93926

Subject: Revised Notice of Preparation of an EIR for the Vista Lucia project

Matthew,

Thank you for this opportunity to comment on the Notice of Preparation of a draft EIR for the planned Vista Lucia annexation project within the city's existing (2014) LAFCO-designated Sphere of Influence. LAFCO appreciates the early outreach and consultation that the City and its consultants have provided on this project. LAFCO, as CEQA responsible agency for this proposal, will have regulatory authority for future boundary changes related to these projects. It is in this role that LAFCO will be commenting on the projects' draft SEIRs, when available.

Potential impacts to agricultural resources

Development of the project would include conversion of potentially several hundred acres of designated Prime Farmland, and other agricultural lands to urban uses. The current NOP appears to silent on the subject of agricultural resources as a potential environmental effect of the project. In April 2020, in a previous NOP comment letter on what was then planned as a Supplemental EIR for a previous version of the current project, LAFCO staff provided the following feedback. The information below remains applicable to the current proposal.

The NOPs list agricultural resources as environmental topic that was adequately addressed in the 2010 General Plan (GP) EIR and will likely not be evaluated in detail in the new SEIRs. The GP EIR and, by extension, the addendum prepared in 2014 for GP amendments and the sphere of influence amendment, categorized the project's impacts to ag resources as less-than-significant. However, based on a change of circumstances since 2010 (i.e., adoption of the City-County MOA in 2016, establishing standards for agricultural mitigation and buffering), it appears possible that this impact should now be considered as being potentially significant and warranting adoption of feasible mitigation measures.

State LAFCO law provides that "Among the purposes of a [LAFCO] are discouraging urban sprawl [and] preserving open-space and prime agricultural lands." Accordingly, LAFCO of Monterey County has adopted local policies that address impacts to, and preservation of, agricultural lands. LAFCO's consistent practice, in keeping with the adopted policies, has been to require that a city annexation application include a specific agricultural mitigation proposal, at the time of submitting the annexation application to LAFCO, to offset the project's impacts to agricultural lands. Such a proposal would most commonly consist of working with a land trust and the County of Monterey to place permanent conservation easements on other agricultural lands in the vicinity.

In summary, in order to comply with LAFCO's adopted policies, the projects evaluated in the draft SEIRs should each include a specific preservation/mitigation proposal, whether or not the agricultural mitigation is also required as a CEQA matter. We strongly encourage the City to consult with the County, as the other co-equal party to the MOA, to develop a project-specific ag mitigation strategy, as well as a plan for addressing the projects' needs for ag buffers, prior to completing the draft SEIRs.

Other matters relevant to LAFCO's statutory mandates and policy conformance

Potential phased annexation approvals: Annexation is generally appropriate for lands that have an expected buildout of approximately five to seven years.¹ Lands with a longer expected buildout (five to twenty years) are appropriate for being placed with the sphere of influence and designated as an “urban transition area” until such time as development becomes more imminent.² Please include in the project description an evaluation of the anticipated buildout of the project (based, for example, on recent annual construction/absorption of new residential units). We encourage the City to develop a phased annexation approach, beginning with annexing only the subareas most likely to be built in the near term, and to include a phasing plan in the EIR or in the annexation application.

In the Executive Officer's report for an information item at the June 28, 2021 regular LAFCO meeting ([agenda item 12](#)), staff reported to the Commission, in part, that:

“Anticipated future proposals by Gonzales, if approved in their entirety by LAFCO, would more than double the City's main developed area (+115% increase). The proposals could also have the effect of dramatically increasing the number of housing units somewhere on the order of +308%; presumably with a roughly similar increase in terms of population size.

Proposed city expansion of this magnitude touches on fundamental questions regarding LAFCO's role in providing for city growth to occur in an orderly, measured, and step-by-step way. Based on informal discussions with City staff, market trends in recent years suggest that Soledad and Gonzales can each ‘absorb’ approximately 100 to 150 new housing units per year.

If accurate, these figures suggest that the two cities' annexation proposals would represent a land supply for residential development adequate for somewhere in the range of 20 to 60 years of growth. Staff notes that, for both cities' proposals, the proposed additional residential units are far greater than the projected housing need through the year 2045 according to the Association of Bay Area Governments (AMBAG) most recent Final Draft 2022 Subregional Growth Forecast, prepared in November 2020, excerpts of which are provided as Attachment 4. Somewhat similarly, the land-use advocacy nonprofit organization LandWatch Monterey County has pointed out that either one of the Gonzales proposals would more than meet the city's foreseeable growth needs, and that the proposed development is of a type and density that is mismatched to the community's needs. LandWatch has also provided similar comments to Soledad. Letters from LandWatch to both cities are included in Attachment 5.

Annexation of such a large supply of future development lands potentially conflicts with LAFCO's adopted policies that treat annexation as being appropriate for lands that will be developed within five to seven years. Lands beyond that approximate timeframe for development may be more appropriate for deferral of annexation. Lands with a longer expected buildout could be placed with the sphere of influence and designated as an Urban Transition Area until such time as development becomes more imminent.

In addition, the City-County MOAs for Soledad and Gonzales appears to recognize the appropriateness and desirability of phasing future annexations. In each of the MOAs, Section 4, Development Phasing & Annexations states:

- “[T]he timing of annexation applications submitted for consideration by LAFCO will be based upon the approval by the City of a Specific Plan, which includes a **phasing plan**, a plan for

¹ “LAFCO, in furtherance of its objectives of preserving prime agricultural land, containing urban sprawl, and in providing a reasonable assurance of a city/district's ability to provide services shall consider the appropriateness of phasing annexation proposals which include territory that is not within a city/district's urban service area and *has an expected build-out over a period longer than five to seven years.*” (LAFCO of Monterey County Policies and Procedures, p. 31, emphasis added).

² An urban transition area is an “area within the Sphere of Influence of a city or an urban service district which is not programmed for urban facilities or utility extensions within the next five years. This area will most likely be used for urban expansion within approximately five to twenty years.” (LAFCO of Monterey Co. Policies and Procedures, p. 8).

services and public facilities and financing plans that demonstrate compliance with LAFCO Standards.” (emphasis added)

LAFCO staff strongly encourages the City to consider the above information when shaping the EIR’s Project Description section, as well as future plans for submitting annexation applications to LAFCO.

Public services: LAFCO has a statutory role in helping to ensure that new development can feasibly provide the necessary public services.³ Implementation of the projects evaluated in the SEIRs will likely entail major investments in infrastructure improvements and expansions. A robust discussion of anticipated facility impacts and needs in the SEIR Public Services sections, accompanied by supporting financial analysis in the annexation application, will provide support for LAFCO staff’s evaluation of the proposal when we make recommendations to our commission.

