

## City of Monterey Environmental Checklist Form

1. **Project Title:** Iris Canyon Sediment Removal Project
2. **Lead Agency Name and Address:** City of Monterey, 601 Wave Street, Suite 100, Monterey, CA 93940
3. **Contact Person and Phone Number:** Thomas M. Korman, PE, PLS, Senior Engineer, (831) 646-3475; [korman@monterey.org](mailto:korman@monterey.org)
4. **Project Location:** Iris Canyon Creek adjacent to Iris Canyon Road (APN 001-743-016-000); see Figure 1
5. **Project Sponsor's Name and Address:** City of Monterey, 601 Wave Street, Suite 100, Monterey, CA 93940
6. **General Plan Designation:** Parks and Open Space
7. **Zoning:** R-1-20 (Residential Single-Family District)
8. **Description of Project:**

*Background.* Iris Canyon Creek drains approximately 360 acres of land and in the past has been subject to both erosion and sedimentation, resulting in areas of deeply incised channels near Iris Canyon Road. In 2004, the City completed engineering plans for the Iris Canyon Creek Reparation Project that would have improved a 1,750-foot segment of the creek adjacent to Iris Canyon Road and immediately upstream of the current project in order to provide creek channel stabilization. The purpose of this project was to implement channel repairs and stabilization measures to fill in the excessively eroded channel and to provide a stable channel configuration for the estimated design flow rate. The project included installation of earth-retaining systems and planting the slopes with native trees and shrubs with a series of grade control structures to maintain a stable creek bed and prevent erosion. The project also was intended to protect Iris Canyon Road from flooding and to protect Monterey pine trees, some of which were subject to root damage due to the undercut channel. Environmental review for the 1,750-foot segment was completed pursuant to the California Environmental Quality Act (CEQA), and a Mitigated Negative Declaration was approved in 2007 (City of Monterey, 2007). Permits were secured from the U.S. Army Corps of Engineers (USACE), the California Department of Fish and Wildlife (CDFW), and the Regional Water Quality Control Board (RWQCB). However, due to a variety of reasons the project was not undertaken by the City nor was a request for permit extensions made to the agencies.

As a result of heavy winter storms in 2017 that flooded Iris Canyon Road, the City began review of options to address increasing sedimentation and channel protection. Sediment has deposited in the northern channel segment over the course of several decades, primarily due to upstream channel erosion, to the extent that the current channel flow line is approximately

level with Iris Canyon Road. This has caused creek flows to migrate out of the historic channel alignment during the last few rainy seasons, running along the road edge, causing roadway flooding and pavement damage. After consideration of several options, the City is now proposing a sediment removal project within a 1,200-foot segment of Iris Canyon Creek that is immediately downstream of the previously approved Iris Canyon Creek Reparation Project (described under Background above). It is also noted that the City has permits for removal of sediment at the Lagunita Mirada detention basin that is located immediately downstream of the proposed project, which is planned for summer 2020.

*Project Description.* The proposed project consists of removal of sediment and recontouring the creek channel to re-establish the historic channel and prevent continued flooding of Iris Canyon Road. Approximately 5,000 cubic yards of material would be removed within an approximate 1.5-acre area of disturbance along an approximate 1,200 linear foot segment of the creek. Sediment would be excavated and removed from approximately 2 to 5 feet below ground surface. The proposed channel is variable-width, ranging from 8 to 40 feet bottom width, and the channel flow line elevation is proposed to be graded at least 3 feet below the edge of Iris Canyon Road in order to provide 2 feet of flow depth plus 1 foot of freeboard to the road edge. The proposed channel slopes vary from 3% (at the upstream tie-in) to 0.4% (at the downstream tie-in), with the majority of the channel length being set at a slope of 0.75%. The conceptual site plan is shown on Figure 2.

According to the engineer report prepared for the project (Whitson Engineers, April 2019), channel scour is estimated to begin at around 4 feet per second (fps). In the 8-foot-wide channel at 0.75% slope, this is calculated to occur with flows greater than 120 cubic feet per second (cfs). Historically, scouring has not been an issue within the project limits; rather, scouring has occurred upstream of the project site (where channel slopes are steeper), and sedimentation has occurred within the project boundary. Sedimentation is anticipated to continue to occur after the proposed project is complete, and future sediment removal likely would be required.

Sediment removal is expected to take approximately 2-3 months to complete. It is expected that sediment would be removed by an excavator or drag bucket from the bank above the channel. All removed sediments would be stockpiled off-site in a designated area along Iris Canyon Road and hauled to an approved off-site location, most likely to the Monterey Regional Waste Management District (MRWMD) Monterey Peninsula Landfill (MPL) located north of the city of Marina (i.e., 14201 Del Monte Avenue, Marina 93933), for disposal.

Project plans include Best Management Practices (BMPs) and erosion control measures that together address protection of water quality and sensitive resources. These measures are identified in the “General Notes” on the construction plans and include:

- Retain existing trees unless noted otherwise (General Note #10) and compliance with the City’s tree protection standards (General Note #13)..

Project plans also include installation of temporary high visibility exclusionary fencing around the work area at “critical locations,” although the term is not defined, but is assumed to

protect undisturbed riparian habitat areas. The areas of fencing are shown on Figure 2. The areas between the project site and Iris Canyon Road that are not protected by the fence are anticipated to be disturbed during construction due to construction access and equipment and material staging along Iris Canyon Road. These areas are included in the project area of disturbance and would be restored by seeding and/or planting once construction is completed.

- 9. Surrounding Land Uses and Setting:** The project site includes a segment of Iris Canyon Creek, which is located in the western portion of the city of Monterey approximately 0.5-mile north of Lake El Estero. The project extends approximately 1,200 feet south from the intersection of Via Mirada and Iris Canyon Road, adjacent to and following Iris Canyon Road. Iris Canyon Creek, located on the east side of Iris Canyon Road, traverses the approximately 32-acre City-owned Iris Canyon Greenbelt.

The project site is bounded by Iris Canyon Road and single-family residences on the west, Via Mirada and Lagunita Mirada sediment basin on the north, the Monterey Peninsula College on the east, and Iris Canyon Creek and greenbelt area on the south. Fremont Street and El Estero Park and Lake El Estero are located further north. The project site is maintained by the City of Monterey as open space. To the east of the creek a strip of Coast live oak woodland (oak woodland) slopes up to meet the boundary of Monterey Peninsula College. To the west of Iris Canyon Road is a similar strip of oak woodland that slopes up to meet a neighborhood of single-family homes accessed by Via Mirada. Iris Canyon Creek continues beyond the project site, south along Iris Canyon Road.

- 10. Other public agencies whose approval is required:**

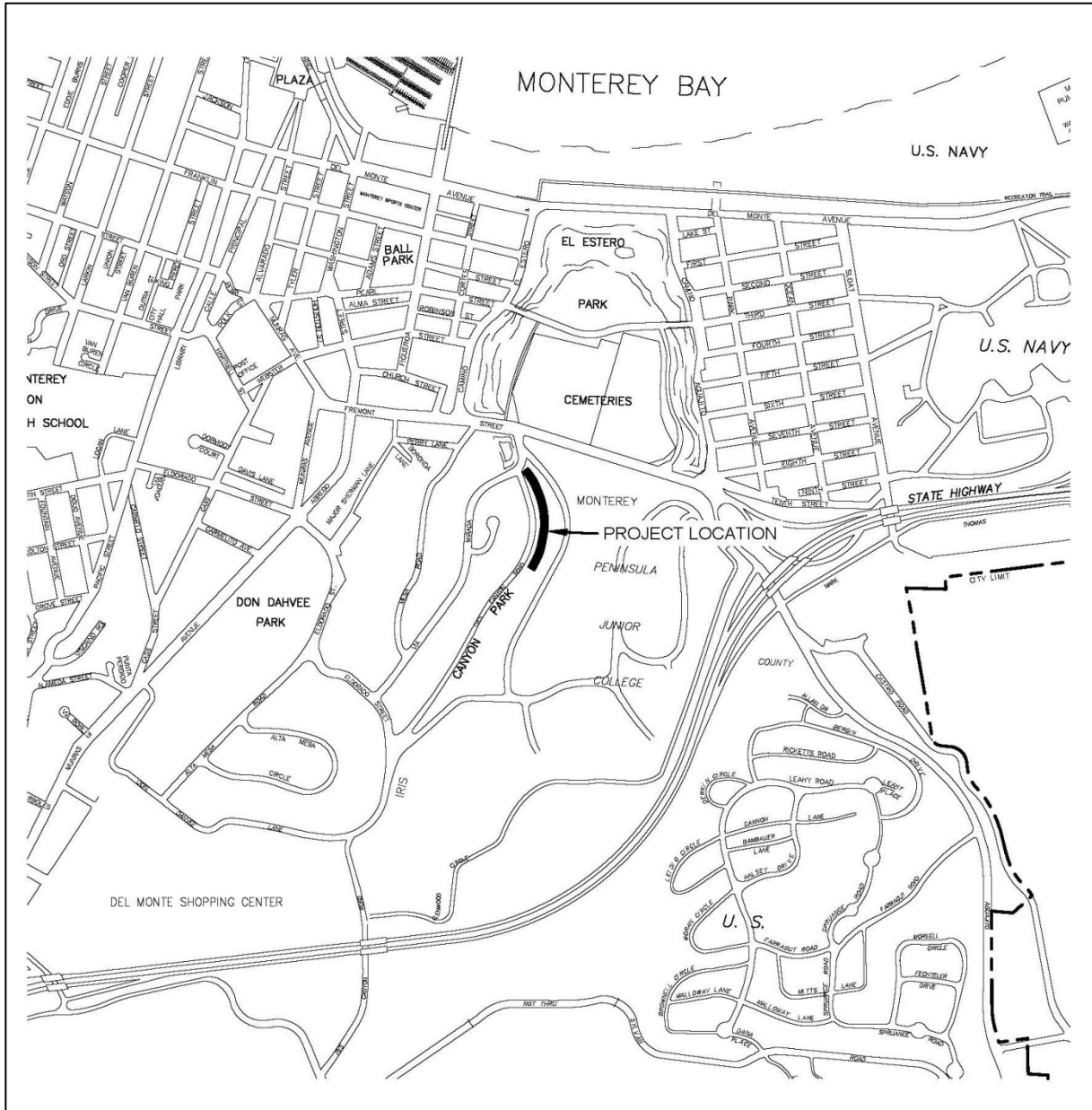
- U.S. Army Corps of Engineers: Approval of Section 404 permit pursuant to federal Clean Water Act
- California Regional Water Quality Control Board: Approval of a 401 Water Certification pursuant to the federal Clean Water Act
- California Department of Fish and Wildlife: Approval of a 1602 Lake and Streambed Alteration Agreement

## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

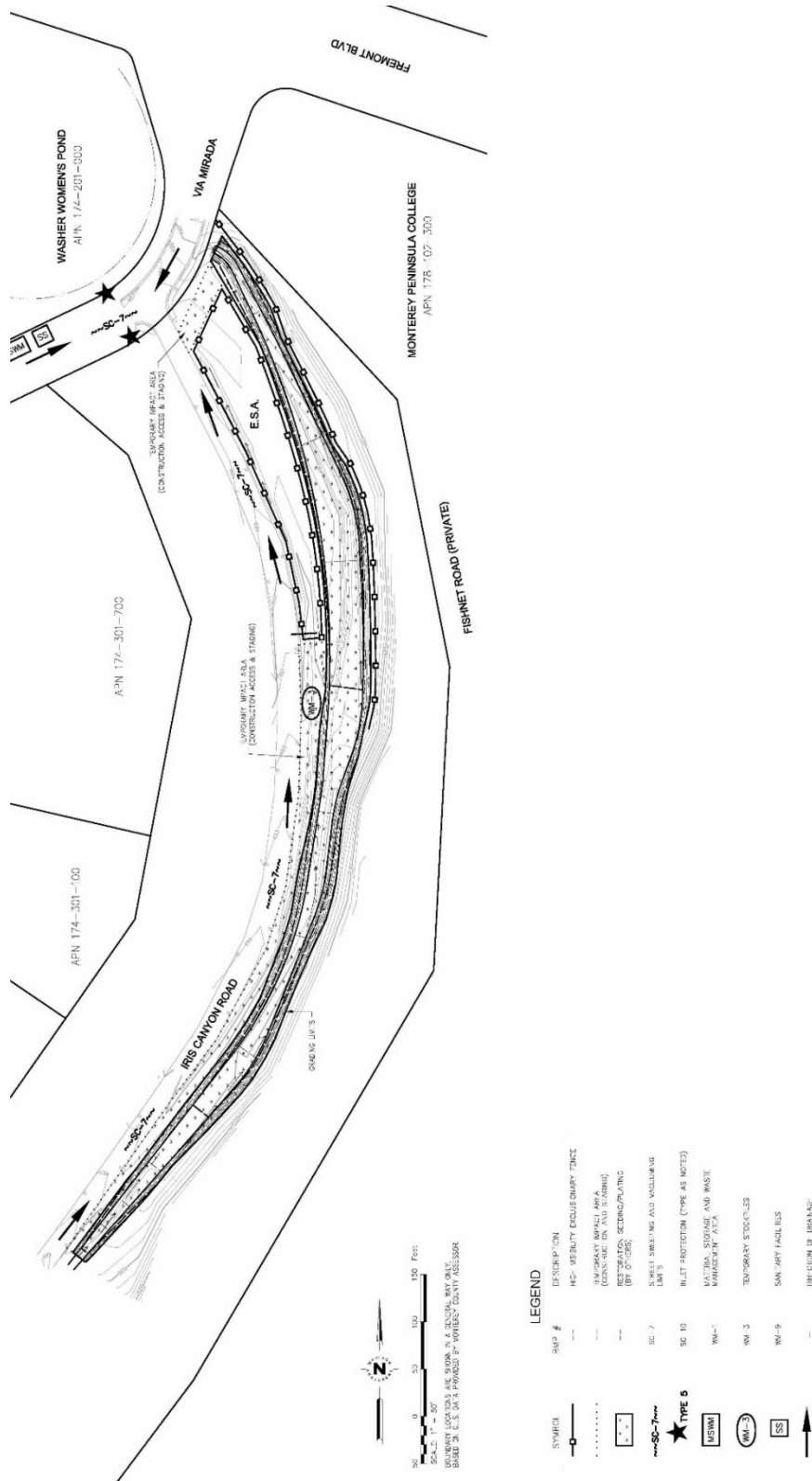
The environmental factors checked below would be potentially affected by this project, as indicated by the checklist on the following pages.

- .....Aesthetics
- .....Agriculture Resources and Forest Resources
- .....Air Quality
- .....X .....Biological Resources
- .....X .....Cultural Resources
- .....Energy
- .....Geology/Soils
- .....Greenhouse Gas Emissions
- .....Hazards and Hazardous Materials
- .....X .....Hydrology/Water Quality
- .....Land Use/Planning
- .....Mineral Resources
- .....X.....Noise
- .....Population/Housing
- .....Public Services
- .....Recreation
- .....Transportation
- .....Tribal Cultural Resources
- .....Utilities/Service Systems
- .....Wildfire
- .....X... .Mandatory Findings of Significance

**FIGURE 1 – Project Location**



**FIGURE 2 – Project Site Plan**



**DETERMINATION:** On the basis of this initial evaluation:

- ..... I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- .....X ..... I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ..... I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ..... I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ..... I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier Environmental Impact Report (EIR) or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

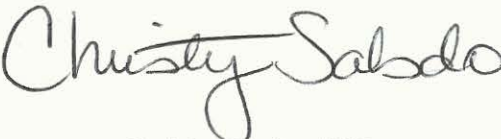
**Public Review Period**

**Begins:** March 26, 2020  
**Ends:** April 24, 2020

**Public Meeting**

**Date:** May 26, 2020  
**Time:** 4pm or 7pm (TBD)  
**Location:** To Be Determined  
**Reviewing Body:** Planning Commission

Anyone interested in this matter is invited to comment on the document by written response or by personal appearance at the hearing.

