

MONTEREY COUNTY
HOUSING AND COMMUNITY DEVELOPMENT
PLANNING

1441 SCHILLING PLACE, 2nd FLOOR, SALINAS, CA 93901
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INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title:	Desalinization Ordinance Update Project
File No.:	REF220006
Project Location:	County-wide
Assessor's Parcel Number(s):	N/A
Acreage of Property:	N/A
General Plan Designation:	N/A
Zoning District:	N/A
Lead Agency:	County of Monterey
Prepared By:	Rincon Consultants, Inc
Date Prepared:	January 2022
Contact Person:	Erik V. Lundquist, AICP, Director, County of Monterey Housing and Community Development Department Phone: (831) 755-5025 Email: lundquiste@co.monterey.ca.us

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project:

Chapter 10.72 of the Monterey County Code (MCC) outlines the requirements for obtaining a permit to construct and operate water desalinization treatment facilities within the county. Section 10.72.030(B) of the existing code requires that “each facility will be owned and operated by a public entity.” The project would revise Section 10.72.030 to remove this requirement, allowing both public and private ownership and operation of water desalinization treatment facilities within the county. All other requirements of Chapter 10.72 would remain in effect.

Section 10.72.030 would read as follows (~~struck-through~~ formatting indicates text that would be removed from the section):

10.72.030 - Operation permit process.

All applicants for an operation permit as required by Section 10.72.010 shall:

- A. Provide proof of financial capability and commitment to the operation, continuing maintenance replacement, repairs, periodic noise studies and sound analyses, and emergency contingencies of said facility. Such proof shall be in the form approved by County Counsel, such as a bond, a letter of credit, or other suitable security including stream of income. For regional desalinization projects ~~undertaken by any public agency~~, such proof shall be consistent with financial market requirements for similar capital projects.
- ~~B. Provide assurances that each facility will be owned and operated by a public entity.~~
- ~~B~~. Provide a detailed monitoring and testing program in a manner and form as prescribed by the Director of Environmental Health.
- ~~D~~. Submit a maintenance and operating plan in a form and matter prescribed by the Director of Environmental Health.
- ~~E~~. All operators of a desalinization treatment plant shall notify the Director of Environmental Health of any change in capacity, number of connections, type or purpose of use, change in technology, change in reliance upon existing potable water systems or sources, or change in ownership or transfer of control of the facility not less than ten (10) days prior to said transfer.

The proposed revision of MCC Section 10.72.030 would expand the type of operators that could be eligible for a desalinization treatment facility operation permit. However, expanding the allowable types of operators to include private entities does not in and of itself result in an impact to the environment. Public Resources Code (PRC) Section 21060.5 defines the environment as “the physical conditions that exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, or objects of historic or aesthetic significance.” A physical change to the environment would occur if a project alters the land

through ground disturbance; results in emissions into air or water; uses or alters access to minerals; disrupts existing flora or fauna; generates noise; or changes the circumstances related to objects of historic or aesthetic significance. The proposed revision to Monterey County's desalination treatment facility ordinance would not directly result in any construction or physical changes in the environment, as the revision is purely textual. Environmental impacts are not caused by a particular desalination project operator, but are rather caused by a particular desalination project itself. Any changes to the location, design, or magnitude of future desalination plants as a result of the ordinance revision would be speculative. Further, the project would not directly or indirectly allow or advance any specific desalination projects in the county.

All other elements of MCC Chapter 10.72 would remain in effect. Regardless of the type of operator, all future desalination projects within the county would be subject to the same regulations regarding water quality set forth by the Clean Water Act, the Department of Water Resources, the State Water Resources Control Board, Regional Water Quality Resources Control Boards, and other applicable agencies. Such projects would also be subject to the same federal, state, regional, and local regulations regarding development and environmental protection.

Importantly, all future desalination projects in Monterey County would require project-specific environmental review regardless of the type of operator. All future desalination projects would be required to apply for a desalination treatment facility operation permit as outlined in MCC Chapter 10.72.030, which requires discretionary approval from the County. Monterey County would be considered either the lead agency or a responsible agency under CEQA, with discretionary approval of the required County permit to operate a desalination treatment facility. The CEQA lead agency would be responsible for determining what type of environmental review is required for the project (PRC Section 21080.1). In any type of environmental review, CEQA does not consider the type of project applicant when evaluating a project for potential environmental impacts. Rather, environmental review is required under CEQA when an activity may cause direct or indirect physical change in the environment and requires a permit from a public agency (PRC Section 21065). The proposed project would not allow or advance any desalination projects in the county, and any future desalination project (regardless of operator) would be subject to project-specific review.

Determining the impacts of any specific desalination project is not only outside of the scope of this Initial Study, but also too speculative to be considered under CEQA. Pursuant to Section 15145 of the *CEQA Guidelines*, if the lead agency (Monterey County) determines that impacts are too speculative for evaluation, discussion of the impact should be terminated. There are no active applications for a desalination treatment facility operation permit from the County of Monterey. In addition, the location, design, and other details of future desalination projects are unknown, and as such, potential environmental impacts cannot be evaluated. Therefore, any future desalination projects in Monterey County are too speculative to consider at this time and will not be discussed further in this Initial Study. As required by CEQA, the County will conduct project-specific review for future desalination projects when a desalination treatment facility operation permit application has been received.

B. Other Public Agencies Whose Approval May be Required:

It is not anticipated that the project will require approval from other public agencies.