Water demand: LAFCO has a statutory and policy interest in minimizing overdraft in the Salinas Valley groundwater basin. This proposal’s compatibility with the plans prepared by the Salinas Valley Basin Groundwater Sustainability Agency pursuant to the Sustainable Groundwater Management Act will be an important consideration for future discussions prior to the Commission’s consideration of this proposal.

LAFCO locally adopted policy conformance: We request that the draft EIR include an analysis of the proposal’s conformance to the full set of LAFCO’s adopted policies, to the extent such analysis is possible with the information currently available about anticipated future development of these sites.

Thank you for your attention to the matters identified in this letter. Please continue to keep us informed throughout your process. We look forward to continuing to work with the City on these future annexation proposals. As always, please feel free to contact me at mcbaind@monterey.lafco.ca.gov or 755-5302 if you have any questions, or for further discussions.

Very sincerely yours –

/s/

Darren McBain
Principal Analyst

³ Among other considerations, State Law specifies that LAFCO must consider “the ability of the newly formed or receiving entity to provide the services that are the subject of the application to the area, *including the sufficiency of revenues for those services following the proposed boundary change.*” (Government Code section 56668, emphasis added).

October 12, 2021

City of Gonzales
Attn: Matthew Sundt, Community Development Director
147 Fourth Street
Gonzales, CA 93926

Via email: msundt@ci.gonzales.ca.us

SUBJECT: Comments on Revised Notice of Preparation of a Draft Environmental Impact Report for the Vista Lucia Project

Dear Mr. Sundt:

The Transportation Agency for Monterey County (TAMC) is the Regional Transportation Planning and Congestion Management Agency for Monterey County. Agency staff has reviewed the Revised Notice of Preparation of a Draft Environmental Impact Report for the Vista Lucia Project. The project anticipates adding a total of 3,498 residential units, in addition to three schools, community parks, open space features and a pedestrian promenade. Agency staff offer the following comments for your consideration:

1. The Agency supports the development of a detailed traffic impact analysis to inform the DEIR about the impacts to local and regional road networks.
2. The Agency supports the use of Intersections Control Evaluations (ICE analysis) to inform intersection design and when major modifications to intersections are considered. The Agency encourages the development of roundabouts to support traffic flow and the safety of cyclists and pedestrians.
3. The Agency supports integration of bicycle trails within the development and encourages consideration of safe bicycle and pedestrian connections to the surrounding land uses. The integration of Complete Streets design in the project area can support comfortable and safe travel of bicyclists and pedestrians.
4. Please evaluate bicycle and pedestrian safety and access at the US 101 and the 5th Street interchange as part of the DEIR.
5. Consideration should be given to safe pedestrian and bicycle routes to the proposed schools in the project and existing schools such as the Gonzales High School.
6. Consideration should be given to short walking distances to neighborhood commercial uses.
7. Consideration should be given to the installation of electric vehicle charging stations, as new construction provides an opportunity to install this needed infrastructure.

https://tamcmonterey.sharepoint.com/:w:/g/Eb3rKZGrztFEurMeySWC07EBw20-INHaN4MS_WtZhkukWA?e=bGqXPm

8. The Agency recommends coordination with Monterey-Salinas Transit when considering transit connections to and from the project site. Monterey-Salinas Transit's *Designing for Transit Guideline Manual* should be used as a resource when considering potential future transit access to the project site.
9. Consideration should also be given to Monterey-Salinas Transit's network re-design, *Comprehensive Operational Analysis*. While this project is in draft phase, it can inform the DEIR for potential future transit access to the project site.
10. The Agency recommends coordination with Caltrans when considering for traffic impacts to the nearby U.S. Highway 101 interchanges.

Thank you for the opportunity to comment on the proposed project. If you have any questions, please contact Aaron Hernandez of my staff at aaron@tamcmonterey.org or 831-775-4412.

Sincerely,



Todd Muck
Executive Director



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Ave
Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



October 13, 2021

Matthew Sundt
Community Development Director
City of Gonzales
P.O. Box 647
147 Fourth Street
Monterey, California 93926
msundt@ci.gonzales.ca.us

Subject: Vista Lucia (Project)
Notice of Preparation
State Clearinghouse Number 2020039056

Dear Mr. Sundt:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) from the City of Gonzales for the Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Conserving California's Wildlife Since 1870

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expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code may be required.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs, and nests include section 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), section 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and section 3513 (regarding unlawful take of any migratory nongame bird).

Fully Protected Species: CDFW has jurisdiction over fully protected species of birds, mammals, amphibians, reptiles, and fish, pursuant to Fish and Game Code sections 3511, 4700, 5050, and 5515, respectively. CDFW prohibits and cannot authorize take of any fully protected species.

PROJECT DESCRIPTION SUMMARY

Proponent: Cielo Grande Ranch LLC c/o Pembroke Development

Objective: The objective of the Project is to annex and pre-zone the Project into the City of Gonzales for future development of urban communities. The primary development that will take place is neighborhood commercial uses, schools, parks, pedestrian and bicycle trails, and open space for agricultural buffers. Road improvements will also take place (widening existing roads, new roads, and the highway interchange).

Location: The annexation (Project Area) is on the east side of the City of Gonzales. The Project Area is approximately 768 acres and is situated between Fanoe Road, Associated Lane, Iverson Road, and Johnson Creek Road. Current land use consists

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primarily of actively farmed agricultural land. The following Assessor's Parcel Numbers (APNs) comprise the Project Area: 223-032-024, 223-032-026, 223-032-027.

Timeframe: Nonspecific for when the Project will take place. The specific plan provides guidance for how the Project Area will be developed over an assumed 20-year time frame.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist City of Gonzales in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

The Project Area and the surrounding landscape contain a variety of resources that wildlife may use or inhabit. Currently the land is in active agricultural production and contains agricultural support structures, irrigation ditches, ponds, and unimproved roadways. These features have the potential to support sensitive biological resources. CDFW therefore recommends that the Project Area be evaluated for sensitive biological resources prior to any approvals that would allow ground-disturbing activities or land use changes. Specifically, CDFW is concerned regarding the potential for future ground-disturbing activities to impact special-status species including, but not limited to: the State fully protected white-tailed kite (*Elanus leucurus*), the State species of special concern burrowing owl (*Athene cunicularia*) and American badger (*Taxidea taxus*), and special-status plant species including the California Rare Plant Ranked (CRPR) 1B.1 Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*). In order to adequately assess any potential impacts to biological resources, CDFW recommends that focused biological surveys be conducted by a qualified wildlife biologist/botanist during the appropriate survey period(s) in order to determine whether any special-status species and/or suitable habitat features may be present within the Project Area. Properly conducted biological surveys, and the information assembled from them, are essential to identify any mitigation, minimization, and avoidance measures and/or the need for additional or protocol-level surveys, especially in the areas not in irrigated agriculture, and to identify any Project-related impacts to species protected under CESA and other species of concern.

