DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

for the

2020 CARMEL AREA WASTEWATER DISTRICT SPHERE OF INFLUENCE AMENDMENT AND ANNEXATION PROPOSAL

Prepared for:

Carmel Area Wastewater District

3945 Rio Road

Carmel, CA 93923

Prepared by:

Denise Duffy & Associates

947 Cass Street, Suite 5

Monterey, CA 93940

May 29, 2020

This Page Is Intentionally Blank

TABLE OF CONTENTS

Chapter 1. Project Data Cover Sheet 1
Chapter 2. Introduction and Project Description 5
2.1 Introduction 5
2.2 Project Background 6
2.3 Project Objectives 6
2.4 Project Description 6
2.5 Project Actions 13
Chapter 3. Environmental Factors Potentially Affected 15
Chapter 4. Determination 17
Chapter 5. Initial Study Environmental Checklist 19
5.1 Evaluation of Environmental Impacts 19
5.2 Background and Methodology 20
5.3 Environmental Setting and Impacts 23
5.3.1 Aesthetics 23
5.3.2 Agricultural Resources 25
5.3.3 Air Quality 29
5.3.4 Biological Resources 33
5.3.5 Cultural Resources 39
5.3.6 Energy 42
5.3.7 Geology and Soils 43
5.3.8 Greenhouse Gases 46
5.3.9 Hazards and Hazardous Materials 48
5.3.10 Hydrology and Water Quality 51
5.3.11 Land Use and Planning 55
5.3.12 Mineral Resources 59
5.3.13 Noise 60
5.3.14 Population and Housing 62
5.3.15 Public Services 65
5.3.16 Recreation 66
5.3.17 Transportation 66
5.3.18 Tribal Cultural Resources 68
5.3.19 Utilities and Service Systems 69

5.3.20 Wildfire 71
5.3.21 Mandatory Findings of Significance 73
Chapter 6. Document Preparation/References 75

FIGURES

1. LAFCO CAWD Boundaries 2
2. Existing and Proposed CAWD Boundaries 3
3. Major Properties within Existing and Proposed CAWD Boundaries 9
4. Zoning Designations in Proposed Annexation Areas 10-11
5. Important Farmlands 27
6. Archeological Sensitivity 40
7. Land Use Designation 56-57

TABLES

1. Summary of Proposed SOI Amendment & Annexation 7
2. North Central Coast Air Basin Attainment Status – January 2015 30

APPENDICES

A. Assessor's Parcels in Proposed Annexation Area
B. CAWD Engineered Drawings Proposed Annexation Areas
C. Tribal Consultation
D. CAWD Sewer Mains and Collection Lines

CHAPTER 1. PROJECT DATA COVER SHEET

1. **Project Title:** 2020 Carmel Area Wastewater District Sphere of Influence (SOI) Amendment and Annexation Proposal (proposed project)

2. **Lead Agency Name and Address:** Carmel Area Wastewater District, 3945 Rio Road, Carmel, CA 93923

3. **Contact Person and Phone Number:** Rachél Lather, MS, PE, Principal Engineer, Carmel Area Wastewater District (831) 257-0423 or 624-1248 ex. 203.

4. **Project Proponent:** Carmel Area Wastewater District (CAWD or the District)

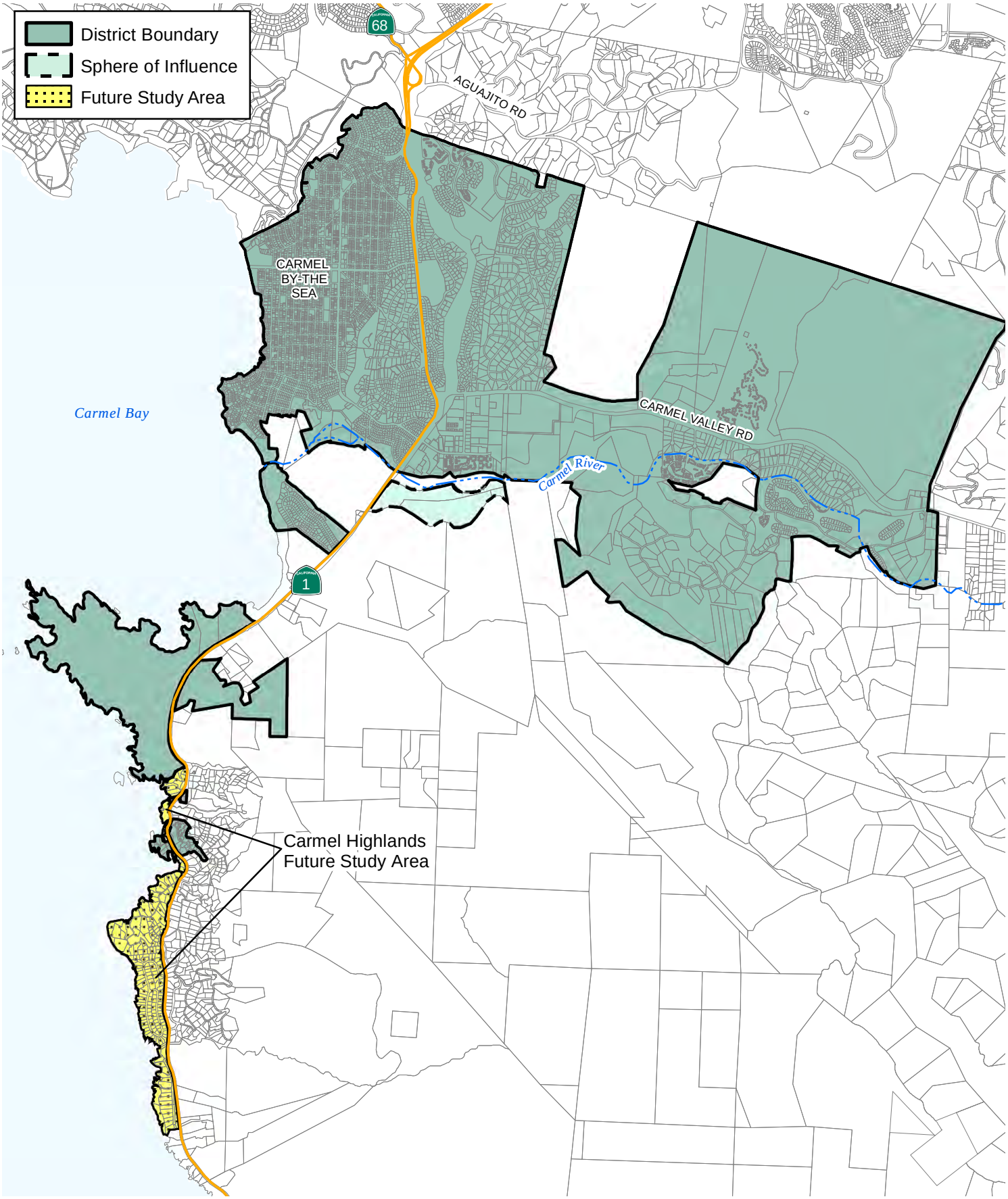
5. **Project Location:** The proposed project location includes all CAWD's current jurisdictional boundaries in Monterey County, California (**Figure 1**) and the areas being considered for Sphere of Influence (SOI) amendment and annexation located in the unincorporated communities of Carmel Valley and Carmel Highlands (**Figure 2**).

6. **Project Description:** The proposed project is the 2020 CAWD SOI amendment and annexation in accordance with relevant codes and ordinances of the District, local jurisdictions, and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The proposed project includes:

   - Annexation of approximately 925 acres of developed land, outside of the current CAWD SOI, in locations where the District either anticipates, or has received applications for, near-term sewer service connection requests. This acreage includes:
     - Annexation of approximately 220 acres outside the District's SOI but previously identified as "Future Study Area" located within the Carmel Highlands.

   The total proposed SOI amendment and annexation would increase the total acreage within the CAWD's jurisdictional boundaries from approximately 6,200 acres to approximately 7,220 acres.

   Appendix A provides a complete list of Assessor's Parcel Numbers for the proposed project area; **Appendix B** includes engineered drawings of these locations/areas.



N

0 1
Mile

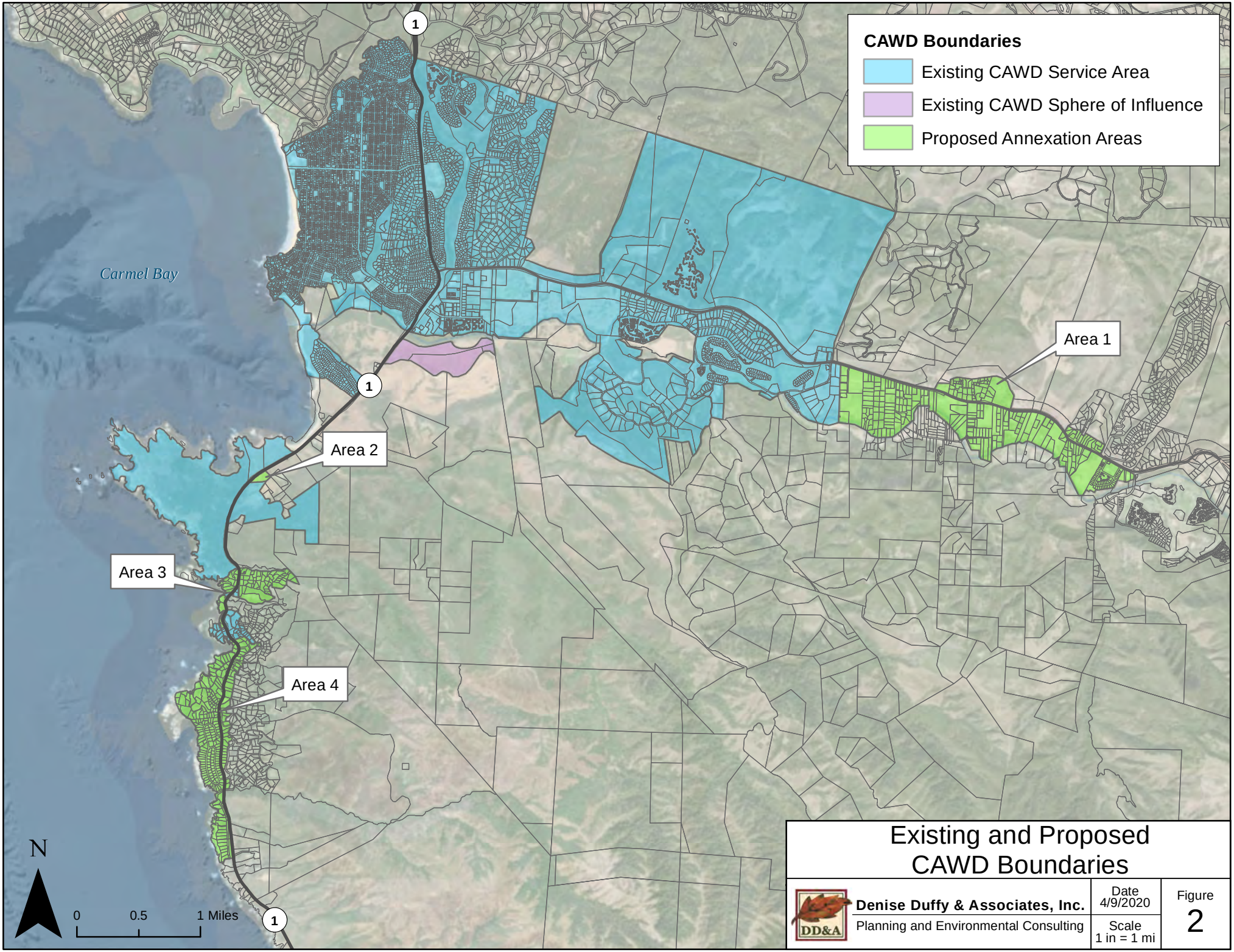
Source: LAFCO of Monterey County, 2016

LAFCO CAWD Boundaries

Denise Duffy & Associates, Inc.
Planning and Environmental Consulting

Date
6/26/2019

Figure
1



Existing and Proposed CAWD Boundaries

Denise Duffy & Associates, Inc. Planning and Environmental Consulting	Date 4/9/2020 Scale 1 in = 1 mi	Figure 2

Path: D:\GIS\GIS_Projects\2019-23 CAWD Annexation\Map Products\Fig 2 Existing and Proposed CAWD Boundaries.mxd

This Page Intentionally Left Blank

CHAPTER 2. INTRODUCTION AND PROJECT DESCRIPTION

2.1 INTRODUCTION

This Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared by Carmel Area Wastewater District (CAWD), as the Lead Agency, pursuant to CEQA (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations Section 15000 et seq.). This document describes the expansion of the District's existing Sphere of Influence (SOI) and the annexation of additional lands into the District's existing jurisdictional boundaries (**Figure 1** and **2**). The Monterey County (County) Local Agency Formation Commission (LAFCO) will act as a Responsible Agency under CEQA for consideration of the approval of the actions identified above.

CAWD is acting as the Lead Agency pursuant to CEQA Guidelines §15050(a) and is responsible for approving the proposed annexation of CAWD's jurisdictional boundaries and a SOI amendment as described in this document. A SOI is the probable physical boundaries and jurisdictional boundaries of a local government or public agency that is developed by LAFCOs in each county pursuant to State law. As indicated above, CAWD is proposing that their SOI be amended and annexed to include the proposed areas. Pursuant to State law, the LAFCO of Monterey County is responsible for reviewing and approving proposed jurisdictional boundary changes, including SOI amendments and annexations.

As the Lead Agency, CAWD prepared this IS/MND in accordance with State CEQA Guidelines §15063, §15070, and §15152. Pursuant to §15070, a "public agency shall prepare…a proposed negative declaration or mitigated negative declaration…when: (a) The Initial Study shows that there is no substantial evidence…that the project may have a significant impact on the environment, or (b) The Initial Study identifies potentially significant effects but revisions to the project plans or proposal are agreed to by the applicant and such revisions would reduce potentially significant effects to a less-than-significant level."

The purpose of this document is to present to decision-makers and the public information about the environmental consequences of implementing the proposed project. This Initial Study reviews the primary proposed project of the SOI amendment and annexation. This document will also serve as a basis for soliciting comments and input from members of the public and public agencies regarding the proposed project. **The Draft IS/MND will be available for a 30-day public review period from June 1, 2020 to June 30, 2020, during which period comments concerning the analysis contained in the IS/MND should be sent to: Rachél Lather, ME, PE, Principal Engineer, CAWD, 3945 Rio Road, Carmel, CA 93923. E-mail comments may be addressed to: Lather@cawd.org. If you wish to send written comments (including via e-mail), they must be received by 5:00 P.M. on June 30, 2020.** After comments are received from the public and reviewing agencies, CAWD may (1) adopt the IS/MND and approve the proposed project; (2) undertake additional environmental studies; or (3) revise or abandon the proposed project.

2.2 PROJECT BACKGROUND

CAWD was formed on July 8, 1908, under the name Carmel Sanitary District. The District was originally formed to serve the community of Carmel-by-the-Sea some 10 years prior to its incorporation in 1916. The District was reorganized in 1934 under the name "Carmel Sanitation District." More recently (and to better describe the service provided by the District), the name was changed to the "Carmel Area Wastewater District." The District conforms to the provisions of the California Health and Safety Code (Sections 6400-6924).

The District serves an area bounded by Carmel Bay to the west, Carmel Highlands to the south and Del Monte Forest to the north. Service extends as far east as Quail Meadows and Del Mesa Carmel. The jurisdictional boundaries consist of the City of Carmel-by-the-Sea and outlying County areas including Carmel Woods, Hatton Fields, portions of lower Carmel Valley, Carmel Meadows, Hacienda Carmel, Del Mesa Carmel, Quail Meadows, Pacific Meadows and to the south, Highlands Inn, the Tickle Pink Inn, the Highlands Sanitary Association and several individual lots in the vicinity. The total jurisdictional boundaries have a permanent population of approximately 11,000 people.

The District owns, operates, and maintains sewer collection lines within its boundaries. The District's collection facilities consist of approximately 83 miles of sewer lines, five miles of force mains, and seven pump stations. The District currently has 6,671 sewer connections, 6,298 of which are residential. Wastewater is conveyed to the District's treatment plant, which is located south of Carmel on State Route (SR) 1 between the Crossroads area and the Carmel Meadows residential development (LAFCO, 2016). The District operates a treatment facility for wastewater collected by the District and the adjacent Pebble Beach Community Services District. In addition to its wastewater collection and treatment services, the District partners with the adjacent Pebble Beach Community Services District to make reclaimed wastewater available for landscape irrigation, thereby reducing use of local potable water resources.

The SOI was first adopted in 1985, encompassing the then-existing District boundaries, a number of adjacent properties, and three specific areas anticipating urban development. Over the years, the District has annexed a number of subdivisions and properties needing wastewater service; including an extension of services to Point Lobos State Park in 2001, an annexation of portions of the Quail Lodge development and portions of Carmel Highlights in 2003, and again in 2012 the District annexed several homes west of the State Highway at the direction of Monterey County. Most recently, in 2016, LAFCO completed a Municipal Services Review (MSR) and approved the District's proposal for a SOI amendment and annexation of areas in the Carmel Valley and Point Lobos State Park. The 2016 proposal also included designation of a "Future Study Area" in the Carmel Highlands. Under the "Future Study Area" designation, the Highlands area was still considered outside of the District's SOI but, was identified as an area further study would need to be completed and may warrant inclusion in the SOI in future years (LAFCO, 2016).

The District adopted (2013) a Capital Improvements Program 15-Year Master Plan for wastewater treatment and demonstrated that the District has adequate capacity to meet existing and projected future wastewater treatment needs. The wastewater treatment plant capacity is 3.0 MGD (about 10.7 acre-feet per day) and current demand is 1.8 MGD (about 6.6 acre-feet per day), which is well below its permitted capacity.

2.3 PROJECT OBJECTIVES

The proposed annexation of the areas into the District's boundaries and amendment of the SOI will allow for provision of wastewater collection services in an orderly manner. Over the years, many property owners within, or adjacent to, the District's existing SOI have expressed a need for wastewater service,

often because of failing septic systems. Specifically, the Carmel Highlands area, proposed for annexation, has been identified through prior studies by CAWD and LAFCO as having the highest need for an alternative approach to wastewater management. The 2016 MSR for CAWD stated, "(Carmel) Highlands properties nearest to the ocean are the highest future priority because of the potential for effluent from septic systems to directly enter the marine environment. Future connection of these properties to the District's sewer system would alleviate this environmental concern. In addition, more connections would increase the amount of effluent processed by the District's wastewater plant. This, in turn, would provide for additional reclaimed water for use on public and private open space. In the longer term, the Carmel Highlands area may at some time be appropriate for inclusion in the District" (LAFCO, 2016).

The primary objective of the proposed project is to provide wastewater service from the District to those areas where there is a current or potential need. Proposed annexation areas are primarily developed land, outside of the current CAWD SOI, in locations where the District either anticipates, or has received interest or applications for, near-term sewer service connection requests. The proposed project is planned to meet these demands, as well as include areas of approved or planned development, as designated in approved and or adopted plans and local jurisdictions' General Plans, and Area Plans.

In addition, by facilitating future sewer service connections, the proposal would help gradually reduce the number of individual septic systems in the project area. Reducing the number of septic systems in the Carmel Highlands and Carmel River watershed areas is a public health benefit that has been a long-standing objective of the Monterey County Environmental Health Bureau (Monterey County EHB).

2.4 PROJECT DESCRIPTION

The proposed project includes an amendment of the District's adopted SOI and annexation to add parcels that cover approximately 925 acres, as shown in **Table 1.** The proposed SOI amendment and annexation would increase the total acreage within the District boundaries from the existing area of 6,200 acres to approximately 7,220 acres.[1]

Table 1.
Summary of Proposed SOI Amendment & Annexation

Category	Approximate Area (Acres)
Existing CAWD's jurisdictional boundary	6,200
Existing CAWD SOI (beyond existing and proposed boundaries)[2]	95
Proposed Project Annexation Area	**925**
Total Area (Existing SOI, plus proposed for annexation)	7,220
Source: County of Monterey GIS Database, Whitson Engineers	

[1] This includes 220 acres of area in the Carmel Highlands that was designated in 2016 as a "Future Study Area" but currently remain outside the CAWD SOI boundaries.
[2] Existing CAWD SOI to remain within the SOI and not be annexed.

The District's existing boundaries and proposed SOI amendment and annexation area are shown on **Figures 1 and 2.** These areas are primarily developed land adjacent to the District's current boundaries, where CAWD either anticipates, or has received requests for sewer service connection due to failing or substandard wastewater infrastructure. Specifically, these areas are identified in **Figure 3** and include:

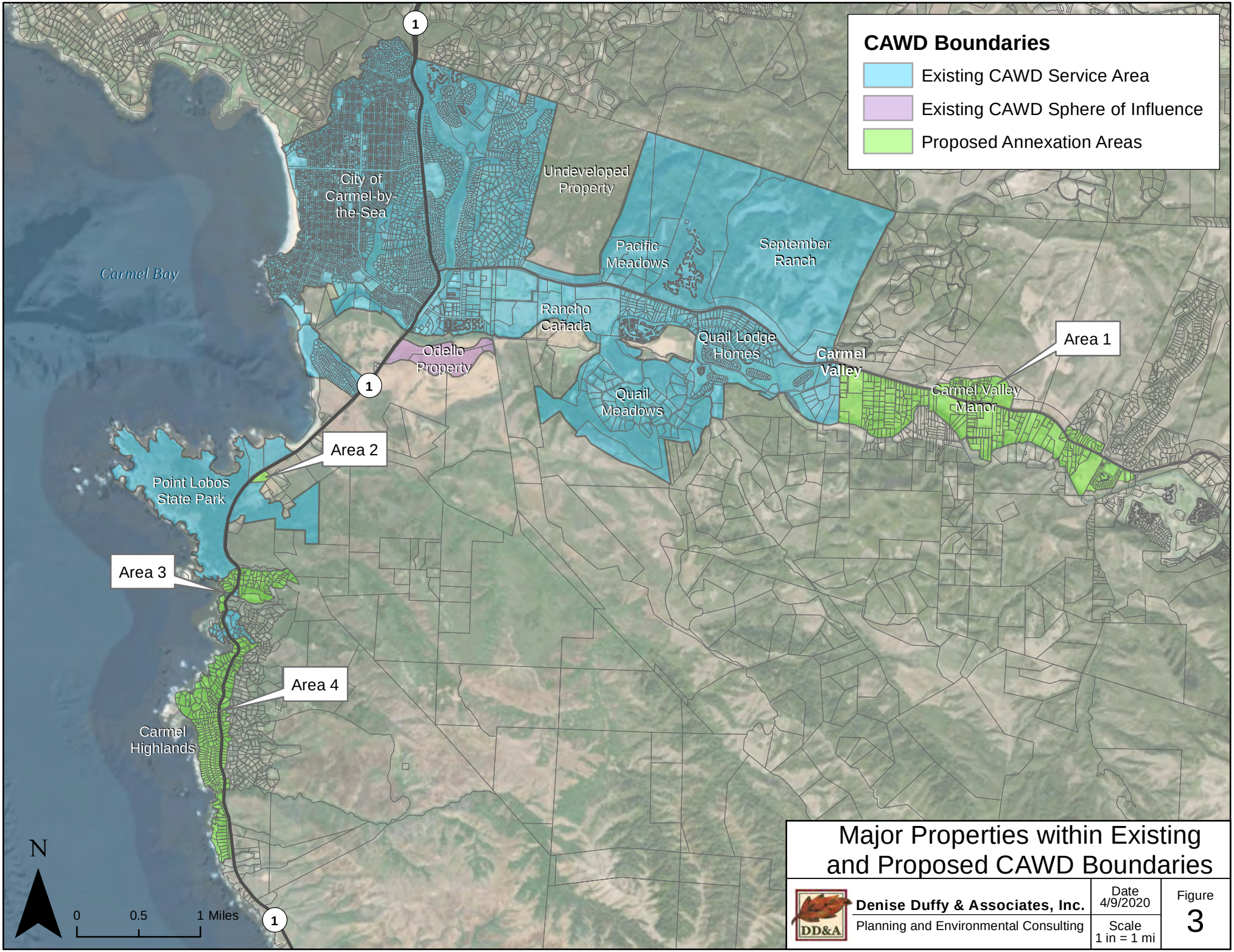
- Carmel Valley Area (Area 1)
- Point Lobos Area - Larsen Property (Area 2)
- North Carmel Highlands (Area 3)
- South Carmel Highlands (Area 4)

The subareas within the District's proposal are more specifically described below and major properties identified in **Figure 3. Figure 4** shows underlying zoning designation of the proposed SOI amendment and annexation.

Carmel Valley Area (Area 1): This area is located in unincorporated Monterey County, along Carmel Valley Road, between Quail Meadows and the Mid-Valley Shopping Center. The area contains 372 parcels, a majority of which are currently developed with low-density residential housing as well as established medium density residential housing and a retirement community. Other uses include smaller areas of commercial, public/quasi-public, or open space uses (**Figure 4a**). The average lot size in Area 1 is less than 1.5 acres, representing the majority of residential properties. The larger parcels sizes shown in Figure 4a include developed commercial properties (Valley Hills Center, Mid Valley Shopping Center, Hacienda Hay and Feed, Earthbound Farms), commercial nurseries, public schools and churches. This area is directly adjacent to CAWD's current jurisdictional boundary and is proposed for annexation. Specific developments within Area 1 are further described below.

- Carmel Valley Manor: The Carmel Valley Manor is a 28-acre retirement community located north of Carmel Valley Road. The community is zoned low-density residential. The property is served by an Onsite Wastewater Treatment System (OWTS) which has been determined to be undersized by the County-EHB staff in August 2011 and September 2013. In addition, the property is well over the nitrogen loading limit. A feasibility study was conducted for the Carmel Valley Manor in 2018 which recommended that the Carmel Valley Manor continue discussions with CAWD to evaluate the potential for a sewer line extension for wastewater service to the area along Carmel Valley Road. Carmel Valley Manor is developing plans for connecting to the CAWD system but has not submitted a formal application for service extension[3].
- Valley Hills Shopping Center and surrounding parcels: A portion of the Valley Hills Shopping Center is located within the District's current boundaries. Adjacent uses south of the Valley Hills Shopping Center are parcels zoned for commercial and residential land uses. To the east are parcels zoned open space and commercial. These properties are occupied by commercial agricultural uses, including Hacienda Hay and Feed, Earthbound Farms, and commercial nurseries (Rana Creek Nursery, Valley Hills Nursery, and the Drought Resistant Nursery).

[3] Potential annexation and service extension impacts related to the Carmel Valley Manor and other properties currently requesting connection to CAWD are discussed further in *Section 5.2 Background and Methodology,* as well as throughout this IS/MND.



