MONTEREY COUNTY
PUBLIC WORKS, FACILITIES, & PARKS
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INITIAL STUDY

BACKGROUND INFORMATION

Project Title:	Toro Park Water System Improvement Project
File No.:	N/A
Project Location:	Monterey County Toro Regional Park, 501 Monterey-Salinas Highway, Salinas, CA 93908
Name of Property Owner:	County of Monterey
Name of Applicant:	Public Works, Facilities, and Parks Department
Assessor's Parcel Number(s):	161-011-009-000 and 161-011-071-000
Acreage of Property:	4,756 acres
General Plan Designation:	Public/Quasi-Public
Zoning District:	Public/Quasi Public with Design Overlay (PQP-D)
Lead Agency:	Monterey County Public Works, Facilities, and Parks Department
Prepared By:	Harris & Associates (Joseph Sidor; Alec Barton, AICP; Katie Laybourn; and Sharon Toland)
Date Prepared:	December 12, 2022
Contact Person:	Thomas Montoya, Project Manager | Monterey County Public Works, Facilities, and Parks Department
Phone Number:	(831) 796-6433

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project:

The County of Monterey (County) proposes water system improvements at Toro Regional Park (TRP), located near the City of Salinas, California (refer to **Figures 1a – 1c** below). The improvements would be entirely within park boundaries and include: 1) rehabilitation of an existing well owned and operated by the County; 2) installation of approximately 1 mile of new irrigation pipeline; and 3) upgrade of an existing booster station.

Well Rehabilitation. Well rehabilitation would occur entirely within the confines of the existing well structure, with no additional excavation required.

Irrigation Pipeline Installation. The new irrigation pipelines would be installed by either open trench construction or horizontal directional drilling methods at a depth between 3 to 4 feet, and the pipelines would be HDPE (high density polyethylene) or PVC (polyvinyl chloride) irrigation pipe. New irrigation lines would be installed to each of the park's 6 irrigation zones (Badger Flats, Sycamore, Quail Meadows, Flag Pole, Buckeye, and Oak Grove).

Booster Station Upgrade. TRP also has two County-owned water tanks that service two of the recreational camping areas. Water purchased from the California Water Service Company is pumped to these two water tanks using the County's booster station located in the park. Currently, the booster station is operated manually, and this project includes automating the system. The booster station's electrical equipment would be rehoused in a new shed to be placed on a disturbed site immediately adjacent to the existing booster station. The only ground disturbance would be minor grading of up to 6 inches to level the area for installation of the shed. The booster station pumps water to the County's 2 water tanks supplying the Youth Over Night Area (YONA) and Environmental Camp (EV). The upper YONA water tank would be upgraded to pump control, and the lower EV water tank would be upgraded to valve control.

Construction. Project construction/installation would take approximately 45 days and is estimated to start in early 2023. Typical construction equipment would be used (e.g., dump trucks, scrappers, backhoes, compactors, and front-end loaders). Construction equipment would be staged on-site on the existing parking lots, with minimal grading and no substantial disturbance required. As applicable/required, the construction contractor would implement standard Best Management Practices (BMPs) such as dust suppression measures, erosion, and sediment control measures (sand and gravel bags, plastic-free (no monofilament) fiber rolls, and silt fencing), use of weed-free erosion control products, and preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP).

TRP is owned, operated, and managed by Monterey County and is currently serviced with potable water purchased from the California Water Service Company. County staff currently uses potable water to irrigate of the park's 6 landscaped (lawn) picnic areas identified above. Water from the rehabilitated well would be used solely for park irrigation, and the potable water system would remain online for servicing the Park's restrooms, drinking fountains, and other potable water needs. The project has been designed to avoid impacts to sensitive biological resources to the maximum extent feasible, and no coast live oaks or other mature trees would be removed during project implementation.

B. Surrounding Land Uses and Environmental Setting:

TRP is located at 501 Monterey-Salinas Highway (State Route/Highway 68) in the Toro Area Plan area of unincorporated Monterey County (see **Figures 1a – 1c** below). The 4,756 acre park is located between the Monterey Peninsula and the City of Salinas, and first opened in 1971. The main entrance to the park is accessed via the Portola Drive exit (Exit 19) from Highway 68, opposite the Toro Park residential neighborhood and commercial shopping center.

Land Uses. Land uses in the immediate vicinity of the project site (outside TRP boundaries) consist of commercial and residential to the west and north, and private and public open space to the east and south. The park and project site are zoned and designated for Public/Quasi-Public use, with a Design Control overlay (including a 100-foot development setback from Highway 68) (PQP-D). The proposed Area of Project Effect (APE) is less than 2 acres or approximately 0.0421 percent of the entire 4,756-acre park area.

Biological Resources. Vegetation and land cover types in the proposed APE and the 100-foot biological resources survey area consist primarily of developed land, disturbed coast live oak woodland, and non-vegetated channels. The developed land in the proposed APE includes the internal park roads (Ollason Road, Sycamore Road, and Quail Road) and the landscaped park, primarily consisting of turf (grass) and ornamental non-native grasses. The disturbed coast live oak woodland along the western and northern edges of the proposed APE is dominated by coast live oaks (*Quercus agrifolia*) with scattered western sycamore (*Platanus racemosa*) and an open understory of annual grasses. Buckeye (*Aesculus californica*) also occurs in the understory of the disturbed coast live oak woodland in the northern portion of the proposed APE. Two non-vegetated channels occur in the northwestern and northeastern portions of the proposed APE and are potentially under the jurisdiction of the resource agencies, including the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW). Both the coast live oak woodland and non-vegetated channels are considered sensitive vegetation communities. No sensitive plant or wildlife species were observed in the proposed APE during the March 2022 habitat assessment survey. However, the trees in the disturbed coast live oak woodland within and surrounding the proposed APE have the potential to provide suitable nesting habitat for raptors and birds protected under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code, Section 3504. See Section VI.4 (Biological Resources) below for further discussion.

Cultural Resources. Per County GIS records, the project site is within an area of high sensitivity for archaeological resources, yet there are no known archaeological or prehistoric cultural resources within the project vicinity. Archaeological reports prepared for the project found no evidence of prehistoric- or historic-era artifacts or archaeological deposits within the project area. However, even though no resources were identified, the reports concluded that the project area has a high potential to contain unknown buried archeological deposits due to the geological context and the project site's proximity to Toro Creek. Since these unknown subsurface resources could be impacted during construction, awareness training and archaeological and tribal monitoring have been incorporated as mitigation measures. See Sections VI.5 and VI.18 (Cultural Resources and Tribal Cultural Resources, respectively) below for further discussion.

C. Other public agencies whose approval is required:

As proposed, the project would not require the granting of any discretionary entitlements. Monterey County Public Works would obtain applicable ministerial permits (e.g., construction permit) from County of Monterey Housing and Community Development (HCD) - Building Services. No other public agency approvals would be required for this project.

