

**MidCoast Community
Council
PO Box 64
Moss Beach, CA
94038**

Memo

To: Laura Thompson
From: MidCoast Community Council
Date: 12/1/98
Re: Referral of Planning Permit Application: CDP98-0075, X-Ref. File No. ENV98-0288
Property Owner: Caltrans
Project Location: Highway 1, El Granada, Montara
Project Description: Traffic and drainage improvements

Request for Environmental Impact Report

The Midcoast Community Council and the Planning and Zoning Committee both voted in support of the following:

- the subject projects require the preparation of an Initial Study to determine the appropriate level of environmental review
- the EIR process should meet the requirements of any other project covered by CEQA, the Coastal Act, and the LCP
- this would include at a minimum an Initial Study and Environmental checklist, followed by a focused EIR or a complete EIR. Either EIR should address the cumulative impact of any project that contributes to implementation of the Route 1 buildout plan.

Although we are aware that it is unusual for an EIR to be done for a traffic light our decision and vote was based on the following:

The purpose of an environmental impact report is to identify the significant effects on the environment of a project, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided.

Comprehensive Regional Highway Plan for Route 1

Consider the following excerpts taken from the Coastside Subregional Planning Project, sponsored by The Association of Bay Area Governments (September 1998), pg. 15, Issue1: Mobility:

Between 1995 and 1996 San Mateo County experienced a 125% increase in congestion, a rate more than double any other county in the Bay Area. According to the 1995 San Mateo County Congestion Management Plan, the subregion currently suffers from some of the worst peak-hour congestion in the County. More recent data in the June 1997 San Mateo County Transportation Plan (CTP): Alternatives Report indicates that by 2010 Highway 1 and 92 will operate at the

lowest level of service (LOS F) during peak commute times and that the maximum foreseeable public investments in highway and transit improvements will not be able to prevent congestion from getting even worse.

In light of the above information, it is obvious that any project that has an effect on traffic on SR1 has the potential for major impacts on coastal mobility. This is a highway system. It is not just one intersection. Highway 1 is the only primary roadway linking all Coastside communities. Regional planning, based on current data (*Caltrans's background study for these two intersections is outdated, having been done in 1992), is required, incorporating the plans of not only the Midcoast, but also Pacifica and Half Moon Bay. It is reported that Half Moon Bay has planned 11-16 stoplights on Route 1. These impacts must be accounted for. Therefore, an EIR for this project and all subsequent projects would prevent "piecemealing".

We must know what SR1 will look like on the Midcoast with another 3000-5000 cars added to the peak commute hours (build-out) – then we can evaluate the traffic light in its proper context. Without a comprehensive buildout plan for Route1 in the urban area, there is no other basis by which to evaluate the merits of what has been proposed relative to other alternatives, including the no project alternative.

Without a comprehensive plan how can Caltrans be adhering to our Local Coastal Plan? See Public Works Component of the Local Coastal Program Policies, 1998 Update see Public Works Components pg. 2.2, Capacity Limits: *Limit development or expansion of public works facilities to a capacity which does not exceed that needed to serve buildout of the Local Coastal Program.*

***LCP – Ordinance Conformity**

It appears that Caltrans is not adhering to the LCP, in light of their outdated data. See Public Works Component of the Local Coastal Program Policies, 1998 Update Pg. 2.2, section 2.4, Ordinance Conformity

As a condition of permit approval, special districts, public utilities and other government agencies shall conform to the County's zoning ordinance and the policies of the Local Coastal Program. Section 2.5 Review of Public Works Projects

- a. Require implementation in the coastal Zone of Sections 65401, 65402 and 65403 of the Government Code which require all governmental bodies, including special districts, to submit to the Planning Agency a list of the proposed public works recommended for planning or construction during the ensuing fiscal year. Require that the Planning commission review these lists for conformance with the Local Coastal Program.
- b. Require that each governmental body in the Coastal zone, including special districts and State agencies, prepare five- (5) year Capital Improvement Programs as allowed by Section 65403 of the Government Code. Require that the Planning Commission review these Capital Improvement Programs for conformance with the Local Coastal Program

Project Application Is Inappropriate

There are two separate projects being considered in a single permit application, see project description: In El Granada, at Coronado Ave., install traffic signal and construct left and right turn lanes. In Montara, at 10th St., construct left and right turn lanes and construct minor modifications to 9th St. These projects are not related in any way-- each has their own separate issues to be addressed. Each project needs to be considered individually while requiring its own permit application.

Alternatives Examined

Alternative projects need to be examined, by trained traffic engineers. The Council has requested this of Caltrans several times. Their response has been to have members of the community mail in their ideas. An EIR would allow alternatives to be thoroughly studied.

A simple example to point out the importance of examining all alternatives: The Caltrans right-of-way is important property for solutions to some of our present and future transportation challenges. Thinking about a future transportation system for the urban and rural areas of the San Mateo County Coastside, the right-of-way is wide enough to consider facilities parallel to the two-lane highway but separated from it for such things as shuttle/school buses and bicycle paths in the urban/HMB corridor, and, on the South Coast, the California Coastal Trail where it cannot go along the ocean because private property on the west side of 1 goes all the way to an impassable rocky shoreline.