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 checked="" type="checkbox"/>

General Plan. The proposed project was reviewed for consistency with the 2010 Monterey County General Plan. The project would not impede the implementation of General Plan policies, including Policy PS-3.7, which establishes a program to eliminate overdraft of groundwater resources through the use of desalinization facilities and/or other strategies (Source IX.1). Additionally, the proposed project would not alter or conflict with any General Plan land use designations. **CONSISTENT**

Water Quality Control Plan. Monterey County is included in the Central Coast Regional Water Quality Control Board – Region 3 (CCRWQCB). CCRWQCB regulates the sources of water quality related problems that could result in actual or potential impairment or degradation of beneficial uses or degradation of water quality. The proposed project would revise MCC Chapter 10.72 to allow both public and private entities ownership and operation of water desalinization treatment facilities. Any proposed desalinization project within the County, regardless of the type of operator, would be required to comply with all other elements of MCC Chapter 10.72 as well as all CCRWQCB regulations related to facility operation and water quality. The project itself would not cause any physical change in the environment, and would not result in water quality impacts or be inconsistent with the objectives of this plan. **CONSISTENT**

Air Quality Management Plan. Monterey County is within the Monterey Bay Air Resources District (MBARD) which has adopted an Air Quality Management Plan (AQMP). The project would revise MCC Chapter 10.72 to allow both public and private entities ownership and operation of water desalinization treatment facilities. Future construction of desalinization facilities would continue to require project-specific CEQA review, including a review of air pollutant emissions. The project itself would not cause any physical change in the environment. Therefore, the project would not generate emissions of any criteria pollutants or exceed any thresholds set by the AQMP or adopted by MBARD. The proposed project would not conflict with or obstruct implementation of the AQMP (Source IX.2). **CONSISTENT**

Local Coastal Program. Monterey County maintains a Local Coastal Program (LCP), which includes a land use plan and ordinances that regulate the kind, location, and intensity of development that may occur in the coastal zone. The LCP must be certified by the California Coastal Commission. The project would revise MCC Chapter 10.72, and the ordinance would continue to apply in any coastal zone within Monterey County. Additionally, the proposed project would not alter or conflict with any LCP land use designations. **CONSISTENT**

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

The environmental factors listed below will be discussed in this Initial Study.

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

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

March 2, 2022

Date

Erik V. Lundquist, AICP, Director
County of Monterey Housing and Community Development Department

V. EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including off site as well as on site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	In non-urbanized area, 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 points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Aesthetics 1(a-d) – No Impact. The County of Monterey has not identified any specific scenic vistas within the County (Source IX.1). However, the Gabilan mountain range, the Monterey Bay, and the Sierra de Salinas mountain range are well-known scenic features. The California Department of Transportation (Caltrans) has designated portions of State Route 1, State Route 68, and State Route 156 as eligible or officially designated state scenic highways (Source IX.3). Visual resources in non-urbanized areas of the county include agricultural fields, the Gabilan and Sierra de Salinas mountain ranges, Carmel Valley, and sparsely inhabited coastal areas along the county's western boundary. Urbanized areas of the county, such as incorporated cities, share and have access to their own views of the coastline, agricultural areas, and foothills. Incorporated cities frequently aim to protect and enhance views of these resources with goals and policies within their respective general plans. Existing lighting throughout the county includes exterior lighting on buildings, security lighting, interior lighting of existing buildings, vehicle headlights, and glare from vehicles and buildings.

The project would revise the existing desalinization treatment facility ordinance, which would only affect who could apply for and receive permits under this ordinance. The project would not influence the design or location of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, and any such project would continue to be subject to project-specific environmental review under CEQA. Therefore, the project would have *no impact* on aesthetics.

2. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:	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.4)	<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.5)	<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).	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Agriculture and Forestry Resources 2(a-e) – No Impact. Monterey County contains abundant Prime Farmland, Farmland of Statewide Importance, and Unique Farmland (Farmland) along the Salinas River within the US Highway 101 corridor. This ribbon of Farmland begins alongside Monterey Bay and extends 75 miles to the southeast, ending south of the unincorporated community of San Ardo (Source IX.4). Farmland in the US Highway 101 corridor is zoned as Farmlands, Permanent Grazing, Rural Grazing, or Resource Conservation Zoning District (Source IX.6). Monterey County also maintains a Williamson Act contract program, which allows private

landowners to enter a contract with the County to restrict their land to agricultural uses in exchange for lower property tax assessments (Source IX.5). Monterey County contains a number of forests, which range from undeveloped wooded areas throughout the county to state parks and National Forests and Parks. Historically, Monterey County had timber production, but there are currently no parcels within the county that are zoned for timberland production (Source IX.1).

The project would revise the existing desalinization treatment facility ordinance, which would only affect who could apply for and receive permits under this ordinance. The project would not influence the design or location (such as within areas of designated Farmland, forest land, timberland, or agricultural land) of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, and any such project would continue to be subject to project-specific environmental review under CEQA. The project would not impact any Farmland, land subject to Williamson Act contracts, forestland, or timberland. Therefore, the project would have *no impact* on agricultural and forestry resources.

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.2).	<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.2).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Air Quality 3(a-d) – No Impact. Monterey County is within the North Central Coast Air Basin and under the jurisdiction of MBARD. As the local air quality management agency, MBARD is required to monitor air pollutant levels to ensure that state and federal air quality standards are attained. The North Central Coast Air Basin is currently designated as nonattainment for the state PM₁₀ standard and nonattainment-transitional for the state one-hour and eight-hour ozone standards. The Basin is designated as attainment for all federal standards and other state standards (Source IX.2).

