



**COUNTY OF MONTEREY
HOUSING & COMMUNITY DEVELOPMENT**
1441 SCHILLING PL SOUTH, 2nd FLOOR
SALINAS, CALIFORNIA 93901

NOTICE OF DETERMINATION

TO: State of California
Office of Planning and Research
1400 10th St
Sacramento CA 95814

FROM: Public Agency: County of Monterey
Housing & Community Development
Address: 1441 Schilling Place South 2nd Floor
Salinas, CA 93901
Contact: Mary Israel
Phone: (831) 755-5183

TO: County Clerk
County of Monterey
168 West Alisal St 1st Floor
Salinas, CA 93901

Lead Agency (if different from above):
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 1995083033

Project Title: One Carmel [September Ranch Partners (Carmel Reserve LLC)] PLN110173-AMD1

Project Applicant: One Carmel


Project Location (include County): 2.5 miles east of Highway 1 on the north side of Carmel Valley Road, between Canada Way & Valley Greens Drive, Carmel Valley (County of Monterey)

Project Description: Amend September Ranch Combined Development Permit [Board of Supervisors' Resolution No. 10-312 (PLN110173/PLN050001)] Condition of Approval Nos. 40, 78, 97, 107, 108, 109, 120 (non-mitigation measure conditions), and 157, 158 (transportation and circulation mitigation measures) and adding three new conditions of approval to a) modify the subdivision's water treatment location and b) allow two-way channelization at the entrance intersection; of the existing landscaping with drought-tolerant landscaping.

This is to advise that the County of Monterey Board of Supervisors has approved the above
(Lead Agency or Responsible Agency)
described project on March 28, 2023 and has made the following determinations regarding the above described project.
(date)

1. The project may have a significant effect on the environment.
2. An Addendum to an Environmental Impact Report was prepared for this project pursuant to the provision of CEQA.
3. Mitigation measures [were were not] amended in the conditions of approval of the project.
4. A mitigation reporting or monitoring plan [was was not] adopted for this project.
5. A Statement of Overriding Considerations [was was not] adopted for this project.
6. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the Final EIR with comments (November 9, 2010), Addendum dated March 28, 2023 and record of project approval, is available to the General Public at: Monterey County Housing and Community Development, 1441 Schilling Place, South 2nd Floor, Salinas, CA 93901

Signature (Public Agency):  Title: Senior Planner

Date: April 19, 2023 Date Received for filing at OPR _____

The County of Monterey Board of Supervisors certified the Final Revised Environmental Impact Report (REIR) on December 12, 2006. The California Department of Fish and Wildlife fee for filing the Notice of Determination was paid on December 14, 2006 (Receipt #284731)

The County of Monterey Board of Supervisors certified the Final Environmental Impact Report as supplemented by the Final Revised Water Demand Analysis on November 9, 2010. A subsequent Notice of Determination was filed for that action on November 10, 2010. The California Department of Fish and Wildlife fee for filing the Notice of Determination was previously paid on December 14, 2006 (Receipt #284731)

EXHIBIT B

Addendum Pursuant to the California Environmental Quality Act ARTICLE 11 Section 15164

ONE Carmel (September Ranch) Planning File No. PLN110173-AMD1 Subdivision Project Combined Development Permit

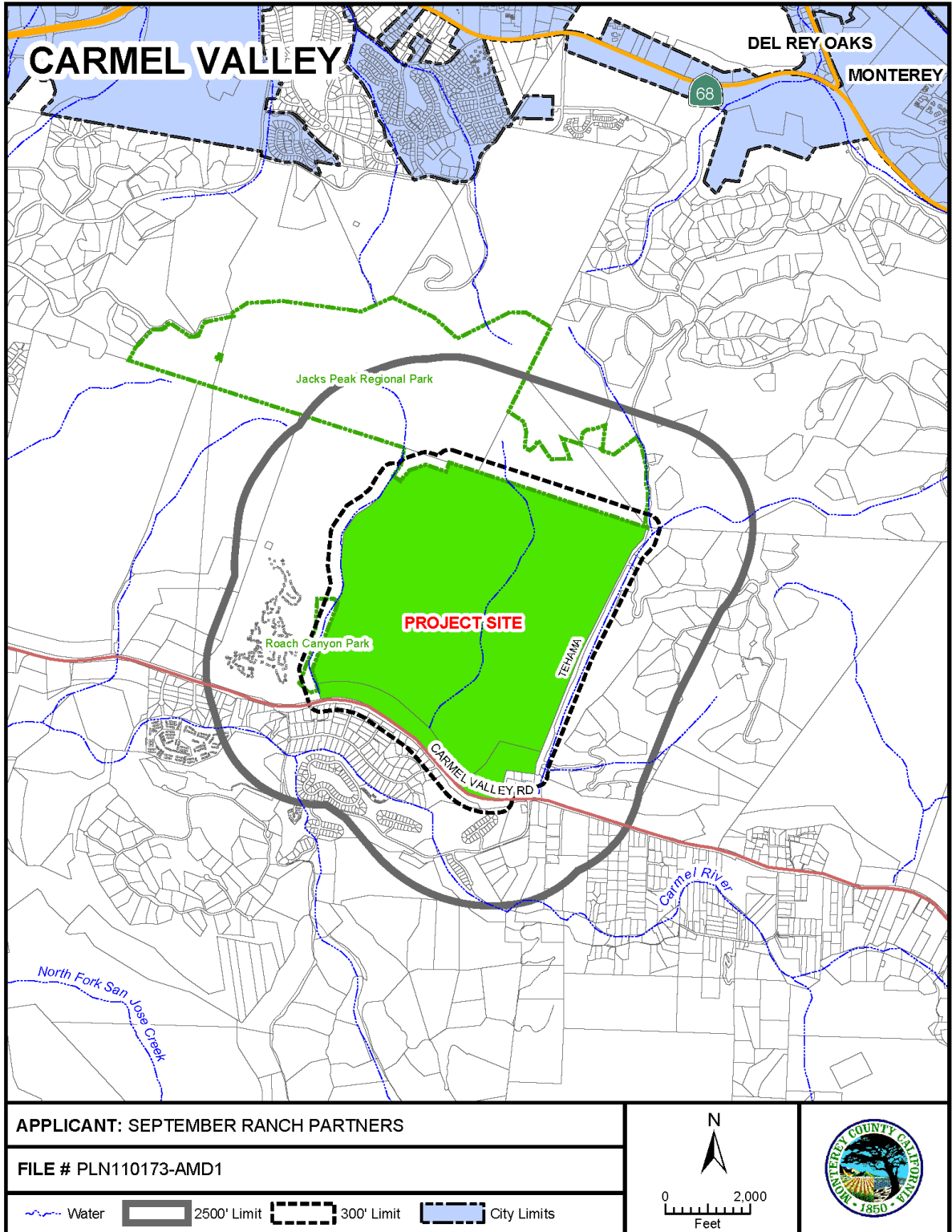
Introduction

On November 9, 2010, the Board of Supervisors certified a Final Revised Environmental Impact Report (Final REIR) for the September Ranch Subdivision Project (Project) (EIR SCH# 1995083033, Resolution No. 10-312) and adopted a Mitigation Monitoring and Reporting Plan. As part of the entitlements, the Board approved a Combined Development Permit Extension request of four years to a Combined Development Permit (PLN050001) consisting of: 1) a Vesting Tentative Map for the subdivision of 891 acres into 73 market-rate residential lots and 22 affordable housing lots (15 inclusionary and 7 deed-restricted workforce housing lots) for a total of 95 residential lots; a 20.2 acre existing equestrian facility and accessory structures related to that use (Parcel E); 300.5 acres of common open space (Parcels A & C); 242.9 acres of public open space for donation/dedication (Parcel D); 250.7 acres of private open space (conservation and scenic easement) on each lot outside of the building envelope; 6.9 acres of open space reserved for future public facilities (Parcel B); annexation to the Carmel Area Wastewater District for sewage disposal; 2) a Use Permit for the public/commercial use of the equestrian center & stables for a maximum of 50 horses and a maximum water use of 3.0 acre-feet per year; 3) a Use Permit for an on-site water system including new wells, backup well(s), booster pumps, water tanks and piping for fire suppression and residents of the subdivision; 4) a Use Permit for removal of a maximum of 819 protected Coast live oaks; 5) an Administrative Permit for up to 100,000 cubic yards of grading in an "S" (Site Plan Review) Overlay Zoning District for subdivision infrastructure and improvements including, but not limited to, development of roads, water tanks, water system, and drainage detention areas; 6) a Use Permit to allow development on slopes greater than 30 percent for affordable housing on Lots 5 through 11, subdivision infrastructure and subdivision improvements; and 7) an Administrative Permit for affordable housing, equestrian center Caretaker Unit/public office, a tract sales office and a security gatehouse.

Board of Supervisors Resolution 06-363 preceded Resolution 10-312, but was largely rescinded following a legal challenge. The Findings and the associated Evidence in Board of Supervisors Resolution No. 06-363 in relation to the environmental review conducted under the California Environmental Quality Act (CEQA), Findings 12 through 32 and associated evidence, were incorporated in Resolution 10-312 by reference, except as amplified and revised by the findings in this resolution relating to water demand, water cap and cumulative impacts as to water demand. The Judgments entered in Case No. M82632 and Case No. M82643 declared that the revised EIR certified by the Board of Supervisors in 2006 contains a legally adequate discussion on all issues other than water demand, water cap, and cumulative impacts as to water demand. Therefore, this Addendum may

refer to the “Project Resolutions” by which both Board of Supervisors Resolution 06-363 and Resolution 10-312 are intended. The Project Vicinity is shown in **Figure 1**.

Figure 1. Vicinity Map



On December 8, 2020, The Board of Supervisors approved the Final Map for Phase 1 of the September Ranch subdivision. The approval and recordation of the Phase 1 Final Map includes division of 540-acres of the total 891 acres into 40 parcels consisting of 33 conforming lots to be developed with market rate homes, a parcel for inclusionary housing (Parcel F), the equestrian parcel (Parcel E), public use parcel (Parcel B), open space parcels (Parcels A & D), park parcel (Parcel C), and a parcel for future Phase 2 which may be used for inclusionary housing (Parcel G). Utilities, including a water treatment plant and storage tanks, and a common area will be constructed within the 6.9-acre Parcel B. Parcel A.1 and Parcel D will border the project area and provide dedicated open space. Existing wells on the site (Parcel H) will supply the water source for the project, with treatment provided onsite via a water treatment facility on Parcel B. With acceptance and recordation of a final map, the Board of Supervisors considered whether the final map conformed to the conditionally approved tentative map, including all required conditions. The Vesting Tentative map was subject to 193 Conditions of Approval. The Board Report for the acceptance of the Final Map included a Certification Report that confirmed all conditions of approval applicable to Phase 1 Final Map in accordance with the current conditions and the Mitigation Monitoring and Reporting Plan (MMRP). Since approval of the Final Map for Phase 1 in 2020, the roads and infrastructure have not been constructed, but the grading for Phase 1 roadways has been permitted (21CP02316).

The REIR found potential impacts to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology, Soils, and Seismicity, Hydrology and Water Quality, and Noise and Vibration, Public Services, Recreation, and Utilities, and Transportation/Circulation. Cumulative effects were found for Transportation.

The REIR concluded that the Project would introduce new sources of light and glare to the project area via the use of street and security lighting, outdoor residential lighting, and light generated from project-related traffic. The proximity of the inclusionary housing to Carmel Valley Road resulted in this component of the project being the most prominent source of light and glare on existing viewsheds. Additionally, the Board found that reduction of the number of overall units, under the selected 95-unit Alternative, further reduced the potential for impacts. Mitigation Measures 4.11-1 through 4.11-5 were applied.

The REIR found the Project could potentially impact air quality primarily through increased auto emissions, dispersed in space and time by the mobility of the source, which in turn would affect localized pollutants such as PM10 and Carbon Oxides, and temporary emissions of fugitive dust from soil disturbance and combustion emissions from onsite construction equipment, offsite vehicles, and employee travel during construction. The findings and the certified FREIR established that, with mitigation, the approved Project would result in less-than-significant impacts related to air quality and greenhouse gas emissions. As part of the approval Resolutions, the Board found that the approved 95-unit Alternative of the Project would further reduce the already less-than-significant long-term emissions of the project. Mitigation Measure 4.7-1 was applied.