**Signature:** 

**Date:** 3/24/2020

**Printed name:** Christy Sabdo, AICP  
**Title:** Associate Planner  
**Address:** 570 Pacific Street, Monterey, CA 93940  
**Phone Number:** 831-646-3885

cc: Monterey Public Library (public copy)

**POST** (Outside City Clerk's Office)

County Clerk, 240 Church Street, Salinas, CA 93901

State Clearinghouse, OPR, PO Box 3044, Sacramento, CA 95812-3044

e: City Council

Planning Commission

Architectural Review Committee

Planning Secretary

Association of Monterey Bay Area Governments, P. O. Box 809, Marina, CA 93933-0809

CA Department of Fish and Wildlife, 20 Lower Ragsdale Drive, Suite 100, Monterey, CA 93940

CA Department of Fish and Wildlife Regional Office, 1234 E. Shaw Avenue, Fresno, CA 93710

California Regional Water Quality Control Board, 895 Aerovista Place, Suite 101, San Luis Obispo, CA 93401-7906

California Native Plant Society, Brian Le Neve, President, Monterey Bay Chapter, P.O. Box 221303, Carmel, CA 93923

LandWatch of Monterey County, P.O. Box 1876, Salinas, CA 93902

Louise J. Miranda Ramirez, OCEN Tribal Chairwoman, P.O. Box 1301, Monterey, CA 93942

Molly Erickson, P.O. Box 2448, Monterey, CA 93942-2448

Monterey District Superintendent, Department of Parks and Recreation, 2211 Garden Road, Monterey, CA 93940

Native American Heritage Commission

Sierra Club, Ventana Chapter, Rita Dalessio, Chair, 16 Via Las Encinas, Carmel Valley, CA 93924

Note: A copy of this document, as well as informational sources referenced herein, can be reviewed at the City of Monterey Planning Office (570 Pacific Street, Monterey) as well as the City's Website:

<https://www.monterey.org/Services/Community-Development/Planning>



	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>I. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:</b>					
a) Have a substantial adverse effect on a scenic vista?				X	- General Plan Map 2
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X	
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from public accessible vantage point.) If the project is in an urbanized area would the project conflict with applicable zoning and other regulations governing scenic quality?				X	- General Plan Open Space Element Policy c.1
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				X	

### Existing Setting

The City of Monterey (City) consists of approximately 10 square miles of coastal lands and forested hills. Much of the City is urbanized; however, its coastline and wooded ridges are devoted primarily to open space and recreational uses. Located an hour away from San Jose and an hour and a half from San Francisco, Monterey is frequently a vacation destination for inland and city residents. The Monterey region is well known for its scenic visual character. The City’s coastal areas provide expansive views of the Pacific Ocean (Monterey Bay). The adjacent beach and coastal bluff areas are visually intriguing and offer a variety of passive and active recreational opportunities. Fisherman’s Wharf and Cannery Row provide a variety of shops, art and craft galleries, boutiques, and restaurants in an historic seaport setting.

The City’s General Plan identifies Monterey Bay as the City’s most significant natural resource and also identifies the pine- and oak-covered ridge and foothills as important visual elements, although some are outside the City. The General Plan also indicates that greenbelts create a beautiful setting

and preserve a number of natural resources including Monterey pine trees, as well as form the backdrop of the City and provide a visual break from urban development. The Urban Design Element encourages preservation of forested hillsides as an essential element of the City setting. The Open Space Elements calls for preservation of greenbelts to ensure an overall visual impression of open space on the hillsides above Monterey, between neighborhoods and along major transportation corridors.

As identified in the City's General Plan, all major roads leading to Monterey are scenic highways. Highway 1, is designated a state scenic highway from the Monterey-Salinas Highway (Highway 68) south to the Carmel River. State Highway 68 (Monterey Salinas Highway) from Highway 1 to the Salinas River is a State and County designated scenic highway and also is a designated scenic highway in the City's General Plan (Map 2). In addition, Highway 68 along the western boundary of the City is identified as a "Proposed Scenic Road" in the City's General Plan.

The City's General Plan Map 2 shows portions of the waterfront, canyon areas, wooded hills and ocean/lake waters as "special places". The project site is part of a "canyon" shown on this map. General Plan Open Space Policy b.4 calls for protection of views of the Monterey Bay from Monterey Bay and shoreline parks. The project site is not located adjacent to the coast nor is the project site located within any scenic areas identified in the General Plan Urban Design Element Goal F. Vistas and policies under this goal.

The project site is characterized by dense vegetation with mixed riparian woodland, coast live oak woodland, and seasonal wetland vegetation types with a perennial stream and non-native, invasive understory plants. Open space lands vegetated with both native and non-native species are found along both sides of Iris Canyon Road. Iris Canyon Creek within the project is screened from view by existing vegetation and topographical changes, although a portion of the creek channel is visible from Via Mirada.

## **Discussion**

*a) Scenic Views.* The City's General Plan (Map 2) identifies "special places," which are considered to have significant visual resources. The project site and surrounding Iris Canyon greenbelt are identified as special place under the "Canyon" designation. The proposed project consists of sediment removal within a segment of Iris Canyon Creek, which would not have any effect on a scenic vista. The project would result in removal of some vegetation for access to the creek, but the canyon is heavily wooded and is not located without a public scenic viewshed. The disturbed areas would be revegetated upon completion of the sediment removal activities. Therefore, the project would result in **no impact** to scenic vistas.

*b) Scenic Resources.* The project site is not located adjacent to a state scenic highway, and the project site is not visible from Highway 1 due to intervening development, vegetation and topography between the highway and the project site. Approximately 75 trees would be removed, most of which are willows, except for 27 coast live oak trees, 1 Monterey pine, and 1 madrone. The removal of these trees would not substantially damage a scenic resource as they are not large, prominent trees and are not prominently visible from public viewpoints and are not visible from

Highway 1. Therefore, the project would result in **no impact** on scenic highways because the project would not damage any resources within or adjacent to a state scenic highway.

*c) Visual Character.* The proposed project consists of sediment removal within a segment of Iris Canyon Creek. The project would result in removal of some vegetation for access to the creek. Views of the creek are mostly obscured by vegetation, but some areas may become visible with removal of non-native and willow vegetation. Thus, greater visibility of natural areas may occur as a result of the project with improvement of the visual quality due to removal of non-native vegetation. The disturbed areas would be re-vegetated with native vegetation, and the overall visual quality of the site would be maintained or enhanced, consistent with the City’s General Plan to maintain the canyons and their native vegetation throughout their lengths (Urban Design, Policy c.1). The project would not result in structural development. The project site is located within a developed, urbanized area, and the project would not conflict with applicable zoning and other regulations governing scenic quality as none are applicable to the project. Therefore, the project would result in **no impact** on the visual character of the surrounding area.

*d) Light and Glare.* There is no lighting along Iris Canyon Road, and the project does not include new lighting. Therefore, the project would result in **no impact** related to light and glare.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>II. AGRICULTURE AND FOREST RESOURCES – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</b>					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X	- City of Monterey, General Plan Conservation Element - Monterey County Important Farmland (California Department of Conservation, 2018)
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X	
c) Conflict with existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code Section 12220 (g)), timberland (as				X	- City of Monterey, General Plan Conservation Element

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
defined by Public Resources Code Section 4526) or timberland zoned Timberland Production (as defined by Government Code Section 51104 (g))?					
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X	- City of Monterey, General Plan Conservation Element
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				X	- City of Monterey, General Plan Conservation Element

### Existing Setting

While much of Monterey County is known for agricultural resources and operations, there are no agricultural lands or operations or potential for future agriculture resources or activities within the City itself. There are no mapped prime or other agricultural lands within the City as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency nor are there properties designated for agricultural uses in the City's General Plan. The City of Monterey is primarily an urbanized environment and does not have any forest lands zoned for Timberland Production.

### Discussion

a-b,e) Agriculture. The proposed project would not affect any identified agricultural resources as the site is not designated or zoned for agricultural uses. There are no lands designated or zoned for agricultural uses within the City, and there are no lands in agricultural production in the City. Therefore, the proposed project would not result in conversion of agricultural lands or lead to conversion of agricultural lands, and the project would result in **no impact** to farmland or agricultural resources.

c-e) Forest Resources. The City does not have any identified forest land use or land identified for potential timberland production or use. The project site is not zoned for timberland production. Some trees, although not characterized as potential timber resources, would be removed, as discussed in subsection IV(e) below. Therefore, the project would not result in the conversion of forest lands and would result in **no impact** to forest resources.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</b>					
a) Conflict with or obstruct implementation of the applicable air quality plan?				X	- 2008 CEQA Air Quality Guidelines (MBARD)
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?			X		- 2012-2015 AQMP for MBARD - 2008 CEQA Air Quality Guidelines (MBARD)
c) Expose sensitive receptors to substantial pollutant concentrations?				X	- 2008 CEQA Air Quality Guidelines (MBARD)
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?				X	- 2008 CEQA Air Quality Guidelines (MBARD)

### Existing Setting

The project site is located within the North Central Coast Air Basin (NCCAB), which is comprised of Santa Cruz, San Benito and Monterey counties. A semi-permanent high-pressure system in the eastern Pacific is the controlling factor in the climate of the air basin. In late spring and summer, the high-pressure system is dominant and causes persistent west and northwesterly winds over the entire California coast. The onshore air currents pass over cool ocean waters to bring fog and relatively cool air into the coastal valleys. Warmer air aloft creates elevated inversions that restrict dilution of pollutants vertically, and mountains forming the valleys restrict dilution horizontally.

In the fall, the surface winds become weak, and the marine layer grows shallow, dissipating altogether on some days. The airflow is occasionally reversed in a weak offshore movement, and the relatively stagnant conditions allow pollutants to accumulate over a period of days. It is during this season that the north or east winds develop that transport pollutants from either the San Francisco Bay Area or the Central Valley into the NCCAB. During winter and early spring, the Pacific high-pressure system migrates southward and has less influence on the air basin. Wind direction is more variable, but northwest winds still dominate. The general absence of deep, persistent inversions and occasional storm passages usually result in good air quality for the basin as a whole. The City of Monterey is bounded by pine-wooded hills to the south and by the crescent-shaped southerly end of the

Monterey Bay to the north. Persistent sea breezes ventilate the area with respect to other metropolitan areas, and the City generally enjoys good air quality throughout the year.

To protect public health, both the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established ambient air quality standards (AAQS) that are the maximum levels of ambient (background) air pollutants considered safe, with an adequate margin of safety to protect public health and welfare. Criteria pollutants include ozone (O<sub>3</sub>), nitrogen dioxide (NO<sub>2</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), inhalable particulates (PM<sub>10</sub>), fine particulates (PM<sub>2.5</sub>), and lead. In California, sulfates, vinyl chloride, hydrogen sulfide, and visibility-reducing particles are also regulated as criteria air pollutants. An area is designated as “in attainment” when it is in compliance with the federal and/or state standards.

The State Air Resources Board (ARB) designates a status for regional air basins as being in attainment or nonattainment with State air quality standards. The Federal Environmental Protection Agency (EPA) provides the designation for National standards. State designations are reviewed annually while the National designations are reviewed when either the standards change, or when an area requests that they be re-designated due to changes in the area’s air quality. Most designations are made by regional air basin, but in some cases designations are made at the county level.

Designations are made by pollutant according to the following categories:

**Attainment** – Air quality in the area meets the standard.

**Nonattainment** – Air quality in the area fails to meet the applicable standard.

**Unclassified** – Insufficient data to designate area, or designations have yet to be made.

**Attainment/Unclassified** - An EPA designation which, in terms of planning implications, is essentially the same as Attainment.

The NCCAB is under the jurisdiction of the Monterey Bay Air Resources District<sup>1</sup> (MBARD). The MBARD is in attainment or unclassified status for NAAQS and no national attainment plans apply to the region. The NCCAB is a nonattainment area for the CAAQS for both ozone and inhalable particulate matter (PM<sub>10</sub>) and is an attainment area for other standards, except it is unclassified for hydrogen sulfide (California Air Resources Board, 2019).

The MBARD adopted its first Attainment Plan for ozone in 1991. The AQMP for the Monterey Bay Area was the first plan prepared in response to the California Clean Air Act of 1988 that established specific planning requirements to meet the ozone standard. The California Clean Air Act requires that the AQMP be updated every three years. The most recent updates occurred in 2017 with the adoption of the 2012-2015 AQMP. The MBUAPCD’s 2017 AQMP identifies a continued trend of declining ozone emissions in the NCCAB primarily related to lower vehicle miles traveled. Therefore, the MBUAPCD determined progress was continuing to be made toward attaining the 8-hour ozone standard during the three-year period reviewed (Monterey Bay Air Resources District, March 2017). Attainment of the CAAQS PM<sub>10</sub> standard is addressed in the MBARD’s *Senate Bill 656 Implementation Plan*, which was adopted in December 2005. Maintenance of the NAAQS eight-hour standard for ozone is addressed in the MBARD’s *Federal Maintenance Plan for the Monterey Bay Region*, which

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<sup>1</sup> Formerly the Monterey Bay Unified Air Pollution Control District (MBUAPCD).

was adopted in March 2007. The MBARD does not have threshold for the ozone precursors nitrogen oxide and reactive organic gas for construction projects less than one year because this is accounted for in their emission inventories. MBARD has established a daily emissions threshold for PM<sub>10</sub> for construction projects of 82 pounds per day (lbs/day).

## Discussion

*a) Conflicts with Air Quality Management Plan.* A project would conflict with or obstruct implementation of MBARD's AQMP if it is inconsistent with the growth assumptions in the AQMP. According to the District's CEQA Guidelines, population forecasts adopted by Association of Monterey Bay Area Governments (AMBAG) are used to forecast population-related emissions and to develop basin wide emission controls on stationary. Projects that are consistent with AMBAG's regional forecasts have been accommodated in the AQMP and would be considered consistent with the AQMP. The proposed project consists of sediment removal in an existing drainage that would result in short-term construction activities, but would not result in new structural development or increased population growth. Therefore, because the proposed project would not affect population growth, the project would not result in conflicts with or obstruction of implementation of the AQMP, resulting in **no impact**.

*b) Criteria Pollutant Emissions.* The project consists of sediment removal in an existing drainage. The project would not result in construction of a stationary source of emissions and would not result in structural development or generation of vehicular trips. Thus, the project would not result in direct or indirect emissions of any criteria air pollutant emissions at a level that would violate any local, state, or federal ambient air quality standards or contribute substantially to any air quality violations.

The project would involve sediment removal in an existing drainage that would require excavation to re-create the channel. Information from the MBARD's "CEQA Air Quality Guidelines" (2008) indicates that 8.1 acres could be graded per day with minimal earthmoving or 2.2 acres per day with grading and excavation without exceeding the PM<sub>10</sub> threshold of 82 lbs/day. The total project site area is approximately 1.5 acres. Therefore, the area of sediment removal would be below MBARD's threshold. Thus, the project would not significantly contribute to existing or projected air quality violations, and therefore, would not result in a cumulatively considerable net increase for ozone or PM<sub>10</sub>. Potential air emissions are considered a **less-than-significant impact**.

*c) Sensitive Receptors.* The project site is located within an open space greenbelt surrounded by various residential and institutional uses near the project site. As indicated above, the project would not result in stationary emissions. Thus, the proposed project would not expose sensitive receptors to substantial pollutant concentrations. For CEQA purposes, a sensitive receptor is defined as any residence, including private homes, condominiums, apartments, and living quarters; education resources such as preschools and kindergarten through grade twelve (k-12) schools; daycare centers; and health care facilities such as hospitals or retirement and nursing homes (Monterey Bay Air Resources District, February 2008). There are no sensitive receptors adjacent to the project site, although there are existing residences approximately 0.05 miles (265 feet) west of the project site and Iris Canyon Road. Monterey Peninsula College is located to the east of the project site, but is separated from the project site by existing vegetation and parking lots. The project would result in

short-term temporary construction that would not expose sensitive receptors to substantial pollutant concentrations as the construction area is not adjacent to sensitive receptors. The project would result in no emissions upon completion of the project. Therefore, the project would result in **no impact** to sensitive receptors.