The specifics of mitigation measures may be deferred, provided the lead agency commits to mitigation and establishes performance standards for implementation, when an Environmental Impact Report (EIR) is prepared. The CEQA document must provide quantifiable and enforceable measures as needed that will reduce impacts to less than significant levels.

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I. Environmental Setting and Related Impact

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or United States Fish and Wildlife Service (USFWS)?

COMMENT 1: White-tailed kite

Issue: State fully protected white-tailed kites have the potential to nest and/or forage in the vicinity of the Project Area (CDFW 2021). Without appropriate mitigation measures, Project activities conducted within occupied territories have the potential to significantly impact this species.

Specific Impacts: Potentially significant impacts that may result from Project activities include nest abandonment, loss of nest trees, and/or loss of foraging habitat that would reduce nesting success (loss or reduced health or vigor of eggs or young), and direct mortality.

Evidence impact would be significant: The Project will involve noise, groundwork, and movement of workers that may occur directly adjacent to large trees and other features with potential to serve as nest sites. Therefore, the Project has the potential to significantly impact white-tailed kite.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts to white-tailed kite, CDFW recommends conducting the following evaluation of the Project area, incorporating the following mitigation measures into the CEQA document prepared for this Project, and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measure 1: White-Tailed Kite Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment in advance of Project implementation, to determine if the Project Area or its vicinity (i.e., within ½ mile) contains suitable habitat for white-tailed kite .

Recommended Mitigation Measure 2: White-Tailed Kite Surveys

CDFW recommends that focused surveys be conducted by experienced biologists within the Project Area prior to Project implementation. To avoid impacts to these species, CDFW recommends conducting these surveys in accordance with protocols developed by CDFW (CDFG 2010). If Project activities are to take place during the typical bird breeding season of February 1 through September 15, CDFW

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recommends that additional pre-activity surveys for active nests be conducted by a qualified biologist no more than 10 days prior to the start of Project activity.

Recommended Mitigation Measure 3: White-Tailed Kite Avoidance

In the event white-tailed kite is detected within ½ mile of the Project Area, implementation of avoidance measures is warranted. CDFW recommends that a qualified wildlife biologist be on-site during all Project-related activities and that a ½-mile no-disturbance buffer be implemented. If the ½-mile no-disturbance buffer cannot feasibly be implemented, contacting CDFW for assistance with additional avoidance measures is recommended. Fully addressing potential impacts to white-tailed kite and requiring measurable and enforceable mitigation in the CEQA document is recommended.

COMMENT 2: Burrowing Owl (BUOW)

Issue: BUOW may occur near the Project area (CDFW 2021). BUOW inhabit open grassland or adjacent canal banks, rights-of-way (ROWs), vacant lots, etc. containing small mammal burrows, a requisite habitat feature used by BUOW for nesting and cover. Review of aerial imagery indicates that some of the Project Area is bordered by fallowed agricultural fields and earthen irrigation ditches, and therefore BUOW may be present within the Project Area.

Specific impact: Potentially significant direct impacts associated with subsequent ground-disturbing activities include burrow collapse, inadvertent entrapment, nest abandonment, reduced reproductive success, reduction in health and vigor of eggs and/or young, and direct mortality of individuals.

Evidence impact is potentially significant: BUOW rely on burrow habitat year-round for their survival and reproduction. Habitat loss and degradation are considered the greatest threats to BUOW (Gervais et al. 2008). Therefore, subsequent ground-disturbing activities associated with the Project have the potential to significantly impact local BUOW populations. In addition, and as described in CDFW's "Staff Report on Burrowing Owl Mitigation" (CDFG 2012), excluding and/or evicting BUOW from their burrows is considered a potentially significant impact under CEQA.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts to BUOW, CDFW recommends conducting the following evaluation of the Project Area, incorporating the following mitigation measures into the CEQA document prepared for this Project, and that these measures be made conditions of approval for the Project.

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Recommended Mitigation Measure 4: BUOW Surveys

CDFW recommends that a qualified biologist assess if suitable BUOW habitat features are present within or adjacent to the Project Area (e.g., burrows). If suitable habitat features are present, CDFW recommends assessing presence/absence of BUOW by having a qualified biologist conduct surveys following the California Burrowing Owl Consortium's "Burrowing Owl Survey Protocol and Mitigation Guidelines" (CBOC 1993) and CDFW's Staff Report on Burrowing Owl Mitigation" (CDFG 2012). Specifically, CBOC and CDFW's Staff Report suggest three or more surveillance surveys conducted during daylight with each visit occurring at least three weeks apart during the peak breeding season of April 15 to July 15, when BUOW are most detectable.

Recommended Mitigation Measure 5: BUOW Avoidance

CDFW recommends that no-disturbance buffers, as outlined in the "Staff Report on Burrowing Owl Mitigation" (CDFG 2012), be implemented prior to and during any ground-disturbing activities. Specifically, CDFW's Staff Report recommends that impacts to occupied burrows be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

* meters (m)

Recommended Mitigation Measure 6: BUOW Passive Relocation and Mitigation

If BUOW are found within these recommended buffers and avoidance is not possible, it is important to note that according to the Staff Report (CDFG 2012), exclusion is not a take avoidance, minimization, or mitigation method and is considered a potentially significant impact under CEQA. However, if necessary, CDFW recommends that burrow exclusion be conducted by qualified biologists and only during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods, such as surveillance. CDFW recommends replacement of occupied burrows with artificial burrows at a

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ratio of 1 burrow collapsed to 1 artificial burrow constructed (1:1) as mitigation for the potentially significant impact of evicting BUOW. BUOW may attempt to colonize or re-colonize an area that will be impacted; thus, CDFW recommends ongoing surveillance, at a rate that is sufficient to detect BUOW if they return.

COMMENT 3: American Badger

Issue: American badgers occupy sparsely vegetated land cover with dry, friable soils to excavate dens, which they use for cover, and that support fossorial rodent prey populations (i.e. ground squirrels, pocket gophers, etc.) (Zeiner et al. 1990). The Project Area may support these requisite habitat features. Therefore, the Project has the potential to impact American badger.

Specific impact: Without appropriate avoidance and minimization measures for American badger, potentially significant impacts associated with ground disturbance include direct mortality or natal den abandonment, which may result in reduced health or vigor of young.

Evidence impact is potentially significant: Habitat loss is a primary threat to American badger (Gittleman et al. 2001). The Project has the expectation to promote the growth of the City of Gonzales, resulting in a high degree of land conversion and potential habitat fragmentation. As a result, ground-disturbing activities have the potential to significantly impact local populations of American badger.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts to American badger associated with the Project, CDFW recommends conducting the following evaluation of the Project sites, incorporating the following mitigation measures into the CEQA document prepared for this Project, and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measure 7: American Badger Surveys

CDFW recommends that a qualified biologist assess if suitable American badger habitat features are present within or adjacent to the Project Area (e.g., dens, friable soils, rodent populations). If suitable habitat is present, CDFW recommends that a qualified biologist conduct focused surveys for American badger and their requisite habitat features (dens) to evaluate potential impacts resulting from ground- and vegetation-disturbance.