The REIR concluded that the project would impact Biological Resources. Impacts included Habitat Disturbance during Site Improvements, Clearing and Grading (Biological Resources Impact 1, REIR, Chapter 4.9), Direct Impacts to Monterey pine/coast live oak forest (Biological Resources Impact 2, REIR Chapter 4.9) and Fragmentation of Monterey Pine Forest and Increase in Potential for Pitch Canker and Other Diseases (Biological Resources Impact 3, REIR, Chapter 4.9), Disturbance of Oak

Trees (Biological Resources Impact 4, REIR Chapter 4.9), Removal of Coastal Sage Scrub (Biological Resources Impact 5, REIR Chapter 4.9), Removal of Grasslands (Biological Resources Impact 6, REIR Chapter 4.9), Removal of Special Status Plant Species (Biological Resources Impact 7, REIR Chapter 4.9), Removal of Nesting Habitat (Biological Resources Impact 8, REIR Chapter 4.9), and Removal of Bat Habitat (Biological Resources Impact 9, REIR Chapter 4.9). All impacts identified as potentially significant were found to be reduced to less-than-significant with mitigation. Fourteen Mitigation Measures were applied. Many mitigations refer to submittal of Final Map and development of Plans. The Final Map has been approved for Phase 1. Plans have been submitted and approved for the project including Forest Management Plan, Open Space Management Plan, Grassland Habitat Management Plan and Tree Replacement Plan.

The REIR concluded that construction and operation of the Project would have potential to impacts to archaeological and paleontological resources. Archaeological and Paleontological Resources (Cultural Resources Impact 1, REIR Chapter 4.10) was found to be mitigated to less than significant with the application of Mitigation Measure 4.10-1.

The REIR concluded that the project would impact geology, soils, and seismicity. Impacts were identified to Surface Rupture and Seismic Shaking (Geological Impact 1, REIR Chapter 4.2), Slope Stability, Debris Flow and Soil Creep (Geological Impact 2, REIR Chapter 4.2), and Erosion, Sedimentation and Groundwater (Geological Impact 3, REIR Chapter 4.2). The County determined that implementation of Mitigation Measures 4.2-1 through 4.2-18 as part of the Project would reduce all impacts related to geology, soils, and seismicity to less-than-significant.

The REIR concluded that the project had the potential to impact hydrology and water quality. Impacts were identified to Water Supply and Availability (REIR, Chapter 4.3), Wastewater Treatment and Disposal (REIR, Chapters 2.2 and 4.5), Hydrology and Water Quality, Stormwater Runoff and Drainage (Hydrology and Water Quality 1, REIR Chapter 4.4), Hydrology and Water Quality, Short-term Water Quality Construction Impacts (hydrology and Water Quality Impact 2, REIR Chapter 4.4), Hydrology and Water Quality, Long Term Water Quality Operational Impacts (Hydrology and Water Quality Impact 3, REIR Chapter 4.4), and Water Demand and Availability. The County determined that implementation of the following mitigation measures would reduce the impacts to hydrology and water to less than significant.

Mitigation Measure 4.3-1: Water use on the property shall not exceed the analyzed water demand, which for the proposed project is 57.21 acre-feet per year (AFY).

Mitigation Measure 4.3-2: The location of wells for the September Ranch project shall be based upon the following criteria and performance standards:

Mitigation Measure 4.4-1: Prior to the filing of the final map the applicant shall submit a drainage report and drainage plan.

Mitigation Measure 4.4-2: The project applicant shall prepare a drainage plan, which includes the proper design and placement of sediment traps to preclude the discharge of sediments and pollutants into offsite drainage channels.

Mitigation Measure 4.4-3: The applicant shall prepare CC&Rs, which include requirements for the type and frequency of catch basin, sediment trap, and storm water inlet cleaning and maintenance.

The REIR concluded that the project would have potential impacts involving noise and vibration. Impacts were identified as Short-Term Construction Related Noise (REIR, Chapter 4.8) and Long

Term Vehicular Generated Noise (REIR Chapter 4.8). Mitigation Measures 4.8-1 and 4.8-2 were found to mitigate these impacts to less than significant.

The REIR identified potentially significant impacts resulting from the operation of the Project in the areas of Public Services, Recreation, and Utilities (REIR, Chapter 4.13). The County determined that four mitigation measures could be implemented as part of the Project to reduce solid waste generation and recreational impacts to less-than-significant. They are 4.13.4-1 and 4.13.5-1 through 4.13.5-3.

The REIR identified potentially significant impacts resulting from the construction and operation of the Project related to transportation and circulation. These impacts were to Vehicle Trip Generation and potential Level of Service Deficiencies, as well as Sight Distance (REIR Chapter 4.6).

The County determined that the following mitigation measures to be implemented as part of the Project would reduce these impacts to less-than-significant levels:

Mitigation Measure 4.6-1: At the intersection of State Route One and Carpenter Street, the subdivider shall request that Caltrans use overlap phasing to have the westbound right turns synchronized with the southbound State Route One left turn movement. The applicant shall make a fair share contribution to Caltrans for this improvement or shall obtain an encroachment permit from Caltrans and make the improvement.

Mitigation Measure 4.6-2: Prior to the issuance of building permits for any unit in the subdivision, the applicant shall implement the following circulation improvements to the satisfaction of the Director of Public Works: Install right-turn taper on westbound Carmel Valley Road at the project entrance; install separate thru/left turn and right turn lanes at the project exit to maximize exit capacity. The costs associated with these public improvements, less any costs of these improvements required for project's specific impacts, shall be eligible to a reimbursement agreement. The applicant is required to show the improvements on Subdivision Improvement Plans.

Mitigation Measure 4.6-3: The applicant shall pay to the County the Carmel Valley Master Plan Traffic Impact Fees.

Mitigation Measure 4.6-4: The applicant shall contribute fair share fees for SR 1 improvements for all project-generated trips expected to use SR 1 north of Carmel Valley Road. The applicant shall pay to the County \$740/unit (2005 dollars), or as updated by the Department of Public Works, toward the cost of its interim State Route 1 improvements previously constructed. In addition, the applicant shall contribute fair share toward the improvement at the intersection of SR 1/Ocean Avenue/Carmel-Hills-Drive.

Mitigation Measure 4.6-5: Prior to the issuance of building permits for any unit in the subdivision, the applicant shall provide eastbound and westbound left-turn lanes at Carmel Valley Road at the project entrance, to the satisfaction of the Director of Public Works. The left turn channelization design shall be reviewed and approved by the Director of Public Works prior to installation.

Mitigation Measure 4.6-6: The applicant shall contribute fair share fees for the overlap phasing improvements along Carmel Valley Road (as identified in the CVMP, 1995) at the following locations: in front of September Ranch; opposite of Garland Ranch Regional Park, which is east of Robinson Canyon Road; and near Laureles Grade Road, which is east of Garland Ranch Regional Park.

Mitigation Measure 4.6-7: Prior to the issuance of building permits for any unit in the subdivision, the project applicant shall install the fourth (north) leg of September Ranch Road (the project access road) at the existing stop-controlled T-intersection of Carmel Valley Road/Brookdale Drive. The

applicant shall be responsible for signaling this intersection and any signal coordination costs associated with this signalization.

Mitigation Measure 4.6-8: Prior to the issuance of building permits for any unit in the subdivision, the applicant shall in conjunction with the signalization improvements, install a "Signal Ahead" warning sign in both directions in advance of the signal at September Ranch Road and Brookdale Drive to alert drivers on Carmel Valley Road.

Potential Cumulative Impacts were found to Transportation and Circulation (REIR Chapter 5.0). The REIR traffic analysis evaluated traffic conditions of the buildout of the area planned by the Year 2025 in accordance with the Monterey County General Plan. The cumulative AM and PM peak hour volumes were forecast for 2025 cumulative conditions. Under cumulative Year 2025 conditions, the intersections of Carmel Valley Road/Carmel Rancho Boulevard/Carmel Knolls Drive and Carmel Valley Road/Rancho San Carlos Road are expected to continue to operate at acceptable levels of service. The intersections of Carmel Valley Road/Brookdale Drive/Project Driveway, Carmel Valley Road/Dorris Drive, and Carmel Valley Road/Laureles Grade are also expected to operate acceptably with signalization.

Land use-related impacts were found to be less than significant, and no mitigation was proposed. Also, population and housing-related impacts were found to be less than significant, and no mitigation was proposed.

Scope and Purpose of this Addendum

This addendum has been prepared pursuant to California Environmental Quality Act (CEQA) Guidelines section 15164 to make minor technical changes to a previously adopted EIR. The purpose of this addendum is to identify minor technical changes and provide clarifications of the site-specific conditions for the proposed development. The adopted REIR found two Mitigation Measures necessary to reduce impacts to Transportation and Circulation which are now proposed to be altered. Conditions of Approval for the Project related to water but not specifically mitigation measures are proposed to be altered.

In 2021, County received an application for a Permit Amendment to the previously approved Combined Development Permit (PLN050001) as extended by PLN110173, consisting of 1) amending Condition Nos. 40, 107, 108, 109 and 120 and adding two new Conditions of Approval to provide flexibility in approved water system to allow off-site treatment of water produced from the on-site wells (Cond. Nos. 195 and 196); and amending Conditions Nos. 78, 97, 157 and 158 and adding a new condition for Carmel Valley Road traffic improvements to reflect removal of the approved traffic signal in favor of channelization (Cond. No. 194); and 2) amending the Subdivision Improvement Agreement. Although the water treatment location is different from the entitlement and the entrance intersection is differently configured, mitigations are substantially the same as the entitled Project and the uses and impacts are similar in nature to the use previously proposed and considered at the site.

Pursuant to CEQA Guidelines section 15162, an Addendum may be prepared to an adopted EIR if the County determines that:

1. Substantial changes are proposed in the project which will require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR;
 - b. Significant effects previously examined will be substantially more severe;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

This Addendum to the previously adopted REIR has been prepared to reflect changes to the project and minor changes in circumstances that have occurred since the REIR was prepared.

Changes to the Project

The proposed changes to the Project involve amendment to Conditions of Approval that pertain to the infrastructure improvements of the subdivision. The revisions to conditions must be approved by the Monterey County Board of Supervisors (“Board of Supervisors”). The changes from the project are the following:

1) The proposed Project Modification would result in a new water system for the approved Project, located in Carmel Valley. Amendment of water-related Condition Nos. 40, 108, 118 and 120 is requested to provide flexibility in the approved water system and to allow offsite treatment of water produced from the onsite wells. **Table 1** identifies specific condition language revisions under the Project Modification as redline changes based on the approved Project conditions of approval. The sum effect of these modifications would be reduced requirements for onsite infrastructure serving the site relative to water and traffic improvements, but no amendment to the underlying approved Project. The Project Modification would not change either the amount or intensity of development allowed on the project site or the water use allowed for the site. Errata edits were made to Condition No. 40 within five days of the hearing that were suggested by a partner agency, Monterey Peninsula Water Management District and a member of the public. Additional edits were made in the hearing. The edits that were accepted as part of the hearing decision are included in Table 1 in italics.

Condition No. 120 requires the owner/subdivider to establish a mutual water company to serve potable water to all development associated with September Ranch from the existing wells onsite. Based on the policies of the State Water Resources Control Board (SWRCB), Division of Drinking Water (DDW) and changes to state law since approval of the Vesting Tentative Map, the SWRCB is not allowing the formation of new mutual water companies to supply water to a subdivision of this size.

Offsite water treatment and operational management has been mandated by DDW and is consistent with legislation requiring consolidation of small water systems when a public water system connection is available and considered desirable or feasible.