Figure 1a – Regional Map

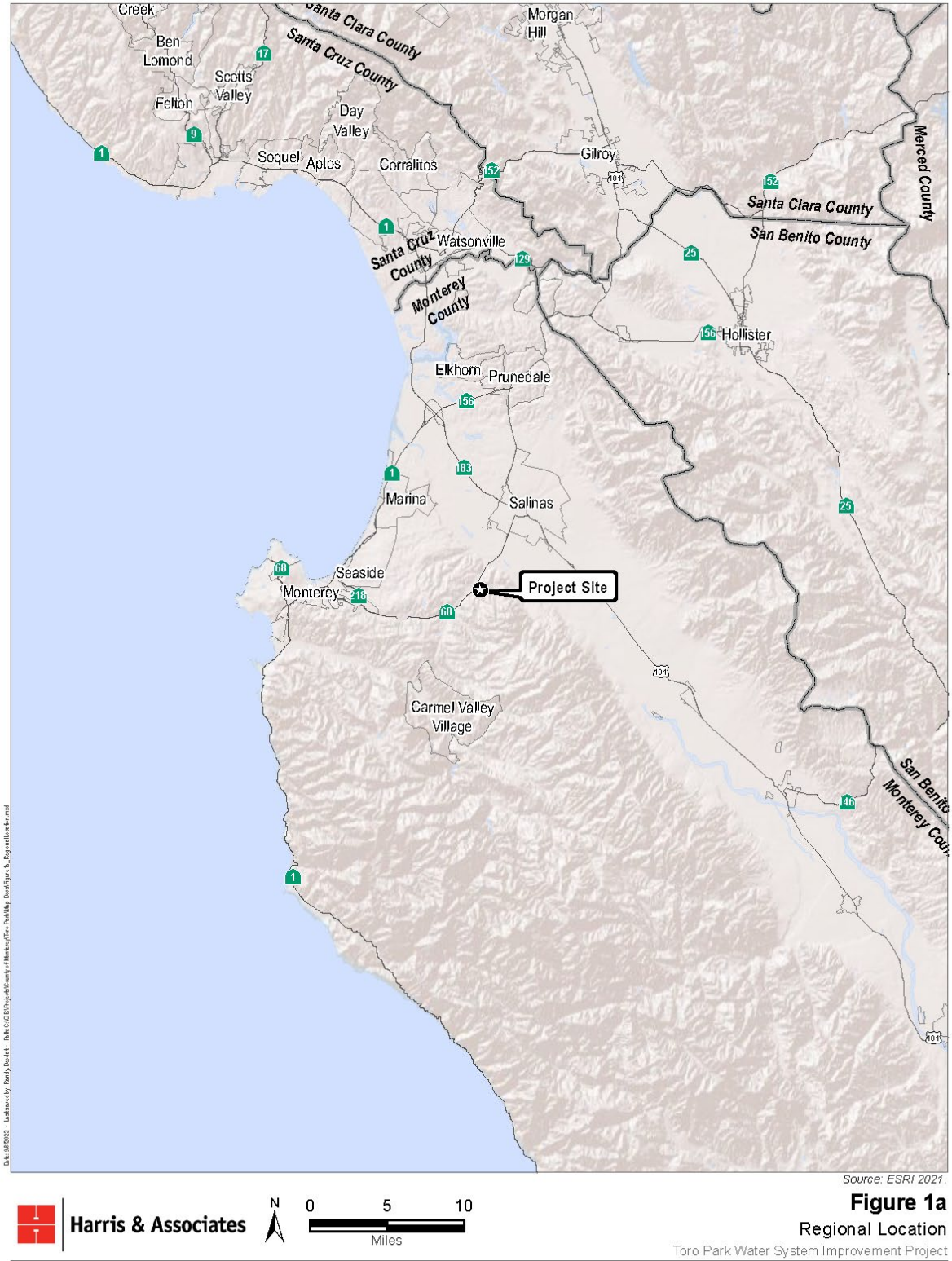


Figure 1b – Vicinity Map

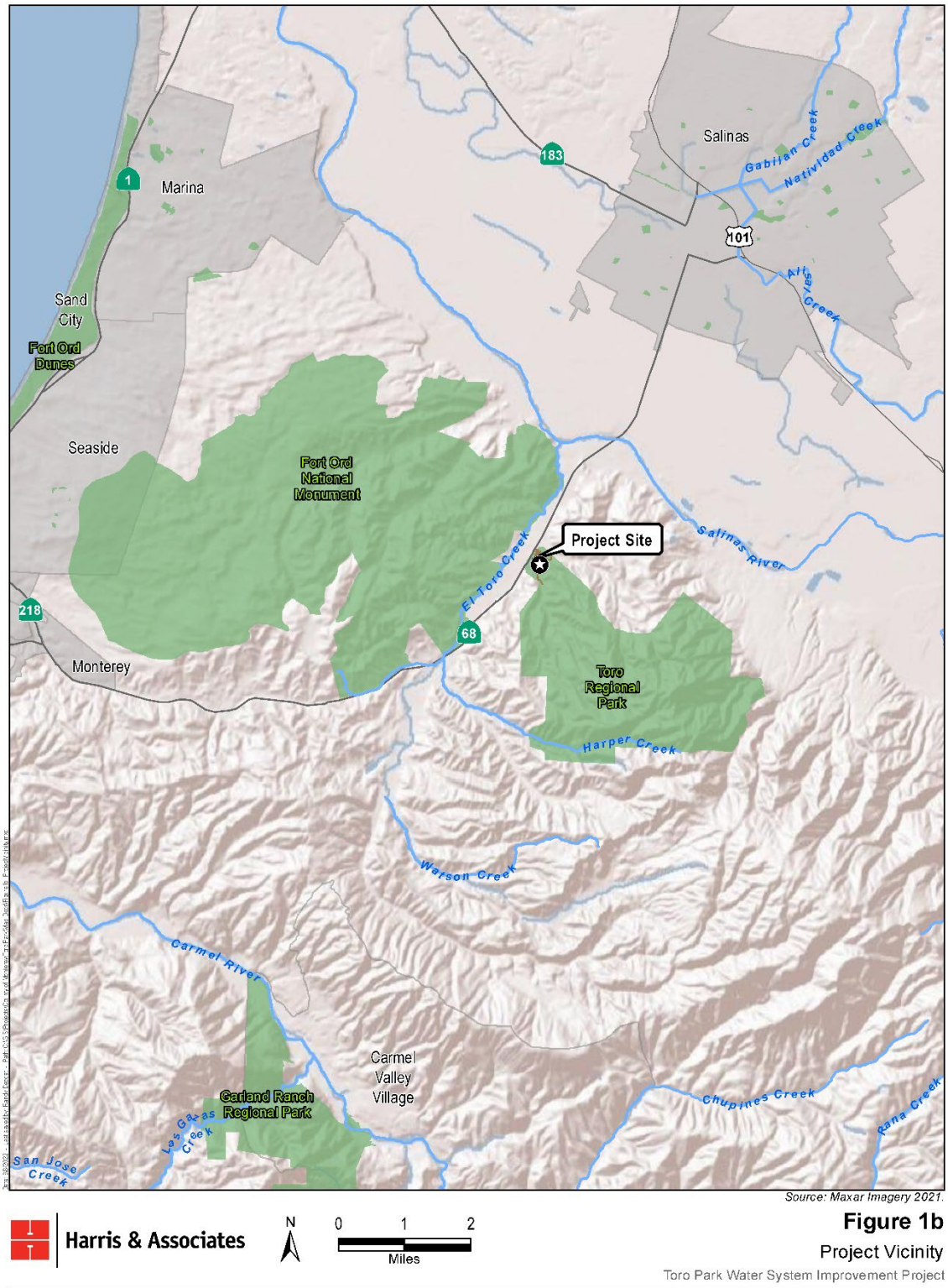
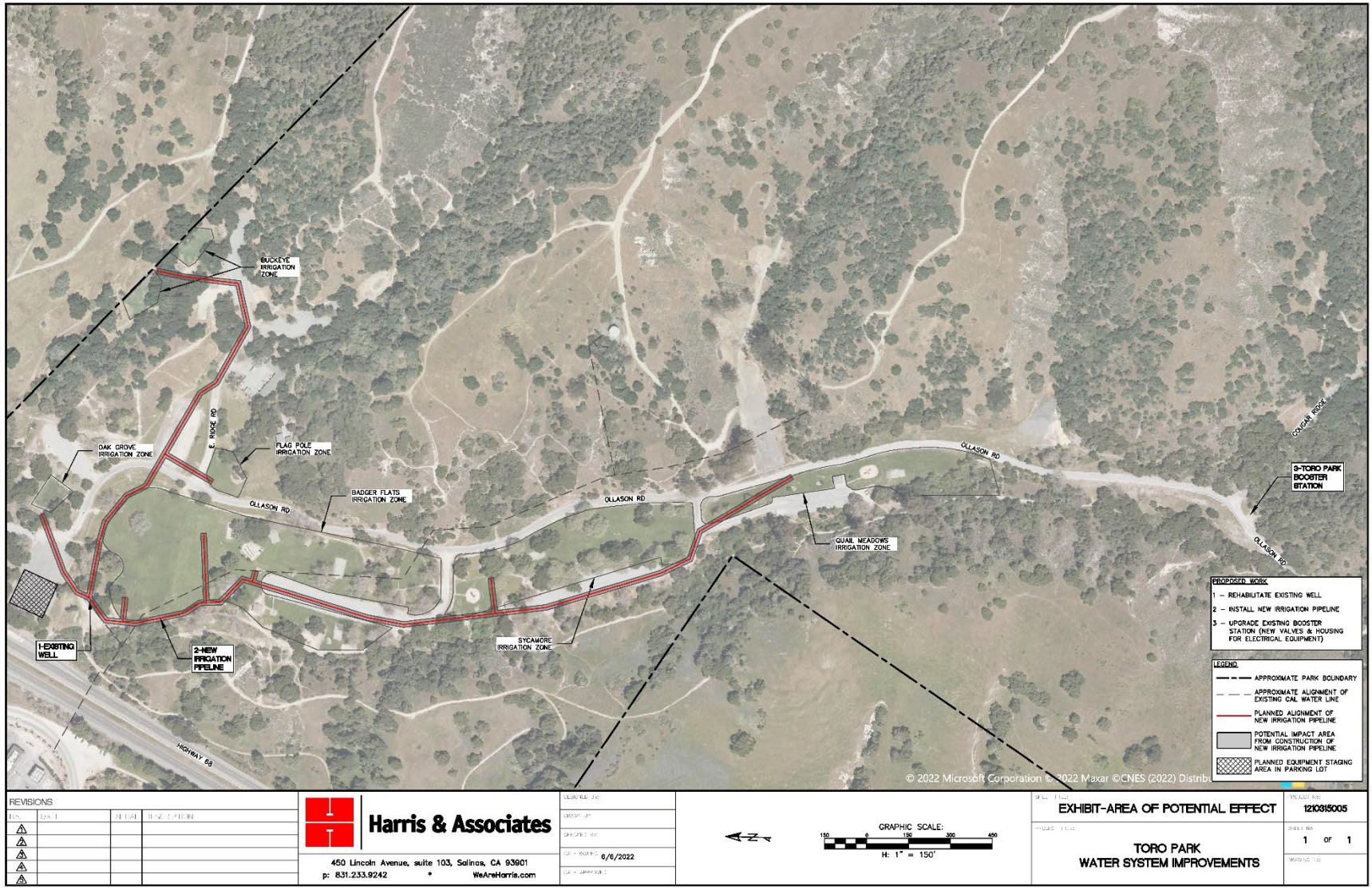


Figure 1c – Area of Project Effect Map



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	☒	Air Quality Mgmt. Plan	☒
Specific Plan	☐	Airport Land Use Plans	☐
Water Quality Control Plan	☒	Local Coastal Program-LUP	☐

General Plan/Area Plan

The Project site is located in unincorporated Monterey County, within the Toro Planning Area, and is subject to the policies of the 2010 Monterey County General Plan and the Toro Area Plan. This Initial Study incorporates by reference the 2010 Monterey County General Plan and the Toro Area Plan and uses these documents to establish the existing setting and thresholds of significance for potential environmental impacts in Monterey County. The 2010 Monterey County General Plan, which includes the Toro Area Plan, was adopted on October 26, 2010, and amended on March 11, 2013. The Final Environmental Impact Report for the 2010 Monterey County General Plan (State Clearinghouse No. 2007121001) was certified on October 26, 2010. Toro Area Plan Policy T-3.4 directs the placement of utility lines underground. As proposed, the Project would implement this policy by installing approximately 1 mile of replacement irrigation pipeline underground. (Source: IX. 1, 2, 3) **CONSISTENT**

Air Quality Management Plan

Monterey County is located in the North Central Coast Air Basin (NCCAB), which is comprised of Monterey, Santa Cruz, and San Benito Counties, covering an area of 5,159 square miles along the central coast of California. The Monterey Bay Air Resources District (MBARD) consists of all three counties within the NCCAB; therefore, the county is within the jurisdiction of the MBARD. The MBARD Air Quality Management Plan (AQMP) is the applicable air quality plan for the project area. MBARD was required under the California Clean Air Act (CCAA) and Amendments to develop an attainment plan to address ozone violations by July 1991. The CCAA requires MBARD to periodically prepare and submit a report to the California Air Resources Board (CARB) that assesses its progress toward attainment of the state ambient air quality standards (AAQS). The most recent update (2012-2015) is the seventh update to the 1991 AQMP and shows that the region continues to make progress toward meeting the state ozone standard. As described in the MBARD CEQA Air Quality Guidelines, construction projects using typical construction equipment are accommodated in the emission inventories of the AQMP. Typical construction equipment includes, but is not limited to dump trucks, scrappers, bulldozers, backhoes, compactors and front-end loaders that temporarily emit precursors of ozone [i.e., volatile organic compounds (VOC) or oxides of nitrogen (NOx)]. Projects that propose use of typical construction equipment and practices would not have a significant impact on the attainment and maintenance of ozone AAQS and would therefore not conflict with the AQMP. As described above, implementation of the project would not require any non-typical construction equipment or

practices. Additionally, the project would not create a new source of long-term emissions. Therefore, the project would not conflict with or obstruct any long-range air quality plans. (Source: IX. 1, 6, 9, 19, 20, 24). **CONSISTENT**

Water Quality Control Plan

The subject property lies within Region 3 of the Central Coast Regional Water Quality Control Board (CCRWQCB) which regulates sources of water quality related issues resulting in actual or potential impairment or degradation of beneficial uses, or the overall degradation of water quality, with the Central Coast Basin (Basin Plan). Operation of the project would not generate pollutant runoff in amounts that would cause degradation of water quality in the surrounding area. In accordance with Chapter 16.12 of the Monterey County Code (MCC), the proposed project shall be required to submit a drainage and erosion control plan to HCD-Environmental Services prior to issuance of building permits. The CCRWQCB has designated the Director of Health as the administrator of the individual sewage disposal regulations, conditional upon County authorities enforcing the Regional Water Quality Control Plan, Central Coast Basin (Basin Plan). These regulations are codified in Chapter 15.20 of the MCC. For additional discussion on hydrology and water quality, please refer to Section IV.10 of this Initial Study. (Source: IX.1, 26) **CONSISTENT**

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

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

☐ Aesthetics	☐ Agriculture and Forest 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/Traffic	☒ Tribal Cultural Resources
☐ Utilities/Service Systems	☒ Wildfires	☒ Mandatory Findings of Significance

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

☐ Check here if this finding is not applicable

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

EVIDENCE:

1. Aesthetics. The project would involve water system improvements including rehabilitation of an existing well, installation of approximately 1 mile of underground irrigation pipeline, and upgrade of an existing booster station. The project area of potential effect is highly disturbed and previously developed as the park's landscaped, road, and parking areas. The visual character of the site would not change, as construction would be temporary, improvements would be located primarily underground, and construction best management practices (BMPs) would restore disturbed areas to their previous condition. Although located near a designated state scenic highway (State Route/Highway 68), given the limited scope of the project (i.e., improvements to the underground water system), there would be no impact to visual and/or aesthetic values as viewed from the highway. The project would not introduce a new source of substantial light or glare and would not substantially degrade the existing visual character or quality of the public views of the site and its surroundings. The project would not conflict with zoning and other regulations governing scenic quality. Therefore, the proposed development would not result in impacts to aesthetics. (Source: IX. 1, 3, 4, 9)

2. Agriculture and Forest Resources. The project site is located in Toro Park in an area zoned Public/Quasi Public and designated as Other Land under the California Department of Conservation Farmland Mapping and Monitoring Program. No farmland would be converted to non-agricultural uses as a result of the project, and the project site is not under a Williamson Act contract nor located in or adjacent to agriculturally designated lands. No trees are proposed for removal at the project site. Therefore, the proposed project would not result in impacts to agriculture or forest resources. (Source: IX. 1, 3, 4, 8, 9, 16)

3. Air Quality. Refer to Section VI.3.

4. Biological Resources. See Section VI.4.

5. Cultural Resources. See Section VI.5.

6. Energy. Refer to Section VI.6.

7. Geology and Soils. The project involves water system improvements including rehabilitation of an existing well, installation of approximately 1 mile of underground irrigation pipeline, and upgrade of an existing booster station. According to the County's GIS database, the project site is located within an area of low erosion hazard, low to moderate risk for landslides, and high risk for liquefaction. The project does not involve construction of habitable structures, so these geology and soil characteristics would not present a potential hazard.