Major Properties within Existing and Proposed CAWD Boundaries

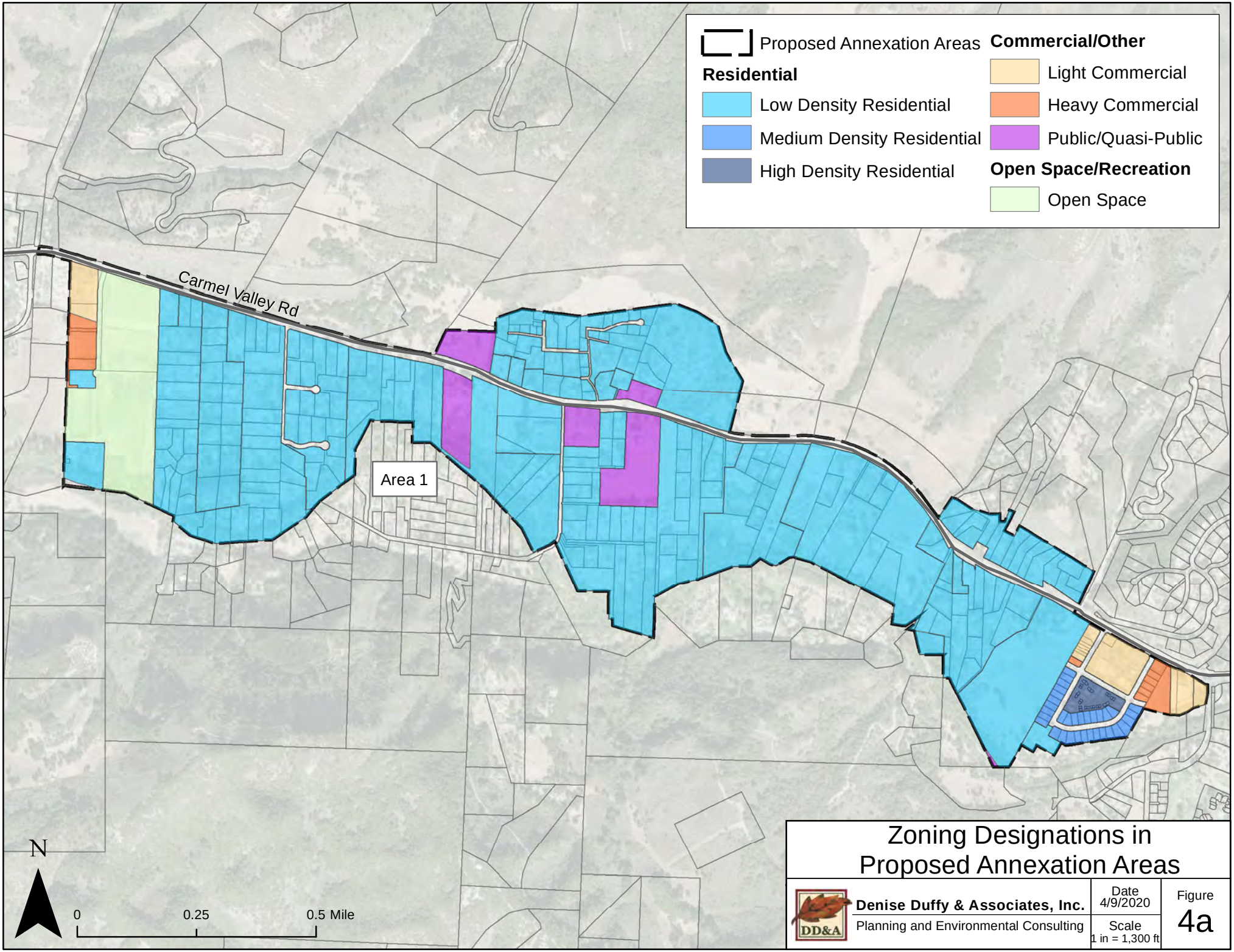
Denise Duffy & Associates, Inc.
Planning and Environmental Consulting

Date 4/9/2020

Scale 1 in = 1 mi

Figure 3

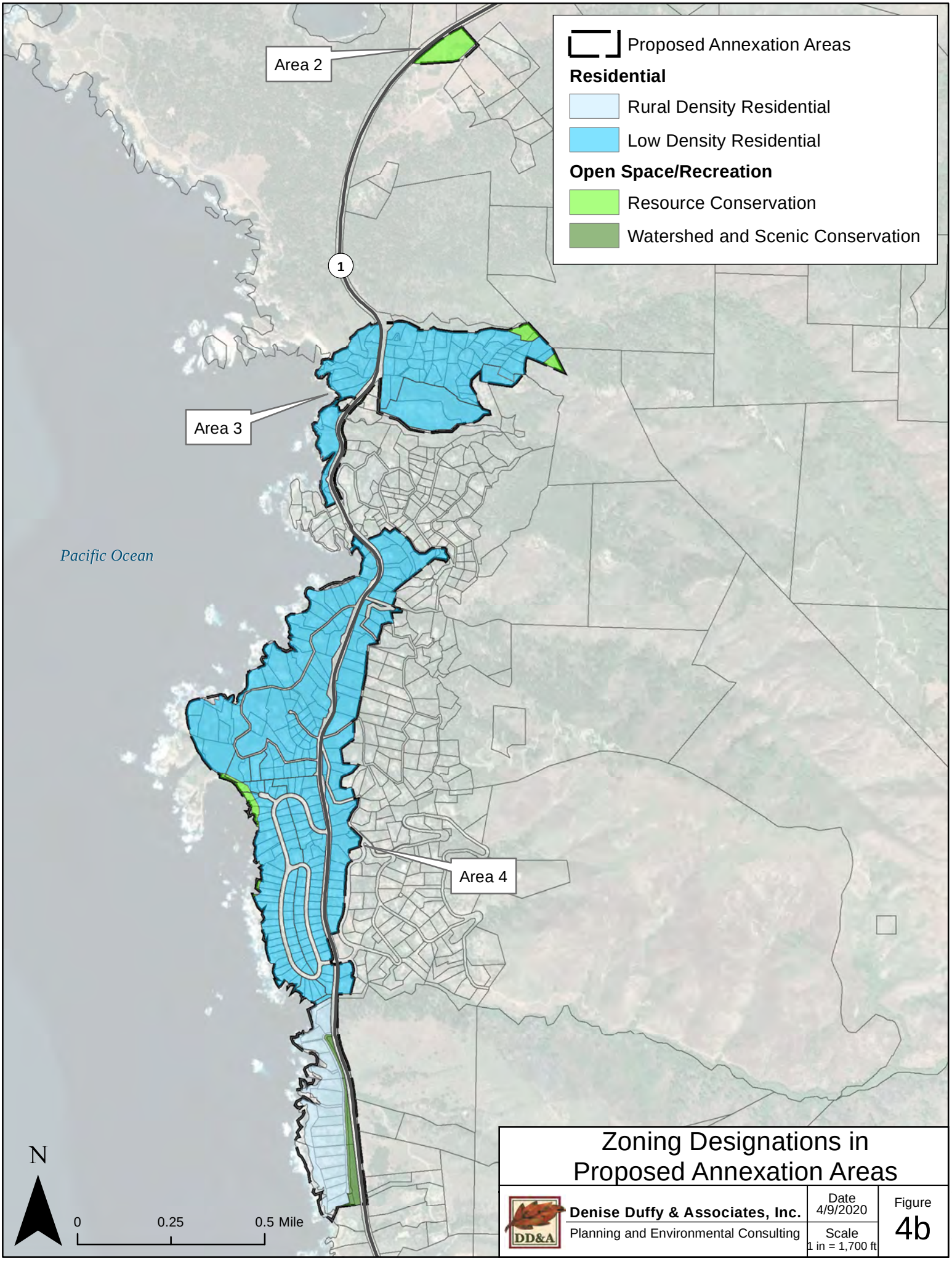
Path: D:\GIS\GIS_Projects\2019-23 CAWD Annexation\Map Products\Fig 3 Major Properties.mxd



Zoning Designations in Proposed Annexation Areas

Denise Duffy & Associates, Inc. Planning and Environmental Consulting	Date 4/9/2020 Scale 1 in = 1,300 ft	Figure 4a

Path: D:\GIS\GIS_Projects\2019-23 CAWD Annexation\Map Products\Fig 4a Zoning Designation Map.mxd



Zoning Designations in Proposed Annexation Areas

Denise Duffy & Associates, Inc.
Planning and Environmental Consulting

Date 4/9/2020

Scale 1 in = 1,700 ft

Figure 4b

Path: D:\GIS\GIS_Projects\2019-23 CAWD Annexation\Map Products\Fig 4b Zoning Designation Map.mxd

- Cypress Lane, Prado Del Sol and Meadows Road parcels: East of Valley Hills are residential uses within the Cypress Lane, Prado Del Sol and Meadows Road neighborhoods. This is a low-density residential area located south of Carmel Valley Road and north of Carmel River. These lots are typically developed with single family homes and average just over an acre in size.
- Schulte Road and surrounding area: Located between the residential neighborhoods identified above and Mid-Valley Shopping Center is an area of low-density residential development as well as various commercial and public/quasi-public uses. This area includes various public/quasi-public uses such as the All Saints Day School, Carmel Valley High School, and Sanctuary Bible Church. Some commercial spaces are located closer to the Mid-Valley Shopping Center, including Griggs Nursery, the Holly Farm, and Folktale Winery.
- Mid-Valley Shopping Center and adjacent parcels: The Mid-Valley Shopping Center includes approximately 15 acres of light to heavy commercial space. Existing high-density residential development and existing medium-density homes are located directly behind the Shopping Center.

Point Lobos Area - Larsen Property (Area 2): The Larsen Property (APN 243-112-015) is on the east side of SR 1 directly across from Point Lobos Recreation Area and adjacent to the existing CAWD jurisdictional boundaries. CAWD is proposing to annex this property as the Larsen's have already filed an application through CAWD for a sewer connection lateral. The proposed lateral would traverse the Larsen property and pass underneath SR 1 to an existing access point on the pressurized sewer main parallel to the west side of SR 1.

North Carmel Highlands (Area 3): The proposed annexation area in North Carmel Highlands is currently identified as a "Future Study Area" within the CAWD boundaries. The area includes 67 parcels, the majority of which are less than one acre and developed with single-family residences. The area is split up into two distinct areas, east and west of SR 1; these areas are further described below:

- Corona Road (east of SR 1): The Corona Road area, is located on the east side of SR 1, in the north Carmel Highlands in unincorporated Monterey County. This area includes approximately 49 parcels. The Lower Corona Road community is a low-density single-family residential community currently served by individual septic systems. The community is actively pursuing construction of a sewer collection system to replace aging septic systems in the neighborhood. Currently, the neighborhood is working to form an Assessment District to facilitate this transition. Annexation of the Corona Road area into the District would be one of the first steps towards the community forming an Assessment District. The Corona Road area is located adjacent to the existing CAWD jurisdictional boundaries to the north (Point Lobos Recreation Area) and south.
- Properties west of SR 1 in north Carmel Highlands: Additionally, properties located on the west side of SR 1, in the north Carmel Highland area in unincorporated Monterey County, are being proposed for annexation. This area is designated low-density residential and contains approximately 18 parcels. The vast majority of these parcels are developed with single-family homes which are serviced by on-site septic systems.

South Carmel Highlands (Area 4): The proposed annexation area in South Carmel Highlands is also identified as a "Future Study Area" within the current CAWD boundaries. The area includes 268 residential parcels with an average size of less than one acre. This area includes two distinct neighborhoods, further described as follows:

- Yankee Point: The Yankee Point neighborhood is located primarily on the west side of SR 1, although there is a small row of additional parcels on the east side of SR 1 included in the

annexation areas as well. There are a few parcels that are designated resource conservation, however, a majority of the community is low-density residential. This area is developed with single-family residences that are currently using on-site septic.

- Otter Cove: The Otter Cove community is further south of Yankee Point and includes residential development as well as larger watershed and scenic conservation parcels. Otter Cove is developed with single-family homes.

2.5 PROJECT ACTIONS

The proposed project requires the following approvals and permits; the Initial Study addresses these project actions.

- Carmel Area Wastewater District: Board approval of Sphere of Influence Amendment and Annexation and Resolution to submit an Application for the above to LAFCO.
- Local Agency Formation Commission of Monterey County: Processing a Sphere of Influence Amendment and Annexation to CAWD. Approval of an amendment of the Sphere of Influence and approval of the proposed annexation.
- Coastal Commission authorization for expansion of the wastewater service boundary within the Coastal Zone, Areas 2-4.

LAFCO is the agency with statutory authority for boundary changes to special districts. The objectives of LAFCO law (Government Code Section 56000 et seq.) requires LAFCO to discourage urban sprawl, encourage the orderly formation and development of local government agencies, ensure the provision of adequate urban services, and preserve agricultural land resources on a countywide basis.

The project actions identified above would result in the extension of the jurisdictional boundaries of CAWD, however, the annexation by itself would not result in physical impacts on the environment, as no development or extension and provision of wastewater service is proposed with the SOI amendment and annexation project. The proposed project would result in inclusion of additional lands within CAWD's jurisdictional boundaries, which could result in future CAWD collection and treatment facilities in these areas, subject to certain conditions. Per CAWD connection requirements, a property must be located within the District boundaries and near an existing sewer main line prior to receiving a permit to connect a private lateral to the District public sewer. If the proposed annexation is approved by CAWD, LAFCO and the Coastal Commission, the properties located within these newly annexed areas could request their properties be connected to the CAWD public sewer system. Prior to properties connecting to the CAWD system, property owners must submit an application, including plans and fees. An engineering report may also be required. For commercial properties, additional requirements are imposed as part of the application process (https://www.cawd.org/new-sewer-connection-permits).

Once individual property connections are approved and all permits from other agencies issued, connections would be made to the sewer collection/distribution system. Thus, while no direct physical impacts would result with the annexation and resultant jurisdictional boundary adjustments, indirect impacts could occur during construction of the necessary infrastructure improvements to convey wastewater to the CAWD facilities. The primary infrastructure required for future service connections would be construction of wastewater distribution pipelines to connect to laterals to ultimately serve the annexed properties. These pipelines would be underground and would not have long-term physical impacts, as discussed in this document.

Future development and infrastructure improvements would be subject to future engineering design, as well as separate environmental review and permit approvals from the County and other relevant

permitting agencies, at which time the appropriate level of environmental review would be conducted. As a result, the proposed project involves no direct changes to the existing wastewater system, or the associated system permits. Where applicable, potential indirect environmental impacts related to the proposed SOI amendment and annexation project are addressed in *Section 5.2 Background and Methodology.*

CHAPTER 3. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

This Page Intentionally Left Blank

CHAPTER 4. DETERMINATION[4]

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.

_____ 06/01/2020

Signature Date

_____ _____

Rachél Lather, Principal Engineer Carmel Area Wastewater District

[4] The jurisdictional boundary adjustment of the proposed project would not have any direct physical impacts. Due to the potential for future indirect impacts which could result if service connections are approved and constructed as a result of approval of the proposed project, mitigations are addressed in this IS/MND.

This Page Intentionally Left Blank

CHAPTER 5. INITIAL STUDY ENVIRONMENTAL CHECKLIST

This Initial Study evaluates the following resource sections within *Section 5.3. Environmental Setting and Impacts:* aesthetics, agricultural and forestry resources, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, tribal resources, utilities and service systems, and wildfire.

5.1 EVALUATION OF ENVIRONMENTAL IMPACTS

The following describes how the proposed project's impacts to resource areas will be analyzed in this Initial Study in accordance with CEQA. Each resource section includes: 1) existing setting and applicable regulatory background, 2) CEQA impact checklist for the resource area, and 3) impact discussion in response to the questions in the checklist and mitigation where warranted. The impact discussion will identify the level of environmental effect from the proposed project. An explanation or discussion is required for all answers to the resource impact checklist as follows.

1. A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project would 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 environmental 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 based on the thresholds. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "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.
5. Supporting Information Sources: A source list will be attached, and other sources used, or individuals contacted will be cited in the discussion.
6. The explanation of each issue will 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-significant.

5.2 BACKGROUND PLANNING DOCUMENTS AND APPROACH TO ANALYSIS

The project area is within the jurisdiction of the County of Monterey. Planning and development within the area are governed by the policies outlined in the Monterey County General Plan, Carmel Area Land Use Plan, and the Carmel Valley Master Plan. These documents recognize CAWD as the primary public wastewater service provider for the area. The 2016 CAWD Municipal Services Review approved by LAFCO and the adopted Initial Study/Negative Declaration for the 2016 SOI Amendment and Annexation (2016 CAWD IS/ND) also provides background information for the proposed project.[5]

Section 5.3.11 Land Use and Planning provides a general overview of pertinent planning documents and prior environmental review which govern development within the proposed project area, as well as service reviews conducted by LAFCO. It is important to note that this IS/MND uses previously prepared EIRs and planning documents for background information and setting as discussed throughout.

Use of Earlier Analyses

The Monterey County General Plan was updated in 2010. The County Board of Supervisors adopted the 2010 Monterey County General Plan and certified the accompanying EIR on October 26, 2010. The EIR provides a comprehensive analysis of impacts of wastewater service and demand from development supported by the General Plan in the Carmel Valley and Carmel Land Use Planning areas of Monterey County, in which the proposed project SOI and annexation areas are located. This Initial Study utilizes the 2010 Monterey County General Plan EIR analysis for regional setting, land use and water and wastewater service provision. As such, this Initial Study "tiers" off the County General Plan EIR for addressing regional issues in accordance with State CEQA Guidelines section 15152, which encourages lead agencies to use an EIR prepared for a general plan or other program or ordinance, when the later project is pursuant to or consistent with the program or plan. The County's General Plan EIR addresses future development and wastewater and water demand within the region, including the area served by CAWD. While it does not specifically address the SOI and annexation currently proposed by CAWD, it does address growth, wastewater and water demand and regional water supply impacts. The conclusions reached in the IS/MND are based on the Monterey County General Plan EIR, as well as the setting, analysis and CEQA checklist discussion provided in *Section 5.3 Environmental Setting and Impacts*.

Incorporation by Reference. This Initial Study tiers from Monterey County's General Plan EIR analysis and provides additional analysis related to the impacts of annexation and the sphere amendment. Regional issues are reviewed in the Draft EIR volume (Chapter 4) and the Final EIR volume (Chapter 4 – Changes to Draft EIR), which are "incorporated by reference" in accordance with State CEQA Guidelines section 15150. The referenced documents are available on Monterey County's website at: http://www.co.monterey.ca.us/planning/gpu/GPU_2007/gpu_2007.htm.

As noted above, the action of changing the District's LAFCO boundaries, by itself, would not result in physical impacts on the environment, as described herein. The SOI amendment and annexation involves no direct changes to the existing wastewater system or associated system improvements or permits. In addition, the proposed project is within the jurisdiction of Monterey County which has adopted their own General Plans and Land Use Plans that govern the planning and development of the CAWD area and proposed project area. CAWD's SOI amendment and annexation itself, would not increase development potential beyond that envisioned in the adopted planning documents, and impacts related to such

[5] In 2016, LAFCO approved the District proposal for a SOI amendment and annexation of several areas within Carmel Valley area and the Carmel Highlands area, specifically to include State Parks-owned properties at Point Lobos. The Highlands area was identified as an area which may warrant future annexation.

development would be anticipated to occur with or without the proposed project as outlined in this Initial Study.

As identified in the Project Description and **Figure 3**, the primary areas of annexation are Carmel Valley Area (Area 1); Point Lobos Area - Larsen Property (Area 2), North Carmel Highlands (Area 3) and South Carmel Highlands (Area 4). The 2016 MSR for CAWD identified the Carmel Highlands areas as a future study area and potential priority for annexation and service connection. One property (Larsen Property in Area 2) submitted a completed application for service connection in this area. There has also been interest in Area 3, the North Highlands Area, for connection. Area 4 (South Highlands) was included in the annexation project area but no applications for connection within this area have been filed. CAWD expanded its jurisdictional boundaries to provide for wastewater service to areas at Point Lobos State Natural Reserve and portions of the Carmel Highlands neighborhood as part of the LAFCO and Coastal Commission approved 2016 SOI Amendment and Annexation. The intent of such expansion was to provide public wastewater services to replace aging private individual septic systems in these already built residential neighborhoods and public parklands. The areas proposed in this project area are similar to the 2016 expanded boundaries. Most, if not all, of the residential/commercial properties are developed, and replacement of aging private individual septic systems would improve water quality through public wastewater collection and treatment in this coastal area.

Within the Carmel Valley area, there are also a number of aging private individual septic systems serving residential neighborhoods and commercial properties. Private landowners, including the Carmel Valley Manor property, have indicated an interest in annexation and connection to CAWD. Currently, Carmel Valley Manor is working on developing engineering design plans for a sewer connection due to a history of failed septic systems at the existing senior housing development. The Carmel Valley Manor existing Onsite Wastewater Treatment System (OWTS) is not functioning adequately and requires frequent pumping according to records from the Monterey County EHB and CAWD.[6] Preliminary engineering plans have been provided to CAWD staff for this system. While discussions for annexation are underway, Carmel Valley Manor has not filed a formal application for annexation and service connection to CAWD as of the date of this Initial Study.

Approach to Analysis

As noted, the proposed SOI amendment and annexation itself would not have any direct environmental impacts because it would only result in a reorganization of jurisdictional boundaries with no direct physical changes to the environment. The proposed project would result in inclusion of additional lands within CAWD's jurisdictional boundaries, which could result in future CAWD parcels connecting to the wastewater collection facilities in these areas subject to certain conditions. Applications for individual property connections need to be approved, and all permits from other agencies issued, before connections would be made to the CAWD sewer collection/distribution system. Thus, while no direct physical impacts would result with the annexation and resultant jurisdictional boundary adjustments, indirect impacts could occur once all approvals are received, during construction of the necessary infrastructure improvements (pipelines and lift stations) to convey wastewater to the CAWD treatment facilities.

Under CEQA, the District is required to analyze indirect or secondary effects which are later in time or farther removed but still reasonably foreseeable. Indirect or secondary effects may include growth-

[6] The Carmel Valley Manor's existing OWTS is considered undersized by Monterey County EHB. Frequent required pumping has demonstrated that the OWTS is not functioning adequately. The property was found to be constrained by the existing development and onsite slopes which makes replacement of the OWTS impracticable. (Monterey County Department of Environmental Health, March 2019 letter to CAWD)

inducing effects and other effects related to induce changes in the pattern of land use, population density, or growth rate, and related effects on water and other natural systems. Effects analyzed under CEQA must be related to a physical change. An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable and thus, need not be considered.

Where indirect impacts due to future potential wastewater connections are reasonably foreseeable, these are identified and where appropriate, mitigation proposed in the following *Section 5.3 Environmental Setting and Impacts*. It should be noted that no design details are available to fully understand the potential for indirect impacts of infrastructure improvements. Thus, mitigation is necessarily general in nature and consistent with the level of specificity of the project. Future project-level environmental review would be required for these individual projects as part of the application, review and approval process under CAWD's regulations, as well as any subsequent permit process under County of Monterey and State Coastal regulations.

5.3 ENVIRONMENTAL SETTING AND IMPACTS

The following section describes the environmental setting and identifies the environmental impacts anticipated from implementation of the proposed project. The criteria provided in the CEQA environmental checklist was used to identify potentially significant environmental impacts associated with the proposed project.

5.3.1 AESTHETICS

Setting

The coastal landscape of Monterey County is aesthetically rich and visually diverse, and some areas, such as the Monterey Peninsula and Carmel Bay, are widely recognized and highly regarded for their aesthetic quality. Views in and around the proposed project site area include the entrance to the Big Sur coast and notable views of Monterey Bay, as well as views from Carmel Valley Road, a primarily rural residential viewshed. Views offered within the project area offer a variety of scenic vistas in nearly every direction.

Portions of Highway 1 along the California coastline are either designated as a State Scenic Highway or eligible for State Scenic Highway's designation (Caltrans, 2017). The section of Highway 1 in Areas 2, 3 and 4 is designated State Scenic Highway. The State Scenic Highways Program is designed to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. This section of SR 1 offers views of Point Lobos, Carmel Bay and the Pacific Ocean, as well as some views of existing residential properties. In addition, the proposed project area includes Carmel Valley Road which is designated as a proposed scenic route by the County (Monterey County, 2010, Figure 14: Greater Monterey Peninsula Scenic Highway Corridors and Visual Sensitivity Map). The County General Plan designates the Carmel Highlands area as a highly sensitive viewshed, and the areas proposed for annexation in the Carmel Valley area as a sensitive viewshed.

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?	☐	☐	■	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	■	☐
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	■	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a-b) **Scenic Vista/Scenic Resources: Less-than-Significant Impact**. Visual resources are classified into two categories: scenic vistas and scenic resources. Scenic vistas are typically broader viewsheds such as mountain ranges, valleys, and ridgelines. Usually broader elements of a viewshed can be seen from a range of viewpoints, often along a roadway or other corridor. Scenic resources are specific features of a viewing area (or viewshed) such as trees, rock outcroppings and historic buildings. The proposed project area is located within developed areas, in residential and commercial developed neighborhoods in Carmel Valley and the Carmel Highlands. The proposed project would amend jurisdictional boundaries and would not directly result in physical improvements in the proposed project areas. As a result, the proposed SOI and annexation project would not have a direct impact on scenic vistas or have the potential to substantially damage scenic resources.

Indirect impacts from future extension of sewer lines would be limited to temporary construction of underground pipeline and conveyance facilities within the project area. Future extension of sewer mains and laterals would involve construction within the roadways (SR1, Carmel Valley Road, and neighboring streets and roadways) to extend wastewater service within the annexation areas. Future construction activities would be temporarily visible from vantage points to varying degrees from residences and travelers along Carmel Valley Road. Proposed project construction activities would also be visible to motorists, bicyclists, pedestrians, and other observers along SR 1, a designated Scenic Highway. However, construction activities would be limited to within roadways and rights of ways, would be temporary, and would not significantly change or disrupt the visual character of the surrounding areas.

No changes or improvements to existing above-ground facilities are envisioned upon annexation approval. New above-ground facilities would be limited to lift stations as needed to convey wastewater to mains and treatment facilities. Locations of these would be dependent on separate engineering design. There are no known locations identified for above-ground lift stations within SOI and annexation areas 2, 3 and 4. These areas are entirely within the Coastal Zone and potential future improvements in this area would be governed by requirements in the Monterey County Coastal Implementation Plan, Part 1, Title 20, Zoning Ordinance and other state and local coastal regulations restricting development in scenic areas. Construction of a lift stations within Carmel Valley and adjacent to Area 1 would be required to convey wastewater from Carmel Valley Manor to CAWD treatment facilities. Preliminary plans identify a lift station along Valley Greens Drive. This above-ground improvement would be under five feet tall and surrounded by fencing which would serve to screen views from Valley Greens Drive.[7] Additional lift stations to convey wastewater may be required, however, there are no engineering plans or other known locations for these facilities. Adherence to design guideline regulations applied during permit processing will ensure final design and location to limit views from Carmel Valley Road. Consequently, the proposed project would have a less-than-significant indirect impact to scenic resources or result in substantial damage to scenic vistas or scenic resources.

c) **Existing Visual Character: Less-Than-Significant Impact**. The proposed project amends jurisdictional boundaries and would have no direct impacts on visual character of the site and its immediate surroundings or quality of public views. The majority of the proposed project area is currently developed with residential, public, and commercial land uses and the future annexation

[7] This area is within CAWD current service area boundaries and thus, outside the proposed project annexation areas addressed in this IS/MND. A separate project-level CEQA document will be prepared for the Carmel Valley Manor sewer extension project.

would not conflict with applicable zoning and County regulations addressing scenic quality. Potential for indirect impacts from pipeline installation would be limited as future service extension improvements would primarily be underground and thus, would not permanently impact resources. The proposed project's future construction activities would not result in indirect substantial adverse impacts to scenic resources at any of the areas, per the analysis in Responses a - b) above. Therefore, the potential for the proposed project to substantially degrade the existing visual character or quality of public views of the site and its surroundings is less-than-significant.

d) **Light or Glare: No Impact.** No new facilities or alterations to existing structures are proposed as part of the proposed SOI amendment and annexation. There is one lift station (permanent above-ground facility) proposed for extension of services to Carmel Valley Manor. This is located outside the project area and not a part of this proposed SOI and annexation. Monterey County design guidelines require exterior lighting must be directed toward the ground and reduced lighting to mitigate potential lighting impact to neighboring residents. There would be no facilities constructed that would produce glare as pipelines would be underground any lift stations would be fenced and shielded from view. Thus, no new sources of substantial light or glare which could adversely affect day or nighttime views in the area would occur.