Per Condition No. 40, Cal-Am is prohibited from physically connecting the September Ranch water system to Cal-Am's existing water infrastructure unless and until the County were to amend Condition No. 40 and any other applicable conditions. As currently approved in the Final Map and Subdivision Improvement Agreement, a mutual water company is required for the water system. Per the Board Report for the above, "Cal Am and Carmel Reserve LLC entered into a MOU whereby Cal Am has agreed to operate the project water system." While Cal-Am may operate and manage the mutual water company, Cal-Am is prohibited from physically connecting the September Ranch water system per Condition 40. Specifically, Condition. 40 provides: "The applicant shall be prohibited from hooking up to the California-American Water Company System. The CC&Rs shall state that neither the water system nor any owner or group of owners shall request or receive a water supply from Cal-Am or actually be supplied water by Cal-Am."

The Project Modification would revise the condition restricting Cal-Am from connecting to the September Ranch water system, but would not amend conditions that preclude additional water use beyond the limit applied in project conditions. Under the Project Modification, conditions and mitigations would continue to be in effect to maintain the upper limit of water use and to document annual water use compliance. Water use would be limited, per the existing conditions, monitoring and oversight to 57.21 AFY maximum, and the project would implement the identified mitigation measures, consistent with the Final Revised EIR, and conditions to ensure water limitations are enforced. Per Table 1, Revised Condition 40: "Consistent with Condition of Approval #46, a quarterly water use report must be submitted to the Water Resources Agency and Directory of HCD by the water system operator to ensure that the total use of water for the entire subdivision does not exceed 57.21 AFY." Additionally, water would be drawn from September Ranch wells onsite and sent offsite for treatment. The treated returned water would be required to be the same amount or less than the water drawn from the September Ranch wells. As the proposed Conditions of Approval are written, the amount of water demand remains 57.21 AFY. The current project allows for the pumping and onsite treatment of up to 57.21 AFY of raw water produced from wells overlying the September Ranch site.

Condition No. 108 is part of the Project Modification because it describes the regulations that must be adhered to in the development of the water system improvements and the agencies responsible for review and approval. Because the improvements are now proposed to include cross-connection and State Water Resource Control Board – Division of Drinking Water (SWRCB-DDW) is the agency that is primarily tasked with review and acceptance of such designs, the Condition was rewritten by Environmental Health Bureau staff in consultation with SWRCB-DDW staff so it would function more appropriately. The Condition is proposed to be renamed "Water System Improvements: State Permitted System (Non-Standard)," rather than "Water System Improvements: County Permitted System." The language of the Condition does not change the substance of the amendment made to Condition No. 40.

Condition No. 120 is part of the Project Modification because it mentions the mutual water company as the actor named to serve water under the Articles of Incorporation. Therefore, minor edits were

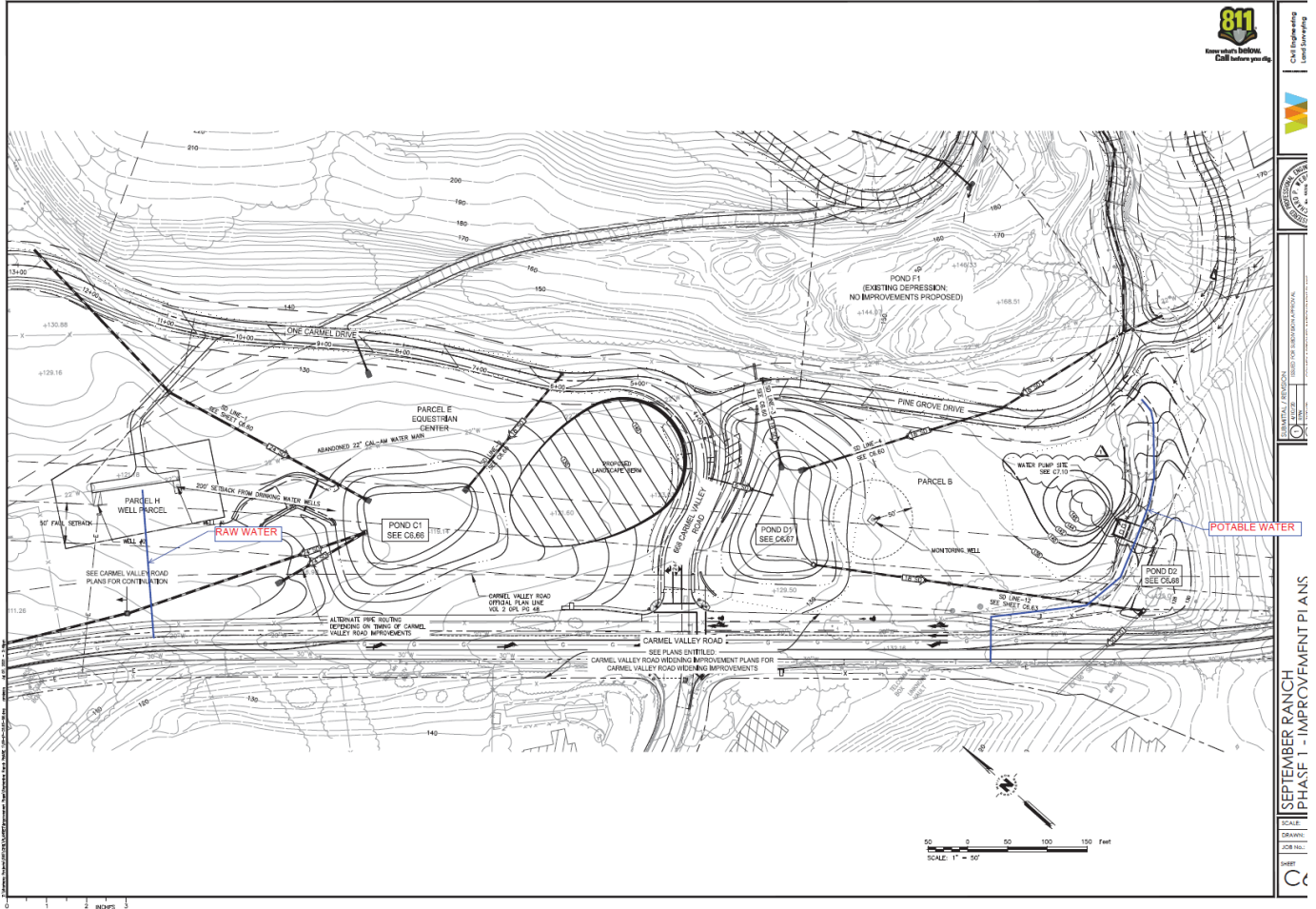
made as part of the amendment request to include “or a regulated public entity” wherever the mutual water company is indicated.

Two new Conditions of Approval, Nos. 195 and 196, are part of the Project Modification. Condition No. 195 – EHSP03 MEMORANDUM OF UNDERSTANDING (NON-STANDARD), acknowledges that the MOU between the owner and Cal-Am to provide operation and management services for the water system is in place, and conditions PLN110173-AMD1 for the applicant to submit a draft amended or replacement MOU to the Environmental Health Bureau (EHB) and County Counsel for review and approval. The applicant shall then submit a copy of the executed County-approved MOU and submit a copy to the EHB. The MOU which was recorded in July 2020 no longer accurately reflects the arrangement between Carmel ONE and Cal-Am. It requires amending to reflect the Project Modification. Although County is not a party to the MOU, the applicant agreed to COA No. 195 as added transparency to County residents and interested parties. The second new Condition, No. 196 – WATER DISTRIBUTION SYSTEM EASEMENTS (NON-STANDARD), requires the applicant to provide evidence to the satisfaction of the EHB that water distribution and access easements have been established. The Project Modification will require modified piping configuration and therefore new and modified easements recorded to protect for use and access by the water system.

As shown in **Figures 3 and 4**, if the condition amendments are approved, the project would continue to draw raw water from the existing wellfield on Parcel H. The water treatment plant and underground storage tanks at the water treatment plant site on Parcel B would be eliminated. Additionally, a portion of the water distribution system, specifically, the 4-inch raw water line connecting the wells on Parcel H to the water pump site on Parcel B would be eliminated. A new connection would be created to connect the wells to the existing transmission lines of the Cal-Am system on Carmel Valley Road. Water transmitted offsite would be sent to the Begonia Treatment Plant, where it would be treated to meet State and local standards. After treatment at the Begonia Treatment Plant, water would be returned via an existing transmission line running parallel to the property on the north side of Carmel Valley Road. Flow metering would ensure water limitations leaving the site and returning to the site. With metering, there would be no net use of water drawn from the Carmel River Basin sources as the water use would “net out” between the two sources, meaning there would be the same amount of water pumped from Cal-Am wells would be delivered to for water treatment from the September Ranch site. Water would be drawn from the September Ranch Aquifer (SRA) well fields. Water from the wells will be metered where it is fed into Cal-Am's raw water pipeline. Treated water will be metered where it is returned to the Project at a wholesale meter. The system controls will be set up to balance the water sent to Cal-Am with the water received back from Cal-Am, plus a treatment loss allowance.

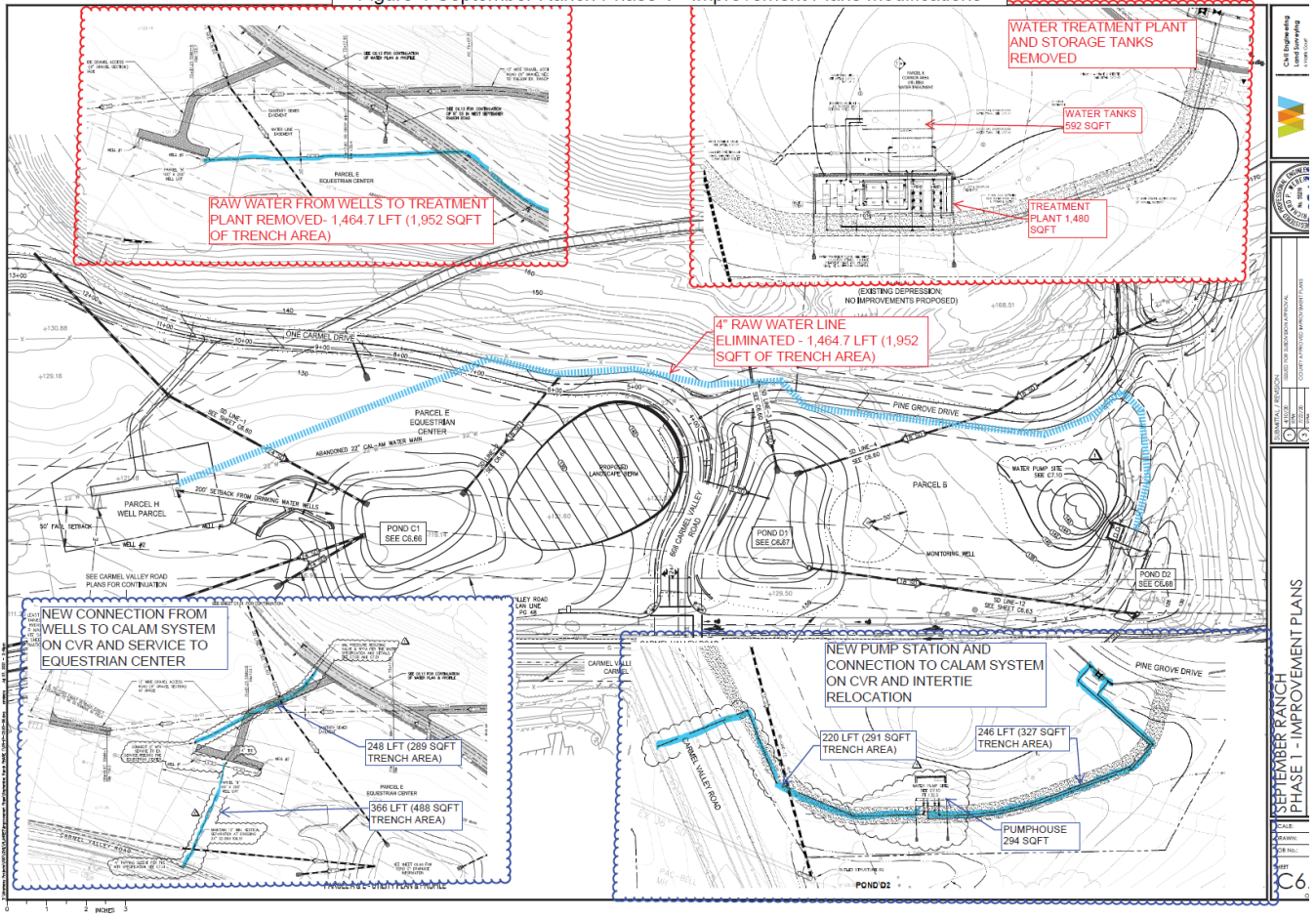
Elimination of the water treatment plant and storage tanks at the water treatment site (Parcel B) and reduction of associated pipelines as shown on Figures 3 and 4 would reduce area of construction and requirements for infrastructure. The Project Modification would eliminate approximately 1,465 linear feet of raw water pipeline and related trenching, as well as construction and facilities of up to 2,000 square feet (sf) at the water treatment plant site.

