Appendix G Response to Comments

This appendix contains the comments received during the public circulation and comment period (May 27, 2008 to July 11, 2008). The comments have been numbered (Comment Set #1, Comment Set #2 and so on) in the order that they were received; a Caltrans response follows each comment set. In this appendix, comments are divided into three groups, based on whom the comment came from: individual members of the public, property owners or their representatives, or a public agency. The Governor's Office of Planning and Research, State Clearinghouse closeout letter (dated June 24, 2008) is first, acknowledging this document's compliance with the State Clearinghouse requirements for environmental documents. No response was required for this letter.

Individuals:

- Comment Set #1 – Amy Salas
- Comment Set #2 – Penny Takier
- Comment Set #3 – Cheryl Crow
- Comment Set #4 – Michael Zappas
- Comment Set #5 – Robert Miller
- Comment Set #6 – Robert Polley
- Comment Set #8 – Bryce Dilger
- Comment Set #9 – Don Simoneau
- Comment Set #10 – Kim Simoneau
- Comment Set #11 – Captain Carl

Property Owner Representatives:

APN 009-631-011

- Comment Set #7 – Jeff Wagner, North Coast Engineering
- Comment Set #12 – INS and OUTS of ROUNDABOUTS
- Comment Set #13 – North Coast Engineering, Inc.
- Comment Set #14 – Ourston Roundabout Engineering
- Comment Set #15 – Carolyn Leach Consulting, LLC
- Comment Set #19 – Matteoni O'Laughlin & Hechtman Lawyers

APNs 040-031-001, 040-091-041

- Comment Set #16 – eda design professionals

Target Retail Center

- Comment Set #17 – Ellis Partners, LLC

Public Agency Comments:

- Comment Set #18 – San Luis Obispo Council of Governments (SLOCOG)
- Comment Set #20 – Air Pollution Control District
- Comment Set #21 – San Luis Obispo County Department of Planning and Building

Comment Set 21

SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

September 9, 2008

California Department of Transportation, District 05
ATTN: Mr. Michael H. Thomas
Senior Environmental Planner
50 Higuera Street
San Luis Obispo, CA 93401

Subject: Highway 101/State Route 46 West Interchange Modification Project; Initial Study with Proposed Mitigated Negative Declaration

Dear Mr. Thomas:

We recently became aware that the above-referenced document was available for review. Although we have not received a copy or notice to our knowledge, we have reviewed the online document to determine the consistency of the above-referenced project with the County General Plan. The following comments are meant to correct the statements in the document. We are utilizing Alternatives 1 and 2 shown in Chapter 1. 21-1

Alternative 1 locates a minor realignment of South Vine Street to a roundabout on the north side of Highway 46W, entirely within the City of El Paso de Robles. The Agriculture land use category (general plan and zoning designation) is located in the unincorporated area west of this segment. A realignment of Theatre Drive is proposed to a new intersection on the south side of Highway 46W within the city limits. The Agriculture and Residential Suburban land use categories extend along the west side of this segment, which are within the county Urban Reserve for Paso Robles (see Figure 1).

Alternative 2 differs from Alternative no. 1 by a realignment of South Vine Street west and then south to the intersection of the Theatre Drive

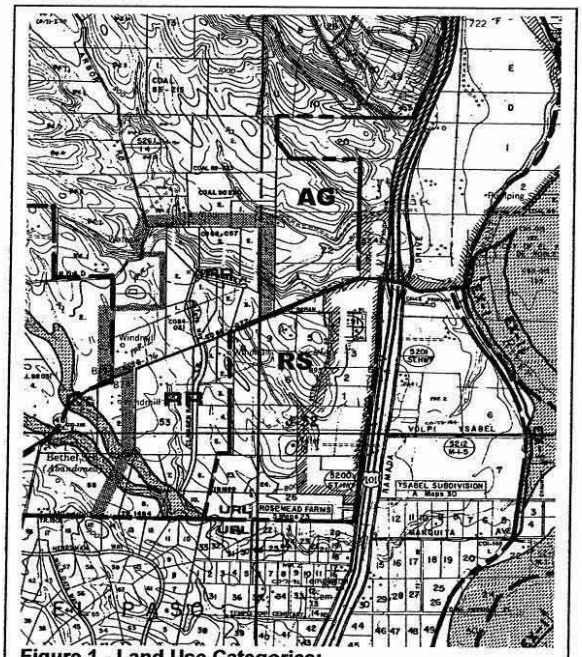

Figure 1 - Land Use Categories:
AG = Agriculture; RR = Residential Rural;
RS = Residential Suburban

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realignment. This project area is located west of the city limits within the unincorporated rural area that is designated in the Agriculture land use category. The Residential Rural category extends along the west side of this segment.

Both alternatives 1 and 2 include a roundabout and realignment of Ramada Drive on three properties, of which the southerly property is in the unincorporated Commercial Service land use Category. This segment would eliminate a corner of the southern site.

The Circulation Element of the county General Plan identifies Highway 46W as a Principal Arterial, which is designated to convey inter-regional and regional traffic as a state highway. The following circulation policies contained in Framework for Planning (Part I of the Land Use Element) relate to the project: 21-2

"**6.** Develop and coordinate transportation programs that reinforce federal, state, regional and local agency goals.

7. Design a transportation system that provides for safe travel within attainable, feasible economic and technical means.