Two-Lane Scenic Corridor

There is the issue of Route 1 being maintained as a two-lane scenic corridor. See Section 30243 of the California Coastal Act- Public Works Facilities:

New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

Funding

There are several questions to be answered regarding funding of this project. See attached letter to Thomas Casey, October 30, 1998, from the Midcoast Community Council.

Notes Regarding Environmental Information and Hazardous Waste Site Disclosure Form – “Environmental Information” check boxes:

f. Affect or be affected by a natural drainage channel or floodplain?

Should be checked yes

g. Affect the amount or pattern of pedestrian or vehicular traffic?

Should be checked yes

j. Create an obvious change in the existing or surrounding land use?

Should be checked yes

k. Increase development pressures in the vicinity or encourage changes in the use of nearby properties?

Should be checked yes

There are several crucial environmental impacts that require in-depth analysis:

What effect will this project have on wetlands? See Section 30233 of the California Coastal Act: (a) the diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following.... (5) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

It is noted there will be modifications to existing drainage systems and involves discharge into surface waters or storm drains. What impact will this have on wetland drainage? What other state agencies should be involved in commenting on this project? I.e. CA Waste Mgmt Bd., CA EPA, Water Quality etc. An EIR would insure that all proper state agencies could comment on this project.

What type of digging and excavation will this require on environmentally sensitive coastal lands? It is noted that the project will require major earth moving with grading over two feet in depth or height, on a 20% slope or greater with 7200 cubic yards of earth.

The Council is confused as to what exactly is being proposed for 10th St. in Montara. We request that a map be provided for this site.

Attached Letter Re: Funding

Midcoast Community Council
P.O. Box 64
Moss Beach, CA 94038
(650) 728-2129 (voice and fax)
www.montara.com (WEB Page)

Serving 12,000 residents

30 October 1998

Thomas F. Casey, III, County Counsel
Hall of Justice and Records - Third Floor
401 Marshall Street
Redwood City, CA 94063

Re: Status of Proposed Intersection Improvement at Coronado Street and State
Route 1

Dear Mr. Casey:

The Mirada Surf Draft Environmental Impact Report ("Draft EIR") depends heavily on the proposed CalTrans intersection improvement at Coronado Street and State Route 1 ("proposed Highway 1 project") as mitigation for the traffic impacts of this proposed project. In the Draft EIR, the proposed Highway 1 project is described as planned and funded. To the best of our knowledge, no Coastal Development Permit ("CDP") or Coastal Development Exemption has been obtained by CalTrans for the proposed Highway 1 project.

1. State CEQA guidelines prohibit a categorical exemption for a project "which may result in damage to scenic resources."¹ The Guidelines then go on to state, "this does not apply to improvements which are required as mitigation for a project for which a negative declaration or EIR has previously been adopted or certified." Would the effect of certification of a Final EIR for the proposed Mirada Surf project by the San Mateo County Board of Supervisors, based on the existing discussion and text in the Draft EIR, essentially constitute a grant of a Coastal Development Exemption for the proposed Highway 1 project?
2. If the answer to the immediately preceding question is "Yes," what public notice is required that the County is, in effect, considering granting a Coastal Development Exemption so that

the public may exercise its rights under the Ralph M. Brown Act to testify before the decision making body? When has such required notice, if any, been given?

3. State CEQA guidelines further prohibit a categorical exemption for a project “which may cause a substantial adverse change in the significance of a historical resource.”² What is the procedure for making this determination, if not as part of an Environmental Impact Report or Coastal Development Permit? How may the public participate in presenting evidence regarding the potential adverse impact on historical resources of the proposed projects (both the Highway 1 and Mirada Surf projects) if certification of the Mirada Surf EIR effectively precludes the requirement for review of the proposed Highway 1 project?
4. It is our understanding that, under State law, a body such as the Board of Supervisors cannot require an “exaction” as a condition of approval to pay for an existing improvement that serves a development. Is there such a general principal, and can you provide a reference to the appropriate sections of the relevant state codes where we could research this issue further?
5. If there is such a prohibition, at what point in the preliminary discussion of a project, consideration of alternatives, search for funding, securing of necessary permits and approvals, actual construction, etc., does a development proposal become protected from participating in the funding of the improvement? In other words, if there has been talk of improving an intersection, but nothing is yet built, can a condition of approval for a proposed project require payment of the funds necessary to build the intersection improvement on which the project depends for mitigation? How much must things have progressed beyond talk towards construction before the costs can no longer be extracted from the development through conditions of approval? Has the proposed Highway 1 project reached this point? What dates are used in making such a determination, e.g., date an application is filed, date an application is approved, etc.?

Thank you for your attention to these questions of concern to our community.

Sincerely,

David Spiselman
Chair, Midcoast Community Council

Cc:
San Mateo County Supervisor Richard Gordon
Coastal Commission
San Mateo County Planning Commission