The project would revise the existing desalinization treatment facility ordinance, which would only affect who could apply for and receive permits under this ordinance. The project would not influence the design or location of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, resulting in construction or operational air quality emissions, and any such project would continue to be subject to project-specific environmental review under CEQA. The project would not impact any air quality plan, concentrations on criteria pollutants, sensitive receptors, or result in any emissions. Therefore, the project would have *no impact* on air quality.

4. BIOLOGICAL RESOURCES			Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:	Potentially Significant 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 Game or U.S. Fish and Wildlife Service? (Source: IX.7, 8, 9).	<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, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: IX.7, 8, 9)	<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.7, 8, 9, 10)	<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.7, 8, 9, 10, 11, 12)	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: IX.7)	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.7)	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Biological Resources 4(a-f) – No Impact.

Monterey County contains a variety of unique terrestrial and marine ecosystems that special-status plants and animals¹ inhabit. Because Monterey County is centrally located in the state, the northern

¹ Special-status species are those plants and animals that are: 1) listed, proposed for listing, or candidates for listing as Threatened or Endangered by the United States Fish and Wildlife Service (USFWS) and National Marine Fisheries Service under the Federal Endangered Species Act; 2) listed or proposed for listing as Rare, Threatened, or Endangered by the California Department of Fish and Wildlife (CDFW) under

or southern limits of many plant and animal species distributions occur within the county. Additionally, many special-status species are found only within the county, including many iconic marine species that the county is known for (Source IX.7). Special-status terrestrial species that occur in the county include, but are not limited to, Hickman's onion, Monterey paint brush, Gowen and Monterey cypress trees, Monterey pines, black legless lizards, Monterey dusky-footed woodrats, and Pallid bats (Source IX.8). Special-status marine species that occur within the Monterey Bay and the County's coastline include, but are not limited to, Steller sea lions, Southern sea otters, blue whales, humpback whales, and sperm whales. Several species, including marine mammals, fish, and birds, use the Monterey Bay and its surrounding coastal habitat as a nursery site (Source IX.9).

Unique watercourses within Monterey County contain riparian habitat and wetlands. The Salinas River provides hundreds of acres of riparian habitat, and its tributaries provide water to wetlands along its corridor. These riparian habitats and wetlands serve as habitat for special-status wildlife species such as the California red-legged frog, Bell's vireo, and steelhead trout (Source IX.10). Elkhorn Slough, an estuary situated along the coast at the north-south center of Monterey Bay, contains the largest tract of tidal salt marshland (seven miles) outside of the San Francisco Bay. The slough provides habitat for resident and migratory birds, plants, marine mammals, and fish. Elkhorn slough is a protected estuarine sanctuary and is globally recognized as an important bird habitat (Source IX.11). In addition to riparian habitats, wetlands, and estuaries, several ecosystems within the county serve as wildlife corridors, including oak woodlands and grasslands (Source IX.12).

Several habitat and land conservation plans and ordinances are in effect within Monterey County. Such plans include, but are not limited to, the Fort Ord Multi-Species Habitat Conservation Plan, the Salinas River Long-Term Management Plan, and the County's oak preservation ordinance (Monterey County Code Section 21.64.260) (Source IX.7, 13, 14).

The project would revise the existing desalinization treatment facility ordinance, which would only affect who could apply for and receive permits under this ordinance. The project would not influence the design or location of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, and any such project would continue to be subject to project-specific environmental review under CEQA. The project would not impact any special-status plants, animals, or protected ecosystems and habitats. The project would not conflict with any tree or habitat conservation ordinances or plans. Therefore, the project would have *no impact* on biological resources.

the California Endangered Species Act; 3) recognized as Species of Special Concern by the CDFW; 4) afforded protection under Migratory Bird Treaty Act and/or California Fish and Game Code (CFGC); and/or occurring on lists 1 and 2 of the CDFW California Rare Plant Rank system.

5. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to 15064.5?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries? (Source IX.7).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Cultural Resources 5(a-c) – No Impact. Monterey County is within the area traditionally occupied by the Ohlone (or Costanoan) people. Ohlone territory extends from the Sacramento-San Joaquin River Delta, south to Point Sur, and inland to the interior Coast Ranges. The Monterey Bay area is part of the Central Coast Archaeological Region. This region is generally known to have been densely occupied prior to European contact and is considered an archaeologically sensitive area. In addition to a long prehistoric occupation in the region, the area is considered potentially sensitive for historic archaeological resources given the historic use of the general area by the former Fort Ord U.S. Army post and the history of agriculture in the county (Source IX.7). Monterey County and the cities within the county also contain numerous historical structures listed on the National Register of Historic Places and/or the California Register of Historical Resources, including homes and hotels built by settlers and notable residents, buildings associated with the life and works of author John Steinbeck, and canning and whaling facilities associated with the region’s history of fisheries (Source IX.15).

The project would revise the existing desalinization treatment facility ordinance, which would only affect who could apply for and receive permits under this ordinance. The project would not influence the design or location of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, and any such project would continue to be subject to project-specific environmental review under CEQA. No ground disturbance would occur as a result of the project. The project would not impact any resource that is listed or eligible for listing in the California Register of Historical Resources or any local register. The project would not impact any historical or archaeological resources and would not impact any human remains. Therefore, the project would have *no impact* on cultural resources.