8. Design transportation facilities with the intent to preserve important natural resources and features, promote the esthetic quality of the region and minimize environmental changes (Framework, January 1, 2003, p. 5-2).

The Circulation Element includes General Design Guidelines that apply to the project:

"**c.** Pedestrian circulation should be expressly addressed in street designs so that walking is accommodated by various methods of implementation.

i. Horizontal and vertical street alignments should be located to minimize grading and to incorporate natural ground contours as much as possible without creating hazards to traffic, and should be consistent with other design objectives.

j. Street layouts should be planned to avoid adverse concentration of storm water runoff.

k. Street design should promote safe bicycling by considering the placement of bike lanes that will provide for the safety of the cyclist as well as the automobile driver with whom they share the streets (Framework, January 1, 2003, p. 5-6)."

The Salinas River Area Plan contains the following objectives in the Circulation Element chapter. They encourage minimum disturbance of area and retention of open visual character in a project:

"**e.** Design necessary road and street expansions to include measures to minimize the amount of paved surface and retain the open visual character of the local area.

f. Circulation routes in new development should be designed to provide direct, convenient and safe access to destinations. Circuitous streets that impede pedestrian, bike and transit

use should be avoided. Design and maintain roads and streets to expedite the safe and efficient movement of commodities and products around and through the county (Salinas River Area Plan, January 1, 2003, p. 5-2)."

21-3

Consistency with the Circulation Element: The primary project objectives of creating more efficient and safe circulation at the interchange are consistent with the Circulation Element goals and objectives. However, the location and design of Alternative 2 is not as consistent as Alternative 1 with the Circulation Element objectives to "preserve important natural resources...promote esthetic quality...minimize environmental changes...minimize the amount of paved surfaces...and retain the open visual character of the local area." The extensive grading, road cut and fill, tree removal and placement of the South Vine Street alignment in Alternative 2 is not consistent with these objectives. In order for Alternative 2 to be more consistent with Circulation Element, additional design measures could be incorporated such as land-form grading, minimal tree removal and high replacement ratios, breaking up the surface area with a landscape median, and purchase of agricultural conservation easements adjacent to the project area. Nevertheless, Alternative 1 would be more consistent with the Circulation Element.

21-4

The Land Use Element of the county General Plan addresses with policies that are contained in the following documents:

Framework for Planning (Part I of the Land Use Element) identifies the purpose of the Agriculture land use category "to designate areas where agriculture is the primary land use with other land uses in support of agriculture...and to recognize that agricultural activities on a small scale" are appropriate. The purpose of this category is also, "to support conversion of agricultural land within it to other uses only when such conversion would be appropriate or because the continuing agricultural productivity of a specific site is infeasible...considering soil types, topography, water supply, existing parcels sizes and good management practices (Framework, January 1, 2003, p. 6-10)." The Land Use Element contains goals and policies related to the Commercial Service category, including the following General Goal:

14. Designate a pattern of strategically located commercial and/or industrial areas compatible with overall land use that is convenient to patrons, realistically related to market demand and the needs of the community, and near areas designated for residential use (Framework, January 1, 2003, p. 1-3)."

The Salinas River Area Plan (Part 2 of the Land Use Element) is one of 13 area plans and contains more local policies than Framework for Planning. The area is designated for the Agriculture (AG), Residential Rural (RR) and Residential Suburban (RS) land use categories. The following text encourages conserving agricultural resources as a priority policy objective of the area plan:

> "The **Agriculture** land use category designates areas that have existing or potential agricultural production capability. Agriculture has historically been and still is a widespread use of land within the planning area. Agriculture surrounds each urban area, visually separating one community from another. This creates the distinct character that is presently enjoyed by all. The removal of these agricultural lands that buffer these communities with open space would result in a linear city from Santa Margarita to San Miguel, thus losing the individual identity of each community. Agriculture and open space uses should be encouraged, through such incentives as Williamson Act agricultural preserves, as the primary land use (Salinas River Area Plan, January 1, 2003, p. 4-10)."

The policy for rural character between communities is expressed generally in the following section: "This plan recognizes that separation between communities provides each community with the opportunity for developing its own distinctive identity. The physical difference between each community is strengthened by intervening rural land, which can contribute to a unique sense of arrival or departure. The open areas between each town provide rural visual character where densities in the Agriculture, Rural Lands and Residential Rural category are acceptable. Open areas that separate communities, as illustrated in Figure 4-6, should be retained through controls on the amount and location of development. This distinct change in the amount of development at the edge of a town in relation to other towns and the countryside establishes a border to the community (Salinas River Area Plan, January 1, 2003, p. 4-7)."

The **Residential Rural** category adjacent to the north segment in Alternative 2 is designated in recognition of previous subdivisions. Its location adjacent to larger agricultural properties is the basis of a zoning standard that limits new parcel sizes to 10 acres:

"Arbor Road/Highway 46 West. The Highway 46 west area within the planning area is comprised of parcels that are undersized for optimal agriculture, but they are located adjacent to extensive, productive agricultural properties. The area should be limited to its current extent to avoid aggravating conflicts with adjacent agriculture (Salinas River Area Plan, January 1, 2003, p. 4-13)."

