

MONTEREY COUNTY

HOUSING AND COMMUNITY DEVELOPMENT

PLANNING

1441 SCHILLING PLACE SOUTH, 2nd FLOOR, SALINAS, CA 93901

PHONE: (831) 755-5025/FAX: (831) 757-9516



BACKGROUND INFORMATION

Project Title: Leavens Ranches GP

File No.: PLN190018

Project Location: ¾-mile southwest of the intersection of Escolle and River Roads, Soledad

Name of Property Owner: Leavens Ranches GP

Name of Applicant: Leavens Ranches GP

Assessor's Parcel Number(s): 216-013-034-000

Acreage of Property: 41.3 acres

General Plan Designation: Farmlands – 40-160 ac. min. (Central Salinas Valley Area Plan)

Zoning District: Farmland [F/40]

Lead Agency: County of Monterey

Prepared By: Jaime Scott Guthrie, AICP – HCD-Planning

Date Prepared: April 2021

Contact Person: Jaime Scott Guthrie, AICP, Associate Planner

Phone Number: 831-796-6414

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project

The proposed project involves removal of 22 Coast live oak trees and installation of 522 module, 188 kilowatt ground mounted photovoltaic system covering 0.72 acres of a 41.92-acre agricultural parcel (APN 216-013-034-000) located in Soledad within the Central Salinas Valley Area Plan in unincorporated Monterey County (**Figure 1**). The project site does not have an address; however, the northwest corner location of the parcel is ¾-mile southwest of the intersection of Escolle and River Roads.

The system is proposed to provide renewable energy to power a 350 horsepower well pump. The well and pump support approximately 400 acres of row crops and orchards. Along with removal of the trees, the project would involve minimal grading, accessory electrical equipment installation, and extension of existing 6-foot high chainlink fence. The solar array location is proposed proximate (approximately 70 feet) to the well pump, necessitating minimal enhancements to the existing electrical equipment for connection to the photovoltaic panels. The enhancements include a solar disconnect with wiring and conduit, set in trenches, to accommodate AC feed from the panel board at the solar array. (**Figures 2 & 3**)

Applicable entitlement includes: Use Permit for removal of Coast live oak trees. The photovoltaic system is considered an allowed accessory use. (Source: IX. 1, 3, 5, 11, and 29)

B. Surrounding Land Uses and Environmental Setting

The project site is located in an unincorporated portion of Monterey County near the Soledad/Gonzalez boundary at the eastern base of the Sierra de Salinas hills (the coastal mountain range on the western edge of the Salinas Valley) within an expanse of farmland area tracking along both sides of River Road and reaching out in all directions with an eastern boundary of Highway 101 (**Figure 4**). Lemons, avocados, and grapes are cultivated on the subject parcel. The Salinas River is approximately a mile east of the parcel going toward Highway 101. The solar array location on the subject property is located in sandy unproductive soil within a geographic feature called a draw which is similar to a dry valley created by the convergence of two geographic ridges. The draw is adjacent to productive farmland to the east and west, while the oak woodland within the draw stretches to the north and south (**Figure 5**).

While the draw comprises unproductive soils for agricultural uses, the sandy soils existing in the draw at approximately 15 feet below grade of the agricultural fields (**Figures 6 & 7**) serve as part of recharge areas to capture stormwater that becomes recharged groundwater through the drainage basin to supplement periods of crop irrigation. (Source: IX. 1, 3, 6, 10, 11, and 28)

C. Other public agencies whose approval is required

Subsequent to approval of the required discretionary permit (entitlement) identified above in Section A, the Applicant would require ministerial permits from the County of Monterey HCD-Building Services. No other public agency approvals would be required. (Source: IX. 1, 3, 4, and 5)

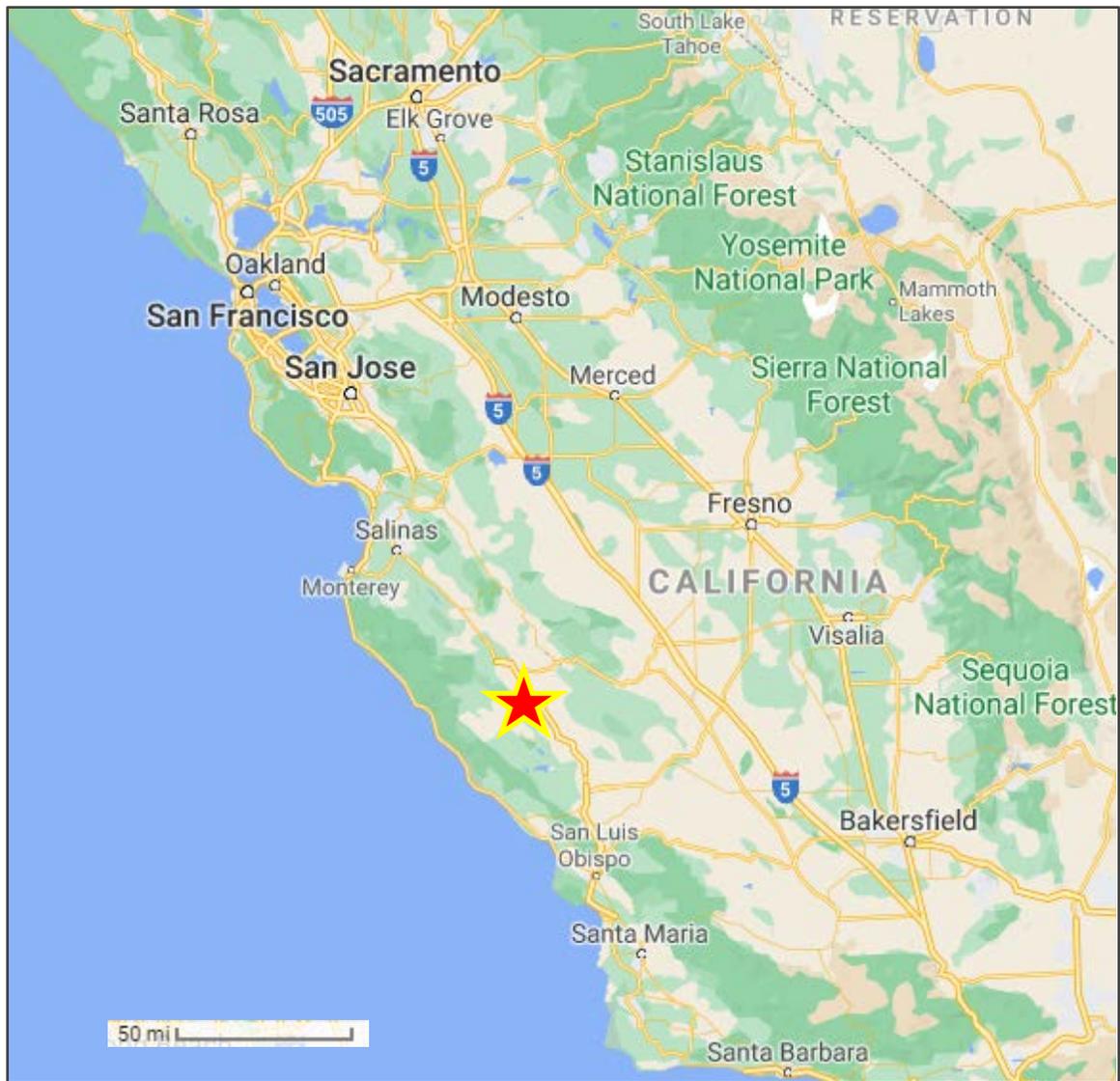


Figure 1. Regional Map – The subject property is located in an agricultural area of unincorporated Monterey County, California along Highway 101 (red star) approximately midway between San Francisco and Santa Barbara. (Source: IX. 1, 2, and 3)

LINE TYPE LEGEND

- PROPERTY LINE
- - - EASEMENT
- · - · - BERM
- (OH)--- EXISTING OVER HEAD WIRE
- EXISTING FENCE
- × × NEW FENCE TO BE INSTALLED
- ⌒ 22' SWINGING ACCESS GATES
- ⊕ EXISTING POWER POLE