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.16, 17, 18, 19)	<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 efficiency? (Source IX.7, 20).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Energy 6(a, b) – No Impact. Monterey County used approximately 2,434.3 gigawatt-hours of electricity and 110 million therms of natural gas in 2020 (Source IX.16, 17). Central Coast Community Energy is the primary electricity provider in the county, utilizing Pacific Gas & Electric (PG&E) infrastructure to deliver renewable energy throughout the county and neighboring counties (Source IX.18). Additionally, Monterey County consumed an estimated 141 million gallons of gasoline in 2020 (Source IX.19).

Monterey County maintains an Alternative Energy and the Environment Committee, which develops recommendations for the County Board of Supervisors concerning compliance with the California Global Warming Solutions Act of 2006 (Assembly Bill 32), addresses opportunities for alternative energy sources such as wind and solar, and ensures the reduction of transportation greenhouse gas (GHG) emissions. The County has not adopted any local plans for renewable energy efficiency (Source IX.20).

The Monterey County General Plan Open Space and Conservation Element contains several goals and policies related to energy. Goals include promoting efficient energy usage; directing development to existing cities, community areas, and rural centers to design efficient transportation systems; requiring new commercial projects of a certain size to provide on-site renewable energy generation; and adopting policies to facilitate the development of small-scale renewable energy generation (Source IX.7).

The project would revise the existing desalinization treatment facility ordinance, which would only affect who could apply for and receive permits under this ordinance. The project would not influence the design or location of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, and any such project would continue to be subject to project-specific environmental review under CEQA. The project would not result in the wasteful, inefficient, or unnecessary consumption or energy resources, and would not conflict with County General Plan policies regarding energy or renewable energy. Therefore, the project would have *no impact* on energy.

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: (Source: IX.19, 20, 21)				
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<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.21, 23)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial direct or indirect risks to life or property?	<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 wastewater disposal systems where sewers are not available for the disposal of wastewater?	<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.24)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Geology and Soils 7(a-f) – No Impact. There are several faults within Monterey County, including the Bradley, Calaveras, Castro, Flint Hills West, Nunez, Ortigalita, Gregorio, Quien Sabe, San Andreas, and Sargent Faults (Source IX.21). The Palo Colorado-San Gregorio Fault zone the Monterey Bay-Tularcitos Fault zone are also within the county, and are the most active in addition to the San Andreas Fault. The San Andreas Fault is the most active fault system in the

state, and it runs for approximately 30 miles along the county's eastern border in a northwest-southeast direction (Source IX.22).

Similar to most coastal counties in California, Monterey County experiences risk of strong seismic ground shaking, seismic-related ground failure, and landslides. Seismic ground shaking depends on earthquake magnitude, epicenter distance, and local geology. While the entire county is at risk of ground shaking, areas closest to the San Andreas Fault and other faults experienced increased risk. The southeastern portion of the county experiences the highest risk of ground shaking. Seismic-related ground failure occurs when an earthquake causes soils and sediments to lose strength and behave as a liquid. Liquefaction, a type of ground failure, primarily occurs in areas with recently deposited sand or silt with high groundwater levels. Areas most at risk of liquefaction within the county occur within the Salinas River corridor and along its tributaries. Landslides can be caused by a combination of environmental factors, including seismic activity and rainfall, which places nearly all of Monterey County at risk of landslides. Areas in the county that experience the highest risk of landslides occur along the Big Sur coastline, and in the Coast Range and Gabilan Range (Source IX.23).

The most sensitive areas for paleontological resources within the county occur along most of the county's coastline, in the Santa Lucia mountain range, and along the tributaries of the Salinas River in the southeastern portion of the county. Most other areas in the county are considered to be moderately sensitive. Areas with the lowest sensitivity occur along the Salinas River within US Highway 101 corridor (Source IX.24).

The project would revise the existing desalinization treatment facility ordinance, which would only affect who could apply for and receive permits under this ordinance. The project would not influence the design or location of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, and any such project would continue to be subject to project-specific environmental review under CEQA. No ground disturbance would occur as a result of the project. The project would not directly or indirectly cause adverse effects or increase risk involving earthquake fault rupture, strong seismic ground shaking, ground failure or liquefaction, or landslides. The project would not result in soil erosion or the loss of topsoil, and would not result in risks related to unstable, expansive, or inadequate soils. The project would not directly or indirectly destroy a unique paleontological resource or geologic feature. Therefore, the project would have *no impact* on geology and soils.

8. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<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.25).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Greenhouse Gas Emissions 8(a, b) – No Impact. Climate change is the observed increase in the average temperature of the Earth’s atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period of time. Climate change is the result of numerous, cumulative sources of GHG emissions contributing to the “greenhouse effect,” a natural occurrence which takes place in Earth’s atmosphere and helps regulate the temperature of the planet. GHG emissions occur both naturally and as a result of human activities, such as fossil fuel burning, decomposition of landfill wastes, raising livestock, deforestation, and some agricultural practices. GHGs produced by human activities include carbon dioxide (CO₂), methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

State regulations implemented in response to climate change include the following:

- Senate Bill 32, or the California Global Warming Solutions Act of 2006, requires the State to reduce GHG emissions to 40 percent below 1990 levels by 2030.
- The 2017 Scoping Plan, adopted by the California Air Resources Board (CARB), recommends local governments adopt policies and locally appropriate, quantitative thresholds consistent with a statewide per capita reduction of six metric tons of carbon dioxide equivalents by 2030 and two metric tons by 2050 (Source IX.25).
- Senate Bill 375, or the Sustainable Communities and Climate Protection Act of 2008, directs CARB to develop regional GHG emission reduction targets to be achieved from passenger vehicles by 2035.
- Senate Bill 100, adopted in 2018, accelerates the state’s Renewables Portfolio Standard Program by requiring electricity providers to increase renewable energy procurement to 60 percent of total retail sales by 2030 and 100 percent by 2045.