Sources: (1, 2 & 4)

5.3.2 AGRICULTURAL RESOURCES

Setting

In California, agricultural land is given consideration under CEQA. According to Public Resources Code §21060.1, "agricultural land" is identified as Prime Farmland, Farmland of Statewide Importance, or Unique Farmland as defined by the U.S. Department of Agriculture land inventory and monitoring criteria, as modified for California. CEQA also requires consideration of lands that are under Williamson Act contract. The California Department of Conservation, under the Farmland Mapping and Monitoring Program (FMMP), produces maps and statistical data that are used for analyzing impacts on California's agricultural resources. The FMMP produces Important Farmland Maps, which identify five agricultural-related categories plus two non-agricultural listings, each category is summarized below:

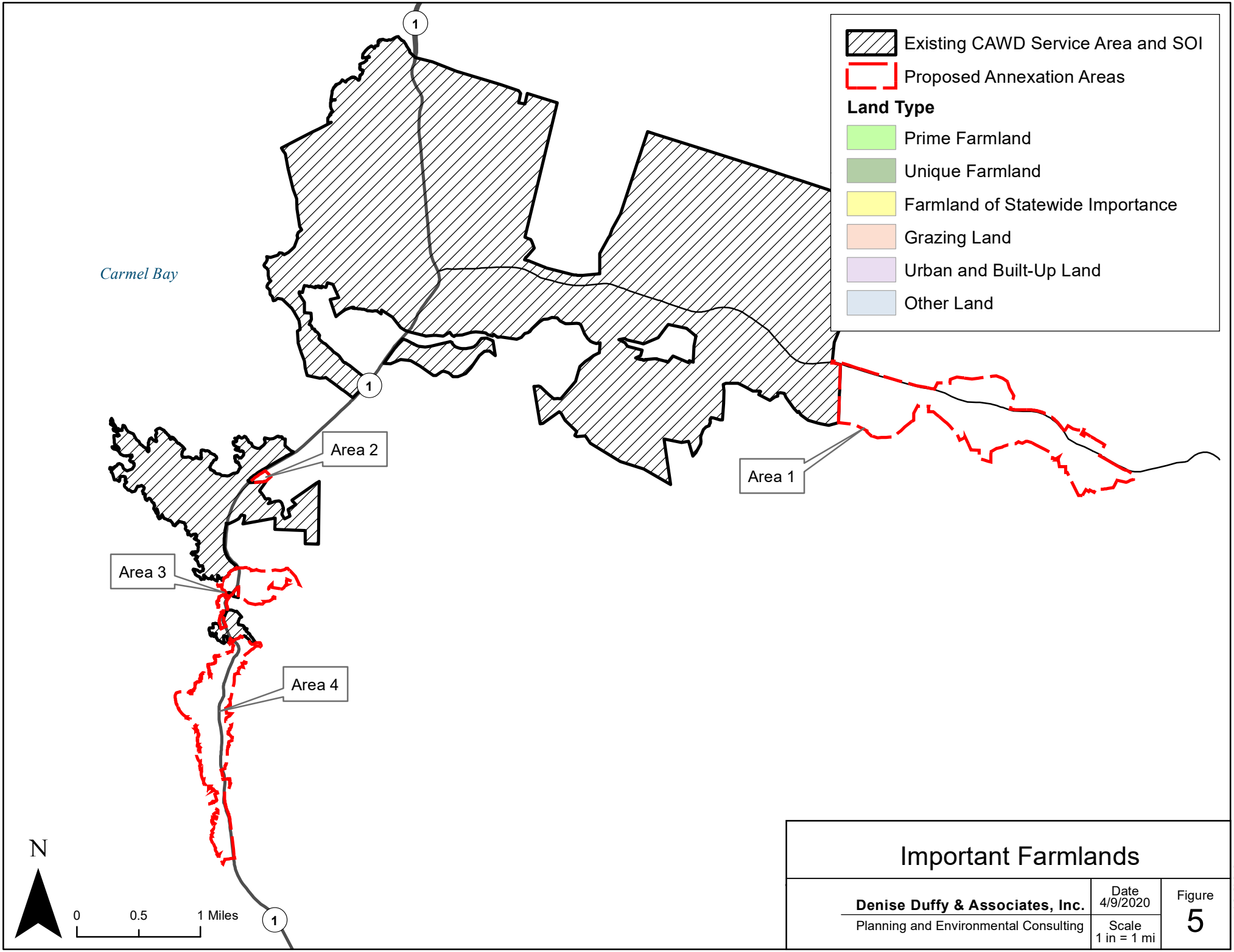
- Prime Farmland is land that has the best combination of physical and chemical characteristics for crop production. It has the soil quality, growing season, and moisture needed to produce sustained high yields of crops when appropriately treated and managed.
- Farmland of Statewide Importance is land other than Prime Farmland that has a good combination of physical and chemical characteristics for crop production.
- Unique Farmland is land that does not meet the criteria for Prime Farmland or Farmland of Statewide Importance which has been used for the production of specific high economic value crops.
- Farmland of Local Importance is either currently producing crops, or has the capacity of production, and does not meet the criteria of the categories above.
- Grazing Land is land which the existing vegetation, grown naturally or through management, is suited for the grazing of livestock.
- Urban Land is land which is currently occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel.

- Other Land is land not included in any mapping category which may be low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines and borrow pits; and water bodies smaller than forty acres. Vacant and non-agricultural land surrounded on all side by urban development and greater than 40 acres is mapped as Other Land.

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?	☐	☐	■	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	■
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	■
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	■
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?	☐	☐	■	☐

Discussion/Conclusion/Mitigation

a) **Prime Farmland: Less-Than-Significant Impact. Figure 5** provides a map of the FMMP designated important farmlands in the proposed project area. A majority of the project site is designated as "Urban or Built Up Land" on the Important Farmlands Map for Monterey County. Area 1 within Carmel Valley includes three to four parcels designated as "Prime Farmland". This designation includes the properties of Earthbound Farms and Rana Creek Nursery, both commercial agricultural facilities. Earthbound Farms also provides demonstration gardens, a café and a market open to the public, as well as seasonal events. The farmed portion of this site is designated as Open Space by the County's General Plan. In addition, there are a few parcels designated as "Grazing Land," within Area 1. These parcels are currently used as open space or existing commercial and agricultural operations. Refer to **Figure 4a** for zoning designations in this area. No other parcels are mapped as prime, unique or important farmland in the FMMP within the project area.



Important Farmlands

Denise Duffy & Associates, Inc. Planning and Environmental Consulting	Date 4/9/2020 Scale 1 in = 1 mi	Figure 5

Path: D:\GIS\GIS_Projects\2019-23 CAWD Annexation\Map Products\Fig 5 Important Farmlands.mxd

The proposed SOI amendment and annexation itself would not convert this limited area of Prime Farmland to non-agricultural use. The proposed project would allow a reorganization of jurisdictional boundaries with no direct physical changes to the environment. Upon approval of the annexation, the proposed project would result in inclusion of these lands within the CAWD's jurisdictional boundaries. This would allow these parcels and other annexed property to request connection to the wastewater collection facilities, subject to certain conditions. CEQA requires consideration of indirect physical change only if that change is a reasonably foreseeable impact which may be caused by the project. A change which is speculative or unlikely to occur is not reasonably foreseeable and thus, need not be considered. The property has been in agricultural production and use as commercial developed lands for many decades. Further, some of the parcels are fully developed with buildings and other commercial uses. As a result, the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to a non-agricultural use which is considered a less-than-significant impact.

b) **Williamson Act: No Impact**. There are no known Williamson Act contracts in the proposed project area or within the project vicinity. Thus, the proposed project would not lead to conflicts with contracts and would result in no impact.

c - d) **Forest Land: No Impact**. The project site would not impact forest resources or result in the loss or conversion of forest land since the project site does not contain any forest land as defined in Public Resources Code § 12220(g), timberland as defined by Public Resources Code § 4526, or property zoned for Timberland Production as defined by Government Code § 51104(g).

e) **Conversion of Farmland: Less-Than-Significant Impact**. The proposed SOI amendment and annexation includes some agricultural lands and some small areas of designated "Prime Farmland" within Area 1, per Response a), above. However, the Monterey County General Plan designates most of these areas for commercial uses, except for the Rana Creek Nursery area which is designated open space. As discussed above, Earthbound Farms property is developed and designated Commercial. The Rana Creek Nursery parcels are currently used for agricultural cultivation and are designated as Open Space. (See **Figure 4a**).

The Cortese-Knox-Hertzberg Act of 2000, LAFCOs' enabling statute, requires that LAFCOs consider the effect of maintaining the physical and economic integrity of designated agricultural preserves when reviewing proposals. Government Code §56377 establishes two policies to be used by LAFCOs in reviewing, approving, or disapproving proposals with respect to agricultural and open space land:

- First, that development or land uses other than open-space uses shall be guided away from existing prime agricultural lands toward areas containing non-prime agricultural lands, unless such an action would not promote the planned, orderly, efficient development of an area; and
- Second, that development of existing vacant or nonprime agricultural lands for urban uses within the existing agency jurisdiction or sphere of influence should be encouraged before any proposal is approved which would allow for or lead to the development of existing open space lands for non-open-space uses which are outside of the existing jurisdiction boundaries or sphere of influence.
- Further, §56426.5 requires that LAFCOs consider the effect of maintaining the physical and economic integrity of Williamson Act-designated agricultural preserves when determining an agency's SOI or when reviewing an annexation proposal.

The proposed project area includes a limited area that is designated for agricultural uses, namely in Area 1, Carmel Valley. Inclusion in the District's amended SOI and annexation area would enable these properties to apply to CAWD for provision of municipal wastewater service in the future. Future development in Carmel Valley is governed by the Carmel Valley Master Plan, Monterey County General Plan, Zoning Ordinance and other regulations that seek to protect agricultural lands. The existing agricultural parcel is designated as open space, which would require land use amendments and rezoning prior to conversion of agricultural uses to residential or other commercial (non-agricultural) uses.

See also discussion under Response a), above. Thus, the proposed SOI amendment and annexation would not directly or indirectly result in conversion of agricultural land to non-agricultural uses. This is considered a less-than-significant impact.

Sources (1, 2, 3, 4, & 5)

5.3.3 AIR QUALITY

Setting

The federal Clean Air Act and the California Clean Air Act mandate the control and reduction of certain air pollutants. Under these Acts, the United States Environmental Protection Agency (EPA) and the California Air Resources Board have established ambient air quality standards for specific "criteria" pollutants. These pollutants are carbon monoxide (CO), ozone (O_3), sulfur dioxide (SO_2), nitrogen oxides (NO_X), particulate matter less than 10 microns in diameter (PM_{10}), lead, and particulate matter less than 2.5 microns in diameter ($PM_{2.5}$). The project site is located within the North Central Coast Air Basin (NCCAB), which is comprised of Santa Cruz, San Benito, and Monterey Counties, and is regulated by the Monterey Bay Air Resources District (MBARD), formally known as Monterey Bay Unified Air Pollution Control District).

The NCCAB is in attainment for all National Ambient Air Quality Standards (NAAQS) and for all California Ambient Air Quality Standards (CAAQS) except O_3 and PM_{10}. The primary sources of O_3 and PM_{10} in the NCCAB are from automobile engine combustion. To address exceedance of these CAAQS, the MBARD has developed and implemented several plans including the 2005 Particulate Matter Plan, the 2007 Federal Maintenance Plan, and the 2012-2015 Air Quality Management Plan (AQMP), which is a revision to the 2012 Triennial Plan. NCCAB Attainment Status to National and California Ambient Air Quality standards can be found in **Table 2** below.

Table 2 North Central Coast Air Basin Attainment Status – January 2015		
Pollutant	**State Standards[1]**	**National Standards**
Ozone (O_3)	**Nonattainment[2]**	Attainment/Unclassified[3]
Inhalable Particulates (PM_{10})	**Nonattainment**	Attainment
Fine Particulates ($PM_{2.5}$)	Attainment	Attainment/Unclassified[4]
Carbon Monoxide (CO)	Monterey Co. – Attainment San Benito Co. – Unclassified Santa Cruz Co. – Unclassified	Attainment/Unclassified
Nitrogen Dioxide (NO_2)	Attainment	Attainment/Unclassified[5]
Sulfur Dioxide (SO_2)	Attainment	Attainment[6]
Lead	Attainment	Attainment/Unclassified[7]

Notes:
1) State designations based on 2010 to 2012 air monitoring data.
2) Effective July 26, 2007, the ARB designated the NCCAB a nonattainment area for the State ozone standard, which was revised in 2006 to include an 8-hour standard of 0.070 ppm.
3) On March 12, 2008, EPA adopted a new 8-hour ozone standard of 0.075 ppm. In April 2012, EPA designated the NCCAB attainment/unclassified based on 2009-2011 data.
4) This includes the 2006 24-hour standard of 35 $\mu g/m^3$ and the 2012 annual standard of 12 $\mu g/m^3$.
5) In 2012, EPA designated the entire state as attainment/unclassified for the 2010 NO_2 standard.
6) In June 2011, the ARB recommended to EPA that the entire state be designated as attainment for the 2010 primary SO_2 standard. Final designations to be addressed in future EPA actions.
7) On October 15, 2008 EPA substantially strengthened the national ambient air quality standard for lead by lowering the level of the primary standard from 1.5 $\mu g/m^3$ to 0.15 $\mu g/m^3$. Final designations were made by EPA in November 2011.
8) Nonattainment designations are highlighted in **Bold**.

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?	☐	☐	☐	■
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?	☐	■	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	■	☐
d) Create objectionable odors affecting a substantial number of people?	☐	☐	■	☐

Discussion/Conclusion/Mitigation

a) **Conformance with Air Quality Plan: No Impact**. CEQA Guidelines §15125(b) requires that a project be evaluated for consistency with applicable regional plans, including the AQMP. The MBARD is required to update their AQMP once every three years; the most recent update, the 2012-2015 AQMP, was approved in March of 2017. This plan incorporates the County's General Plan and population forecasts in its preparation of regional air quality plans. The AQMP accommodates growth by projecting growth in emissions based on population forecasts prepared by the Association of Monterey Bay Area Governments (AMBAG) and other indicators.

Population-generating projects that are within the AQMP population forecasts are considered consistent with the plan. The proposed project is an amendment of the SOI and annexation of Areas 1-5 into the District, resulting in revised CAWD jurisdictional boundaries for the District. There is no proposed or planned development as a result of these proposals. The project would not result in new development or population increases, and thus, the project does not conflict with or obstruct implementation of the AQMP.

b) **Cumulatively Considerable Emissions: Less-Than-Significant Impact with Mitigation Incorporated.** As stated above, the NCCAB is in attainment for all National Ambient Air Quality Standards (NAAQS) and for all California Ambient Air Quality Standards (CAAQS) except Ozone (O_3) and Inhalable Particulates (PM_{10}). The MBARD has developed and implemented several plans to address exceedance of State air quality standards, including the MBARD 2012-2015 AQMP. This plan addresses attainment of the State ozone standard and federal air quality standard. The proposed SOI amendment and annexation would not directly result in construction or development, thus there are no direct impacts of construction or operation of the project that would result in any new emissions sources that could result in a cumulatively considerable net increase of emissions under the CAAQS.

The proposed project SOI and annexation does not include the construction of any new facilities or infrastructure improvements. However, future construction of infrastructure improvements associated with pipeline installation and improvements to connect properties to the CAWD distribution system could potentially result in indirect, temporary air quality effects. The MBARD 2008 CEQA Air Quality Guidelines contains standards of significance for evaluating potential air quality effects of projects subject to the requirements of CEQA (see Table 5-1, pg. 5-14, of the MBARD 2008 CEQA Guidelines). According to the MBARD's criteria for determining construction impacts, a project would result in a potentially significant impact if it would generate 82 pounds per day (lbs./day) or more of PM_{10}. Emissions of PM are largely associated with ground disturbance and the movement of construction vehicles and equipment on unpaved surfaces.

Indirect impacts due to construction-generated emissions from future connection to the CAWD system would be short-term and of temporary duration, lasting only as long as construction activities occur. Indirect impacts from construction could result in the temporary generation of emissions resulting from site demolition, grading, pipeline trenching and facility construction, and motor vehicle exhaust associated with construction equipment and on-road vehicle trips. This is a potential indirect impact that would be mitigated to a less-than-significant level with implementation of **Mitigation Measure AQ-1.**

Mitigation Measure

MM AQ-1: Air Quality Evaluation

Consistent with guidance from MBARD and County construction standards, CAWD shall require the following Best Management Practices (BMPs) to be implemented during installation and construction of pipelines and associated improvements at construction sites to control emissions:

- Water all active construction areas as required with non-potable sources to the extent feasible; frequency should be based on the type of operation, soil, and wind exposure and minimized to prevent wasteful use of water.
- Prohibit grading activities during periods of high wind (over 15 mph).
- Cover all trucks hauling soil, sand, and other loose materials and require trucks to maintain at least 2 feet of freeboard.

- Hand sweep daily within paved areas.
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
- Enclose, cover, or water daily exposed stockpiles (dirt, sand, etc.).
- Replant vegetation in disturbed areas as quickly as possible.
- Provide stabilized construction entrance/exit to limit sediment tracking from construction sites, as appropriate.

With the implementation of **Mitigation Measure AQ-1**, indirect air quality impacts due to short-term construction would be less-than-significant.

Underground pipeline projects generally would not result in new stationary sources of air pollutant emissions. The potential for new lift stations in the project area would not require substantial new worker trips or generate operational traffic. As a result, reasonably foreseeable indirect air quality impacts due to operational emission of potential future wastewater improvements would be less-than-significant.

As outlined above, the proposed project would not result in direct construction and operation and thus would not result in a significant air quality impact. Indirect air quality emission due to reasonably foreseeable projects would be addressed with incorporation of **Mitigation Measure AQ-1** (standard BMPs during construction). All future potential projects would be required to be consistent with the most up to date MBARD criteria for significance. Future environmental review would be completed at the time actual facilities or infrastructure improvements are proposed to address any subsequent project-level impacts relating to air quality.

c) **Sensitive Receptors: Less-Than-Significant Impact**. Sensitive receptors may include population groups (i.e. children, senior citizens, acutely or chronically ill people) and/or facilities where these more susceptible population groups tend to reside or spend time (i.e. schools, retirement homes, hospitals). As previously stated, the proposed project would extend the existing jurisdictional boundaries, and would not include any new construction, proposed structures, or new sources of air emissions. The MBARD's 2008 CEQA Air Quality Guidelines state that a project would have a significant impact to sensitive receptors if it would cause a violation of any CO, PM_{10} or toxic air contaminant standards at an existing or reasonably foreseeable sensitive receptor. Future extension of services could involve construction of pipelines and similar improvements. Construction would involve temporary trenching and grading. Projects would be required to comply with applicable MBARD regulations, including, but are not limited to, Rule 402,[8] which would minimize potential nuisance impacts to occupants of nearby land uses. For these reasons, the proposed SOI amendment and annexation would have a less-than-significant impact due to exposure of sensitive receptors to substantial pollutant concentrations.

d) **Odors: Less-Than-Significant Impact**. The proposed project would extend the existing jurisdictional boundaries, and would not include any new construction, proposed structures, or new sources of odor emissions. If future construction occurs due to sewer line extension to future annexed properties, construction would be limited in duration and within roadway rights of way,

[8] MBARD Rule 402 "Nuisance" states, "A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals."

away from receptors. Compliance with applicable MBARD regulations would further minimize potential nuisance impacts to occupants of nearby land uses. Therefore, the potential direct and indirect impacts of the proposed project are not anticipated to result in odor complaints that would affect a substantial number of people.

Sources (1, 2, 6 & 7)

5.3.4 BIOLOGICAL RESOURCES

Setting

There are numerous federally listed endangered and threatened species and other CEQA defined special-status species in the County. More than 70,000 acres in the County are designated as critical habitat by the U.S. Fish and Wildlife Service (USFWS). As described in the Monterey County 2010 General Plan, the two most common types of natural habitat in the proposed project area are oak woodland on middle and upper elevations and grassland in lower elevations, such as valleys.

The Monterey County 2010 General Plan and EIR identifies potential impacts to special status species, sensitive natural communities, riparian habitat and wetlands, and wildlife movement corridors with future development in the County. Numerous policies are included in the General Plan and Coastal Plans/Implementation Programs, which relate to protection of habitat and other biological resources. In the Coastal Zone Planning Areas and Carmel Valley Master Plan Planning Area of Monterey County, all land use proposals are subject to provisions set forth by CEQA, the Coastal Act and the Monterey County General Plan. Under CEQA, all development proposals that have the potential to impact environmental features are subject to review. If development proposals have the potential to disturb special habitat areas or special status species, permitting through federal, state or local protocols is required.

Inclusion in the District's amended SOI and annexation area would enable the proposed areas and individual properties to apply to CAWD for the provision of municipal wastewater service in the future.

Would the project:	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	■	☐	☐
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 Wildlife or US Fish and Wildlife Service?	☐	■	☐	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	■	☐	☐

Would the project:	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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?	☐	☐	■	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	■	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a - b) **Habitat Modification/Special Status Species: Less-Than-Significant Impact with Mitigation Incorporated.** As previously stated, the proposed project would extend the existing jurisdictional boundaries, and thus would not involve any grading, removal of vegetation or result in any new construction or proposed permanent structures. While there are several special-status species, sensitive natural communities, and wetlands located throughout Carmel Valley and Carmel Highlands, the majority of the project area is developed with limited area of undeveloped or undisturbed land. The vast majority of area is categorized as urban lands in County of Monterey mapping and includes existing residential, commercial and public/quasi-public land uses. Since the proposed project does not propose physical changes to the environment, it would not directly impact species identified as a candidate, sensitive, or special status species; riparian habitat or federally protected wetlands as defined by Section 404 of the Clean Water Act.

An indirect physical change is to be considered only if that change is a reasonably foreseeable impact which may be caused by the project. Where indirect impacts due to future extension of infrastructure or potential wastewater connections are reasonably foreseeable, these are identified, and mitigation proposed in this document. Indirect impacts would likely be temporary construction impacts due to the undergrounding of pipeline installation within area roadways.

Future extension of pipelines would be anticipated to be placed underground and within roadways, therefore, would not permanently impact biological resources. Temporary construction could result in indirect impacts to special-status plants and wildlife, sensitive habitats, or indirect impacts to habitat, such as sedimentation, depending upon design, location and construction methods. However, the precise nature and extent of future infrastructure improvements in the area cannot be determined at this time until future engineering designs and studies are completed. Since there are no design details to fully understand the potential for indirect impacts of future sewer extension infrastructure improvements, the following planning level mitigations are proposed. These are necessarily general in nature, consistent with the level of specificity of the project. Additionally, future project-level environmental review would be required for individual projects as part of the application, review and approval process under CAWD's regulations, as well as any subsequent permit process under County of Monterey and State Coastal regulations. Future site-specific biological assessments will supplement or replace

the mitigation measures identified below to address site-specific and project level impacts appropriate to the future construction project. Mitigation measures below ensure that sensitive habitat communities adjacent to the work area are defined and measures implemented for protection.

Potentially significant impacts can be reduced to a less-than-significant level with implementation of **Mitigation Measures BIO-1** and **BIO-2** identified below.

Mitigation Measures

MM BIO-1: Prepare Biological Report

A qualified biologist shall prepare a biological report prior to review and implementation of any project outside paved areas or within 100 feet of any sensitive habitat area, riparian corridor, bluffs, sea cliffs, or wetlands. As a result, each future CAWD service extension project, including on-street and off-street projects, would need to be evaluated to determine if it is within 100 feet of a sensitive habitat. A biological report would be prepared for any project that occurred within 100 feet of a sensitive habitat. These biological reports would include measures to protect sensitive natural communities and special-status plant species.

If the biological report identifies that future CAWD service extension projects are located in or adjacent to sensitive plant species habitat, a qualified biologist shall work with the District and/or contractor to designate the work area and any staging areas with high-visibility orange construction fencing if deemed applicable by the qualified biologist. Disturbance to vegetation shall be kept to the minimum necessary to complete the project activities. Protective fencing should be in place prior to any site grading or other disturbances. All grassland or sensitive habitat areas outside the limits of work shall be preserved. When all site construction is complete, the temporary fencing can be removed.

MM BIO-2: Surveys for Special-Status Plant Species

The biological report identified in **MM BIO-1** shall recommend plant surveys for special-status plant species. Surveys shall be conducted prior to approval of any future CAWD service extension project with ground disturbing activities at off-street project locations where suitable habitat for such species is present. The measure shall require a qualified botanist to conduct focused botanical surveys according to CNPS (CNPS 2001), CDFW (CDFW 2018c), and USFWS (USFWS 2002) at the proper time(s) of year during reported blooming periods when the plants are identifiable. The biological report identified in **MM BIO-1** shall identify avoidance measures for special plant species where appropriate. The qualified botanist shall prepare a survey results report for submittal to the District. The report shall include, but shall not be limited to, the following: (1) a description of the survey methods; (2) a discussion of the survey results; (3) a map showing the project area and the location of any special-status plants encountered, and (4) recommended measures to avoid impacts to special-status plant species.

MM BIO-3: **Biological Report for Sensitive Habitats**

MM BIO-1 requires that a qualified biologist prepare a biological report prior to constructing any project within 100 feet of any sensitive habitat area, riparian corridor, bluffs, sea cliffs, or wetlands. As a result, a biological report would be prepared for any project that occurred within or adjacent to sensitive habitat, including habitat for special-status animal species. The biological report shall include measures to protect any special-status animal species when the biological report identifies that future CAWD service extension projects are within or adjacent to suitable habitat for special-status animal species to avoid harming special-status wildlife species.

MM BIO-4: Protection of Special-Status Animal Species

The following measures shall be required to protect any special-status animal species when the biological report identifies that future CAWD service extension projects are within or adjacent to suitable habitat for special-status animal species. These measures to avoid harming special-status wildlife species will be superseded by site-specific surveys and reports.

- Prior to initiation of any construction activities within the vicinity of sensitive habitat for special-status animal species, a qualified biologist shall clearly delineate the limits of construction work and equipment access.
- Protective fencing should be in place prior to any site grading or other disturbances.
- A qualified biologist shall conduct an employee education program prior to any construction. The education program shall consist of a brief presentation to explain biological resources concerns to contractors, their employees, and any other personnel involved in construction of the project.
- A qualified biologist shall conduct a pre-construction survey within the construction area for the presence of Special-Status Species, as identified or required in the biological report for the site-specific projects. The survey(s) will be conducted immediately prior to the initial onset of construction activities. If special-status, species are found, work will not commence until the appropriate state and/or federal resource agencies are contacted and avoidance and mitigation measures are in place.
- If an animal is found at the work site and is believed to be a protected species, work shall be halted, and a qualified biologist shall be contacted for guidance. Care must be taken not to harm or harass the species. No wildlife species shall be handled and/or removed from the construction area by anyone except agency-approved biologists.