Consistency with the Land Use Element: The proposed loss of Commercial Service land on Ramada Drive would be an insignificant reduction of the 72 acres designated within the Templeton urban area and would be consistent with goal no. 14, in terms of meeting market demand. 21-5

It should be noted that new major street alignments, enlargements and intersections typically attract commercial investment. The new routes and intersection for South Vine Street and Theatre Drive are likely to lead to future amendment applications to allow commercial or other urban uses on acreage sites adjacent to them. Such applications would convert agricultural land that would need review as to whether they would be appropriate related to agricultural productivity and potential. Commercial uses would also extend the urban area and eliminate the existing rural uses and open character of properties in the vicinity. 21-6

Alternative 2 would not be consistent with the Land Use Element (LUE) since it would directly convert Agriculture category land that is located outside the Urban Reserve Line and the Sphere of Influence, and no assessment has been made of the feasible agricultural potential of the subject properties. Alternative 2 would generally be consistent with the LUE if it were deemed appropriate in relation to the agricultural capability of the site and the project's potential to minimize conflicts with adjacent agricultural land. However, it would not be appropriate to convert agricultural land where feasible alternatives exist. In this case, Alternative 1 provides a feasible route for South Vine Street outside Agriculture category land. 21-7

Alternative 1 would attract investment interest in urban uses directly adjacent to it, and to convert the Agriculture land north of Highway 46 West. The extent of potential conversion extends from an immediate one-quarter mile area from the intersection, approximately 55 acres, to the full extent of the subject properties, roughly 100 acres, as illustrated in Figure 2. 21-8

21-9

Policies in the Salinas River Area Plan describe the need to support agricultural areas between communities in order to maintain an open rural character and distinct change at the urban edge to strengthen community separation. The proposed project would create an urban arterial street with growth-inducing potential for adjacent development. Both Alternatives would not be consistent with these Land Use Element policies for strengthening community separation, since they would extend urban infrastructure and uses west of the existing well-defined city edge. The proposed intersection is within one-quarter mile of the Templeton Sphere of Influence, which is established for maintaining a rural-appearing buffer between Paso Robles and Templeton. The extension of urban facilities and uses west of the existing City Limits would be a significant inconsistency with the Land Use Element policies for maintaining community separation.

Figure 2 – Adjacent Property
Blue = ¼ mile radius; Green = remaining area

21-10

The Agriculture and Open Space Element includes several policies that address the project alternatives within the Agriculture Element:

> **"Policy AGP18: Location of Improvements**: Locate new buildings, access roads and structures so as to protect agricultural land.
>
> This policy is intended to ensure that new facilities will be sited so that the most productive agricultural land will be kept available for agricultural production (Agriculture and Open Space Element, p. 2-38)."
>
> **"Policy AGP24: Conversion of Agricultural Land:**
>
> Discourage the conversion of agricultural lands to non-agricultural uses through the following actions:
>
> 1. Work in cooperation with the incorporated cities, the County Department of Agriculture…and affected community advisory groups to establish urban service and urban reserve lines…that will protect agricultural land and will stabilize agriculture at the urban fringe.
>
> 4. Avoid locating new public facilities outside urban and village reserve lines unless they serve a rural function or there is no feasible alternative location within the urban…reserve line (Agriculture and Open Space Element, p. 2-50)."

The Open Space Element is summarized in the Visual Impact Assessment on page 3-3 and evaluated with some shortcomings. To address the open space setting adequately, the **Visual Impact Assessment** should include at least a Key View analysis from eastbound traffic toward the proposed intersection (from west of it). Both this and the Key View #3 should use at least a 37-degree driver's angle of vision and 60-degree peripheral angle to illustrate driver views of arrival and departure from the Vine-Theatre Drive intersection. Similarly, wider 90 and 180-degree angles should be used for passenger cones of vision. The Key Views are too narrow to convey the visual setting adequately. 21-11

Consistency with the Agriculture and Open Space Element: The Alternative 2 alignment crosses grazing land with an oak woodland, stream and riparian forest. Extensive grading is associated with the route through steep topography. It would directly convert Agriculture category land, and it would raise investment interest in re-designating Agriculture land for urban uses. Without further analysis, the alternative is not consistent with policies to avoid destabilizing agriculture and the conversion of agricultural land with urban facilities. An analysis of the conversion potential should respond to the guidelines in policy AGP24, pages 2-52 and 53 (attached). A detailed site evaluation should be made to determine if agricultural production is not feasible due to some physical constraint or surrounding incompatible land uses, and that the conversion to non-agricultural uses will not adversely affect existing or potential agricultural production on surrounding land. This analysis should weigh whether there is an over-riding public need for the conversion that outweighs the need to protect the land for long-term agricultural use, such as the orderly expansion of the City. Other factors are to be included in this evaluation (see attachment). 21-12

The project is not consistent with Open Space Plan policies referenced on page 3-3 in the Visual Assessment because it does not address the setting adequately and address the planned rural appearance for community separation stated in the Salinas River Area Plan. Due to the importance of community separation in county policy, these policies concerning preservation of natural resources, wildlife habitat and visual resources should be fully addressed by the project. 21-13

Impacts. The proposed project will cause potentially significant conflicts with County land use policies and to rural and agricultural resources due to its location and growth inducing aspects. 21-14

Mitigation Measures. Significant impacts can be reduced to insignificance by conductin the recommended analyses, and making a determination from those studies. Mitigation measures should be included with both Alternatives 1 and 2 to minimize the conversion of agricultural land near the project and ensure the continuation of agriculture and rural character on adjacent land. Two project mitigation measures should be included as follows: 21-15

A land conservation easement should be purchased as a condition of the eminent domain for the project, within a one-quarter mile radius of the proposed intersection with Highway 46 West and the Alternative 2 extension of South Vine Street. The easement should restrict uses to rural residences, densities and agriculture that are allowed by the current land use categories. Other measures should be taken to retain agricultural land by establishing an agricultural development fund with the properties to adequately capitalize appropriate production agriculture.