California Building Standards Code (California Code of Regulations Title 24), Part 6, establishes energy efficiency standards for residential and non-residential buildings. Part 12 consists of the California Green Building Standards Code (CalGreen) and includes mandatory minimum environmental performance standards for all ground-up new construction of residential and non-residential structures.

Monterey County adopted its Municipal Climate Action Plan in June 2013. This plan outlines actions taken by the County to reduce GHG emissions associated with municipal operations, and describes potential steps to take to achieve the County's GHG reduction goal of 15 percent below the 2005 emissions level pursuant to Assembly Bill 32 (Source IX.25). Monterey County is in the process of developing a Community Climate Action and Adaptation Plan, which is anticipated to be adopted in early 2023.

The project would revise the existing desalinization treatment facility ordinance, which would only affect who could apply for and receive permits under this ordinance. The project would not influence the design or location of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, resulting in construction or operational GHG emissions, and any such project would continue to be subject to project-specific environmental review under CEQA. The project would not directly or indirectly generate GHG emissions, and would not conflict with any plan, policy, or regulation with the purpose of reducing GHG emissions. Therefore, the project would have *no impact* on GHG emissions.

9. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<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?	<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?	<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?	<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 or excessive noise for people residing or working in the project area?	<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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Hazards and Hazardous Materials 9(a-g) – No Impact. The California Department of Toxic Substances Control maintains a list of hazardous cleanup sites, and currently lists 18 active, 16 inactive, and 33 “no further action” sites within Monterey County (Source IX.26). There are 24 school districts in Monterey County, including 126 public schools, 22 private schools, and 8 charter schools that serve a total of approximately 78,000 students (Source IX.27). There are four public airports within Monterey County, including the Monterey Regional Airport in the City of Monterey, the Marina Municipal Airport in the City of Marina, the Mesa Del Rey Airport in King City, and the Salinas Municipal Airport in the City of Salinas. Each airport maintains a land use compatibility plan that restricts certain uses in the vicinity of the airport (Source IX.28). Monterey County Office of Emergency Services has developed an Emergency Operations Plan, last updated

in 2014, which contains response and recovery protocols for several types of natural, technical, and human-caused emergencies. The Emergency Operations Plan outlines the roles and responsibilities of the County and partnering entities during emergency responses (Source IX.29). Most of Monterey County is within a High or Very High Fire Hazard Severity Zone, as designated by the California Department of Forestry and Fire Protection (Source IX.30).

The project would revise the existing desalinization treatment facility ordinance, which would only affect who could apply for and receive permits under this ordinance. The project would not influence the design or location of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, and any such project would continue to be subject to project-specific environmental review under CEQA. No ground disturbance would occur as a result of the project. The project would not directly or indirectly create a hazard to the public or the environment involving hazardous materials, safety hazards, excessive noise, or expose people or structures to wildfires. The proposed project would not conflict with any adopted hazard, safety, or emergency response plans, and would not result in the use or emission of hazardous materials. Therefore, the project would have *no impact* on hazards and hazardous materials.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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.30, 31)	<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?				
i) Result in substantial erosion or siltation on or off site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (Source: IX.21, 32).	<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.30)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Hydrology and Water Quality 10(a-e) – No Impact. Monterey County is within the Central Coast hydrologic region, which covers approximately 7.22 million acres and includes all of Santa Cruz, Monterey, San Luis Obispo, and Santa Barbara counties, as well as parts of San Benito, San Mateo, Santa Clara, and Ventura counties. The region is largely defined by the northwest-trending southern Coast Range (Source IX.31, 32). There are several federal, state, and regional regulations that have established water quality standards and discharge requirements, including the federal Clean Water Act (implemented by the United States Environmental Protection Agency, United

States Army Corps of Engineers, and State Regional Water Quality Control Boards). The National Pollutant Discharge Elimination System requires any project that results in more than one acre of ground disturbance to comply with a Construction General Permit. The Porter-Cologne Water Quality Control Act and California Safe Drinking Water Act protect drinking water quality. Monterey County is within the area of the Central Coast Regional Water Quality Control Board, which is responsible for the protection of water bodies in its region.

The Monterey County Groundwater Sustainability Agency developed a Groundwater Sustainability Plan pursuant to the Sustainable Groundwater Management Act of 2014 (Source IX.33). The Salinas Valley Basin Groundwater Sustainability Agency was established in 2017 to regulate the Salinas Valley Groundwater Basin, which occurs beneath Monterey County (Source IX.34).

Similar to other coastal counties, Monterey County is at risk of floods, tsunamis, seiches. Areas within the county at risk of flooding are primarily located near the Salinas River, the Carmel River, or their tributaries. Coastal cities such as Monterey, Pacific Grove, Carmel-by-the-Sea, and unincorporated communities in Monterey Bay and along the county's coastline are also at risk of floods (Source IX.35). As discussed in Section 7, *Geology and Soils*, Monterey County is within a region of high seismic activity and is consequently at risk of seismic induced water waves such as tsunamis and seiches. All coastal communities in Monterey County experience some degree of risk of tsunamis and seiches, depending on their proximity to the Pacific Ocean and fault lines that run through the county (Source IX.28).