Figure 3-September Ranch Phase 1 - Improvement Plans Overview



Well water is proposed to be conveyed from the site to the plant in a dedicated wellfield pipeline in Carmel Valley Road. Treated water would return in the existing Cal-Am potable water transmission main, also in Carmel Valley Road. The existing wellfield pipeline has a 20-inch diameter where it passes September Ranch. The two wells will connect to the pipeline through a 4-inch lateral with a 4-inch magnetic meter to measure the volume of flow added to the Cal-Am system. The potable water transmission main has a 30-inch diameter where it passes September Ranch. The Project will be served through a 4-inch lateral with a meter and reduced pressure principal assembly backflow preventer. The lateral would connect to booster pumping stations serving the site.

Figure 4-September Ranch Phase 1 - Improvement Plans Modifications



The proposed September Ranch Water System is designed to conform to the SWRCB DDW permit requirements and California Waterworks Standards. The Project will be served by a community water system consisting of two groundwater wells, potable distribution mains, two water storage tanks and six booster pump stations. Water treatment would be provided by Cal-Am, Monterey District. Cal-Am treats groundwater from the Lower Carmel River Aquifer at the Begonia Treatment Plant (Begonia Iron Removal Plant, Water System No. CA2710004). The plant has a total capacity of 18 mgd and treats an annual average of approximately 4.5 million gallons per day (mgd). The average annual demand for September Ranch is 55.8 AFY, or 0.05 mgd. Cal-Am wells in the Lower Carmel Valley Aquifer produce approximately 4.5 mgd, but that will be reduced to 3 mgd in the future as new sources of supply are developed (Source: CAWC 2020 Urban Water Management Plan, Tables 6-1 and 6-2).

The native groundwater at the September Ranch site exceeds several secondary drinking water standards listed in the California Code of Regulations, Title 22, § 64449. The water has high levels of iron and manganese, similar to other wells in the Lower Carmel River Aquifer. The September Ranch Aquifer also has a higher level of Total Dissolved Solids (TDS) than the Lower Carmel River Aquifer (levels range from 250 to 300 mg/L). Water treatment under the existing conditions would include potable drinking water standards. Per the Engineering Report. At the Begonia Plant, raw water from

the September Ranch wellfields would be blended with Cal-Am raw water supplies. At that stage, the TDS concentration is reduced to 309 mg/L, which meets the secondary MCL (Schaaf & Wheeler, September Ranch Water System Engineer's Report, December 23, 2021, PLN110173-AMD1 Application submittal).

The Project Modification would require an amendment to the approved MPWMD Water Distribution Permit (WDP). Consistent with current approvals, permits would continue to require there would be no more delivery of water than the maximum 57.21 AFY allowed to be used by the project per the conditions of approval through the County and MPWMD. Additional errata edits were made to Condition No. 40 to include reference to the MPWMD September Ranch WDS Permit.

As a privately held public utility, Cal-Am is regulated by the California Public Utilities Commission (CPUC), thus approvals may be required from the CPUC. The County and the SWRCB must approve inter-connecting the systems for the purpose of providing water treatment. (September Ranch sends raw water to the Cal-Am treatment plant and receives an equal volume of treated water in return).

2) The Project Modification would also revise the traffic improvements approved under the September Ranch Project. **Table 2** identifies specific condition language revisions under the Project Modification as redline changes based on the approved Project conditions of approval. Proposed traffic improvements would consist of channelization at the intersection and improvements at Carmel Valley Road to allow for ingress/egress to and from the site and Brookdale Drive.

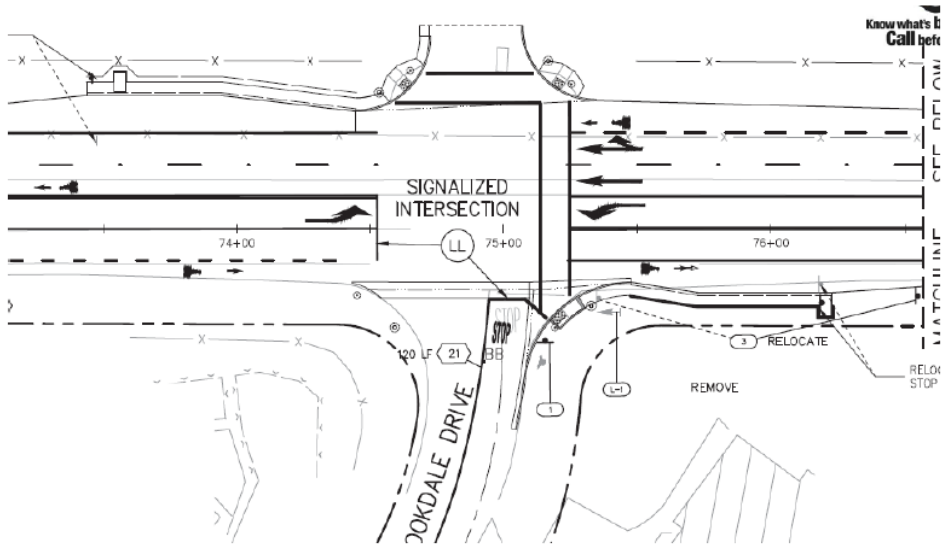
Existing conditions require the owner/developer to place a traffic signal at the T-intersection of Carmel Valley Road and Brookdale Drive (Condition 157). In 2019, public outreach was conducted in Carmel Valley by the current owners of September Ranch. Following meetings with the Carmel Valley Association and the Carmel Valley Road Advisory Committee (CVRAC), a consensus was reached that options other than a traffic signal would be preferred to control traffic at this intersection. Initially, traffic engineers (Kimley Horn) undertook studies to determine the viability of a roundabout at the intersection of Carmel Valley Road and Brookdale Drive. Ultimately, it was determined this approach would not improve the overall level of service without a significantly larger footprint than the original traffic light. CVRAC and the September Ranch Subcommittee of the CVRAC, recommended exploring channelization of the intersection (i.e.: turn lanes). Traffic engineers Kimley Horn and Keith Higgins conducted studies to design and study channelization of this intersection. Whitson Engineers refined these as shown in the Attachment B to the Board staff report on this Project dated March 28, 2023. It was ultimately agreed upon by the Applicant and the CVRAC that channelization could be a feasible alternative to control traffic while also remaining within the same general footprint as the previously approved traffic light. **Figure 5** illustrates and compares the plans for a signalized intersection at Carmel Valley Road and Brookdale Drive. The Project Modification will eliminate the traffic signal and west bound passing lane and add a two-way left turn lane along the project frontage and a shorter (approximately 150 feet long) west-bound right turn lane into the subdivision.

Consistent with the condition language, the Final Map and approved Subdivision Improvement Agreement are based on the construction of a traffic light at the intersection of Carmel Valley Road and Brookdale Drive. However, the County recognizes there could be an option to develop the

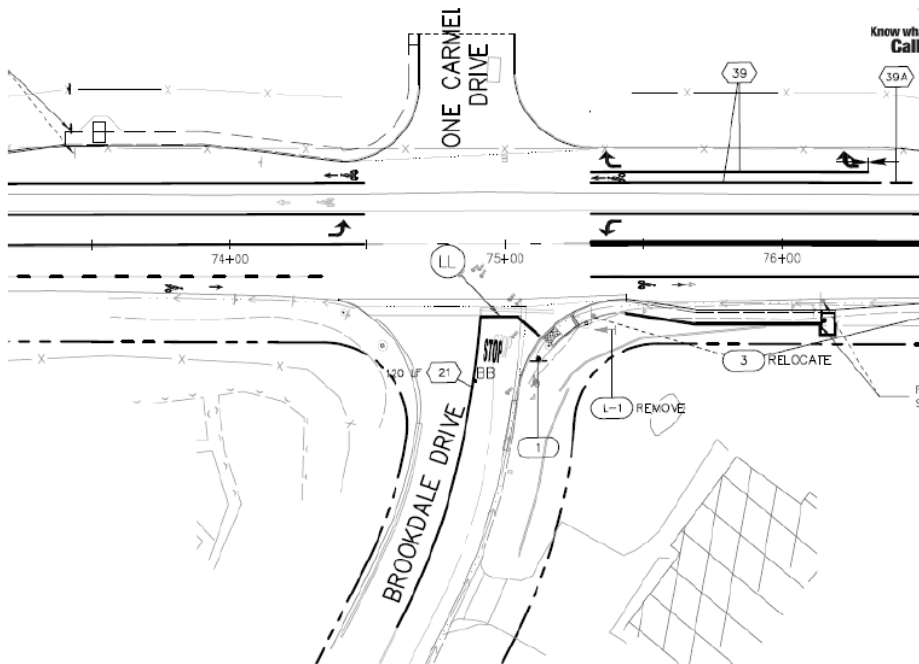
channelization instead. This application is requested to modify the design from a traffic light to channelization as recommended by the CVRAC.

Figure 5-Carmel Valley Road/Brookdale Drive Improvements

Approved Project Improvements With Signalization



No Signalization: Improvements under Proposed Project Modification



Project Modification: No New Impacts or Increase in Severity of Impacts

Changes in the project do not introduce new or more severe impacts that would require subsequent environmental review. Across all impacts analyzed by the REIR, the setting for the improvements associated with the Project Modification would be within the same areas and setting as the approved Project. Mitigations would continue to be in effect to maintain the upper limit of water use of 57.21 AFY and to document annual water use compliance. Mitigations, including those which are amended by the Project Modification, would continue to be in effect to maintain less-than-significant impacts to Transportation and Circulation. The Project Modification, when considered in combination with the existing Project, would still result in a reduction of environmental effects in comparison to those identified in the certified Project Final REIR. As discussed in the preceding section, the Project Revised EIR evaluated impacts associated with the buildout of the entire 891-acre site, including traffic signalization, a water treatment facility onsite which would be eliminated, and development of up to 109 units. Under the approved Project, 95 units are to be developed, the traffic signal at the intersection of Carmel Valley Road and Brookdale Drive would be eliminated, and the onsite water treatment plan would be eliminated, with a further reduction of physical impacts. These impacts are explored below.

Aesthetics

The Project Modification would not change the physical location or increase the size of the structures or facilities. Rather, the proposed project modifications would eliminate project facilities thereby decreasing the extent of potential project-related physical effects. As a result, the findings of less-than-significant impact for aesthetic resources during construction and operation as identified in the certified Final REIR (and evidenced in the Board findings) would remain unchanged under the proposed project modifications.

Air Quality

The EIR found the Project could potentially impact air quality primarily through increased auto emissions, dispersed in space and time by the mobility of the source, which in turn would affect localized pollutants such as PM10 and CO; and temporary emissions of fugitive dust from soil disturbance and combustion emissions from onsite construction equipment, offsite vehicles, and employee travel during construction. The findings and the certified Final REIR established that, with mitigation, the approved Project would result in less-than-significant impacts related to air quality and greenhouse gas emissions. As part of the approval Resolutions, the Board found that the approved 95-unit Alternative Project would further reduce the already less-than-significant long-term emissions of the project. The Project Modification would not change the physical location or increase the size of the structures or facilities. In addition, the proposed project modifications would eliminate the need for some previously approved facilities, thereby decreasing the extent of construction and operational impacts. The technical analysis in the EIR demonstrated that emissions would be well below the thresholds (REIR, Chapters 4.7-8). The Board found that, with implementation of mitigation identified above, the project would have a less-than-significant impact related to short-term construction or operational emissions. Based on the overall reduction in construction activity, and the associated elimination of facilities, construction and operation of the proposed project modifications would not result in any new or substantially more severe adverse environmental effects to air quality and beyond those identified in the previous environmental documentation.