A rural-appearing landscape installation should be provided with the project at the proposed intersection and along the South Vine Street extension, to include local native plant species that extend the nearby natural species and spatial patterns. This installation would avoid decorative or formal or regimented patterns, so that the visual effect is a natural-appearing rural planting.

Gateway and Land Use Study. South of Highway 46 West, the proposed project is located adjacent to land within the recently adopted Templeton Community Services District Sphere of Influence. The Sphere of Influence was adopted by the Local Agency Formation Commission last year with conditions that, before annexation, the county and City of El Paso de Robles should identify the long-term land use pattern that would most appropriately implement their general plans within the Highway 46W corridor between Highway 101 and Bethel Road. The county has been anticipating the completion of a Gateways study by the city within this area to inform a discussion of appropriate land use. Associated with this discussion would be whether such facilities as the proposed project are appropriate or how they should be modified with such elements as extensive landscape, streetscape and land conservation actions to avoid urbanizing the corridor. The proposed project poses a challenge to addressing the corridor with the City for these purposes. 21-16

The project design raises some questions about other alternatives. It would assist us in knowing whether a less extensive project alternative was considered that entails the use of wide-radius "hook" ramps at locations away from the interchange, with extended ramp lengths. The ramp concept would form signalized intersections with the frontage roads. Wide radius curves may be feasible with realigned frontage roads, perhaps at less overall cost than the project. It seems that the relocation of these ramps could avoid the need to move the frontage roads and perhaps it would eliminate the need for roundabouts. It appears that much less disturbance to property and impact on adjacent land would occur with this alternative. 21-17

We appreciate the opportunity to comment on the consistency of the project with the county General Plan. Issues with the project concern the conversion of agriculture land from the project and potential development adjacent to it. The project objectives should be broadened to include measures to minimize these potential impacts and increase consistency with the County General Plan. 21-18

Please contact me at 781-5975, or email jlopes@co.slo.ca.us if you have any questions or concerns.

Sincerely,

James Lopes, AICP
Planner III

VIA: Chuck Stevenson, Division Manager, Long Range Planning

C: Supervisor Harry Ovitt
Michelle Olmsted, Public Works
Ron Whisenand, Director, Community Development, City of El Paso de Robles
Ditas Esperanza, Public Works Department, City of El Paso de Robles

Attachment

AGP24: Conversion of Agricultural Land.

a. **Discourage the conversion of agricultural lands to non-agricultural uses through the following actions:**

1. **Work in cooperation with the incorporated cities, service districts, school districts, the County Department of Agriculture, the Agricultural Liaison Board, Farm Bureau, and affected community advisory groups to establish urban service and urban reserve lines and village reserve lines that will protect agricultural land and will stabilize agriculture at the urban fringe.**

2. **Establish clear criteria in this plan and the Land Use Element for changing the designation of land from Agriculture to non-agricultural designations.**

3. **Avoid land redesignation (rezoning) that would create new rural residential development outside the urban and village reserve lines.**

4. **Avoid locating new public facilities outside urban and village reserve lines unless they serve a rural function or there is no feasible alternative location within the urban and village reserve lines.**

Discussion: The purpose of this policy is twofold: to protect agricultural land at the urban fringe by limiting the expansion of urban development; and to discourage urban/suburban sprawl by preventing "leapfrog" development into the agricultural areas of the county.

Agricultural land is often converted to other uses for a variety of reasons, including: urban growth pressures, rising land values and speculation, competition between urban and agricultural uses, the desirability of large-lot rural homesites, subdivision of agricultural properties into parcels too small to sustain agricultural uses, piecemeal LUE amendments to non-agricultural land use categories, and a lack of policies that clearly define under what circumstances agricultural lands should be converted to other uses and land use designations in the general plan. This conversion of agricultural land has the potential to seriously erode the long-term protection of agricultural resources.

Even with the strong Williamson Act program in the county, there has been pressure to convert agricultural lands to other non-agricultural uses. Since adoption of the LUE in 1980, over 3,000 acres of land have been rezoned from the Agriculture category to non-agricultural land use categories in the unincorporated areas of the county.

Statistics from the state Department of Conservation's farmland mapping program show that in the period between 1984 and 1995 (the last year for which statistics are available), there was an overall decrease in agricultural land of about 14,800 acres. There was a net

increase of Prime Farmland due to intensification (primarily irrigated vineyards); however, the net acreage of Farmland of Statewide Importance also declined by 783 acres.

