

14th District Agricultural Association, Santa Cruz County Fair
Negative Declaration / Initial Study
STATE CLEARINGHOUSE NUMBER 2011072042

Summary of Public Comments and Responses
December 27, 2012

I. INTRODUCTION

In July 2011, an Initial Study was prepared for the proposed Farmers Market project in accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines, and did not identify any significant impacts. A Negative Declaration was prepared and circulated with the Initial Study (ND/IS) for a 30-day public review period between July 20 and August 18, 2011, and subsequently extended for a 30-day period on three occasions, with the public review period ending on November 18, 2011. The Fairgrounds Board of Directors did not take action on the Negative Declaration or project.

The Initial Study was revised in November 2012 to reflect some changes in the project, including a shift in location and including live music performances only within the existing Harvest Building, as well as to reflect updated noise and traffic assessments. No significant impacts were identified. Although, the Revised Initial study did not result in any conditions to “recirculate” pursuant to the State CEQA Guidelines (as discussed in the Initial Study), the Fairgrounds elected to recirculate the document for public review due to public interest in the project.

A Revised Initial Study and Negative Declaration were prepared in November 2012 and circulated for a 30-day public review period from November 19 through December 17, 2012. No public agencies submitted comments, except for the California State Clearinghouse to indicate that the Fair had complied with the State’s environmental review process and that no state agencies submitted comments.

Three individuals emailed comments, which are attached at the end of this document. The comments raise concerns regarding traffic, noise impacts, and minor typographical errors. The California State CEQA Guidelines (section 15074) do not require preparation of written responses to comments on a Negative Declaration, but require the decision-making body of the lead agency to consider the Negative Declaration together with any comments received during the public review process. However, the comments are summarized below, and responses are provided where relevant regarding environmental issues.

It is noted that sections 15204(b) and (c) of the State CEQA Guidelines provide standards for review of negative declarations as follows:

- (b) In reviewing negative declarations, persons and public agencies should focus on the proposed finding that the project will not have a significant effect on the environment. If persons and public agencies believe that the project may have a significant effect, they should:
 - (1) Identify the specific effect,
 - (2) Explain why they believe the effect would occur, and
 - (3) Explain why they believe the effect would be significant.
- (c) Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

II. SUMMARY OF COMMENTS & RESPONSES

1. **Noise.** One commenter suggests several measures to be included in the Project Description, as mitigation and/or in the contract agreement. Based on the analysis in the Initial Study, no significant impacts were identified that warrant “mitigation measures” under the definitions in CEQA, which are required when significant impacts are identified. Some of the recommended measures are either part of the project or required by Fairgrounds policy (i.e., having live musical performances only within the existing Harvest Building and adherence to indoor noise levels). Other suggestions include keeping the Harvest Building doors closed during live band performances and not allowing other amplified sound. The Initial Study does recommend that during music performance, doors on the south side of the building (away from nearby residences) should be used for public access whenever possible, and that the doors not be propped open while music is playing. This recommendation is included in the Agreement conditions (Attachment B of the Agreement). The Agreement also addresses public address systems.
2. **Traffic.** One commenter expressed concern regarding traffic at the Holohan-College Road/Highway 152-East Lake intersection and lack of turn lanes. The traffic analysis was based on traffic volumes taken at the intersection in 2011 on a day when two simultaneous activities were taking place at the Fairgrounds. As indicated in the Initial Study, events held at the Fairgrounds typically do not have the same peak hour for traffic. Traffic associated with the proposed project will affect the intersection of East Lake Avenue and Holohan Road. However, the operation of this intersection during weekends will be better than currently experienced during weekday peak periods. The intersection operates at a level of service D, and will not worsen with the addition of project traffic.

As discussed in the Initial Study, the County has taken the lead in a County-State project to improve this intersection that consists of a widening and signal improvements. This will allow more room for stacking and will also allow a change in the operation of the signal that

will reduce delays considerably. As indicated in the Initial Study, the project primarily involves widening the Holohan Road approach to the intersection and modifying the signal design accordingly. The weekday PM peak hour LOS would improve to C with planned improvements at the intersection that include operational and geometric improvements, including additional lanes. The project is currently programmed in fiscal year 2013/14. To maintain the State funding available for the project the project should go to bid during that fiscal year.

3. **Other Comments.** Two minor typographical errors were noted, and are hereby corrected.

III. COMMENT LETTERS

The following public comments are included in the following pages:

1. California State Clearinghouse
2. Max Kelley
3. Jeff Rosendale
4. Bruce Oneto