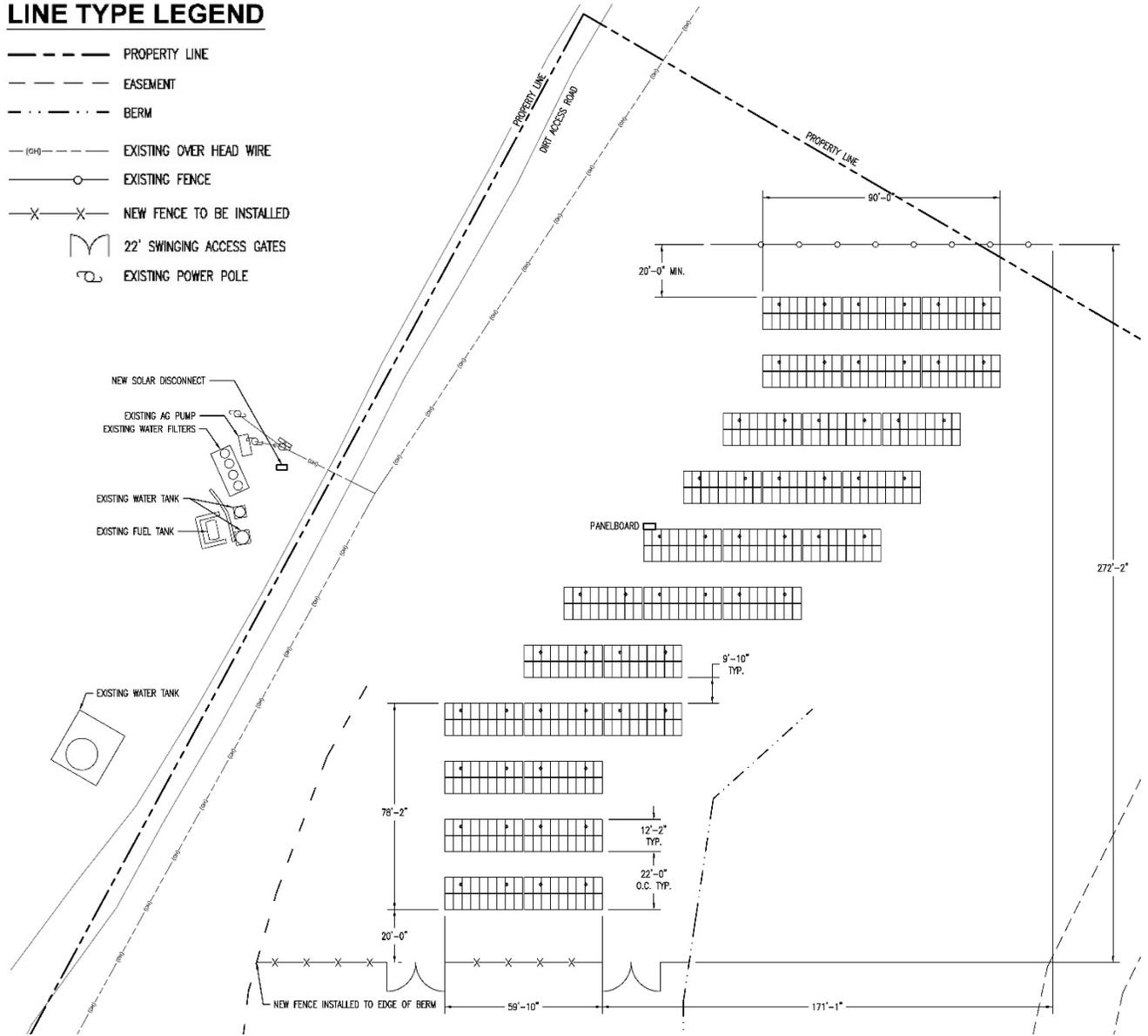


Figure 2. Site Plan – Proposed array of the solar field photovoltaic panels. (Source: IX.1)

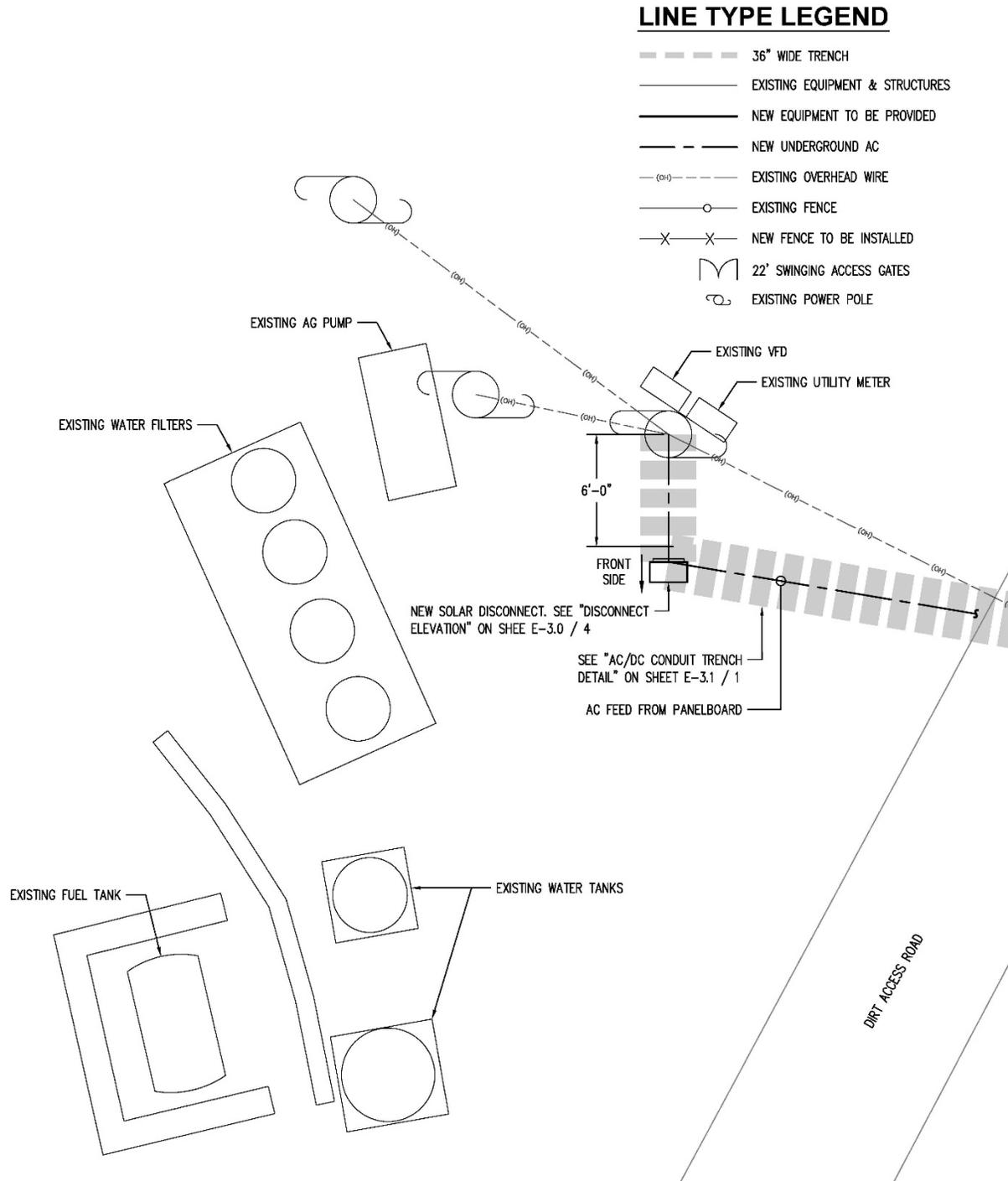


Figure 3. Site Plan – Proposal for the point of interconnection from the solar array to the existing well pump used to support agricultural activities. (Source: IX.1)