The LUE contains a number of general goals that focus on the environment, distribution of land uses, phasing of urban development, and the provision of public services and facilities. Consistent with those goals, specific criteria should be developed for when it may be appropriate to convert agricultural lands to other uses. The criteria should include, but not necessarily be limited to, the following:

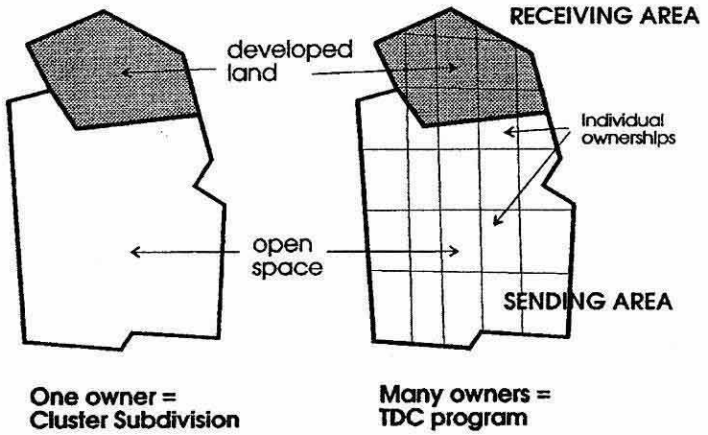
** Do not expand existing urban or village areas until such areas are largely built-out, or until such time as additional land is needed to accommodate necessary uses or services that cannot otherwise be accommodated within the existing urban or village area.

** Urban or village expansion should occur only where contiguous to an existing urban/village reserve line, as shown in the concept diagram in Figure 2-5, or where an entirely new urban or village area is needed in order to direct development away from surrounding agricultural or open space resources.

** Where urban expansion is to occur, it shall be annexed to an incorporated city or an existing community services district/county service area. The annexation shall occur only where the clustered development from rural property is to be located adjacent to the urban area, or when higher density development is to occur and where such development is consistent with resource and service capabilities and orderly extension of urban services.

** Where agricultural land is proposed for conversion to urban/suburban uses, give consideration to the protection of agricultural lands in the following priority order: row crop terrain and soils, specialty crops and forage lands, dry farm lands, and rangelands for grazing.

FIGURE 2-5



** Approve land for conversion from Agriculture to non-agriculture designations based upon a detailed site specific evaluation and consistency with the following findings:

a. the land does not meet the criteria for inclusion in the Agriculture designation in this plan or the Land Use Element; and

b. agricultural production is not feasible due to some physical constraint (such as soil infertility, lack of water resource, disease), or surrounding incompatible land uses; and

c. adjacent lands are already substantially developed with uses that are incompatible with agricultural uses; and

d. the conversion to non-agricultural uses shall not adversely affect existing or potential agricultural production on surrounding lands that will remain designated Agriculture; and

e. there is an over-riding public need for the conversion of the land that outweighs the need to protect the land for long-term agricultural use, such as the orderly expansion of an incorporated city or community.

** Approval of land conversions from agriculture to non-agricultural land uses will include a finding that the conversion will not materially reduce groundwater recharge.

Implementation:

1. In cooperation with the incorporated cities and service districts, consider the criteria described in the above discussion to develop policies and implementation measures that will provide for the protection of agricultural lands as well as appropriate urban expansion.

2. Based on the results from item #1 above, consider proposed amendments to Framework for Planning of the LUE that incorporates those policies and implementation measures into the guidelines for general plan amendments and revise the purpose and character statements for the Agriculture category so they are consistent with those criteria.

   Timeframe: 24 months from plan adoption.

3. The Local Agency Formation Commission (LAFCO), in cooperation with the incorporated cities and service districts, should develop and adopt standards, criteria and procedures consistent with this plan and the LUE to be used in making decisions on proposed annexations and expansions of cities and service districts that may affect agricultural lands.

   Timeframe: LAFCO adoption 18 months from adoption by the county of the criteria specified in item #1 above.

4. Refer proposed general plan amendment requests and proposed annexations and expansions of service districts to the County Department of Agriculture and affected community advisory groups whenever the proposal involves potential conversion of agricultural lands.

   Timeframe: Ongoing.

Policies regarding the protection of open space resources on agricultural lands.

As noted in Chapter 1, this element seeks to equally address and balance agricultural and open space issues. This chapter, the Agriculture Element, has its primary focus on the agricultural resources of the county. However, it is recognized that productive agricultural lands can also contain valuable open space resources such as unique or sensitive habitat for plants and animals, wetlands, riparian vegetation, or scenic lands that are so important to defining the character of San

Luis Obispo County. Therefore, the following policies and implementation measures address the protection of open space resources on private lands designated (zoned) Agriculture in the LUE and in this element, as well as lands in other designations being used for production agriculture.

Many of these open space topics are also addressed in Chapter 3: The Open Space Element, where the focus is on the treatment of those resources on public lands and private non-agricultural lands. Therefore, the reader may also wish to review that chapter for additional background information and discussion.

To the maximum extent possible, the following policies, implementation measures and programs try to balance protection of open space resources and the needs of production agriculture, and minimize the impacts to ongoing production agriculture. It is the intent to **not** require permits for agriculturally-related projects that are currently exempt, and to **keep** the required level of permit processing for non-exempt projects at the lowest possible level consistent with the protection of agricultural resources and sensitive habitats. The policies and recommended implementation measures apply to discretionary land use permits for new development (see Glossary for definition of development) and proposed land divisions.