*d) Odors.* According to the MBARD’s CEQA Guidelines, land uses associated with odor complaints typically include landfills, agricultural uses, wastewater treatment plants, food processing plants, chemical plants, refineries, and landfills. The proposed project consists of sediment removal in an existing drainage, but would not result in new structural development or activities that would result in the creation of objectionable odors. Therefore, there would be **no impact** related to generation of odors.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>IV. BIOLOGICAL RESOURCES – Would the project:</b>					
a) Has a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X			<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Conservation Element Goal d, Policies d.1–d.6 and Programs d.1.1–d.6.6</li> <li>- Biological Resources Evaluation (Dudek, January 2020)</li> </ul>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?		X			<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Conservation Element Policy b.4 and Program d.6.3</li> <li>- Biological Resources Evaluation (Dudek, January 2020)</li> </ul>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X			<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Conservation Element Policy b.4 and Program d.6.3</li> <li>- Biological Resources Evaluation (Dudek, January 2020)</li> <li>- Aquatic Resources Delineation (Dudek, February 2020)</li> </ul>



	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		X			<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Conservation and Open Space Elements</li> <li>- Biological Resources Evaluation (Dudek, January 2020)</li> </ul>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X		<ul style="list-style-type: none"> <li>- City of Monterey, Monterey City Code (M.C.C.), Chapter 37, Preservation of Trees and Shrubs</li> </ul>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X	

## Existing Setting

Monterey County consists of more than 3,324 square miles of land (over two million acres) with a variety of habitats from rocky Pacific shores to open grasslands to high mountains at elevations exceeding 5,000 feet. The Monterey Bay area, located in northern Monterey County, is home to a diverse population of animal, bird, and plant species. The waters of Monterey Bay and the adjacent Pacific Ocean off the central California coast have been designated and protected as the Monterey Bay National Marine Sanctuary since 1992.

### Regulations

Migratory Bird Treaty Act. The Migratory Bird Treaty Act (MBTA) establishes special protection for migratory birds by regulating hunting or trade in migratory birds. The MBTA prohibits anyone to take, possess, buy, sell, purchase, or barter any migratory birds list in 50 CFR 10, including feathers or other part, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). The definition of “take” includes any disturbance that causes nest abandonment and/or loss of reproductive effort (e.g., killing or abandonment of eggs or young).

Monterey Tree Protection Ordinance. Chapter 37 of the Monterey City Code regulates protection of trees. Monterey’s image is that of a small-scale residential community beside the bay, framed by a forested hill backdrop and drawing its charm from a rich historical background, certain commercial enterprises, and natural scenic beauty. Trees within the City significantly contribute to this image. The Preservation of Trees and Shrubs Ordinance regulations are intended to assure preservation of

trees and replacement of trees when removal is unavoidable. The regulations define “protected tree” as trees located on a vacant private parcel that are more than two inches (2”) in diameter when measured at a point four feet six inches (4’6”) above the tree’s natural grade and trees located on a private, developed parcel that are more than six inches (6”) when measured at a point four feet six inches (4’6”) above the tree’s natural grade. All public or private construction projects requiring acquisition of a building permit shall comply with the tree protection guidelines established by the City in order to safeguard and protect any trees affected by construction. Any trees or shrubs that are to be pruned, topped, or removed in any City-owned park, greenbelt or other public area are required to secure a permit issued by the City Forester. In addition, it shall be unlawful to damage or remove, or to cause the damage or removal of, any tree in the public right-of-way. The regulations also establish a Landmark Tree Program.

General Plan Conservation Element. The City’s Conservation Element contains a variety of goals, policies and programs. Its elements protect the character and composition of existing native vegetative communities, as well as provide policy to conserve, manage, and restore habitats for endangered species, and protect biological diversity represented by special-status plant and wildlife species in the City of Monterey.

Special-Status Species and Sensitive Habitats. Special-status species are those plants and animals that have been formally listed or proposed for listing as endangered or threatened or are candidates for such listing under the Federal Endangered Species Act (ESA) or the California Endangered Species Act (CESA). Listed species are afforded legal protection under the ESA and CESA. Species that meet the definition of Rare or Endangered under the California Environmental Quality Act (CEQA) Section 15380 are also considered special-status species. Species that meet this definition are typically provided management consideration through the CEQA process, although they are not legally protected under the ESA or CESA include: DFW species of special concern and fully protected species; species listed on the DFW’s California Natural Diversity Database (CNDDB) with no formal status designation but thought by experts to be rare or in serious decline; plants listed as rare under the California Native Plant Protection Act (CNPPA) or on the California Native Plant Society (CNPS) California Rare Plant Ranks (CRPR) 1A and 1B; raptors and other migratory birds protected under the federal Migratory Bird Treaty Act (MBTA) of 1918 and California Fish and Game Code; and marine mammals protected under the Marine Mammal Protection Act of 1972 (MMPA).

Sensitive habitats include riparian corridors, wetlands and other waters of the U.S., habitats for legally protected species, areas of high biological diversity, areas supporting rare or special-status wildlife habitat, and unusual or regionally restricted habitat types. Habitat types considered sensitive include those listed on the CNDDB’s working list of high priority and rare natural communities (i.e., those habitats that are Rare or Endangered within the borders of California) (Dudek, January 2020), those that are occupied by species listed under ESA or are critical habitat in accordance with ESA, and those that are defined as Environmentally Sensitive Habitat Areas (ESHA) under the Coastal Act or “essential fish habitat” under the Magnuson-Stevens Fishery Conservation and Management Act or protected under the Marine Life Protection Act. Specific habitats may also be identified as sensitive in City or County General Plans or ordinances. Sensitive habitats are regulated under federal regulations (such as the Clean Water Act, the Rivers and Harbors Act, and Executive Order 11990 – Protection of Wetlands), state regulations (such as CEQA and the DFW Streambed Alteration Program), or local

ordinances or policies (such as City or County tree ordinances, Habitat Management Plan areas, and General Plan elements).

### ***Project Site Conditions***

A biological resources assessment was conducted for the project site. Eight vegetation communities and land cover types were identified within the project vicinity. These include developed/ruderal, California annual grassland, Coast live oak woodland (oak woodland), Monterey pine forest, mixed riparian woodland, seasonal wetland, pond, and perennial stream (Dudek, 2017). The vegetation communities present at the project site include mixed riparian woodland, oak woodland, seasonal wetland and perennial stream (Dudek, January 2020). The on-site riparian habitat is considered a sensitive habitat. The Iris Canyon Drainage and associated wetlands are likely jurisdictional features under the Clean Water Act Sections 401 and 404, and the California Fish and Game Code Section 1602. Sensitive Monterey pine woodland sensitive habitat is located further upstream of the project site.

Several special status plant species were identified as having the potential occur in the project site, but no species were identified as potentially occurring within the project site due to lack of suitable habitat or existing degraded conditions (Dudek, January 2020). It is noted that a botanical survey was conducted during the flowering season in 2007 for the previously proposed Iris Canyon Reparation project, and no special status plants were observed (PMC, 2007).

Two special status wildlife species were identified as having potential to occur on the project site: western pond turtle (*Actinemys marmorata*) and Monterey dusky-footed woodrat (*Neotoma macrotis luciana*), neither of which are state- or federally-listed species. Two woodrat nests were observed in the riparian woodland at the northern section of the project site during the July 18, 2017 site visit. Both nests were within willow (*Salix* spp.) tree canopies, approximately 10 feet from ground level. The subspecies of woodrat associated with these nests could not be determined based on available sign; however, due to the location of the nests and the sensitive nature of the endemic subspecies, it is assumed these woodrats are the Monterey subspecies (Dudek, 2017).

### **Discussion**

*a) Special Status Species.* There is potentially suitable habitat for a number of special-status plant and wildlife species within the project site. No special-status plant species are expected to occur within the proposed sediment removal area based on results of a biological resources study, and the project would not result in impacts to any individuals or populations of special-status plants (Dudek, January 2020).

Two special-status wildlife species – Monterey dusky-footed woodrat and western pond turtle – have potential to occur at the project site. Two woodrat nests were observed within the project site. Focused surveys conducted at the adjacent Lagunita Mirada sediment basin in 2016 observed an unidentified turtle with the potential to be a western pond turtle. While the turtle was not observed long enough for a positive identification, it is assumed that it was a western pond turtle; therefore, this species is assumed present at the downstream Lagunita Mirada sediment basin (Denise Duffy &

Associates, 2017). Project construction could adversely affect potential nesting and aestivation<sup>2</sup> habitat for western pond turtle should they be present at the time of ground-disturbing activities. Therefore, potential impacts to special status species would be considered a potentially significant impact. With implementation of Mitigation Measures BIO-1 and BIO-2, the impact would be **less than significant with mitigation incorporated**.

**Mitigation Measure BIO-1:** *Avoidance Measures to Protect Potential Special-Status Wildlife-Monterey Dusky-footed Woodrat.* For the protection of potential Monterey dusky-footed woodrat nests at the project site, complete avoidance of potential nests is recommended. No more than thirty (30) days prior to project implementation, a qualified biologist shall conduct a preconstruction survey to locate existing woodrat nests. These nests shall be mapped and flagged with high visibility flagging tape for avoidance. If complete avoidance is not feasible, the following relocation measures are recommended:

- At least two (2) weeks prior to project implementation, a qualified biologist will construct replacement woodrat nests for each nest that would be disturbed. The replacement nests will be located in similar habitat outside the area of disturbance.
- Three (3) days prior to disturbance of existing woodrat nests, a qualified biologist will conduct live trapping at the nests. Any woodrats caught will be relocated to the constructed nests outside the area of disturbance.
- After trapping is complete, the biologist will disassemble the existing woodrat nests by hand to allow any remaining woodrats inside to escape unharmed.
- If construction is to occur during the breeding season (generally between January 1 and September 31), and young are suspected to be present, the existing nest shall be left undisturbed until such a time as the qualified biologist determines the young are capable of independent survival.
- Prior to implementation of any trapping or disturbance of the existing woodrat nests and relocation, approval from CDFW will be obtained.

**Mitigation Measure BIO-2:** *Preconstruction Survey for Western Pond Turtle.* Conduct a preconstruction survey for western pond turtles and potential western pond turtle nest sites within two weeks prior to initiation of grading. A buffer of 100 feet around any active nests shall be flagged with high visibility flagging and avoided by construction activities until young have hatched and moved from the site of their own volition. Any western pond turtle found within the construction area will be avoided and allowed to leave of its own volition, or alternatively and with CDFW approval, it will be captured by a qualified biologist and relocated out of harm's way to the nearest suitable habitat immediately upstream or downstream from the project site.

*b) Riparian and Sensitive Habitats.* The project site contains mixed riparian habitat, consisting mostly of willows with an understory of mostly non-native, invasive species. The project would result in temporary removal of approximately one acre of riparian vegetation in order to gain access to the site and conduct the sediment removal activities. However, non-native, invasive vegetation would

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<sup>2</sup> Aestivation (also known as estivation) is "a dormant state assumed by animals in response to hot or arid conditions." (Stebbins, R.C., S.M. McGinnis. 2012. *Field Guide to Amphibians and Reptiles of California: Revised Edition*. University of California Press.)

also be removed. Upon completion of the sediment removal, the site would be revegetated with a native riparian species mix, although it is expected that the native riparian species would re-establish. There would be no permanent loss of sensitive riparian habitat, although temporary loss of riparian vegetation would be considered a potentially significant impact. Given the planned revegetation/restoration of the site and the temporary nature of the impact and with implementation of Mitigation Measure BIO-3, the impact would be **less than significant impact with mitigation incorporated**.

**Mitigation BIO-3: Sensitive Riparian Habitat.** A revegetation/restoration plan shall be developed and implemented that includes revegetation of all disturbed areas with riparian vegetation. The plan shall specify the criteria and standards by which the revegetation and restoration actions will compensate for impacts of the proposed project on riparian habitats and shall at a minimum include discussion of the following:

- the revegetation-restoration objectives and type and amount of revegetation to be implemented (in-kind at a minimum restoration to impact ratio of 1:1) taking into account enhanced areas where non-native invasive vegetation is removed and replanting specifications that take into natural regeneration of native riparian willow species;
- the specific methods to be employed for revegetation;
- success criteria and monitoring requirements to ensure vegetation community restoration success;
- remedial measures to be implemented in the event that performance standards are not achieved.

*c) Wetland Habitat.* Iris Canyon Creek and associated wetlands are likely jurisdictional features under Clean Water Act Sections 404 and 401, and California Fish and Game Code Section 1602. Impacts to these features would be regulated by the USACE, RWQCB and CDFW. A formal jurisdictional delineation of waters of the United States/State, including wetlands, was conducted to define the extent of Iris Canyon Creek and any associated wetlands. A total of 0.40 acre (1,708.9 linear feet) of wetlands and other waters were identified/delineated on the project site, consisting of approximately 0.18 acres of wetlands and 0.22 acres of other waters that may meet the criteria for waters of the U.S. subject to U.S. Army Corps of Engineers jurisdiction and the criteria for jurisdictional waters of the States (Dudek, February 2020).

The project would result in temporary direct impacts to approximately 1,200 linear feet of Iris Canyon Creek from sediment removal and channel recontouring activities. Indirect impacts could also result from sedimentation or runoff from construction activities entering the stream channel from the work areas at the project site. Because the proposed project would re-establish the original alignment and flow line of Iris Canyon Creek, no permanent loss of waters of the United States/State would occur. Temporary impacts to Iris Canyon Creek and any associated wetlands would be offset by implementation of the site-specific revegetation/restoration plan described under Mitigation Measure BIO-3. Temporary impacts to wetlands and aquatic resources would be considered a potentially significant impact. With implementation of Mitigation Measures BIO-3 and above and HYD-1, HYD-2

and HYD-3 regarding erosion and water quality controls (see Section X, Hydrology and Water Quality), the project would result in a **less-than-significant impact with mitigation incorporated**.

It should be noted that authorizations from the USACE, RWQCB and CDFW are required for work within the creek channel and any associated wetlands. The City would obtain all appropriate regulatory authorizations prior to the start of construction including a Nationwide Permit from the USACE, Section 401 Water Quality Certification from the RWQCB, and a Streambed Alteration Agreement from CDFW.

*d) Wildlife Movement and Breeding.* The project site provides important habitat for local wildlife movement and nursery sites, as it is a relatively undisturbed area within an urban setting and provides foraging opportunities, shelter and water. The project has the potential to temporarily impact local wildlife movement and habitat areas used for bird nesting. Implementation of mitigation measures BIO-1, BIO-2, and BIO-3 would ensure impacts are avoided and minimized to the maximum extent practicable. If local wildlife is encountered during construction activities, the animals shall be allowed to leave the project site of their own volition.

Project construction could result in impacts to nesting birds, including the loss of nests, eggs, and fledglings if vegetation clearing and ground-disturbing activities occur during the nesting season (generally February 1 through September 30). Additionally, construction activities could also result in noise, dust, increased human activity, and other indirect impacts to nesting bird species in the project vicinity. All native migratory bird species are protected by the federal Migratory Bird Treaty Act and California Fish and Game Code 3503.5 (which specifically protects raptors). Disturbance to nesting birds would be considered a potentially significant impact. With implementation of Mitigation Measure BIO-4, the impact would be **less than significant with mitigation incorporated**.

**Mitigation Measure BIO-4: Preconstruction Survey for Nesting Birds.** Schedule project construction after September 30 and before January 31 to avoid impacts to nesting birds. If avoidance during the nesting season is not feasible, require a preconstruction nesting bird survey, conducted by a qualified biologist, no sooner than 10 days prior to construction activities to determine if any native birds are nesting on or near the site (including a 250-foot buffer for raptors). If any active nests are observed during surveys, a suitable avoidance buffer will be determined and flagged by the qualified biologist based on species, location and planned construction activity. Nests within the buffer area would be avoided until the chicks have fledged and the nests are no longer active as determined by a qualified biologist.