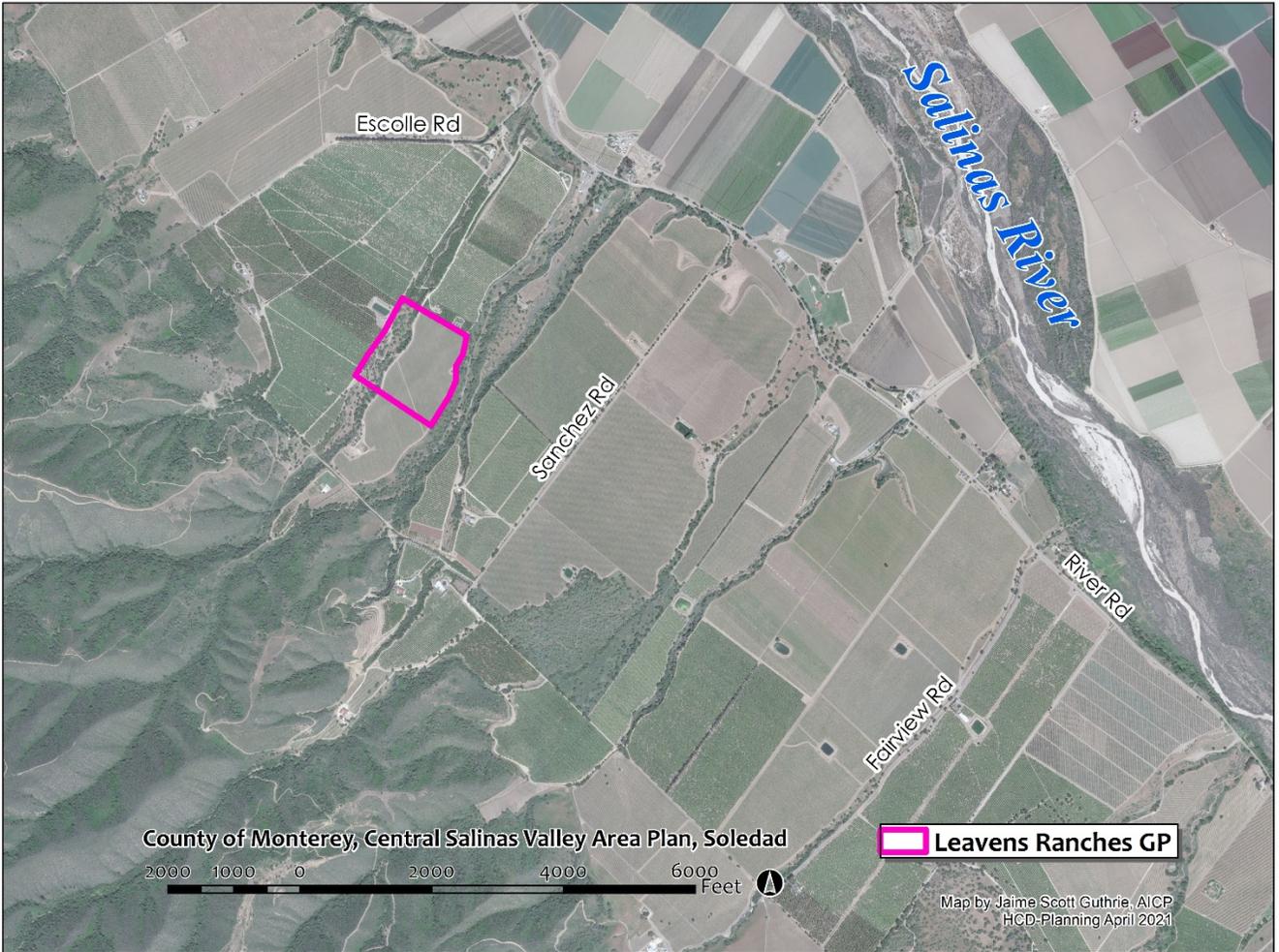


Figure 4. Vicinity Map – The subject property (dark pink line) is in the agricultural area at the base of the Sierra de Salinas foothills and with the Salinas River approximately a mile in the eastward direction from the parcel. (Source: IX. 1, 6, and 9)

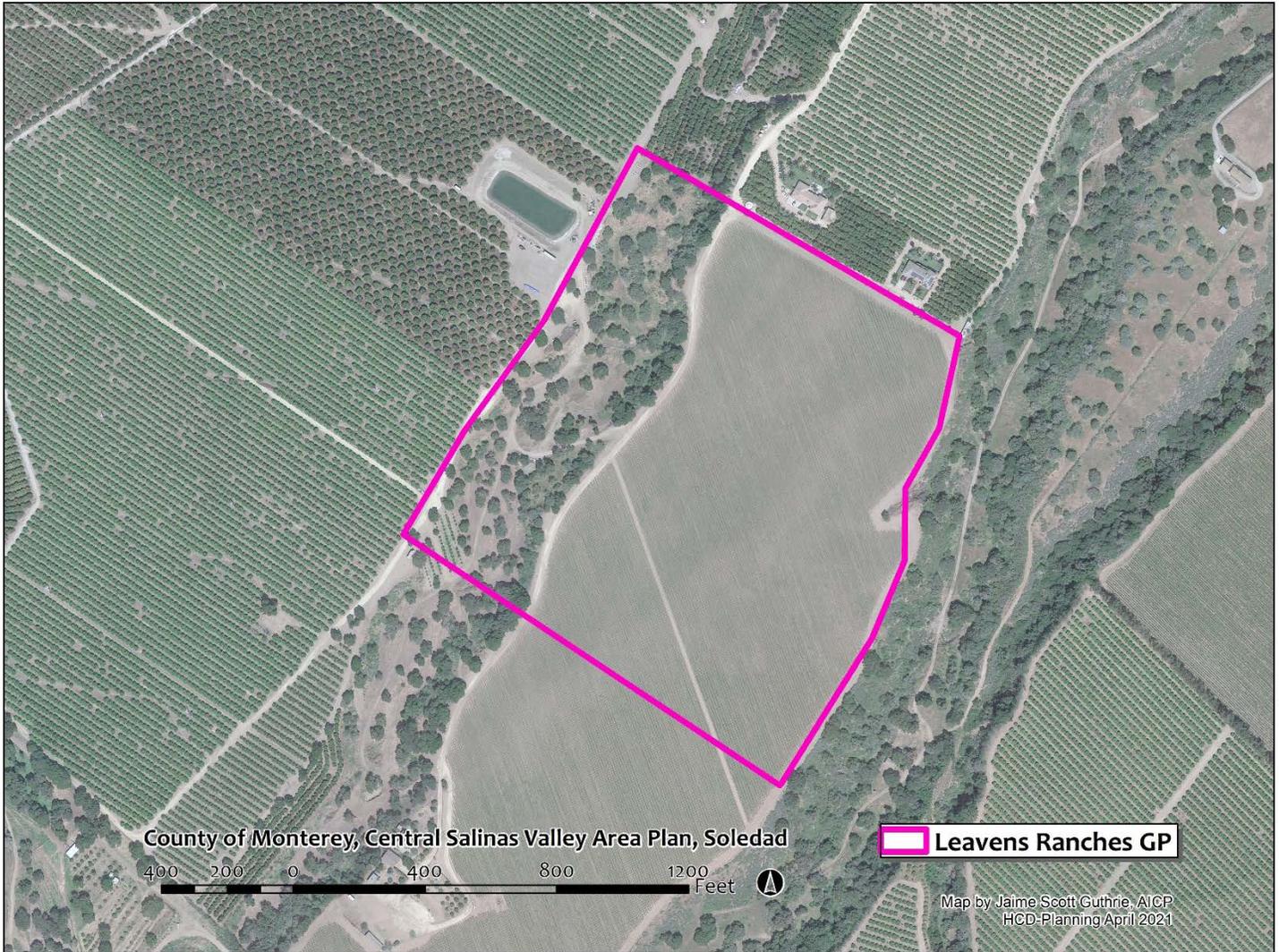


Figure 5. Aerial Photo – View of the subject parcel (dark pink line). The solar array is proposed within the northwest corner of the parcel which is the area where 22 oak trees would be removed. (Source: IX. 1, 9, and 38)



Figure 6. Site Photo – View southward of the proposed solar array site within the draw on the subject parcel where the 22 oak trees would be removed. The base elevation of the floor of the draw is approximately 15 feet below the dirt road. (Source: IX. 1, 11)



Figure 7. Site Photo – View southward of the dirt road showing orchards along the eastern side and the oak woodland along the western side. (Source: IX.1, 11)

D. Potential Impacts Identified:

Potential direct or indirect impacts from implementation of the project have been identified to aesthetics, agricultural and forest resources, hydrology/water quality, and wildfire. However, with adherence to existing regulations and compliance with applied conditions, potential impacts would be less than significant. (See Section VI – Environmental Checklist in this Initial Study)

Potential direct or indirect impacts from implementation of the project have been identified to biological resources and geology/soils. However, mitigation measures are identified that would reduce potential impacts to less than significant. (See Sections VI.4 and .7 – Environmental Checklist in this Initial Study)

Implementation of this project could potentially impact oak woodlands as a biological resource and paleontological resources within the geology/soils category. However, mitigations are incorporated that reduce to less than significant the identified potential impacts. (See Sections VI.4 and .7 – Environmental Checklist and Section VII.a of the Mandatory Findings of Significance in this Initial Study)