AGP25: Unique or Sensitive Habitat.

a. Encourage private landowners to protect and preserve unique or sensitive habitat.

b. For new development requiring a discretionary permit and for proposed land divisions, protect unique or sensitive habitat affected by the proposal through the following measures:

1. Site the proposed development so as to avoid significant impacts on the habitat or significant impacts on the agricultural operations. Provide for adjustments in project design where alternatives are infeasible, more environmentally damaging, or have a significant negative impact on agriculture.

2. When significant impacts are identified, the landowner shall implement county-approved mitigation measures consistent with the existing requirements of CEQA.

Discussion: Consistent with the existing requirements of CEQA, the environmental review of discretionary permits on lands containing both agricultural and open space resources should make every effort to balance the mitigation of potential impacts on the open space resources with the needs of the agricultural operation so that both resources are equally protected. Early consultation with applicants can help define how the potential mitigation measures might affect the agricultural operation. In those instances where significant

Response to Comment 21-1:

Please note that, at the beginning of the public review process on May 23, 2008, multiple copies of the document were sent to the County, one each for: the Supervisor of District 1, the Planning Director, the Public Works Director and the Office of Emergency Services offices. These copies were sent, in addition to County staff (Supervisor Ovitt, David Flynn, Frank Honeycutt) attending the Project Development Team meetings leading up to the public review process and reviewing the draft project information/report copies prior to the public review. The environmental document was also submitted to the Governor's Office of Planning and Research and posted on May 23, 2008.

The stated information for Build Alternative 1 and Build Alternative 2 is consistent with the proposed plan and environmental analysis. Build Alternative 1 improvements are entirely contained within City limits, and Alternative 2 differs in that a portion of the realigned South Vine Street overlaps the southeast corner of the County area zoned for agricultural use in the vicinity of the ravine at that corner (see Figure 2.1-1 in this document and Figure 1 of the comments).

Response to Comment 21-2:

The stated information as provided in the comment regarding the Circulation Element is consistent with the information and goals used in preparation of the proposed project design and environmental analysis.

Response to Comment 21-3:

We agree that both build alternatives are consistent with the Circulation Element. Both alternatives are designed to "reinforce federal, state, regional and local agency goals …preserve important natural resources …promote aesthetic quality, minimize environmental changes… minimize the amount of paved surfaces…and retain the open visual character of the local area." Furthermore, the final project design would be coordinated with the County to address, to the extent practicable, the goals and objectives of the Circulation Element.

The alignment of South Vine Street in Build Alternative 2 was specifically designed for a 25-mile-per-hour design speed to follow the natural terrain to minimize grading and laid out to minimize tree impacts. The Build Alternative 2 bridge spans the ravine without intermediate supports, specifically to avoid grading impacts within the ravine. While Build Alternative 1 includes less paved area since it does not realign South Vine Street to the extent in Build Alternative 2, it requires greater fill of the existing ravine and a greater extension of the box culvert from under the interchange to collect flow from the ravine. Build Alternative 2

provides greater reduction in congestion and delay, thereby resulting in energy conservation and greenhouse gas reduction. See Section 2.5 Climate Change under the California Environmental Quality Act of this document.

With regard to circulation, Build Alternative 1 requires the connection of Vine Street to State Route 46 West for the continuation of the frontage road system; Build Alternative 2 proposes a continuous frontage road that crosses the state route, but does not require local traffic to use the state route as a portion of the frontage road (see response to comment 14-1 for greater discussion of American Association of State Highway Transportation Officials classifications and system hierarchy). Both build alternatives have considered the goals and objectives of the Circulation Element.

Response to Comment 21-4:

Thank you for the reference information as it relates to the Land Use Element of the County's General Plan; this plan and the associated Land Use Element were evaluated as part of the analysis performed for the proposed project. As stated in Section 2.1.1.2 Consistency with State, Regional, and Local Plans of the environmental document, the Salinas River Inland Area Plan of the County's General Plan was reviewed and, as detailed in Chapter 22.06.030, Title 22 of the County's Land Use Ordinance, uses that are not explicitly identified as allowable uses within a General Plan land use designation may be granted approval subject to the review of the County's Director of Planning and Building. Highway and roadway projects, such as the proposed project, are not identified as an allowed use within the Agriculture land use designation; however, public works projects proposed by the County are exempt from land use permit requirements and allowance restrictions. The County has closely coordinated with the City, Caltrans, and the San Luis Obispo Council of Governments, regarding this proposed project (refer to Appendix I).

Furthermore, as also stated in this section of the environmental document, the proposed project is consistent with the Circulation Element of the County's General Plan because the Circulation Element identifies the importance of maintaining the mobility of the traveling public, particularly as it relates to US 101 and State Route 46 West. Moreover, the County's Circulation Element identifies the need for improvements to the US 101 corridor in accordance with the findings and recommendations in San Luis Obispo Council of Government's major investment study. The proposed project is identified in Segment 4 of San Luis Obispo Council of Governments' US Route 101 North County Corridor Study dated September 8, 1999, and the San Luis Obispo Council of Governments' 2005 Regional Transportation Plan.

Response to Comment 21-5:

Thank you for your comment. It is agreed that this project does not have a substantial impact on the 72 acres of commercial service land use area as stated in the comment.

Response to Comment 21-6:

The proposed project proposes to realign existing frontage roads and intersections within a mostly commercial/industrial zoned or developed area rather than create new roads. The project also addresses congestion reduction rather than capacity increase as new through lane capacity is not proposed for state facilities or the South Vine Street frontage road realignment.