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Recommended Mitigation Measure 8: American Badger Avoidance

Avoidance whenever possible is encouraged via delineation and observation of a 50-foot no-disturbance buffer around occupied dens and a 250-foot no-disturbance buffer around natal dens or potential natal dens until it is determined through non-invasive means that individuals occupying the den have dispersed.

COMMENT 4: Special-Status Plant Species

Issue: The Project area may contain habitat suitable to support special-status plant species meeting the definition of rare or endangered under CEQA Guidelines section 15380 including, but not limited to, the California Rare Plant Ranked (CRPR) 1B.1 Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*). Congdon's tarplant has been observed throughout the Salinas Valley, and within the vicinity of the Project Area (CDFW 2021). Congdon's tarplant is severely threatened by development (CNPS 2021). Therefore, the Project has the potential to impact special-status plants.

Specific impact: Without appropriate avoidance and minimization measures for special-status plants, potential significant impacts resulting from ground- and vegetation-disturbing activities associated with Project construction include inability to reproduce and direct mortality.

Evidence impact would be significant: Special-status plant species known to occur in the vicinity of the Project Area are threatened by development activities and associated impacts including introduction of non-native plant species (CNPS 2021).

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts to special-status plant species associated with the Project, CDFW recommends conducting the following evaluation of the Project Area, incorporating the following mitigation measures into the CEQA document prepared for this Project, and that these measures be made conditions of approval for the Project.

Recommended Mitigation Measure 9: Special-Status Plant Surveys

CDFW recommends that a qualified botanist assess if habitat suitable to support Congdon's tarplant (i.e., grassland) or other special-status plant species is present within or adjacent to the Project area. If suitable habitat is present, CDFW recommends that the Project Area be surveyed for special-status plants by a qualified botanist following the "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities" (CDFW 2018). This protocol, which is intended to maximize detectability, includes the identification

Matthew Sundt, Community Development Director
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of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. In the absence of protocol-level surveys being performed, additional surveys may be necessary.

Recommended Mitigation Measure 10: Special-Status Plant Avoidance

CDFW recommends that special-status plant species be avoided whenever possible by delineating and observing a no-disturbance buffer of at least 50 feet from the outer edge of the plant population(s) or specific habitat type(s) required by special-status plant species. If buffers cannot be maintained, then consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plant species.

Recommended Mitigation Measure 11: State-listed Plant Take Authorization

If a plant species listed pursuant to CESA or State designated as rare is identified during botanical surveys, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, take authorization prior to any ground-disturbing activities may be warranted. Take authorization would occur through issuance of an Incidental Take Permit by CDFW, pursuant to Fish and Game Code section 2081, subdivision (b) for State-listed threatened or endangered plants or pursuant to the Native Plant Protection Act and Fish and Game Code section 1900 et seq. for State designated rare plants.

II. Editorial Comments and/or Suggestions

Nesting birds: CDFW encourages that Project implementation occur outside the bird nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February through mid-September), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above.

To evaluate Project-related impacts on nesting birds, CDFW recommends that a qualified wildlife biologist conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the Project Area to identify nests and determine their status. A sufficient area means any area potentially affected by the Project. In addition to direct impacts (i.e. nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting

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from the Project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a data base which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

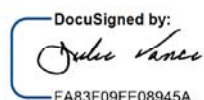
CONCLUSION

CDFW appreciates the opportunity to comment on the NOP to assist the City of Gonzales in identifying and mitigating Project impacts on biological resources.

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More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). Please see the enclosed Mitigation Monitoring and Reporting Program (MMRP) table, which corresponds with recommended mitigation measures in this comment letter. Questions regarding this letter or further coordination should be directed to Aimee Braddock, Environmental Scientist, at Aimee.Braddock@wildlife.ca.gov.

Sincerely,

DocuSigned by:

FA83F09FE08945A...

Julie A. Vance
Regional Manager

Attachments

A. MMMRP for CDFW Recommended Mitigation Measures

cc: Office of Planning and Research, State Clearinghouse, Sacramento

ec: Jeff Cann, CDFW

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REFERENCES

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- Zeiner, D. C., W. F. Laudenslayer, Jr, K. E. Mayer, and M. White. 1990. California's Wildlife Volume I-III. California Department of Fish and Game, editor. Sacramento, CA, USA.

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Attachment 1

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
 RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM
 (MMRP)**

PROJECT: Vista Lucia

SCH No.: 2020039056

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
Mitigation Measure 1: White-Tailed Kite Habitat Assessment	
Mitigation Measure 2: White-Tailed Kite Surveys	
Mitigation Measure 4: BUOW Surveys	
Mitigation Measure 6: BUOW Passive Relocation and Mitigation	
Mitigation Measure 7: American Badger Surveys	
Mitigation Measure 9: Special-Status Plant Surveys	
Mitigation Measure 11: State-listed Plant Take Authorization	
<i>During Construction</i>	
Mitigation Measure 3: White-Tailed Kite Avoidance	
Mitigation Measure 5: BUOW Avoidance	
Mitigation Measure 8: American Badger Avoidance	
Mitigation Measure 10: Special-Status Plant Avoidance	

Governing Board

Jose Lopez
Maria Cuevas
Araceli Flores
Cesar Ayon
Celeste Daniel

Superintendent &
Secretary to the Board
Yvette M. Irving

Gonzales Unified School District



www.gonzalesgusd.net

Committed to Excellence

October 25, 2021

VIA FEDERAL EXPRESS OVERNIGHT MAIL

Matthew Sundt, Community Development Director
City of Gonzales
P.O. Box 647
147 Fourth Street
Gonzales, California 93926

Re: Revised Notice of Preparation of a Draft EIR for the Vista Lucia Project
State Clearinghouse Number 2020039056

Dear Mr. Sundt:

This letter provides comments on behalf of the Gonzales Unified School District (“District”), in response to the Revised Notice of Preparation of a Draft Environmental Impact Report (State Clearinghouse Number 2020039056) (the “Revised NOP”) for the Vista Lucia Project (“Project”). The Revised NOP was transmitted by the consulting firm EMC Planning Group, Inc. (“EMC”) on behalf of the City of Gonzales (“City”) by letter dated September 10, 2021.

The comments submitted in this letter address concerns the District believes must be studied prior to approving the Project and are submitted to ensure the City completes an adequate analysis under the California Environmental Quality Act (“CEQA”); this includes analysis and mitigation of all impacts, including those on schools. It is intended that these comments be incorporated into the Draft Environmental Report (the “Draft EIR”) and included as a part of the formal administrative record for the Project.

Proposed Project

The Project site is comprised of approximately 768 acres and is one of several locations the City identified as a future development area in the Gonzales 2010 General Plan.