MM BIO-5: Restoration of Disturbed Areas

Areas disturbed by construction shall be restored and replanted, depending on the community and habitat type, i.e.., disturbed grasslands shall be seeded with a native erosion control seed mix suitable to the project area.

c) **Federally Protected Wetlands: Less-Than-Significant Impact with Mitigation Incorporated.** Inclusion in the District's amended SOI and annexation area would enable the proposed areas and individual properties to apply to CAWD for provision of municipal wastewater service in the future. Thus, there would be no direct impact to federally protected wetlands from the jurisdiction boundary amendment. Future projects would also be required to implement BMPs and protective measures listed below to avoid indirect impacts to federally protected wetlands as defined by Section 404 of the Clean Water Act, as well as riparian areas, and other sensitive habitats within or near future construction areas.

Mitigation Measure

MM BIO-6: Construction Best Management Practices

CAWD shall ensure future construction projects and contractors implement the following BMPs and protective measures listed below to avoid indirect impacts to wetlands, riparian areas and other sensitive habitats identified within the construction area.

- No materials shall be allowed to enter into aquatic resources within the vicinity. All storm drain inlets and culvert inlets and outlets shall be protected (e.g., filter fabric, straw

wattles, and/or silt fencing) in order to prevent debris or construction materials from entering in these areas. At the end of project construction, all materials trapped by the barriers and excess materials such as dirt, rock, asphalt and concrete pavement, or debris shall be collected using dry sweep methods and removed from the project locations. No materials shall be allowed to enter into aquatic resources within the vicinity.

- A litter control program shall be instituted at each project location. All workers ensure that food scraps, paper wrappers, food containers, cans, bottles, and other trash from the project area are deposited in covered or closed trash containers. The trash containers shall be removed from the area at the end of each working day.
- All leaks, drips and spills shall be immediately cleaned up to prevent entry into aquatic resources within the vicinity. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.

With the implementation of **MM BIO-1** as well as BMPs described above, reasonably foreseeable indirect biological impacts of potential future wastewater projects would be less-than-significant. Environmental review and project level biological assessment will be required at the time actual future potential wastewater projects are proposed; these reports and process will provide specific mitigation measures to address any subsequent project-level impacts.

d) **Wildlife Movement: Less-than-Significant-Impact with Mitigation Incorporated.** The action of changing CAWD's jurisdictional boundaries, by itself, would not result in physical impacts on the environment, as described herein. The proposed SOI amendment and annexation involves no direct changes to the existing wastewater system, or the associated system permits. Annexation and extension of CAWD's jurisdictional boundaries could facilitate the provision of new or expanded wastewater collection and treatment provided by CAWD, although these would be subject to future determinations of specific engineering design as well as CEQA compliance and permitting. Further, by nature of the connections, future extension of pipelines would be placed underground and within existing roadways, therefore, would not interfere with wildlife movement. Prior to approval of the construction of infrastructure improvements (once identified by the CAWD or underlying jurisdiction), the Lead Agency would be responsible for CEQA compliance and permitting to address any subsequent project-level activities relating biological resources including wildlife corridors.

The federal Migratory Bird Treaty Act (MBTA; 16 U.S.C., §703, Supp. I, 1989) prohibits killing, possessing or trading in migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. Migratory birds also are protected in and by the State of California (State Fish and Game Code §3503 [and other sections and subsections]). Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment, a violation of the MBTA. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered "take" by the CDFG. The mitigation measure described below should be implemented to comply with laws and regulations protecting raptors or other birds nesting on or immediately adjacent to the sites. The project has the potential to disturb nesting migratory birds or raptors if any are present within the work area during tree pruning and use of heavy equipment. Nests may potentially be destroyed by pruning, resulting in death of chicks or eggs, if any are present. Loud noise from heavy equipment may potentially cause adult nesting birds to abandon their nests, resulting in death of chicks or eggs, if any are present. No long-term impacts to bird nesting habitat are expected to occur from projects involving wastewater service connection. Implementation of the following mitigation measure would reduce the impact to a less-than-significant level.

Mitigation Measure

MM BIO-7: Construction Scheduling to Avoid Nesting Season

To avoid potential impacts to nesting migratory birds and raptors, schedule construction to avoid the nesting season to the extent feasible, which is typically from March 1 to August 1. If construction cannot be scheduled outside this area, a qualified biologist shall conduct surveys for nesting birds no more than two weeks prior to onset of tree pruning and construction with heavy equipment. If nesting birds are observed within the project corridor, postpone construction along that portion of the project until the biologist confirms that all young have fledged from the nest. The qualified biologist shall determine buffers required depending on the bird species. For most birds a 50-foot buffer zone is adequate to protect the nest; a raptor nest will require a 250-foot buffer.

Thus, the proposed SOI amendment and annexation would not: 1) 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, 2) impede the use of native wildlife nursery sites.

e) **Conflict With Local Policies: Less-Than-Significant Impact.** A portion of the proposed project area does consist of oak woodland. Removal of healthy, native oak trees in the Carmel Valley Area Plan is discouraged (Policy CV-3.11). Further, the General Plan also outlines measures for the preservation of oak woodland and protection of oak and madrone trees. Within the unincorporated portions of the County, outside the coastal zone, permits are required for removal of oak and madrone trees larger than six inches in diameter as measured two feet above grade pursuant to provisions in Chapter 16.60 of the County Code ("Preservation of Oak and Other Protected Trees"). Landmark oaks are those greater 24 inches in diameter as measured two feet above grade.

The proposed project would not directly result in any development and therefore would not violate a local ordinance or policy protecting biological resources. However, inclusion into the District's amended SOI and annexation area would enable future extension into the CAWD jurisdictional boundaries and could facilitate future potential wastewater projects. Future improvements would be subject to specific engineering design as well as CEQA compliance and permitting. Potential indirect impacts due to reasonably foreseeable future projects (i.e., the Carmel Valley Manor Sewer Extension Project and other underground pipeline projects) are not anticipated to conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. These projects would be anticipated to be underground and within existing roadways. As indicated above in *Section 5.2 Background and Methodology*, future development is governed by the Monterey County General Plan, Zoning Ordinance and other regulations that generally seek to protect biological resources. As a result, the proposed project would have a less-than-significant impact due to conflict with any local policies or ordinances protection biological resources, such as a tree preservation policy or ordinance.

f) **Habitat Conservation Plans: No Impact.** Monterey County does not have an adopted Habitat Conservation Plan or Natural Community Conservation Plan in the project area. Therefore, the project would not conflict with Monterey County's adopted biological resources policies or conservation plans, and thus, the project would result in no impact.

Sources (1, 2 & 4)

5.3.5 CULTURAL RESOURCES

Setting

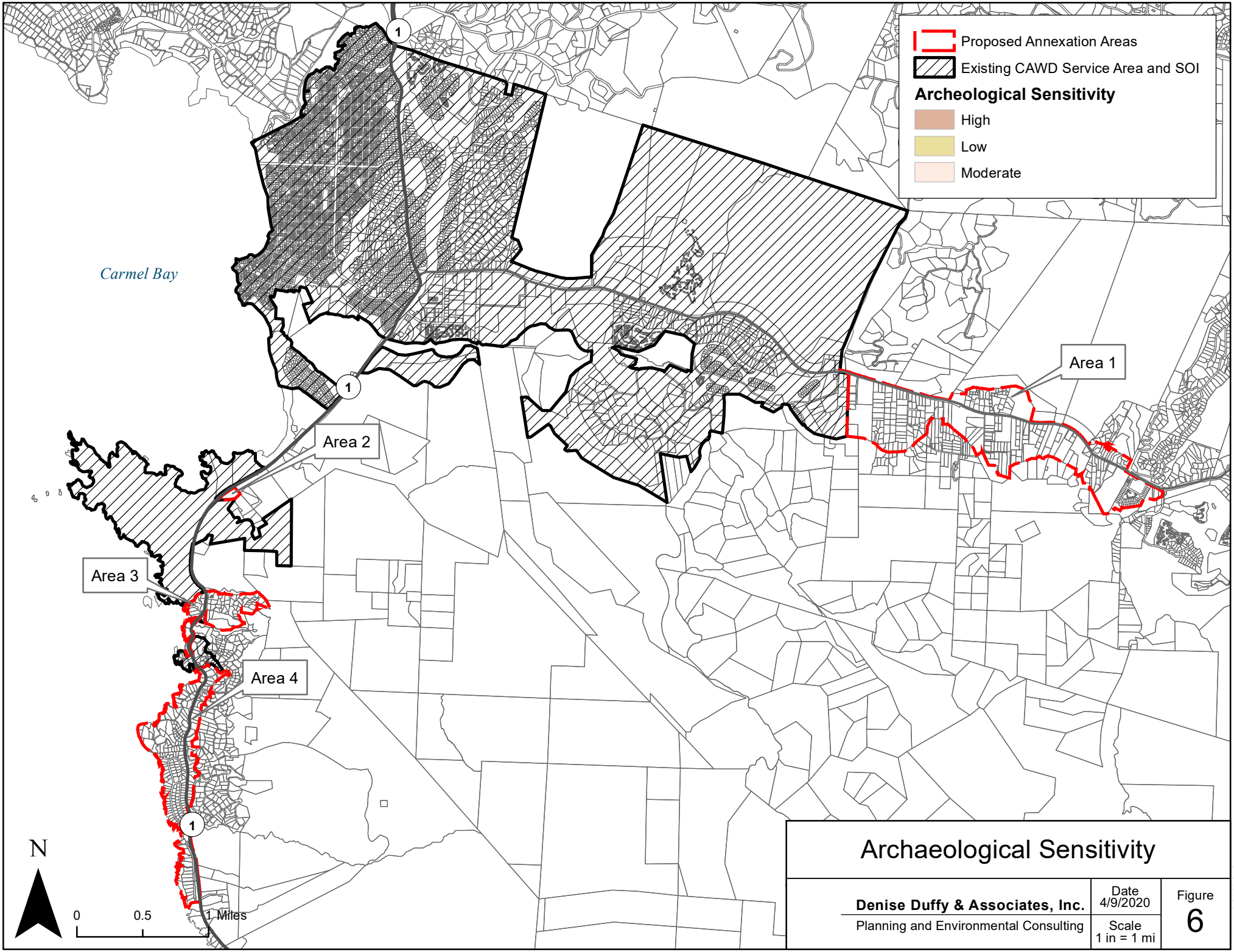
Monterey County was first inhabited by the Costanoan and then Esselen people. Spanish explorers first landed in Monterey Bay in the early 1600s; however, Franciscan missionaries did not establish missions in the county until the late 1700s. Americans began settling in the county in the 1800s during the Mexican period and especially after the Gold Rush of 1849. The Monterey County General Plan identified several historic sites within the proposed project area as well as areas of high to moderate archaeological sensitivity (**Figure 6, Archeological Sensitivity**).

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 as defined in 15064.5?	☐	■	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	☐	■	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	■	☐

Discussion/Conclusion/Mitigation

a - b) **Historical/Archaeological Resources: Less-Than-Significant Impact with Mitigation Incorporated.** Historic resources may consist of resources in the built environment, including buildings and structures, roads, and bridges, which are greater than fifty years in age. The Carmel Valley and coastal areas of the County contain eligible historic resources including properties on or eligible for the National Register of Historic Places (NRHP) and/or California Register of Historical Resources (CRHR). The proposed project consists of an adjustment of CAWD's jurisdictional boundaries and would not directly result in construction of infrastructure improvements. Thus, no significant direct effects would occur regarding eligible historic resources or archaeological resources from the proposed project.

Indirect impacts from future improvements would not likely impact listed historic structures and historical resources. The majority of the area proposed for annexation is developed with existing residential land uses, limited commercial, open space, and public/quasi-public land uses. Most future construction of conveyance facilities would be within a road right-of-way and would not adversely impact a historical resource. As mentioned previously, any indirect impacts due to future infrastructure improvements would be subject to future determinations of specific engineering design as well as CEQA compliance and permitting.



Archaeological Sensitivity

Denise Duffy & Associates, Inc. Planning and Environmental Consulting	Date 4/9/2020 Scale 1 in = 1 mi	Figure 6

Path: D:\GIS\GIS_Projects\2019-23 CAWD Annexation\Map Products\Fig 6 Archaeological Resources.mxd

Further, future development is governed by the Monterey County General Plan, Zoning Ordinance and other regulations that generally seek to protect historical and archaeological resources. However, since the proposed project area is located within an area of high archaeological sensitivity, as shown on **Figure 6**, there is the possibility of inadvertently uncovering archaeological resources. This would be considered a potentially significant indirect impact which could occur during construction of future wastewater improvements. This impact can be mitigated to a less-than-significant level with the implementation of **Mitigation Measures CR-1** and **CR-2**.

Mitigation Measure

MM CR-1: Cultural Resources Report and Monitoring

The following protection measures will be required for potential future projects if ground disturbance is located in areas deemed as potentially sensitive archeological sites by the Monterey County General Plan (Monterey County, 2010):

- CAWD shall require the preparation of an archaeological resource report by a Professional Archaeologist for improvement projects involving ground disturbance in areas of high likelihood of containing archaeological resources.
- During ground disturbance of native soils (soils not consisting of artificial fill) for the construction of the project, a Professional Archaeologist and a local Native American monitor shall be retained to observe construction activities within the project site. If, during initial monitoring, the Professional Archaeologist determines that the construction activities have little or no potential to impact cultural resources, the Professional Archaeologist, in consultation with the Native American monitor, may recommend that monitoring be reduced or eliminated. If cultural resources are identified during initial monitoring, work within 50 feet of the find shall halt and Mitigation Measure **CR-2** shall be implemented.

MM CR-2: Cultural Resources Protection Measures

- If the Professional Archaeologist determines that any cultural resources exposed during construction constitute a historical resource and/or unique archaeological resource under CEQA, he/she shall notify CAWD and other appropriate parties of the evaluation and recommend mitigation measures to mitigate to a less-than-significant impact in accordance with California Public Resources Code Section 15064.5. Mitigation measures may include avoidance, preservation in-place, recordation, additional archaeological testing and data recovery among other options. The completion of a formal *Archaeological Monitoring Plan* (AMP) and/or *Archaeological Treatment Plan* (ATP) that may include data recovery may be recommended by the Professional Archaeologist if significant archaeological deposits are exposed during ground disturbing construction. Development and implementation of the AMP and ATP and treatment of significant cultural resources will be determined by the CAWD in consultation with any regulatory agencies.
- The treatment of human remains and any associated or unassociated funerary objects discovered during any soil-disturbing activity within the APE shall comply with applicable state laws in regard to Native American burials (Chapter 1492, Section 7050.5 to the Health and Safety Code, Sections 5097.94, 5097.98 and 5097.99 of the Public Resources

Code). This shall include immediate notification of the appropriate county Coroner/Medical Examiner and the CAWD.

- A *Monitoring Closure Report* shall be filed with CAWD at the conclusion of ground disturbing construction if archaeological and Native American monitoring of excavation was undertaken.

With the implementation of **Mitigation Measures CR-1** and **C-2** described above, reasonably foreseeable indirect cultural resource impacts due to short-term construction of future wastewater projects would be less-than-significant. Environmental and permit review will be required at the time actual improvement projects are proposed to address any subsequent project-level impacts.

c) **Less-than-Significant Impact.** The proposed SOI amendment and annexation would not impact any human remains, since no construction is proposed by the SOI amendment and annexation. Per Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code of the State of California, certain actions must be taken upon the discovery of human remains during construction of future projects. The following must occur in the event of the discovery of human remains during future construction activities:

- There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains.
- The Monterey County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the coroner determines that the remains are not subject to his authority, the coroner shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American.
- If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

With the implementation of the standard condition of approval, impacts to human remains would be less than significant.

Sources (1, 2, & 4)

5.3.6 ENERGY

Setting

The State's 100 Percent Clean Energy Act of 2018 sets a State policy that eligible renewable energy and zero-carbon resources supply 100 percent (%) of all retail sales of electricity in California by 2045. Executive Order (EO) was also issued in September 2018, EO B-55-18, establishing a new statewide goal to achieve "carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter."

Starting in 2018, all PG&E customers within Monterey, San Benito, and Santa Cruz Counties were automatically enrolled in Monterey Bay Community Power (MBCP). MBCP is a locally controlled public agency providing carbon-free electricity to residents and businesses. Formed in February 2017, MBCP is a joint powers authority, and is based on a local energy model called community choice energy. MBCP partners with PG&E, which continues to provide billing, power transmission and distribution, customer

service, grid maintenance services and natural gas services to Monterey County. MBCP's standard electricity offering, is carbon free and is classified as 30 percent renewable (MBCP, 2019).

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?	☐	☐	■	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	■	☐

Discussion/Conclusion/Mitigation

a -b) **Energy Resources/Renewable Energy: Less-than-Significant Impact.** The action of changing CAWD's jurisdictional boundaries, by itself, will not result in consumption of energy sources, as described herein. The proposed project involves no direct changes to the existing wastewater conveyance system, or the associated system permits. Inclusion of an extended area in the jurisdictional boundaries of CAWD could facilitate the provision of new or expanded wastewater improvements to allow extension of wastewater services to the proposed project annexation areas. Conveyance improvements such as pipelines and lift stations would consume minimal energy and further, would be subject to future determinations of specific engineering design as well as CEQA compliance and permitting. Improvement projects would also be subject to permit approvals and existing state and local energy standards. The Carmel Valley Manor project would use limited electricity to pump wastewater to connect to the existing conveyance system, but this would be a minor level of energy consumption. Thus, the proposed SOI amendment and annexation project would not result in wasteful, inefficient, or unnecessary consumption of energy resources. The project does not conflict with statewide policies for renewable energy. Future projects would be evaluated for their energy usage and subject to existing state and local energy standard. The proposed project does not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. This represents a less-than-significant impact.

Sources (1, 2 & 10)

5.3.7 GEOLOGY AND SOILS

Setting

Geologic structure in Central California is primarily the result of tectonic events that have occurred during the past 30 million years. It is widely believed that the numerous faults in this area are related to movements along the boundary between the Pacific and North American tectonic plates. The relative motion between these two tectonic plates is taken up largely along the northwest-trending San Andreas Fault system, which defines the regional boundary between the two plates. Changes in sea level and tectonic uplift resulted in a complicated depositional environment that produced the complex geology of the Monterey Bay region. Faulting and folding have deformed and displaced the geologic units in the region, and the granitic basement and overlying tertiary deposits have been juxtaposed along many of the northwest/southeast-trending faults.

According to the Monterey County General Plan, the County is located in one of the most seismically active regions in the world. The largest earthquake fault in the region is the San Andreas, a major active fault which traverses the eastern portion of the County and located about 55 miles east of the proposed project area. No major earthquakes have occurred on these faults during the past 100 years. As a result, many areas within the County are susceptible to seismic hazards such as strong ground shaking, liquefaction, and earthquake-induced landslides. In addition, erosion hazards are present in the agricultural areas of the Salinas and Pajaro Valleys (Monterey County, 2007).

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? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	■	☐
ii) Strong seismic ground shaking?	☐	☐	■	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	■	☐
iv) Landslides?	☐	☐	■	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	■	☐
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?	☐	☐	■	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	■	☐
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?	☐	☐	☐	■
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

ai-aiv) **Exposure to Seismic Hazards: Less-Than-Significant Impact.** The proposed project SOI and annexation does not include the construction of any new facilities or infrastructure improvements. No direct impacts to geology and soils would occur. However, future construction

of infrastructure improvements would involve pipeline installation and improvements needed to connect properties to the CAWD distribution system. Service and sewer line extension to provide service to the Carmel Valley Manor Sewer is proposed, as this facility has been experiencing septic system failure. Future construction and operational activities associated with extending wastewater service to this site and others within the project area may result in subsequent project-level impacts relating to geology and soils. Future improvements and construction will be subject to the California Building Code, which incorporates the most recent seismic design parameters that mitigate the potential for damage to structures subject to seismic accelerations. In addition, as part of the Monterey County permitting process, future projects would be required to obtain a grading permit prior to ground disturbance, pursuant to Monterey County Code Chapter 16.08 and Coastal Implementation Plan requirements. Infrastructure improvements to connect future annexation areas to CAWD would be required to be constructed to standard engineering and seismic safety design techniques as well as in accordance with all state, federal, and other laws, rules, regulations to avoid or minimize potential direct or indirect damage from seismic ground shaking.

Adherence to current standards and requirements of the applicable codes will minimize any geophysical risks. Therefore, potential adverse impacts associated with the exposure of people or structures to seismically induced hazards, including fault rapture, strong seismic ground shaking, ground failure, or landslides would be considered less-than-significant.

b) **Erosion: Less-Than-Significant Impact.** There are lands within Areas 3 and 4 that have a moderate to high susceptibility for erosion. However, as described in Response a), above, the proposed project would not result in any direct development and therefore, would not directly result in substantial soil erosion or the loss of topsoil.

Most conveyance facilities would be located within a road right-of-way and would not result in substantial soil erosion or the loss of topsoil. Construction activities disturbing one acre or more would also be subject to the requirements of the National Pollutant Discharge Elimination System (NPDES) General Construction Permit, which includes the preparation of a Storm Water Pollution Prevention Plan (SWPPP), as outlined in *Section 5.3.10 Hydrology and Water Quality*. Any temporary erosion related to construction would be minimized through the implementation of standard construction phase Best Management Practices (BMPs) related to erosion. Erosion control measures and associated BMPs would be consistent with the recommended measures contained in the California Stormwater Best Management Practices Handbooks. Applicable measures may include the following:

- Stockpiling and disposing of demolition debris, concrete, and soil.
- Protecting existing storm drain inlets and stabilizing disturbed areas.
- Hydro-seeding/re-vegetating disturbed areas.
- Minimizing areas of impervious surfaces.
- Implementing runoff controls (e.g., percolation basins and drainage facilities).
- Properly managing construction materials.
- Managing waste, aggressively controlling litter, and implementing sediment controls.
- Limiting grading to the minimum area necessary for construction and operation of the project.

Compliance with County and state requirements as well as the above BMPs, would ensure that indirect impacts due to construction activities associated with future potential service extension would not cause substantial soil erosion and potential impacts would be reduced to a less-than-significant level.

c-d) **Soils Stability: Less-Than-Significant Impact.** The project area may contain soil and geologic hazards that could result in lateral spreading, subsidence, or liquefaction, and/or expansive soils which could damage proposed structures. Per Response a), above, there are no direct impacts to geology and soils and indirect impacts due to potential soil and geotechnical hazards would be minimized through appropriate engineering and construction requirements. This would reduce any potentially significant geotechnical impacts to a less-than-significant level.

e) **Soils Incapable of Septic Disposal: No Impact**. The proposed SOI amendment and annexation would not result in any potential adverse effects due to soils being incapable of supporting septic disposal since the proposed project would not involve the construction of septic systems. Further, the proposed project is designed to mitigate for areas within the proposed project area that are experiencing septic system failure due to outdated systems and other locational issues with septic disposal. Annexation and future connection to the CAWD service area would provide a beneficial impact to those properties experiencing septic disposal failure.

f) **Paleontological Resource: No Impact**. There are no known paleontological resources or unique geologic features within the proposed project area. The project site is not listed within an area identified as containing paleontological resources nor is it located in close proximity to any known paleontological resources. The proposed project would not impact any paleontological resources, since none are known in the project area.

Sources (1, 2, & 4)

5.3.8 GREENHOUSE GASES

Setting

Various gases in the earth's atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the earth's surface temperature. Solar radiation enters the atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, the radiation that otherwise would have escaped back into space is retained, resulting in a warming of the atmosphere known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect, or climate change, are carbon dioxide (CO_2), methane (CH_4), ozone (O_3), water vapor, nitrous oxide (N_2O), and chlorofluorocarbons (CFCs). Human-caused emissions of these GHGs in excess of natural ambient concentrations are responsible for enhancing the greenhouse effect. In California, the transportation sector is the largest emitter of GHGs.

The proposed project is located in the NCCAB, where air quality is regulated by MBARD. Neither the state, MBARD, nor Monterey County have adopted GHG emissions thresholds or a GHG emissions reduction plan that would apply to the proposed project. However, it is important to note, that other air districts within the State of California have adopted recommended CEQA significance thresholds for GHG emissions. For instance, on March 28, 2012 the San Luis Obispo Air Pollution Control District (SLOAPCD) approved thresholds of significance for the evaluation of project-related increases of GHG emissions. The SLOAPCD's significance thresholds include both qualitative and quantitative threshold options, which

include a qualitative threshold that is consistent with the AB 32 scoping plan measures and goals and a quantitative bright-line threshold of 1,150 metric tons of carbon dioxide equivalent ($MTCO_2e$) per year. The GHG significance thresholds are based on AB 32 GHG emission reduction goals, which take into consideration the emission reduction strategies outlined in the California Air Resources Board's Scoping Plan. Development projects located within these jurisdictions that would exceed these thresholds would be considered to have a potentially significant impact on the environment which could conflict with applicable GHG-reduction plans, policies and regulations. Projects with GHG emissions that do not exceed the applicable threshold would be considered to have a less-than-significant impact on the environment and would not be anticipated to conflict with AB 32 GHG emission reduction goals. Given that the MBARD has not yet adopted recommended GHG significance thresholds, the above thresholds are relied upon for evaluation of projects.

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?	☐	☐	■	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a) **Greenhouse Gas Emissions: Less-Than-Significant Impact**. The current proposal would not directly result in physical improvements, such as additional infrastructure or improved facilities in the proposed project areas. Therefore, the planned boundary adjustment would not increase or generate any GHG emissions. Although no direct impacts due to greenhouse gas emissions would occur, the proposed project was evaluated for the potential for indirect impacts. GHG emissions attributable to future development would be primarily associated with increases of CO_2 and, to a lesser extent, other GHG pollutants, such as CH_4 and N_2O.

The major sources of GHG emissions associated with the proposed project include, emission during construction and mobile sources due to operational maintenance activities. Any potential indirect impacts from GHG generation during construction would be short-term and temporary. Given the nature of future potential wastewater projects (i.e., underground pipelines) it is not expected this project would result in substantial operational GHG emissions. There would be limited or no new maintenance and employee vehicle trips that would generate GHG emissions. Further, in Area 1, the septic system at Carmel Valley Manor has already been identified by the County as undersized and over the nitrogen loading limit. Combined with the elimination of septic systems in all of the project areas, and Carmel Manor connection to CAWD, operations would result in a reduction in methane gas emissions due to reduction of septic systems in the area.

Future environmental review will be completed at the time actual facilities or infrastructure improvements are proposed to address any subsequent project-level impacts relating to GHG. Furthermore, all future projects would be subject to MBARD standards and potential indirect effects would be addressed through standard construction best management practices (i.e.,

MBARD CEQA Guidelines), applicable conditions of approval, and project-specific mitigation (if applicable).

Thus, the proposed project would not generate greenhouse gas emissions, either directly or indirectly, that would have a significant impact on the environment. Therefore, this is considered a less-than-significant impact.

b) **Conflict With Applicable Plans: No Impact**. Neither the State, MBARD, nor Monterey County have adopted GHG emissions thresholds or a GHG emissions reduction plan that would apply to the project. The project is not expected to generate GHG emissions that would exceed applicable thresholds. The proposed project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases as described above.