Potential cumulative impacts could result from incremental effects of the project subsequent to the implementation of this project. Mitigations are incorporated that reduce to less than significant the identified potential impacts. (See VI – Environmental Checklist and Section VII.b of the Mandatory Findings of Significance in this Initial Study)

The subject property is not near any airport or airstrip; is not a mineral resource recovery site; and would not increase air pollution long term. Implementation of the project would not increase wildfire risk to people or structures; does not include wasteful consumption of energy resources, generation of GHG emissions or the transport, storage, or disposal of hazardous materials; would not divide an established community; would not cause an increase in noise levels; does not include an increase in residents or visitors who would require public services or recreation facilities; would not cause reduction of the existing level of services for fire, police, public schools, or parks; would not contribute additional vehicle miles traveled (VMT) or conflict with implementation of the circulation system; and would not require large amounts of potable water or create large amounts of wastewater or solid waste. Therefore, the project would have no impact on, air quality, cultural resources, energy, greenhouse gas emissions, hazards/hazardous materials, mineral resources, noise, population/housing, public services, recreation, transportation, tribal cultural resources, or utilities/service systems. (See Section IV.A – Factors in this Initial Study)

Project implementation would cause no environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly. (See Section VII.c of the Mandatory Findings of Significance in this Initial Study)

III. PROJECT CONSISTENCY WITH OTHER APPLICABLE LOCAL AND STATE PLANS AND MANDATED LAWS

Use the list below to indicate plans applicable to the project and verify their consistency or non-consistency with project implementation.

| | | | |
|----------------------------|-------------------------------------|---------------------------|-------------------------------------|
| General Plan/Area Plan | <input checked="" type="checkbox"/> | Air Quality Mgmt. Plan | <input checked="" type="checkbox"/> |
| Specific Plan | <input type="checkbox"/> | Airport Land Use Plans | <input type="checkbox"/> |
| Water Quality Control Plan | <input checked="" type="checkbox"/> | Local Coastal Program-LUP | <input type="checkbox"/> |

General Plan/Area Plan: With inclusion of the Central Salinas Valley (CSV) Area Plan (Chapter 9.C), the 2010 General Plan (GP) policies govern land use for the location of the subject project. The proposed project for removal of 22 Coast live oak trees to accommodate construction of a ground-mounted solar array to support agricultural activity is in accordance with the CSV Area Plan Policy CSV-6.1 that encourages energy-efficient business and agricultural practices. Agricultural support facilities shall be considered compatible and appropriate uses on farmland zoned parcels and shall be sited to minimize the loss of productive agricultural lands (GP Policies AG-2.1 and AG-2.4). The project proposal is consistent with the provisions of GP Policy OS-5.23 that allows onsite or off-site mitigation of removed oak woodland and for replacement at a minimum 1:1 ratio to equivalent acreage and ecological value. (Source: IX.1, 2, and 3) **CONSISTENT.**

Air Quality Management Plan: The Air Quality Management Plan (AQMP) for the Monterey Bay Region addresses attainment and maintenance of state and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB), including the project area. Consistency with the AQMP is an indication that the project avoids contributing to a cumulative adverse impact on air quality; not an indication of project specific impacts which are evaluated according to the Monterey Bay Air Resources District's (MBARD) adopted thresholds of significance. The project includes construction of a solar array that would not result in a population increase as accounted for in the AQMP. The project's construction emissions that would temporarily emit precursors of ozone are accommodated in the emission inventories of state- and federally-required air plans. The project would not cause an increase of stationary emissions. (Source: XI.1, 12, and 13) **CONSISTENT.**

Water Quality Control Plan. The subject property lies within Region 3 of the Central Coast Regional Water Quality Control Board (CCRWQCB) which regulates sources of water quality related issues resulting in actual or potential impairment or degradation of beneficial uses, or the overall degradation of water quality. Operation of the project would not generate pollutant runoff in amounts that would cause degradation of water quality, alter drainage patterns, or cause conditions leading to excessive erosion, nor does the project require septic infrastructure. (Source: IX.1, 11, and 14) **CONSISTENT.**

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

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

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Geology and Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Noise | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Recreation | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Tribal Cultural Resources | <input checked="" type="checkbox"/> Wildfire | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

Some proposed applications that are not exempt from CEQA review may have little or no potential for adverse environmental impact related to most of the topics in the Environmental Checklist; and/or potential impacts may involve only a few limited subject areas. These types of projects are generally minor in scope, located in a non-sensitive environment, and are easily identifiable and without public controversy. For the environmental issue areas where there is no potential for significant environmental impact (and not checked above), the following finding can be made using the project description, environmental setting, or other information as supporting evidence.

- Check here if this finding is not applicable

FINDING: For the above referenced topics that are not checked off, there is no potential for significant environmental impact to occur from either construction, operation or maintenance of the proposed project and no further discussion in the Environmental Checklist is necessary.

EVIDENCE:

VI.03 – Air Quality. The project site is located within the North Central Coast Air Basin (NCCAB), which is under the jurisdiction of the Monterey Bay Air Resources District (MBARD). Project construction would involve equipment typically used in solar array construction projects that

would emit air pollutants such as carbon monoxide, particulate matter less than 10 microns in diameter and 2.5 microns in diameter, and nitrogen oxides. Construction of the solar array along with associated grading would not result in the emission of substantial amounts of air pollutants. Impacts related to the emission of air pollutants during construction would be minor and temporary in nature.

According to the MBARD CEQA Guidelines, a project would have a significant short-term construction impact if the project would emit more than 82 pounds per day or more of PM₁₀. Further, the MBARD CEQA Guidelines set a screening threshold of 2.2 acres of construction earthmoving per day, meaning that if a project results in less than 2.2 acres of earthmoving, the project is assumed to be below the 82 pounds per day threshold of significance. The area of construction is approximately 0.72 acre. As such, the proposed project would result in less than 2.2 acres of earthmoving per day, and as a result, is below the threshold and would have a less than significant impact to air quality from construction activities. The minor construction-related impacts would not violate any air quality standards or obstruct implementation of the most recent MBARD Air Quality Management Plan (AQMP). Operational emissions would not be substantial as minimal vehicle trips for maintenance would be required intermittently and solar energy capture would eliminate contribution to emissions from a power plant. *Therefore, potential impacts from the proposed project would be less than significant to air quality and there would be no conflict with or obstruction to implementation of the applicable air quality plan.* (Source: XI. 1, 12, and 13)

VI.05 – Cultural Resources. The location on the parcel for construction of the solar array is identified in Monterey County GIS with low sensitivity for potential finding of cultural resources. Therefore, an archaeological survey was not required in accordance with *2010 General Plan* Policy OS-6.4 for development proposed in low sensitivity zones. No structures exist on the parcel. *Therefore, the proposed project would not result in impacts to cultural resources.* (Source: XI. 1, 2, and 6)

VI.06 – Energy. The project would require energy during construction to operate construction equipment and for employee vehicle trips to and from the site. The project entails removal of 22 oak trees, construction of a solar array, and associated grading. Given the scale of the project, construction energy use would be nominal and short-term. As such, it would not be considered wasteful, inefficient, or unnecessary. Energy conservation defines operation of the project as a solar array that passively captures energy from the sun. *Therefore, the project would not conflict with a plan for renewable energy or result in wasteful or inefficient energy use. There would be no impact* (Source: IX.1).

VI.08 – Greenhouse Gas Emissions. Temporary construction-related greenhouse gas (GHG) emissions would result from usage of equipment and machinery. Operationally, the project would have a net zero energy consumption, thus GHG emissions are not anticipated to be significant. The proposed project does not conflict with policy direction contained in the Monterey County Climate Action Plan because such a plan has not yet been adopted. Some impact would occur through removal of oak trees which are a carbon sink, meaning they remove carbon from the atmosphere and produce oxygen. Replanting is required at a minimum 4:1 ratio as recommended by the Forest Management Plan for the project. Overall, the project is considered to have a positive impact on GHGs. *Therefore, the proposed project would not result in significant increases in GHG emissions*

or conflict with an applicable plan, policy or regulation. Potential impacts would be less than significant (Source: IX. 1 and 17).