There has been no new residential construction in the City since approximately 2009, when the Fanoé Vista Apartments, which included a net increase of 25 apartment units, were built. Prior to that, the City

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had not had any new single family residential construction since 2006. Three accessory dwelling units (“ADUs”), were, however, built in 2020-21.

The Project includes two major development areas that will be developed in phases: Village One and Village Two. In total, Village One and Village Two will create approximately 3,498 residential units of varying densities.

More specifically, the Village One land use plan calls for approximately 1,861 single-family and multi-family residential units of varying densities, while the Village Two land use plan calls for approximately 1,637 residential units.

Additionally, both developments will include: (1) neighborhood retail commercial and/or mixed use (one acre for Village One and six acres in Village Two), which, when combined “would enable up to 120,000 square feet of commercial building square footage”; (2) a total of three school sites (one 12-acre elementary school site in Village One, and one 12-acre elementary and one 18-acre middle school site in Village Two); and (3) community and neighborhood parks, trails, open space, promenades, drainage/detention areas, and other proposed open space features (70 acres in Village One and 82 acres in Village Two); and (4) incorporated bike trails, agricultural and drainage buffers (some of which may act as other boundaries of Village One and Two), and other open areas. Village One will also include an additional 2.2-mile broad pedestrian promenade system that interconnects neighborhoods within Village One and beyond.¹

The proposed Project would also require several off-site improvements, including constructing a new segment of Fanoe Road, widening existing roads (Fanoe Road and Associated Lane); and making certain improvements to the U.S. Highway 101/North Alta Road interchange.

While ADUs might also be constructed on individual future lots, and even though the Revised NOP notes that three ADUs were built in 2020-21, it does not include an estimated number of ADUs that may ultimately be constructed within the site.

The Revised NOP estimates that the proposed Project could add approximately 15,391 people to the City’s population and generate approximately 175 new jobs.

District Comments

The District appreciates the opportunity to express its views as to the scope and content of the environmental review of the Project. The District also appreciates the further anticipated opportunity to cooperate and comment on the Project and its impacts at all stages of the CEQA review process. (See, e.g. Pub. Res. Code, § 21080.3.) As a starting point in that effort, the District provides the following information for consideration in any environmental review.

Initial Comments

As an initial matter, the Revised NOP received by the District from EMC references and has place holders for the following three figures: Figure 1, Location Map (at pages 1 and 3 of the Revised NOP);

¹ All acreage measurements referred to this in paragraph are approximate.

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Figure 2, Aerial Photograph (at pages 1 and 5 of the Revised NOP); and Figure 3, Vista Lucia Project Land Use Plan (at pages 7 and 9 of the Revised NOP) (collectively, the “Figures”).

The Revised NOP received by the District, however, did not actually include any of the referenced Figures. The District acknowledges that the initial Notice of Preparation, originally circulated in March 2020, did include certain figures. There is no way to glean, however, from the Revised NOP transmitted by EMC, whether those figures are intended to be included in the Revised NOP and/or whether the Revised NOP meant to include revised figures.

Review of the Figures, once included, might prompt additional comments from the District. Accordingly, the District reserves its rights to provide further comment upon review of the Figures.

Further, EMC’s September 10, 2021 transmittal letter notes that the initial Notice of Preparation was originally distributed in March 2020, and then “recirculated in June 2020 due to uncertainty about its receipt by responsible agencies due to their operational challenges created by COVID-19” and that “[c]omments were received from six responsible and trustee agencies.” We note, however, that neither the recirculated documents from June 2020 nor the comments received from the six responsible and trustee agencies appear to have been uploaded to the CEQAnet website, the database of documents and notices filed with the State Clearinghouse (CEQAnet will be referred to herein as the “State Clearinghouse website”) under the appropriate State Clearinghouse Number (<https://ceqanet.opr.ca.gov/Project/2020039056>).

Additionally, a brief review of what has been uploaded to the State Clearinghouse website indicates that there may be differences in the documents that were received by the State Clearinghouse on September 14, 2021, and uploaded to the State Clearinghouse website as compared to the documents EMC, the City’s consultant, distributed to responsible and trustee agencies by letter dated September 10, 2021. Since EMC is the City’s consultant, and its September 10, 2021 letter to responsible/trustee agencies transmitting the Revised NOP states that EMC is transmitting the Revised NOP “*On behalf of the City,*” the District’s comments herein have been drafted in response to EMC’s September 10, 2021 transmission and not in response to the documents uploaded to the State Clearinghouse website. While the District has tried to capture some of the immediately apparent differences between the documents, to the extent that the District continued review of the documents uploaded to the State Clearinghouse website reveals further differences, the District reserves its right to provide further comment upon determination of any substantive differences.

Population

1. Historical, current, and future population projections for the District.

The District requests that historical, current, and future population projections for the District be addressed. When considering these projections, the District urges the City to use the most recent studies available rather than relying on outdated projections. Population growth or shrinkage is a primary consideration in determining the impact that development may have on a school district, as a booming population can directly impact the District and its provision of educational services, largely because of resulting school overcrowding, while a district otherwise experiencing declining enrollment may depend on new development to avoid school closure or program cuts. Overcrowding can constitute a significant impact within the meaning of CEQA. (See Cal.Code Regs., tit.14 (hereinafter referred to as the “CEQA

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Guidelines”), §§ 15064(e).) This is particularly true where the overcrowding results in unsafe conditions, decreased quality of education, the need for new bus routes, and requires new school construction. The same can hold true for potential school closures or program cuts resulting from a declining population.

Housing

- 2. The type and number of anticipated dwelling units, including ADUs.**
- 3. All anticipated location(s) of the dwelling units, including ADUs.**
- 4. The projected increase in population and impact on student generation from the anticipated dwelling units, including ADUs.**
- 5. The average square footage for anticipated dwelling units, broken down by type of unit, including ADUs.**
- 6. Estimate the amount of development fees to be generated by development in accordance with implementation of the Project.**
- 7. The phasing of residential and development over time from inception to build-out of the Project.**
- 8. Identify the Project’s target residential market segments including senior housing, first-time home buyers, move-up buyers and anticipated number of units available for low-income housing and the different impacts on the District from this mix.**

The foregoing categories of information (Request Nos. 2-8) are critical for determining the extent of both physical and fiscal impacts on the District. California school districts are dependent on developer fees authorized by the provisions of Government Code Sections 65995, et seq., and Education Code sections 17620, et seq., for financing new school facilities and maintenance of existing facilities. The developer fees mandated by Government Code Section 65995 provide the District the bulk of its local share of financing for facilities needs related to development.