Sources (1, 2, 6, & 7)

5.3.9 HAZARDS AND HAZARDOUS MATERIALS

Setting

Hazardous materials, as defined by the California Code of Regulations, are substances with certain physical properties that could pose a substantial present or future hazard to human health or the environment when improperly handled, disposed, or otherwise managed. A hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. Hazardous materials and waste can result in public health hazards if improperly handled, released into the soil or groundwater, or through airborne releases in vapors, fumes, or dust. Soil and groundwater having concentrations of hazardous constituents higher than specific regulatory levels must be handled and disposed of as hazardous waste when excavated or pumped from an aquifer. The California Department of Toxic Substances Control (DTSC) EnviroStor Database indicates that there were 28 contaminated sites in Monterey County that are listed in federal or state databases (Monterey County, 2007).

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?	☐	☐	■	☐
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?	☐	☐	■	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	■	☐

Would the project:	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
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?	☐	☐	☐	■
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?	☐	☐	☐	■
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	■
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	■	☐

Discussion/Conclusion/Mitigation

a – b) **Hazardous Materials, Waste or Emissions: Less-Than-Significant Impact.** The proposed project would not directly result in any construction of infrastructure improvements that would directly expose people to hazards or hazardous materials. The proposed project would result in inclusion of additional lands within CAWD's jurisdictional boundaries, which could result in future CAWD parcels connecting to the wastewater collection facilities in these areas subject to certain conditions. Thus, while no direct physical impacts would result with the annexation and resultant jurisdictional boundary adjustments, indirect impacts could occur during construction of the necessary infrastructure improvements (pipelines) to convey wastewater to the CAWD treatment facilities.

No hazardous materials are anticipated to be stored on site during operation of future potential wastewater projects. However, construction activities of potential future projects would require the temporary use of hazardous substances, such as fuel for construction equipment, oil, solvents, or paints. Storage and use of hazardous materials at construction sites and staging areas could potentially result in the accidental release of small quantities of hazardous materials, which could pose a risk to construction workers and the environment, such as degradation of soil and groundwater quality and/or surface water quality. However, as discussed in *Section 5.3.7, Geology and Soils*, the construction contractor would be required to prepare a SWPPP for construction activities in accordance with the NPDES General Construction Permit requirements. The SWPPP would list the hazardous materials (including petroleum products) proposed for use and describe measures for preventing spills, inspecting equipment and fuel storage, and providing immediate response to spills. Through compliance with applicable hazardous materials storage and storm water permitting regulations, the indirect impacts from potential releases of hazardous materials

or petroleum products during construction of potential future projects would be less-than-significant.

c) **Hazards to Schools: Less-Than-Significant Impact.** There are many schools within the annexation areas as well as within one-quarter of a mile of the areas. However, the proposed project would extend CAWD's jurisdictional boundaries and would not result in any direct construction. Future indirect impacts could occur when physical connections (pipelines and lift station improvements) are constructed. This would involve use of typical materials commonly used during construction. Numerous laws and regulations ensure the safe transportation, use, storage, and disposal of hazardous materials. As a result, the potential direct or indirect (future potential projects) impacts on schools related to the use of hazardous materials within 0.25-mile would be less-than-significant.

d) **Hazardous Sites: No Impact.** The areas proposed for annexation do not include sites listed on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.5. There would be no impact in connection with the proposed project.

e) **Airport Safety: No Impact.** There are no airports or private airstrips within the project vicinity. The Monterey Municipal Airport is located more than six miles away from the closest proposed annexation area. The project area is not located within two miles of any of these airports or private airstrips and would not create a safety hazard for people residing in the project area. There would be no impact in connection with the proposed project.

f) **Emergency Response Plans: No Impact.** The major evacuation route in the vicinity of the annexation areas is SR 1 and Carmel Valley Road. The proposed SOI amendment and annexation would not alter the design or geometrics of these highways or, any public roads with ingress or egress to these routes. The proposed annexation, from a vehicular traffic perspective, is benign; no new facilities, roads, or activities are proposed that would alter, impede, or otherwise impair vehicle movement. Therefore, implementation of the proposed project would not interfere with an adopted emergency response plan or emergency evacuation plan and would have no impact in this regard.

g) **Wildland Fire Hazards: Less-Than-Significant Impact.** Areas 2-4 are located in a very high fire hazard zone; Area 1 is not within a State Designated Responsibility Area. As discussed above, the proposed SOI amendment and annexation project is a jurisdictional boundary adjustment and does propose any development. Regulations governing the use of construction equipment in fire prone areas are designed to minimize the risk of wildland fires during construction activity. These regulations restrict the use of equipment that may produce a spark, flame, or fire; require the use of spark arrestors on construction equipment that has an internal combustion engine; specify requirements for the safe use of gasoline-powered tools in fire hazard areas; and specify fire suppression equipment that must be provided onsite for various types of work in fire prone areas. The construction contractor of potential future projects must comply with the Public Resources Code and any additional requirements imposed by CAL FIRE, and the local fire protection departments. As a result, potential impacts related to wildland fires would be less-than-significant. (also see *Section 5.3.19 Wildfire*).

Sources (1, 2, & 4)

5.3.10 HYDROLOGY AND WATER QUALITY

Setting

The California Department of Water Resources (DWR) divides surface watersheds in California into ten Hydrologic Regions (HRs). The proposed annexation area is located in the Central Coast HR and is subject to the authority of the Central Coast Regional Water Quality Control Board (CCRWQCB). The region depends heavily on groundwater, which makes up the vast majority of available water supply, but recycled water is becoming a more plentiful supplemental source for agricultural and other non-potable uses (DWR, 2009). The DWR subdivides HRs into Hydrologic Units (HUs) that are commonly known as watersheds. The proposed annexation Area 1 is located within the Carmel River HU, and the other proposed annexation areas located along the coast are located within the Santa Lucia HU.

The Santa Lucia HU is a coastal watershed that begins just south of the Carmel River and continues south along the coast to a point just north of the Monterey-San Luis Obispo County line (CDF, 2004). The Carmel River HU is bounded by the Santa Lucia mountain range to the southwest and the Sierra de Salinas mountains to the Northeast. Almost all drainage within the watershed is ultimately carried by the Carmel River which flows into the Carmel Lagoon and Carmel Bay, which are part of the Monterey Bay National Marine Sanctuary.

Proposed annexation Areas 2-4 are not underlain by a groundwater basin identified by DWR. Proposed annexation Area 1 is underlain by the Carmel Valley Alluvial Aquifer (CVAA; also referred to as the Carmel Valley Groundwater Basin by DWR). The Carmel River is the primary source of recharge for the basin contributing approximately 85 percent of net recharge (DWR, 2004). Groundwater levels typically fluctuate between five and 15 feet during normal years and can experience declines up to 50 feet during drought years (DWR, 2004). Groundwater quality constituents of concern in the CVAA are nitrates from septic tanks, iron, and manganese (DWR, 2014).

Would the project:	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	■	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	■	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would:				
i) Result in substantial erosion or siltation on- or off-site;	☐	☐	■	☐
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	■	☐
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	■	☐
iv) impede or redirect flood flows?	☐	☐	■	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	■	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	■	☐

Discussion/Conclusion/Mitigation

a) **Water Quality/Waste Discharge: Less-Than-Significant Impact.** The proposed project would not violate any water quality standards or waste discharge requirements, nor would it otherwise substantially degrade water quality, since the proposed project does not include any construction of infrastructure improvements or capacity increases.

Additionally, future infrastructure improvements would also be subject to mandatory water quality standards implemented through NPDES permit requirements. Specifically, earth-disturbing activities during construction would be subject to the NPDES Permit Program, administered by the CCRWQCB, which helps control pollution in stormwater by regulating sources of pollution at construction sites that would result in the discharge of pollutants into the stormwater and subsequent receiving waters during both construction and operations activities. As required by NPDES process, future qualifying construction projects would be required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ). The NPDES Construction General

Permit identifies limits on what can be discharged, monitoring and reporting requirements, and other provisions to ensure that the discharge does not hurt water quality or people's health (EPA, 2017). Construction activities subject to the Construction General Permit include clearing, grading, and other ground-disturbing activities such as stockpiling or excavation. The Construction General Permit requires development and implementation of a SWPPP and BMPs such as maintaining or creating drainages to convey and direct surface runoff away from bare areas, and installing physical barriers such as berms, silt fencing, waddles, straw bales, and gabions.

The proposed project would not result in discharges that would potentially violate water quality standards or waste discharge requirements. The proposed project would have no direct effect on wastewater treatment requirements and would result in no impact. Indirect impacts from future construction of improvements would be addressed by construction project compliance with the provisions of the Construction General Permit, including preparation of a SWPPP and implementation of all identified BMPs; these would ensure short-term construction impacts associated with water quality standards and waste discharge requirements would be minimized.

b) **Groundwater: Less-Than-Significant Impact.** The proposed project is an annexation of areas into the CAWD's jurisdictional boundaries to provide wastewater service and as such, would not deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Groundwater recharge to the Carmel Valley Alluvial Aquifer is principally from infiltration from the Carmel River. The proposed project does not propose any construction and therefore would not result in impacts to the Carmel River or the introduction of additional impervious surfaces, as a result the proposed project would not impact groundwater recharge.

The potential reduction of septic systems in the proposed annexation area after future extension could reduce the portion of the return flow from existing septic tanks in single family homes. Groundwater quality has been affected by seepage from these septic systems. Additionally, the contribution of recharge from infiltration of septic systems in these homes in comparison to the other sources is small and the timeframe for removal of septic systems by individual homeowners is likely to occur over time. Therefore, the contribution is small and the timing unknown. The potential future indirect impacts from reduction of septic systems on the water system would thus not result in the depletion of groundwater or the groundwater system.[9,10]

ci - iv) **Drainage: Less-Than-Significant Impact.** The proposed project does not propose any physical changes to the environment (e.g., alter the existing drainage pattern or contribute additional runoff water). The proposed project would have no effect on the existing drainage pattern of the area, including through the alternation of the course of a stream or river. Therefore, the proposed project would result in no impact regarding alteration of drainage patterns and potential subsequent erosion, siltation, or flooding. Furthermore, the proposed SOI amendment and annexations would have no effect on or increase in runoff. The annexation would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding and would not substantially alter the existing drainage pattern of the site.

[9] CEQA references an impact in this category as "a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)".

[10] The use of septic systems has also been linked to increased pollutants in groundwater. Pollutants that are not removed by septic systems can migrate into groundwater by leaching through the soil resulting in potential contamination of ground water resources. This problem can be magnified as the number of older failing systems increases over time.

As stated above, although no direct impacts would occur, potential future construction and operational activities associated with the proposed annexation, including new, pipeline collection and conveyance systems and facilities, may result in indirect impacts to drainage systems and water quality or otherwise impact hydrology. Prior to approval of the construction of infrastructure improvements (once identified by the CAWD or underlying jurisdiction), the Lead Agency would be responsible for CEQA compliance to address any subsequent project-level activities relating to drainage patterns and water quality.

The project area is subject to regulations in Monterey County plans and development standards that govern the proposed project area. Monterey County Code Chapter 16.12 would require submittal of an erosion control plan and drainage plan prior to land disturbance activities. This Monterey County ordinance as well as Monterey County Code Chapter 16.08 requiring a grading permit contain measures to address water quality, stormwater systems and to reduce pollutants that enter and are discharged from the storm drain systems within the area. Additionally, the CCRWQCB relies on its adopted "Water Quality Control Plan for the Central Coast Basin Plan" (Basin Plan) to manage surface and groundwater in order to provide water quality standards (CCRWQCB, 2019). The CCRWQCB implements the Basin Plan by issuing and enforcing pollution standards: 1) waste discharge requirements (non-water body discharges); 2) NPDES permits (surface water body discharges) for point source discharges, water-quality based effluent limitations, prohibitions of discharge, and the review and establishment of Total Maximum Daily Loads. Monitoring for compliance is accomplished through various programs and agencies: discharger self-monitoring is required under WDRs and NPDES permits; the Central Coast Ambient Monitoring Program (CCAMP), Surface Water Ambient Monitoring Program (SWAMP), and the Groundwater Ambient Monitoring and Assessment (GAMA) Program are used by the CCRWQCB.

Therefore, implementation of the proposed project would not substantially alter the existing drainage pattern of the area, including through the alteration of the course of a stream or river, in a manner which would 1) result in erosion or siltation on- or offsite, 2) substantially alter the existing drainage pattern of the area resulting in flooding on- or offsite, 3) 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, 4) impede or redirect flood flows.

d) **Flood Hazard, Tsunami, or Seiche Zones: Less-Than-Significant Impact.** The project site is not located in an area subject to seiche or tsunami. However, certain portions of the proposed project area located in areas designated within flood hazard zones by the Federal Emergency Management Agency (FEMA) flood maps. As stated above, the proposed project would not result in any direct development. Furthermore, any indirect development as a result of the proposed project would be subject to CEQA review, Monterey County Code Chapter 16.16 Flood Control and Floodplain management which regulates development in floodplains, as well as local and state policies which would protect against impacts associated with the release of pollutants due to project inundation in a flood hazard zone. This is considered a less-than-significant impact.

e) **Water Quality: Less-Than-Significant Impact.** As described above, the proposed project is a SOI amendment and annexation and does not include in any direct development which would result in significant water quality or groundwater quality impacts. Future indirect impacts due to potential future projects would be required to comply with the County Grading Permit standard permit conditions, as well as standard BMPs during construction. As a result, the proposed project would not result in significant water quality or groundwater quality impacts that would conflict or

obstruct implementation of a water quality control or sustainable groundwater management plan since, as outlined in Responses b) and c), above.

Sources (1, 2 & 4)

5.3.11 LAND USE AND PLANNING

Setting

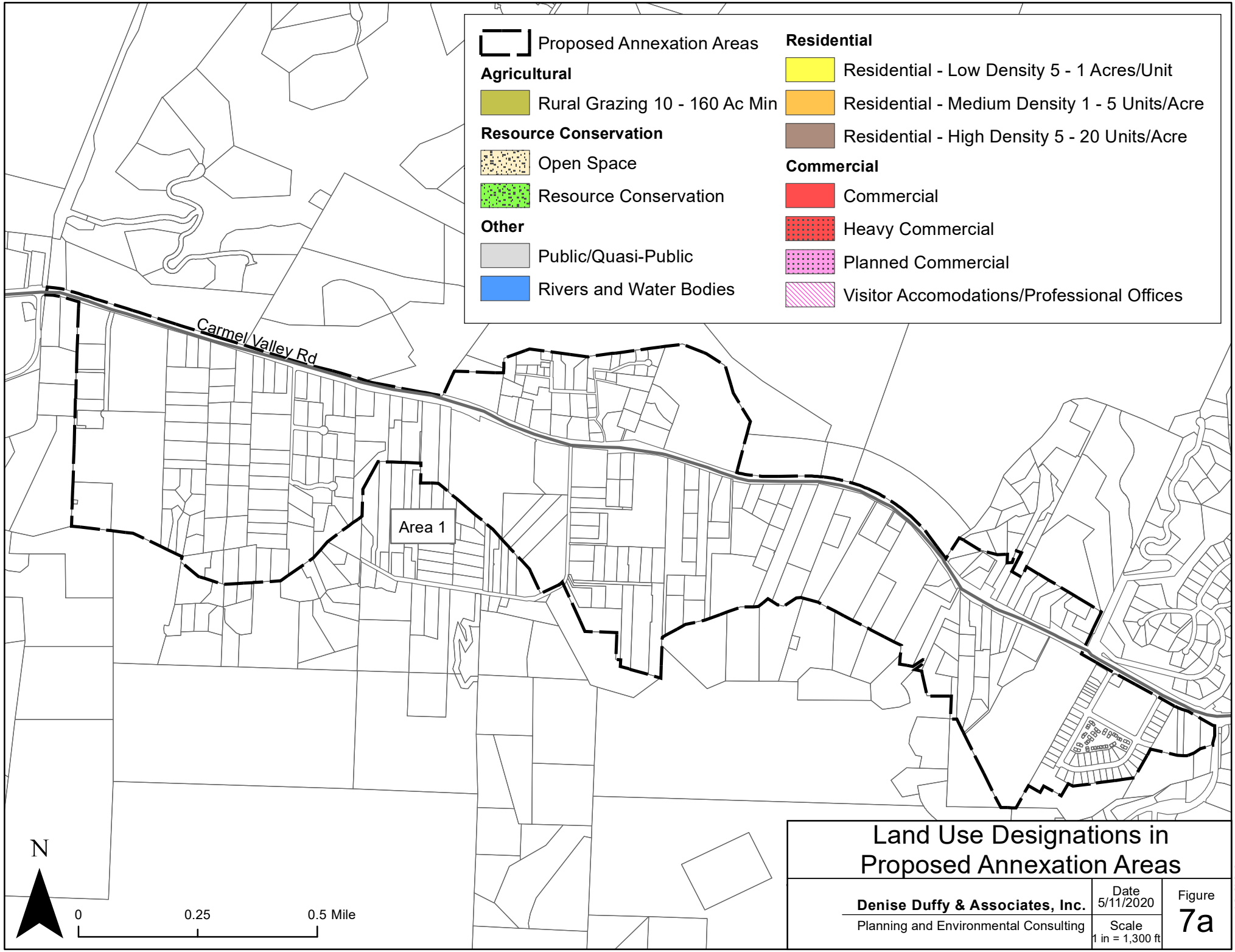
The proposed project is located within unincorporated Monterey County. The largest land use in Monterey County is agricultural land, followed by public and quasi-public lands (consisting mostly of federal and state lands). Urban development is primarily located along Monterey Bay and in the Salinas Valley. Rural and semi-rural development is scattered throughout the County (Monterey County, 2010). Implementation of policies in Monterey County General Plan and Land Use Plans govern the planning and development of the District and proposed project area. **Table 1** summarizes the acreages of the proposed SOI amendment and annexation. The proposed SOI amendment and annexation would increase the total acreage within the District from the existing area of 6,200 acres to approximately 7,220 acres. Underlying land use designations of the proposed SOI amendment and annexation are shown above in **Figure 4** and below in **Figure 7**. A general overview of pertinent planning documents and prior environmental review, as well as service reviews conducted by LAFCO, is provided below.

Regional/Local Relevant Planning Documents

The 2010 Monterey County General Plan, Carmel Area Land Use Plan, Carmel Area Coastal Implementation Plan, and Carmel Valley Master Plan and LAFCO policies contain a variety of policies related to land use, as discussed below.

Monterey County General Plan. The County Board of Supervisors adopted the 2010 Monterey County General Plan and certified the accompanying EIR on October 26, 2010. The EIR provides a comprehensive analysis of impacts from development on the demand on public services in which the project sites and CAWD's jurisdictional boundaries are located. The 2010 Monterey County General Plan and EIR analysis provide policies on service expansion as well as background on CAWD's jurisdictional boundaries. Section 4.11.2.6 Wastewater of the County's General Plan addresses future development and service demand within the proposed project area. While it does not specifically address the SOI amendment and annexation currently proposed by CAWD, these documents provide policies and information on level of buildout of existing lots of record and regional development as well as potential impacts and mitigation at the general plan and policy-level. The Monterey County General Plan, EIR and technical documents are available on the County's website at: http://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma-/planning/resources-documents/2010-general-plan. Environmental documents for properties within the project areas can be found on the County of Monterey website at: http://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma-/planning/current-major-projects.

Carmel Valley Master Plan. The Carmel Valley Master Plan was adopted in 1986. The Carmel Valley Master Plan establishes detailed land use policies designed to preserve the semi-rural character and natural features of Carmel Valley. The development criteria outlined in the Carmel Valley Master Plan establishes specific standards to guide orderly development and would not promote the physical division of an existing community within Carmel Valley.



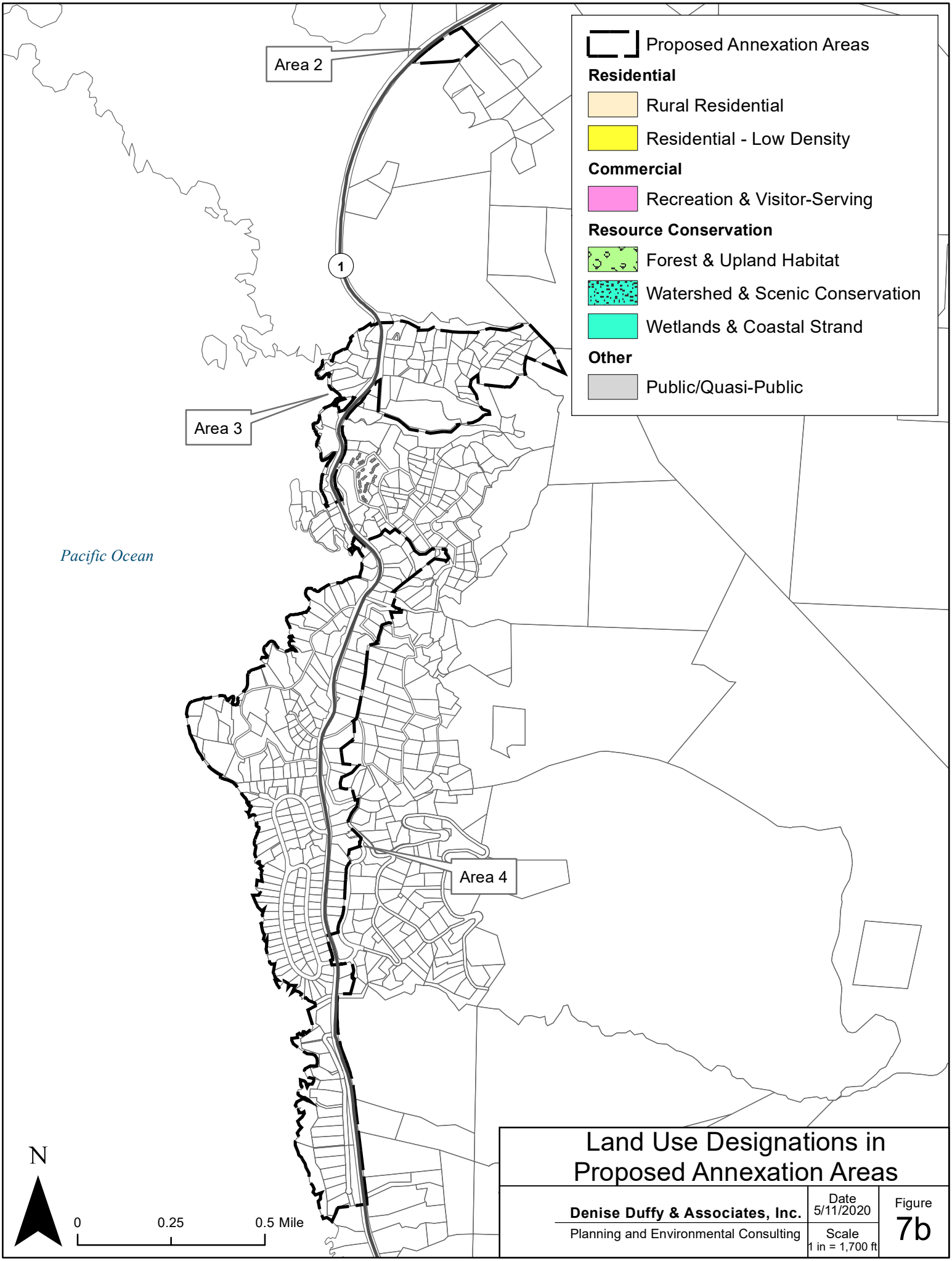
Land Use Designations in Proposed Annexation Areas

Denise Duffy & Associates, Inc.
Planning and Environmental Consulting

Date 5/11/2020
Scale 1 in = 1,300 ft

Figure 7a

Path: D:\GIS\GIS_Projects\2019-23 CAWD Annexation\Map Products\Fig 7a Land Use Map.mxd



Land Use Designations in Proposed Annexation Areas

Denise Duffy & Associates, Inc.	Date 5/11/2020	Figure
Planning and Environmental Consulting	Scale 1 in = 1,700 ft	7b

Path: D:\GIS\GIS_Projects\2019-23 CAWD Annexation\Map Products\Fig 7b Land Use Map.mxd

LAFCO Municipal Services Reviews Conducted for CAWD. California Government Code Section 56430 requires LAFCOs to conduct MSRs that describe the municipal services provided by the agencies that are subject to LAFCO authority. MSRs are comprehensive studies designed to collect and analyze information about service providers, to estimate their ability to meet current and future service needs, and to identify infrastructure needs or deficiencies, growth and population projections for the affected area, financing constraints and opportunities, opportunities for shared facilities, and government structure options. LAFCO's 2016 CAWD Adopted Municipal Services Review is available at http://www.co.monterey.ca.us/lafco.

2016 CAWD Annexation and SOI. CAWD expanded its jurisdictional boundaries to provide for wastewater service to areas to Point Lobos State Natural Reserve and portions of the Carmel Highlands neighborhood as part of the LAFCO and Coastal Commission approved 2016 SOI Amendment and Annexation. The intent of such expansion was to provide public wastewater services to replace aging private individual septic systems in these already built residential neighborhoods and public parklands. The areas proposed in this 2020 SOI and annexation project area similar to the 2016 expanded boundaries.

These areas are primarily developed land adjacent to the District's current boundaries, where CAWD either anticipates, or has received requests for sewer service connection requests due to failing or substandard wastewater infrastructure. Specifically, these areas are identified in **Figure 3** and include:

- Carmel Valley Area (Area 1)
- Point Lobos Area - Larsen Property (Area 2)
- North Carmel Highlands (Area 3)
- South Carmel Highlands (Area 4)

Most, if not all, of the residential/commercial properties are developed. Carmel Valley Master Plan and Carmel Area LUP identify benefits from public wastewater collection and treatment in the alluvial and coastal areas.

California Coastal Commission/CAWD. In 1981, the California Coastal Commission (CCC) approved a Coastal Development Permit (CDP) which authorized a series of treatment plant improvements and upgrades needed to ensure compliance with ocean discharge water quality requirements of the State Water Resources Control Board (SWRCB). The CDP approval also authorized construction of on-site facilities and off-site distribution pipelines needed for water recycling. The approval also included a series of conditions addressing the Treatment Plant's operations and improvements. As part of this consideration, the CCC addressed CAWD's service area boundaries. CCC conditions provided limitations for annexations extending CAWD's jurisdiction boundaries that would extend services. Essentially, the conditions limited CAWD's wastewater service boundary within the coastal zone to the District of Carmel and adjacent unincorporated neighborhoods. At that time, there was also a required that a CCC CDP amendment would be required to modify the District boundaries), and that the treatment plant capacity would be limited to plant treatment capacity (in order to reserve treatment plant capacity specifically for new Coastal Act priority land uses).