The project would revise the existing desalinization treatment facility ordinance, which would only affect who could apply for and receive permits under this ordinance. The project would not influence the design or location of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, and any such project would continue to be subject to project-specific environmental review under CEQA. No ground disturbance or construction of impervious surfaces would occur as a result of the project. The project would not violate water quality standards, impact or degrade surface or groundwater, or impact the drainage pattern of any area within the county. The project would not cause erosion, increase or contribute to runoff, impede or redirect flood flows, or risk release of any pollutants. The project would not conflict with or obstruct a water quality or sustainable groundwater management plan. Therefore, the project would have *no impact* on hydrology and water quality.

11. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Land Use and Planning 11(a, b) – No Impact. The Monterey County General Plan (Source IX.36) divides the county into 14 planning areas and maintains an Area Master Plan for each. Each Area Master Plan contains goals and policies regarding land use within its area. The County adopted its Coastal Implementation Plan in 1988, which serves as a Local Coastal Plan pursuant to the Coastal Act and the California Coastal Commission. The Coastal Implementation Plan guides and regulates development in coastal areas within the county, and segments the County’s coastline into four plan documents: the North County Land Use Plan, Del Monte Forest Land Use Plan, Carmel Area Land Use Plan, and Big Sur Coast Land Use Plan (Source IX.37).

The project would revise the existing desalinization treatment facility ordinance, which would only affect who could apply for and receive permits under this ordinance. The project would not influence the design or location of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, and any such project would continue to be subject to project-specific environmental review under CEQA. No construction would occur and no land use designations or zoning would be modified as a result of the project. The project would not physically divide an established community and would not conflict with the Monterey County General Plan or any Area Master Plan therein. Therefore, the proposed project would have *no impact* to land use and planning.

12. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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.7)	<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.7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Mineral Resources 12(a, b) – No Impact. Monterey County is known to have mineral resources, and the Conservation and Open Space Element of the Monterey County 2010 General Plan recognizes State classification and designation of mineral resource areas. Historic mineral production in the county primarily involved sand and gravel for construction materials; diatomite, clay, quartz, and dimension stone for industrial materials; and the extraction of metallic minerals such as chromite, placer gold, manganese, mercury, platinum, and silver. Sand and gravel was historically extracted from areas near the Cities of Marina, Soledad, Greenfield, and King City. Industrial materials and metallic minerals were historically extracted from mines in the Diablo Range and along the Big Sur Coastline (Source IX.23). The General Plan contains goals and policies related to mineral resources. These goals include identifying and locating mineral resources within the county, conserving and utilizing mineral resources within the county, prohibiting land uses that would preclude mineral extraction in areas with significant mineral deposits, and conserving mineral resources through recycling (Source IX.7).

The project would revise the existing desalinization treatment facility ordinance, which would only affect who could apply for and receive permits under this ordinance. The project would not influence the design or location of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, and any such project would continue to be subject to project-specific environmental review under CEQA. No ground disturbance or mineral extraction would occur as a result of the project. The proposed project would not result in the loss of any mineral resources and would not conflict with General Plan goals and policies regarding mineral resources. Therefore, the project would have *no impact* on mineral resources.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Noise 13(a-c) – No Impact. Noise is defined as unwanted sound. Monterey County Code Chapter 10.60, *Noise Control*, describes the allowances and restrictions related to noise, including noise-producing devices, nighttime noise, and enforcement. The Monterey County General Plan limits certain land uses based upon the Community Noise Exposure Level, a measure of the average sound level over a 24-hour period. Most uses, including single-family and multi-family residential, hotels, schools, parks, and offices are unacceptable in areas where the Community Noise Exposure Level exceeds 70 decibels (Source IX.28). In addition, there are four municipal or regional airports within Monterey County, each of which have an airport land use plan that limits certain uses in the vicinity of the airport. Major sources of noise within the county include roadways, airports, railroads, industrial or agricultural land uses, and recreational venues (Source IX.23).

The project would revise the existing desalinization treatment facility ordinance, which would only affect who could apply for and receive permits under this ordinance. The project would not influence the design or location of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, resulting in construction or operational noise, and any such project would continue to be subject to project-specific environmental review under CEQA. The proposed project would not generate noise or groundborne vibrations, and would not conflict with Monterey County Code or any airport land use plan. Therefore, there would be *no impact* to noise.

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)?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Population and Housing 14(a, b) – No Impact. As of January 2021, Monterey County had a population of approximately 437,318 people, 75 percent of which reside in unincorporated areas of the county. The northern portion of the county contains the most densely populated areas. As of January 2021, there were 142,265 housing units in Monterey County, 70 percent of which were single-family homes, 26 percent multi-family dwelling units, and 4 percent mobile homes. The vacancy rate for housing units throughout the county was 10.5 percent, and the average number of persons per household was 3.30 (Source IX.38).

The project would revise the existing desalinization treatment facility ordinance, which would only affect who could apply for and receive permits under this ordinance. The project would not influence the design or location of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, and any such project would continue to be subject to project-specific environmental review under CEQA. No construction of population-generating land uses or demolition of existing residences would occur as a result of the project. The proposed project would not directly or indirectly induce population growth or displace existing people or housing. Therefore, there would be *no impact* to population and housing.