   The County's GIS database also identifies the seismic nature of the site to be a level II or undetermined; however, the parcel is located within the 660-foot buffer of the Harper Fault (County data based on CA Department of Conservation Special Publication 42, Revised 2018). Although located within a fault buffer, the project site has a low risk of collateral seismic hazard per the Monterey County GIS database; therefore, the site is suitable for the proposed development. Even though the project site would be exposed to ground-shaking from any of the faults that traverse Monterey County, including the Harper Fault, the project would be constructed in accordance with applicable seismic design parameters in the California Building Code. During the construction permit phase, the contractor will be required to comply with

applicable building code requirements (i.e., health, life, and safety) and resource protection measures, such as: erosion control plan review and approval, grading plan review and approval, inspections by Environmental Services staff, and geotechnical plan review and certification. Moreover, all soils removed during pipe installation trench work would be replaced, limiting the potential for substantial soil erosion or loss of topsoil. The project would not involve the construction of septic tanks or alternative wastewater disposal systems, and there is no record of the property containing a unique paleontological resource or site or unique geologic feature that would be directly or indirectly impacted as a result of the project. Therefore, the project would not result in impacts related to geology and soils. (Source: IX. 1, 8, 9)

8. Greenhouse Gas Emissions. Refer to Section VI.8.

9. Hazards/Hazardous Materials. Project implementation would require the use of construction equipment typical of small infrastructure construction projects, the operation of which could result in a spill or accidental release of hazardous materials, including fuel, engine oil, and lubricant. However, the use and transport of any hazardous materials would be subject to federal, state, and local regulations, which would minimize risk associated with the transport of hazardous materials. Operationally, the project would not involve the use or storage of hazardous materials beyond those typically associated with park and recreational uses. The project site is not located on or within 1,000 feet of a known hazardous materials site or within 0.25 mile of an existing or proposed school, nor is it located near an airport or airstrip. The Salinas Municipal Airport is located approximately 5.7 miles to the northeast, and the Monterey Regional Airport is located approximately 7.9 miles to the west. Given that the project would involve no modification to the site's permitted and historic use (public/quasi-public), it would not impair or interfere with an adopted emergency response or evacuation plan. The project site is located in a CALFIRE-designated Fire Hazard Severity Zone. See Section VI.20 for information regarding wildfires. Therefore, the proposed project would not result in impacts related to hazards/hazardous materials. (Source: IX. 1, 8, 13, 18, 22)

10. Hydrology/Water Quality. The proposed project would not violate any water quality standards or waste discharge requirements, as it would only involve water system improvements, including the rehabilitation of an existing well, the installation of new irrigation pipeline, and upgrades to an existing booster station on a site that is zoned for such uses. Additionally, the project would not adversely affect the two existing channels. As designed, the project would not alter the drainage pattern or characteristics of the site or area because the proposed infrastructure would be sited on a similar footprint as the previous development. Also, construction-related activities would be minor and temporary. Groundwater is not anticipated to be encountered based on the depth of excavation for the proposed project. Overall, drainage characteristics of the project site would not be altered in a manner that would increase erosion or runoff, and this minor scope of proposed development would not create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems. In addition, the project would be required to comply with relevant sections of the Monterey County Code that pertain to grading, erosion control, and urban stormwater management (Monterey County Code Chapters 16.08, 16.12 and 16.14). During construction, excavated materials would be protected with erosion control measures to minimize runoff.

    Overall site development would be subject to current regulations regarding control of drainage and would be required to address post-construction requirements and runoff reduction. As

proposed, the project would not violate any water quality standards or waste discharge requirements, alter the drainage pattern of the site or area, nor provide additional sources of polluted runoff or degrade water quality. Additionally, the project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

The project would not expose people or structures to a significant risk involving flooding. The proposed development at the site would not place structures within a 100-year flood hazard area, nor impede or redirect flood flows. There are no levees or dams within two miles of the sites, and tsunami and seiche vulnerability at the site is extremely low. The project site is not located in a tsunami zone and is 10 miles inland from Monterey Bay with intervening topography, so the potential for tsunami waters to reach the site is low. The project site is not located near a freshwater lake or pond, so the potential for inundation from a seiche or mudflow is low. Therefore, the proposed development would not result in negative impacts related to hydrology and water quality. (Source: IX. 1, 3, 8, 9, 26)

11. Land Use and Planning. Refer to Section VI.11.

12. Mineral Resources. No mineral resources have been identified within the project site or would be affected by this project, based on the California Department of Conservation Mineral Lands Classification Data Portal. Therefore, the proposed project would not result in impacts to mineral resources. (Source: IX. 1, 8, 9, 14)

13. Noise. Refer to Section VI.13.

14. Population/Housing. The proposed project would involve water system improvements, including the rehabilitation of an existing well, the installation of new irrigation pipeline, and upgrades to an existing booster station. No new residential units are proposed as part of the project, and no existing residences would be impacted by construction. The project would not directly or indirectly induce population growth in the area by removing an obstacle to growth or introducing a new water supply for unplanned development, as the purpose is to use existing water supply to support park resources. The project would not displace, alter the location, distribution, or density of human population in the area in any way, or create a demand for additional or replacement housing. Therefore, the proposed project would not result in impacts related to population and housing. (Source: IX. 1, 2, 3, 9, 15)

15. Public Services. The proposed project would involve water system improvements, including the rehabilitation of an existing well, the installation of new irrigation pipeline, and upgrades to an existing booster station. The project site is located in Toro Park near State Route/Highway 68. The project area is served by the Monterey County Regional Fire District, Monterey County Sheriff's Department, and Washington Union School District. The project would not create substantial new demand for public services that would result in the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times, or other performance objectives for any of the public services. The project would have no measurable effect on existing public services in that the project would not result in an increase in demand and would not require expansion of services to serve the project. Therefore, the proposed project would not result in impacts related to public services. (Source: IX. 1, 8, 15)

16. Recreation. As stated above, the project would involve water system improvements, including the rehabilitation of an existing well, the installation of new irrigation pipeline, and upgrades to an existing booster station. The project involves improvements to an existing park yet would not result in the expansion of the park or an increase in the visitor capacity of the park. Therefore, the project would not result in an increase in the use of existing neighborhood and regional parks and other recreational facilities and would therefore not cause substantial physical deterioration to these facilities. No parks, trail easements, or other recreational opportunities would be adversely impacted by the project. The project would not create new or additional recreational demands and would not result in impacts to recreation resources. Therefore, the proposed project would not result in impacts related to recreation. (Source: IX. 1, 3, 8, 9, 15)

17. Transportation. The project involves water system improvements, including the rehabilitation of an existing well, the installation of new irrigation pipeline, and upgrades to an existing booster station. The project would not result in the expansion of the park or an increase in the visitor capacity of the park. Therefore, the project would not generate traffic nor increase the number of permanent vehicle trips beyond that accounted for in regional studies and/or the prior development of the site, thus the proposed project would not cause any roadway or intersection level of service to be degraded nor substantially increase vehicle miles traveled relative to existing recreational use of the site. Construction-related activities would temporarily increase traffic from trips generated by the workers on the construction site; however, no adverse impact is expected to occur due to the small scale of the proposed project. The project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. The project would not substantially increase hazards due to a design feature (e.g., there are no sharp curves or dangerous intersections near the project site) or incompatible uses (e.g., the site is zoned to allow recreational uses), nor would it result in inadequate emergency access. The project would also not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. The project would not intensify existing levels of traffic. Therefore, the proposed project would not result in impacts related to transportation. (Source: IX. 1, 2, 3, 8, 9, 12).

18. Tribal Cultural Resources. See Section VI.18.

19. Utilities/Service Systems. The project involves water system improvements, including the rehabilitation of an existing well, the installation of new irrigation pipeline, and upgrades to an existing booster station. The project would not increase the intensity of the existing recreational use and, therefore, would not require or result in the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities. Potable water service at the project site would continue to be provided by California Water Service (Cal Water). The park is serviced by on-site wastewater treatment systems; therefore, the project would not impact the remaining capacity of a local wastewater treatment plant or provider. The installation of new irrigation pipeline would largely occur in areas of the park that have already been developed with roads and landscaped lawns, and stormwater drainage patterns would not be altered (see Section IV.10, Hydrology/Water Quality above). Electricity and natural gas would be provided by PG&E. The project would not impact the area's solid waste collection and disposal facilities. Solid waste disposal would continue to be provided by Waste Management, and the operational

component of the project would not result in an increase of solid waste production over the previously permitted use of the site. Any excess construction materials from the proposed project would be recycled as feasible with the remainder being hauled to landfill, and the minimal amount of construction waste produced would not affect the permitted landfill capacity. Therefore, the proposed project would not result in impacts related to utilities and service systems. (Source: IX. 1, 3, 8)

20. Wildfire. See Section VI.20.

B. DETERMINATION

On the basis of this initial evaluation:

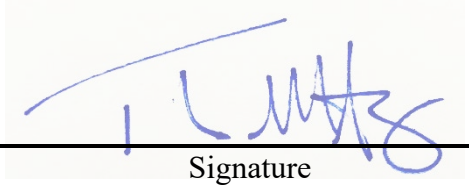
☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ 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

January 27, 2023

Date

Thomas Montoya, Project Manager
Monterey County Public Works, Facilities, and Parks

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 offsite as well as onsite, 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 **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista? (Source: IX. 1, 3, 9)	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: IX. 1, 3, 9)	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality. (Source: IX. 1, 3, 4, 9)	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: IX. 1, 9)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

2. AGRICULTURAL AND FOREST RESOURCES

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: IX. 1, 3, 8, 9, 16)	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: IX. 1, 4, 8, 9)	☐	☐	☐	☒

2. AGRICULTURAL AND FOREST RESOURCES

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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, 4, 8, 9)	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use? (Source: IX. 1, 8, 9)	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (Source: IX. 1, 9)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: IX. 1, 6, 24)	☐	☐	☒	☐
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. 6, 20, 24)	☐	☐	☒	☐
c) Result in significant construction-related air quality impacts? (Source: IX. 19, 20, 24)	☐	☐	☒	☐

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
d) Expose sensitive receptors to substantial pollutant concentrations? (Source: IX. 1, 9, 24)	☐	☐	☒	☐
e) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Source: IX. 1, 9, 24)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

Air Quality 3a – Less than Significant

Monterey County is located in the North Central Coast Air Basin (NCCAB), which is comprised of Monterey, Santa Cruz, and San Benito Counties, covering an area of 5,159 square miles along the central coast of California. The Monterey Bay Air Resources District (MBARD) consists of all three counties within the NCCAB; therefore, the county is within the jurisdiction of the MBARD. MBARD is responsible for air monitoring, permitting, enforcement, long-range air quality planning, regulatory development, education and public information activities related to air pollution, as required by the California Clean Air Act (CCAA) and Amendments, and the Federal Clean Air Act (CAA) and Amendments.

The MBARD Air Quality Management Plan (AQMP) is the applicable air quality plan for the project area. MBARD was required under the CCAA to develop an attainment plan to address ozone violations by July 1991. The CCAA requires MBARD to periodically prepare and submit a report to the California Air Resources Board (CARB) that assesses its progress toward attainment of the state ambient air quality standards (AAQS). The most recent update (2012-2015) is the seventh update to the 1991 AQMP. It shows that the region continues to make progress toward meeting the state ozone standard.

As described in the MBARD CEQA Air Quality Guidelines, construction projects using typical construction equipment, such as dump trucks, scrappers, bulldozers, compactors and front-end loaders that temporarily emit precursors of ozone [i.e., volatile organic compounds (VOC) or oxides of nitrogen (NOx)], are accommodated in the emission inventories of the AQMP. Projects that propose use of typical construction equipment and practices would not have a significant impact on the attainment and maintenance of ozone AAQS and would therefore not conflict with the AQMP. As described in the Description of Project and Environmental Setting above, implementation of the project would not require any non-typical construction equipment or practices. Additionally, the project would not create a new source of long-term emissions. Therefore, the project would not conflict with or obstruct any long-range air quality plans. The impacts to the applicable air quality plan would be **less than significant**. No mitigation would be required.