Would the project:	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	■
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?	☐	☐	■	☐

Discussion/Conclusion/Mitigation

a) **Divide a Community: No Impact.** As stated above, the proposed project is located within unincorporated Monterey County which governs the planning and development of the District and proposed project area. The approval of the proposed project would extend wastewater services and would not change the area's General Plan land use designations or impact an established community. Therefore, the action of changing the CAWD's boundaries through the proposed SOI amendment and annexation would not divide an established community. Thus, no impact would result with implementation of the proposed project.

b) **Conflict with Plan or Policy**: **Less-Than-Significant Impact.** Applicable land use plans, policies, or regulations are those within the Monterey County General Plan, Carmel Valley Master Plan, Carmel Area Land Use Plan, LAFCO policy documents. CAWD does not possess land use authority as outlined above. Land use designations within the proposed annexation area vary and each provide specified regulations and policies. Inclusion of additional lands into the CAWD's jurisdictional boundaries does not change or conflict with these policies. The SOI amendment and annexation involves no direct changes to the existing wastewater system or associated system improvements or permits. In addition, the proposed project is within the jurisdiction of Monterey County which has adopted a General Plan and Land Use Plans that govern the planning and development of the proposed project area. The proposed project would result in extending CAWD's jurisdictional boundaries and would not 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. This is considered a less-than-significant impact.

Sources (1, 2, 4 & 10)

5.3.12 MINERAL RESOURCES

Setting

Historic mineral production in Monterey County included sand and gravel mining for construction materials, mining for industrial materials (diatomite, clay, quartz, and dimension stone) and metallic minerals (chromite, placer gold, manganese, mercury, platinum, and silver). Using the State Geologist aggregate resources classification system, the Monterey County 2010 General Plan identifies areas of mineral resource significance in the vicinity of the Cities of Marina, Sand City and Seaside, these areas are not contained within the existing CAWD's jurisdictional boundaries or the proposed annexation area. All other areas either do not contain aggregate resources or have not been classified. The Monterey County 2010 General Plan and EIR identifies potential impacts to mineral resources with future development in the County; however, with implementation with policies contained in the General Plan these impacts were found to result in no impacts.

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?	☐	☐	☐	■
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?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a, b) **Loss of Mineral Resources: No Impact.** No known mineral resources in Monterey County are within the existing CAWD's jurisdictional boundaries or the proposed annexation area. Further, as described in previous sections, the proposed project would not result in direct development and as a result would not use or extract any mineral resources or restrict access to any resource area. Therefore, the proposed project would not result in: 1) the loss of availability of a known mineral resource that would be of value to the region and residents of the state or 2) the loss of availability of a locally important mineral resources recovery site delineated on a local general plan, specific plan or other land use plan. The proposed project would have no impact on mineral resources.

Sources (1 & 2)

5.3.13 NOISE

Setting

Existing sources of noise in Monterey County include highways, airports, railroads, industrial areas, agricultural areas and recreational venues. The predominant source of noise in the County is vehicular traffic on roads and highways. The Monterey County 2010 General Plan and EIR identified noise impacts on future development related to exposure to noise, including airport and construction noise. However, with implementation of the policies contained in the General Plan, impacts were found to be less-than-significant.

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?	☐	■	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	■	☐	☐
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?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a - b) **Increase Ambient Noise or Groundborne Vibrations: Less-Than-Significant Impact with Mitigation Incorporated.** The proposed project would not directly result in construction of infrastructure improvements that would generate temporary or permanent increase in ambient noise levels, or groundborne vibrations/noise. Extending services to an area outside the CAWD's jurisdictional boundaries could facilitate the provision of new or expanded wastewater collection pipelines and lift station to allow future service connection. By nature of these projects they are not anticipated to generate a substantial source of operational noise (i.e., underground pipelines). Future improvements such as lift stations will be subject to Monterey County 2010 General Plan policies that limit noise impacts through CEQA compliance and permitting. Potential indirect impacts due to noise from construction activities would be temporary and can be regulated by standard mitigation practices, conditions of approval and best management practices that are imposed as part of a permit process. Nevertheless, since the proposed project is located within an predominantly rural residential and low density residential uses, significant indirect noise impacts which could occur during construction of future extension of wastewater conveyance can be mitigated to a less-than-significant level with the implementation of **Mitigation Measure NOI-1,** below.

Mitigation Measure

MM NOI-1: Construction Noise Reduction Measures

During construction, the project contractor shall implement the following measures to minimize construction noise impacts:

- Place construction equipment and equipment staging areas to be located at the furthest distance as possible from nearby noise-sensitive receptors.
- Choose construction equipment that is of quiet design, has a high-quality muffler system, and is well-maintained.
- Install superior intake and exhaust mufflers and engine enclosure panels wherever possible on gas diesel or pneumatic impact machines.

- Limit construction to 7 a.m. to 7 p.m. Monday through Friday, and 8 a.m. to 6 p.m. Saturday.
- Eliminate unnecessary idling of machines when not in use.
- Locate all stationary noise-generating construction equipment, such as portable power generators, as far as possible from nearby noise-sensitive receptors.
- Utilize the quickest equipment options to accomplish the tasks, in accordance with local, state, and federal regulatory requirements.

With incorporation of **Mitigation Measure NOI-1**, the proposed project would not result in: 1) 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; or, 2) generate excessive groundborne vibration or groundborne noise levels.

c) **Airport Noise: No Impact.** The area proposed for annexation is not located within an airport land use plan. The nearest airport (Monterey Regional Airport) is over six miles away.

Sources (1, 2, 4 & 10)

5.3.14 POPULATION AND HOUSING

Setting

In 2014, AMBAG published a new regional growth forecast that projects a 2020 population of 447,516 and 2035 population of 495,086 for Monterey County. The proposed project would not include any new housing or result in the need for any new 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)?	☐	☐	■	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a) **Induce Substantial Unplanned Population Growth Directly or Indirectly**: **Less-Than-Significant Impact.** Under CEQA, a project can have direct and/or indirect growth inducement potential. A project would directly induce growth by resulting in construction of new housing that would result in new residents in the project area. A project may indirectly induce growth in a number of ways, including:

- Substantial stimulation of economic activity which would result in the need for additional housing and services to support new employment demand; and/or

- Removal of an obstacle to additional growth and development, such as removing a constraint on a required public utility or service; for example, construction of a major sewer line with excess capacity through an undeveloped area.

Typically, the growth-inducing potential of a project would be considered significant if it fosters growth or a concentration of population above what is assumed in local and regional land use plans, or in projections made by regional planning authorities.

Induce substantial unplanned population growth directly (for example, by proposing new homes and businesses). As stated throughout this IS/MND, the proposed project would not involve any direct impacts, such as development of new homes, commercial uses or the modification or expansion of existing land uses. Furthermore, the proposed project would not result in the conversion of land use designations under applicable local jurisdiction General or Area Plans or, be applicable to a zoning change. Currently, most of the areas proposed for annexation are developed with existing residential and limited commercial, open space, agricultural and public/quasi-public land uses. Annexation to allow for future wastewater provision under CAWD would not necessarily promote or foster development of existing lots of record, extension of existing uses, residential and commercial remodels, and similar purposes. There is currently a major constraint for water available for new residential or commercial subdivisions, new large-scale commercial development, and projects that are inconsistent with existing site zoning and general plan designations.

The project proposes annexation of an area into a wastewater service district, which has none of the traditional features or elements that would promote or encourage urban development. There is no housing, development of buildings and no permanent jobs to be added to the area as a direct result of the proposed project. Future construction projects for service connection (i.e., construction of underground pipelines and lift stations) would not generate a substantial amount of new jobs, if any, to foster economic growth. Construction workers would be expected to be drawn from the existing regional work force and would not be growth-inducing from a temporary employment standpoint.

The proposal, on its own, would not enable new development that is otherwise unable to proceed. Annexing areas outside the CAWD's jurisdictional boundaries would facilitate the provision of wastewater collection provided by the CAWD, although these projects are not anticipated to result in substantial employment that would be considered growth-inducing. As a result, the proposed project would not directly induce population growth.

Induce substantial unplanned population growth indirectly (for example, through extension of roads or other infrastructure). Under CEQA, the District is required to analyze indirect or secondary effects which are later in time or farther removed but still reasonably foreseeable. Indirect or secondary effects may include growth-inducing effects and other effects related to induce changes in the pattern of land use, population density, or growth rate, and related effects on water and other natural systems. Currently, most of the areas proposed for annexation are developed with existing residential and limited commercial, agricultural and public/quasi-public land uses. Annexation to allow for future wastewater provision under CAWD would not necessarily promote or foster development of existing lots of record, extension of existing uses, residential and commercial remodels, and similar purposes. There is currently a major constraint for water available for new residential or commercial subdivisions, new large-scale commercial development, and projects that are inconsistent with existing site zoning and general plan designations. The proposed project would eventually reduce use of septic systems in select areas which have been acknowledged to potentially contribute pollutants to groundwater. Future

development that does receive the necessary local jurisdiction approvals would be able to connect to wastewater treatment infrastructure rather than individual septic systems. Any future development of the areas to receive extended service would require individual County and CEQA clearance, permitting, and any other required approvals, including Coastal Commission approval for Areas 2, 3 and 4 in the Coastal Zone.

The proposed project would not physically extend infrastructure but would allow for extension of CAWD's jurisdictional boundaries. This would allow for the extension of municipal wastewater service to areas currently being served by individual treatment septic systems. While not directly extending infrastructure, the SOI and annexation of territories and provision of managed wastewater services could indirectly facilitate growth in those areas currently limited by use of septic systems.

The following discussion presents growth potential for the Carmel Valley and Carmel Highlands proposed project areas, focused on additional residential development on vacant parcels and development of accessory units on existing residential parcels. There are few commercial designations or vacant land that would accommodate additional commercial growth, particularly in the Carmel Highlands area.

A review of the large acreage parcels within the proposed project area indicates there are approximately five parcels over seven acres in size within the Carmel Valley area and only two properties of similar size in Carmel Highlands. In Area 1, the Carmel Valley parcels are predominately developed with public uses such as schools and churches or agricultural – commercial nurseries. The primary land designation in this area is rural residential or low-density residential, with a minimum of one to five acres required per unit. Policies in the Carmel Valley Master Plan require a minimum of five acres to allow an accessory dwelling unit (ADU). [11] As the vast majority of parcels are one-acre or less, further development of residential uses for ADUs is this area is a limited by lot size. There are approximately 18 parcels in the Carmel Valley Area that are over five acres. The majority of these are currently developed with commercial, residential, churches, and school uses. Development on vacant parcels within the Carmel Valley area is restricted by regulations concerning expanded water use under the MPWMD water restrictions, as well as Monterey County policies and Carmel Valley Master Plan which places limits on new residential units.

Within Carmel Highlands, there are two residential properties over seven acres, located in Corona Road Area 3. The two parcels are neighboring and appear to be developed as large residences with ancillary structures. An informal review of real estate websites for available lots for sale indicated there were less than 10 vacant residential lots in this area. Development of accessory dwelling units in the Carmel Area and Big Sur Coastal areas is limited by land use regulations. [12]

[11] Carmel Valley Master Plan Policy CV-1.6 (c) requires that an existing lot must be in excess of 5 acres to be allowed two residential units (i.e., one main dwelling and one accessory dwelling unit).

[12] Accessory Dwelling Units Prohibited in certain areas: Accessory Dwelling Units would pose a hazard to public health, safety and welfare in certain unincorporated coastal areas of the County because of known infrastructure and resource limitations. These infrastructure limitations are recognized in the Land Use Plans for the North County, Big Sur, Carmel Area, and Del Monte Forest (See Big Sur Land Use Plan Section 5.2 and Carmel Area Land Use Plan Section 4.2) and zoning restrictions (B-8 overlay). The County acknowledges prohibiting Accessory Dwelling Units in these areas may limit the housing opportunities of the region; however, specific adverse impacts on the public health, safety and welfare that would result from allowing Accessory Dwelling Units in these areas justify these limitations.

However, other constraints to growth in the area exist, as identified above, including the lack of available water supply in the proposed project area. Further, existing land use designations and policies limit and constrain growth with or without the proposed project. As noted above, the growth-inducing potential of a project would be considered significant if it fosters growth or a concentration of population above what is assumed in local and regional land use plans, or in projections made by regional planning authorities.

This represents a less-than-significant impact due to existing limitations on development under current County and Coastal regulations.

b) **Displace Individuals: No Impact.** The proposed project would not displace any individuals or result in the requirement of replacement housing elsewhere in the community. The proposed project does not involve any new housing or infrastructure, nor does it propose any activities that would change, or otherwise affect regional communities, populations, or residences; therefore, there is no impact.

Conclusion: The proposed project would result in a less-than-significant impacts to population and housing.

Sources (1, 2, 3, 4, 8 & 9)

5.3.15 PUBLIC SERVICES

Setting

Several public service agencies and utility providers serve the unincorporated areas of Monterey County. These agencies and providers include nearly 20 fire protection agencies, the Monterey County Sheriff's Office, three dozen school districts, various County departments, and multiple water and wastewater districts (Monterey County, 2010). The Monterey County 2010 General Plan identifies all impacts related to public services and utilities as less-than-significant and would not require mitigation beyond implementation of the polices outlined in the General Plan.

Would the project result in:	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?	☐	☐	☐	■
b) Police protection?	☐	☐	☐	■
c) Schools?	☐	☐	☐	■
d) Parks?	☐	☐	☐	■
e) Other public facilities?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a – e) **Public Services: No Impact.** See *Section 5.3.14 Population and Housing*. The proposed project would not result in new population growth or demands for provision of or new government

structures. The proposed project does not involve new habitable structures and would bring no new students to the area, require no new school facilities, or impact parks/recreation facilities or other governmental services, resulting in no impact.

Sources (1 & 2)

5.3.16 RECREATION

Setting

Multiple federal, state, county governments and local districts own and operate parks, recreational facilities, and open spaces in Monterey County. Management agencies include the U.S. National Parks Service (NPS), the U.S. Forest Service (USFS), Bureau of Land Management (BLM), California State Parks (CSP), Monterey County, and local park agencies and districts. The County parks system encompasses about 10% of Monterey County's total park acreage (Monterey County, 2010). Trails in the county include the Monterey Bay Coastal Trail, which spans 29 miles of the coast between the City of Marina and the community of Pebble Beach (Monterey County, 2010). The Monterey County 2010 General Plan identified potential impacts on recreational resources associated with future development, however with the policies and mitigations outlined in the General Plan and EIR these potential impacts are reduced to less-than-significant.

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?	☐	☐	☐	■
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a - b) **Recreation: No Impact.** The proposed annexation would not include development of any residential components, and no neighborhood or community parks are planned as part of the proposed project. The proposed project would not result in increased use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would not occur. There is no construction or expansion of recreational facilities as part of the proposed project. Therefore, the proposed project would have no impacts on recreation.

Sources (1 & 2)

5.3.17 TRANSPORTATION

Setting

According to the Monterey County 2010 General Plan, Monterey County owns and maintains 1,240 miles of roads. In addition, there are 575 miles of private roads, two minor highways (25 and 146), and five

major highways that include Highways 1, 68, 101, 156, and 183. Public transit services are provided by Monterey-Salinas Transit (MST) which services the greater Monterey and Salinas areas plus routes to Carmel Valley and North County. The Monterey County 2010 General Plan EIR identifies potential significant impacts related to increased traffic volumes exceeding level of service standards, and future needed improvements. The 2010 General Plan and Area Plans establish policies to mitigate or reduce these impacts. These policies encourage alternative modes of travel including public transit, bicycle, and pedestrian modes to reduce the use of automobiles. They encourage compact, mixed-use, and transit-oriented development in developed areas in patterns that have been demonstrated to reduce traffic.

Would the project:	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Conflict with program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	■	☐
b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	■	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	■
d) Result in inadequate emergency access?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a – b) **Conflict with Program or CEQA: Less-Than-Significant Impact.** The proposed project would not directly result in any construction of infrastructure improvements that would directly impact transportation, conflict with applicable General Plan and Area Plan policies or a congestion management plan, or conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). Further, indirect impacts due to improvements to the collection system are not anticipated to result in post-construction traffic or transportation impacts due to the nature of these potential projects (i.e., underground pipelines) are not anticipated to generate operational traffic. Construction would be temporary and relatively low, all work within roads would require encroachment permits though the applicable jurisdiction, as well as traffic control measures and flagmen, consistent with each permit. This is considered a less-than-significant impact.

c - d) **Hazards: No Impact.** The proposed project would not substantially increase hazards due to a design feature (for example, sharp curves or dangerous intersections) or incompatible uses nor result in inadequate emergency access. as there is no direct construction proposed as a part of the proposed project. Further, future wastewater connection projects are not anticipated to require additional roads or design features due to the nature of these projects (i.e., underground pipelines). As a result, the proposed project would not increase hazards due to a geometric design feature or incompatible use.

Sources (1 & 2)

5.3.18 TRIBAL CULTURAL RESOURCES

Setting

California Assembly Bill (AB) 52, which has been in effect since July 2015, provides CEQA protections for tribal cultural resources. All lead agencies approving projects under CEQA are required, if formally requested by a culturally affiliated California Native American Tribe, to consult with such tribe regarding the potential impact of a project on tribal cultural resources before releasing an environmental document. Under California Public Resources Code §21074, tribal cultural resources include site features, places, cultural landscapes, sacred places, or objects that are of cultural value to a tribe and that are eligible for or listed on the California Register of Historical Resources (CRHR) or a local historic register, or that the lead agency has determined to be of significant tribal cultural value.

On September 13, 2019, CAWD contacted the Native American Heritage Commission (NAHC) to request a search of the Sacred Lands File of Native American cultural resources and the current list of Native American contacts for the project location in order to initiate consultation under California AB 52 amendment to CEQA. The NAHC responded on September 24, 2019 that the search of the Sacred Lands File for the immediate area of the project was negative. The list obtained from the NAHC included nine Native American groups and individuals and all were contacted in a letter sent via mail and email on October 7, 2019. Information in the letter included the project description and objective, results of the Sacred Lands File search, a summary of the historical records search, and a project location map.

The parties contacted were asked to consider the letter and project information as notification of a proposed project as required under California Environmental Quality Act, specifically Public Resources Code 21080.3.1 and Chapter 532 Statutes of 2014 (AB 52). Comments were requested in writing within 30 days. Return contact information was provided to facilitate multiple options for responses by letter, fax, email, or phone. **Appendix C** provides the consultation request letter, the Native American contacts list and communications.

Would the project:	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
Cause a substantial adverse change in the significance of a tribal cultural resource, define 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:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1 (k), or (Source: 1, 2, 3, 4, 5, 7, 15)	☐	■	☐	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (Source: 1, 2, 3, 4, 5, 7, 15)	☐	■	☐	☐

Discussion/Conclusion/Mitigation

a) **Historic Resources: Less-than-Significant Impact with Mitigation Incorporated.** As indicated above in *Section 5.3.5 Cultural Resources*, above, with incorporation of **Mitigation Measure CR-1** and **CR-2**, the proposed project would not result in any adverse impacts to historical resources within the project area.

b) **Tribal Consultation: Less-than-Significant Impact with Mitigation Incorporated.** The proposed project would not directly result in construction of infrastructure improvements that would impact tribal cultural resources. Since the proposed project would not entail the construction of physical improvements or otherwise result in ground-disturbing activities, the proposed project would not directly affect tribal cultural resources.

As discussed in *Section 5.3.5 Cultural Resources*, any indirect impacts due to future infrastructure improvements would be subject to future determinations of specific engineering design as well as CEQA compliance and permitting. Future development is governed by the Monterey County General Plan, Zoning Ordinance and other regulations that generally seek to protect historical and archaeological resources. Nevertheless, future connections to wastewater service would involve ground disturbance within areas of high archaeological sensitivity. Thus, there is the possibility of inadvertently uncovering archaeological or tribal cultural resources during future construction activities. This would be considered a potentially significant impact. This impact can be mitigated to a less-than-significant level with the implementation of **Mitigation Measure CR-1** and **CR-2,** *Section 5.3.5 Cultural Resources*.

Pursuant to AB 52, the District is required to provide formal notification to the designated or tribal representative of traditionally and culturally affiliated California Native American tribes that have requested notice. The list obtained from the NAHC included nine Native American groups and indicated a negative result for sacred lands. The District provided formal notification to the affected tribes on October 7, 2019 by written correspondence, which included a description of the proposed project, results of the Sacred Lands search, a summary of the historical records search, and a project location map. The parties contacted were asked to consider the letter and project information as notification of a proposed project as required under CEQA, specifically Public Resources Code 21080.3.1 and Chapter 532 Statutes of 2014 (AB 52). **Appendix C** provides the consultation request letter(s) and summary of communications. No significant resources were identified in correspondence or follow-up conversations with the relevant Native American contacts. This is considered a less-than-significant impact.

Sources (1, 2 & 4)

5.3.19 UTILITIES AND SERVICE SYSTEMS

Setting

Utilities and services are furnished to the project area by the following providers:

- Wastewater Treatment: CAWD
- Water Service: California American Water (CalAm)
- Solid Waste: Monterey Regional Waste Management District
- Natural Gas & Electricity: PG&E

The Carmel Area Wastewater District's (CAWD's) wastewater treatment plant (Plant) was originally designed and built in 1939 with a capacity of 0.8 million gallons per day (mgd). The Plant has had numerous improvements over the years which authorized system capacity expansions and tertiary treatment to produce recycled water for golf courses on the Monterey Peninsula. Today the Plant, which serves the communities of Carmel Valley, Del Monte Forest, and the District of Carmel-by- the-Sea, has an average dry weather treatment capacity of 1.8 mgd and produces 1.0 mgd of recycled water during the summer months.

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, or wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	■	☐	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	■
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?	☐	☐	■	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	■
e) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a) **Less-Than-Significant Impact with Mitigation Incorporated.** The proposed project includes a SOI amendment and annexation to areas not already serviced by the CAWD. CAWD's treatment plant currently treats between 1.8 million gallons per day (MGD), with a permitted treatment capacity of 3.0 MGD (LAFCO, 2016). As a result, the CAWD's treatment plant has additional capacity to accept wastewater from areas outside its current boundaries. The proposed project would not exceed applicable wastewater treatment requirements of the Regional Board. As a result, the proposed project would not result in new or expanded facilities at the wastewater treatment plant.

The proposed SOI amendment and annexation itself would not have any direct environmental impacts because it would only result in a reorganization of jurisdictional boundaries with no direct physical changes to the environment. Thus, while no direct physical impacts would result with the annexation and resultant jurisdictional boundary adjustments, indirect impacts could occur during construction of the necessary infrastructure improvements (pipelines) to convey wastewater to the CAWD treatment facilities. These potential improvements may independently

cause future indirect environmental impacts. However, the precise nature and extent of these future potential projects and their indirect impacts cannot be determined until future engineering designs and studies are completed. As a result, where indirect impacts due to potential future projects are reasonably foreseeable, mitigation has been proposed throughout this IS/MND. Future environmental review would be completed at the time actual infrastructure improvements are proposed to address any subsequent project-level impacts. As a result, the proposed project would not result in the direct construction or relocation of wastewater facilities. Mitigation measures for indirect impacts due to reasonably foreseeable projects have been identified throughout this Initial Study to reduce any potential impacts due to wastewater relocation to a less-than-significant level. Further, future improvements would be subject to Monterey County 2010 General Plan policies that limit environmental impacts through CEQA compliance and permitting.

b) **No Impact.** The proposed project is a boundary adjustment and does not require water service or water service extension. If the annexation is approved, there is potential for future construction of underground pipeline; these would not require water service. As a result, the proposed project would have no impact to water supplies.

c) **Less-Than-Significant Impact**. The CAWD, the project proponent, is the wastewater provider for the surrounding area, and has determined that their wastewater treatment plant has excess capacity to service the areas proposed for annexation. The CAWD Capital Improvements Program 15-year Master Plan (Kennedy/Jenks Consultants, 2013), and applicable CAWD improvements would occur as needed for service provision under current CAWD authority and responsibility. This represents a less-than-significant impact.

d - e) **No Impact.** The proposed project would not generate solid waste; any future development in the project area must comply with all federal, state, and local statutes and regulations related to solid waste where applicable; there is no impact. Two agencies oversee solid waste disposal in Monterey County. The Monterey Regional Waste Management District (MRWMD) serves the western coastal areas of Monterey County. MRWMD's jurisdictional boundaries includes the Cities of Carmel-by-the-Sea, Del Rey Oaks, Marina, Monterey, Pacific Grove, Sand City, and Seaside; and the unincorporated areas of Big Sur, Carmel Highlands, Carmel Valley, Castroville, Corral De Tierra, Laguna Seca, Moss Landing, Pebble Beach, San Benancio, and Toro Park. MRWMD's service area covers a total of 853 square miles. The MRWMD is currently installing a new landfill module that would provide adequate capacity through 2028; the landfill has adequate capacity to serve the existing and future planned development in the region. Therefore, there is no impact.

Sources (1, 2, 3, 4 &10)

5.3.20 WILDFIRE

Setting

Area 1 is not located within a State Responsibility Areas (SRA). Areas 2-4 are located within an SRA and are designated as very high to high fire risk, as designated by the California Department of Forestry and Fire Protection (Cal Fire, Fire Hazard Severity Maps, 2007, 2008).

Would the project:	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	■	☐
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?	☐	☐	■	☐
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?	☐	☐	■	☐
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?	☐	☐	■	☐

Discussion/Conclusion/Mitigation

a) **Less-Than-Significant Impact**. As stated above in *Section 5.3.9 Hazards and Hazardous Materials*, the proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan.

b - d) **Less-Than-Significant Impact**. As outlined throughout this Initial Study, the proposed project would not result in any direct development, further indirect impacts due to reasonably foreseeable potential future projects would have a low potential to expose people or structures to wildfire risk as these projects would, for the most part, be unmanned (i.e., underground pipelines). Further, the proposed project is located in developed residential areas, is consistent with surrounding land uses, and would be required to comply with applicable standards set forth in the Fire Code, the Carmel Valley Master Plan, Carmel Area Land Use Plan, Monterey County General Plan Safety Element, and the Monterey County's Emergency Operations Plan, as applicable. Pursuant to compliance with these existing requirements, the proposed project would not impair expose project occupants to pollutant concentrations from wildfire or the uncontrolled spread of wildfire, require the installation or maintenance of associated infrastructure which may exacerbate fire risk or expose people or structures to a significant risk, this represents a less-than-significant impact.

Sources (1, 2, & 4)

5.3.21 MANDATORY FINDINGS OF SIGNIFICANCE

Does the project:	Potentially Significant Impact	Less-Than-Significant with Mitigation Incorporated	Less-Than-Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	■	☐	☐
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

a) **Less-Than-Significant Impact with Mitigation Incorporated**. Based on the analysis provided in this Initial Study, the proposed project would not have the potential to: 1) degrade the quality of environment, 2) substantially reduce the habitat of a fish or wildlife species, 3) cause a fish or wildlife population to drop below self-sustaining levels, 4) threaten to eliminate a plant or animal community, 5) reduce the number or restrict the range of a rare or endangered plant or animal, or 6) eliminate important examples of major periods of California history or prehistory. The proposed project would not directly require the construction of any new facilities and as a result the proposed SOI amendment and annexation would not result in negative environmental effects. There is the potential for indirect impacts due to future potential wastewater projects. Mitigation measures and standard permit conditions are identified for reasonably foreseeable potential indirect impacts of the project on air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazard and hazardous materials, hydrology and water quality, noise, tribal cultural resources, and utilities and service system impacts to reduce these effects to a less-than-significant level. Further, future potential wastewater projects would be responsible for CEQA compliance to address any subsequent project-level impacts to environmental quality of the specific site.

b) **Less-Than-Significant Impact with Mitigation Incorporated**. As evidenced in this Initial Study, the proposed project would not result in significant cumulative impacts, nor would it result in substantial adverse effects on human beings, directly or indirectly. All potentially significant impacts identified were determined to be less-than-significant based on compliance with regulatory requirements, implementation of project design features such as BMPs, and mitigation measures identified in this Initial Study.