*e) Conflicts with Local Plans.* Approximately 75 trees would be removed, most of which are willows, except for 27 coast live oak trees, 1 Monterey pine, and 1 madrone. Approximately 25 trees are multi-limbed. It appears that 20-25± trees are at the edge of the project site and could be potentially be avoided. The Monterey City Code, Chapter 37 – Preservation of Trees and Shrubs, provides regulation for specified trees within the City of Monterey. The regulations define “protected tree” as trees located on a vacant private parcel that are more than two inches (2”) in diameter when measured at a point four feet six inches (4’6”) above the tree’s natural grade. Seventeen trees, which are all coast live oak trees except for one Monterey pine, may be considered “landmark” trees under City regulations due to the type and size of these trees, although they are not specifically designated as landmark trees according to provisions in City regulations. For trees at

the project site that are proposed for trimming or removal, compliance with City of Monterey regulations would be required, including tree replacement as specified in City regulations. Tree replacement required by City ordinances would be included within the overall project revegetation/restoration plan. Therefore, the project would result in a **less-than-significant impact** related to potential conflicts with local plans and regulations.

*f) Conflicts with Habitat and Natural Community Plans.* The project site is not within the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other habitat conservation plan. Therefore, the project would result in **no impact**.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>V. CULTURAL RESOURCES – Would the project:</b>					
a) Cause a substantial adverse change in the significance of a historical resource as pursuant to Sections 15064.5?				X	<ul style="list-style-type: none"> <li>- City of Monterey, Monterey City Code (M.C.C.), Chapter 38, Zoning Code, Article 15 H Historic Overlay District</li> <li>- City of Monterey Historic Preservation Program.</li> </ul>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X			<ul style="list-style-type: none"> <li>- Archaeological Sensitivity Map, Figure 8, Draft EIR, City of Monterey General Plan</li> <li>- General Plan Historic Preservation Element</li> <li>- Cultural Resources Report (Dudek, February 2018)</li> </ul>
c) Disturb any human remains, including those interred outside of formal cemeteries?		X			<ul style="list-style-type: none"> <li>- Archeological Sensitivity Map, Figure 8, Draft EIR, City of Monterey, General Plan Historic Preservation Element</li> <li>- Cultural Resources Report (Dudek, February 2018)</li> </ul>

### Existing Setting

The City of Monterey falls within the contact-period lands of at least two aboriginal tribal groups known ethnographically as Costanoan and Esselen. Since 1970, hundreds of surveys have been conducted and more than 60 archaeological sites have been excavated in Monterey and San Luis

Obispo counties, with more than 200 radiocarbon dates reported. Most of this work was undertaken to comply with CEQA and the National Environmental Policy Act (NEPA). Investigations of 19 sites along the northern shore of Monterey Peninsula confirmed the existence of two archaeological “populations” in the area of ethnographic Rumsen Costanoans. Over time, archeological investigations within the City have resulted in the recording of approximately 29 prehistoric archeological sites. The majority of the City is mapped in the City’s General Plan EIR as being located in areas with a high probability of prehistoric artifacts.

According to the City’s General Plan, the City of Monterey is one of the most historic cities in the United States, and preservation of historic resources has long been a concern of Monterey citizens. Over the past three centuries, the City has served, at various times, as a Spanish mission, a center of government, a major commercial port, and a cultural center. In June 1932, the Custom House became California’s first State Historic Landmark. Most of Monterey’s economic activity takes place in historic areas or areas with a significant number of historic buildings, including downtown, Cannery Row, Wharf 1 (Fisherman’s Wharf), the Presidio of Monterey, Naval Postgraduate School, and Custom House Plaza. The City of Monterey owns and maintains 12 historic buildings built between the 1840s to 1937. In addition, Monterey has a 50-year lease with the Army for the lower part of the Monterey Presidio, approximately 26 acres. The lease began in 1996 and will expire unless extended in 2046.

### ***Project Site Existing Setting***

The project site is located within a sensitive archaeological area as mapped in the City’s General Plan EIR. A cultural resources investigation was conducted for the proposed project and adjacent area, which included review of recently conducted records searches in the project site, a search of the Sacred Lands file maintained by the Native American Heritage Commission (NAHC), and a field investigation. The NAHC failed to identify any known resources listed in the Sacred Lands File or any areas of particular concern within the project site.

The records search reported that no archaeological sites are recorded within the Project APE, but one multi-component site, CA-MNT-272/H, and four historic resources, CA-MNT-271H, CA-MNT-295H, P-27-003171 and P27-003403 are located within 0.5-miles of the project site. One previously completed technical study (S-044484) included portions of the project APE, which included both archaeological and an architectural/historical field study and did not find any resources within the project site (Dudek, 2018).

A pedestrian inventory survey of the project site and area to the north found no prehistoric cultural resources associated with the project site. However, one historic borrow pit and associated refuse artifacts was recorded north of the intersection of Iris Canyon Road and El Dorado Street. However, it was concluded that this resource lacks the data potential and integrity that is requisite to be considered eligible for listing in the National Register of Historic Places and is also located further south of the project site (Dudek, 2018).

### **Discussion**

*a) Historical Resources.* There are no known historic resources located at the project site, and therefore, the project would result in ***no impact*** to historical resources.



*b-c) Archaeological Resources.* A cultural resources records search of the California Historical Resources Information System (CHRIS) at the Northwest Information Center (NWIC) records search found no cultural resources recorded within the project site. A field survey conducted did not identify potential resources on the project site. Unknown resources may be uncovered during excavation and removal of stream sediment. Construction projects that include ground disturbing activities in areas with high archaeological sensitivity, as mapped in the City of Monterey General Plan Draft EIR, may encounter unidentified (e.g., buried) cultural resources during any construction. This would be considered a potentially significant impact. With implementation Mitigation Measures CUL-1 and CUL-2, the impact would be **less than significant with mitigation incorporated** .

**Mitigation Measure CUL-1: *Discovery of Archaeological Resources.*** If archaeological materials or features are discovered at any time during construction, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist (defined as one who is certified by the Society of Professional Archaeologists). If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented to ensure that no substantial adverse change, including alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.

**Mitigation Measure CUL-2: *Discovery of Human Remains.*** Should human remains be discovered at any time, work will halt in that area and procedures set forth in the California Public Resources Code (Section 5097.98) and State Health and Safety Code (Section 7050.5) will be followed, beginning with notification to the City of Monterey and the County Coroner. If Native American remains are present, the County Coroner will contact the Native American Heritage Commission to designate a Most Likely Descendent, who will make a recommendation for the next course of action.

- The Monterey County Coroner shall be notified. If the coroner determines the remains are Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours.
- NAHC shall notify the most likely descendent.
- The Native American descendent, with permission of the landowner or representative, may inspect the site of the discovery and recommend the means for treating or disposing with appropriate dignity the human remains and any associated grave goods.
- The Native American descent shall complete their inspection and make their recommendation within 24 hours of their notification by the Native American Heritage Commission. The recommendation may include the removal and analysis of human remains and associate items; preservation of the Native American human remains and associated items in place; relinquishment of Native American human remains and associated items to the descendants for treatment; other culturally appropriate treatment. If the NAHC is unable to identify a descendent or the descendent identified fails to make a recommendation within 24 hours, the landowner shall reinter the human remains and items associated with the Native

American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.

- If the landowner and Native American descendent reach agreement on the appropriate procedure, the landowner shall follow this procedure.
- If the landowner and Native American descent cannot reach agreement, the parties shall consult with the Native American Heritage Commission. The landowner shall consider and if agreeable follow the identified procedure.
- If the landowner and Native American descendant cannot reach agreement after consultation, the Native American human remains shall be reinterred on the property with appropriate dignity.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>VI. ENERGY – Would the project:</b>					
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption or operation?				X	- City of Monterey, General Plan Conservation Element
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X	- City of Monterey, General Plan Conservation Element

### Existing Setting

Pacific Gas and Electric Company (PG&E) provides electricity and natural gas service to the City. The City of Monterey is part of Monterey Bay Community Power (MBCP), a regional Community Choice Energy project. MBCP was formed to provide locally controlled, carbon free electricity to residents and businesses in Monterey, San Benito and Santa Cruz counties. The goals of MBCP are to increase utilization of renewable power, create local and sustainable energy sources and create green jobs.

In March 2016, the City adopted a Climate Action Plan (CAP). The CAP serves as a strategic tool to reduce greenhouse gas emissions (GHG) and ensure efficient use of the City’s resources, including energy resources. The CAP provides guidance to increase energy independence, reduce spending on gas, electricity, and water, and improve air quality from non-City operations (City of Monterey, March 2016a). Since January 2011, the City has purchased all its electricity from a green energy service provider, through PG&E’s Direct Access Program and the EPA Green Power Partnership. Under the agreement, renewable sources, such as wind, biomass, geo-thermal, small hydro-electric, and solar, generate 100% of the electricity supplied to municipal buildings and facilities. Currently, wind provides 80% of the City’s power and biomass provides the remaining 20% (City of Monterey, March 2016a).

## Discussion

*a-b) Energy Consumption and Conflicts with Plans.* The project includes sediment removal within an existing drainage that is anticipated to take approximately 2-3 months and would not use equipment that would result in the wasteful, inefficient or unnecessary consumption of finite resources. Upon completion, there would be no activities that would be undertaken that would require energy use. Therefore, the project would not contribute to the wasteful, inefficient, or unnecessary consumption of energy and other resources. Construction and operation of the project would not conflict with or obstruct implementation of a state or local plan for renewable energy. Therefore, the project would result in **no impact**.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>VII. GEOLOGY AND SOILS – Would the project:</b>					
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X	- City of Monterey, General Plan Safety Element Goal a, Policies a.1–a.7 - City of Monterey, General Plan, Map 11- Showing Seismic Hazards
ii) Strong seismic ground shaking?				X	- City of Monterey, General Plan Safety Element Goal a, Policies a.1–a.7 - City of Monterey, General Plan Safety Element Goal a, Policies a.1–a.7
iii) Seismic-related ground failure, including liquefaction?				X	- City of Monterey, General Plan Safety Element Policies b.1–b.6 - City of Monterey, General Plan, General
iv) Landslides?				X	- City of Monterey, General Plan Safety Element Policies b.1–b.6 - City of Monterey, General Plan, General

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
					Plan Map 12-Showing Steep Slopes
b) Result in substantial soil erosion or the loss of topsoil?			X		- City of Monterey, General Plan Safety Element Goal b, Policy b.6
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?				X	- City of Monterey, General Plan Safety Element Goal a, Policies a.1-a.7 - City of Monterey, General Plan, General Plan Map 12-Showing Steep Slopes
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?				X	- City of Monterey, General Plan Safety Element
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X	- City of Monterey, General Plan
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?				X	

## Existing Setting

The City is underlain by a major geologic feature, the Salinian Block, which in turn is underlain by granitic basement rock. The Salinian Block is bounded on the northeast by the San Andreas Fault and on the southwest by the Palo Colorado-San Gregorio Fault. The block is approximately 50 miles wide and 300 miles long. The types of soils and geologic formations that underlie the City are varied, ranging from unconsolidated dune sands along the Monterey Bay to exposed granite and sandstone.

California is one of the most active seismic regions in the United States. The City lies adjacent to the boundary zone between the North American and Pacific tectonic plates. The faults associated with this zone are predominantly northwest-trending strike-slip faults that have a right-lateral slip. The General Plan identifies three faults that traverse the City, including the Chupines Fault, the Navy Fault,

and the Berwick Fault. Information available on the activity of these faults is generally not conclusive, but each is assumed to be potentially active.

Active faults in the proposed project vicinity include: the San Andreas-1906 Segment, located approximately 24 miles northeast of the proposed project site; the Palo Colorado-Sur, located approximately 8 miles southwest of the proposed project site; the Rinconada, located approximately 7 miles northeast of the proposed project site; and the Monterey Bay-Tularcitos, located approximately 4 miles from the proposed project site.

Topography and slope within the City are quite variable. Lands along the margin on Monterey Bay tend to be relatively flat, but sloped towards the bay. Much of the upland portion of the City is incised by a series of intermittent stream channels that have cut into surface soil and subsurface geologic formations, leaving a series of mesas that trend towards the bay. Much of the City is built on these mesas and on the more level margins of the bay. The northern terminus of the Santa Lucia Mountains is the major regional landform that forms the backdrop to the City. Due to slope and access constraints, development within this area tends to be less dense. Steep slopes within the City tend to be located along stream channels and within the hillside areas.

Numerous soil types are located within the City. Each soil type has unique characteristics and potential development limitations and erosion characteristics. Generally, the erosion potential of soils and their expansion properties (soil expansion and contraction can result in damage to building foundations, roads, etc.) are of the greatest interest from a development impact perspective.

## **Discussion**

*a.i) Fault Rupture.* The City of Monterey is not located in an Alquist-Priolo Earthquake Fault Zone as mapped by the State Geologist. The nearest known active or potentially active fault is the Monterey Bay-Tularcitos, located approximately 1 mile from the site. Earthquakes on any of the local faults or on other faults located in the vicinity or region could produce significant seismic shaking at the proposed project. However, as identified in the City General Plan EIR there are no known active faults, faults on which movement has occurred within the last 11,000 years, within the City and no Alquist-Priolo Special Studies Zones. Therefore, there is no potential for surface rupture at the project site, resulting in **no impact**.

*a.ii-a.iii) Seismic Hazards.* The City General Plan EIR identifies seismic shaking as the most significant hazard across the City. Hazards from liquefaction, differential settlement, and slope failure are anticipated to be much less widespread as the surface and subsurface conditions that give rise to liquefaction during seismic shaking event is geographically limited. However, the proposed project consists of sediment removal within an existing drainage and would not result in construction of habitable structures. Therefore, there would be **no impact** associated with potential exposure of people or structures to potential adverse effects of seismic ground shaking.

*a.iv, c-d) Geologic and Soils Hazards.* The proposed project involves sediment removal within an existing creek drainage that is identified in the City's General Plan (Map 11) as containing steep slopes. However, the project would not result in construction of new structures or development on

steep slopes. The proposed project would recontour existing channel slopes as part of the proposed sediment removal to re-establish the historic channel. The proposed project would not increase risk to life or property to potential adverse effects involving landslides, lateral spreading, liquefaction or collapse, or expansive soils. Therefore, project would result in a **no impact** related to geologic and soils hazards.

*b) Erosion.* The proposed project involves sediment removal within an existing creek drainage. Erosion control measures would be implemented during and after construction, including revegetation of disturbed area. Therefore, the project would not result in substantial erosion or loss of topsoil and would result in a **less-than-significant impact**. See Section X, Hydrology and Water Quality (a, c) regarding construction-related erosion impacts.

*e) Septic Systems.* The proposed project consists of sediment removal within an existing drainage and would not result in construction of habitable structures or uses that would require a septic sewer system. Therefore, the project would result in **no impact**.

*f) Paleontological Resources.* The project site does not contain known unique geologic features, and discovery of buried paleontological resources are not expected due to limited depth of excavation of approximately 2-5 feet. Additionally, the sediment to be removed has been deposited over time, and the project would return the channel to its historic configuration. Thus, the project would not result in subsurface excavation. Therefore, the project would result in **no impact** to paleontological resources.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>VIII. GREENHOUSE GAS EMISSIONS – Would the project:</b>					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X		<ul style="list-style-type: none"> <li>- Project Description</li> <li>- City of Monterey Climate Action Plan (City of Monterey, March 2016a)</li> </ul>
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X	<ul style="list-style-type: none"> <li>- City of Monterey Climate Action Plan (City of Monterey, March 2016a)</li> </ul>

## Existing Setting

Climate change refers to any significant change in measures of climate, such as average temperature, precipitation, or wind patterns over a period of time. Climate change may result from natural factors, natural processes, and human activities that change the composition of the atmosphere and alter the surface and features of the land. Significant changes in global climate patterns have recently been associated with global warming, an average increase in the temperature of the atmosphere near the Earth's surface, attributed to accumulation of greenhouse house gas (GHG) emissions in the atmosphere. Greenhouse gases trap heat in the atmosphere, which in turn heats the surface of the Earth. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities.