Assumptions regarding potential attraction of commercial investment by new roads and intersections must also consider the facts that existing frontage roads are proposed to be realigned within the immediate vicinity of an existing already developed interchange area, and that the realigned frontage roads and the relocated intersections have limited access potential due to topographic and existing access control requirements. Access controls and topographic constraints are shown on the plan concepts for both build alternatives in Figures 1.3-1 and 1.3-2 of this document.

As previously stated by this comment set, the alternatives only differ materially in the level of realignment of the South Vine Street frontage road. The plan concepts show both alternatives connect to Vine Street on the north side of the interchange approximately 600 feet north of the current Vine Street/State Route 46 West intersection. In Build Alternative 1, South Vine Street is reconstructed a distance of approximately 500 feet to connect to a roundabout on the west side of the interchange. In Build Alternative 2, South Vine Street is reconstructed a distance of approximately 1,800 feet to reconnect to State Route 46 West. Because 600 feet of existing South Vine Street pavement area is eliminated by either alignment, this means that Build Alternative 1 actually reduces the length of South Vine Street by approximately 100 feet and Build Alternative 2 increases the length by approximately 1,200 feet.

As shown in Figure 2.1-1 Existing and Planned Land Use of this document, all of the Alternative 1 South Vine Street alignment and approximately 800 feet of the Alternative 2 South Vine Street alignment is within an area currently zoned for commercial use. This negates the concern for potential land use zone amendment applications for those frontage portions of the realignments.

Figures 1.3-1 and 1.3-2 in this document show embankment, steep slope and access control areas of the proposed South Vine Street realignments for Alternatives 1 and 2 respectively. Figure 1.3-2 also shows steep slope and embankments approaching the South Vine Street bridge at either end of the ravine crossing. As shown, State Route 46 West has access control along its frontage, and neither realignment creates new access, rather a shifting of the existing limited access.

Build Alternative 2 contains approximately 1,000 feet of realignment within County parcels zoned for Agricultural use. Access to the first 400 feet (+/-) of South Vine Street immediately north of State Route 46 West is not feasible due to the bridge crossing at the ravine as well as the steep embankments and terrain along this area. This leaves approximately 600 feet of the Alternative 2 South Vine Street realignment crossing agricultural land. The contours on the Attachment D Concept Plan show that the realigned frontage road follows the natural contours to become frontage to the slope toward the ravine.

In the County area on the agricultural parcel to the north of the ravine, the area between the South Vine Street realignment and the ravine is currently not in production, shows signs of sporadic grazing activity, and the area is to be purchased in anticipation of use for oak tree mitigation planting.

As also noted in these figures, points of access to Vine Street and to State Route 46 West from the large and small parcels within the County's Agriculture zone near the proposed project area already exist. Only a short 600-foot length of potential access frontage on a large agricultural parcel is possible and, due to the terrain, the proposed roadway does not affect any existing agricultural production on that parcel. The topography and alignments shown in these figures as well as a review of the underlying land use zones show that both build alternatives are compatible with the primary land use zoning.

For the proposed Theatre Drive realignment, the land use is either already developed or already zoned commercial as shown in Figure 2.1-1 of this document. The proposed Theatre Drive realignment does not create new commercial land use zones and is entirely within the incorporated limits of the City of Paso Robles in a commercially zoned area.

The proposed project is a transportation operational improvement in an existing interchange area. As such, it would not change the existing character of the area. As the comment notes, any potential future development in the Agriculture zoning district would be subject to site and independent-proposed project-specific evaluations that would require consideration and approval by the County on a project-by-project basis. Due to the discussed access and topographic constraints as well as the existing land use designations, the project would not

substantially contribute to development land use amendments and increased development applications.

Response to Comment 21-7:

The existing frontage road system supports agricultural land use throughout the County, and the realignment would not induce additional pressure to develop along the frontage per discussion in response to comment 21-6. See Section 2.1.1.2 Consistency with State Regional, and Local Plans and Section 2.1.3 Farmlands for discussion of agricultural uses and considerations for the parcels adjacent to the interchange. As stated in these sections, the areas affected by the proposed project are not being actively used for agricultural purposes, and none of the lands in the project area is under a Williamson Act contract.

Build Alternative 2 includes the Vine Street realignment in an area that is designated Agriculture per the County's General Plan. However, as further detailed in Section 2.1.1.1 Existing and Future Land Use of this document and Section 22.06.040, Title 22 of the County's Land Use Ordinance, public works projects such as the proposed project are exempt from land use permit requirements and allowance restrictions under the County's Land Use Ordinance.

A Farmland Conversion Impact Rating Form was also submitted to the Natural Resources Conservation Service and attached as Appendix E of this document. According to the Farmland Protection Policy Act, additional project alternatives or sites must be taken into consideration if the Farmland Conversion Impact Rating Form exceeds 160 points out of 260 points. The project's Farmland Conversion Impact Rating totaled 101 points for Build Alternative 1 and 120 points for Build Alternative 2; both alternatives are within the stated criteria.

The proposed public road realignment of Build Alternative 2 is compatible with overall land use goals as stated in the cited General Goal and allowed by County and other agency regulations.