Biological Resources

The Project Modification would not change the physical location or increase the size of the project, structures, or facilities. The proposed project modifications would eliminate the need for some previously approved facilities, thereby decreasing the extent of potential terrestrial biological resource-related effects. The overall reduction of planned facilities and reduction of trenching and areas for pipeline construction would reduce the impacts to aquatic and terrestrial resources and reduce adverse effects of habitat modification, impacts to special-status plant and wildlife species and their habitat within the project area. Construction and operation of the Project Modification to the project would not 1) have a new or substantially more severe adverse effect, either directly or through habitat modifications on candidate, sensitive, or special status species or riparian habitat or other sensitive natural community identified in local or regional plans and policies, 2) have a new or substantially more severe adverse effect on federally protected wetlands 3) have a new or substantially more severe effect due to interference with the movement of native migratory fish or wildlife species or with established wildlife corridors, 4) have a new or substantially more severe effect due to a conflict with any local policies or ordinances protecting biological resources, or 5) have a new or substantially more severe effect due to a conflict with any conservation Plan, or other approved local, regional, or state habitat conservation plan.

Based on the overall reduction in construction activity, and the associated elimination of facilities, construction and operation of the proposed project modifications would not result in any new or substantially more severe adverse environmental effects to biological resources beyond those identified in the environmental documentation. Additionally, per the Project approval Resolutions, the Board found that the approved 95-unit Alternative would reduce impacts and not impact any threatened or endangered species. In addition, the Board found that all impacts to biological resources would be reduced to a less-than-significant level with the implementation of mitigation, as identified above. The findings of the existing environmental documentation would remain unchanged and no new or substantially revised mitigation measures are warranted.

Cultural and Paleontological Resources

The Project Modification would not increase impacts to archaeological and paleontological resources during construction activities as identified in the Project approval Resolutions. As part of the Resolutions, the Board found that the project does not propose any changes to, and will not otherwise impact, any historic resources including the potentially historic existing equestrian facility. (A Phase I historical assessment prepared [Anthony Kirk, June 19, 2018] concluded that none of the structures were historically significant.) The proposed Project Modification to the Project would not result in new impacts related to historic resources.

An archeological reconnaissance survey was conducted at the project site to identify visible surface evidence of cultural resources, and archival research was also conducted. The Board found that the project site does not contain any previously unknown archeological resources. However, there is the potential that earth-moving activities may uncover unknown, buried cultural resources. The Board found that, by reducing the number of overall units and thereby reducing construction, the selected 95-unit Alternative would reduce the potential for this impact to occur. Implementation of the mitigation measure identified above would reduce this impact to a less-than-significant level. Additionally, the modifications to the project would reduce the overall construction of facilities by eliminating a water treatment plant and reduced pipeline. Based on the overall reduction in facilities, the proposed

modifications would not result in any new or substantially more severe impacts to cultural resources beyond those previously identified in the above referenced environmental documentation. Additionally, all project impacts would be mitigated to less-than-significant with implementation of previously approved mitigation measures. The findings of the existing environmental documentation would remain unchanged and no new or substantially revised mitigation measures are warranted.

Geology, Soils, and Seismicity

The Project Modification to the September Ranch Subdivision would decrease construction, facilities and areas of disturbance compared to the Final REIR due to the reduction of infrastructure. The Project Modification to the Project would result in less impacts related to geology, soils, and seismicity during construction and operation, consistent with findings identified in the Project Resolutions.

The County required preparation of a geotechnical investigation (geologic report) for each proposed building site to characterize soil and bedrock conditions so that suitable seismic foundation design can be provided. The geologic character of the site is unchanged. The County also found that there is a low potential for slope stability problems in most of the project area. The mitigation measures identified above ensure proper design by imposing standards for slope ratios (inclinations) in different soil and ground types and ensuring appropriate technical review and approval of final design standards. These mitigation measures would remain applicable to the Project Modification.

Construction Best Management Practices (BMPs) and the mitigation measures identified above that are applicable would continue to be applicable related to geology, soils, and seismicity impacts and Project Modification. Based on the overall reduction in construction activity, and the associated elimination of facilities, construction and operation of the proposed project modifications would not result in any new or substantially more severe adverse environmental effects to geology, soils, and seismicity beyond those identified in the above referenced environmental documentation. Additionally, project impacts would be mitigated to less-than-significant with implementation of previously approved mitigation measures.

The Project Modification would not 1) result in any new significant environmental effects; or 2) substantially increase the severity of a previously related to geology, soils, and seismicity identified in the Final REIR. The findings of the existing environmental documentation would remain unchanged and no new or substantially revised mitigation measures are warranted.

Hydrology/Water Quality

Under the Project Modification, a condition would be changed to pump water from the SRA and bring the water for treatment to the nearby offsite water treatment plant. The same amount of water would be treated and would be returned to September Ranch for use onsite. Treatment of SRA water would not increase pumping in the CVA (due to the net replacement), and water extraction between SRA and CVA would be balanced between water extracted from either SRA or CVA. Water use on the property will not exceed the analyzed water demand for the approved project (57.21 AFY), per Mitigation Measure 4.3-1. Existing conditions require monitoring and oversight to limit water use to the 57.21 AFY. Conditions 45, 46 and 146 requirements include a water use plan showing the project will be within the water budget, quarterly reporting of actual water use and annual reporting of occupancy (completed parcels) and water use. Quarterly reporting of water use will be based on the two main water meters, reading well water produced and treated water returned. The treatment loss allowance (difference between water produced and water returned) will also be verified by onsite metering and

also quarterly to ensure water limitations are enforced. With the Project Modification, the potential impacts would remain less-than-significant consistent with the Final REIR.

Specific to Hydrology and Drainage, the Revised EIR concluded that the approved project will not substantially alter the existing drainage pattern of the site in a manner that would result in substantial erosion or siltation on- or offsite. The Revised EIR concluded that the approved project will not substantially alter the existing drainage pattern of the site in a manner that would result in flooding on- or offsite. There are no streams or rivers on or in the immediate vicinity of the proposed project modifications, so the Project Modification would not alter the courses of any such features. In addition, the proposed modified project would be subject to the same standard conditions as the approved project, including preparation of a Stormwater Pollution Prevention Plan with BMPs and adherence to the requirements of Monterey County Code for grading, drainage, and erosion control. The Project Modification to the project do not result in a change to the finding in the certified Final REIR of less-than-significant impacts relative to a substantial alteration of the existing drainage pattern of the site or area, resulting in substantial erosion or siltation on- or offsite or a substantial increase in the rate amount of surface runoff that would result in flooding onsite or offsite. The EIR concluded that the approved project's water needs and the amount of impervious surfaces to be created with project implementation will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. The proposed modified project water treatment equipment would not require more water than the approved project during construction or operations and would not create more impervious surfaces than the approved project. The Project Modification would decrease construction, facilities and areas of disturbance compared to the Final REIR due to the reduction of infrastructure. The Project Modification to the Project would result in less impacts related to hydrology and drainage and the same level of impact related to water use as was identified in the Final REIR Project.

Specific to Water Demand and Availability, the Final REIR identified measures to minimize potential environmental effects associated with the construction and operation of the September Ranch Project. Proposed changes to the conditions do not require any additional water-use mitigations and findings adopted remain valid. Amendment of Conditions 40, 108, 118 and 120 would provide flexibility in the approved water system to allow offsite treatment of water produced from the onsite wells. If approved, the Project Modification would continue to limit pumping of up to 57.21 AFY of raw water produced from wells on the property. The Project Modification would allow for offsite treatment of this water by Cal-Am at its Begonia Water Treatment Plant. The water treated would then be delivered back to the property in an amount no greater than what was produced by the project's wells and accounting for system losses. Thus, there would be no net use of water drawn from the Carmel River Basin sources. Conditions would continue to be in effect to maintain the upper limit of water use of 57.21 AFY and to document annual water use compliance. The addition of Condition Nos. 195 and 196 are not mitigation changes or additions. Condition No. 195 requires the applicant to provide County the draft amended MOU between the applicant and Cal-Am that memorializes the operation and management services for the water system so that Environmental Health Bureau (EHB) and County Counsel can review prior to the execution of the document and the document will be in County records on the subdivision. Condition No. 196 requires the applicant to provide evidence to the satisfaction of the Environmental Health Bureau that water distribution and access easements for any updated portions of the water system have been established. Conditions of Approval Nos. 195 and 196 serve to clarify the process and meet County easement standards and have no environmental effect.

Noise and Vibration

The Project Modification would not increase impacts to noise and vibration during construction and operation as identified in the Project Resolutions. As part of Resolution No. 06-363, the Board found that construction periods will be of short duration, and there are limited physical improvements planned for the site and there is adequate setback from onsite construction areas and existing offsite residences. Topographical screening will reduce offsite impact potential. Project elements also included time restrictions in grading permits and time limits on construction activities involving operation of heavy equipment. The Board concluded that temporary impacts related to noise and vibration would be less-than-significant. The findings state that, with the implementation of the mitigation measures identified above, that impacts related to long-term vehicular generated noise in the areas of the inclusionary housing would also be less-than-significant.

The Project Modification would not result in any new significant impacts compared to those previously identified in the Project Resolutions. The development area, density and location of construction and operations identified above remain the same under the Project Modification. There are no new or expanded noise generating sources. Thus, the changes to the conditions to the Project would result in a similar level of impact related to noise during construction and operation as identified in the Project Resolution. The Project Modification to the Project would not result in any new significant impacts or worsen the severity of any significant impacts previously related to noise and vibration identified in the certified Final REIR. The findings of the existing environmental documentation would remain unchanged and no new or substantially revised mitigation measures are warranted.

Public Services, Recreation, and Utilities

The water and transportation improvements resulting from the Project Modification would be located within the same areas as those analyzed in the Revised EIR and approved under the Project Resolutions. The Project Modification to the Project would not necessitate modifications to the environmental and regulatory setting related to public services, recreation, and utilities. As part of Resolution No. 06-363, the Board found that, with implementation of mitigation identified above, the Project would not significantly impact public services, recreation, or utilities.

The EIR identified an “Increased Demand for Electrical and Natural Gas Services”, with the project requirement of “approximately 54.10 to 261.60 therms-per-day of natural gas and 2,038.30 to 3,237.30 kilowatts per hour per day of electricity depending on season”. The proposed project modifications would include the elimination of the onsite water treatment facilities thereby decreasing the demand and use of energy services in comparison to the approved project. All impacts would be reduced to a less-than-significant level with implementation of the mitigation identified above. The area, density, location and public services identified above remain the same under the Project Modification.

Pursuant to Monterey County Code section 19.12.010, residential development applicants are required to provide land dedication or pay in-lieu fees to provide active parks and recreation improvements that reasonably serve the residents of new subdivisions; under the applicable formula, the Project as proposed was required to dedicate 1 acre of land for active park and recreational uses. The project would retain approximately 783 acres of the 891-acre project site as open space. As identified in Finding 26v, the applicant would be required to provide recreational amenities to serve the

inclusionary and workforce units. The open space and trail system on the property will provide additional open space/recreational opportunities. The project has been conditioned to dedicate a park parcel (Parcel C) and a trail easement from the base of Roach Canyon at Carmel Valley Road to Jacks Peak County Park. There is no difference in the related Mitigation Measures and their compliance actions as a result of the Proposed Modification.

Thus, with the reduction of facilities, the changes to the conditions would result in a reduced impact related to energy use and similar impact to public services, recreation and utilities during construction and operation that were identified in the Project Resolutions. The Project Modification would not result in any new significant impacts or worsen the severity of any significant impacts related to public services, recreation and utilities previously identified in the certified Final REIR. The findings of the existing environmental documentation would remain unchanged and no new or substantially revised mitigation measures are warranted.

Traffic and Circulation

The setting of the proposed modified project area and its surrounding area is the same as described in the certified Final REIR. The transportation improvements resulting from the Project Modification would be within the same areas as those analyzed in the Revised EIR and approved by the Board under the Project's Resolutions. The current Final Map Subdivision Improvement Agreement is based on the construction of a traffic light at the intersection of Carmel Valley Road and Brookdale Drive. The Board staff report on the Project Modification also discusses the need to amend the current Final Map Subdivision Improvement Agreement.