The greenhouse effect is a natural process by which some of the radiant heat from the sun is captured in the lower atmosphere of the earth, thus maintaining the temperature and making the earth habitable. The gases that help capture the heat are called greenhouse gases. Some GHGs occur naturally in the atmosphere, while others result from human activities. Naturally occurring GHGs include water vapor, carbon dioxide, methane, nitrous oxide, and ozone. Certain human activities, however, add to the levels of most of these naturally occurring gases as described below:

- Carbon dioxide (CO<sub>2</sub>) is released to the atmosphere when solid waste, fossil fuels (oil, natural gas, and coal), and wood and wood products are burned.
- Methane (CH<sub>4</sub>) is emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from the decomposition of organic waste in solid waste landfills and from the raising of livestock.
- Nitrous oxide (N<sub>2</sub>O) is emitted during agricultural and industrial activities, as well as during combustion of solid waste and fossil fuels.
- High global warming potential (GWP) gases that are not naturally occurring, including hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>), are generated in a variety of industrial processes.

Of these gases, carbon dioxide (CO<sub>2</sub>) and methane (CH<sub>4</sub>) are emitted in the greatest quantities from human activities. Emissions of CO<sub>2</sub> are largely by-products of fossil fuel combustion, whereas CH<sub>4</sub> results from off-gassing associated with agricultural practices and landfills. The primary source of these GHGs is fossil fuel use. California's transportation sector is the single largest generator of GHG emissions, followed by electricity consumption as the second largest source, and industrial activities as the third largest source of GHG emissions. Scientific modeling predicts that continued GHG emissions at or above current rates would induce more extreme climate changes during the 21<sup>st</sup> century than were observed during the 20<sup>th</sup> century. Different types of GHGs have varying global warming potentials. The global warming potential of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere. Because GHGs absorb different amounts of heat, a common reference gas (CO<sub>2</sub>) is used to relate the amount of heat absorbed to the amount of the gas emissions, referred to as "carbon dioxide equivalent" (CDE), and is the amount of a GHG emitted multiplied by its global warming potential.

The State of California passed the Global Warming Solutions Act of 2006 (AB32), which seeks to reduce GHG emissions generated by California. The Governor's Executive Order S-3-05 and AB 32 (Health & Safety Code, § 38501 et seq.) both seek to achieve 1990 emissions levels by the year 2020. Executive Order S-3-05 further requires that California's GHG emissions be 80 percent below 1990 levels by the year 2050. AB 32 defines GHGs to include carbon dioxide, methane, nitrous oxide, hydrocarbons, perfluorocarbons and sulfur hexafluoride.

The California Air Resources Board (CARB) is the lead agency for implementing AB32. In accordance with provisions of AB 32, CARB has completed a statewide Greenhouse Gas (GHG) Inventory that provides estimates of the amount of GHGs emitted to, and removed from, the atmosphere by human activities within California. In accordance with requirements of AB32, a Scoping Plan was adopted by CARB in December 2008 and updated in 2014. The Scoping Plan and 2014 Update identify emissions reduction measures and actions related to energy, transportation, agriculture, water conservation and management, waste management, natural resources, green building, and cap-and-trade actions. The First Update to the Scoping Plan, approved in 2014, established a 2030 emissions target of 40 percent below 1990 levels. The current (2017) Scoping Plan identifies a balanced mix of strategies to meet the State's 2030 GHG limit.

City of Monterey Setting and Climate Action Plan. The City of Monterey adopted an updated Climate Action Plan (CAP) in June 2016. The CAP proposes programs to reduce greenhouse gas emissions and improve air quality. The CAP establishes a 2005 baseline emissions inventory that categorizes emissions as either "community" or "government operations." The 2005 community and government baseline emissions inventory totaled 327,422 MTCO<sub>2</sub>e (metric tons of carbon dioxide equivalent). The CAP also includes a 2012 emissions inventory update in which community and government emissions totaled 301,814 MTCO<sub>2</sub>e for 2012, a reduction of 7.8% overall and 29.7% for government operations. The City has established an emission reduction target of 15% below 2005 levels (as an estimate of 1990 levels) by 2020. This represents an estimated reduction of 827 MTCO<sub>2</sub>e and 48,286 MTCO<sub>2</sub>e from government operations and the community, respectively from 2005 levels. The goals match recommendations in AB 32.

The significant emission reduction achievements on the part of the City's government operations highlight the success of numerous municipal programs, including reduced carbon intensity of the vehicle fleet and most significantly, the switch to renewable energy sources for municipal buildings and facilities. Reductions in community emissions have occurred since 2005, primarily from the installation of electric vehicle charging stations, statewide vehicle emission controls, a green building ordinance, green business certification, retrofits conducted in the City through AMBAG Energy Watch Program and PG&E renewable energy purchase programs. Energy retrofits contribute significantly to reductions. Specifically, government efforts in this category include parking garages throughout the City, HVAC system upgrades, and pool lighting retrofits at the Monterey Sports Center. Furthermore, the *Climate Action Plan Vehicle Mile Traveled (VMT) Study* concludes that total VMT will be reduced with implementation of the General Plan, further reducing GHG emissions.



## Discussion

With regard to climate change impacts, MBARD has not identified a significance threshold for GHG emissions or a methodology for analyzing air quality impacts related to GHG emissions. The State has identified 1990 emission levels as a goal through adoption of California Assembly Bill (AB 32). To meet this goal, California would need to generate lower levels of GHG emissions than current levels. However, no standards have yet been adopted quantifying 1990 emission targets. For this analysis, the proposed project and the associated potential development's contribution to global climate change would be considered significant if it would be inconsistent with AB 32's goal of reducing 2020 greenhouse gas emissions to 1990 levels from sources associated with projected growth (i.e., motor vehicles, direct energy use, waste-related activities) or expose persons to significant risks associated with the effects of global climate change.

Since global climate change is certainly a cumulative impact, this analysis considers that the proposed project would have a significant impact if it would:

- Result in substantial net increases in greenhouse gases and CO<sub>2</sub>e emissions. In the absence of generally accepted thresholds of significance for projects, a substantial increase, for purposes of this analysis, occurs when a project exceeds thresholds of significance for criteria pollutants. This approach is consistent with guidance from the California Air Pollution Control Officers' Association (CAPCOA), which notes that implementing CEQA without an explicit threshold prior to formal guidance from the State of California's Office of Planning and Research is appropriate. In fact, this approach is consistent with CAPCOA's belief that by defining substantial emissions of GHGs to performance standards (e.g., criteria pollutant emission thresholds), lead agencies would amass information and experience with specific project categories that would support establishing explicit thresholds in the future.
- Expose persons to significant risk associated with the effects of global climate change.
- Conflict with or obstruct implementation of the goals or strategies of Executive Order S-3-05.
- Be inconsistent with the ARB's 44 Early Action Measures for AB 32 compliance.
- Be subject to the CARB mandatory reporting requirements (generally required for projects producing more than 25,000 annual metric tons of CO<sub>2</sub>e).
- Be inconsistent with the recommended global warming mitigation measures from the Attorney General, CAPCOA, Office of Planning and Research, or other appropriate sources.

*a) Greenhouse Gas Emissions.* The project would result in temporary, short-term construction activities to remove accumulated sediment from an existing drainage. The project would not generate new vehicle trips or otherwise generate a new permanent stationary or mobile source of greenhouse gas emissions from operations. A small amount of emissions would result use of small equipment for removal of sediment over a short period of approximately two months. Therefore, potential for increased emissions during construction is minimal, and there would be no emissions upon completion of the project. Therefore, the impact is considered **less than significant**.

*b) Conflicts with Plans, Policies, Regulations.* In addition to state plans to reduce GHG emissions, SB 375, signed in August 2008, requires the inclusion of Sustainable Communities Strategies (SCS) in regional transportation plans (RTPs) for the purpose of reducing GHG emissions. The bill requires the ARB to set regional targets for the purpose of reducing GHG from passenger vehicles for 2020 and

2035. The City’s CAP includes GHG emissions reduction strategies for both the community (emissions within the City borders) and government operations (emission resulting from the activities associated with managing the City). None of these statewide regulations or regional or local plans include requirements that apply to the proposed project, which consists of temporary actions to remove sediment from an existing drainage. In addition, none of the reduction strategies in the CAP pertains to construction-generated GHG emissions. Therefore, the project does not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHG. **No impacts** would occur as a result of the proposed project.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:</b>					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X		- City of Monterey, General Plan Safety Element Goal G
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X		- City of Monterey, General Plan Safety Element Goal G
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X	- City of Monterey, General Plan Safety Element Goal G
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X	- California Department of Toxic Substances, EnviroStor Database - California State Water Resources Control Board, Geotracker, 2020 - City of Monterey Fire Department
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for				X	- City of Monterey, General Plan Safety Element Goal e, Policy e.1, e.4 - Monterey County Airport Land Use Commission, January 2019

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
people residing or working in the project area?					
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X	<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Safety Element, Goal h, Policy h.6</li> <li>- City of Monterey, General Plan Map 15, Showing Evacuation Routes</li> </ul>
g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or when residences are intermixed with wildlands?				X	<ul style="list-style-type: none"> <li>- Monterey City Code (M.C.C.), Chapter 13, Fire Protection</li> <li>- General Plan Map 14, Showing Fire Hazard Severity Zones</li> </ul>

### Existing Setting

The setting information provided below is based on information provided in the City’s General Plan and General Plan EIR.

#### *Hazardous Materials*

In terms of hazardous materials usage, many types of hazardous wastes are used throughout the City in residential, commercial, and industrial applications. The Monterey County Environmental Health Division is responsible for managing the use, storage, and disposal of hazardous materials in amounts over a specific threshold (the threshold varies among uses and types of materials). The Environmental Health Division keeps an inventory of hazardous materials users and is responsible for working with users to develop plans that ensure the materials are safely used, stored, transported, and disposed.

#### *Airport Safety*

Monterey Peninsula Airport operations have the potential to create safety issues related to safe operation of approaching and departing aircraft. The Monterey Regional Airport Master Plan (2015) shows “runway protection zones” at each end of the main airport runway. Within these areas, land use controls are exercised to minimize potential safety conflicts with activities that take place within the zones. Such controls and guidelines include the prohibition or limitation of uses that involve large assemblages of people, limitations on building heights and heights of other potential obstructions, and prohibition of new structures. Existing land uses that are within the western approach safety zone include much of the U.S. Navy Golf Course, the Monterey County Fairgrounds, and a small

section of residential development. Uses within the eastern protection zone include commercial and residential development at the Highway 218/Highway 68 intersection. Smaller additional safety areas extend beyond the primary protection zone wherein specific development standards apply in order to minimize conflicts with airport operations.

### ***Emergency Preparedness/Emergency Response***

The City of Monterey Fire Department and City of Monterey Police Department coordinate emergency response within the City. The City operates its Emergency Operations Center (EOC) as the center of emergency response coordination and actions. During an emergency, all response activities are managed by the EOC, including information, equipment, volunteers, and other resources. Plans for responses to emergency situations are formulated by fire and police officials, and actions to implement those plans are communicated to emergency response teams that operate out of the EOC and throughout the City. The City also operates the Citizens Emergency Response Training (CERT) program. The main goal of the CERT program is to help Monterey residents to be self-sufficient in a major disaster by developing multifunctional teams that are cross-trained in basic skills. The City's emergency response efforts are coordinated under the broader umbrella of the State of California Office of Emergency Services. The County of Monterey also has an emergency response office, but the City is not a participating jurisdiction in the County's response program. The County Environmental Health Division Hazardous Materials Branch and the City of Seaside Hazardous Materials Team would likely be the first agencies to provide support to the City in the event that the City does not have the capacity or capability to fully address a hazard. Both agencies are fully trained and equipped to respond to a variety of hazardous materials related incidents.

### ***Fire***

Fire hazards can generally be divided into two main types: (1) fires within urban areas that primarily involve specific sites and structures; and (2) fires within undeveloped or minimally developed areas, commonly called wildland fires. Most of the land within the present city limits is developed with urban uses. The City of Monterey Fire Department responds to both structure and wildland fires within the planning area. The City of Monterey Fire Department maintains three stations and operates several fire prevention programs. In the event that the City does not have the capacity to safely handle a structural or wildland fire, it can request additional firefighting resources through the Monterey County Mutual Aid Plan. The Monterey County Mutual Aid Plan enables any jurisdiction that participates in the plan to receive support from fire protection services of other jurisdictions that participate in implementing the plan. Response times to nearly all areas of the City are within the Department's recommended range of five to seven minutes.

The Monterey City Code (M.C.C.) Chapter 13, Fire Protection, adopted the 2019 California Fire Code pursuant to Monterey City Ordinance No. 3600 (effective January 2020). Amendments to this chapter of the code, as well as amendments to the City's General Plan Map 14, Showing Fire Hazard Severity Zones, were adopted by the City Council on June 2, 2009, to be in compliance with legislation (Government Code Section 51175). This legislation calls for the California Department of Forestry and Fire Protection (CAL FIRE) Director to evaluate fire hazard severity in Local Responsibility Areas and make a recommendation to the local jurisdiction when the Very High Fire Hazard Severity Zone (VHFHSZ) exists. Based on the findings of the CAL FIRE Director, there are both High and Very High

Fire Hazard Severity Zone within the City of Monterey City limits as identified on Map 14 in the City's General Plan.

## Discussion

*a-b) Hazardous Materials and Creation of Hazards.* The proposed project consists of sediment removal and would not result in permanent development that would involve the routine transport, use, or disposal of hazardous materials. Construction would involve the use of hazardous materials other than routine materials required to run machinery such as gasoline. The transport, use, and storage of hazardous materials during maintenance activities would be conducted in accordance with best management practices. Therefore, the proposed project would not create a substantial hazard to the public through the routine transport, use or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Impacts would be **less than significant**.

*c) Hazardous Emissions Near a School.* Monterey Peninsula College is located east of the project site, but is separated from the site by intervening vegetation and parking lots. The project would not result in activities that would create permanent hazardous emissions or handling acutely hazardous materials. Construction would utilize limited small equipment for a short duration of approximately two months and would not result in hazardous emissions. Therefore, **no impact** related to hazardous emission near a school would occur.

*d) Hazardous Materials Site.* A review of the State Water Resources Control Board's GeoTracker website indicated no hazardous spills, leakage, landfills, or cleanups in the vicinity of the proposed project site. The site is not known to contain any hazardous materials and is anticipated to have **no impact** to the public or the environment.

*e) Location Near Airport.* The project site is located approximately 3 miles west of the Monterey Regional Airport. The project site is within the 2019 Monterey Regional Airport Land Use Compatibility Plan (ALUCP) Zone 7 - Airport Influence Area (AIA). The AIA zone includes all other portions of regular aircraft traffic patterns based upon the 14 CFR Part 77 conical surface from the 2014 Monterey airport layout plan and sections of the AIA from the 1987 Comprehensive Land Use Plan south and east of the airport. The aircraft accident risk level is considered to be low within the AIA zone. The proposed project would not result in construction of habitable structures and would not conflict with any airport safety zones. Therefore, there would be **no impact** associated with airport safety hazards.

*f) Emergency Response Plans.* The proposed project does not include change to the existing circulation pattern within the project vicinity and would not physically interfere with emergency response or evacuation routes. The project site is not located adjacent to an identified evacuation route. The project consists of short-term construction that would not result in new development and would not significantly impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, the project would result in **no impact**.