Air Quality 3b – Less than Significant

The CAA of 1970 required the federal Environmental Protection Agency (EPA) to establish National Ambient Air Quality Standards (NAAQS) for six criteria pollutants with states retaining the option to adopt more stringent standards or to include other specific pollutants. The US EPA has classified air basins (or portions thereof) as being in "attainment," "nonattainment," or "unclassified" for each criteria air pollutant, based on whether or not the NAAQS have been achieved. If an area is designated unclassified, it is because inadequate air quality data was available as a basis for a nonattainment or attainment designation. **Table AQ-1** lists the attainment status of the NCCAB for the criteria pollutants. The US EPA classifies the NCCAB as in attainment or unclassified for all pollutants with respect to federal air quality standards. The NCCAB is not in nonattainment status for any pollutant.

The state of California, under the CCAA, has established standards for criteria pollutants that are generally stricter than federal standards. The CARB establishes air quality standards in the state and measures progress in reducing pollutant emissions. As shown in **Table AQ-1**, the NCCAB is currently in nonattainment status for respirable particulate matter (PM_{10}). An area is designated transitional nonattainment if, during a single calendar year, the state standard is not exceeded more than three times at any monitoring location within the applicable district.

Construction activities would result in temporary increases in air pollutant emissions. The MBARD CEQA Guidelines state that the 82 lbs/day threshold for construction emissions of PM_{10} is the threshold for both individual and cumulative impacts on local air quality since the background concentration reflects the collective contribution of PM_{10} from nearby sources. The MBARD does not identify quantitative thresholds for other criteria pollutants during construction. Construction projects using typical construction equipment, such as dump trucks, scrappers, bulldozers, compactors and front-end loaders that temporarily emit precursors of ozone [i.e., volatile organic compounds (VOC) or oxides of nitrogen (NOx)], are accommodated in the emission inventories of State- and federally-required air plans and would not have a significant impact on the attainment and maintenance of ozone AAQS. However, a project that would use non-typical equipment would have the potential to result in a significant impact related to emissions of VOCs or NOx.

The proposed project's construction criteria pollutant emissions are estimated using the Roadway Construction Emissions Model (RCEM) developed by the Sacramento Metropolitan Air Quality Management District for linear construction projects and based on construction assumptions provided by the project engineer. These assumptions include anticipated construction equipment, schedule, and earth movement. Maximum daily emissions levels associated with construction of the proposed project are shown in **Table AQ-2**.

As shown in Table AQ-2, project construction would result in very limited and temporary emissions of criteria pollutants. Emissions would not exceed the threshold of 82 lbs/day for PM_{10}. The proposed project would require typical construction practices and would not result in a significant impact related to precursors of ozone [i.e., volatile organic compounds (VOC) or oxides of nitrogen (NOx)]. Following construction, the project would have no impact on existing ambient air quality, as there are no ongoing emissions that would be generated from pipelines and supporting infrastructure. The proposed pipelines would be passive, and the rehabilitated well and automated booster station would be similar to existing conditions.

Future operation and maintenance would be similar to existing conditions, with a likely reduction in maintenance trips because the booster station would be automated. Therefore, the proposed project would not result in a cumulatively considerable net increase in criteria pollutants. The impact on ambient air quality would be **less than significant**. No mitigation would be required.

Table AQ-1. North Central Coast Air Basin Attainment Status			
Pollutant	**Averaging Time**	**California Standards**	**Federal Standards**
Ozone (O_3)	1 Hour	Attainment	No Federal Standard
	8 Hour		Attainment
Respirable Particulate Matter (PM_{10})	Annual Arithmetic Mean	Nonattainment	No Federal Standard
	24 Hour		Unclassified[(1)]
Fine Particulate Matter ($PM_{2.5}$)	Annual Arithmetic Mean	Attainment	Attainment
	24 Hour	No State Standard	
Carbon Monoxide (CO)	8 Hour	Unclassified	Unclassified/Attainment
	1 Hour		
Nitrogen Dioxide (NO_2)	Annual Arithmetic Mean	No State Standard	Attainment
	1 Hour	Attainment	No Federal Standard
Sulfur Dioxide (SO_2)	Annual Arithmetic Mean	No State Standard	Attainment
	24 Hour	Attainment	Attainment
	1 Hour	Attainment	No Federal Standard
[(1)] Unclassified; indicates data are not sufficient for determining attainment or nonattainment. Source: XI. 20			

Table AQ-2 Estimated Construction Daily Maximum Air Pollutant Emissions						
Improvement Location	**VOC**	**NOx**	**CO**	**SOx**	**PM10**	**PM2.5**
Pounds per Day (lbs/day)						
Maximum Daily Construction Emissions	2	16	20	<1	19	4
MBARD Threshold	--	--	--	--	82	--
Note: Emission quantities are rounded to the nearest whole number. Exact values are provided in **Attachment 2**. PM10 – Particulate Matter less than 10 microns PM2.5 – Particulate matter less than 2.5 microns NOx – Oxides of Nitrogen SOx – Oxides of Sulfur CO – Carbon Monoxide VOC – Volatile organic compounds						

Air Quality 3c – Less than Significant

As described above, project construction would not exceed the threshold of 82 lbs/day of PM_{10} and would not result in significant emissions of ozone precursors because it would require only typical construction practices. Therefore, the impact related to maximum daily criteria pollutant emissions during construction would be **less than significant**. No mitigation would be required

Air Quality 3d – Less than Significant

MBARD defines sensitive receptors for CEQA purposes as any residence including private homes, condominiums, apartments, and living quarters; education resources such as preschools and kindergarten through grade twelve (K-12) schools; daycare centers; and health care facilities such as hospitals or retirement and nursing homes. Sensitive receptors also include long term care hospitals, hospices, prisons, and dormitories or similar live-in housing.

The proposed project would replace existing pipelines and upgrade associated infrastructure in Toro Park. The park is separated from the nearest sensitive receptors (residences) by more than 300 feet at its closest point, including State Route 68. The nearest residences would be approximately 650 feet west of the construction area. Project construction would occur for approximately 45 days. Further, as shown in **Table AQ-2**, emissions from the construction of each project alignment would be minimal. Thus, project construction would not expose sensitive receptors to substantial pollutant concentrations due to the distance, short construction duration, and minimal emissions. Following construction, the project would be mostly passive and would not result in any net change in long-term criteria pollutants. Therefore, the impact to sensitive receptors would be **less than significant**. No mitigation would be required.

Air Quality 3e – Less than Significant

Construction of the proposed project would potentially generate odors from diesel construction equipment exhaust. However, as shown in **Table AQ-2**, emissions of sulfurous gases (SOx), the

main source of odors from construction equipment, would be extremely limited. Additionally, there are no sensitive receptors in the immediate vicinity of the construction area. Following construction, the project would not be a source of odor. Therefore, the impact related to odors would be **less than significant**. No mitigation would be required.

4. BIOLOGICAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: IX. 1, 11, 27, 28, 29, 30, 31, 32, 33)	☐	☐	☒	☐
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. 1, 2, 3, 8, 11, 27, 28, 29, 30, 31, 32, 33)	☐	☐	☒	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: IX. 1, 11, 27, 28, 29, 30, 31, 32, 33, 34, 35)	☐	☐	☒	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: IX. 1, 8, 11, 34)	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: IX. 1, 2, 3, 4, 11)	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan? (Source: IX. 1, 2, 3, 8, 11)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

The following discussion is based on the results of the habitat assessment conducted by Harris & Associates (Harris) Principal Biologist, Emily Mastrelli, and Biologist, Katie Laybourn, on March 8, 2022, as well as a database review. The survey was conducted in the Area of Project Effect

(APE) with a 100-foot biological resources survey area buffer, herein referred to as the survey area. The survey was conducted by walking meandering transects throughout the survey area mapping vegetation communities, and evaluating the potential for occurrence of sensitive, rare, threatened, and endangered plant and wildlife species. Vegetation mapping was recorded in the field using the ArcGIS Collector application with an aerial image of the survey area. The survey area is approximately 26 acres; and of that total, approximately 17 acres is disturbed land. The remaining survey area includes 9 acres of disturbed coast live oak woodland and 0.05 acre of non-vegetated channel.

The results of the database review provide information on environmental permitting requirements and potential constraints to project development due to the presence (or lack thereof) of sensitive biological resources. Review of online databases was conducted for the project and within a 1-mile radius of the survey area. The databases include: CDFW California Natural Diversity Database (CNDDB) (CDFW 2022a), CDFW Biogeographic Information and Observation System (BIOS) (CDFW 2022b), USFWS Information for Planning and Consultation (IPaC) (USFWS 2022a), USFWS NWI Wetlands Mapper (USFWS 2022b), Consortium of California Herbaria database (CCH 2022), Calflora database (Calflora 2022), and California Native Plant Society Inventory of Rare and Endangered Plants of California (CNPS 2022).

Biological Resources 4(a) – Less Than Significant

Direct Impacts

Sensitive Plant Species

No sensitive plant species were observed in the survey area during the 2022 habitat assessment. However, no focused rare plant surveys were conducted, and their presence or absence could not be confirmed. Five sensitive plant species that have been historically documented within 1 mile of the survey area were analyzed for their potential to occur. These sensitive plant species include Toro manzanita (*Arctostaphylos montereyensis*) (California rare plant rank [CRPR] 1B.2), Eastwood's goldenbush (*Ericameria fasciculata*) (CRPR 1B.1), Monterey gilia (*Gilia tenuiflora* ssp. *Arenaria*) (federally endangered, state threatened, and CRPR 1B.2), Congdon's tarplant (*Centromadia parryi* ssp. *Congdonii*) (CRPR 1B.1), and Pacific Grove clover (*Trifolium polyodon*) (state rare and CRPR 1B.1). The vegetation communities within the survey area, including disturbed coast live oak woodland, non-vegetated channel, and developed land, do not provide suitable habitat for these sensitive plant species, and no sensitive plant species were determined to have a high potential to occur (see **Figure 2**, Biological Resources, below).

Further, the majority of the proposed APE occurs within the developed land of the landscaped park and internal roads that do not support sensitive plant species. As discussed in Section II.A., Project Description, the project has been designed to avoid impacts to sensitive resources to the maximum extent feasible, including the coast live oak woodland that could support sensitive plant species. Therefore, implementation of the project is unlikely to result in impacts to habitat that could support sensitive plant species. Direct impacts to sensitive plant species would be **less than significant.** No mitigation would be required.

Sensitive Wildlife Species

No sensitive wildlife species were observed in the survey area during the habitat assessment. Three sensitive wildlife species, which were historically documented within 1 mile of the survey area, were analyzed for their potential to occur. These sensitive wildlife species include California tiger salamander - central California Distinct Population Segment (*Ambystoma californiense* pop. 1) (federally threatened, state threatened, and CDFW watch list), prairie falcon (*Falco mexicanus*) (CDFW watch list), and American badger (*Taxidea taxus*) (CDFW species of special concern). The disturbed coast live oak woodland, non-vegetated channel, and developed land in the survey area do not provide high-quality suitable habitat for these sensitive wildlife species (see **Figure 2**). Specifically, prairie falcon primarily occurs at higher elevations, and the survey area does not provide suitable nesting or foraging habitat for this species. The survey area is not a documented breeding ground for California tiger salamander (pop. 1), and no ponds or sources of permanent surface water for reproduction occur in the survey area. While potentially suitable open oak woodland occurs in and surrounding the survey area, American badger have not been documented in the area for greater than 20 years and are unlikely to occur. Therefore, no sensitive wildlife species were determined to have a high potential to occur.

