

CITY OF SALINAS
Community Development Department
65 West Alisal Street, Salinas, CA 93901

(MITIGATED) NEGATIVE DECLARATION

The project described below has been reviewed in accordance with the California Environmental Quality Act (CEQA) and has been determined to have an insignificant effect upon the environment.

Project's Common Name: 1 Preston Street Project

File No.(s): General Plan Amendment 2022-001(GPA 2022-001) and Rezone 2022-001 (RZ2022-001)

Project Applicant: City of Salinas

Project Location: The proposed project is located at 1 Preston Street in Salinas, California. The project site is comprised of a single parcel, Assessor's Parcel Number (APN) 003-161-008-000.

Project Description: The 1 Preston Street Project would involve a General Plan Amendment (GPA) and Rezone (RZ) to modify the existing land use and zoning designations of the vacant 2.6-acre lot at 1 Preston Street. The proposed GPA would change the General Plan land use designation of Residential Medium Density (8-15 units/acre) to Residential High Density (15-20 units/acre). The RZ would change the zoning from Residential Medium Density (R-M-3.6) to Residential High Density (R-H-2.1). The purpose of the proposed GPA and RZ is to facilitate the production of high-density housing, consistent with the City's General Plan. The GPA and RZ would affect 2.6 acres and would facilitate the development of up to approximately 76 housing units (anticipating a density bonus) across approximately 129,202 square feet. The project is intended to encourage the development of higher density development that would provide new housing that would be consistent with the Salinas General Plan. This project is being partially funded by Senate Bill 2 grant funding for the purpose of increasing housing production in the city.

Determination: The attached Initial Study-Mitigated Negative Declaration has been prepared for the above project in accordance with the California Environmental Quality Act and procedures established in the *CEQA Guidelines* adopted by the City of Salinas. On the basis of the Initial Study, the City of Salinas makes the following determination:

- The above project will not have a significant effect on the environment, and a NEGATIVE DECLARATION is hereby approved.
- The above project could have a significant effect on the environment, but WILL NOT have a significant effect in this case because the attached mitigation measures have been made by or agreed to by the applicant which will avoid the effects or mitigate the effects to a point where clearly no significant effects will occur. Furthermore, there is no substantial evidence


before the City of Salinas that the proposed project, as revised, may have a significant effect on the environment. A (MITIGATED) NEGATIVE DECLARATION is hereby approved.

Mitigation measures, if any, included in the project to avoid potentially significant effects:

(See attached Mitigation Monitoring Program)

Further information about this project and about its probable environmental impact will be on file in the Community Development Department, 65 West Alisal Street, Salinas, CA 93901.

OSCAR RESENDIZ
Associate Planner

By: 

Oscar Resendiz
Associate Planner

Date: 01/23/23

Attached: 1 Preston Street Mitigation Monitoring and Reporting Program

**1 Preston Street Project
MITIGATION MONITORING AND REPORTING PROGRAM
1 PRESTON STREET
(GENERAL PLAN AMENDMENT 2022-001 AND REZONE 2022-001)**

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
BIO-1: Nesting Bird Surveys and Avoidance	<p>To avoid disturbance of nesting and special-status birds or migratory species protected by the MBTA and Sections 3503, 3503.5, and 3513 of the CFGC, activities related to the project site development, including, but not limited to, vegetation removal, shall occur outside of the bird breeding season (February 1 through August 30). If ground disturbance, vegetation removal or heavy equipment work must begin within the nesting season, then the project applicant shall submit evidence to the City that a qualified biologist conducted a pre-construction nesting bird survey within 14 days of the start of construction. The nesting bird pre-construction survey shall be conducted within the disturbance footprint and a 300-foot buffer.</p> <p>If nests are found, an avoidance buffer shall be established by a qualified biologist. The buffer shall be established to ensure nesting activity is not disturbed by construction activity, and shall be determined by the qualified biologist based on the species' known tolerances, the proposed work activity, and existing disturbances associated with land uses outside of the site. The buffer shall be demarcated by the biologist with bright construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground disturbing activities shall occur within this buffer until the qualified biologist has confirmed that breeding/nesting has completed, and the young have fledged the nest, or the nest has become otherwise inactive. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.</p>	To avoid disturbance of nesting and special-status birds or migratory species protected by the MBTA and Sections 3503, 3503.5, and 3513 of the CFGC.	Applicant, or Successor in Interest.	Development and Engineering Services Department - Community Development Department - Current Planning Division	Within 14 days prior to the start of construction.