*g) Exposure to Wildland Fires.* The project site is not located within the areas of the City identified as High and Very High Fire Hazard Severity Zone as depicted in the City’s General Plan and does not include construction of habitable structures. The proposed project does not have the potential to expose people or structures to wildland fires. Therefore, the project would result in **no impact** related to exposure to wildland fires. See also subsection XIX, Utilities and Service Systems, below.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>X. HYDROLOGY AND WATER QUALITY – Would the project:</b>					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?		X			<ul style="list-style-type: none"> <li>- Monterey City Code (M.C.C.) Chapter 31.5, Storm Water Management</li> <li>- Monterey Regional Storm Water Management Program (MRSWMP)</li> </ul>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				X	<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Conservation Element</li> </ul>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					<ul style="list-style-type: none"> <li>- Monterey City Code (M.C.C.) Chapter 31.5, Storm Water Management</li> <li>- City of Monterey Plans &amp; Public Works Department</li> </ul>
i) Result in substantial erosion or siltation on- or off-site;		X			
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;				X	<ul style="list-style-type: none"> <li>- Monterey City Code (M.C.C.) Chapter 31.5, Storm Water Management</li> </ul>
iii) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or				X	

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
iv) Impede or redirect flood flows?				X	- General Plan Map 15, Showing Flood Zones
d) In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation?			X		- General Plan Safety Element, Policy c.3 - General Plan Map 15, Showing Flood Zones - FEMA National Flood Hazard Layer, February 2020
e) Conflict with or obstruct implementation of water quality control plan or sustainable groundwater management plan?				X	- Water Quality Control Plan for the Central Coast Basin, 2019

## Existing Setting

The setting information provided below is based on information provided in the City's General Plan, General Plan EIR, and the Monterey Regional Storm Water Management Program.

### *Water Quality and Storm Water Regulation*

The City maintains approximately 10 miles of storm drainage infrastructure – drainage channels, storm drains, pipelines, culverts, pump stations, and outfalls - within the City of Monterey. The existing drainage system collects non-point surface water runoff and conveys it through channels, pipelines, and culverts that, in most instances, eventually terminate at the Monterey Bay.

Monterey's storm water collection system is not tied into the sanitary sewer collection system. Therefore, storm water flows are, for the most part, not treated prior discharge. Storm water flows are discharged to local waterways including the Monterey Bay at multiple drainage outfalls located throughout Monterey's coastal area.

Monterey's discharge of storm water to local surface waters is regulated by the federal Clean Water Act, National Pollutant Discharge Elimination System (NPDES) Permit Program, and the California Porter-Cologne Act, and permitted through the Central Coast Regional Water Quality Control Board. The City storm water permit and ordinance require local regulation of water pollution and prevention through the mandated implementation of best management practices (BMPs) to protect the water quality of local waterways.

Storm water design requirements for public and private development projects, such as LID, are mandated by the State and Central Coast Regional Water Quality Control Board (RWQCB) through

the City's Phase II municipal storm water permit coverage. Through Monterey Municipal Code Chapter 31.5 Article 2 Urban Storm Water Quality Management and Discharge Control, the City implements storm water regulations in compliance with State Water Resources Control Board (SWRCB) Water Quality Order No. 2013-0001-DWQ National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000004 Waste Discharge Requirements for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems ("NPDES General Permit"). This includes the implementation and enforcement of the Central Coast Regional Water Quality Control Board Resolution No. R3-2013-0032 Post-Construction Stormwater Management Requirements for Development Projects in the Central Coast Region to reduce pollutants in storm water discharges from land development to the maximum extent practicable and to protect water quality. Along with many other components, improvements to the planning area must address storm water drainage and management, including permit mandates that require LID, such as water quality treatment, retention, and/or peak flow management (hydromodification). Specific required steps would be taken when the specific project is funded and therefore ready to be designed. These steps include determining the subject site's watershed management zone, amount of impervious surface proposed across development site, and whether water quality management measures are required as a part of the design of the project. Site specific engineering analyses would be necessary and required to for drainage design purposes.

To address regional urban runoff issues and develop innovative approaches to storm water management, the City collaborates with other local permittees in the Monterey Regional Storm Water Management Program (MRSWMP). The MRSWMP is a regional storm water management, implementation, and education program that assists the City and region with permit compliance. By Ordinance and permit implementation, the City regulates applicable new and redevelopment projects for storm water control; construction activities for erosion, sediment, and discharge control; identifies and enforces illicit connections and illicit discharges; and implements good housekeeping practices for municipal operations to protect local water quality.

### ***Groundwater***

Water is supplied to most of the Monterey Peninsula by the California American Water Company (Cal-Am) through wells in Carmel Valley, a dam on the Carmel River, and a well on the Seaside Aquifer. The City is wholly within the jurisdiction of the Monterey Peninsula Water Management District, which is responsible for developing long-term water supply for the Monterey Peninsula cities in the district. Discussion of water supply is provided in Section XIX, Utilities and Service Systems.

### ***Stormwater and Drainage Patterns***

The City owns and maintains a storm drainage system that collects and transports stormwater to the Monterey Bay. The system includes over 10 miles of pipelines and drainage channels. Stormwater runoff is collected through catch basins and stormwater inlets that direct runoff into the pipelines and channels. A series of stormwater outfalls are located along the margin of the Bay through which stormwater is discharged.



## ***Flooding***

Areas of the City of Monterey are located in 100-year and 500-year flood zones, as shown on Map 13-Showing Flood Zones of the General Plan and FEMA Flood Insurance Rate Maps for Monterey County (April 2009), and are subject to significant storm wave inundation that causes erosion of coastal bluffs and potential damage to property. The proposed project is located within a 500-year floodplain as mapped in the City's General Plan.

The rise in global sea level is attributed to the thermal expansion of ocean water and the melting of mountain glaciers and ice sheets around the globe. Sea level rise will result in direct and indirect impacts including: increase risk of flooding, storm surges and inundations, erosion, shoreline retreat and loss of wetlands.<sup>3</sup>) Average global sea level has risen between five to nine inches during the 20th century as reported by the International Panel on Climate Change (IPCC), nearly one-tenth of an inch each year (California Environmental Protection Agency, August 2013). Along California's coast, sea level already has risen by an average of seven inches over the last century – three inches at Los Angeles, eight inches at San Francisco, and an estimated six inches at La Jolla near San Diego (California Environmental Protection Agency, August 2013). The "State of California Sea-Level Rise Guidance Document" (March 2013) provides guidance for incorporating sea-level rise projections into planning and projects in California in response to Governor Schwarzenegger's Executive Order S-13-08, issued on November 14, 2008 that directed state agencies to plan for sea level rise and coastal impacts. According to this document, sea level rise is projected (using the year 2000 as a baseline) as: 0.13-0.98 feet between 2000 and 2030; 0.39-2.0 feet between 2000-2050; and 1.38-5.48 feet between 2000 and 2100.

## ***Project Site Conditions***

Iris Canyon Creek is tributary to Lake El Estero in the City of Monterey. The Iris Canyon watershed covers approximately 361 acres including densely vegetated open space, highway, the Del Monte Center shopping center and residential areas. The lower portion of the watershed is a narrow corridor along Iris Canyon Road. The existing channel generally parallels the road, offset from the road by a mowed grass shoulder that varies between 2.5 and 5 meters wide from the edge of pavement to the top of bank. The channel is less than 1-meter-deep near the bend along Iris Canyon Road, but becomes more deeply incised, up to 3.5 meters deep, approximately 500 meters upstream from the bend. In some areas, the banks of the channel are highly unstable, being near vertical, or even undercut, by erosive flows (Schaaf & Wheeler, 2002).

Iris Canyon Creek flows through a 48-inch culvert under Via Mirada into Lagunita Mirada sediment basin, which is a City-maintained open water pond. An analysis of the capacity of this storm drain found that it was the limiting factor for roadway flooding after improvements to Iris Canyon Road were completed in 2018 (Whitson Engineers, 2019). The 2002 drainage study conducted the previously proposed Iris Canyon Creek Reparation Project estimated a drainage area of 361 acres with 25% imperviousness, and a 10-year peak discharge of 129 cfs (Schaff & Wheeler, 2002). Field observations in 2019 as part of the currently proposed project indicate that creek discharges are likely

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<sup>3</sup> Committee on Sea Level Rise for the Coasts of California, Oregon and Washington; Past, Present and Future, Washington D.C: The National Academies Press. June 2012.

lower (Whitson Engineers, 2019). Flooding on Iris Canyon Road was not a regular occurrence before approximately 5 years ago; whereas the analysis of the 48-inch diameter culvert under Via Mirada indicates the roadway would begin to flood at 35 cfs channel flow. The disparity between the calculated peak flows and the observed conditions likely is due to the neglect of infiltration loss along the channel length. Further study would be needed if more representative flow values are desired (e.g., for analysis of the 48-inch culvert under Via Mirada (Whitson Engineers, 2019).

The proposed project is located within a located 500-year floodplain as mapped in the City's General Plan (Map 13) The northern portion of the Study Area is located within a Federal Emergency Management Act (FEMA) Flood Hazard Flood Insurance Rate Map (FIRM) zone that contains a 0.2% annual chance flood hazard. This flood hazard zone coincides with the 500-year flood event chances and is low flood risk (FEMA, February 2020).

## Discussion

a,c-i) Water Quality. The proposed project does not include discharge of waste and would not result in violation of waste discharge standards or water quality standards. The proposed project would result in removal of sediment from an existing creek drainage along an approximately 1,200 linear foot segment of the creek. During the sediment removal process, inadvertent erosion and potential sedimentation and water quality degradation could occur with downstream transport of sediment or other materials standard erosion control and construction water quality BMPs are not implemented. Upon completion, the disturbed areas would be re-contoured and revegetated to prevent long-term erosion and water quality impacts to downstream Lake El Estero. Erosion and water quality degradation would be considered a potentially significant impact. With implementation of Mitigation Measure HYD-1, HYD-2 and HYD-3, as well as Mitigation Measure BIO-3 regarding revegetation/restoration, the impact would **less than significant impact with mitigation incorporated.**

**Mitigation Measure HYD-1: Erosion Control During Construction.** Implement erosion control Best Management Practices (BMPs) that may include, but not be limited to: (1) installation of silt fences, fiber rolls, and/or bales along limits of work/construction areas and from the edge of the water course; (2) covering of stockpiled spoils; (3) re-vegetation and physical stabilization of disturbed graded and staging areas; and (4) sediment control including fencing, dams, barriers, berms, traps, and associated basins.

**Mitigation Measure HYD-2: Water Quality Protection.** All instream project activities shall be performed in isolation from surface water flow. Isolate work areas on the project as needed and bypass flowing water around work site. Upon completion of the project, all diversion structures shall be removed.

**Mitigation Measure HYD-3: Hazardous Spills Prevention.** Minimize potential for hazardous spills from equipment by not storing equipment or fueling within a minimum of 65 feet of the active stream channel or water body unless approved by permitting agencies along with implementation of additional spill prevention methods such as secondary containment and inspection. Prevent equipment fluid leaks through regular equipment inspections.

b) Groundwater. The proposed project consists of sediment removal and channel restoration, which would not require groundwater or potable water sources. Thus, development is not anticipated to affect groundwater recharge or groundwater resources. Therefore, there would be **no impact** to groundwater recharge or groundwater depletion as a result of the proposed project.

c-ii, iii) Drainage. The proposed project would not substantially alter the existing drainage pattern of the Iris Canyon Creek in a manner that would substantially alter the course of the stream. The proposed removal of sediment would restore historic channel contours, but would not alter the course of the stream. The project would not result in construction of structures or addition of impervious surfaces. Therefore, there would be no increase in runoff, and the project would not result in an increased rate or amount of surface runoff in a manner that could result in flooding. Similarly, the project would not result in increased runoff and would have no adverse effect on capacity of existing or planned storm water drainage systems. The project would remove accumulated sediment and restore the channel to provide for conveyance of flows. In addition, the project is consistent with the City's General Plan Safety Element Policy c.3. that calls for protection and maintenance of drainage channels to keep them clear of silt and debris. Therefore, the project would result in **no impact** related to alteration of drainage patterns.

c-iv, d) Flood Hazards. The proposed project is located within a located 500-year floodplain as mapped in the City's General Plan (Map 13) and as shown on FEMA Flood Map. The proposed project would not result in construction of new structures that could impede or redirect flood flows. The proposed project would improve flow conveyance through removal of sediment and restoration of the channel. The proposed project site is not located adjacent to the coastline, but a small portion in the north end of the project is located in tsunami inundation zone as mapped by the California Department of Conservation (2019). (Tsunamis are generated by submarine earthquakes, volcanic eruptions, and landslides.) The project site would be revegetated upon completion of the project and would not have any uses or activities that would introduce pollutants into the environment that could be at risk of release into the environment as a result of tsunami inundation. The proposed project is not subject to coastal flooding, wave action, storm surge and seismic effects, and related issues. Therefore, the project would result in **no impact** related to flood hazards.

Although, the project site is not located adjacent to the coast, the project site is identified as being within an area subject to sea level rise in the year 2060 (City of Monterey, 2016b). However, the proposed project would remove accumulated sediment in Iris Canyon Creek that would improve stormwater flow conveyance. Upon completion, the channel would be reconfigured to historic conditions. The project would not result in development of permanent structures and would not result in a risk of release of pollutants due to future inundation related to sea level rise. Therefore, the project would result in a **less-than-significant impact** related to flood hazards related to sea level rise.

e) Conflicts with Plans. The project site is a tributary to Lake El Estero. The Central Coast RWQCB Water Quality Control Plan (Basin Plan) for the Central Coastal Basin (2019) is the water quality control plan applicable to the City of Monterey. Water quality objectives are included in the Basin Plan for protection of surface water and groundwater quality in the Central Coast Region. The Basin

Plan lists beneficial uses for surface waters and describes the water quality objectives that must be maintained to allow those uses, and outlines water quality management practices for surface water and groundwater. The Basin Plan describes waste discharge requirements and requirements for NPDES permitting. The proposed project consists of sediment removal activities that would not conflict with the Water Quality Control Plan. As discussed above, with implementation of standard erosion and water quality control measures and BMPs, the project would not result in water quality degradation. A sustainable groundwater management plan for the area in which the project is located has not yet been prepared. However, the project would not affect groundwater resources; see subsection (b) above. Therefore, the project would result in **no impact** related to conflicts with or obstruction of implementation of either a water quality control plan or sustainable groundwater management plan.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>XI. LAND USE AND PLANNING – Would the project:</b>					
a) Physically divide an established community?				X	- City of Monterey, General Plan
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X	- City of Monterey, General Plan and Area Plans

### Existing Setting

The City of Monterey is a small community that is largely residential and visitor serving in nature. The majority of land in the City is already developed. Primary land uses include residential development at low to moderate densities, visitor-serving, professional office, and retail commercial uses. A number of small, vacant parcels do exist within the City. Most are designated for single-family residential development. Approximately 138 acres of land located east of the Ryan Ranch industrial park that were part of the former Fort Ord were annexed to the City just prior to the 2005 General Plan Update, and this area represents the most significant vacant land resource in the City.

### Discussion

*a) Division of Established Community.* The proposed project consists of sediment management within an existing drainage located in a City-owned greenbelt and would not physically divide an established community due to the site’s location within an existing developed area. Therefore, the project would result in **no impact**.

*b) Conflicts with Adopted Plans, Policies, Regulations.* The project does not conflict with General Plan, Local Coastal Plan (LCP) or other policies adopted for the purpose of mitigating an environmental impact based on review of these documents. The proposed project would result in **no impact** related to potential conflicts with plans, policies and regulations. It is noted that the project is consistent with General Plan policies that seek to retain and restore wetlands, riparian areas, and other habitats, which provide remediation for degraded water quality or habitat protection (Conservation Element Policy b.4), manage and restore native vegetation communities and habitats (Conservation Element, Goal d, Policy d.1), and protect existing sensitive habitats by careful planning to avoid and/or mitigate significant impacts to habitat areas (Conservation Element, Policy d.3).