Further, the majority of the proposed APE occurs within the developed land of the landscaped park and internal roads that are unlikely to support sensitive wildlife species. As discussed in Section II.A., Project Description, the project has been designed to avoid impacts to sensitive resources to the maximum extent feasible, including the coast live oak woodland and non-vegetated channels that could support sensitive wildlife species. The coast live oaks or other trees that occur within the proposed APE and could support sensitive wildlife species would be avoided during project activities. Therefore, implementation of the project would not result in impacts to habitat that could support sensitive wildlife species. Therefore, direct impacts to sensitive wildlife species would be **less than significant**. No mitigation would be required.

Indirect Impacts

Temporary construction-related indirect impacts to sensitive plant and wildlife species generally include trampling, dust generation, pollutant discharges, soil erosion and runoff, noise, vibration, lighting, increased human activity, and accumulation of trash and garbage, which can attract both introduced terrestrial and native terrestrial and avian predators (i.e., Corvids, canids, raccoons and striped skunks). These temporary construction-related impacts in the form of habitat disturbance, dust generation, and increased predation could have a significant impact on the sensitive plant and wildlife species that could occur in the survey area. Further, pollutant discharges, soil erosion and runoff that could occur during construction on the project site has the potential to result in indirect impacts to sensitive plant or wildlife species that could occur in the non-vegetated channels in the survey area. Standard Best Management Practices (BMPs) would be required of the construction contractor and include dust suppression measures, erosion, and sediment control measures (sand and gravel bags, plastic-free (no monofilament) fiber rolls, and silt fencing), use of weed-free erosion control products, and preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP would be prepared pursuant to the National Pollution Discharge Elimination System General Construction Permit (Water Quality Order 99-08-DWQ). The SWPPP would address the potential sources and locations of stormwater contamination characteristics, impacts of specific contaminants, and temporary and permanent erosion control practices. The SWPPP would include water sampling data, construction practices that minimize

stormwater contamination, coordination of BMPs with planned construction activities, and compliance with County, state, and federal regulations. Additional BMPs that would be required during construction, in accordance with Monterey County Code, include noise suppression measures and trash containment methods. With the implementation of construction BMPs, temporary indirect impacts to sensitive plant and wildlife species observed and with a high potential to occur in the survey area would be **less than significant**. No mitigation would be required.

Nesting Birds

No raptor or bird nests were observed in the survey area during the habitat assessment; however, a focused nesting bird survey was not conducted. The mature trees, including coast live oak and western sycamore occurring in the disturbed coast live oak woodland in and surrounding the survey area, have the potential to provide suitable nesting habitat for raptors and birds protected under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code, Section 3504. As previously discussed, no trees are proposed for removal during project construction; therefore, implementation of the project would not remove potential nesting habitat for protected raptors and birds. However, if construction is conducted during the general bird breeding season (January 15 through August 31), temporary direct impacts from disturbance and displacement of nesting birds during project construction could result in significant direct impacts to bird species protected under the MBTA. Also, indirect impacts from construction noise and vibration during demolition and vegetation clearing activities, if conducted during the bird breeding season, could result in significant indirect impacts to bird species protected under the MBTA. Therefore, pursuant to Monterey County General Plan Policy OS-5.25, the construction contractor would be required to conduct a bird nesting survey prior to commencement of construction. This policy requires that the contractor have a qualified biologist perform a bird nesting survey, if construction activities are scheduled to occur during the bird nesting season. If nesting activity is identified, the biologist would establish an appropriate buffer between the nesting birds and construction activity. With the application of this policy requirement, potential impacts to nesting birds would be **less than significant**. No mitigation would be required.

Biological Resources 4(b) – Less Than Significant

The survey area contains two sensitive vegetation communities: approximately 9 acres of disturbed coast live oak woodland (*Quercus agrifolia;* Woodland Alliance [71.060.02; G5/S4]) and approximately 0.05 acre of non-vegetated channel (Figure 2; CDFW 2021). The disturbed coast live oak woodland along the western and northern edges of the survey area is dominated by coast live oaks with scattered western sycamore (*Platanus racemosa*) and an open understory of annual grasses. Buckeye (*Aesculus californica*) also occurs in the understory of the disturbed coast live oak woodland in the northern portion of the APE. Two non-vegetated channels (AF-1 and AF-2) occur in the northwestern and northeastern portions of the survey area (see **Figure 2**). The non-vegetated channels AF-1 and AF-2 are earthen-bottom channels with annual grasses growing sparsely along the sides and tops of the banks.

Direct Impacts

As discussed under section 4(a) above, the project has been designed to avoid impacts to sensitive resources to the maximum extent feasible, including the disturbed coast live oak woodland and non-vegetated channel that occur in the survey area.

Although construction would occur along the edge of the disturbed coast live oak woodland in the western and northern portions of the survey area, activities would be limited to the annual grassland understory within the woodland, and no trees would be removed during implementation of the project (Figure 2). The annual grassland understory of the disturbed coast live oak woodland is not considered sensitive.

Portions of the project that cross the non-vegetated channels (AF-1 and AF-2) would occur under the channels using the horizontal directional drilling method of construction and thus would not disturb the banks or bottom of the channels.

Therefore, the project would avoid impacts to the sensitive vegetation communities in the survey area, **no direct impact** would result, and no mitigation would be required.

Indirect Impacts

Most of the potential indirect impacts to sensitive plant species described in section 4(a) could also impact sensitive vegetation communities. Indirect impacts to sensitive vegetation communities could result from invasion by exotic species, exposure to construction-related pollutant discharges, and trampling by humans. As previously discussed under section 4(a) above, standard construction BMPs would be required of the construction contractor during project implementation and include: dust suppression measures, erosion and sediment control measures (sand and gravel bags, plastic-free (no monofilament) fiber rolls, and silt fencing), use of weed-free erosion control products, and preparation and implementation of a SWPPP. With the implementation of construction BMPs, indirect impacts to the sensitive vegetation communities in the survey area would be **less than significant**. No mitigation would be required.

Biological Resources 4(c) – Less Than Significant

Two non-vegetated channels (AF-1 and AF-2) were observed in the northwestern and northeastern portions of the survey area (see **Figure 2**). AF-1 is a shallow drainage ditch surrounded by upland and developed land. AF-1 extends along the southern side of the paved central park access road in the northern and northwestern portions of the survey area. AF-2 is a wide, tall-banked creek that winds through the disturbed coast live oak woodland in the northeastern survey area and continues to the north of the survey area. The western extent of AF-2 is undergrounded through a concrete culvert in the northern portion of the survey area.

Based on National Wetland Inventory and National Hydrologic Dataset mapping results, AF-1 and AF-2 were determined to be ephemeral non-wetland waters that have surface water connectivity to El Toro Creek, located approximately 0.2 mile west of the survey area (USFWS 2022b). El Toro Creek connects to the Salinas River, which then flows into the Pacific Ocean approximately 9 miles downstream, thus constituting the Salinas River a Traditionally Navigable Water (TNW) as defined by the USACE (USACE 2022). Due to the surface water connection to a TNW, AF-1 and AF-2 are potentially under the jurisdiction of the USACE, RWQCB, and

CDFW, pursuant to Sections 404 and 401 of the CWA, and Section 1602 of the California Fish and Game Code (CFGC) Lake and Streambed Alteration Agreement

Direct Impacts

As discussed under Threshold 4(a), the project has been designed to avoid impacts to sensitive resources to the maximum extent feasible, including potentially jurisdictional aquatic resources AF-1 and AF-2 that occur in the survey area. Portions of the project that cross the non-vegetated channels AF-1 and AF-2 would occur under the channels using the horizontal directional drilling method of construction and would not disturb the banks or bottom of the channels. Therefore, the project would avoid impacts to the potentially jurisdictional aquatic resources in the survey area, **no direct impact** would result, and no mitigation would be required.

Indirect Impacts

Most of the potential indirect impacts to sensitive plant species and sensitive vegetation communities described in sections 4(a) and 4(b) could also impact potential jurisdictional aquatic resources. Indirect impacts to potentially jurisdictional aquatic resources could result from generation of fugitive dust, changes in hydrology resulting from construction (including sedimentation and erosion), and exposure to construction-related pollutant discharges. As previously discussed under sections 4(a) and 4(b), standard construction BMPs would be required of the construction contractor during project implementation and include: dust suppression measures, erosion and sediment control measures (sand and gravel bags, plastic-free (no monofilament) fiber rolls, and silt fencing), use of weed-free erosion control products, and preparation and implementation of a SWPPP. With the implementation of construction BMPs, indirect impacts to the potentially jurisdictional aquatic resources in the survey area would be **less than significant**. No mitigation would be required.

Biological Resources 4(d) – Less Than Significant

The survey area is bordered to the east by open space that provides movement and suitable nesting, foraging, and dispersal areas of wildlife species and connections to surrounding areas that occur primarily to the south and east. Although the presence of State Route 68 and residential development to the west of the survey area likely impede east–west wildlife movement at this location, the survey area has potential to be used as a terrestrial wildlife movement corridor, particularly for north-south movement, because of its proximity to open space and native vegetation communities to the east. The open space within and to the east of the survey area has the potential to provide important habitat connectivity both locally and regionally.

The project would not permanently impact the majority of the survey area, including the disturbed coast live oak woodland and non-vegetated channels, and would not impede wildlife movement through the survey area. General wildlife movement routes would remain after implementation of the project. The project would not impact the non-vegetated channels AF-1 or AF-2 or any other downstream aquatic areas that would interfere with the movement of native resident or migratory fish species. Implementation of the project would not substantially interfere with the movement or established migratory corridors of native resident or migratory fish or wildlife species, including the use of native wildlife nursery sites. Therefore, impacts to wildlife movement corridors would be **less than significant**. No mitigation would be required.

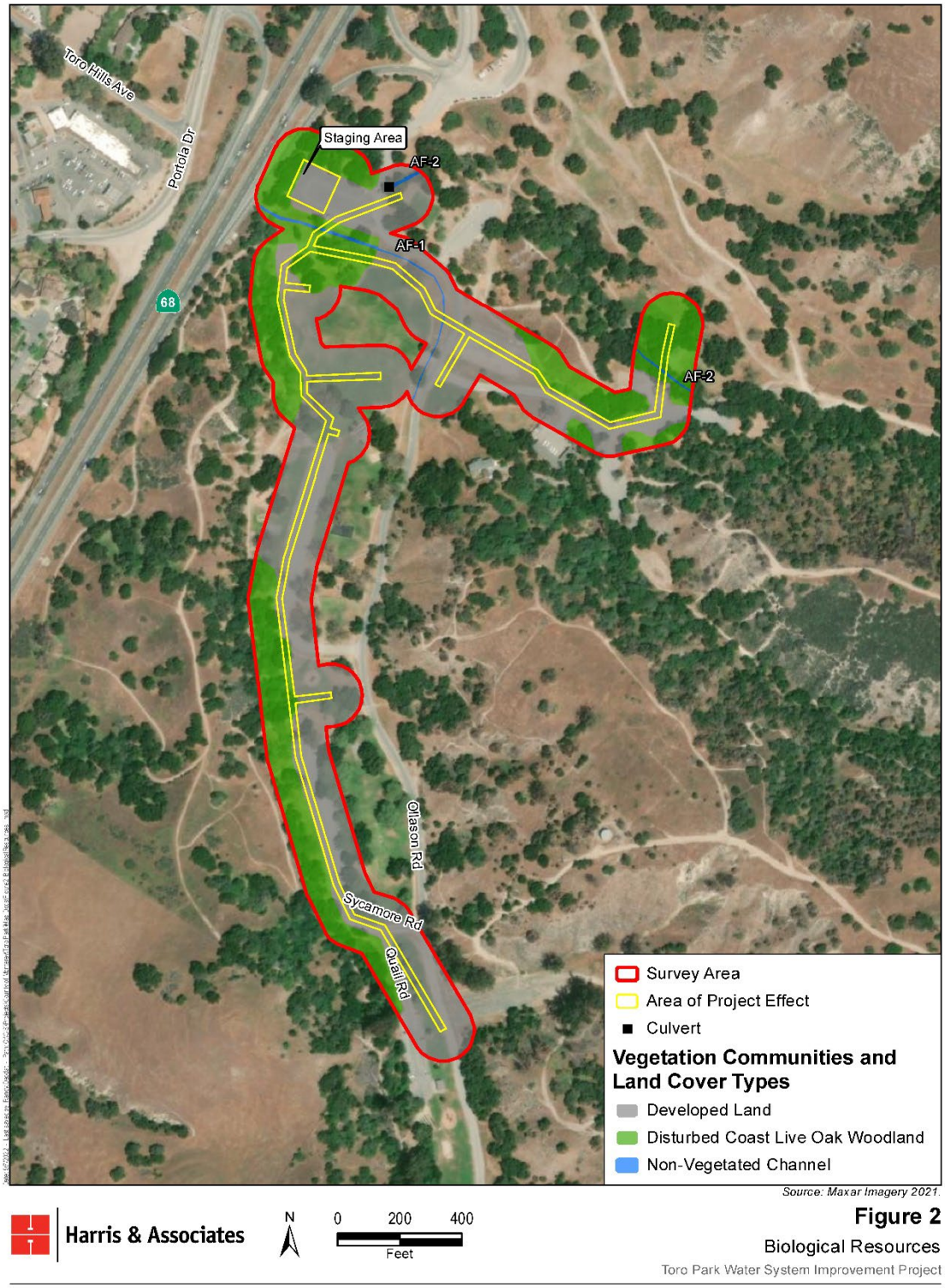
Biological Resources 4(e) – No Impact

The project would comply with the local policies or ordinances protecting biological resources identified in the Conservation and Open Space Element of the County's General Plan (Monterey County 2010). Therefore, the project would have **no impact** related to local policies or ordinances. No mitigation or protection measures would be required.