VI.09 – Hazards/Hazardous Materials. Tree removal and solar array construction would require the use of heavy equipment typical of such projects, the operation of which could result in a spill or accidental release of hazardous materials, including fuel, engine oil and lubricant. However, the use and transport of any hazardous materials would be subject to existing federal, state, and local regulations, which would minimize risk associated with the transport of hazardous materials. Operationally, the project would not involve the use or storage of hazardous materials, other than small quantities of those typically associated with agricultural supporting uses, such as products and supplies used for the maintenance of the solar array. The project would not create stationary emissions and therefore, would not emit hazardous emission within 0.25 mile of an existing or proposed school.

The project would not be located on or within 1,000 feet of a known active hazardous materials site and is not located near an airport or airstrip. Given that the project includes no increase in population or occupancy, the project would not impair or interfere with an adopted emergency response or evacuation plan. *As described above, the proposed project would not result in significant impacts related to hazards/hazardous materials (Source: IX. 1, 6, 10, 11, and 18).*

VI.12 – Mineral Resources. No mineral resources have been identified within the vicinity of the project site. *Therefore, the proposed project would result in no impact to mineral resources (Source: IX. 1 and 21).*

VI.13 – Noise. Construction of the proposed project would generate temporary noise in the vicinity of the site due to the use of heavy equipment typically used during tree removal activities and construction of a solar array. Construction activities would be required to comply with the Monterey County Noise Ordinance as described in Monterey County Code Chapter 10.60. The ordinance applies to “any machine, mechanism, device, or contrivance” within 2,500 feet of any occupied dwelling unit and limits the noise generated to 85 dBA at a distance of 50 feet from the noise source. The agricultural parcel is surrounded by similar agricultural uses and no residences. Project construction would also generate a temporary increase in groundbourne vibration levels during the excavation and grading phases of project construction. However, pile driving would not be required, and construction activities would not generate excessive vibration levels. Operationally, the solar array would not result in a substantial permanent increase in ambient noise. The project is not located in the vicinity of a public airport or private airstrip. *Therefore, the proposed project would result in less than significant impacts related to noise (Source: IX. 1, 6, 10, and 11).*

VI.14 – Population/Housing. Removal of the trees and construction of the solar array would not contribute to population growth or alter the location, distribution, or density of housing in the area in any significant way or create demand for additional housing. *Therefore, the proposed project would result in no impact related to population and housing (Source: IX. 1 and 11).*

VI.15 – Public Services. The project site is served by the Gonzalez Rural Fire Protection District, Monterey County Sheriff’s Department, and Gonzalez Unified School District. Because the project would occur on an actively farmed parcel, does not entail new building development or business

occupancy, and would not result in residential opportunity, there would be no increase in demand for public services and the project would not necessitate new or physically altered government facilities. *Therefore, the proposed project would result in no impact related to public services.* (Source: IX. 1 and 11)

VI.16 – Recreation. Because the project would not result in an increase in population, there would be no increase in demand for recreational facilities. No parks, trail easements, or other recreational facilities would be impacted by the proposed project. *Therefore, the proposed project would result in no impact related to recreation.* (Source: IX.1 and 11)

VI.17 – Transportation. CEQA Guidelines Section 15064.3(b)(1) applies to land use projects and describes criteria for analyzing transportation impacts, stating, “Vehicle miles traveled (VMT) exceeding an applicable threshold of significance may indicate a significant impact.” The Governor’s Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA (2018) has set a screening threshold of 110 trips per day to quickly identify when a project would have a less than significant impact due to VMT. The proposed project would not result in an increase in population, and therefore would not result in an increase in VMT associated with the project site. Therefore, the project is below the Governor’s OPR screening threshold. As a result, the proposed project can be screened out and would not have an impact due to VMT. During construction, nearby roadways would experience minor and temporary increases in traffic due to construction equipment and employee vehicle trips. The project would not conflict with any program, plan, ordinance or policy related to transportation systems. Existing roadways near the project site would not be altered. As such, the project would not create new transportation hazards or incompatible uses and would not interfere with emergency access. *Therefore, the proposed project would result in no impact related to transportation* (Source: IX. 1, 9, 10, and 33).

VI.18 – Tribal Cultural Resources. Although the parcel has low sensitivity for potential historical resources and tree removal and development of the solar array would require minimal grading, the County provided opportunity for tribal consultation in accordance with AB52 beginning October 22, 2020 for thirty days. No request for tribal consultation was received. *No evidence has been provided that the project would have potential impact to tribal cultural resources* (Source: IX. 1, 2, 6, and 32).

VI.19 – Utilities/Service Systems. Implementation of the project would temporarily require trips to the Monterey Peninsula Landfill for solid waste disposal during removal of the trees and associated debris. Once construction is completed, operation of the solar array would not require services, systems, connections, or supplies for municipal water, wastewater, electricity, natural gas, or solid waste. *Therefore, there would be no increase in demand for utilities or service systems.* (Source: IX.1)

B. 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.
- 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 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.



Signature

5 May 2021

Date

Jaime Scott Guthrie, AICP, Associate Planner

V. EVALUATION OF ENVIRONMENTAL IMPACTS

This Initial Study/Mitigated Negative Declaration has been prepared pursuant to Public Resources Code, Division 13, Section 21000 et. seq. (“The California Environmental Quality Act” or “CEQA”) and the California Code of Regulations, Title 14, Division 6, Chapter 3 (“Guidelines for Implementation of CEQA”).

This document is intended to inform the Zoning Administrator and the public of the potential environmental impacts that may result from the project. In general, the document attempts to identify foreseeable environmental effects, identify ways the potential impacts can be avoided or reduced, establish a threshold used to evaluate the severity of impacts, and identify measures that can be applied to reduce potential impacts (mitigation measures).

This document is focused only on those items where a potential impact to “resources” exist. A brief explanation for a “no impact” determination is provided above. More detailed discussion on potential impacts to biological resources, cultural resources, geology and soils, hydrology and water quality, land use and planning, and tribal cultural resources are described below.

This document represents the independent judgement of the County of Monterey.

VI. ENVIRONMENTAL CHECKLIST

| 1. AESTHETICS | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---------------------------|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| Would the project: | | | | | |
| a) | Have a substantial adverse effect on a scenic vista? (Source: IX. 1, 3, 6, 10, and 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: IX. 1, 3, 6, 10, 11, and 15) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | In nonurbanized 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 publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (Source: IX. 1, 3, 6, 10, and 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) | Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

The subject parcel is categorized as visually sensitive in the County GIS database due to location within a scenic vista along River Road in Soledad that is characterized by miles of productive crop and orchard lands that are backdropped by the Sierra de Salinas hills. (Source: IX. 1, 3, 6, and 11)

Aesthetics 1(b), (c), and (d) – No Impact

The project would not damage scenic resources visible from or within a state scenic highway because the solar array would not be visible from River Road, nor create a source of substantial light or glare, due to location of the solar array sunken below visible grade, which was confirmed during a site visit on September 26, 2020. Therefore, the project as proposed and conditioned would have no impact on these resources. (Source: IX. 1, 3, 11, and 15)

Aesthetics 1(a) – Less Than Significant Impact

Although the project is proposed on a parcel within a visually sensitive scenic vista, the location of the solar array sunken below visible grade (See **Figures 4 and 5** above) would not have a substantial adverse effect on this aesthetic resource. (Source: IX. 1, 3, 10, and 11)

Conclusion: *The project as proposed would have less than significant impact on aesthetic resources.*

2. AGRICULTURAL 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: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| 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? (Source: IX. 1, 16) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: IX. 1 and 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (Source: IX. 1, 6, and 32) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? (Source: IX. 1, 6, 10, and 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? (Source: IX. 1, 6, 10, and 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

Agricultural and Forest Resources 2(a), (b), (c), and (e) – No Impact

The project site is designated as either Prime Farmland or Other under the Department of Conservation Farmland Mapping and Monitoring Program. The photovoltaic system (solar array) would be located on a portion in the Other lands designation. This is the agriculturally unproductive draw that is populated with oak trees, and would not result in conversion of Important Farmland to non-agricultural uses. The project area is not under a Williamson Act contract and is located adjacent to cultivated agricultural lands that will be supported by the energy generated from the solar array. (Source: IX. 1, 6, 10, 11, and 16)