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BIO-2: Coast Range Newt Survey and Avoidance	Pre-construction clearance surveys for coast range newt shall be conducted within 14 days prior to the start of construction (including staging and mobilization), the surveys shall cover the entire disturbance footprint. A wildlife exclusion fence shall be placed along the top of bank of the adjacent ditch and maintained regularly to deter wildlife from entering the project area during construction. The project applicant shall submit evidence to the City that a qualified biologist conducted pre-construction clearance surveys for coast range newt no more than 14 days prior to the start of construction.	To minimize impacts to coast range newts.	Applicant, or Successor in Interest.	Development and Engineering Services Department - Community Development Department - Current Planning Division	Within 14 days prior to the start of construction.
BIO-3: Western Pond Turtle Clearance Surveys and Avoidance	Pre-construction clearance surveys for western pond turtle shall be conducted, the surveys shall cover the entire disturbance footprint. A wildlife exclusion fence shall be placed along the top of bank of the adjacent ditch and maintained regularly to deter wildlife from entering the project area during construction. The project applicant shall submit evidence to the City that a qualified biologist conducted pre-construction clearance surveys for western pond turtle no more than 14 days prior to the start of construction.	To minimize impacts to western pond turtles.	Applicant, or Successor in Interest.	Development and Engineering Services Department - Community Development Department - Current Planning Division	Within 14 days prior to the start of construction.
BIO-4: Western Burrowing Owl Surveys and Avoidance	The project applicant shall submit evidence to the City that a qualified biologist conducted pre-construction clearance surveys prior to ground disturbance activities within suitable natural habitats and ruderal areas throughout the project site, to confirm the presence/absence of active western burrowing owl burrows. The surveys shall be consistent with the recommended survey methodology provided by CDFW (2012). Clearance surveys shall be conducted within 30 days prior to construction and ground disturbance activities. If no western burrowing owls are observed, no further actions are required. If western burrowing owls are detected during the pre-construction clearance surveys, the following measures shall apply: <ul style="list-style-type: none"> Avoidance buffers during the breeding and non-breeding season shall be implemented in accordance with the CDFW (2012) and Burrowing Owl Consortium (1993) minimization mitigation measures. 	To minimize impacts to western burrowing owls.	Applicant, or Successor in Interest.	Community Development Department, Current Planning Division	Within 30 days prior to the start of construction.

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	<ul style="list-style-type: none"> If avoidance of western burrowing owls is not feasible, then additional measures such as passive relocation during the nonbreeding season and construction buffers of 200 feet during the breeding season shall be implemented, in consultation with CDFW. In addition, a Western Burrowing Owl Exclusion Plan and Mitigation and Monitoring Plan shall be developed by a qualified biologist in accordance with the CDFW (2012) and Burrowing Owl Consortium (1993). 				
CUL-1: Unanticipated Discovery of Cultural Resources	<p>If archaeological resources are encountered during ground-disturbing activities, work within 50 feet shall be halted and an archaeologist meeting the Secretary of the Interior's Professional Qualification Standards for archaeology (National Park Service 1983) shall immediately to evaluate the find pursuant to PRC Section 21083.2. If necessary, the evaluation may require preparation of a treatment plan and archaeological testing for CRHR eligibility. If the discovery proves to be significant under CEQA and cannot be avoided by the project, additional work may be warranted, such as data recovery excavation (described below), to mitigate any significant impacts to significant resources. If the resource is of Native American origin, implementation of Mitigation Measure TCR-1 may be required. Any reports required to document and/or evaluate unanticipated discoveries shall be submitted to the City for review and approval and submitted to the NWIC after completion. Recommendations contained therein shall be implemented throughout the remainder of ground disturbance activities.</p>	To ensure protection of cultural resources.	Applicant, or Successor in Interest.	Development and Engineering Services Department - Community Development Department	If archaeological resources are encountered during ground-disturbing activities.
GEO-1: Paleontological Resources Monitoring and Mitigation	<p>For grading or excavation exceeding five feet in depth, the City of Salinas shall require the following:</p> <ol style="list-style-type: none"> Qualified Paleontologist. The project applicant shall retain a Qualified Paleontologist prior to excavations that will exceed five feet in depth. The Qualified Paleontologist shall direct all mitigation measures related to 	To ensure protection of paleontological resources.	Applicant, or Successor in Interest.	Development and Engineering Services Department - Community Development Department	During grading or excavation exceeding five feet in depth.