15. PUBLIC SERVICES

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
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/Mitigation:

Public Services 15(a-e) – No Impact. There are several fire service providers that serve unincorporated areas of Monterey County, including but not limited to Big Sur Fire, the Monterey County Regional Fire District, the North County Fire Protection District, the California Department of Forestry and Fire Protection, and the US Forest Service (Source IX.39, 40). The Monterey County Sheriff’s Office is responsible for law enforcement in unincorporated areas of the county, and maintains bureaus for administration, correction, and law enforcement (Source IX.40). The Monterey County General Plan Safety Element includes response time goals for emergency services. These goals are, for 90 percent of the time: 8 minutes or less in urban areas, 12 minutes or less in suburban and rural centers, and 45 minutes or less in rural areas (Source IX.28). There are 24 school districts in Monterey County, including 126 public schools, 22 private schools, and eight charter schools that serve a total of approximately 78,000 students (Source IX.27). Please refer to Section 16, *Recreation*, for information about parks and public facilities.

The project would revise the existing desalinization treatment facility ordinance, which would only affect who could apply for and receive permits under this ordinance. The project would not influence the design or location of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, and any such project would continue to be subject to project-specific environmental review under CEQA. No construction of facilities that would result in an increased demand on public services would occur as a result of the project. The proposed project would not result in the need for new or physically altered facilities for fire protection, police protection, schools, parks, or other public facilities. The project would not

impact service ratios, response times, or other performance objectives for any public services. Therefore, there would be *no impact* to public services.

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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Recreation 16(a, b) – No Impact. Approximately 14 percent of the county’s land area consists of parks and recreation facilities, including state parks, national parks and forests, Federal Bureau of Land Management lands, and local parks. The Monterey County parks system is approximately 10 percent of the county’s total park acreage (Source IX.42).

The project would revise the existing desalinization treatment facility ordinance, which would only affect the issuance of permits under this ordinance. The project would not influence the design or location of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, and any such project would continue to be subject to project-specific environmental review under CEQA. No construction of facilities that would result in an increased demand on parks or recreational facilities would occur as a result of the project. The proposed project would not increase the use of any local, county, state, or national park, and does not involve the construction of any recreational facilities. Therefore, the project would have *no impact* on recreation.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?	<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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Transportation 17(a-d) – No Impact. Monterey County owns and maintains approximately 1,240 miles of roadways (Source IX.43). Within the county, there are five major highways, including State Routes 1, 68, 156, and 183, and US Highway 101. AMTRAK provides passenger rail service in the county with one stop in the City of Salinas, and Southern Pacific provides freight rail service with four freight stations throughout the county. Public transit services are provided by Monterey-Salinas Transit, which provides bus service to the greater City of Monterey and City of Salinas areas. Monterey County contains four regional or municipal airports, one of which serves commercial airlines. The County and cities within the County maintain approximately 210 miles of bikeways on roads or bicycle trails, and approximately 30 miles of paths designated for pedestrian use only (Source IX.40). The Monterey County General Plan Circulation Element contains goals and policies regarding transit, roadway, bicycle, and pedestrian facilities (Source IX.43).

The project would revise the existing desalinization treatment facility ordinance, which would only affect who could apply for and receive permits under this ordinance. The project would not influence the design or location of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, and any such project would continue to be subject to project-specific environmental review under CEQA. No vehicle trips would be generated by the project, and the project would not result in increased demand for transit, bicycle, or pedestrian facilities. The project would not result in modifications to existing roadways. The proposed project would not conflict with any plan, ordinance, or policy addressing the circulation system. Because the project would not generate any vehicle miles traveled, the project would not conflict or be inconsistent with *CEQA Guidelines* Section 15064.3(b). The project would not result in any transportation hazards or inadequate emergency access. Therefore, the project would have *no impact* on transportation.

18. TRIBAL CULTURAL RESOURCES

	Less Than Significant	Less Than Significant	No Impact
Potentially Significant Impact	With Mitigation Incorporated	Impact	

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <p>a) 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</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <p>b) 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 Section 2024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significant of the resource to a California Native American tribe.</p> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation:

Tribal Cultural Resources 18(a-b) – No Impact. Monterey County is within the area traditionally occupied by the Ohlone (or Costanoan) people. Ohlone territory extends from the Sacramento-San Joaquin River Delta, south to Point Sur, and inland to the interior Coast Ranges. There are several Native American tribes that reside within Monterey County, including but not limited to:

- | | |
|---|--|
| <ul style="list-style-type: none"> ▪ Amah Mutsun Tribal Band ▪ Amah Mutsun Tribal Band of Mission San Juan Bautista ▪ Costanoan Rumsen Carmel Tribe ▪ Esselen Tribe of Monterey County ▪ Indian Canyon Mutsun Band of Costanoan ▪ KaKoon Ta Ruk Band of Ohlone-Costanoan Indians of the Big Sur Rancheria | <ul style="list-style-type: none"> ▪ Ohlone/Costanoan-Esselen Nation ▪ Rumšen Am:a Tur:ataj Ohlone ▪ Salinan Tribe of Monterey, San Luis Obispo Counties ▪ Santa Rosa Rancheria Tachi Yokut Tribe ▪ Wuksache Indian Tribe/Eshome Valley Band ▪ Xolon-Salinan Tribe |
|---|--|

Assembly Bill 52 of 2014 (AB 52) establishes a formal consultation process for California tribes regarding tribal cultural resources, which are defined as sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe (Public

Resource Code [PRC] Section 21074). If a project results in substantial adverse change in the significance of a tribal cultural resource, that project may have a significant effect on the environment (PRC Section 21084.2). If a project meets this definition, the tribal consultation process must be completed before a CEQA document can be approved or certified.

Pursuant to Public Resources Code Section 21080.3.1, Housing and Community Development notified Louise J. Miranda Ramirez of the Ohlone/Costanoan-Esselen Nation, of the proposed project on January 26, 2022. As of the date of this report, no response has been received.

