



Post Office Box 1876
Salinas, CA 93902-1876
831-759-2824
Website: www.landwatch.org
Email: landwatch@mclw.org
Fax: 831-759-2825



May 13, 2014

Board of Supervisors
County of Monterey
168 West Alisal Street
Salinas, CA 93901

Re: Harper Canyon Appeal – PLN000696

Dear Chair Calcagno and Members of the Board:

LandWatch submits this supplemental letter to transmit documents referenced in our letter urging you to deny the appeal of the Planning Commission's action on the Harper Canyon project.

Provided herewith on a CD are documents referenced in footnotes 3, 4, 5, and 7 of our letter. We have not provided voluminous documents referenced at footnotes 1, 2, and 6 that are easily available on the County and MCWRA websites, including:

- the 2010 General Plan EIR, available at http://www.co.monterey.ca.us/planning/gpu/GPU_2007/FEIR_Information/FEIR_Information.htm;
- videos of Board of Supervisor hearings on the 2010 General Plan, available at http://monterey.granicus.com/ViewPublisher.php?view_id=5;
- testimony by Howard Franklin at the December 12, 2012 Planning Commission hearing, available at http://monterey.granicus.com/ViewPublisher.php?view_id=14#2012;
- the Salinas Valley Water Project EIR, available at http://www.mcwra.co.monterey.ca.us/welcome_svw_p_n.htm.

We draw your attention in particular to our comments on the Ferrini Ranch draft EIR. The Ferrini Ranch project is proximate to the Harper Canyon project. Because the Ferrini Ranch draft EIR cited the Salinas Valley Water Project as the basis of its conclusion that cumulative water supply impacts would be less than significant, LandWatch was able to raise a number of critical questions and issues in its comments on that draft EIR. The County has not yet responded to these comments.

However, because the Harper Canyon draft EIR did not disclose its reliance on the SVWP in support of the conclusion that cumulative water supply impacts would be less than significant, the public was not able to challenge the cumulative impact analysis in comments on the Harper Canyon draft EIR and to obtain responses in a final EIR.

The following questions, informational omissions, and issues raised by LandWatch in comments on the Ferrini Ranch draft EIR are relevant to the Harper Canyon EIR's reliance on the SVWP in support of its conclusion that cumulative water supply impacts are less than significant:

1. The Harper Canyon project EIR fails to disclose litigation challenging the 2010 General Plan's reliance on the SVWP EIR and the contentions in that litigation. The Harper Canyon EIR's reliance on the SVWP in its cumulative analysis raises the same issues as LandWatch raised in the General Plan litigation and in the Ferrini Ranch DEIR comments. See comment 57 in our Ferrini Ranch DEIR comments.
2. The Harper Canyon project EIR fails to identify the sustained yield for the Salinas Valley groundwater basin ("SVGB"). See comment 59 in our Ferrini Ranch DEIR comments.
3. The Harper Canyon project EIR fails to disclose the baseline year for its cumulative analysis. See comment 60 in our Ferrini Ranch DEIR comments.
4. The Harper Canyon project EIR fails to provide baseline agricultural water demand for the SVGB. See comment 61 in our Ferrini Ranch DEIR comments.
5. The Harper Canyon project EIR fails to demonstrate that the Harper Canyon project demand was included in the SVWP EIR. See comment 62 in our Ferrini Ranch DEIR comments.
6. The Harper Canyon project EIR fails to provide a projection of cumulative future agricultural water demand. See comment 63 in our Ferrini Ranch DEIR comments.
7. The Harper Canyon project EIR fails to identify and justify the geographic scope of cumulative agricultural demand in its analysis. See comment 64 in our Ferrini Ranch DEIR comments.
8. The Harper Canyon project EIR fails to provide baseline and projected cumulative urban demand for the SVGB. See comment 65 in our Ferrini Ranch DEIR comments.

These questions, the same questions that LandWatch raised in its comments on the Ferrini Ranch EIR, challenge the County's decision to rely on the SVWP as the water supply panacea for future development in and adjacent to the Salinas Valley, even though it is clear that the amount and intensity of future development projects and agricultural expansion was not contemplated at the time the SVWP was approved.

Had the Harper Canyon draft EIR disclosed the County's intent to rely on the SVWP in a cumulative analysis, the public would have had the opportunity to raise the same questions and require careful answers from the County in a final EIR. However, the public was denied the opportunity for meaningful comment on the Harper Canyon draft EIR because the reliance on the SVWP as the basis of the cumulative analysis was not disclosed until the final EIR itself. Thus, the County has failed to meet CEQA's requirements that the substantive impact analysis and discussion of environmental setting appear in the draft EIR – not in the final EIR or subsequent staff reports.

Accordingly, LandWatch requests that the County revise and recirculate the Harper Canyon draft EIR to address the questions, issues, and information omissions set forth above. Until these issues are addressed, the County cannot conclude that there is in fact a sufficient water supply for the Harper Canyon project.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy L. White". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Amy L. White
Executive Director