Agricultural and Forest Resources 2(c) – Less Than Significant Impact

The California Public Resources Code (PRC) defines Forest Land as land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits (PRC §12220(g)). The proposed location of the solar array on the subject parcel contains oak trees. There is not economic use of the oak woodland for timber, and location of the oak woodland within the draw is on private agricultural property, is approximately fifteen feet below grade, and does not support unique or protected fish or wildlife. The oak woodland does provide public benefit as potential for non-protected wildlife habitat, protected avian habitat, and carbon sequestration. Although 0.72 acres of the woodland would be converted to a solar energy field, the removed trees require replanting as recommended in the Forest Management Plan at a minimum 4:1 ratio onsite and further replanting would occur on the contiguous oak woodland on the adjacent property to the south owned by the applicant (See VI.4 Biological Resources of this Initial Study). The benefit of the solar field in net zero carbon production and energy production that reduces carbon production of ag-supportive activities, along with replanting, offset the potential effects of non-forest use resulting in a net benefit to the farmlands and the larger oak woodland. *The proposed project would have less than significant impacts relative to agriculture or forest resources.* (Sources: IX. 1 and 32)

3. 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: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: IX. 1 and 12) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? (Source: IX. 1 and 13) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Expose sensitive receptors to substantial pollutant concentrations? (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

| 4. BIOLOGICAL RESOURCES | | | Less Than Significant | | |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|--|
| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact | |
| a) Have 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 Wildlife or U.S. Fish and Wildlife Service? (Source: IX. 1, 3, 6, 34, 35, and 36) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 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? (Source: IX. 1, 3, 6, 34, 35, and 36) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 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? (Source: IX. 1, 2, 3, 6, 10, 11, and 28) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| 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? (Source: IX. 1, 2, 3, and 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: IX. 1, 2, 3, 4, 6, 7, and 38) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| 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? (Source: IX. 1, 2, 3, 4, 6, 7, 34, 35, and 36) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |

Discussion:

Chapter 21.64.260 of Monterey County Code (MCC) Title 21 provides that tree removal for the purpose of site improvements is allowed with issuance of a discretionary permit, in each case, and requires preparation of a Forest Management Plan (FMP) for removal of more than three protected trees on a lot in a one-year period. Replacement of each removed protected tree is required at a one-to-one ratio unless such replacement is shown to be detrimental to the long-term health and maintenance of the remaining habitat. The FMP for the proposed project was prepared January 2, 2020 by Frank Ono. The FMP recommends replacement at 4:1 ratio (one tree for each four removed) due to the crowded conditions of the remaining oak woodland on the

parcel, resulting in 5 replanted trees total. The oak woodland on the subject parcel cannot accommodate all 22 replanted trees at a 1:1 ratio due to the existing crowded conditions. Competition in the oak woodland is reduced with removal of the 22 trees and thinning is important for subsequent vigor of the forest ecosystem. However, oak woodlands on the subject property extend contiguously with the property at the southwest boundary, which is also the property of Leavens Ranches GP. Agents for the Leavens Ranches GP proposed a greater replacement ratio by replanting more oaks in the woodlands of their adjacent property (**Figure 5**). A professional forester would be required to assess how many more trees the oak woodland on the adjacent property could accommodate without furthering crowded conditions. Notwithstanding the benefits of reducing competition for individual trees in the oak woodland, removal could reduce the amount of suitable habitat for maintaining abundant and diverse wildlife for which 2010 General Plan Policy OS-5.11 promotes conservation of large, continuous expanses of native trees. (Source: IX. 1, 2, 3, 4, 6, 7, and 38)

Biological Resources 4(a), (b), (c), and (f) – No Impact

No candidate, sensitive, or special status species are identified at the project site. Implementation of the proposed project would not conflict with any Monterey County policies or ordinances adopted for the protection of biological resources. Based on Monterey County GIS resource information, the project proposal would be consistent with Monterey County Code Title 21 Standards for Environmentally Sensitive Habitats (ESHA) §21.66.020 because no ESHA is identified in the development area nor within 100 feet of the development area. No conflicts exist for any State and Federal guidelines for sensitive habitat protection. The subject parcel has no federally protected wetlands as defined by Section 404 of the Clean Water Act. (Source: IX. 1, 2, 3, 4, 6, 7, 10, 11, 28, 35, and 36)

Biological Resources 4(d) – Less than Significant

Trees are potential nesting habitat for birds. Birds could be displaced upon disturbance caused by tree removal and during implementation of the solar array. If project-related ground or vegetation disturbance, demolition or construction occur during the bird breeding season (February 15 through August 15) a nesting bird survey must be conducted not more than 14 days prior to initiation of ground disturbance and project-related activity. Implementation of and adherence to this condition would reduce potential impacts on nesting raptors and migratory birds to less than significant.

Wildlife movement corridors can be both large and small in scale. No riparian corridors or waterways are present in the project site to provide significant opportunities for wildlife movement. The project site itself is not a known distinct or critical wildlife movement corridor and does not, in and of itself, connect two or more known distinct and isolated natural areas. Given the predominant crop and orchard setting of the vicinity surrounding the solar array site, no significant disruption of wildlife movement or connectivity is expected as a result of the proposed project. Therefore, impacts to movement of wildlife species would be less than significant. (Source: IX. 1, 2, 3, and 6)

4(e). Conclusion: Less Than Significant With Mitigation Incorporated.

Mitigation Measure (MM) 1: General Best Management Practices (BMPs)

Project implementation would have potential impacts to oak woodlands. To reduce those impacts to less than significant, mitigative actions have been identified as necessary for long term maintenance and health of the existing woodland environment.

Mitigation Measure Action (MMA) 1.1: Certified Arborist or Professional Forester

Prior to issuance of permits from Building Services, the applicant/owner shall submit to HCD-Planning for review and approval, a signed contract with a certified arborist or professional forester for onsite monitoring and identification of landmark oak trees requiring protective measures, protective measure installation, tree and stump removal, and oak tree replacement. The contract shall include the following responsibilities:

1. Monitor implementation of mitigation measures for protection of tree resources as described in this initial study.
2. Monitor installation of all protective measures of sensitive trees;
3. Monitor, salvage and propagate oak sprouts and seedlings, as needed;
4. Monitor all oak tree replacement planting;
5. Monitor adherence to Notes on Demolition and Construction Plans throughout implementation of the project;
6. Generate reports sufficient in detail to identify the success of mitigation measures and any impacts incurred outside those analyzed in this project.

Mitigation Measure Action (MMA) 1.2: Demolition and Construction Plans and Implementation

Prior to issuance of permits from Building Services for grading and/or building, the owner/applicant/certified arborist/professional forester shall submit to HCD-Planning evidence of the following measures as notes on Demolition and Construction Plans:

1. Avoid depositing fill, parking equipment, or staging construction materials near existing trees;
2. As necessary, protect trees not proposed for removal using boards, fencing, or other materials to delineate protection zones;
3. Avoid all pruning of oak trees during the period from February through May;
4. Conduct pruning so as not to injure the tree;
5. Avoid all root cutting in springtime;
6. Avoid irrigation of oaks in the summer;
7. Avoid irrigation within the drip line of oak trees;
8. Propagate replacement trees from native, locally adapted, drought resistant specimens;
9. Cover all oak material greater than three inches in diameter with black plastic that is dug in securely around the pile if the material is remaining on site for more than a month;
10. Harvest mulch from chipped material generated on site; and
11. Observe if trees near the development are visibly declining in vigor and contact the certified arborist/professional forester to make inspection and recommendations.

Mitigation Measure Action (MMA) 1.3: Monitoring and Reporting

The way in which mitigation measures are examined for implementation and effectiveness shall be through monitoring and reporting. The owner/applicant/certified arborist/professional forester shall submit periodic letters to HCD-Planning for review and approval. Submittals shall take place in the following manner:

1. *Approximately two weeks prior to commencement of construction* – Describe, in narrative and with photographs, measures taken to implement preconstruction measures and any other recommendations for protection of sensitive oak trees near construction;
2. *Prior to issuance of final permits from Building Services* – Describe how mitigation measures have been implemented and maintained during construction. Address any unforeseen impacts that may have occurred, and make any necessary recommendations for modifications to mitigations for the purpose of oak woodland restoration and protection.
3. *Reporting for a three-year duration* – Annual monitoring shall be conducted for three years following replanting of oak trees. Each report shall describe, in narrative and with photographs, the status of each replacement oak tree, analysis of mitigation measure effects, and any adjustments necessary for improving the likelihood of success of mitigation measures. The final report in year three shall survey all replacement oaks for the project, and shall assess future needs for maintaining the health and vigor of the entire oak woodland.