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	<p>paleontological resources. A qualified professional paleontologist is defined by the Society of Vertebrate Paleontology (SVP) standards (SVP 2010) as an individual preferably with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, and who has worked as a paleontological mitigation project supervisor for a least two years (SVP 2010).</p> <p>2. Paleontological Worker Environmental Awareness Program. Prior to the start of construction, the Qualified Paleontologist or his or her designee shall conduct a paleontological Worker Environmental Awareness Program (WEAP) training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff.</p> <p>3. Paleontological Monitoring. Full-time paleontological monitoring shall be conducted during ground disturbing construction activities (i.e., grading, trenching, foundation work) of depths greater than five feet within native (previously undisturbed) sediments. Ground-disturbing activities that impact artificial fill (previously disturbed) sediments only do not require paleontological monitoring. Paleontological monitoring shall be conducted by a qualified paleontological monitor, who is defined as an individual who has experience with collection and salvage of paleontological resources and meets the minimum standards of the SVP (2010) for a Paleontological Resources Monitor. The duration and timing of the monitoring will be determined by the Qualified Paleontologist based on the observation of the geologic setting from initial ground disturbance, and subject to the review and approval by the City of Salinas.</p> <p>4. Final Paleontological Mitigation Report. Upon completion of ground disturbing activity (and curation of fossils if necessary) the Qualified Paleontologist shall</p>				

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	<p>prepare a final report describing the results of the paleontological monitoring efforts associated with the project. The report shall include a summary of the field and laboratory methods, an overview of the project geology and paleontology, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, and recommendations. The report shall be submitted to the City of Salinas Community Development Department. If the monitoring efforts produced fossils, then a copy of the report shall also be submitted to the designated museum repository.</p>				
TRA-1: VMT Reduction Program	<p>The applicant shall prepare and implement a VMT Reduction Program that reduces VMT generated by the project to VMT per capita of 9.95. The following two strategies shall be included in the Program:</p> <p>Pedestrian Network Improvements. Construct pedestrian facilities to connect the site to existing pedestrian facilities on Preston Street. Creating safe pedestrian connections would encourage future residents to walk instead of drive.</p> <p>Include Bike Parking, Pursuant to SMC Section 37-50.400. Provide bicycle parking on site, which would encourage future residents to bike instead of drive.</p> <p>In addition to the above strategies, one or several of the following travel demand management strategies shall be considered for inclusion in the VMT Reduction Program, to achieve a VMT per capita of 9.7 or less:</p> <p>Reduce On-Site Parking. Reduce the number of on-site parking spaces for future residents to less than what is required by SMC Section 20-85; or</p> <p>Implement Unbundled Parking. Separate or “unbundle” parking costs from leases or property costs, requiring those that wish to purchase parking spaces to do so at an additional cost; or</p> <p>Affordable Housing. Provide affordable, below market-rate housing on site; or</p> <p>Voluntary Travel Behavior Change Pattern. Implement a travel behavior change program by offering incentives to future</p>	To reduce vehicle miles traveled per capita.	Applicant, or Successor in Interest.	Public Works Department – Traffic Engineering - Community Development Department - Current Planning	Prior to issuance of a building permit.

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	<p>residents to utilize alternative transportation modes, with at least 75 percent of future residents participating; and</p> <p>Promotions and Marketing. Provide future residents with information regarding alternative transportation and travel demand management programs, with at least 75 percent of future residents participating; and</p> <p>School Carpool Program. Implement a school carpool program among future residents of the project site.</p> <p>The VMT Reduction Program shall be submitted to the City for review and approval prior to issuance of a building permit and shall demonstrate that the net VMT per capita would be 9.7 or less, using a combination of travel demand management strategies approved by the City.</p>				
TCR-1: Inadvertent Discoveries During Construction	<p>In the event that cultural resources of Native American origin are identified during grading or construction, all earth disturbing work within the vicinity of the find shall be temporarily suspended or redirected until a qualified archaeologist has evaluated the nature and significance of the find; an appropriate Native American representative, based on the nature of the find, is consulted; and mitigation measures are put in place for the disposition and protection of any find pursuant to PRC Section 21083.2. If the City, in consultation with local Native Americans, determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with state guidelines and in consultation with local Native American group(s) prior to continuation of any earth disturbing work within the vicinity of the find. The plan shall include avoidance of the resource or, if avoidance of the resource is infeasible, shall outline the appropriate treatment of the resource in coordination with the appropriate local Native American tribal representative and, if applicable, a qualified archaeologist. Examples of appropriate mitigation for tribal cultural resources include, but are not limited to, protecting the cultural character and integrity of the resource, protecting traditional use of the resource, protecting the confidentiality of the resource, or heritage recovery.</p>	To ensure protection of on-site tribal cultural resources.	Applicant, or Successor in Interest.	Development and Engineering Services Department - Community Development Department	If cultural resources of Native American origin are identified during grading or construction.