Biological Resources 4(f) – No Impact

The survey area is not within an adopted HCP and is not subject to the NCCP program, thus the project would not conflict with any habitat conservation plan or natural community conservation plan, as none are applicable to the project site. Therefore, the project would have **no impact** related to local conservation plans. No mitigation or protection measures would be required.

Figure 2 – Biological Resources



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? (Source: IX. 1, 3, 8, 9, 10)	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Source: IX. 1, 2, 3, 8, 10)	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries? (Source: IX. 1, 10)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

County GIS records identify that the project site is within an area of high sensitivity for archaeological resources, yet there are no known archaeological or prehistoric cultural resources within the project vicinity. Per General Plan Policy OS-6.3, a Phase I Cultural Resources Inventory was prepared for the project (Albion Environmental, September 2022). The report included a surface survey of the project site and a records search at the Northwest Information Center of the California Historical Resources Information System at Sonoma State University (NWIC File No. 21-2088) that included the project site and a 0.25-mile buffer for resources and cultural studies. The records search did not identify of any known archaeological resources within a 0.25-mile radius of the project site. Two previously recorded historic resources were identified within a 0.25-mile radius: a historic fence line 306 meters (918 feet) northeast of the project area, and a historic dirt road 97 meters (291 feet) northeast of the project area. These historic resources are outside of the Area of Project Effect (**Figure 1c**) and would not be impacted by the proposed project. In summary, the report found no evidence of prehistoric- or historic-era artifacts or archaeological deposits within the project area.

However, even though no resources were identified during the inventory, the report concluded that the project area has a high potential to contain unknown buried archeological deposits, due to the geological context (i.e., alluvial deposits) and the project site's proximity to Toro Creek. Since these unknown subsurface resources could be impacted during construction, the report recommended additional testing. An Extended Phase I Cultural Resources Inventory was prepared for the project and involved subsurface testing, with the excavation of six shovel test probes along the proposed pipeline trench alignment (Albion Environmental, November 2022). The test results were negative, and the subsurface test report found no evidence of potentially significant cultural materials within the project area. Although the reports found no evidence of prehistoric resources, tribal representatives identified the project area as highly sensitive and requested monitoring during all ground disturbance activities (see sub-section 5(b) below, and Section VI.18, Tribal Cultural Resources., for additional information and analysis).

Cultural Resources 5(a) – No Impact

The project site does not contain any structural improvements or features that may be considered historical resources eligible for listing. Mark's Ranch, the nearest designated historic resource

with structures, is over 3,500 linear feet southeast of the project site and would not be impacted by the proposed project. As noted above, the nearest non-structural historic resources are 918 feet and 291 feet northeast of the project area. Therefore, implementation of the project would not result in a substantial adverse change in the significance of a historical resource, and there would be **no impact**. No mitigation would be required.

Cultural Resources 5(b) – Less than Significant with Mitigation Incorporated

Due to the project site's location within an area of high archaeological sensitivity, and because the project includes trenching for installation of new irrigation pipeline, there is a potential for prehistoric cultural resources/artifacts to be inadvertently discovered. Tribal representatives also identified the project area as highly sensitive and requested monitoring of all ground disturbance. To address the potential inadvertent discovery of cultural resources, an archeological monitor shall be present for any ground disturbance activities during construction. The potential impact to unknown archaeological resources would be reduced to a less than significant level with implementation of Mitigation Measure 1 (onsite archaeological monitor and construction awareness training, as described below) and Mitigation Measure 2 (onsite tribal monitor, as described in Section VI.18). Therefore, this impact would be **less than significant with mitigation incorporated**.

Mitigation Measure 1 – On-Site Archaeological Monitor and Cultural Awareness Training:

To reduce potential impacts to cultural resources that may be discovered during onsite ground disturbance, a qualified archaeological monitor (i.e., an archaeologist registered with the Register of Professional Archaeologists [RPA] or a Registered Archaeologist [RA] under the supervision of an RPA) shall conduct a cultural resource awareness and response training for construction personnel prior to the commencement of any grading or excavation activity, and shall be present and observe all soil disturbance for all grading and excavation activities. If at any time, potentially significant archaeological resources or intact features are discovered, the monitor shall temporarily halt work until the find can be evaluated by the archaeological monitor. If the find is determined to be significant, work shall remain halted until a plan of action has been formulated, with the concurrence of the qualified archaeologist, and implemented.

Compliance Actions for Mitigation Measure 1:

1a: Prior to issuance of construction permits for grading or building, Monterey County Public Works (PW) staff and/or the contractor shall include a note on the construction plans encompassing the language contained in Mitigation Measure 1, including all compliance actions. PW staff shall submit said plans to HCD-Building for review and approval.

1b: Prior to issuance of construction permits for grading or building, PW staff shall submit to HCD-Building a copy of the contract between the County and a qualified archaeological monitor. The contract shall include provisions requiring the monitor be present and observe all soil disturbance for all grading and excavation and authorizing the monitor to stop work in the event resources are found. In addition, the contract shall authorize the monitor to prepare a report suitable for compliance documentation to be prepared upon completion of the data recovery field work.

1c: Prior to final inspection of grading or building permits, PW staff shall submit evidence that a qualified archaeologist conducted a cultural resource awareness and response training for construction personnel prior to the commencement of any grading or excavation activity. The training shall include a description of the kinds of cultural and tribal cultural resources that are found in the area, protocols to be used in the event of an unanticipated discovery, and the importance of cultural resources to the Native American community.

1d: If archaeological resources are unexpectedly discovered during construction, work shall be halted on the parcel until the find can be evaluated and a plan of action formulated and implemented. Data recovery shall be implemented during the construction and excavation monitoring. If intact archaeological features are exposed, they shall be screened for data recovery using the appropriate method for site and soil conditions. PW staff and/or the contractor shall allow the on-site Tribal Monitor (see Mitigation Measure 2 in Section VI.18) an opportunity to make recommendations for the disposition of potentially significant archaeological materials found.

1e: A final technical report containing the results of all analyses shall be completed within one year following completion of the field work. This report shall be submitted to the Northwest Regional Information Center at Sonoma State University.

Cultural Resources 5(c) – Less than Significant

No Native American human remains or significant cultural resources are known to exist within the project site. If unanticipated human remains are unearthed, State Health and Safety Code Section 7050.5 requires no further disturbance to occur until the county coroner has made the necessary findings as to the origin and disposition pursuant to the Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission, which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site and make recommendations to the landowner within 48 hours of being granted access. The project would also be required to cease further excavation in the area surrounding the remains until the coroner and the NAHC, if applicable, are contacted and the find is treated in accordance with Public Resources Code Sections 5097.98 - 5097.994. Therefore, with adherence to existing regulations, impacts to human remains would be **less than significant**. No additional mitigation would be required.

6. ENERGY **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (Source: IX. 1, 5, 7, 24, 25)	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Source: IX. 1, 5, 7, 24, 25)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

Energy 6(a) – Less Than Significant

The project would be responsible for an incremental increase in the consumption of energy resources during construction due to onsite use of construction equipment and vehicle trips. All project construction equipment would be required to comply with the CARB emissions requirements for construction equipment, which includes measures to reduce fuel-consumption, such as imposing limits on idling and requiring older engines and equipment to be retired, replaced, or repowered. As a result, energy use during construction would not be wasteful, inefficient, or unnecessary. Potential impacts associated with the small temporary increase in consumption of fuel during construction are expected to be less than significant. The project would not result in a net increase in VMT, and energy demand of the rehabilitated well and automated booster station would be similar to existing conditions. Operation of the proposed water system improvements would be substantially similar to existing conditions, and nominal impacts are expected from project operation. Therefore, the project would not result in wasteful, inefficient, or unnecessary consumption of energy resources. The impact would be **less than significant**. No mitigation would be required.

Energy 6(b) – Less Than Significant

The County of Monterey adopted a Municipal Climate Action Plan (CAP) in 2013 and is currently preparing a 2030 Community Climate Action Plan. The 2013 CAP included GHG reduction strategies to increase energy efficiency at County facilities (County of Monterey 2013). The 2030 CAP update is anticipated to include a net-zero greenhouse gas (GHG) emissions goal for County facilities (County of Monterey 2022). As previously described, operation of the proposed water system improvements would be substantially similar to existing conditions. The rehabilitated well and automated booster system would replace older infrastructure and would likely result in energy savings compared to existing conditions. Therefore, the proposed project would not conflict with local energy efficiency plans. The impact would be **less than significant**. No mitigation would be required.

7. GEOLOGY AND SOILS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: IX. 8) Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking? (Source: 8)	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction? (Source: IX. 8)	☐	☐	☐	☒
iv) Landslides? (Source: IX. 8)	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil? (Source: IX. 1, 8)	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: IX. 1, 8, 9)	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial risks to life or property? (Source: IX. 8)	☐	☐	☐	☒
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? (Source: NA)	☐	☐	☐	☒
f) Directly or indirectly destroy a paleontological resource or site or unique geologic feature? (Source: IX. 8)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

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? (Source: IX. 1, 7, 19, 24)	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Source: IX. 1, 2, 7, 19, 24)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

Greenhouse Gas Emissions 8(a) – Less Than Significant

In accordance with Section 15183.5(b) of the CEQA Guidelines, a plan for the reduction of greenhouse gas (GHG) may be used to analyze whether a project would result in significant GHG emissions provided that the plan includes specific elements. Plans that meet the listed requirements are referred to as Qualified GHG Reduction Plans. Qualified Plans are required to include: an emissions inventory, establish baselines below which GHG emissions would not be cumulatively considerable, estimate future GHG emissions in the covered geographic area, specify measures to meet emissions reduction targets, establish a mechanism to monitor plan progress, and be adopted following environmental review. The County's 2013 CAP is not a qualified plan. However, the project's contribution of GHG emissions would be limited to an incremental increase in greenhouse gas (GHG) emissions by usage of fossil fuels during construction. Construction GHG emissions were estimated using the RCEM model, consistent with the Air Quality analysis. The approximately 45-day construction period would result in minimal one-time total GHG emissions of approximately 50 metric tons carbon dioxide equivalent (MT CO2e). Additionally, as outlined in the Bay Area Air Quality Management District's recently adopted GHG thresholds, construction emissions typically represent a very small portion of a project's lifetime GHG emissions. Therefore, the significance of GHG emissions and emissions reduction planning focuses on on-going annual GHG contributions. The project would not result in a net increase in VMT, and energy demand of the rehabilitated well and automated booster station would be similar to existing conditions. The rehabilitated well and automated booster system would replace older infrastructure and would likely result in energy savings compared to existing conditions. As such, the project would not result in an ongoing contribution to GHG emissions. Therefore, the potential impact associated with GHG emissions would be **less than significant**. No mitigation would be required.