In Resolution No. 06-363, the Board found that, based on the traffic impact analysis performed in October 2004 by the County's consultant TJKM Consultants, the Project would increase congestion on project area roadways, which would lead to Level of Service (LOS) deficiencies at some of the ten project intersections identified and analyzed in the Revised EIR. Five of these intersections are expected to operate at acceptable levels of service. The five remaining intersections would operate at below standard levels of service, as identified at p. 4.6-12 & Table 4.6-3 of the Draft Revised EIR. The EIR and Board findings determined the approved project would not cause intersection LOS to substantially worsen at intersections that already operate at a degraded level of service. The study area roadway segments along Carmel Valley Road would be below the total capacity of 3,400 vehicles per hour, and thus would continue to operate at acceptable levels of service. Mitigation for these impacts (identified above) includes applicant's payment of a pro-rata fair share traffic impact fee toward State Route 1 improvements, payment of Transportation Agency for Monterey County (TAMC) Regional Development Impact Fee, overlap phasing techniques, and installation of additional lanes at appropriate intersections. The conditions and mitigation imposed also required contribution to fair share fees to three specific long-term improvements. Finally, mitigation measures required the applicant to bond improvements prior to recording the final map and to install these improvements prior to the issuance of building permits for any unit in the subdivision.

The EIR identified potentially significant impacts related to sight distance at the proposed intersection of September Ranch Road and Carmel Valley Road. The Traffic Impact Assessment (TIA) by TJKM Transportation Consultants, dated October 2004, recommended a standard "intersection ahead" be installed on Carmel Valley Road in advance of September Ranch to alert drivers on eastbound Carmel Valley Road or, alternatively, that a traffic signal be installed, which it concluded would mitigate sight

distance issues as identified on page 26 of the TIA. As mitigation, the project proposed both installation of warning signs and signalization of the Carmel Valley Road/Brookdale Drive intersection. Other conditions included road modifications/channelization on Carmel Valley Road. The traffic signal at the T-intersection of Carmel Valley Road and Brookdale Drive (Condition 157, Mitigation 4.6-7) was identified to reduce the LOS traffic impacts from the September Ranch driveway directly across from Brookdale Drive to a less than significant level. The mitigation was based on the 2004 TJKM traffic analysis and the traffic considerations at that time. Signalization was anticipated to bring the LOS for the intersection up to a “B” and “A” under existing plus project and cumulative scenario, respectively.

The Final REIR and 2004 Traffic Report identified an impact regarding corner sight distance and stopping sight distance using standards from the Caltrans Highway Design Manual (HDM) with a design speed of 55 mph (assumed 5 mph higher than the posted speed limit). The 2004 TIA by TJKM Transportation Consultants stated that from the proposed location of September Ranch Road, an outbound driver would have an available corner sight distance of approximately 375 feet looking to his right (or looking west), which did not meet the required 600 feet to meet Caltrans HDM standards. Additionally, the Eastbound stopping sight distance which is the minimum sight distance required by the user, traveling at a given design speed, to bring the vehicle to a stop after a 6-inch object becomes visible on the road did not meet HDM standards. The report noted that sight distance is restricted by the small existing vertical curve on Carmel Valley Road. The report noted that given that many vehicles are at least approximately 3 feet tall, drivers on Carmel Valley Road and drivers on September Ranch Road should be able to see each other from 600 feet away, which is not the criteria for Stopping Sight Distance (SSD). The SSD criteria along the Eastbound direction was not met per HDC standards. The sight distance looking to the left (or looking east) is approximately 760 feet, which exceeds the distance required the HDM for stopping sight distance and corner sight distance.

An updated sight distance analysis conducted by Whitson Engineers using the current version of the Caltrans HDM, current revised engineered improvement plans, and a design speed of 50 mph (5 miles above the posted speed) identified both the stopping sight distance and corner sight distance for both Eastbound and Westbound directions meet HDM standards for sight distance. As part of the application for Project Modification, the applicant supplied County with a Sight Distance Study from Whitson Engineers (March 15, 2023, Planning Library File No.LIB230070, Revised Appendix A-4).

An updated traffic impact analysis was conducted by Kimley-Horn (Draft Analysis of the Carmel Valley Road / Brookdale Drive Intersection, August 2020, Planning Library File No. LIB230069). Under the Project Modification, the level of service of the intersection would operate at an LOS of “C”, which meets the minimum LOS and traffic signal warrant threshold, in accordance with the criteria in the circulation element of the General Plan (County Design Standards) and the Carmel Valley Master Plan (CVMP) supplemental circulation policies.

As noted on page 10 of the September Ranch Traffic Impact Assessment Study by TJKM Transportation Consultants, October 2004, this intersection does not meet the Caltrans HDM peak hour signal warrant because of the extremely low volumes on Brookdale Drive that were indicated. In sum, the Project Modification does not increase the severity of impacts that were identified in the REIR or create new impacts.

Transportation/Circulation Cumulative Effects

As discussed in Section 4.6, Transportation and Circulation, of the Draft REIR, all project and cumulative-related transportation and circulation impacts can be mitigated to less-than significant levels. Required mitigations will continue to include channelization for eastbound and westbound left-turn lanes at Carmel Valley Road at the project entrance, and all improvements will be required to be designed to County Standards, latest edition of the HDM and to the satisfaction of the County Director of Public Works¹.

As with the proposed project, these amended conditions would require channelization and turn lanes (per design shown in Attachment B to the Board staff report on this Project Modification dated March 28, 2023) and warning signs with installation of the project access road and intersection improvements. The approval of the 95-unit Alternative would result in less traffic, and hence, less transportation and circulation impacts. The possibility of cumulative impact to Traffic and Transportation in 2023 and beyond is addressed through TAMC, County traffic fees, and fair share payments for intersection impacts paid by the owner. Fees required by Mitigation Measures 4.4-1, 4.4-3, 4.4-4, and 4.6-6 remain unchanged. Therefore, the amendment would not increase cumulative impacts related to traffic and transportation.

The Project Modification would not result in new significant impacts or worsen the severity of any significant impacts related to Transportation and Circulation, both direct and cumulative, that were previously identified in the certified Final REIR. The findings of the existing environmental documentation would remain unchanged and no new or substantially revised mitigation measures are warranted.

As discussed in the Project Resolutions, the County did not identify potentially significant impacts resulting from the construction and operation of the Project related to Land Use or Population and Housing. The Project Modification would not result in any new significant impacts related to Land Use or Population and Housing identified in the certified Final REIR. The findings of the existing environmental documentation would remain unchanged. Hence, no new or substantially revised mitigation measures are warranted.

Supplemental Reports

The applicant has prepared three supplemental reports:

¹ Subsequent to certification of the Final EIR, the State of California enacted amendments to CEQA and the Office of Planning and Research (OPR) issued new Guidelines concerning transportation impacts that required agencies to use the Vehicle Miles Traveled (VMT) standard to determine whether a project's traffic impact is significant under CEQA (PRC, § 21099 and CEQA Guidelines, § 15064.3) For any project with a CEQA document that has not been released for public review by July 1, 2020, the CEQA analysis can no longer use road congestion or the amount of time a driver is delayed on the road – commonly measured by level of service (LOS) – when analyzing transportation impacts. Since the final REIR was certified prior to July 1, 2020, VMT does not apply here.

- a) *“September Ranch Water System Engineer’s Report”* by Schaaf & Wheeler (Andrew A Sterbenz, PE), Salinas, California, December 23, 2021 (HCD-Planning Library Doc. No. LIB230071); and
- b) *“Draft Analysis of the Carmel Valley Road/Brookdale Drive Intersection”* prepared by Kimley-Horn for County of Monterey, Salinas, California, August 11, 2020 (LIB230069)
- c) *“Preliminary Environmental Assessment”* by Denise Duffy & Associates, Monterey, California, October 4, 2022 (LIB230070) and *“Appendices to Preliminary Environmental Assessment”* by Denise Duffy & Associates, Monterey, California, October 4, 2022

The September Ranch Water System Engineer’s Report (LIB230071) was revised to reflect inter-connection with Cal-Am for well water treatment. Development demands, fire flow requirements, onsite distribution system and water storage, and system performance were found to be equivalent as between the Project and the Project Modification. Therefore, no potentially significant impacts are expected from the Project Modification.

The Subject Intersection Analysis (LIB230069) concluded that the intersection would not operate below County standards under either the initial Project mitigation (signalization) or Project Modification (two-way left turn channelization) scenarios. The main intersection/entrance point (Carmel Valley Road/Brookdale Drive) would operate, under cumulative scenario, at LOS of A and LOS of C for the signalization and two-way left-turn channelization projects respectively. The LOS in the Project Modification scenario is C which meet the LOS criteria for unsignalized intersections per County design standards and supplemental circulations policies for the CVMP.

The Preliminary Environmental Assessment (LIB230070) provided draft information on the Project Modification with respect to the Project’s history. Figures and key information from the assessment was utilized, sometimes in direct quotation, from the assessment document with express permission by Denise Duffy in the preparation of this Addendum. The Appendices include an excerpt from the CVRAC (Appendix A-3) that demonstrates that the CVRAC Sub-Committee, County staff, and Kimley Horn staff worked collaboratively reviewing the study results, concepts, and various alternatives for the corridor in front of September Ranch up to and including September 2020. The Appendices also include a Sight Distance Study by subconsultant Whitson Engineering dated October 3, 2022 (Appendix A-4), which evaluated the Sight Distance from the subdivision entrance under the Project Modification. Utilizing Whitson Engineers’ draft implementation civil sheet No. C3.02, the engineer found Sight Distance requirements would be met under the Project Modification without additional mitigation. Therefore, no potentially significant impacts are expected from implementation of the Project Modification with respect to the Transportation/Circulation. The Appendices include a memo from Schaaf & Wheeler to the applicant dated April 15, 2022 (Appendix B) that summarizes the estimated water losses and required reporting for the September Ranch Project in Carmel Valley. The Memo explains the amount of water system loss that could be expected with the Project Modification can be expected to match the average Cal-Am overall system losses of 7%.

Changes in Circumstance/Information Analyses

Since the REIR, CEQA has been updated to include new topics and this Addendum considers these updates minor changes in the regulatory setting. Below are the new topics and the analysis for them. None of these changes would cause additional impacts under the Project Modification.

Agricultural and Forest Resources. The Draft FEIR found Agricultural Resources to be among the environmental issues that were not significantly affected by the Project and did not require analysis pursuant to CEQA Guidelines section 15063(c). The project site is not designated as either Prime Farmland or Other under the Department of Conservation Farmland Mapping and Monitoring Program. It is not directly related to a reduction in farmland or involved other changes in the existing environment which, due to location or nature, could result in the conversion of farmland to non-agricultural uses. Therefore, no impacts to agricultural resources were found. The California Public Resources Code (PRC) defines Forest Land as land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits (PRC, § 12220(g)). The REIR found that approximately 34.9 acres of Monterey Pine Forest/oak woodland will be impacted by the Project, but the Project Modification area is mixed ruderal (by Carmel Valley Road) and mixed grassland (in the parcels proposed for water system improvements). By this measure, implementation of the Project Modification would not result in the loss of forest land. *Therefore, the proposed project would result in no impact related to agricultural and forest resources.* (Mitigation measures were applied in relation to the native trees that are impacted by the construction of the Project. The permit holder has already submitted a final Forest Management Plan, which includes a Forest Mitigation and Monitoring Plan to comply with Mitigation Measure 4.9-2 through 4.9-6.)