Response to Comment 21-8:

We respectfully disagree with the conclusion that Build Alternative 1 would cause an increased attraction of urban land use or directly convert underlying land use zoning. According to the City of Paso Robles' General Plan Salinas River Planning Area, the project area within the City of Paso Robles north of State Route 46 West is designated as Commercial with small portions designated as Residential within the City of Paso Robles boundaries. As stated in Section 2.1.3 Farmlands of this document, the areas affected by the

proposed project are not being actively used for agricultural purposes. None of the lands in the project area is under a Williamson Act contract. Only local agency action can give permits to allow for conversion of zoning. Please also see responses to comments 21-6 and 21-7.

Response to Comment 21-9:

As recognized by the County, the proposed project is outside of and does not encroach upon the edge of the Templeton Sphere of Influence "which is established for maintaining a rural-appearing buffer between Paso Robles and Templeton." Therefore, since the proposed project does not encroach on the buffer, it does not create inconsistencies with the policies for community separation.

We respectfully disagree with the statement "both alternatives would not be consistent with these Land Use Element policies for strengthening community separation, since they would extend urban infrastructure and uses west…" When looking at the policies of the Salinas River Area Plan more holistically, both alternatives are consistent with the Salinas River Area Plan goals for the area of: (1) providing for greater accessibility and the most responsive level of services, consistent with each community's willingness and ability to provide necessary resources; (2) providing for local circulation that supports transportation needs in the north county; (3) capitalizing on the significant transportation facilities already in place, including Highways 101, 46, and 41, the railroad and the Paso Robles Airport; and (4) developing an infrastructure plan for the Salinas River planning area that identifies the current cumulative demands on area resources and service, projects how those demands can be expected to grow over the life of this plan (Salinas River Area Plan), and sets forth strategies needed to provide the tools necessary to accomplish the tasks and maintain these resources and services.

Response to Comment 21-10:

Thank you for providing a summary of some of the policies related to Agriculture and Open Space Element of the County General Plan. The stated information as provided in the comment regarding Agriculture and Open Space is consistent with the information and goals used in preparation of the proposed project design and environmental analysis.

Response to Comment 21-11:

Key view selection considered roadway geometry and viewshed visibility based on tree screening, cut slopes, and the actual location of proposed improvements that appear not to be readily considered in this comment. Please see responses to comments 1-5 and 7-1.

Response to Comment 21-12:

Please refer to responses to comments 21-3, 21-4, 21-6, 21-7 and 21-9.

Response to Comment 21-13:

Please refer to responses to comments 21-9 and 21-11.

Response to Comment 21-14:

Please refer to responses to comments 21-4 through 21-9.

Response to Comment 21-15:

The project does not include substantial impacts based on the environmental assessment, technical studies. The two proposed mitigation measures are not appropriate due to the lack of impacts and compatibility of the project with the existing land use and planning goals of the agencies. This comment assumes growth caused by the project must be mitigated by the project. Please refer to responses to comments 21-4 through 21-9 and Section 2.1.2 Growth of this document.

It is important to note that the project, as proposed in pertinent sections of the draft environmental document, includes mitigation measures to minimize the conversion of the rural character. These include, among others, replanting of affected oak trees at a 10:1 ratio (a ratio well above that prescribed under other local ordinances). See response to comment 7-2.

As stated in the Section 2.1.3 Farmlands, the loss of approximately 3.5 acres of Prime and Unique Farmland and 1.35 acres of Farmland of Local Importance is 0.0016 percent of the total existing farmlands within the County's planning area. This level of impact would not constitute a substantial nexus that would require a mitigation fee, and the proposed development of an agricultural development fund is therefore considered infeasible and an excessive mitigation potential.

Response to Comment 21-16:

The Gateway Study is not part of this project; however, the City finalized this study on August 11, 2008 and posted it on its web site. The City has taken the study into consideration when analyzing this project.

As discussed in Section 1.1 Introduction and Chapter 3 Comments and Coordination of this document, this project has extensive coordination history between the City, the County and regional agencies.

The need for this interchange improvement project was identified in 1997 by Caltrans, the County of San Luis Obispo, the San Luis Obispo Council of Governments, and the City of Paso Robles. The July 2006 Value Analysis Study also documents ongoing multiple agency coordination for this project, including involvement by San Luis Obispo County, Caltrans, San Luis Obispo Council of Governments, and the City of Paso Robles representatives. See the landscaping discussions on oak trees in response to comment 7-2 and landscape concepts in response to comment 1-5.

Response to Comment 21-17:

The suggested alternatives in the comment were reviewed and rejected as a part of the project development analysis. A discussion of the alternatives considered and rejected during the project design was included in Section 1.3.4 of the draft environmental document. Dozens of alternatives have been considered during the course of this project's development, including hook ramps as the comment suggests. The Caltrans Highway Design Manual advisory design standard 502.2 states that hook ramps should be avoided. For this and other reasons, including system hierarchy as discussed in response to comment 14-1, it was determined that various hook ramp alternatives did not meet the purpose and need of the project, and they were removed from further consideration.

In addition to involvement with the PDT, the County was a key participant in the two-day Value Analysis (VA) Study workshop conducted to assess viable concepts and determine appropriate project alternatives for further analysis as part of the environmental and engineering studies. The VA Study was conducted March 15-16 of 2006 with the final report dated July 2006.

Response to Comment 21-18:

Thank you for your interest and participation with this project as well as for your time to review and provide comments.