Greenhouse Gas Emissions 8(b) – Less Than Significant

See the discussion under Energy 6(b) above. The County of Monterey adopted a Municipal Climate Action Plan (CAP) in 2013 and is currently preparing a 2030 Community Climate Action Plan. As previously described, operation of the proposed water system improvements would be substantially similar to existing conditions and upgraded facilities would likely be more energy efficient than existing equipment. The proposed project would not result in a net increase in ongoing GHG emissions and would not include any components that would conflict with CAP implementation. Therefore, the impact would be **less than significant**. No mitigation would be required.

9. HAZARDS AND HAZARDOUS MATERIALS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: IX.1, 8, 18)	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: IX.1, 8, 18)	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: IX.1, 8)	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: IX.1, 8, 18)	☐	☐	☐	☒
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? (Source: IX.1, 8, 22)	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: IX.1, 8)	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (Source: IX.1, 8, 13)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

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 groundwater quality? (Source: IX. 1, 9, 27)	☐	☐	☐	☒
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such	☐	☐	☐	☒

10. HYDROLOGY AND WATER QUALITY **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
that the project may impede sustainable groundwater management of the basin? (Source: IX. 1, 8, 27)				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) result in substantial erosion or siltation on- or off-site? (Source: IX. 1, 8, 9)	☐	☐	☐	☒
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? (Source: IX. 1, 3, 8, 9)	☐	☐	☐	☒
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? (Source: IX. 1, 9)	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (Source: IX. 1, 3, 8, 9)	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Source: IX. 1, 27)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

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? (Source: IX. 1, 2, 3, 9)	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (Source: IX. 1, 2, 3, 9)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

The project site is a portion of a developed regional park within an area zoned for public and quasi-public uses. The proposed project would involve water system improvements, including the

rehabilitation of an existing well, the installation of new irrigation pipeline, and upgrades to an existing booster station. The project site is subject to the policies of the 2010 Monterey County General Plan and Toro Area Plan. As proposed, the project is consistent with the site's land use designation and zoning and would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation.

Due to the site's location within an area of archaeological and biological resources, the project has the potential to impact biological and/or unknown or previously undiscovered archaeological or tribal cultural resources. See Section VI.4, Biological Resources, Section VI.5, Cultural Resources, and Section VI.18, Tribal Cultural Resources, for additional information and analysis related to these resource areas.

Land Use and Planning 11(a) – No Impact

The project would not physically divide an established community. Water system improvements would not cut off connected neighborhoods or land uses from each other. No new roads, linear infrastructure, or other development features are proposed that would divide an established community or limit movement, travel or social interaction between established land uses. As proposed, the project would not physically divide an established community. Therefore, there would be **no impact**. No mitigation would be required.

Land Use and Planning 11(b) – No Impact

The proposed project would be subject to the policies of the 2010 Monterey County General Plan and Toro Area Plan. As proposed and described in this Initial Study, the project is consistent with and would have no impact on the land use designation and/or zoning, and the project would not conflict with land use policies specified in these documents. The proposed project was reviewed for consistency with the Toro Area Plan. As designed, the project is consistent with applicable Toro Area Plan policies as discussed throughout this Initial Study. Specifically, the project would meet the applicable policies related to land use and conservation and open space within the Toro Area Plan, including T-1.2 (development of utilities) and T-3.3 (building setbacks in critical viewsheds). Prior to implementation, the project would require issuance of construction permits from the County of Monterey. As proposed and described, the project would not conflict with any land use plan, policy, or regulation. Therefore, there would be **no impact**. No mitigation would be required.

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.1, 8, 9, 14)	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: IX.1, 8, 9, 14)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

13. NOISE Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: IX. 1, 22, 23)	☐	☐	☒	☐
b) Generation of excessive ground borne vibration or ground borne noise levels? (Source: IX. 1, 22)	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: IX. 1, 21)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

Noise 13(a) – Less than Significant

The proposed project would replace existing water infrastructure with similar components. There are no project components that would produce a permanent increase in noise throughout the project area compared to existing conditions. The project would result in a short-term (45 day) noise increase in the immediate vicinity of construction. Sound levels from typical construction equipment range from 74 to 85 dBA Leq at 50 feet from the source. Construction would comply with Chapter 10.60 of the County's Municipal Code, Noise Control, which prohibits operation of machinery that produces a noise level that exceeds 85 dBA measured at 50 feet. The nearest sensitive receptors to the construction area would be residences located approximately 650 feet west, across State Route 68. At this distance, noise levels from construction equipment would typically be reduced to 63 dBA or below and would generally not be audible over ambient noise levels. The project would not generate a substantial permanent or temporary increase in noise

levels in the project vicinity. Therefore, the impact would be **less than significant**. No mitigation would be required.

Noise 13(b) – Less than Significant

Land uses in which ground borne vibration could potentially interfere with operations or equipment, such as research, manufacturing, hospitals, and university research operations are considered vibration sensitive. There are no vibration sensitive land uses within the project area.

The main concern associated with the proposed project would be ground borne vibration that results in individual residential annoyance. The Federal Transit Administration (FTA) has published vibration impact criteria to determine whether vibration would result in an annoyance to residents. Construction vibration is subject to the FTA's infrequent event criteria because operation of vibration-generating equipment is anticipated to be intermittent throughout the day in the vicinity of an individual receptor. Residences fall into FTA Land Use Category 2, which is a receptor where people normally sleep. The FTA identifies 80 VdB as the generation level from infrequent events that would potentially disturb residents.

Representative typical vibration levels for construction equipment required for the proposed project are provided in **Table NOI-1**. As shown in **Table NOI-1**, vibration levels from all construction equipment would be reduced to a maximum 80 VdB beyond 45 feet from the construction area. The nearest sensitive receptors to the construction area would be residences located approximately 650 feet west. Therefore, the impact related to exposure to ground borne vibration to individual residents within the project area throughout project implementation would be **less than significant**. No mitigation would be required.

Table NOI-1 Vibration Source Levels for Construction Equipment

Construction Equipment	Approximate VdB at 25 feet	Approximate VdB at 45 feet[(1)]
Large Bulldozer	87	79
Loaded Trucks	86	78
Small Bulldozer	58	49

[(1)] Based on the formula VdB = VdB (25 feet) – 30log(d/25) provided by the FTA (2006)
Source: XI. 22

Noise 13(c) – No Impact

The closest airports to the project area are the Salinas Municipal Airport which is located approximately 5.7 miles to the northeast, and the Monterey Regional Airport which is located approximately 7.9 miles to the west. The proposed project is not within the 65 dBA CNEL noise contour for the airports. Additionally, operation of the project would not introduce any new receptors to the airport planning area. Therefore, there would be **no impact** related to aircraft noise. No mitigation would be required.

14. POPULATION AND HOUSING **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: IX.1, 2, 3, 9, 15)	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (Source: IX.1, 2, 3, 15)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

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 (Source: IX.1, 8, 15)				
a) Fire protection?	☐	☐	☐	☒
b) Police protection?	☐	☐	☐	☒
c) Schools?	☐	☐	☐	☒
d) Parks?	☐	☐	☐	☒
e) Other public facilities?	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

16. RECREATION Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: IX.1, 3, 15)	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: IX.1, 3, 8, 9, 15)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

17. TRANSPORTATION/TRAFFIC Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? (Source: IX. 1, 2, 3, 12)	☐	☐	☐	☒
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? (Source: IX. 1, 2, 3, 12)	☐	☐	☐	☒
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: IX. 1, 8, 9)	☐	☐	☐	☒
d) Result in inadequate emergency access? (Source: IX. 1, 2, 3)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

18. TRIBAL CULTURAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code 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:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or (Source: IX. 1, 2, 3, 8, 9, 10)	☐	☐	☐	☒
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (Source: IX. 1, 2, 3, 8, 10, 17)	☐	☒	☐	☐

Discussion/Mitigation/Conclusion:

Tribal Cultural Resources 18(a.i) – No Impact

The property does not contain any structures, structural improvements or features that may be considered historical resources eligible for listing. Therefore, there would be **no impact**. No mitigation would be required.

Tribal Cultural Resources 18(a.ii) – Less than Significant with Mitigation Incorporated

Due to the project site's location within an area of high archaeological sensitivity, and because the project includes trenching for installation of new irrigation pipeline, there is a potential for human remains and/or tribal cultural artifacts to be inadvertently discovered. Therefore, Monterey County Public Works (PW) consulted with local Native American tribes. Tribal representatives also identified the project area as highly sensitive and requested monitoring of all ground disturbance. Therefore, the County incorporated their recommended actions into the mitigation measure below.

Pursuant to Public Resources Code Section 21080.3.1 et seq., and General Plan Policy OS-8.6, PW staff initiated AB52 consultation with local Native American tribes on August 3, 2022. On August 10, 2022, the Esselen Tribe of Monterey County (ETMC) submitted a letter to PW requesting consultation, identifying the area as highly sensitive, requesting monitoring of all

ground disturbance by a member of ETMC, and recommending a subsurface evaluation (i.e., testing) and preconstruction training.

Subsequently, PW staff consulted with an Ohlone, Coastanoan, Esselen Nation (OCEN) representative on September 22, 2022, and with representatives of ETMC on September 23, 2022. During consultation, representatives of both tribes requested the following: 1) the on-site presence of a Native American monitor from their respective tribe to observe all excavation activities associated with development of the site; 2) inclusion in any resource recovery program or reburial; and 3) that PW staff forward the archaeological report for review.

After consultation with OCEN and ETMC, PW staff directed and Albion Environmental completed subsurface testing. The test results were negative, and Albion found no evidence of potentially significant cultural materials within the project area. Albion determined that no further archeological investigation is recommended.

However, in response to the requests made by tribal representatives during consultation and due to the project site's proximity to Toro Creek, Mitigation Measure 2 has been applied to address inadvertent discovery of cultural resources and to reduce potential impacts to unknown tribal cultural resources to a less than significant level. Mitigation Measure 1 (described in Section VI.5) would require a cultural resources awareness training program provided by a project archaeologist for construction crew members prior to soil disturbance. Mitigation Measure 2 (described below) would require that, if tribal cultural artifacts or human remains are discovered, these resources are treated with appropriate dignity and respect, and in accordance with applicable law. Therefore, the potential impact to Tribal Cultural Resources would be **less than significant with mitigation** incorporated.

Mitigation Measure 2 – On-Site Tribal Monitor:
To ensure that Tribal Cultural Resources incur a less than significant impact if encountered, a Tribal Monitor approved by the appropriate tribe traditionally and culturally affiliated with the vicinity of the subject parcel and that has consulted with the County and designated one lead contact person in accordance with AB 52 requirements, or other appropriately NAHC-recognized representative, shall be on-site and observe all project-related grading and excavation to identify findings with tribal cultural significance. This Tribal Monitor shall have the authority to temporarily halt work to examine any potentially significant cultural materials or features. This mitigation is not intended to alleviate responsibility of the owner or its agents from contacting the County Coroner and complying with State law if human remains are discovered.

Compliance Actions for Mitigation Measure 2:

2a: Prior to issuance of construction permits for grading or building, Monterey County Public Works (PW) staff and/or the contractor shall include a note on the construction plans encompassing the language contained in Mitigation Measure 2, including all compliance actions. PW staff shall submit said plans to HCD-Building for review and approval.

2b: Prior to issuance of a construction permit for grading and/or building, PW staff shall submit evidence to HCD-Building that a monitor approved by the appropriate tribe traditionally and culturally affiliated with the vicinity of the subject parcel and that has

consulted with the County and designated one lead contact person in accordance with AB 52 requirements, or other appropriately NAHC-recognized representative, has been retained to monitor the appropriate construction activities. This Tribal Monitor shall be retained for the duration of any project-related grading and excavation.