Greenhouse Gas Emissions. The Final REIR did not contain an analysis of GHG emissions and climate change, because at the time the Final REIR was prepared, AB32, the Global Warming Solutions Act and associated updates to the CEQA statutes and guidelines were not in effect. Climate change is a cumulative impact; a project contributes to this impact through its incremental contribution of GHG emissions combined with the cumulative increase of all other sources of GHGs. The MBARD's GHG threshold is defined in terms of carbon dioxide equivalent (CO₂e), a metric that accounts for the emissions from various GHGs based on their global warming potential. Although an analysis of potential climate change impacts was not completed as part of the environmental analysis at the time, air quality modeling was completed for temporary construction phase impacts. MBARD determined that if a project emits less than 10,000 metric tons per year (MT/yr) CO₂e that its impact will be less than significant. The Proposed Modification would result in less emissions during construction due to reduction of facilities and infrastructure. Annual GHG emissions generated by operation of the Proposed Modification would also be similar or reduced due to the facility reduction and the elimination of the water treatment plant operations. Therefore, the estimated annual GHG for the modification falls well below the threshold of 10,000 MT/year and is therefore considered to be less than significant. The Project Modification would facilitate reduction of energy production by allowing for offsite treatment. The proposed project does not conflict with policy direction contained in the Monterey County Climate Action Plan because such a plan has not yet been adopted. The County anticipates residential uses and open space at the subject location, which is consistent with the planned growth and use for the area. *Overall, the project is considered to have no impact on GHG Emissions.*

Transportation Impacts: Vehicle Miles Traveled. Subsequent to certification of the Final EIR, the State of California enacted amendments to CEQA and the Office of Planning and Research (OPR) issued new CEQA Guidelines concerning the assessment of transportation impacts that generally recommend using Vehicle Miles Traveled (VMT) and state that automobile delay does not constitute a

significant impact under CEQA (PRC, §2 1099 and CEQA Guidelines, § 15064.3). SB 743 was signed into law on September 27, 2013 and changed the way that public agencies evaluate transportation impacts under CEQA. In response, OPR updated the CEQA guidelines and recommended that VMT be the primary metric for evaluation. For any project with a CEQA document that has not been released for public review by July 1, 2020, the CEQA analysis can no longer use road congestion or the amount of time a driver is delayed on the road – commonly measured by level of service (LOS) – when analyzing transportation impacts. VMT measures the amount and distance people drive to destinations. The approved project’s location, allowable development and densities are unchanged. The Project Modification would not increase the number of residential lots or density, nor change the project configuration such that the project would increase VMT. Since there is no increase in VMT, and the project proposes amendments to conditions, not development, the *Project Modification would have no new impact on VMT.*

Tribal Cultural Resources. After certifying the Final EIR, the State of California enacted amendments to CEQA and the Office of Planning and Research issued new CEQA Guidelines concerning the assessment of Tribal Cultural Resources (CEQA Guidelines, § 21080.3.1 and 2). In accordance with Assembly Bill 52, the County = would have notified the indigenous tribes having territory over the project area, and, if formally requested, conduct a tribal consultation with each tribal representative. The proposed Project Modification includes the expansion of Carmel Valley Road beyond the existing pavement by approximately twelve feet along the frontage of the subdivision which would include excavation and vegetation removal. The proposed Project Modification regarding water treatment results in less disturbance of ground for development in the project area because the onsite water treatment plant would not be constructed. In both cases, the area was already anticipated to be within the construction disturbance area which was assessed for cultural resources without anticipated impacts. Although an analysis of potential Tribal Cultural Resources impacts was not completed as part of the environmental analysis at the time, cultural resources were evaluated was completed and no site monitoring was required. An Initial Study and Notice of Preparation (NOP) were circulated on January 31, 2003. AB 52 applies to any project for which an NOP is filed on or after July 1, 2015. Therefore, the Project Modification is not required to notify and consult on the possible impacts.

Wildfire. The REIR did not directly address impacts associated with wildfire because it was prepared prior to the State’s adoption of revisions to the CEQA Guidelines that required an analysis of wildfire impacts for EIRs. These became effective in late December 2018. The Project’s potential impacts on Wildfire were included hazardous conditions analysis (CEQA Guidelines, § 15126.2(a)) and it was found that the Project had fire protections in place by design (water tanks for fire suppression) and that there were some actions that could increase safety in relation to fire, as discussed below.

According to the California Department of Forestry and Fire Protection (CAL FIRE), the additional study area is located within a Fire Hazard Severity Zone (FHSZ). The Project Modification does not include any development or improvements that would increase the long-term risk of wildland fires or expose people or structures to wildland fires. The project would not require installation of infrastructure that could exacerbate fire hazards that were not already analyzed in the REIR. The Project Modification would not intrude into natural spaces in a new manner that would increase wildlife hazards in the long term; and Conditions of Approval are already in place to protect the area from temporary and on-going impacts to the environment. These are Conditions of Approval PBD001- ANNEX TO FIRE DISTRICT, FIRE012 – EMERGENCY WATER STANDARDS, FIRE017 – DISPOSAL OF VEGETATION AND FUELS, and FIRE018 - GREENBELTS. Further,

conditions of approval also address the Project potential to expose people to significant post-fire risks such as flooding and landslides. The Project Modification does not involve a use or activity that could interfere with long term emergency response or emergency evacuation plans for the area. Temporary traffic control during completion of activities that require work in the public right-of-way is required and must adhere to the procedures, methods and guidance given in the current edition of the California Manual on Uniform Traffic Control Devices. *Therefore, no impacts to Wildfire were found to have potential to be greater in area or intensity by the Project Modification.*

CEQA Guidelines section 15162(a)(2) provides that no subsequent EIR shall be prepared unless the lead agency determines that “[s]ubstantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.” The Project Modification would not result in a substantial change with respect to the circumstances under which the project is undertaken such that there would be additional environmental effects or increase the severity of a previously identified effect beyond those previously identified in the certified September Ranch Final REIR.

As it was at the time of the REIR, the project site is within the boundaries of the Monterey Peninsula Water Management District (MPWMD) and the Cal-Am service area. The water from the September Ranch Aquifer (SRA) would be treated by the offsite treatment facility and returned via an existing transmission main to the September Ranch site. There would be a commensurate net decrease in any water drawn from the Carmel Valley Aquifer (CVA) to serve existing customers, as the water from SRA would net out this CVA water. Water use would be under the strict mitigation measures and conditions of the Project related to water limits, reporting and enforcement. The September Ranch Project would continue to use up to 57.21 acre-feet of water at full buildout from the September Ranch onsite wells and aquifer; this water would be supplied from existing wells and transmitted via existing transmission lines from the site to the Begonia Treatment Plant operated by Cal-Am. There are no environmental effects that are worsened by the change in circumstances that the State water system regulations require consolidations. The previously identified environmental impacts related to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology, Soils, and Seismicity, Hydrology and Water Quality, Public Services, Recreation, and Utilities are less severe due to the removal of the onsite treatment plant and these impacted were already mitigated to less-than-significant levels. There are no other changes in circumstances that relate to water treatment in the area of the Project Modification.

As it was at the time of the REIR, the project site is on Carmel Valley Road and the entrance is planned to be located at the intersection with Brookdale Drive. The previously identified environmental impacts related to Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology, Soils, and Seismicity, Hydrology and Water Quality, Noise and Vibration, Public Services, Recreation, and Utilities, and Transportation and Circulation are no more severe due to the intersection improvement as two-way left turn channelization. The LOS, Vehicle Trip Generation, and Sight Distance on the related segments and intersections are not significantly different than when they were analyzed for the REIR. The potential impacts related to signalization of the intersection were already mitigated to less-than-significant levels. There are no other changes in circumstances that relate to the entrance intersection in the area of the Project Modification.

The Project Modification does not entail new information of substantial importance. No new information of substantial importance has been identified such that the September Ranch Project would result in: 1) significant environmental effects not identified in the certified September Ranch Final REIR; 2) more severe environmental effects than described in the certified September Ranch Final REIR; 3) mitigation measures or alternatives which were previously determined not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects, but the applicant declines to adopt the measure or alternative; or, 4) mitigation measures or alternatives which are considerably different from those analyzed in the certified September Ranch Final REIR would substantially reduce one or more significant effects on the environment, but the applicant declines to adopt the measures or alternatives. There is no new information of substantial importance known or that could have been known with the exercise of reasonable diligence at the time the Final REIR was certified that shows that the Project Modification would result in either new significant impacts or substantially more severe impacts than those analyzed in the Final REIR.

Mandatory Findings of Significance

As documented in the REIR and this Addendum, design features incorporated into the project would avoid or reduce certain potential environmental impacts, as would compliance with existing regulations. Remaining impacts can be reduced to levels that are less than significant through implementation of the mitigation measures identified above. The previously adopted mitigation measures (as amended) extend to the Project Modification and are included as Conditions of Approval. *Therefore, the Project Modification would not have a significant adverse impact on the environment.*

Conclusion/Determination

An REIR was prepared, circulated, considered, and adopted for Planning Project Nos. PLN110173/PLN050001. All physical impacts were reviewed. The County determined that the Project, as it was designed and with the Mitigation Measures applied, would not have a significant effect on the environment. The REIR recommended mitigation measures for Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology, Soils, and Seismicity, Hydrology and Water Quality, and Noise and Vibration, Population and Housing, Public Services, Recreation, and Utilities, and Transportation/Circulation. The amendment application (PLN110173-AMD1) included the preparation and submittal of updated Water System and Traffic reports to ensure no new or additional impacts were evident.

Based on review of the current application, plans, and the staff's site visit on July 15, 2022, no other potentially significant issues have been identified for the Project. There were no new impacts beyond those already disclosed and considered in the Final REIR in any of the resource categories contained in Appendix G of the California Environmental Quality Act (CEQA) Guidelines. As discussed in this addendum, there are no new impacts or a substantial increase in the severity of impacts identified. The proposed development is exactly the type of use and size anticipated within the original EIR. Physical changes proposed by the Project Modification are less impactful to the site in terms of Air Quality, Biological Resources, Cultural Resources, Geology, Soils, and Seismicity, Hydrology and Water Quality, and Noise and Vibration, and Public Services, Recreation, and Utilities. Impact to Transportation/Circulation are functionally equivalent under the Project Modification. No substantial changes have occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant

environmental effects or a substantial increase in the severity of previously identified significant effects, as described above. Therefore, no subsequent EIR is required as described in CEQA Guidelines section 15162.e.

Table 1. Amendments to September Ranch Water Conditions of Approval

Condition Name	Responsible Department	Current Status	Condition/Mitigation Monitoring Measure	Compliance or Monitoring Action to be Performed
40. Connection to Cal-Am Prohibited for Treatment *	Planning Department	Partially Met	<p>The applicant developer of managing entity of the <i>September Ranch water system</i> shall be prohibited at buildout from hooking up to drawing delivering water from to the California-American Water Company System in exceedance of the <i>57.21 acre-feet per year (AFY). 57.21 AFY represents the amount produced by the subdivision’s onsite wells, which is for treated by Cal-Am at its offsite treatment plant.</i> The CC&Rs shall state that neither the water system nor any owner or group of owners shall request or receive <i>57.21 AFY represents a maximum at buildout of all phases of the Subdivision.</i> The amount of water supply from pumped to the Cal-Am treatment plant <i>during buildout shall be not exceed the total AFY necessary to serve the demand of those constructed units and other approved uses on the subdivision subject to requirements of the Monterey Peninsula Water Management District’s Water Distribution System (WDS) Permit. The water loss rate for such treatment system is up to 10% and for the delivery system is up to 7%. Other than as set forth above, All uses and connections within the September Ranch subdivision shall be served by the onsite Water System and shall not be separately connected to the Cal-Am water system.</i> †The CC&Rs shall state that neither the water system nor any owner or group of owners shall request or receive a water supply from Cal-Am or actually be supplied water by Cal-Am. <i>The CC&Rs shall be</i></p>	<p>Prior to recordation of the final map the Owner/ Applicant shall submit the draft CC&Rs to the Director of Planning for review and approval.</p> <p>On-going †The Owner/Applicant shall submit a form a public water system to deliver potable water to the subdivision.</p> <p>Consistent with Condition of Approval No. 46, a quarterly water use report shall be submitted to the Water Resources Agency and Director of HCD by the water system operator to ensure that the total use of water in the quarters does not exceed the total <i>57.21 acre-feet per year (AFY). necessary to serve the demand of those constructed units and other approved uses. If all phases are completed, County and Monterey Peninsula Water Management District shall review the quarterly reports and require the water system operator to provide documentation deemed necessary to verify actual water provided and or received. Information for verification may include inspection of meters by the MPWMD, the County or their agents. The quarterly report ending September 30 of each year shall show Water Year</i></p>

*Errata edits made to Condition No. 40 in the hearing that were suggested by a partner agency, Monterey Peninsula Water Management District and a member of the public and staff are included herein, written in italics.