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>XII. MINERAL RESOURCES – Would the project:</b>					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X	- City of Monterey, General Plan Conservation Element - City of Monterey, General Plan Initial Study, Page 11
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X	- City of Monterey, General Plan Conservation Element - City of Monterey, General Plan Initial Study, Page 11

### Existing Setting

While there are, at present, small-scale mineral extraction operations around the City of Monterey, limited to commercial sand removal operations in the Sand City/Marina area, there are no mineral resources within the City’s limits.

### Discussion

*a–b) Mineral Resource Availability.* No mineral resources exist within the proposed project site and no impacts are anticipated.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>XIII. NOISE – Would the project:</b>					
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?		X			- City of Monterey, General Plan Noise Element goals, policies, and programs
b) Generation of excessive ground borne vibration or ground borne noise levels?				X	- City of Monterey, General Plan Noise Element goals, policies, and programs
c) For a project within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X	- City of Monterey, General Plan - Monterey County Airport Land Use Commission, January 2019

## Existing Setting

The 2005 City of Monterey General Plan identified the major noise sources affecting the community as motor vehicles (autos, trucks, buses, motorcycles) and aircraft. Motor vehicles and aircraft continued to be the primary noise sources. Some events at the fairgrounds have also generated noise complaints. No stationary source, such as an industrial plant, is known to create noise at an unacceptable level.

## Discussion

*a) Noise Increases.* The proposed project consists of sediment management within an existing drainage located in a City-owned greenbelt and would not result in permanent increases in noise levels upon completion of the sediment removal, which is expected to take approximately 2-3 months to complete.

The proposed project would result in temporary, short-term increased noise levels during the two-month period when sediment is removed. It is expected that sediment would be removed by an excavator or drag bucket from the bank above the channel. All removed sediments would be

stockpiled off-site in a designated area along Iris Canyon Road and hauled to an approved off-site location, most likely to the MRWMD Monterey Peninsula Landfill located north of the city of Marina, for disposal. Generally, construction equipment can generate noise levels in the range of 70 to 90 decibels at a distance of 50 feet.

Equipment for the proposed project would include tree removal equipment and a small excavator, the sound levels of which would be within this range. However, construction noise is generally not constant during the daytime hours and stops toward the evening when construction crews complete their daily work. There are no sensitive receptors immediately adjacent to the project site. The nearest residence is approximately 200 feet to the west of the project site, and the nearest building at Monterey Peninsula College also is about 200 feet to the east of the project site. Existing nearby sensitive receptors could experience temporary elevated noise levels during the approximate two-month construction period, but indoor noise levels would be less with windows closed. Although construction noise would be temporary as the equipment and construction vehicles would operate intermittently over the short duration of the proposed project, short-term construction noise would be considered a potentially significant impact. With implementation of Mitigation Measure NOI-1, the impact would **less than significant impact with mitigation incorporated**.

**Mitigation Measure NOI-1: Construction Noise.** Construction will be limited to weekdays between the hours of 7 a.m. and 7 p.m. and on weekends in accordance with Monterey City Code section 38-112.2. During construction, the project contractor shall implement the following measures to minimize construction noise impacts:

- Place construction equipment and equipment staging areas to be located at the furthest distance as possible from nearby noise-sensitive receptors.
- Choose construction equipment that is of quiet design, has a high-quality muffler system, and is well-maintained.
- Install superior intake and exhaust mufflers and engine enclosure panels wherever possible on gas diesel or pneumatic impact machines.
- Limit construction to 7 a.m. to 7 p.m. Monday through Friday, and 8 a.m. to 6 p.m. Saturday.
- Eliminate unnecessary idling of machines when not in use.
- Locate all stationary noise-generating construction equipment, such as portable power generators, as far as possible from nearby noise-sensitive receptors.
- Utilize the quickest equipment options to accomplish the tasks, in accordance with local, state, and federal regulatory requirements.

***b) Vibration.*** Construction activities associated with the project are not expected to create significant sources of groundborne vibrations or other excessive noise events due to limited construction activities and limited small equipment need for the proposed sediment removal, e.g., small excavator and tree cutting equipment. There are no sensitive receptors adjacent to the project site, and the closest receptor is approximately 200 feet from the project site. Therefore, the project would result in **no impact** related to generation of vibration.

***c) Location Near Airport.*** The project is located within three miles of the Monterey Regional Airport, but not within the vicinity of a private airstrip. The project site is not within the 65 CNEL or greater

noise contour area of the Monterey Regional Airport. However, the project site is located within the overflight area for the Airport. The project would result in temporary, short-term increased levels during the two-month period when sediment is removed, but would not result in increased population or employees in the area or increase/change the existing use at the site. Therefore, the project would result in **no impact** related to exposure of people residing or working in the project area to excessive noise levels related to airport operations.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>XIV. POPULATION AND HOUSING – Would the project:</b>					
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X	

### Existing Setting

According to California Department of Finance, as of January 1, 2019, the City had an estimated population total of 28,448 and a total of 13,694 housing structures.

### Discussion

*a) Population Growth.* The proposed project consists of sediment management within an existing drainage located in a greenbelt and would not induce population growth because the project would not result in new development or population. Therefore, there would be **no impact**.

*b) Displacement of Housing or People.* The proposed project would not displace housing or people because the project site does not contain housing. As such, there would be **no impact**.



	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>XV. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</b>					
a) Fire protection?				X	<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Public Facilities Element Goal c, Policies c.1–c.5</li> <li>- City of Monterey Fire Department</li> </ul>
b) Police protection?				X	<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Public Facilities Element Goal b, Policies b.1–b.3</li> <li>- City of Monterey Police Department</li> </ul>
c) Schools?				X	<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Public Facilities Element Goal d, Policies d.1–d.6</li> </ul>
d) Parks?				X	<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Public Facilities Element Goal j, Policies j.1–j.6</li> <li>- City of Monterey Recreation &amp; Community Services Department</li> <li>- City of Monterey Maintenance Division-Parks &amp; Beaches</li> <li>- City of Monterey Parks and Recreation Master Plan, 2016</li> </ul>
e) Other public facilities?				X	<ul style="list-style-type: none"> <li>- City of Monterey, General Plan Public Facilities Element Goals e–i, k–City of Monterey Public Works Department</li> <li>- City of Monterey Maintenance Division-Streets &amp; Utilities</li> <li>- City of Monterey Recreation and Community Services Department</li> </ul>

## Existing Setting

Public services provided by the City of Monterey include police and fire protection, park and recreation facilities, and sewer and drainage infrastructure.

## Discussion

*a-e) Demand for Public Services.* The project consists of sediment removal in the Iris Canyon Creek drainage. There are no new facilities or development associated with these improvements. The project would not induce population growth that would result in an increased demand for public services. Therefore, the project would result in **no impact** to public services.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>XVI. RECREATION</b>					
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X	- City of Monterey, General Plan Public Facilities Element Goal j
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?				X	- City of Monterey General Plan, Open Space Element, Figure 10, Showing Parks, Recreation, and Open Spaces - City of Monterey General Plan Open Space Element, Goal f, Policy f.1

## Existing Setting

The City of Monterey has a wide variety of parks and open spaces distributed throughout the City, ranging from pocket parks to large community parks and open spaces, as well as “special purpose parks” such as the Lower Presidio Historic Park and Recreation Trail. Significant recreation facilities include the Monterey Sports Center, community centers, neighborhood park facilities, and beach parks. Neighborhood parks also include various athletic fields, tennis courts, and other park facilities. The City of Monterey Recreation and Community Services Department manages these facilities. The

City owns, operates and maintains the majority of park and recreation sites, but also enters into joint use arrangements with various other jurisdictional entities. Additionally, the City maintains or jointly maintains a number of urban plazas, as well as open spaces and greenbelts that are primarily passive use or serve as visual amenities.

**Discussion**

*a-b) Recreational Facilities.* The proposed project consists of sediment removal in the Iris Canyon Creek drainage, which runs parallel to Iris Canyon Road. The site is maintained by the City of Monterey as open space. The project would not result in new development or population and would not result in an increase in use of existing parks or lead to the deterioration of existing parks. The project does not include recreational facilities. Therefore, the project would result in **no impact** to parks or recreational facilities.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>XVII. TRANSPORTATION</b> – Would the project:					
a) Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				X	- City of Monterey General Plan Circulation Element Goal a, Policy a.1
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?				X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X	- City of Monterey Plans & Public Works Department, Traffic Engineering Division - City of Monterey, General Plan, Circulation Element, Policy c.3, Policy c.4
d) Result in inadequate emergency access?				X	- City of Monterey, General Plan, Circulation Element, Goal c. - City of Monterey General Plan, Safety Element, Policy d.2 - City of Monterey General Plan, Safety Element, Policy h.6

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
					- City of Monterey, General Plan Map 15, Showing Evacuation Routes

**Existing Setting**

The setting information provided below is based on information provided in the City’s General Plan and General Plan EIR.

The City’s Multi-Modal Mobility Plan (Monterey on the Move) addresses the City’s needs to create a safe and effective pedestrian, bicycle, and transit network. The plan supports enhancements to and maintenance of an extensive network of sidewalks and Class 1, 2, 3 and 4 bicycle facilities as well as increases ADA access to pedestrian and transit facilities. The City maintains sidewalks on almost all City roadways, and some roadways have bicycle lanes.

**Roadway Classifications and Level of Service**

The City has a roadway classification system, which includes freeways, major arterials, minor arterials, collectors, and local streets. The Level of Service (LOS) is a standard used to describe the operating conditions on a roadway segment or at an intersection. LOS A represents free-flow, uncongested traffic conditions, while LOS F represents highly congested traffic conditions with unacceptable delay to vehicles at the intersections and on the road segments. The intermediate levels of service represent incremental levels of congestion and delay between these two extremes. The City’s General Plan Circulation Element has an adopted level of service standard that is based on the presence of a multi-modal system. A lower vehicle level of service standard is acceptable when the bicycle, transit, and pedestrian network is implemented according to Monterey on the Move.

**Transit Service**

Monterey-Salinas Transit (MST) is the principal transit service for the City and the surrounding communities. MST is a joint powers agency with a board of directors that includes a representative from the City. Thirteen MST routes currently serve the citizens of the community. Simoneau Plaza located in downtown Monterey is the transfer center for all routes serving the City. Senior and disabled citizens can use the MST fixed-route and Direct Area Response Transit (DART). MST also operates the RIDES program for disabled citizens. These routes operate on weekdays and Saturdays from approximately 7:00 AM to 11:00 PM and from approximately 7:30 AM to 5:30 PM on Sundays and holidays.

## ***Bikeway and Pedestrian Facilities***

The City maintains an extensive network of Class 1, 2, and 3 bicycle paths and pedestrian sidewalks. The most notable bicycle and pedestrian path is the City's Recreational Trail that is located along the coastal side of the City. The Recreational Trail is a dual use facility that offers people destination opportunities, such as the restaurants or retail stores along Cannery Row or Fisherman's Wharf, or one of many parks for relaxing or wildlife viewing and sightseeing. The City maintains sidewalks on almost all City roadways, and some roadways have bicycle lanes.

## **Discussion**

*a) Conflict with Circulation System Plans, Policies or Ordinances.* The project consists of sediment removal within an existing drainage and would not result in new development or any type of trips except during the limited 2-3 month construction period. Therefore, the project would not conflict with a plan, ordinance or policy addressing the City's circulation system and would result in **no impact**.

*b) Conflicts with State CEQA Guidelines.* CEQA Guidelines section 15064.3, subdivision (b) codifies the switch from LOS to vehicle miles traveled (VMT) as the metric for transportation analysis pursuant to state legislation adopted in 2013. In September 2013 Governor Brown signed Senate Bill 743 which made significant changes to how transportation impacts are to be assessed under CEQA. SB 743 directs the Governor's Office of Planning and Research (OPR) to develop a new metric to replace LOS as a measure of impact significance and suggests vehicle miles travelled as that metric. According to the legislation, upon certification of the guidelines, automobile delay, as described solely by LOS shall not be considered a significant impact (Section 21009(a)(2)). SB 743 also creates a new CEQA exemption for certain projects that are consistent with the regional Sustainable Communities Strategy.

A lead agency has discretion to choose the most appropriate methodology to evaluate a project's VMT, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's VMT and may revise those estimates to reflect professional judgment based on substantial evidence. A lead agency may elect to be governed by the provisions of this section immediately; beginning on July 1, 2020, the provisions shall apply statewide. The City of Monterey has not yet adopted a VMT threshold and has until July 1, 2020 to do so. Thus, the project would not conflict or be inconsistent with CEQA Guidelines section 15064.3.

*c) Design-Safety.* The project consists of sediment removal within an existing drainage and would not result in new development or changes to any circulation system. Therefore, the project would result in **no impact** related to project design that could result in substantial increases in hazards.

*d) Emergency Access.* The project consists of sediment removal within an existing drainage and would not result in changes to any circulation system or affect emergency access. Therefore, the project would result in **no impact** related to emergency access.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>XVIII. TRIBAL CULTURAL RESOURCES – Would the project::</b>					
<p>a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p> <p>i) Listed or eligible for listing on the California Register of Historical Resources, or in a local register of historical resources as defined by PRC section 5020.1(k), or</p> <p>ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC Section 5024.1. In applying the criteria set forth in subdivision (c) of PRC Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>					<p>- Archaeological Sensitivity Map, General Plan EIR Figure 8, City of Monterey General Plan Update, July 2004</p> <p>- Cultural Resources Report (Dudek, February 2018)</p>

**Existing Setting**

The City is located within the ethnographic territory, indigenous homeland and language family of the Ohlone/Costanoan-Esselen Nation (OCEN).

**Discussion**

a) Tribal Cultural Resources and Consultation. The project site is located within a sensitive archaeological area as mapped in the City’s General Plan EIR. A cultural resources investigation was conducted for the proposed project and adjacent area, but did not identify potential resources on

the project site. The project site is not listed or eligible for listing on the California Register of Historical Resources or in a local register.

In compliance with Assembly Bill 52 (AB 52) the City of Monterey informed Ms. Louise J. Miranda Ramirez, Chairwoman of the OCEN, of the project via a letter dated October 28, 2019 with two follow-up telephone contacts in November and December 2019, and the letter was resent on February 27, 2020. The Native American Heritage Commission designated Ms. Ramirez as the most likely descendant of the OCEN Tribe. As of March 23, 2020, the OCEN had not responded and had not requested consultation. Therefore, no known tribal cultural resources are known on the site, and the project would result **in no impact** to tribal cultural resources.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>XIX. UTILITIES AND SERVICE SYSTEMS –Would the project:</b>					
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or which could cause significant environmental effects?				X	- City of Monterey General Plan, Public Facilities Element, Goal k
b) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X	- City of Monterey, General Plan Public Facilities Element, Goal m, Policy m.2.
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X	- City of Monterey Plans and Public Works Department - Monterey Regional Water Pollution Control Agency - City of Monterey, General Plan Public Facilities Element, Goal k
d) Generate solid waste in excess of State or local standards, or in excess of capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				X	- City of Monterey Solid Waste & Recycling Division - City of Monterey, General Plan Public Facilities Element, Goal n, Policy n.1-n.3

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				X	<ul style="list-style-type: none"> <li>- Monterey Regional Waste Management District</li> <li>- City of Monterey General Plan Public Facilities Element , Goal n, Policy n.1-n.3</li> </ul>

### Existing Setting

The setting information provided below is based on information provided in the City’s General Plan and General Plan EIR.

#### **Wastewater**

The City maintains the sanitary sewer collection system within its jurisdictional boundaries. The existing sanitary sewer collection system conveys sewage from sewer point sources within the City, such as homes, businesses, and public facilities, to a regional wastewater treatment plant for treatment and disposal. The sanitary sewer collection system operated by the City consists of approximately 102 miles of sewer pipeline maintained by City personnel and seven sewer lift stations.