The project would revise the existing desalinization treatment facility ordinance, which would only affect who could apply for and receive permits under this ordinance. The project would not influence the design or location of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, and any such project would continue to be subject to project-specific environmental review under CEQA. No ground disturbance would occur as a result of the project. The proposed project would not result in substantial adverse change to any tribal cultural resource. Therefore, the project would have *no impact* on tribal cultural resources.

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?	<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 years? (Source IX.44)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source IX.45)	<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.46)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Utilities and Service Systems 19(a,-e) – No Impact. The Monterey County Water Resources Agency has jurisdiction over matters pertaining to water within Monterey County, incorporated cities and unincorporated areas (Source IX.44). The Agency and municipal water districts throughout Monterey County primarily source water from the Salinas Valley Groundwater Basin. The Central Coast Hydrologic Region, which includes all areas of the county, is the most groundwater-dependent region in California, with approximately 80 percent of water supply sourced from groundwater sources (Source IX.31). Monterey One Water operates a regional sewer system and wastewater treatment plant that serves incorporated and unincorporated areas northern Monterey County (Source IX.45). Communities in southern Monterey are primarily served by municipal wastewater systems. Central Coast Community Energy is the primary provider of electric power and natural gas services throughout the county, in addition to other community energy companies that utilize PG&E infrastructure. Several solid waste services providers operate throughout the county, including Waste Management, Republic Services, Salinas Valley Solid Waste Authority, and Monterey Disposal Service. In 2019, Monterey County generated approximately 502,942 tons of solid waste (Source IX.46). There are two main landfills (Johnson Canyon Sanitary Landfill and Monterey Peninsula Landfill) and 19 transfer stations, composting facilities, and other solid waste facilities in the county (Source IX.47).

The project would revise the existing desalinization treatment facility ordinance, which would only affect who could apply for and receive permits under this ordinance. The project would not influence the design or location of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, and any such project would continue to be subject to project-specific environmental review under CEQA. No construction of facilities that would result in an increased demand on utilities and service systems would occur as a result of the project. The proposed project would not require or result in the relocation or construction of new utility and service system facilities. The project would not require water supply, natural gas, or electricity, and would not generate wastewater or solid waste. The project would not conflict with any federal, state, or local statute or regulation related to solid waste. Therefore, the project would have *no impact* to utilities and service systems.

20. WILDFIRE			Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:	Potentially Significant Impact				
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan? (Source IX.28, 29)	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 uncontrollable spread of a wildfire? (Source IX.30)	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-free slope instability, or drainage changes?	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Wildfire 20(a-d) – No Impact. The majority of Monterey County’s land area is designated as a High or Very High Fire Severity Zone within a designated State Responsibility Area. Local Responsibility Areas include the US Highway 101 corridor and cities in the northern portion of the county along Monterey Bay, and Federal Responsibility Areas include the Fort Hunter Liggett area, Los Padres National Forest, and Fort Ord National Monument. All other areas of the county are State Responsibility Areas (Source IX.30). Very High Fire Hazard Severity Zones that occur within Local Responsibility Areas, which could be especially impacted by wildfires, surround the city of Carmel-by-the-Sea to the north and east, the city of Monterey to the south and west, Fort Ord National Monument to the south, and occur along the floor of Carmel Valley (Source IX.30). Several fire service providers are responsible for fire protection in the county, including the Monterey County Regional Fire District, the North County Fire District, Big Sur Fire, the California Department of Forestry and Fire Protection, and the US Forest Service, in addition to municipal fire departments in incorporated cities. The Monterey County General Plan Safety Element contains goals and policies related to wildfire and emergency response plans, and the Monterey County Operation Area Emergency Operations Plan contains detailed procedures for County emergency response and evacuation plans (Source IX.28, 29).

The project would revise the existing desalinization treatment facility ordinance, which would only affect who could apply for and receive permits under this ordinance. The project would not

influence the design or location of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, and any such project would continue to be subject to project-specific environmental review under CEQA. No construction of facilities that would result in an increased risk from wildfire would occur as a result of the project. The proposed project would not impair any emergency response or evacuation plans and would not expose any person to increased risk of fire, flooding, landslides, or unstable soils. The project would not require the installation of any infrastructure that may exacerbate fire risk or impact the environment. Therefore, the project would have *no impact* on wildfire.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Mandatory Findings of Significance VII(a-c) – No Impact. The project consists of a textual revision to Monterey County Code Section 10.72.030 and would not result in any physical change in the environment. The project would not influence the design or location of future desalinization facilities in the county. The project would not directly allow any desalinization project to advance, and any such project would continue to be subject to project-specific environmental review under CEQA. No construction of facilities would occur as a result of the project. Therefore, the proposed project would not have the potential to 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, 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.

Because the proposed project would not result in any physical change in the environment, the project would not contribute to cumulatively considerable impacts or have environmental effects that could cause substantial adverse effects on human beings. Any future desalinization treatment facility allowed by this ordinance would be subject to project-specific environmental review under CEQA. Cumulatively considerable impacts and potential substantial adverse effects on human beings as a result of that specific project would be determined in this review. Therefore, the proposed project would have *no impact* to any of the mandatory findings of significance.

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 qualifies for a “no effect” determination, subject to confirmation from the California Department of Fish and Wildlife. If California Department of Fish and Wildlife does not concur with the “no effect” determination, the project would be required to pay the fee.

Evidence: Based on the record as a whole as embodied in the Housing and Community Development Department files pertaining to this Initial Study—Negative Declaration.

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