The adequacy of statutory developer fees to offset the impact of new development on local school districts can be determined only if the types of housing and average square footage can be taken into consideration. For instance, larger homes are expected to generate approximately the same number of students as smaller homes. At the same time, however, a larger home will generate a greater statutory developer fee, better providing for facilities to house the new student population generated by the development. It is for these reasons that the Government Code now requires a school district to seek – and presumably to receive – such square footage information from local planning departments. (Gov. Code § 65995.5 (c)(3).)

While the foregoing funding considerations are fiscal issues, they translate directly into physical, environmental impacts, in that inadequate funding for new school construction can result in overcrowding of existing facilities. Furthermore, fiscal and social considerations are relevant to

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environmental review, particularly when they either contribute to or result from physical impacts. (Pub. Resources Code § 21001(g); CEQA Guidelines, §§ 15021(b), 15131(a)-(c), 15142 & 15382.)

Phasing of development is also a crucial consideration in determining the extent of impact on schools. The Revised NOP indicates that the Project Applicant has submitted two tentative map entitlement approvals, which include 389 residential lots, for just the first two of several future development phases. The timing of the various development phases will determine when new students are expected to be generated, and therefore is an important consideration particularly when considering the cumulative impact of a project in conjunction with other approved or pending development.

Transportation/Circulation/Traffic Analysis

- 9. Describe the existing and the anticipated vehicular traffic and student pedestrian movement patterns to and from school sites, including consideration of bus routes.**
- 10. Assess the impact of increased vehicular movement and volumes caused by the Project, including but not limited to potential conflicts with school pedestrian movement, school transportation, busing activities to and from District schools.**
- 11. Estimate travel demand and trip generation, trip distribution and trip assignment by including consideration of school sites, home-to-school travel, and travel to and from commercial spaces.**
- 12. Assess cumulative impacts on schools and the community in general resulting from increased vehicular movement and volumes expected from additional development already approved or pending.**
- 13. Discuss the direct, indirect, and cumulative impacts on the circulation and traffic patterns in the community as a result of the traffic generated by the transportation needs of students to and from the Project and schools throughout the District during the Project build-out.**
- 14. Assess the impacts on the routes and safety of students traveling to school by vehicle, bus, walking, and bicycles.**

The District makes the foregoing requests to ensure that traffic impacts on schools are adequately addressed through environmental review. Traffic issues are a particular concern for school districts in that increased traffic volume may interfere with established school bus routes, require new and additional routes, and may increase safety concerns for students walking or riding bicycles or other modes of transportation to and from school.

Regarding inclusion and/or proximity to school sites in estimating trip demand, generation, distribution and assignment, the District assumes that school sites would be one category used in determining impacts, but if not, requests that it be considered one. Of particular concern to the District would be an increase in pedestrian and vehicular traffic in proximity to any District schools where the majority of the student population is quite vulnerable. This analysis could include, but is not limited to:

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- a discussion of traffic impacts relating to the increased trips to and from school facilities and increased traffic around bus stops in proximity of the school facilities with sufficient information to allow meaningful review of those impacts (see, CEQA Guidelines, §15151 [“an EIR must include detail sufficient to enable those who did not participate in its preparation to understand and to consider meaningfully the issues raised by the proposed project”]);
- the Project’s potential impacts on pedestrian safety and the impact of the increased foot and vehicle traffic to and from impacted bus stops;
- the Project’s potential impact of the increased pedestrian and vehicle traffic in proximity to schools;
- the impact of heavily trafficked and/or overcrowded bus stops and public transport on the surrounding environment;
- the increase to the load of existing modes of public and private transport as a result of the increase in student population combined with an increased demand for public transport and the ability of the public and/or private transport system to handle the strain of an increase in demand;
- impacts of increased usage of specific bus stops, if any;
- the ability of the students generated by the Project to commute to and from the District schools;
- the number of daily trips the Project will generate in addition to existing traffic conditions, particularly those that will be school related, whether by additional staff or students traveling to and from District facilities;
- whether students generated by the Project will be utilizing public transport, District provided transport, or some other form of transport, and the ability of those forms of transport to handle the strain of an increase in demand; and
- the impact of increased traffic resulting from trips to and from commercial and recreational spaces on pedestrian and vehicular traffic in proximity to any District schools.

Public Services - Schools

15. **Describe existing and future conditions within the District, on a school-by-school basis, including size, location and capacity of facilities.**
16. **Describe the adequacy of both existing infrastructure serving schools and anticipated infrastructure needed to serve future schools.**
17. **Describe the District’s past and present enrollment trends.**
18. **Projection of student growth rates.**
19. **Describe the District’s current uses of its facilities.**
20. **Describe projected teacher/staffing requirements based on anticipated population growth and existing State and District policies.**
21. **Describe any impacts on curriculum as a result of anticipated population growth.**
22. **Identify the cost of providing capital facilities to accommodate students on a per-student basis by the District.**

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23. **Identify the expected shortfall or excess between the estimated development fees to be generated by the Project and the cost for provision of capital facilities.**
24. **Assess the District's present and projected capital facility, operations, maintenance, and personnel costs.**
25. **Assess financing and funding sources available to the District including, but not limited to, those mitigation measures set forth in Section 65996 of the Government Code.**
26. **Identify any expected fiscal impacts on the District, including an assessment of projected cost of land acquisition, school construction, and other facility needs.**
27. **Assess cumulative impacts on schools resulting from additional development already approved or pending.**

The District wishes to make certain that each of these issues is reviewed in any environmental analysis. Regarding Requests 15 – 19, each of these requests go to the issue of the current condition of the District. Infrastructure is included for consideration precisely because it is an often overlooked factor. While it may appear that a school site has sufficient space to accommodate additional students, an inadequate infrastructure – which might include cafeterias, restroom facilities, sewage, electrical capacity, and the like – may preclude such growth. Placing too great a strain on the infrastructure is itself a physical impact. Additionally, and as discussed below, the Project description anticipates an influx of more than 15,000 people, but only anticipates adding two elementary schools and one middle school. The current Project description does not anticipate the inclusion of any more high schools. Accordingly, the Draft EIR should also include an: (1) analysis of the impact on the District's one high school of the addition of new, high-school aged students generated by the Project; (2) the impact on the District's one high school of accommodating students from its existing elementary and middle schools as well as the new elementary and middle schools; and (3) a detailed discussion of whether the Project should also include a new high school.

Relative to Request 15, any environmental analysis should also address the location of current planned school sites, both to determine the adequacy of the space existing or available for school facilities and also to address traffic, student safety and related impacts affected by a school's location. This should include meaningful discussion regarding planned school development throughout the District and how the Project fits within that context as well as a meaningful description of the District's methods of paying for the expansion (i.e., general obligation bonds, State funding, developer impact mitigation by agreement, payment of fees under SB 50, and collection of Community Facilities District special taxes), and how the school mitigation proposed for the Project fits within that construct.