Mitigation Measure (MM) 2: Oak Woodlands Conservation Fund

Pursuant to Public Resources Code (PRC) 21083.4(b)(2)(C) of the California Environmental Quality Act (CEQA), replanting shall not fulfill more than one-half of the mitigation requirement for the project. Therefore, along with BMPs for replanting, applicant/owner shall contribute to the Oak Woodlands Conservation Fund, as established under subdivision (a) of Section 1363 of the Fish and Game Code, for the purpose of purchasing oak woodlands conservation easements, as specified under paragraph (1) of subdivision (d) of that section and the guidelines and criteria of the Wildlife Conservation Board. A project applicant that contributes funds under this paragraph shall not receive a grant from the Oak Woodlands Conservation Fund as part of the mitigation for this project (PRC 21083.4(b)(3)).

Mitigation Measure Action (MMA) 2: Prior to issuance of permits from Building Services, Owner/applicant shall submit to HCD-Planning evidence of contribution to the Oak Woodlands Conservation Fund, in an amount determined proportionally appropriate to the number of permanently removed oak trees.

Conclusion:

As proposed and mitigated, the project for removal of the oak trees and implementation of the solar array would have a less than significant impact on biological resources.

| 5. CULTURAL RESOURCES | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|------------------------------|--|--------------------------------|--|------------------------------|-------------------------------------|
| Would the project: | | | | | |
| a) | Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5? (Source: IX. 1, 2, 6, and 30) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? (1, 2, 6, and 29) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) | Disturb any human remains, including those interred outside of dedicated cemeteries? (Source: IX. 1, 2, 6, and 29) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

| 6. ENERGY | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---------------------------|---|--------------------------------|--|------------------------------|-------------------------------------|
| Would the project: | | | | | |
| a) | Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

| 7. GEOLOGY AND SOILS | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----------------------------|--|--------------------------------|--|------------------------------|-------------------------------------|
| Would the project: | | | | | |
| 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. (Source: IX. 1, 6, 28, 31, 32) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) | Strong seismic ground shaking? (Source: IX. 1, 6, 28, 31, 32) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) | Seismic-related ground failure, including liquefaction? (Source: IX. 1, 6, 28, 31, and 32) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) | Landslides? (Source: IX. 1, 6, 28) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) | Result in substantial soil erosion or the loss of topsoil? (Source: IX. 1, 6, 28) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? (Source: IX. 1, 6, 28, 31, 32) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? (Source: IX. 1, 6, 28) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) | Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) | Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: IX. 1, 6, 28) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

Geology and Soils 7(a.i - a.iv), (b), (c), (d), and (e) – No Impact

The project site is not located within an Earthquake Fault Zone, as mapped by the California Department of Conservation and there is no known active earthquake fault within 880 feet of the project site. Slopes at the project site within the draw are gentle and there is no evidence of past

or present slope instability. Implementation of the solar array upon removal of the 22 oaks would not exacerbate the potential for landslides nor would be susceptible to issues of expansive soil. No septic tank or alternative waste water disposal systems is proposed. Therefore, no impacts would likely be incurred due to earthquakes, slope instability, landslides, expansive soil or relative to a septic or waste water disposal system onsite. (Source: IX. 1, 6, 31, 32)

Geology and Soils 7(f) – Less than Significant with Mitigation Incorporated

The project site does not contain unique geologic features. Given the small disturbance area for the project, it is unlikely that any previously unknown paleontological resources would be encountered during construction activities. However, the possibility of such a discovery during ground disturbing activities, including tree and root removal and grading, cannot be ruled out with certainty. (Source: IX. 1, 6, 28) Therefore, Mitigation Measure No. 3 is required to reduce potential impacts to a less than significant level.

Mitigation Measure (MM) No. 3:

In the event a previously unknown fossil is uncovered during project-related ground disturbance, all work shall cease until a certified professional paleontologist can investigate the finds and make appropriate recommendations. Recommendations shall include fossil salvage, curation, and reporting requirements. Owner/applicant shall include a note on the construction plans (each of the demolition and grading sheets) encompassing the language contained in this mitigation measure, including all compliance actions.

Mitigation Measure Action (MMA) No. 3

Prior to the issuance of permits from HCD-Building Services, owner/applicant shall submit to HCD-Planning for review and approval construction plans containing the language of this mitigation measure.

Conclusion:

As proposed and mitigated, impacts of the project related to geology and soil would be less than significant.

| 8. GREENHOUSE GAS EMISSIONS | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| Would the project: | | | | |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Source: IX. 1 and 17) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

| 9. HAZARDS AND HAZARDOUS MATERIALS | | | | |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: IX. 1, 3, 6, 10, and 21) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? (Source: IX. 1, 3, 6, 10, and 21) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: IX. 1, 3, 6, 10, and 21) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? (Source: IX. 1, 3, 6, 10, and 21) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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 people residing or working in the project area? (Source: IX. 1, 3, 6, 10, and 21) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: IX. 1, 3, 6, 10, and 21) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (Source: IX. 1, 3, 6, 10, and 21) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

10. HYDROLOGY AND WATER QUALITY

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|---------------------------------------|---|-------------------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? (Source: IX. 1, 4, 6, 14, 19, and 22) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (Source: IX. 1, 6, and 22) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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: | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) result in a substantial erosion or siltation on- or off-site; (Source: IX. 1, 6, and 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite; (Source: IX. 1, 6, and 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) impede or redirect flood flows? (Source: IX. 1, 6, and 27) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (Source: IX. 1, 6, 26, 27, and 37) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Source: IX. 1, 6, 19, and 22) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

The 40-acre parcel is covered primarily by productive farmlands. According to the Federal Emergency Management Agency (FEMA), the project site is designated Zone X, Area of Minimal Flood Hazard. The proposed location of the solar array on the parcel is located in an agriculturally unproductive portion of the property that is populated with oak trees and the sandy soils of which serve as a recharge area. See II.B of this initial study. (Source: IX. 1, 6, and 27)

Hydrology and Water Quality 10(b), (c.iii), (d), & (e) – No Impact

Post-project impervious surface coverage (0.72 acre of solar panels) at the site would increase marginally over existing conditions, and thus would not result in significant increase of stormwater flow or pollutants draining from the site. During project construction, soil and pollutants could exit the site, resulting in surface water degradation. Due to the small area of the solar array site and its location within a groundwater recharge area, a substantial decrease in groundwater recharge would not occur. Construction of a ground mounted solar array would not alter the ability of the area to accept drainage or to continue to act as an area that will aid in recharge of groundwaters. Therefore, the project would not substantially decrease groundwater supplies, interfere with groundwater recharge, or conflict with sustainable groundwater management.

The project is not within an area identified for hazard due to flood, tsunami, or seiche.

Monterey County Code Chapter 16.12, *Erosion Control*, outlines methods to control runoff, erosion, and sediment movement. These requirements are subject to implementation during review of the construction permit required for the project. Erosion control measures would ensure that surface waters will not be contaminated as a result of tree removal and grading activities.

(Source: IX. 1, 3, 6, 22, 26, 27, and 36)

Hydrology and Water Quality 10(a) & (c.i, c.ii, c.iv) – Less than Significant

Impervious surface coverage of 0.72 acre of solar panels introduced to recharge area of the draw would not be significant to cause substantial erosion or siltation, to contribute to surface runoff that would result in on- or offsite flooding, or to cause impedance of flood flows.

Although the project is within a FEMA Regulatory Zone X (unknown flood risk) that is fifteen feet below grade in well-drained soils, HCD-Environmental Services conditioned the project to provide a fifty-foot setback from the “top of bank” as defined in Chapter 16.16, *Regulations for Floodplains in Monterey County* and to provide proof of coverage for all required State and Federal permits, including the California Department of Fish and Wildlife. (Source: IX. 1, 4, 6, 11, 14, 19, 22, and 46)

Conclusion:

As proposed and conditioned and with adherence to existing regulations, the project would have less than significant impacts related to hydrology and water quality.

| 11. LAND USE AND PLANNING | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|----------------------------------|--|--------------------------------|--|------------------------------|-------------------------------------|
| Would the project: | | | | | |
| a) | Physically divide an established community? (Source: IX. 1 and 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? (Source: IX. 1, 2, 3, and 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

| 12. MINERAL RESOURCES | | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|------------------------------|---|--------------------------------|--|------------------------------|-------------------------------------|
| Would the project: | | | | | |
| 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? (Source: IX. 1, 6, and 21) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? (Source: IX. 1, 2, 3, and 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

13. NOISE

| Would the project result in: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| 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? (Source: IX. 1, 2, 3, and 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Generation of excessive groundborne vibration or groundborne noise levels? (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) For a project located 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? (Source: IX. 1 and 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