Monterey’s sewage is conveyed through pipelines to the Monterey One Water sewer treatment plant in the City of Marina for treatment and disposal. Per Monterey One Water, sixty percent (60%) of incoming wastewater is highly treated through its water recycling facility and distributed for irrigation uses on farmlands in northern Monterey County. Monterey One Water performs secondary treatment of the remaining wastewater, which is then discharged through an ocean outfall two miles into Monterey Bay.

Local sewer collection pipelines of various capacities exist underground within the City and eventually flow to larger sewer mains that feed into the Monterey One Water interceptor pipeline. The interceptor pipeline receives sewer flows from both Pacific Grove and Monterey and carries those flows to the wastewater treatment plant. Monterey’s existing sewer collection system is an aged one and requires on-going maintenance and rehabilitation. The City is completing a multiyear program to repair and replace sanitary sewer collection system structures. The existing capacity of the system is adequate to convey the sewer loads generated.

#### **Potable Water Supply**

It is the goal of the City of Monterey and the General Plan to obtain a long-term, sustainable water supply, including evaluation of water supply options outside the present Monterey Peninsula Water Management District (MPWMD) framework. Water is supplied to most of the Monterey Peninsula



by the California American Water Company (Cal-Am) through wells in Carmel Valley, dams on the Carmel River, and a well on the Seaside Aquifer. The City is wholly within the MPWMD, which is responsible for developing long-term water supply for the Monterey Peninsula cities in the District.

Cal-Am supplies water to the residential, municipal, and commercial needs of the Monterey Peninsula area communities. Cal-Am's water distribution system distributes water from two main sources: the Carmel River and the Seaside Basin coastal subarea.

*State Water Resources Control Board Order Number 95-10.* In 1995, in response to complaints that Cal-Am was illegally taking water from the Carmel River, the State Water Resources Control Board (State Water Board) issued Order No. WR 95-10 directing Cal-Am to implement actions to terminate its unlawful diversion. Order No. 95-10 recognized that Cal-Am had legal rights to divert 3,376 acre-feet annually (afa) of water from the Carmel River Basin, but found that Cal-Am was diverting a total of 14,046 afa for this purpose, an excess of approximately 10,730 afa, "without a valid basis of right." The Order also determined that such diversions have historically had an adverse effect on the riparian corridor along portions of the river, wildlife that depend on riparian habitat, and steelhead and other fish which inhabit the river. The 3,376 afa rights are not subject to instream flow requirements.

On November 30, 2007, both MPWMD and Cal-Am jointly obtained an additional right to divert water from the river. Due to the overdraft condition of the Seaside Groundwater Basin, the State Water Board issued Permit 20808A authorizing the diversion of up to 2,246 afa water from the river to underground storage in the Seaside Groundwater Basin from December through May of each year, if specified streamflow requirements are met. On November 30, 2011, a second right (Permit 20808C) was authorized for up to 2,900 afa subject to instream flow requirements, The State Water Board also issued Cal-Am an appropriative right for 1,484 afa (Table 13), subject to instream flow requirements, but this may only be used in the Carmel River Basin. The amount of rights authorized by the State Water Board is a maximum; the actual availability of water is dependent on streamflow. The MPWMD estimates the long-term average yield of rights subject to instream flows totals approximately 2,400 afa. However, due to physical constraints in the Cal-Am system, not all of this water may currently be produced.

Through various conservation efforts over the past 13 years, Cal-Am has reduced its annual illegal diversion of the Carmel River Basin to approximately 7,150 acre-feet. Cal-Am continues its effort towards providing an alternative potable water source.

*State Water Resources Control Board Cease and Desist Order.* On October 20, 2009, the State Water Resources Control Board issued a Cease and Desist Order (CDO) to Cal-Am. Among other matters, the CDO alleges that Cal-Am has failed to comply with Condition 2 of Order 95-10 that requires Cal-Am to terminate its unauthorized diversions from the river, that Cal-Am's diversions continue to have adverse effects on the public trust resources of the river and should be reduced, and that the ongoing diversion is a violation of Water Code Section 1052 prohibiting the unauthorized diversion or use of water.

The CDO seeks to compel Cal-Am to reduce the unauthorized diversions by specified amounts each year, starting in water year 2008-09 and continuing through water year 2016 when Cal Am must cease

all unauthorized diversions. The adopted CDO prohibits Cal-Am from providing new service connections and increasing use at existing service addresses that were not provided a “will serve commitment” (or similar commitment) before October 20, 2009.

Water availability within the Cal-Am system remains under careful state scrutiny since State Water Resources Control Board Order No. 95-10 was imposed in 1995. State Board Order No. 95-10 requires Cal-Am to reduce the water it pumps from the Carmel River by 20 percent now, and up to 75 percent in the future. Also, any new water that is developed must first completely offset Cal-Am’s unlawful diversions from the Carmel River, an estimated 10,730 acre-feet (AF) per year, before any water produced by Cal-Am can be used for new construction or expansions in use.

*MPWMD Water Use Credit and Transfer Programs.* In 1992, as part of its oversight of water allocation and distribution, MPWMD adopted Ordinance 60 establishing a program whereby a water customer may obtain and reuse water use credits when water use on a particular property is reduced or discontinued. A reduction of water use, whether by changing to a less-intensive use, by retrofitting equipment with water conserving devices, or by demolishing a building, results in a water use credit that may be used later on the same site. When a residential property owner applies to MPWMD for the water use credit, MPWMD calculates the amount of the credit based upon the number and types of water-using fixtures that will be discontinued. When a commercial property owner applies to the MPWMD for a water use credit, the MPWMD will determine credits based upon one of several methods.

The commercial water use factor associated with the historical use(s) may be used when a use is either being abandoned or permanently reduced to a lower intensity use; a quantification of water saved may be used when inefficient equipment is replaced with highly water efficient equipment; or historic records may be used to determine the past (abandoned) use. With a few exceptions, the water use credit is valid for 60 months and can be extended for 60 months. After the 60-month period, any remaining unused water use credit expires. Water use credits affected by the CDO will be reinstated at its conclusion with a term equal to the amount of time the CDO impacted the credit.

In 1993, MPWMD adopted Rule 28 to allow Water Use Credit Transfers between commercial properties. The rule was amended in 1995, to allow Water Use Credit Transfers from an existing commercial use to a jurisdiction’s water allocation. The Water Use Credit rules are designed to provide incentives for undertaking extraordinary retrofitting and/or installation of proven new technology and to provide a mechanism for offsetting potential intensification in use.

The Water Credit rules also allow former uses to be reoccupied if a Water Credit has not been abandoned and expired or moved to another Site. Water savings after the Water Credits have been applied to a Water Permit can be minimal. The goal is that there is no increase in use.

*City of Monterey Allocation.* In 1981, MPWMD’s Resolution 81-7 authorized an annual allocation of 5,746 acre-feet of potable water to the City. Subsequent annual allotments were made and were adjusted up to 6,125.48 acre-feet to more accurately reflect the City’s actual water use. In 1993, the City received from MPWMD a water allocation of 308 afa from Cal-Am’s Paralta Well in the Seaside Basin coastal subarea. This was the last allocation from MPWMD.

In 1986, the City Council reserved the remaining supply of the City's allocation for seven categories of uses and established procedures for determinations of water usage. The purpose for establishing the unallocated reserve was to provide a water account that could be used to address unanticipated or emergency water requests, such as increased usage caused by increased visitors, use by the Federal Government, State and other agencies beyond the jurisdiction of the City, and unanticipated emergencies. The categories have changed over time, and since 2006, are assigned as follows: 1) Affordable Housing, 2) Public Projects (reserve), 3) Public Projects (high priority), 4) Single Family Remodels, 5) Other Residential, 6) Commercial Projects, and 7) Economic and Environmental Sustainability. The City has established a Water Waiting list for those projects that have received all of their required discretionary approvals but do not have adequate water resources to develop this project. As of June 13, 2013, there were 37 projects on the wait list, accounting for over 35.2 acre feet of water.

The MPWMD has adopted rules that allow the transfer of water between uses and adjacent sites under the same ownership, though these rules are under strict regulation by MPWMD. The City conducted an inventory of water usage and availability helped to determine the presence of water credits on a particular site that may be available for an expanded use.

Additionally, The City owns two open space parcels adjacent to the Ryan Ranch Business Park, one of which is located on the former Fort Ord that has access to water. The Marina Coast Water District is the water purveyor for the former Fort Ord, and water allocations were made to the jurisdictions within its boundaries. The City of Monterey was allocated approximately 65 acre-feet (af) from the Fort Ord allocation for the City's entire 130+ acres. The City can allocate a portion of the 65 af for the open space parcel as it deems appropriate.

### ***Storm Water***

See discussion in Section X, Hydrology and Water Quality.

### ***Solid Waste***

The regional waste collection facility is located in the City of Marina and is operated by the Monterey Regional Waste Management District. Locally, there is a transfer facility in Ryan Ranch operated by Monterey Disposal Service.

### **Discussion**

a-e) Demand for Utilities. The project consists of sediment removal in the Iris Canyon Creek drainage. There are no new facilities or development associated with these improvements, and the project would not result in an increased demand for utilities or require or result in the relocation or construction of new or expanded utilities. Therefore, the project would result in **no impact** to utilities.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</b>					
a) Substantially impair an adopted emergency response or emergency evacuation?				X	- City of Monterey, General Plan Map 15, Showing Evacuation Routes
b) Due to slope, prevailing winds, and other factors, exacerbate wildfires risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				X	- City of Monterey, Fire Department
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X	- City of Monterey Fire Department
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X	- City of Monterey Fire Department

## Existing Setting

### *Emergency Preparedness/Emergency Response*

The City of Monterey Fire Department and City of Monterey Police Department coordinate emergency response within the City. The City operates its Emergency Operations Center (EOC) as the center of emergency response coordination and actions. During an emergency, all response activities are managed by the EOC, including information, equipment, volunteers, and other resources. Plans for responses to emergency situations are formulated by fire and police officials, and actions to implement those plans are communicated to emergency response teams that operate out of the EOC and throughout the City. The City also operates the Citizens Emergency Response Training (CERT) program. The main goal of the CERT program is to help Monterey residents to be self-sufficient in a major disaster by developing multifunctional teams that are cross-trained in basic skills. The City's emergency response efforts are coordinated under the broader umbrella of the State of California

Office of Emergency Services. The County of Monterey also has an emergency response office. The County Environmental Health Division Hazardous Materials Branch and the City of Seaside Hazardous Materials Team would likely be the first agencies to provide support to the City in the event that the City does not have the capacity or capability to fully address a hazard. Both agencies are fully trained and equipped to respond to a variety of hazardous materials related incidents.

### ***Fire Hazards***

Fire hazards can generally be divided into two main types: (1) fires within urban areas that primarily involve specific sites and structures; and (2) fires within undeveloped or minimally developed areas, commonly called wildland fires. Most of the land within the present city limits is developed with urban uses. The City of Monterey Fire Department responds to both structure and wildland fires within the planning area. The City of Monterey Fire Department maintains three stations and operates several fire prevention programs. In the event that the City does not have the capacity to safely handle a structural or wildland fire, it can request additional firefighting resources through the Monterey County Mutual Aid Plan. The Monterey County Mutual Aid Plan enables any jurisdiction that participates in the plan to receive support from fire protection services of other jurisdictions that participate in implementing the plan. Response times to nearly all areas of the City are within the Department's recommended range of five to seven minutes.

The Monterey City Code (M.C.C.) Chapter 13, Fire Protection, adopted the California Fire Code. Amendments to this chapter of the code, as well as amendments to the City's General Plan Map 14, Showing Fire Hazard Severity Zones, were adopted by the City Council to be in compliance with legislation (Government Code Section 51175). This legislation calls for the California Department of Forestry and Fire Protection (CAL FIRE) Director to evaluate fire hazard severity in Local Responsibility Areas and make a recommendation to the local jurisdiction when the Very High Fire Hazard Severity Zone (VHFHSZ) exists. Based on the findings of the CAL FIRE Director, there are both High and Very High Fire Hazard Severity Zone within the City of Monterey City limits as shown on the City's General Plan Map 14. The project site is not located within areas of the City identified as High and very High Fire Hazard Severity<sup>6</sup> Zones depicted on this map.

Cal Fire published Fire Hazard Severity Zone (FHSZ) Maps for all regions in California. The proposed FHSZ Maps include fire hazard elements of vegetation, topography, weather, crown fire potential, ember production and movement, and the likelihood. The maps are intended to be used for implementing wildland-urban interface building standards, natural hazard real estate disclosures, space clearance requirements around buildings, property development standards, and severity of zones are to be considered in city and county general plans. The Monterey City Code (M.C.C.) Chapter 13, Fire Protection and the City's General Plan Map 14, Showing Fire Hazard Severity Zones has included the FHSZ maps. There are both High and Very High Fire Hazard Severity Zone within the City of Monterey City limits. However, Iris Canyon is incorporated as Local Responsibility Area (LRA) in a Non-Very High Fire Hazard Severity Zone and should have no foreseeable risk of wildfire hazards (See Cal Fire Monterey County Fire Very High Fire Hazard Severity Zones in LRA (<https://osfm.fire.ca.gov/media/5870/monterey.pdf>)).

## Discussion

a-d) Wildfire Hazards. The project consists of sediment removal in the Iris Canyon drainage. There are no new facilities or development associated with these improvements, thus there is no risk of occupants or structures exposed to wildfires. The proposed project does not include substantial changes to the site that would impact vulnerability to wildfire, impede emergency response access or impede evacuation routes/plans/response. No maintenance infrastructure (roads, fuel breaks, emergency water sources, power lines or utilities) would need to be constructed. Neither People nor structures would be subject to risk from downslopes, flooding or landslides. Furthermore, Iris Canyon is not designated as an emergency evacuation route in the City's General Plan Map 15, Showing Evacuation Routes and would not impact emergency response or evacuation. Therefore, **no impact** is anticipated.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
<b>XXI. MANDATORY FINDINGS OF SIGNIFICANCE:</b>					
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X			
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)		X			
c) Does the project have environmental effects which will cause substantial adverse				X	

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less-than-significant Impact	No Impact	SUPPORTING INFORMATION
effects on human beings, either directly or indirectly?					

*a) Environmental Quality.* The proposed project would not degrade the quality of the environment as documented herein. Potential impacts to biological resources and unknown cultural resources have been addressed by proposed mitigation measures BIO 1-4 and CUL 1-2, respectively. With the implementation of these **mitigation measures**, the proposed project’s potential impacts would be **less than significant with mitigation incorporated**.

*b) Cumulative Impacts.* The City of Monterey has an approved Detention Basin Management Project that consists of management of six detention basins, located in the City over a 15-year period. Management would consist of activities required to maintain the capacity and function of the basins and associated infrastructure, which have been reduced over time due to emergent vegetation and the accumulation of sediment. It is likely that if left unmanaged, the volume of the basins would continue to decrease and the associated structures would degrade, affecting the function and efficiency of the detention basins. This project includes the Lagunita Mirada sediment basin that is located immediately downstream of the project site. This basin is proposed to be drained in order to remove accumulated sediments and to work at the pipe inlets and outlet headwalls. The basin would be graded to match the original design depths. Draining for sediment removal purposes would occur only once in the first year. Proposed maintenance activities at all of the basins would include: vegetation management/removal; trash removal; and inspection and repair of infrastructure as needed.

The Lagunita Mirada sediment basin maintenance and the proposed project could result in similar construction-related impacts to biological resources and water quality, resulting in a potentially significant cumulative impact to special status species, nesting birds and water quality. However, the projects do not have overlapping construction schedules. Furthermore, the proposed project would result in less-than-significant impacts with implementation of mitigation measures identified in this Initial Study. Therefore, the project’s contribution to cumulative impacts would not be cumulatively considerable, resulting in a **less-than-significant impact with mitigation incorporated**.

*c) Effects on Human Beings.* The project consists of sediment removal in an existing drainage and would have no effect on human beings. Therefore, the project would result in **no impact** regarding the potential to cause substantial adverse effects on human beings

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