The population elements addressed in Requests 17 and 18 are essential because the ultimate impact of growth can best be determined by comparing existing student enrollment, expected future enrollment, and total school capacity. When considering future enrollment and projected student growth rate, the City is cautioned to avoid relying on overly conservative projections (both short and long term) to frame its analysis of impact and resulting mitigation, which could result in an inadequate impact analysis.

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Request 19 is a necessary consideration because certain school facilities may have been designated for particular community uses, or otherwise be unavailable for full classroom service, meaning that they cannot be considered in determining the District's total capacity. Also, some classrooms may be dedicated, for specific uses, such as labs, meaning that they cannot hold the full complement of students that would occupy a traditional classroom, again affecting a school's total capacity.

Requests 20 and 21 are included because they are relevant to the social impacts that may stem from the Project. Again, such impacts are relevant to the extent they are caused by or result from physical impacts, which would include growth. (Pub. Res. Code § 21001(g); CEQA Guidelines, §§ 15021(b), 15131(a)-(c), 15142 & 15382.) If classrooms become overcrowded, if acceptable service ratios for students and staff at impacted school facilities are exceeded, or certain programs cannot be offered because of overwhelming student demand, the community's educational services are harmed, a clear social impact. Further, overcrowded classrooms create additional safety concerns, both for students and teachers.

Requests 22 through 26 deal with fiscal impacts on the District. The most immediate means of determining whether school overcrowding will occur is to determine first whether the District has adequate available capacity, and second, if not, whether it has adequate sources of funding available to construct new facilities or expand existing ones. This requires consideration of how much it costs to house each student, and how much of that amount can be covered by existing funding sources. To the extent that the existing sources prove insufficient, the difference is an unmitigated impact on the District.

Finally, Request 27 again seeks to ensure that a cumulative impact analysis is conducted, as there has been significant development proposed, approved, and/or projected within the District's borders. CEQA requires the City to consider any cumulative impacts related to schools resulting from additional development already approved or pending within the District. (Pub. Res. Code, § 21083.)

Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

(a) The individual effects may be changes resulting from a single project or a number of separate projects.

(b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

(CEQA Guidelines, § 15355 [internal quotations omitted].)

An adequate cumulative impacts analysis includes an analysis of probable future projects. It also requires an analysis of the impacts of the Project when combined with the overall impact of probable future projects.

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The Draft EIR should include: projects under construction; projects that are approved but not yet constructed; projects undergoing environmental review; projects for which applications have been received; projects included in an adopted capital improvements program, or in an adopted general, regional, transportation or other plan; projects anticipated as future phases of previously approved projects; and any future project where the applicant or public agency has devoted significant time and financial resources to prepare for any regulatory review. (*San Franciscans for Reasonable Growth* (2001) 151 Cal.App.3d 61, 74; *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1127-1128, 85 Cal.Rptr.3d 50].)

With respect to schools, the Draft EIR must analyze the Project within the context of the other proposed development. This must include a discussion of anticipated student generation through the District, planned school development to accommodate that student generation, any interim measures needed to accommodate students, and how the Project fits within that context. It also must include a description of how such facilities will be paid for (i.e. general obligation bonds, State funding, developer impact mitigation by agreement, payment of fees under SB 50, and collection of Community Facilities District special taxes).

The failure to provide any of this information and adequately analyze impacts obstructs the ability to reasonably analyze and mitigate the impacts of the Project

Noise

- 28. Identify any noise sources and volumes which may affect school facilities, classrooms and outdoor school areas.**

Request 28 is intended to clarify that consideration of noise issues take into account various ways in which noise may impact the schools, including, for instance, increases in noise levels in the immediate vicinity of playing fields, impact of noise levels during school hours on student learning and/or testing.

Social

- 29. Identify how school facilities are currently utilized as civic centers and are projected to serve in that capacity in the future, and assess the impacts of the Project on that use.**
- 30. Identify how the District's grounds are currently utilized for recreation (parks) and open space, and are projected to serve in that capacity in the future, and assess the impacts of the Project on that use.**

These two requests are made in light of school districts' roles in providing recreational space and civic centers to the community. As overcrowding increases at school sites, the community's ability to utilize school facilities becomes limited, which is both a physical and a social impact on the community. For example, the addition of relocatable classrooms to house new students may reduce available playing field or recreational space. Similarly, moving schools to multi-track class schedules, or having to set aside additional space for new alternative education students, may interfere with the community's ability to gain access to school facilities for civic use.

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Impact and Mitigation Options

31. **Analysis of environmental impacts and relationship to SB 50.**
32. **Analysis of interim housing needs for students.**
33. **Analysis of the sufficiency of the Project's proposed permanent housing needs for students, including whether even more permanent housing is necessary.**
34. **Identification and analysis of mitigation options.**

Regarding Requests 31-33, in general, SB 50 provides, among other things, that payment of fees, charges, dedications or other requirements which can be levied against new construction to fund construction or reconstruction of school facilities is deemed to provide full and complete mitigation of impacts of development on school facilities. (*See, Chawanakee Unified School District v. County of Madera* (2011) 196 Cal.App.4th 1016.) The *Chawanakee* court, however, expressly found that the phrase "impacts on school facilities" does not cover all possible environmental impacts that have any type of connection or relationship to schools. (*Id.* at 1028.) Therefore, impacts relating to schools that are not per se "impacts on school facilities" must be identified and analyzed. If those impacts are significant, they must be mitigated. Also, a project's indirect impacts on parts of the physical environment that are not school facilities are not excused from being considered and mitigated. (*Id.*) This could include, but is not limited to, the potential need for interim school facilities, impacts on the environment related to construction of new school facilities to accommodate growth, and changed or increased traffic as students travel to and from school from the Project. These and other impacts must be considered and mitigated as part of the CEQA process.

As a result of the *Chawanakee* case, the City is required to consider, address, and mitigate any significant impacts which its development is likely to have on schools.

Similarly, the Draft EIR should analyze the issue of interim housing for students which will be generated as a result of the Project. The District's elementary school is already over capacity and has already had to bring in temporary buildings to address its overcrowding. Further, the high school is nearing capacity. Accordingly, while not optimal, the District may have to add temporary buildings to house the additional students that will be generated by the Project until such time that the promised new schools are constructed and ready for occupancy and operation. The addition of temporary buildings or classrooms at existing schools may result in multiple significant impacts which must be considered by the Project Applicant (as defined in the Revised NOP) and/or any other applicable developer and the City. For example, the addition of classrooms would certainly result in impacts from construction relating to noise and air quality, as well as an increase in the vehicular and pedestrian traffic at school sites as a result of the increased student population at that site. Further, the addition of temporary buildings could lead to aesthetic issues including view impairment or degradation of the visual quality of the site and surroundings, including at the schools themselves, as well as a loss of the current use of certain portions of district facilities, such as playfields, to make room for the interim housing. There could be sensitive trees or other plants needing to be removed to accommodate the new facilities, and, importantly, these changes could lead to further aesthetic impacts. The District requests these potential impacts be considered properly within the CEQA process.