The potential for cumulative impacts occurs when the independent impacts of the project are combined with impacts of past projects, the effects of other current projects, and the effects of probable future projects to result in impacts that are greater than the impacts of the project alone. As noted above, the action of changing the District's LAFCO boundaries, by itself, would not result in physical impacts on the environment, as described herein. The SOI amendment and annexation involves no direct changes to the existing wastewater system or associated system improvements or permits. Upon approval of the annexation, services could be extended services outside of the existing jurisdictional boundaries of the CAWD. Extending services would facilitate future service provision by CAWD within this area of Monterey County. The design, location and the necessary physical improvements required to extend wastewater service are not known at this time, however, improvements would likely be within roadways and developed areas. The proposed project would extend jurisdictional boundaries and does not propose development. The majority of the area project area is already developed, and there are limited areas of vacant land for growth to occur. Further, future potential wastewater projects would be responsible for CEQA compliance to address any subsequent project-level impacts to environmental quality of the specific site. A cumulative impact is an impact that is created as a result of the combination of the proposed project together with other similar projects causing related impacts. There are no known similar projects, or any known annexation projects, currently planned in the proposed project area. The proposed project thus would not create cumulative impacts that are individually limited, but cumulatively considerable.

c) **Less-Than-Significant Impact with Mitigation Incorporated**. The proposed project would not have environmental effects of a magnitude which would cause substantial adverse effects on human beings, either directly or indirectly. No development is proposed and there is no direct physical impact from the proposed project. Compliance with applicable regulations and the identified mitigation measures within this Initial Study would reduce potential indirect impacts to less than significant. Construction-related of future improvements will be regulated by standard mitigation practices, conditions of approval and best management practices that are imposed during a permit process once engineering design and improvements are determined. Any potential indirect impacts from future extension of services would be also reduced by adherence to requirements within the land use policies, programs and ordinances of the County of Monterey General Plan, Carmel Valley Master Plan, Carmel Area Plan, Monterey County Coastal Implementation Plan and zoning ordinance.

The proposed project would have a less-than-significant impact on the CEQA mandatory findings of significance with the incorporation of mitigation measures, compliance with applicable plans, and implementation of standard permit conditions, as identified in this document.

CHAPTER 6. DOCUMENT PREPARATION/REFERENCES

LEAD AGENCY

CAWD

Rachél Lather, MS, PE Principal Engineer

REPORT PREPARATION

Denise Duffy & Associates, Inc.

Denise Duffy	Principal/Project Manager
Diana Staines	Deputy Project Manager
Liz Camilo	Assistant Environmental Scientist/GIS
Conor O'Toole	Assistant Planner
Robyn Simpson	Assistant Planner/Production Manager

PERSONS CONTACTED

Kevin Kahn, CCC
Darren McBain, Monterey County LAFCO
John Mukar, PE, MNS Engineers

SOURCES/REFERENCES

1. CAWD Project files, Personal Communication with CAWD, Professional expertise of CAWD staff and environmental consultant.

2. Monterey County Planning Documents, including Monterey County General Plan & EIR, 2010; Big Carmel Area Land Use Plan and Carmel Valley Master Plan.

3. LAFCO 2016 Municipal Service Review and Sphere of Influence Study: Carmel Area Wastewater District.

4. Monterey County GIS Open Data. Accessed at: http://montereycountyopendata.montereyco.opendata.arcgis.com/

5. Monterey County Important Farmlands Map, 2006.

6. Monterey Bay Unified Air Pollution Control District (MBUAPCD), Guidelines for Implementing the California Environmental Quality Act, revised February 2016.

7. Monterey Bay Air Resources District, 2012-2015 Air Quality Management Plan, March 2017.

8. Regulations for Accessory Dwelling Units in Monterey County Coastal Zone. Accessed at: https://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma-/planning/land-use-regulations/coastal/zoning-ordinance-title-20/20-64-030-regulations-for-a

9. Regulations for Accessory Dwelling Units in Monterey County Carmel Valley Master Plan. Accessed at: https://www.co.monterey.ca.us/home/showdocument?id=45818.

10. Carmel Area Wastewater District, Draft Initial Study/Negative Declaration for the Carmel Area Wastewater District Sphere of Influence and Annexation Proposal, November 2015.

BIBLIOGRAPHY

[AMBAG] Association of Monterey Bay Area Governments. 2014. 2014 Regional Growth Forecast.

[CCC] California Coastal Commission Central Coast District Office. Staff Report for CAWD CDP Amendment, Application Number 3-82-199-A8. February 2020. Available online at: https://documents.coastal.ca.gov/reports/2020/3/W23b/W23b-3-2020-report.pdf

[DWR] California Department of Water Resources. 2004. California's Groundwater Bulletin 118: Carmel Valley Groundwater Basin. Sacramento, CA. February 27, 2004. Available online at: https://www.co.monterey.ca.us/Home/ShowDocument?id=48374

____ California Department of Water Resources. 2014. California Water Plan, Central Coast Hydrologic Region, Volume 2: Regional Reports. Sacramento, CA. October 2014. Available online at: https://cawaterlibrary.net/document/californias-groundwater-update-2013-central-coast-hydrologic-region/

[CCRWQCB] Central Coast Regional Water Quality Control Board, Order No. R3-2014-0012, NPDES No. CA0047996, Waste Discharge Requirements for the Carmel Area Wastewater District Treatment Plant. May 22, 2014. Available online at: http://www.waterboards.ca.gov/rwqcb3/board_decisions/adopted_orders/2014/2014_0012_npdes.pdf

____. June 2019. Water Quality Control Plan for the Central Coast Basin. Available online at: https://www.waterboards.ca.gov/centralcoast/publications_forms/publications/basin_plan/docs/2019_basin_plan_r3_complete.pdf

County of Monterey. 2010. Monterey County 2010 General Plan. Available online at: https://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma-/planning/resources-documents/2010-general-plan/final-version-of-the-monterey-county-general

County of Monterey. 2010. Affordable Housing Overlay Area, Mid Valley, Monterey County 2010 General Plan. Available online at: https://www.co.monterey.ca.us/home/showdocument?id=46226

County of Monterey, Big Sur Land Use Plan, Local Coastal Program. Available online at: https://www.co.monterey.ca.us/home/showdocument?id=37879

County of Monterey, Carmel Area Land Use Plan. Available online at: https://www.co.monterey.ca.us/home/showdocument?id=37889

County of Monterey, Carmel Valley Master Plan. Available online at: https://www.co.monterey.ca.us/home/showdocument?id=45818

County of Monterey. Zoning Ordinance, Title 21. Available online at: https://library.municode.com/ca/monterey_county/codes/code_of_ordinances?nodeId=TIT21ZO.

County of Monterey. GIS Data. Available online at: http://www.co.monterey.ca.us/government/departments-i-z/information-technology/gis-mapping-data

County of Monterey. 2009. Carmel Highlands Onsite Wastewater Management Plan. Available online at: https://www.co.monterey.ca.us/government/departments-a-h/health/environmental-health/environmental-health-review/carmel-highlands-onsite-wastewater-management-plan

County of Monterey. 2018. Monterey County Local Agency Management Program. Available online at: http://www.co.monterey.ca.us/government/departments-a-h/health/environmental-health/environmental-health-review/monterey-county-local-agency-management-program-lamp

[EPA] United States Environmental Protection Agency. 2017. *National Pollutant Discharge Elimination System General Permit for Discharges from Construction Activities*. February 2017.

Kennedy/Jenks Consultants. April 2013. Carmel Area Wastewater District Wastewater Treatment Capital Improvements Program 15-year Master Plan. Available online at: https://www.cawd.org/files/e32df8909/Capital+Improvement+Program+15-Year+Master+Plan.pdf

[LAFCO] Local Agency Formation Commission of Monterey County. 2016. 2016 Municipal Service Review and Sphere of Influence Study: Carmel Area Wastewater District. Available online: http://monterey.lafco.ca.gov/studies-maps/CAWD%20MSR%202016%20-%20FINAL.pdf

[MBCP] Monterey Bay Community Power. 2019. FAQ. Available online at: <https://www.mbcommunitypower.org/about/faq/>. Accessed on April 5, 2019

[MBARD] Monterey Bay Air Resources District. 2008. CEQA Air Quality Guidelines. February 2008. Available at: http://mbard.org/pdf/CEQA_full%20(1).pdf

[MBARD] Monterey Bay Air Resources District. 2016. Guidelines for Implementing the California Environmental Quality Act. February 2016. Available at: http://mbard.org/wp-content/uploads/2016/03/Attachment_Guidelines-for-Implementing-CEQA.pdf

[MBARD] Monterey Bay Air Resources District. 2017. 2012 – 2015 Air Quality Management Plan. March 15, 2017. Available at: https://www.mbard.org/files/6632732f5/2012-2015-AQMP_FINAL.pdf (accessed January 2020).

State of California Department of Conservation, Farmland Mapping & Monitoring Program. Available online at: http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx.

This Page Intentionally Left Blank

Appendix A

Assessor’s Parcels in Proposed Annexation Area

This Page Intentionally Left Blank

APPENDIX A

Assessor Parcels in Proposed Annexation Area

Average Parcel Size - Area 1		
# of Total Parcels	**Total Acres**	**Average**
372	545.5463	1.4665
APN by Acreage Size		
Size: 0 to .25	110	
Size: .26 to .50	27	
Size: .51 to 1.0	41	
Size: 1.01 to 2.5	155	
Size: 2.51 to 5.0	21	
Size: 5.01 to 10.0	11	
Size: 10 and above	7	
Total	372	

APN	ACRES	Status		Average Parcel Size - Area 2		
243112015000	5.3093	Developed		**# of Total Parcels**	**Total Acres**	**Average**
				1	5.3093	5.3093
1		**Total Count**	1	**APN by Acreage Size**		
	5.3093	**Total Acres**		Size: 0 to .25	0	
				Size: .26 to .50	0	
				Size: .51 to 1.0	0	
				Size: 1.01 to 2.5	0	
				Size: 2.51 to 5.0	0	
				Size: 5.01 to 10.0	1	
				Size: 10 and above	0	
				Total	1	

APPENDIX A

Assessor Parcels in Proposed Annexation Area

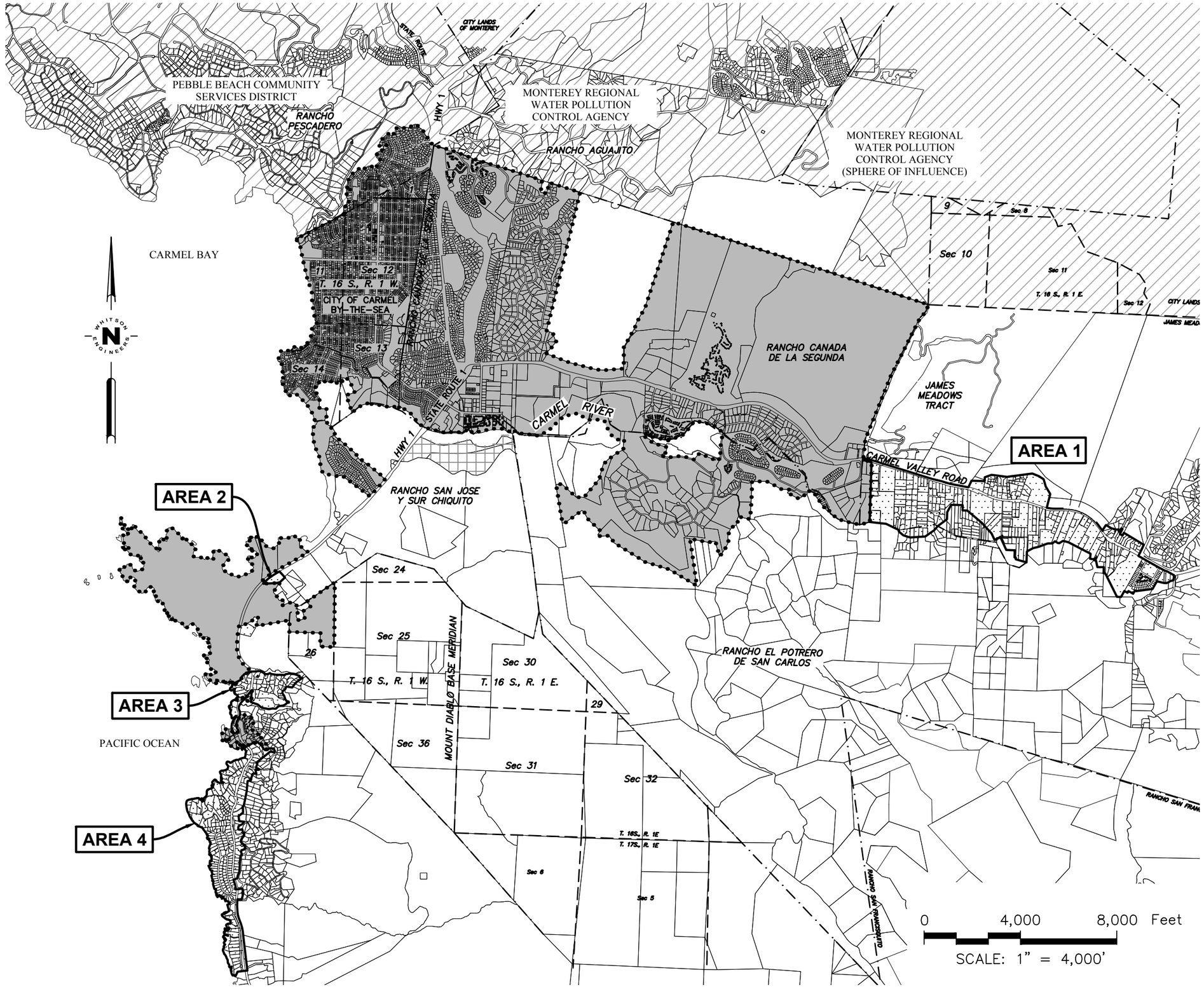
Average Parcel Size - Area 3		
# of Total Parcels	**Total Acres**	**Average**
69	75.5905	1.0955
APN by Acreage Size		
Size: 0 to .25	2	
Size: .26 to .50	14	
Size: .51 to 1.0	26	
Size: 1.01 to 2.5	24	
Size: 2.51 to 5.0	1	
Size: 5.01 to 10.0	2	
Size: 10 and above	0	
Total	69	

Average Parcel Size - Area 4		
# of Total Parcels	**Total Acres**	**Average**
268	221.4272	0.8262
APN by Acreage Size		
Size: 0 to .25	16	
Size: .26 to .50	87	
Size: .51 to 1.0	84	
Size: 1.01 to 2.5	73	
Size: 2.51 to 5.0	8	
Size: 5.01 to 10.0	0	
Size: 10 and above	0	
Total	268	

Appendix B

CAWD Engineered Drawings Proposed Annexation Areas

This Page Intentionally Left Blank



LEGEND

- RANCHO LINE
- SECTION LINE
- CITY LIMIT LINE
- ASSESSOR'S PARCEL LINE
- PROPOSED CAWD BOUNDARY
- EXISTING CAWD BOUNDARY
- PROPOSED ANNEXATION AREA
- EXISTING SPHERE OF INFLUENCE OUTSIDE ANNEXATION AREA
- OTHER WASTEWATER DISTRICT OR SPHERE OF INFLUENCE
- CAWD — CARMEL AREA WASTEWATER DISTRICT
- BOUNDARY PASSES THROUGH PARCEL (DOES NOT FOLLOW PARCEL LINE)
- # — GEOGRAPHIC DESCRIPTION COURSE NUMBER AND BEGINNING AND END

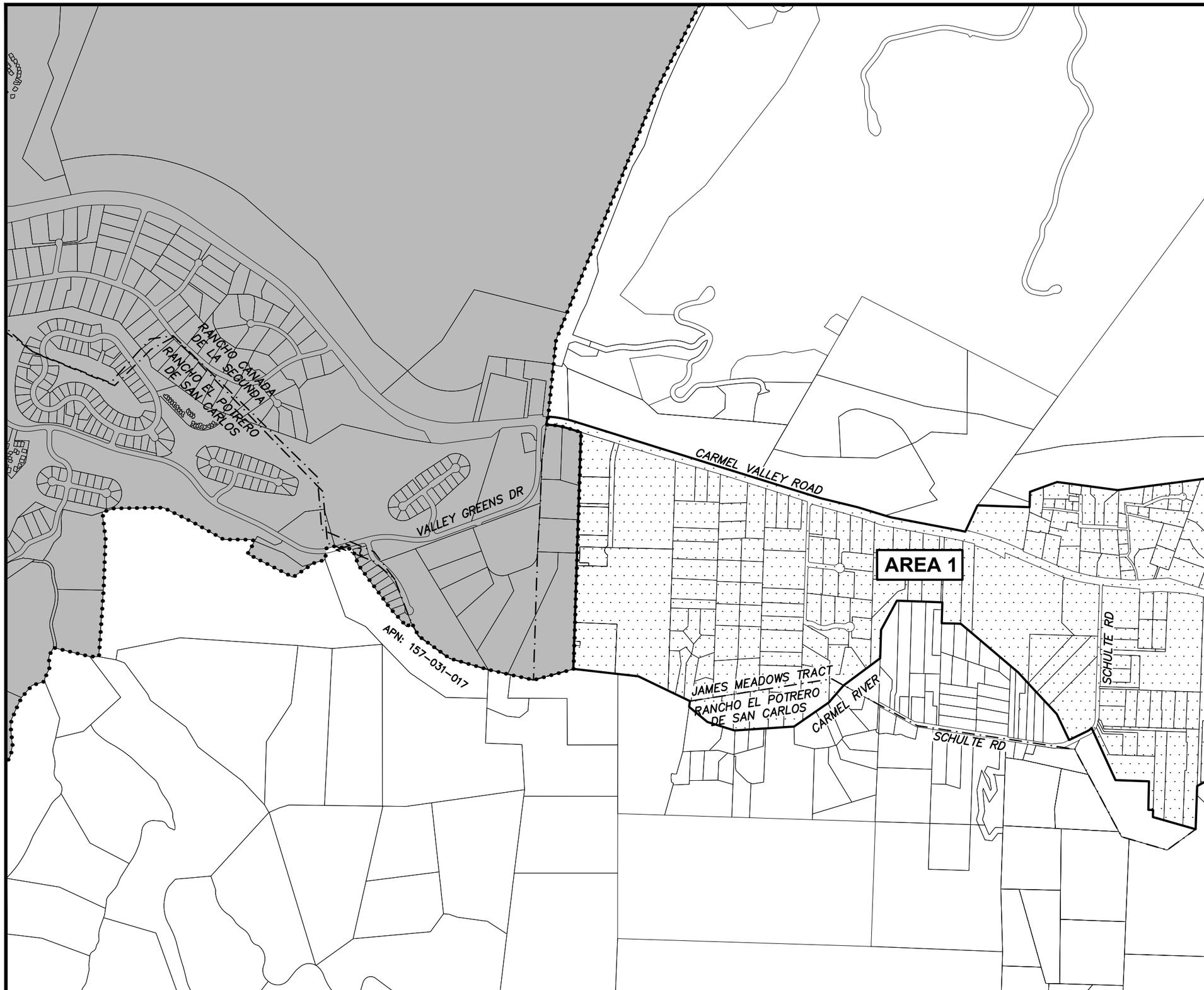
NOTE

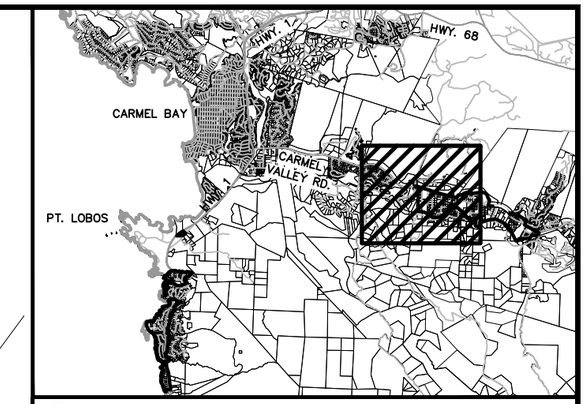
THIS MAP IS BASED ON GEOGRAPHIC INFORMATION SYSTEMS (GIS) DATABASES MAINTAINED BY THE MONTEREY COUNTY ASSESSOR'S OFFICE AND THE STATE BOARD OF EQUALIZATION. LINES SHOWN ARE NOT BASED ON LEGAL PROPERTY BOUNDARIES AND SHALL NOT BE CONSTRUED AS RECORD PROPERTY INFORMATION. FOR ASSESSMENT PURPOSES ONLY.

CARMEL AREA WASTEWATER DISTRICT
2019 ANNEXATIONS

Whitson ENGINEERS
Civil Engineering
Land Surveying
6 Harris Court
Monterey, California
831.649.5225
whitsonengineers.com

MARCH 2, 2020 WE#3058.01 SHEET 1 OF 5





KEY MAP

SCALE: 1" = 3 MILES

WHITSON ENGINEERS N

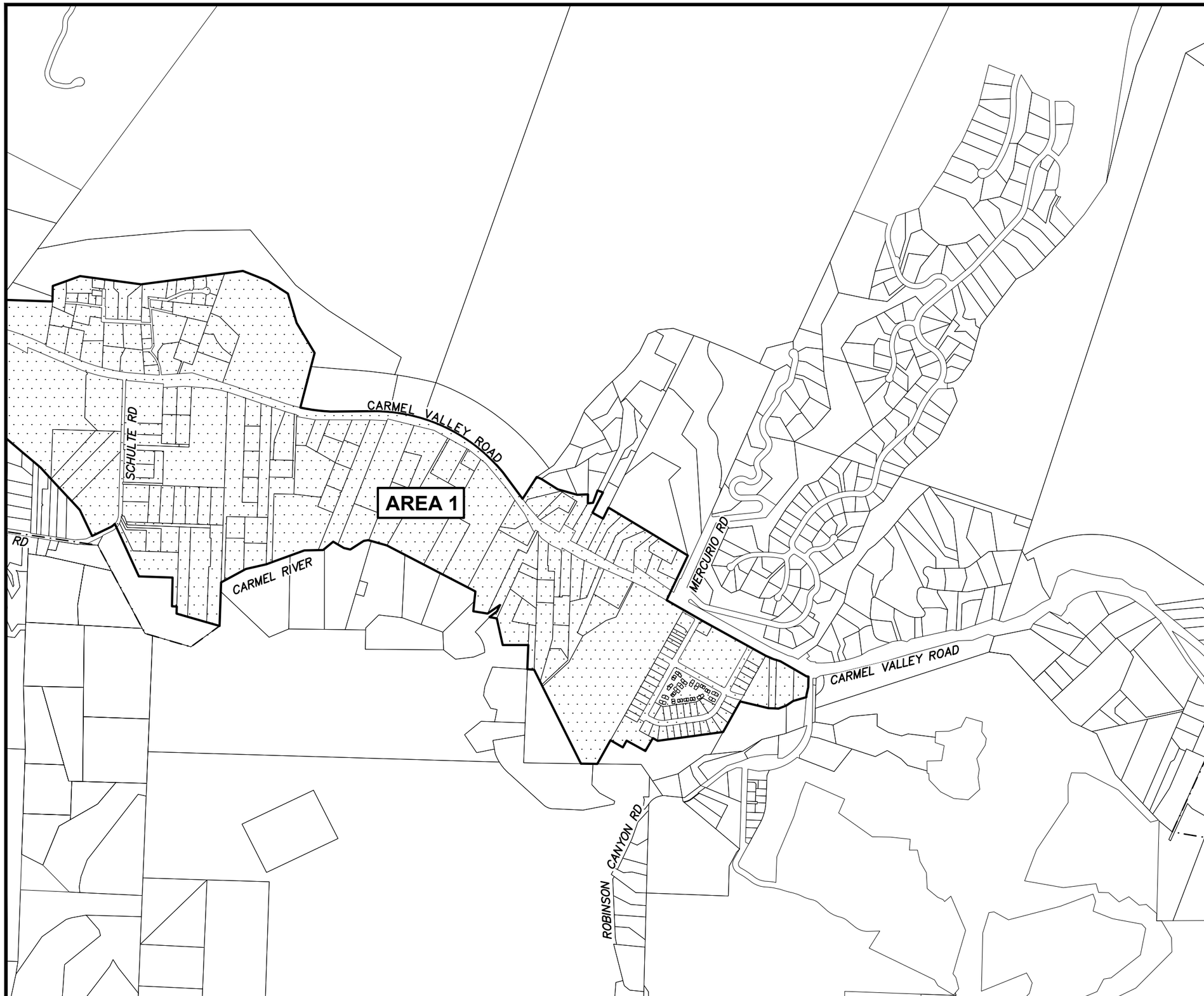
0 1,000 2,000 Feet

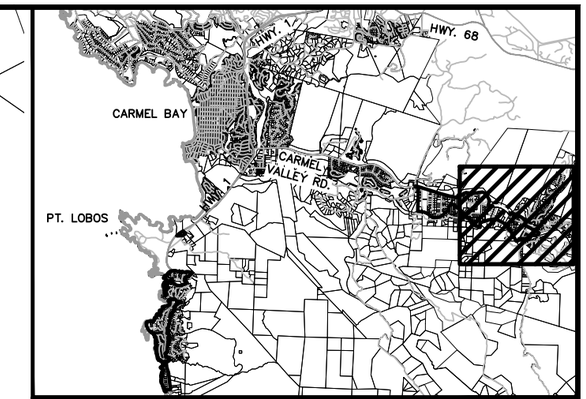
SCALE: 1" = 1000'

CARMEL AREA WASTEWATER DISTRICT
2019 ANNEXATIONS

Whitson ENGINEERS
Civil Engineering
Land Surveying
6 Harris Court
Monterey, California
831.649.5225
whitsonengineers.com