14. POPULATION AND HOUSING

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| 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)? (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

15. PUBLIC SERVICES

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| 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 (Source: IX.1): | | | | |
| a) Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Parks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Other public facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

16. RECREATION

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a) 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? (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

17. TRANSPORTATION

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)? (Source: IX. 1 and 33) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in inadequate emergency access? (Source: IX. 1, 6, 8, and 11) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

18. TRIBAL CULTURAL RESOURCES

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 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: | | | | |
| i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or (Source: IX.1, 29, and 30) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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 Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (Source: IX.1, 29, and 30) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

19. UTILITIES AND SERVICE SYSTEMS

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| 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 relocation of which could cause significant environmental effects? (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

19. UTILITIES AND SERVICE SYSTEMS

| Would the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| c) Result in a determination by the waste water 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? (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste? (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

| 20. WILDFIRE | | | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--------------------------|--|-------------------------------------|--------------------------|
| If located in or near state responsibility areas or lands classified as very high fire hazard severity zones would the project: | Potentially Significant Impact | | | | |
| a) Substantially impair an adopted emergency response plan or emergency evacuation plan? (Source: IX. 1 and 39) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (Source: IX.1) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? (Source: IX. 1 and 6) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 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? (Source: IX. 1, 23) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Discussion:

The subject parcel is classified as a State Responsibility Area (SRA) for fire protection with a “very high” hazard for fire occurrence. In California, responsibility for wildfire prevention and suppression is shared by federal, state, and local agencies. CAL FIRE prevents and suppresses wildfires in State Responsibility Area lands, which are non-federal lands in unincorporated areas with watershed value, are of statewide interest, defined by land ownership, population density, and land use. Wildfire prevention in Local Responsibility Areas are typically provided by city fire departments, fire protection districts, counties, and by CAL FIRE under contract with local government. (Source: IX. 1, 6, 8, and 20)

20(a), (b), and (c). Conclusion: No Impact.

No components of the project would substantially impair any strategies of the adopted *Monterey County Emergency Operations Plan* prepared by the County of Monterey Office of Emergency Services (OES) in 2014. The agricultural use of the subject parcel and of the surrounding farmlands does not exacerbate wildfire risks that would endanger occupants of a wildfire urban interface (WUI). Removal of the oaks would eliminate fuel to exacerbate wildfire risk and the solar array would not require installation of additional infrastructure to improve fire protection and safety. (Source: IX. 1, 20, and 39)

20(a). Conclusion: Less Than Significant Impact.

Although the parcel is located in a SRA, the ground-mounted solar panels would be installed to existing code standards and as a result, would not exacerbate wildfire risk. Gonzalez Rural Fire Protection District (GRFPD) has reviewed the project for design features adherent to PRC

Section 4291 and there is no indication from GRFPD that the plans for the proposed project would not comply with requirements of PRC Section 4291.

Conclusion:

As proposed and with adherence to existing regulations, the project would have less than significant impacts related to wildfire.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

| Does the project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| a) 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? (Source: IX. 1-41) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) 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.) (Source: IX. 1-41) | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: IX. 1-41) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion:

Mandatory Findings of Significance (a) – Less Than Significant with Mitigation

As discussed in this Initial Study, the project would have no impact, a less than significant impact, or a less than significant impact after mitigation with respect to all environmental issues. Regarding biological resources and potential impacts to paleontological resources, impacts would be reduced to a less than significant level by implementation of Mitigation Measure Nos. 1-3 requiring compliance with recommendations.

Mandatory Findings of Significance (b) – Less than Significant with Mitigation

As discussed in this Initial Study, the project would have no impact, a less than significant impact, or a less than significant impact after mitigation with respect to all environmental issues. With implementation of required mitigation, the project would not result in substantial long-term

environmental impacts and, therefore, would not contribute to cumulative environmental changes that may occur due to planned and pending development. Potential cumulative impacts of the project would be less than significant with mitigation incorporated.

Mandatory Findings of Significance (c) – Less Than Significant

Effects on human beings are generally associated with impacts related to issue areas such as air quality, geology and soils, noise, traffic safety, and hazards. As discussed in this Initial Study, the project would have no impact or a less than significant impact in each of these resource areas. As discussed in Section IV.A - Factors, the project would have no impact or less than significant impacts on air quality, hazards and hazardous materials, noise and transportation. As discussed in Section VI.7 – Geology and Soils, the project would not exacerbate existing geologic hazards related to soils and seismic stability. Adherence to existing regulations would reduce potential impacts to a less than significant level. Therefore, the project would not cause substantial adverse effects on human beings, either directly or indirectly. Impacts would be less than significant.

VIII. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

The State Legislature, through the enactment of Senate Bill (SB) 1535, revoked the authority of lead agencies to determine that a project subject to CEQA review had a *de minimis* (minimal) effect on fish and wildlife resources under the jurisdiction of the California Department of Fish and Wildlife. Projects that were determined to have a *de minimis* effect were exempt from payment of the filing fees.

SB 1535 has eliminated the provision for a determination of *de minimis* effect by the lead agency; consequently, all land development projects that are subject to environmental review are now subject to the filing fees, unless the California Department of Fish and Wildlife determines that the project will have no effect on fish and wildlife resources.

To be considered for determination of “no effect” on fish and wildlife resources, development applicants must submit a form requesting such determination to the California Department of Fish and Wildlife. A No Effect Determination form may be obtained by contacting the Department by telephone at (916) 653-4875 or through the Department’s website at www.wildlife.ca.gov.

Conclusion: The project will be required to pay the fee unless a “no effect” determination can be obtained from the California Department of Fish and Wildlife.

Evidence: Based on the record as a whole as embodied in the HCD-Planning files pertaining to PLN190018 and the attached Initial Study/Proposed Mitigated Negative Declaration.

IX. REFERENCES

1. Project Application and Plans for Planning File No. PLN190018
2. Monterey County *2010 General Plan*
3. Central Salinas Valley Area Plan
4. Monterey County Code of Ordinances
5. Title 21 (Zoning) of the Monterey County Code
6. Monterey County Geographic Information System (GIS)
7. *2021 CEQA Statute and Guidelines*
8. Accela Public Information Portal 2020-2021.
9. ArcGIS for Desktop 10.2.1.
10. Google Earth Imagery dated 14 September 2018, 36°27'49.85" N 121°28'32.76" W, Elevation at 439 ft., Eye Alt. 6,479 ft.
11. Staff Site Visit on 26 September 2020.
12. 2012-2015 Air Quality Management Plan, Monterey Bay Air Resources District
13. CEQA Air Quality Guidelines, Monterey Bay Air Resources District
14. Regional Water Quality Control Plan for the Central Coast Basin Plan, Central Coast Regional Water Quality Control Board
15. List of eligible and official designated State Scenic Highways, California Department of Transportation
16. California Important Farmland Finder, California Department of Conservation
17. Monterey County Climate Action Plan
18. EnviroStor, California Department of Toxic Substances Control
19. GeoTracker, California State Water Resources Control Board
20. Fire Hazard Severity Zones in SRA: Monterey County, CAL FIRE
21. Mineral Lands Classification Data Portal, California Department of Conservation
22. California Department of Water Resources SGMA Portal
23. California Code of Regulations, Chapter 16
24. Monterey County – Regional Faults Information
25. Earthquake Zones of Required Investigation, California Department of Conservation
26. Tsunami Inundation Map, California Emergency Management Agency
27. Flood Hazard Information Map, Federal Emergency Management Agency

28. Code of Federal Regulations. 40 CFR §230.3(o), Definition of the term, “waters of the United States”.
29. California Public Resources Code. PRC Section 21074, Division 13, Chapter 2.5.
30. California Public Resources Code. PRC Sections 5020.1 and 5024.1, Division 5, Chapter 1, Article 2.
31. California Public Resources Code. PRC Section 21080.3.1.
32. California Public Resources Code. PRC Section 12220(g).
33. California Governor’s Office of Planning and Research Technical Advisory on Evaluating Transportation Impacts in CEQA
34. California Native Plant Society Rare and Endangered Plant Inventory
35. California Department of Fish and Wildlife Lands Viewer
36. U.S. Fish and Wildlife Service Endangered Species Database
37. National Oceanic and Atmospheric Administration (NOAA) “What is a seiche?”
38. “Tree Assessment/Forest Management Plan,” 2 January 2020, Frank Ono.
39. County of Monterey Office of Emergency Services (OES). *Monterey County Emergency Operations Plan*.