Matthew Sundt, Community Development Director
October 25, 2021

Additionally, while the District and the developer are negotiating the acquisition of the 12-acre elementary school site in Village One, which represents only one of the three school sites anticipated based on the Project description, simply acquiring land for a school site is not sufficient, in and of itself, to mitigate the anticipated influx of students that will be generated by the Project. In addition to the costs for and impact of acquiring land for necessary school sites that must be mitigated, at a minimum the actual costs and impacts of constructing the necessary schools and ensuring the sufficiency of the accompanying general infrastructure (e.g., power, water, sewage) must also be mitigated.

Further, particularly with respect to Request 33, the Project description currently anticipates an influx of more than 15,000 people, but, as noted above, does not anticipate adding any high schools. The District currently has one elementary school, one middle school, and one high school. The Project anticipates including two more elementary schools and one more middle schools. These new schools, combined with the existing elementary and middle school, will all eventually feed students into the one existing high school. Additionally, the influx of population by the Project is likely to include a significant number of high-school age students. The District requests the CEQA process to include a detailed analysis of the adequacy of the proposed permanent housing and urges the City to consider including additional permanent housing as applicable.

Regarding Request 34, a host of mitigation options in addition to School Impact Fees under SB 50 may help ensure sufficient school facilities and lessen the impacts of development. Examples include:

- Participation in a Mello-Roos Community Facilities District. As expressed in Government Code section 65995, subdivision (g)(2), a developer may “voluntarily elect[] to establish, or annex into, a community facilities district”
- The City can impose conditions on development related to issues other than school overcrowding, such as the need to widen roads or put in other traffic controls to accommodate increased traffic (both from students and generally), safety measures to address pedestrian travel to school, and the need to add sound-proofing to offset noise increases from nearby development and resulting traffic.

The District requests the CEQA process be completed in a manner that will address all of the potential impacts on schools and school facilities and encourages the City to consider all avenues available to it for mitigation rather than considering itself limited by SB 50.

Air Quality

- 35. Adhere to the Monterey Bay Air Resources District (“MBARD”) CEQA Air Quality Guidelines, as updated, as well as all local, state, federal, and all other applicable air quality guidelines when preparing environmental documents and calculating project emissions.**
- 36. Identify and address the Project’s impacts on air quality as it relates the health of District’s students.**

The MBARD’s CEQA Air Quality Guidelines (February 2008) is “an advisory document intended to provide lead agencies, consultants, and project proponents with uniform procedures for assessing

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potential air quality impacts and preparing the air quality section of environmental documents.” (MBARD CEQA Air Quality Guidelines, at p. 1-1.)

The Project, particularly when viewed in conjunction with the pollutants from increased vehicular exhaust that will be generated by the increased traffic resulting from the Project as well as the other development that may be considered and approved in the Project’s vicinity, will very likely have an impact on the air quality of the Project’s surrounding areas due to extensive construction activities and increases in vehicular traffic. This has the potential to create increased levels of air toxins and particulate matter which could negatively impact student health. These impacts, as they relate to the District’s students should be adequately identified and addressed in the Draft EIR.

General Infrastructure

- 37. **Analysis of general infrastructure, including hydrologic resources available in the region.**
- 38. **Assess cumulative impacts on schools and community in general resulting from the required improvements to the City’s general infrastructure to accommodate population influx generated by Project.**

Requests 37 and 38 pertain to the impacts the Project will have on the existing general infrastructure, including but not limited to, power, water, sewage, utility lines, electric grids, etc., the cumulative impacts related to the schools, and community in general, of the same; and the cumulative impacts on schools, and the community in general, that result from the City’s improvements to its infrastructure to accommodate the Project.

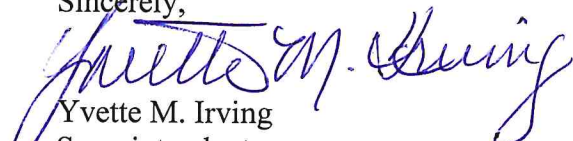
Further, since the Project description does not contemplate the addition of a new high school to accommodate not only the new, high-school aged students generated by the Project, but the influx of new students who attend the new elementary and middle schools who will eventually feed into the high school, the District requests the CEQA process also include a detailed analysis of the District’s high school infrastructure needs.

Conclusion

The District is prepared to provide any information necessary to assist the City in addressing each of the comments and scope/content issues set forth above. The District is committed to working with the City and the Project Applicant and/or any developers to ensure the District’s needs are met and that the Project, as well as all of the residents of the community, can receive adequate and appropriate educational facilities.

Please feel free to contact me directly if we can be of any assistance. Thank you.

Sincerely,



Yvette M. Irving
Superintendent

Matthew Sundt, Community Development Director
October 25, 2021



Planning for Success.

October 11, 2021

To: Responsible/Trustee Agency

Re: Addendum to Revised Notice of Preparation for the Vista Lucia Project EIR
(State Clearinghouse Number 2020039056)

On behalf of the City of Gonzales (City), this letter serves as an addendum to the Revised Notice of Preparation for the Vista Lucia Project EIR (State Clearinghouse Number 2020039056) ("Revised NOP") that was received by the State Clearinghouse on September 14, 2021, and circulated to responsible/trustee agencies.

The Revised NOP did not include a date and time for conducting a scoping meeting pursuant to CEQA Guidelines Section 15082(c)(1). The purpose of this addendum is to specify a scoping meeting date and time and to extend the Revised NOP comment period accordingly.

The City of Gonzales will conduct a scoping meeting for the Vista Lucia Project EIR as follows:

Date: Thursday, October 28, 2021

Time: 6:00 PM

Location: City of Gonzales City Council Chambers, 117 Fourth Street, Gonzales, California.

The public may also attend the scoping meeting via Zoom at:

<https://us06web.zoom.us/j/86286074710>

Webinar ID: 862 8607 4710

The current comment period for the Revised NOP is September 14, 2021 to October 13, 2021. Because the October 28, 2021 scoping meeting will be held after the end of that period, the City of Gonzales is extending the comment period to October 29, 2021 to ensure that comments received at the scoping meeting will be considered in formulating the scope of the EIR.

EMC PLANNING GROUP INC.
A LAND USE PLANNING & DESIGN FIRM

301 Lighthouse Avenue Suite C Monterey California 93940 Tel 831-649-1799 Fax 831-649-8399
www.emcplanning.com

Please forward comments no later than October 29, 2021.

Matthew Sundt, Community Development Director

City of Gonzales

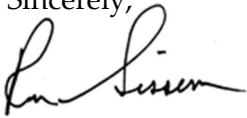
P.O. Box 647

147 Fourth Street

Gonzales, California 93926

msundt@ci.gonzales.ca.us

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Sissem". The signature is fluid and cursive, with a large initial "R" and a distinct "S".

Ron Sissem

Principal