MARCH 2, 2020 WE#3058.01 SHEET 2 OF 5





KEY MAP

SCALE: 1" = 3 MILES

N

0 1,000 2,000 Feet

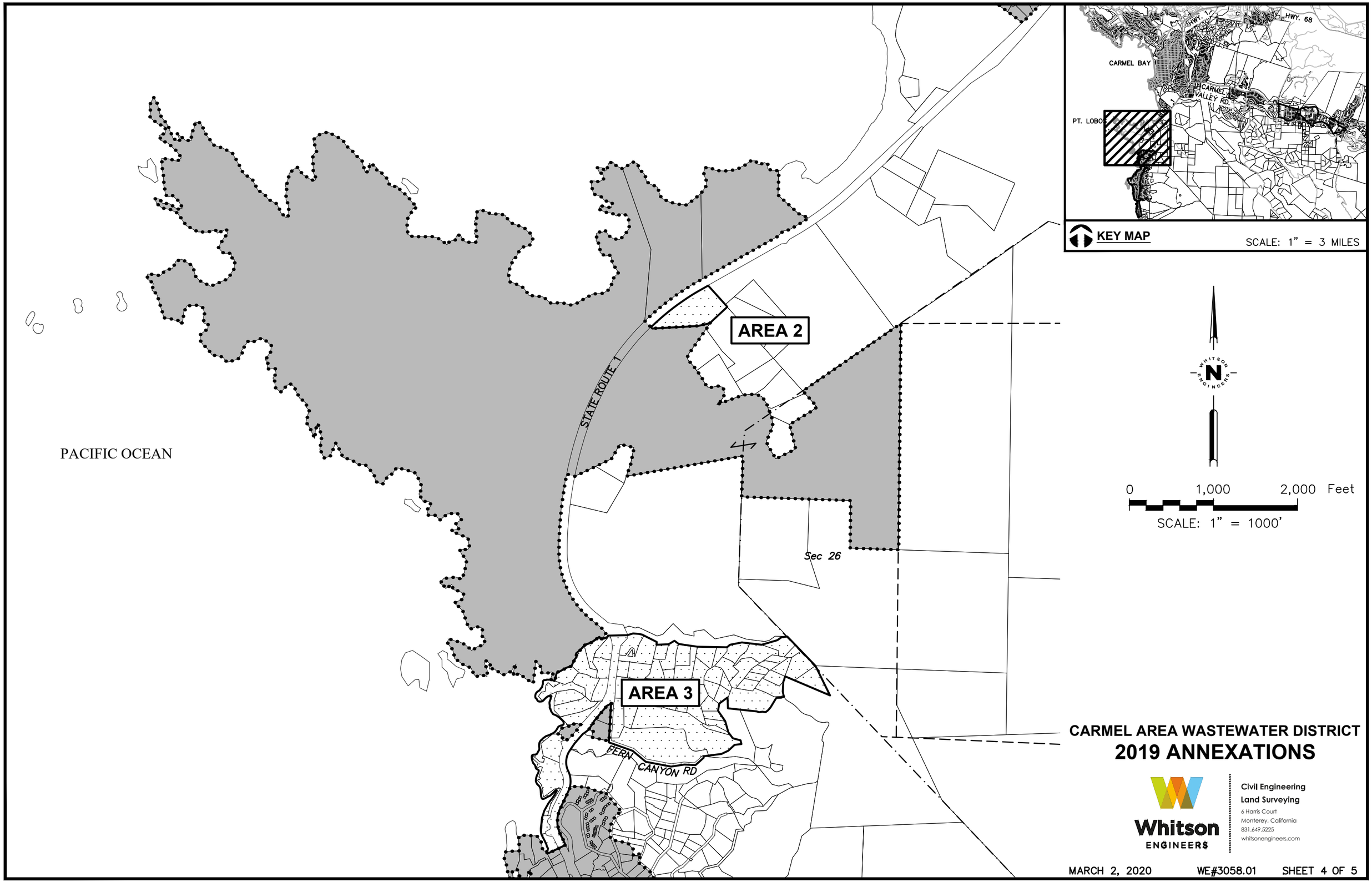
SCALE: 1" = 1000'

CARMEL AREA WASTEWATER DISTRICT
2019 ANNEXATIONS

Whitson ENGINEERS

Civil Engineering
Land Surveying
6 Harris Court
Monterey, California
831.649.5225
whitsonengineers.com

MARCH 2, 2020 WE#3058.01 SHEET 3 OF 5



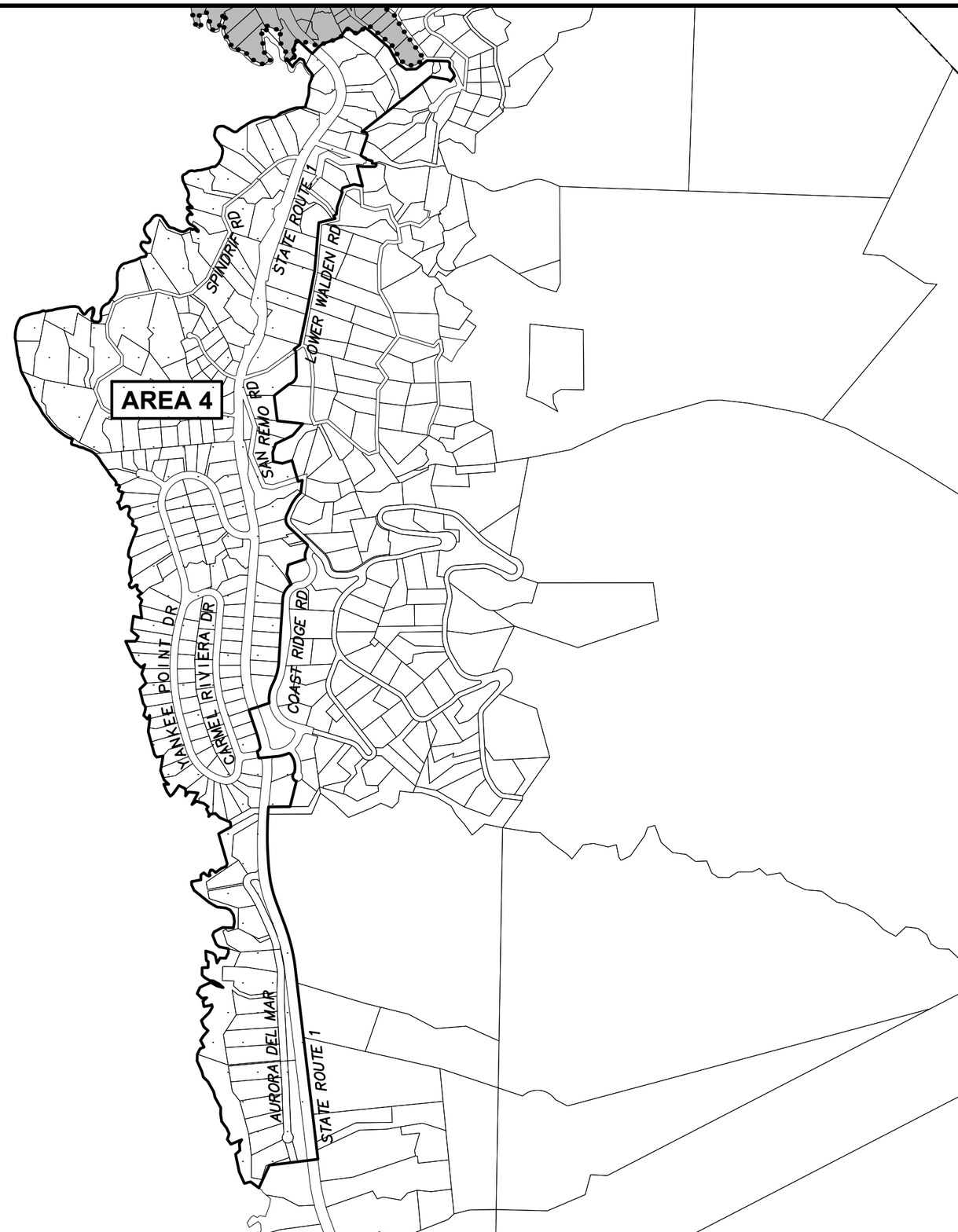
CARMEL AREA WASTEWATER DISTRICT

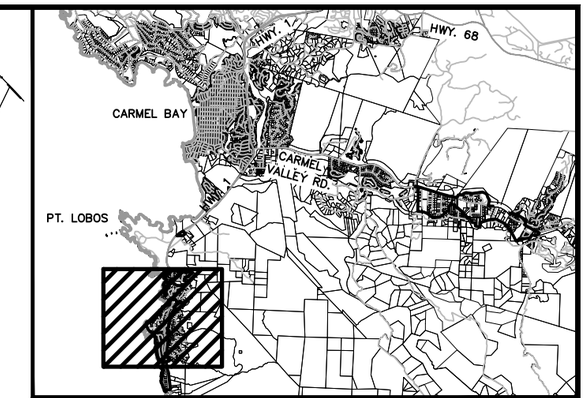
2019 ANNEXATIONS

Whitson ENGINEERS

Civil Engineering
Land Surveying
6 Harris Court
Monterey, California
831.649.5225
whitsonengineers.com

MARCH 2, 2020 WE#3058.01 SHEET 4 OF 5





KEY MAP

SCALE: 1" = 3 MILES

N

0 1,000 2,000 Feet

SCALE: 1" = 1000'

CARMEL AREA WASTEWATER DISTRICT
2019 ANNEXATIONS

Whitson ENGINEERS

Civil Engineering
Land Surveying
6 Harris Court
Monterey, California
831.649.5225
whitsonengineers.com

MARCH 2, 2020 WE#3058.01 SHEET 5 OF 5

This Page Intentionally Left Blank

Appendix C

Tribal Consultation

This Page Intentionally Left Blank

Local Government Tribal Consultation List Request

Native American Heritage Commission
1550 Harbor Blvd, Suite 100
West Sacramento, CA 95691
916-373-3710
916-373-5471 – Fax
nahc@nahc.ca.gov

Type of List Requested

☑ **CEQA Tribal Consultation List (AB 52)** – ***Per Public Resources Code § 21080.3.1, subs. (b), (d), (e) and 21080.3.2***

☐ **General Plan (SB 18)** - ***Per Government Code § 65352.3.***

Local Action Type:

___ General Plan ___ General Plan Element ___ General Plan Amendment

___ Specific Plan ___ Specific Plan Amendment ___ Pre-planning Outreach Activity

Required Information

Project Title: 2019 Carmel Area Wastewater District Sphere of Influence and Annexation Proposal

Local Government/Lead Agency: Carmel Area Wastewater District

Contact Person: Rachel Lather

Street Address: 3945 Rio Road

City: Carmel-by-the-Sea, CA Zip: 93923

Phone: (831)624-1248 ex.203

Email:lather@cawd.org CC: aquackenbush@ddaplanning.com

Specific Area Subject to Proposed Action

County: Monterey County City/Community: Carmel Valley and Carmel Highlands

Project Description: CAWD proposed to extend their service area to locations adjacent to the District's current SA where CAWD either anticipates or has received requests for, sewer service connection requests due to failing or substandard wastewater infrastructure. The proposed project is seeking the annexation of approximately 220 acres outside the District's SOI but previously identified as "Future Study Area" located within the Carmel Highlands, and an additional 910 acres of developed land, outside of the current CAWD SOI, in locations where the District either anticipates, or has received applications for, near-term sewer service connection requests located in Carmel Valley. The total proposed SOI amendment and SA annexation would increase the total acreage within the CAWD service area from approximately 6,200 acres to approximately 7,205 acres.

Additional Request

☑ **Sacred Lands File Search** - ***Required Information:***

USGS Quadrangle Name(s): Soberanes/Monterey/Seaside
Township: T17S/T16S/T16S Range: R1W/R1W/R1E Section(s):N/A

Native American Heritage Commission
Tribal Consultation List
09/24/2019

Amah Mutsun Tribal Band
Valentin Lopez, Chairperson
P.O. Box 5272
Galt , CA 95632
vlopez@amahmutsun.org
(916) 743-5833

Ohlone/Costanoan
Northern Valley Yokuts

Ohlone/Costanoan-Esselen Nation
Louise Miranda-Ramirez, Chairperson
P.O. Box 1301
Monterey , CA 93942
ramirez.louise@yahoo.com
(408) 629-5189

Esselen
Ohlone/Costanoan

Amah MutsunTribal Band of Mission San Juan Bautista
Irene Zwierlein, Chairperson
789 Canada Road
Woodside , CA 94062
amahmutsuntribal@gmail.com
(650) 851-7489 Cell
(650) 851-7747 Office

Ohlone/Costanoan

Salinan Tribe of Monterey, San Luis Obispo Counties
Fredrick Segobia
7070 Morro Road, Suite A
Atascadero , CA 93422
info@salinantribe.com
831-385-1490

Salinan

Costanoan Rumsen Carmel Tribe
Tony Cerda, Chairperson
244 E. 1st Street
Pomona , CA 91766
rumsen@aol.com
(909) 524-8041 Cell

Ohlone/Costanoan

Xolon-Salinan Tribe
Karen White, Chairperson
P.O. Box 7045
Spreckels , CA 93962
xolon.salinan.heritage@gmail.com
831-238-1488

Salinan

Esselen Tribe of Monterey County
Tom Little Bear Nason, Chairperson
PO Box 95
Carmel Valley , CA 93924
TribalChair@EsselenTribe.com
(831) 659-2153

Esselen
Ohlone

Xolon-Salinan Tribe
Donna Haro, Tribal Headwoman
P.O. Box 7045
Spreckels , CA 93962
dhxolonaakletse@gmail.com
(925) 470-5019

Salinan

Indian Canyon Mutsun Band of Costanoan
Ann Marie Sayers, Chairperson
P.O. Box 28
Hollister , CA 95024
ams@indiancanyon.org
(831) 637-4238

Ohlone/Costanoan

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 50 97.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is applicable only for consultation with Native American tribes under Public Resources Code Sections 21080.1, 21080.3.1, and 21080.3.2 for proposed: 2019 Carmel Area Wastewater District Sphere of Influence and Annexation Proposal, Monterey County.

Carmel Area Wastewater District

P.O. Box 221428 Carmel California 93922 ❖ (831) 624-1248 ❖ FAX (831) 624-0811

Barbara Buikema
General Manager
Ed Waggoner
Operations Superintendent
Robert R. Wellington
Legal Counsel

Board of Directors
Gregory D'Ambrosio
Michael K. Rachel
Robert Siegfried
Charlotte F. Townsend
Ken White

October 7, 2019

Amah Mutsun Tribal Band
Valentin Lopez
P.O. Box 5272
Galt, CA, 95632
Phone: (916) 743-5833

Subject: **Notification of Proposed Project Under AB52 Amendment to CEQA for the 2019 Carmel Area Wastewater District Sphere of Influence and Annexation Proposal (proposed project)**

Dear Chairperson Lopez,

Carmel Area Wastewater District (CAWD) is the lead agency for the 2019 Carmel Area Wastewater District Sphere of Influence (SOI) and Annexation Proposal (proposed project). The proposed project is the 2019 CAWD SOI amendment and Service Area (SA) annexation in accordance with relevant codes and ordinances of the District, local jurisdictions, and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The proposed project includes:

- Annexation of approximately 220 acres outside the District's SOI but previously identified as "Future Study Area" located within the Carmel Highlands; and,
- Annexation of approximately 910 acres of developed land, outside of the current CAWD SOI, in locations where the District either anticipates, or has received applications for, near-term sewer service connection requests.

The total proposed SOI amendment and SA annexation would increase the total acreage within the CAWD service area from approximately 6,200 acres to approximately 7,205 acres. The annexation of CAWD's service area by itself will not result in physical impacts on the environment. The proposed project would result in inclusion of additional lands within the CAWD's service area, which could result in future service areas to allow for CAWD collection and treatment facilities in these areas. A map showing the proposed project area is attached.

The Native American Heritage Commission (NAHC) has provided the Amah Mutsun Tribal Band in a consultation list of tribes that are traditionally and culturally affiliated within the geographic area of the above listed proposed project. The result of the NAHC Sacred Lands File check was negative. CAWD is interested in obtaining additional information regarding the presence of cultural resources within or adjacent to proposed project locations and in learning of any concerns you or other tribal members may have regarding this proposed project. Please provide your comments and if you feel that other groups or individuals should be contacted, please let me know at:

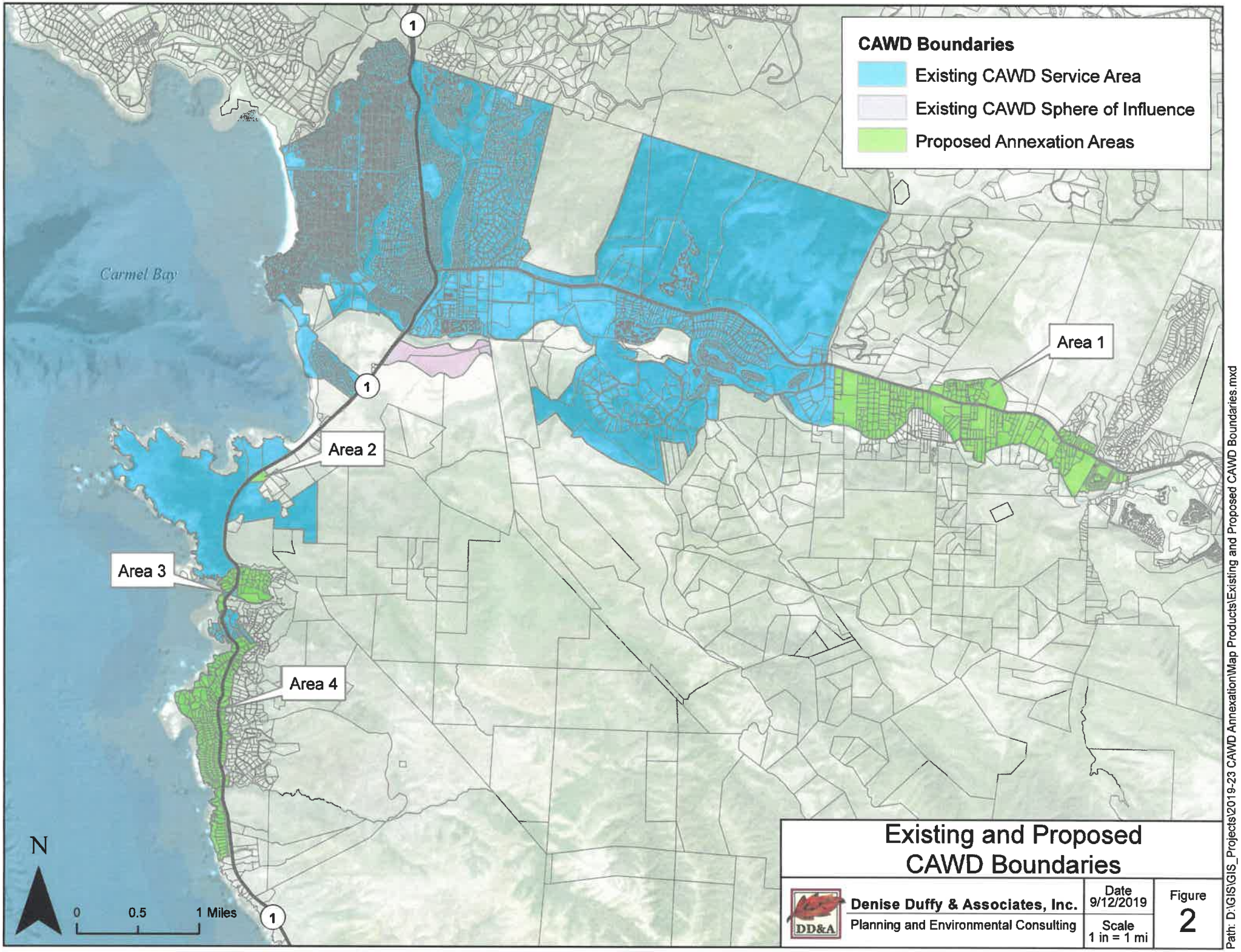
Carmel Area Wastewater District
Attention: Rachél Lather, Principal Engineer
3945 Rio Road, Carmel-by-the-Sea, CA 93923
(831) 624-1248 ex. 203,
lather@cawd.org

Please consider this letter and preliminary project information as the notification of a proposed project as required under the California Environmental Quality Act, specifically Public Resources Code (PRC) 21080.3.1 and Chapter 532 Statutes of 2014 (i.e., AB 52). Please respond within 30 days, pursuant to PRC 21080.3.1 (d) if you would like to consult on this proposed project. Additionally, with your response, please provide a designated contact person.

Very Respectfully,

RLather

Rachél Lather, Principal Engineer CAWD


CAWD Boundaries
Existing CAWD Service Area
Existing CAWD Sphere of Influence
Proposed Annexation Areas
Carmel Bay
1
Area 1
Area 2
Area 3
Area 4
N
0
0.5
1 Miles
Existing and Proposed CAWD Boundaries
Denise Duffy & Associates, Inc.
Planning and Environmental Consulting
DD&A
Date 9/12/2019
Scale 1 in = 1 mi
Figure 2
Path: D:\GIS\GIS_Projects\2019-23 CAWD Annexation\Map Products\Existing and Proposed CAWD Boundaries.mxd

Native American Consultation Summary, Carmel Area Wastewater District, May 2020
On September 13, 2019, Carmel Area Wastewater District contacted the Native American Heritage Commission (NAHC) to request a search of the Sacred Lands File of Native American cultural resources and the current list of Native American contacts for the project location in order to initiate consultation under California AB 52 amendment to CEQA.

The NAHC responded on September 24, 2019 that the search of the Sacred Lands File for the immediate area of the project was negative. The list obtained from the NAHC included nine Native American groups and individuals and all were contacted in a letter sent via mail and email on October 7, 2019. Information in the letter included the project description and objective, results of the Sacred Lands File search, a summary of the historical records search, and a project location map.

The parties contacted were asked to consider the letter and project information as notification of a proposed project as required under California Environmental Quality Act, specifically Public Resources Code 21080.3.1 and Chapter 532 Statutes of 2014 (AB 52). Comments were requested in writing within 30 days. Return contact information was provided to facilitate multiple options for responses by letter, fax, email, or phone.

On October 21, 2019, follow up phone calls were placed to the contacts that had not responded to the initial consultation letter with the following results:

A message was left for Tom Little Bear Nason, Chairperson for the Esselen Tribe of Monterey County requesting any comments or concerns relating to the Project.

A message was left for Louise Miranda-Ramirez, Chairperson for the Ohlone/Costanoan-Esselen Nation requesting any comments or concerns relating to the Project.

A message was left for Fredrick Segovia, Chairperson for the Salinan Tribe of Monterey & San Luis Obispo Counties requesting any comments or concerns relating to the Project.

A message was left for Karen White, Chairperson for the Xolon-Salinan Tribe requesting any comments or concerns relating to the Project.

A message was left for Donna Haro, Tribal Headwoman for the Xolon-Salinan requesting any comments or concerns relating to the Project.

A message was left for Tony Cerda, Chairperson for the Costonoan Rumsen Carmel Tribe Esselen Tribe of Monterey County requesting any comments or concerns relating to the Project. Chairperson Cerda has had a health concern and his daughter will contact us.

A call was placed to Valentin Lopez, Chairperson for the Amah Mutsun Tribal Band, and no message was left as there was no voice mailbox.

A call was placed to Ann Marie Sayers, Chairperson for the Indian Canvon Mutsun Band of Costanoan, and no message was left as the voice mailbox was full.

A follow-up call was held with Chairperson Sayers who requested additional information on the proposed project and excavation within the Carmel Highlands area of the proposed project. An email from CAWD to Chairperson Sayers on November 5, 2019 indicates additional information was provided. CAWD District Engineer notes the environmental document is for an annexation to the District for sewer service and offered to provide further information, and also requested to include suggested mitigations. No additional correspondence or communication indicated.

Irene Zwierlein, Chairperson for the Amah Mutsun Tribal Band of Mission San Juan Bautista received the call and requested information on whether there are any known recorded sites. It was explained that the Project is an annexation of property into the District and does not include any ground disturbance. She requested to be notified when any projects within the annexation are proposed.

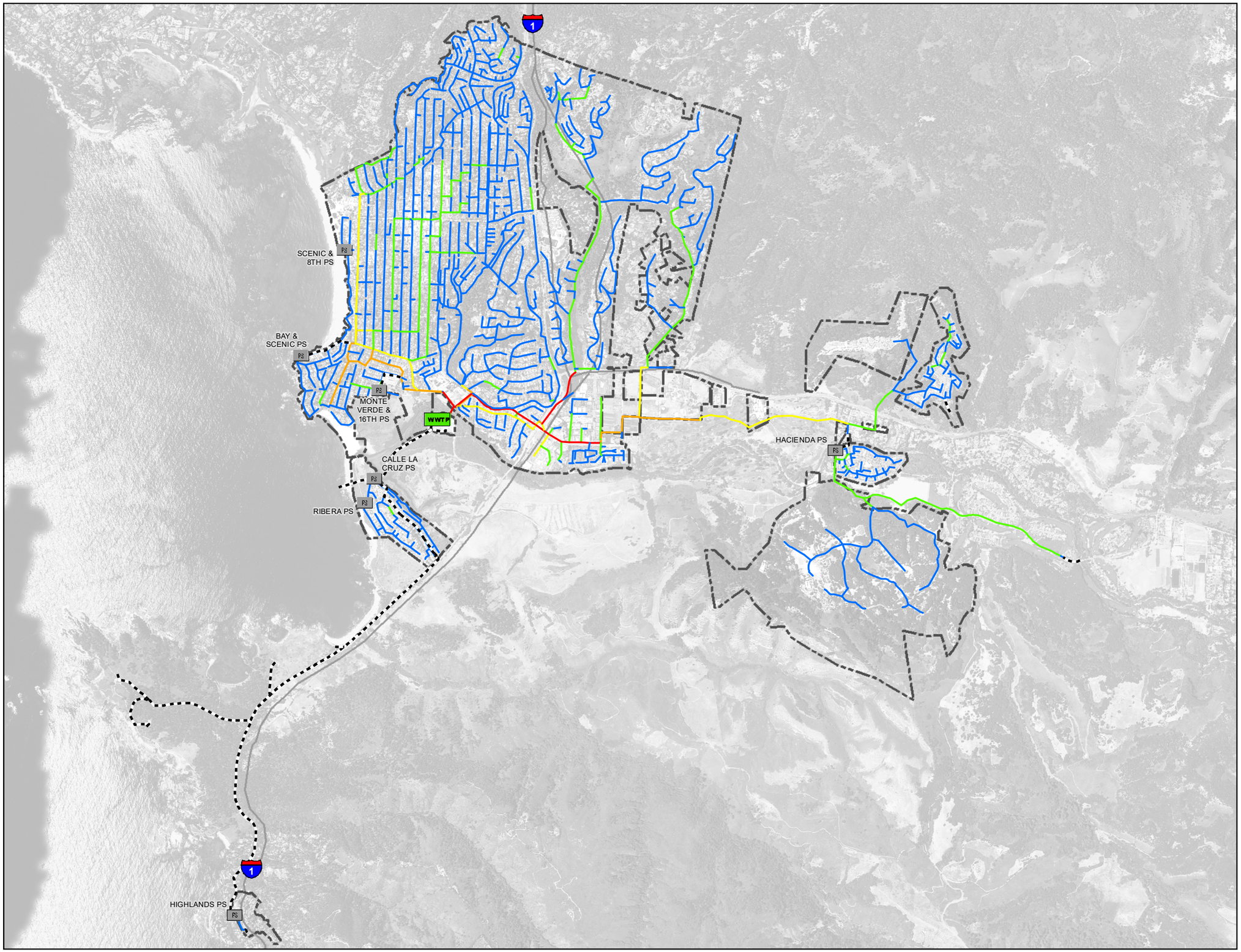
Karen White, Chairperson for the Xolon-Salinan Tribe received the call and requested clarification for where the project would be located. It was explained that the proposed project would include lands in Carmel Valley, but that the project involves only a boundary adjustment and that no direct development would occur that would result in earth moving. The District informed Chairperson White that she would be included in the notification/consultation process for future development related to infrastructure improvements.

The consultation process resulted in direct contact with three of the nine Native American contacts on the list provided by NAHC, as documented above.

This Page Intentionally Left Blank

Appendix D

CAWD Sewer Mains and Collection Lines



N

0 1,300 2,600

Scale in Feet

Symbology

- CAWD ServiceArea
- Wastewater Treatment Plant
- Pump Station
- Force Main

Gravity Main by Diameter

- ≤ 6-inch
- 8-inch
- 10-inch
- 12-inch
- ≥ 15-inch

CARMEL AREA WASTEWATER DISTRICT · SINCE 1908 ·

WEST YOST ASSOCIATES

System Map

Carmel Area Wastewater District
Wastewater Collection System
Asset Management Plan

This Page Intentionally Left Blank

This Page Intentionally Left Blank