2c: Any artifacts found that are not associated with a finding of human remains shall be cataloged by both the Tribal Monitor and the qualified archaeological monitor. Once cataloged, the qualified archaeological monitor will take temporary possession of the artifacts for testing and reporting purposes. Upon completion of these testing and reporting activities, all artifacts, at the discretion of the property owner, shall be returned within one (1) year to a representative of the appropriate local tribe as recognized by the Native American Heritage Commission, or the Monterey County Historical Society. A final technical report containing the results of all analyses shall be completed within one year following completion of the field work. This report shall be submitted to the Northwest Regional Information Center at Sonoma State University. Artifacts associated with a finding of human remains shall be reburied in accordance with State Law and penalty for violation pursuant to PRC section 5097.994.

2d: Prior to final inspection, the Tribal Monitor or other appropriately NAHC recognized representative shall submit a letter to HCD-Building confirming participation in the monitoring and provide a summary of archaeological and /or cultural finds or no finds, as applicable.

19. UTILITIES AND SERVICE SYSTEMS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? (Source: IX. 1, 3, 8)	☐	☐	☐	☒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? (Source: IX. 1, 3, 8)	☐	☐	☐	☒
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. NA)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: See Sections II and IV.

20. WILDFIRE **If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan? (Source: IX.1, 8, 13)	☐	☐	☒	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (Source: IX.1, 8, 13)	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (Source: IX.1, 8, 13)	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (Source: IX.1, 8, 13)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

The project area is located in a State Responsibility Area (SRA) and Local Responsibility Area (LRA). The majority of the project area is designated as a High Fire Hazard Severity Zone, and small portions are designated as Moderate or Very High Fire Hazard Severity Zones. While nearly all of California is subject to some degree of wildfire hazard, there are specific features that make certain areas more hazardous. CAL FIRE is required by law to map areas of significant fire hazards based on fuels, terrain, weather and other relevant factors. The primary factors that increase an area's susceptibility to fire hazards include topography and slope, vegetation type and vegetation condition, and weather and atmospheric conditions. CAL FIRE maps fire hazards based on zones, referred to as Fire Hazard Severity Zones. Each of the zones influence how people construct buildings and protect property to reduce risk associated with wildland fires. Under state regulations, areas within HFHSZ must comply with specific building and vegetation management requirements intended to reduce property damage and loss of life within these areas.

In California, responsibility for wildfire prevention and suppression is shared by federal, state and local agencies. Federal agencies have legal responsibility to prevent and suppress wildfires in Federal Responsibility Areas (FRAs). CAL FIRE prevents and suppresses wildfires in SRA lands, which are non-federal lands in unincorporated areas with watershed value, are of statewide interest, defined by land ownership, population density, and land use. Wildfire prevention and suppression in Local Responsibility Areas (LRA) are typically provided by city fire departments, fire protection districts, counties, and by CAL FIRE under contract to local government. In Toro Park, CAL FIRE responds to wildfires and Monterey County Regional Fire District responds to structural fires.

Wildfire 20(a & c) – Less than Significant

The proposed project would not impair an adopted emergency response plan or emergency evacuation plan as the proposed project would involve minor water system improvements, including the rehabilitation of an existing well, installation of new irrigation pipeline, and upgrades to an existing booster system. The local roadway (Highway 68/Monterey Salinas Highway) that serves as primary access to the site is an identified primary evacuation route. However, the project would not impact traffic flow along the highway, nor would it limit access to and from the highway via Toro Park. The closest fire station is the Toro Station located at 19900 Portola Drive, approximately 1 mile north of the project site. Based on this information, it is not anticipated that the proposed project would substantially impair an adopted emergency response plan or emergency evacuation plan.

Defensible space would be required within 100 feet of the project's structures (well enclosure and booster station) to reduce fire hazard on-site, consistent with state and county requirements. Defensible space zones are passive measures and would not impede site access or otherwise hinder evacuation or emergency response efforts. Presence of defensible space areas would reduce fuel volumes and moderate fire behavior near structures and would reduce potential wildfire impacts. Maintenance of defensible space areas may require heat-or spark-generating equipment; however, maintenance activities associated with the proposed project would be conducted using firesafe practices, as required by California Public Resources Code Sections 4427, 4428, 4429, 4431, and 4442, to minimize the potential for wildfire ignitions resulting from equipment use. With implementation of existing local and state regulations, the proposed project would not result in impacts.

The potential impact would be **less than significant**. No mitigation would be required.

Wildfire 20 (b & d) –Less than Significant

The project area is located in a SRA and is designated primarily as a High Fire Hazard Severity Zone, with small portions of the project area designated as Moderate or Very High Fire Hazard Severity Zones. As a result, there is the potential for increased wildfire risk from construction and/or operation activities. Construction of the proposed project would involve the use of equipment, materials, and tools capable of generating a spark and igniting a wildfire. Additionally, vehicle traffic and human presence in the project area could increase the potential for wildfire ignitions. However, the project site is a relatively open park area with defensible space and the associated structures would be non-habitable. Construction activities would be completed according to the latest California Building Code standards, and any additional restrictions or requirements adopted locally by the Monterey County Regional Fire District and CAL FIRE. Defensible space areas within 100 feet of all project structures (well enclosure and booster station) would be maintained consistent with Public Resources Code 4291. Further, in accordance with California Public Resources Code Sections 4427, 4428, 4431, and 4442, maintenance activities associated with the proposed project, including defensible space areas, would be conducted using firesafe practices to minimize the potential for wildfire ignitions resulting from equipment use.

As described in Section IV.7, Geology and Soils, the project site has a low to moderate potential for landslides and a low potential for erosion. The project would be required to comply with

relevant sections of the Monterey County Code that pertain to grading and erosion control (Monterey County Code Chapters 16.0 and 16.12). Also, the project would not introduce new residents, workers, or visitors to the project site beyond temporary construction workers. The project does not include the construction of features which could exacerbate wildfire risk or otherwise result in impacts to the environment associated with wildfire. According to FEMA, the site is in an area of minimal flooding potential. Furthermore, the area immediately surrounding the project features essentially flat topography. There would be no potential for flooding or landslide to occur as result of wildland fire. As proposed, the project would not result in impacts associated with runoff, post-fire slope instability or drainage changes.

Overall, the impact would be **less than significant**. No mitigation would be required.

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) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
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)?	☐	☐	☒	☐
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

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

As discussed in this Initial Study, the project would have no impact, a less than significant impact, or a less than significant impact after mitigation with respect to all environmental issues. Regarding biological resources, less than significant impacts to habitat or biological communities are anticipated to occur as a result of the proposed project, as described in section VI.4 above. All elements of the proposed project, including construction staging, would occur within an existing area disturbed by many years of recreational/park operations and would not alter any habitat area. Regarding cultural and tribal cultural resources, potential impacts to any unknown or undiscovered resources within the project site would be reduced to a less than significant level by implementing the Mitigation Measures 1 and 2, as described in Section VI.5, Cultural Resources and in Section VI.18, Tribal Cultural Resources. The impact would be **less than significant with mitigation incorporated**.

Mandatory Findings of Significance (b) – Less Than Significant

As discussed in this Initial Study, the project would have no impact, a less than significant impact, or a less than significant impact after mitigation with respect to all environmental issues. While the proposed development could result in minor impacts which inherently contribute to cumulative impacts in some instances, the project would not result in substantial long-term environmental impacts and, therefore, would not contribute to cumulative environmental changes that may occur due to planned and pending development. Potential impacts of the project would be **less than significant** and would not be cumulatively considerable.

Mandatory Findings of Significance (c) – Less Than Significant

Effects on human beings are generally associated with impacts related to issue areas such as aesthetics, air quality, greenhouse gas emissions, energy, geology and soils, noise, hazards and hazardous materials, traffic, and wildfire. As discussed in this Initial Study, the project would have no impact in the resource areas related to aesthetics, geology and soils, hazards and hazardous materials, and traffic. As discussed in Section VI., Environmental Checklist, of this Initial Study, the project would have less than significant impacts related to air quality, energy, greenhouse gas emissions, noise, and wildfire. Therefore, as proposed and analyzed in this Initial Study, the project would not cause substantial adverse effects on human beings, either directly or indirectly; and the impact would be **less than significant**.

VIII. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

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

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

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

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

Evidence: Based on the record as a whole as embodied in the Public Works, Facilities, and Parks files pertaining to the subject project and the attached Initial Study / Proposed Mitigated Negative Declaration.

IX. SOURCES

1. Project Materials and Plans
2. Monterey County General Plan (2010)
3. Toro Area Plan
4. Title 21 of the Monterey County Code (Inland Zoning Ordinance)
5. California Building Code, Title 24
6. 2017. 2012 – 2015. Air Quality Management Plan, Monterey Bay Air Resources District, March 15, 2017
7. Monterey County Sustainability Program. Accessed August 20, 2022. Available at https://www.co.monterey.ca.us/government/departments-a-h/administrative-office/intergovernmental-and-legislative-affairs/sustainability
8. Monterey County GIS Information Database
9. Site visit conducted by County and contract planning staff on May 3, 2022
10. Phase I Cultural Resources Inventory, dated September 2022, and Extended Phase I Cultural Resources Study, dated November 2022, prepared by Albion Environmental, Santa Cruz, California
11. Site visit conducted by contract biological staff on March 8, 2022
12. 2040 Metropolitan Transportation Plan & the Sustainable Communities Strategy, Association of Monterey Bay Area Governments, June 2018
13. Fire Hazard Severity Zones in SRA: Monterey County, CalFire
14. Mineral Lands Classification Data Portal, California Department of Conservation
15. Population and Housing Estimates for Cities, Counties, and the State, California Department of Finance
16. Farmland Mapping and Monitoring Program, California Department of Conservation
17. Esselen Tribe of Monterey County Letter, dated August 8, 2022 (received by HCD-Planning on August 8, 2022)
18. California Department of Toxic Substances Control - Cortese List (accessed at https://dtsc.ca.gov/dtscs-cortese-list/ on July 20, 2022)
19. Bay Area Air Quality Management District (BAAQMD). 2022. Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans
20. California Air Resources Board (CARB). 2022a. “Maps of State and Federal Area Designations” https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations Accessed July 15, 2022
21. City of Salinas. 2017. Airport Overlay Districts

22. Federal Transit Administration (FTA). 2018. Transit Noise and Vibration Impact Assessment Manual. Office of Planning and Environment. Washington, DC. September 2018

23. Federal Highway Administration (FHWA). Roadway Construction Noise Model User's Guide. January 2006

24. Monterey Bay Air Resources District (MBARD). CEQA Air Quality Guidelines. Monterey, CA. February 2008

25. County of Monterey. 2013. Monterey County Municipal Climate Action Plan.

26. The Central Coast Basin Plan, Central Coast Regional Water Quality Control Board

27. Calflora. 2022. Calflora Database. Accessed September 2022. https://www.calflora.org/.

28. CCH (Consortium of California Herbaria). 2022. "Consortium of California Herbaria (CCH)." Accessed September 2022. https://ucjeps.berkeley.edu/consortium/about.html.

29. CDFW (California Department of Fish and Wildlife). 2021. California Natural Community List. August 18. Accessed September 2022. https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=153398&inline.

30. CDFW. 2022a. California Natural Diversity Database (CNDDB). Accessed September 2022. https://wildlife.ca.gov/Data/CNDDB.

31. CDFW. 2022b. Biogeographic Information and Observation System (BIOS). Accessed September 2022. https://apps.wildlife.ca.gov/bios/.

32. CNPS (California Native Plant Society). 2022. Inventory of Rare and Endangered Plants of California. Online edition, v8-03 0.39. Accessed September 2022. http://www.rareplants.cnps.org/index.html.

33. USFWS (U.S. Fish and Wildlife Service). 2022a. Information for Planning and Consultation (IPac). Accessed September 2022. https://ecos.fws.gov/ipac/.

34. USACE. 2022. Traditional Navigable Waters in San Francisco District. Accessed September 2022. https://www.spn.usace.army.mil/Missions/Regulatory/Jurisdiction/.

35. USFWS. 2022b. National Wetlands Inventory Wetlands Mapper. Accessed September 2022. https://www.fws.gov/wetlands/data/Mapper.html.