			<p>enforceable by the County and may not be changed without County approval. The prohibition described in this Condition shall not prevent Cal-Am from owning and/or operating the water system for the subdivision site.</p> <p><u>The onsite water system shall be prohibited from receiving treated water from the Cal-Am water system in exceedance of 57.21 AFY.</u></p> <p><u>All water delivered from the onsite water system to the Cal-Am water system for treatment shall be metered and all water returned from Cal-Am to the onsite water system shall be separately metered to ensure that the limitations described in this condition are complied with. Water loss within the treatment system is anticipated to be up to 10% and, for the delivery system, up to 7%. (These loss levels were also anticipated for the onsite water treatment system.)</u></p> <p>(RMAHCD - Planning Department).</p>	<p><u>annual totals showing evidence that the total water use for the entire subdivision does not exceed 57.21 AFY. Water systems shall additionally comply with the Monterey Peninsula Water Management District WDS Permit.</u></p>
108. Water System Improvements; County State Permitted System (Non-Standard)	Environmental Health Department	Partially Met	<p>Design the water system improvements to meet the <u>California Waterworks Standards (Title 22 of the California Code of Regulations), standards as found in Chapter 15.04 of the Monterey County Code, relevant sections of Titles 17 and 22 of the California Code of Regulations pertaining to cross-connection control, and as found in the Residential Subdivision Water Supply Standards.</u> Each well and all individual connections shall be metered. Submit engineered plans for the water system improvements, including plans for secondary treatment to include treatment for TDS to less than 500 mg/l, and any associated fees to the Director of Environmental Health for review and approval prior to installing (or bonding) the water</p>	<p>Prior to filing final map a CA Licensed Engineer/Owner/construction of the water distribution system, the Applicant shall submit engineered plans for the water system improvement plans, including plans for secondary treatment, and any associated fees to EH SWRCB-DDW for review and approval acceptance and to the Environmental Health Bureau (EHB). prior to installing (or bonding) the improvements. Submit documentation to the EHB confirming that the plans are acceptable to SWRCB-DDW.</p>

			<p><u>system improvements, including plans for the exchange of untreated water from the September Ranch well located on Parcel H with the off-site Begonia Treatment Plant within the Cal-Am Water Company – Monterey water system (State Water Resource Control Board – Division of Drinking Water (SWRCB-DDW) Water System No. 2710004). Water treatment for the project may take place at an offsite treatment plant, so long as such treatment is carried out in a manner consistent with the standards in this Condition (No. 108) and the terms of Condition No. 40. (Environmental Health).</u></p>	
120. Articles of Incorporation	Environmental Health Department	Met	<p>1) The applicant shall record as to the entire property, prior to or in conjunction with subdividing the property, a document which demonstrates a clear intent on behalf of the owner of the property to reserve as to each and every parcel created any riparian and/or overlying groundwater rights that presently exist as to the property.</p> <p>2) The applicant shall draft articles of incorporation for the mutual water company for review and approval. The articles shall provide that, upon grant from the parcel owners (as described in (3) below), the mutual water company, <u>or a regulated public utility</u>, will serve water to each such parcel. The Articles shall be accompanied by documentation that an application has been filed for incorporation.</p> <p>3) The applicant shall record, as to each separate parcel to be created, (i) an agreement that no</p>	<p>Prior to the filing the first final map, the Owner/Applicant shall:</p> <p>1) Submit, for review and approval, a copy of the document, demonstrating a clear intent on behalf of the owner of the property to reserve as to each and every parcel created any riparian and/or overlying groundwater rights that presently exist as to the property.</p> <p>Prior to filing the first final map the Owner/Applicant shall:</p> <p>2) Submit a copy of the articles of incorporation for the mutual water company for review and approval. These shall be accompanied by documentation that an application has been filed for incorporation.</p>

			<p>private wells will be drilled, and (ii) an express grant from the owner of the parcel to the mutual water company <u>or regulated public utility</u> which authorizes the mutual water company <u>or regulated public utility</u> to exercise on behalf of the parcel owner any riparian rights and/or overlying groundwater rights which are presently held by the owner of the parcel. (Environmental Health and County Counsel)</p>	<p>Prior to the issuance of a building permit for each parcel the Owner/Applicant shall: 3) Submit, for review and approval, a copy of the agreement that ensures that no private wells will be drilled and the grant from the property owner to the mutual water company <u>or regulated public utility</u> which authorizes the mutual water company <u>or regulated public utility</u> to exercise on behalf of the parcel owner any riparian rights and/or overlying groundwater rights which are presently held by the owner of the parcel.</p>
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September Ranch Amendment Project Proposed New Conditions

Condition Name	Responsible Department	Current Status	Condition/Mitigation Monitoring Measure	Compliance or Monitoring Action to be Performed
195. (EHSP03) MEMORANDUM OF UNDERSTANDING (NON-STANDARD)	Health Department – Land Use	Unmet	Applicant (referred to as Carmel Reserve, LLC) previously entered into a Memorandum of Understanding (MOU) with California American Water Utilities (“Cal-Am) to provide operation and management services for the water system, dated July 8, 2020. The MOU shall be amended or replaced as appropriate to reflect the exchange of untreated water from the September Ranch well located on Parcel H with the off-site Begonia Treatment Plant within the Cal-Am Water Company – Monterey water system (State Water Resource Control Board – Division of Drinking Water, System No. 2710004), and to specify operational oversight and ownership of the water system facilities and sources.	<p>Prior to construction of the water distribution system, the applicant shall submit a draft of an amended or replacement MOU to the Environmental Health Bureau (EHB) and County Counsel for review and approval.</p> <p>The applicant shall execute the County-approved MOU and submit a copy to the EHB.</p>
195. (EHSP05) WATER DISTRIBUTION SYSTEM (NON-STANDARD)	Health Department – Land Use	Unmet	Water distribution and access easements shall be established for any portion of the water system that is not situated within a lot or easement established by the Phase 1 subdivision map.	Prior to issuance of construction permit(s) on individual lots, the applicant shall provide evidence to the satisfaction of the Environmental Health Bureau that water distribution and access easements have been established.

Table 2. Proposed Amendments to September Ranch Intersection Conditions of Approval

Condition Name	Responsible Department	Current Status	Condition/Mitigation Monitoring Measure	Compliance or Monitoring Action to be Performed
78. (PWSP007) FRONTAGE IMPROVEMENTS	Engineering Services on behalf of Public Works	Partially Met	<p>Prior to recording the final map the applicant Subdivider shall dedicate right of way along the entire frontage of Carmel Valley Road to accommodate the future widening of Carmel Valley Road to the satisfaction of the Director of Public Works. Such dedication shall be recorded with the final map. Construction of frontage improvements including widening of Carmel Valley Road and passing and bike lanes, consistent with requirements of Condition No. 97 and 157.</p> <p><u>Applicant shall be obtain bonded prior to filing of the Final Map and completed issuance of building permits for any residential unit in the subdivision in accordance to with the Subdivision Improvement agreement and to the satisfaction of the Department of Public Works. The applicant shall be eligible for reimbursement for the value of right of way dedication and costs of improvements beyond those necessary for adequate project access. (Public Works)</u></p>	<p>Concurrently with recordation of final map the Subdivider/Surveyor shall include dedication on final map. Applicant's Engineer shall submit updated Improvement plans to HCD-Engineering Services for review and approval. Improvements to be completed prior to issuance of building permits for any residential unit in the subdivision.</p>
97. (PWSP012) FRONTAGE IMPROVEMENTS	Engineering Services on behalf of Public Works	Partially Met	<p>Subdivider Applicant's Engineer shall widen Carmel Valley Road to include a passing lane or acceleration and deceleration lanes, two through lanes and two shoulders/bike lanes subject to the prior approval of the design by the Department of Public Works. The costs associated with these public improvements, less any costs of these improvements required for project's specific impacts, shall be eligible for a reimbursement agreement. submit updated Improvement plans to HCD Engineering Services for review and</p>	<p>Improvement plans and bonds to be provided prior to recordation of final map. Construction in accordance with subdivision improvement agreement the Subdivider/ Applicant's Engineer shall submit updated improvement plans prepared by his Engineer to DPW HCD-Engineering Services for review and approval. Improvements to be bonded completed prior to recordation of final map issuance of building</p>

			approval. Design subject to approval of PWF&P. <u>Improvements shall be completed in accordance with the Subdivision Improvement Agreement. (Public Works)</u>	<u>permits for any residential unit in the subdivision.</u>
157. MITIGATION MEASURE (4.6-7) TRANSPORTATION AND CIRCULATION	Engineering Services on behalf of Public Works	Partially Met	<p>Prior to the issuance of building permits for any <u>residential</u> unit in the subdivision, the applicant shall implement the following circulation improvements to the satisfaction of the Director of Public Works:</p> <ul style="list-style-type: none"> The project applicant shall install the fourth (north) leg of September Ranch Road (the project access road) at the existing stop controlled T-intersection of Carmel Valley Road/Brookdale Drive. The project applicant shall be responsible for signalizing this intersection and any signal coordination costs associated with this signalization <u>construction of the two-way channelization improvements, in general conformance to the September Ranch Phase 1 Subdivision Improvement Plans as revised on February 14, 2023 and September Ranch Carmel Valley Road Widening Improvement Plans as revised on September 27, 2022.</u> The costs associated with these public improvements, less any costs of these improvements required for project's specific impacts, shall be eligible to a reimbursement agreement. <p>(Public Works)</p>	<p>Prior to approval of the Sub-Improv. Plans the Applicant's Engineer shall show the improvement designs on the Subdivision submit updated <u>Improvement Plans to HCD-Engineering Services for review and approval.</u></p> <p><u>Improvements to be completed</u></p> <p>Prior to issuance of the first residential occupancy building permits the Applicant shall construct the improvement <u>for any residential unit in the subdivision.</u></p>
158. MITIGATION MEASURE (4.6-8)	Engineering Services on	Partially Met	Prior to the issuance of building permits for any <u>residential</u> unit in the subdivision, the applicant shall implement the following circulation	Prior to approval of the Subdivision <u>channelization</u> Improvement Plans the Applicant shall include the warning

TRANSPORTATION AND CIRCULATION	behalf of Public Works		<p>improvements to the satisfaction of the Director of Public Works:</p> <ul style="list-style-type: none"> In conjunction with the signalization <u>two-way left-turn channelization</u> improvements <u>at the intersection</u>, install an <u>Signal Ahead intersection</u> warning sign in both directions in advance of the <u>signal intersection</u> at September Ranch <u>Carmel Valley Road</u> and Brookdale Drive to alert drivers on Carmel Valley Road. <u>The warning signs shall adhere to the guidance given in the current edition of the California Manual on Uniform Traffic Control Devices.</u> (Public Works) 	<p>signs on the Subdivision updated Improvement Plans.</p> <p>Prior to issuance of the first <u>building permit for any residential building permit unit in the subdivision</u>, the Applicant shall install the signs.</p>
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September Ranch Amendment Project Proposed New Condition

Condition Name	Responsible Department	Current Status	Condition/Mitigation Monitoring Measure	Compliance or Monitoring Action to be Performed
194. (PWSP001) CVTIP FUND	Engineering Services on behalf of Public Works	Unmet	<p>Since the construction cost of the two-way channelization project is less expensive than the previously approved signalization of the Brookdale Drive and Carmel Valley Road intersection, per an agreement of the developer, it shall make a \$300,000 contribution to the Carmel Valley Traffic Impact Program (CVTIP) to fund the difference. At the discretion of the Board of Supervisors, the contribution may used to support improvements along the project's frontage or other projects consistent with the Carmel Valley Traffic Impact Program (CVTIP).</p>	<p>Prior to the issuance of building permits for any market-rate residential unit in the subdivision, the applicant shall make the contribution to the CVTIP and submit proof of payment to HCD-Engineering Services.</p>