Print Form

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Monterey
168 West Alisal St, 1st Floor
Salinas, CA 93901

From: (Public Agency): City of Monterey
570 Pacific St Monterey, CA 93940

(Address)

FILED
JUN 27 2025
XOCHITL MARINA CAMACHO
MONTEREY COUNTY CLERK
2025-6100 DEPUTY

Project Title: Monterey Bay Recreation Trail Paver Project

Project Applicant: City of Monterey

Project Location - Specific:

Presidio curve portion of the Monterey Bay Coastal Trail adjacent to Lighthouse Ave

Project Location - City: Monterey Project Location - County: Monterey

Description of Nature, Purpose and Beneficiaries of Project:

The proposed project would replace the decomposed granite section of the walking path with permeable pavement.

Name of Public Agency Approving Project: City of Monterey

Name of Person or Agency Carrying Out Project: City of Monterey

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: 15301(c)
- ☒ Statutory Exemptions. State code number: 21080.25 (b)(1)

Reasons why project is exempt:

The proposed project is statutorily exempt from the provisions of CEQA pursuant to State Public Resources Code Section 21080.25 (b)(1). The project would improve safety and mobility of a Class 1 trail within the public right of way. Installing permeable pavement on the walking path would allow pedestrians to walk on the pedestrian path, freeing up the bicycle path. This would improve safety for all individuals and improve mobility on the trail. The proposed project is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines § 15301 (Class 1) Existing Facilities. The project would improve an existing trail without creating additional automobile lanes.

Lead Agency Contact Person: Reginald Paulding Area Code/Telephone/Extension: (831) 242-8778

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Christy Sabdo Date: 6/24/25 Title: Principal Planner

▪ Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

Revised 2011

☐

Attachment A

CEQA Exemption Information Form

Monterey Bay Recreation Trail Paver Project

City of Monterey

Project Location

The Monterey Bay Recreation Trail Paver Project (proposed project) is located within the City of Monterey (City) in Monterey County, California. The City of Monterey is located on the Monterey Peninsula. **See Figure 1: Regional Map.** The proposed project would make improvements to a portion of the Monterey Bay Coastal Trail (MBCT) that runs adjacent to Lighthouse Avenue on the east side of the road between Fisherman's Wharf to the south and the Coast Guard Wharf to the north. Directly to the west of Lighthouse Avenue is the military base, Presidio of Monterey. The project area lies on the edge of the coast with Monterey Bay directly to the east of the trail. The project area includes approximately 580 feet (0.11 miles) of the trail at the portion of the trail that runs parallel to the east end of Presidio of Monterey. **See Figure 2: Vicinity Map.**

Project Setting

The general plan land use designation for the project area is Public/Institutional. The project area is surrounded by public/institutional uses. The project area is not zoned by the City of Monterey. The surrounding area is zoned as Open Space, Planned Community, and Residential-3 (medium density multifamily dwelling district).

The MBCT is popular among residents and visitors as a recreational area as well as a means of connectivity. This 18-mile trail supports non-motorized connectivity from Castroville in the north to Pacific Grove in the south. The trail gives access to popular areas in the City from downtown Monterey and Fisherman's Wharf to Cannery Row and the Monterey Bay Aquarium.

The portion of the trail that curves around the east end of Presidio of Monterey, with Lighthouse Avenue to the west of the trail and Monterey Bay to the east, is where the project site would be located. This portion of the trail contains a two-lane paved bike path approximately 14 feet wide and a one lane decomposed granite pedestrian path approximately 8 feet wide. **See Figure 3: Current Photo of Project Site.**

Purpose and Need

Currently, the portion of the MBCT that runs along the east end of Presidio of Monterey contains a two-lane paved bicycle path and a one lane pedestrian path made of decomposed granite. The decomposed granite walking path becomes difficult for pedestrians to walk on due to the mud and puddles created on the path in the winter and the dust created by the path in the summer. The California Coastal Commission previously required the use of decomposed granite for the walking surface on this trail to improve water quality drained into the ocean. The decomposed granite was meant to allow for percolation of the water before draining into the ocean. Replacing the

decomposed granite trail with permeable pavement would improve water quality as stormwater is drained into the soil therefore decreasing stormwater runoff. Permeable pavement is a version of concrete that allows for more infiltration of stormwater due to the pavement's reduction in sand and small openings between joints. The infiltration of water into the soil reduces puddles and stormwater runoff. Permeable pavement can be effective in filtering stormwater for bike paths and walkways. Replacing the decomposed granite portion of the trail with permeable pavement would benefit pedestrians and bicyclists on the walking trail. The proposed project would also reduce sediment in stormwater runoff that drains directly into Monterey Bay.

Proposed Description

The proposed project would replace the decomposed granite section of the path with permeable pavement. The project site area is located on approximately 580 feet of the MBCT. **See Figure 4: Conceptual Plan**.

Reasons Why Project is Exempt

STATUTORY EXEMPTION

The proposed project is statutorily exempt from the provisions of CEQA pursuant to State Public Resources Code Section 21080.25 (b)(1).

Public Resources Code Section 21080.25 (b)(1) qualifies a statutory exemption as it pertains to the proposed project, which consists of a Class I Trail. In regard to the proposed project, subsection 1) would be directly applicable as it states as follows:

1) Pedestrian and bicycle facilities that improve safety, access, or mobility, including new facilities, within the public right-of-way.

Furthermore, Public Resources Code Section 21080.25 (a)(2) defines "Bicycle Facilities" as the follows:

2) "Bicycle facilities" includes, but is not limited to, bicycle parking, bicycle sharing facilities, and bikeways as defined in Section 890.4 of the Streets and Highways Code.

As explained in Caltrans Highway Design Manual, Class 1 bike paths are facilities with exclusive right-of-way, with cross flows by vehicles minimized (Caltrans, 2020). The MBCT qualifies as a Class 1 bike path. The proposed project would be paving a portion of the existing trail. The proposed project would improve the safety of pedestrians and bicyclists as well as increasing mobility. As a public trail, the project would occur within the public right-of-way and would be consistent with this statutory exemption.

CATEGORICAL EXEMPTIONS

State CEQA Guidelines Section (§) 15300 defines projects for which a Categorical Exemption can be used and is derived from § 21084 of the Public Resources Code (PRC). This code requires CEQA to include a list of classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of CEQA. Accordingly, the Secretary for Resources provided a list of classes of projects that do not have a

significant effect on the environment and hence, were declared to be categorically exempt from the requirement for the preparation of environmental documents.

The proposed project is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines § 15301 (Class 1) Existing Facilities. The Class 1 exemption is applicable to projects that consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. Subsection (c) provides additional detail in regarding to "existing facilities" to include:

> (c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety), and other alterations such as the addition of bicycle facilities, including but not limited to bicycle parking, bicycle-share facilities and bicycle lanes, transit improvements such as bus lanes, pedestrian crossings, street trees, and other similar alterations that do not create additional automobile lanes.

The proposed project fits within the parameters for existing highways and streets, sidewalks, and related facilities. The proposed project would pave a portion of an existing trail. The majority of the trail is already paved. The proposed project would improve mobility on the trail as pedestrians would move off of the bicycle path and onto the paved walking path. Reducing pedestrians on the bicycle path would improve safety of all individuals on the trail. The improvements would enhance public safety without adding automobile lanes.

Exceptions to Exemptions

The proposed project, with the approval of a statutory exemption, is not subject to any exceptions per CEQA Statute Section 15061(b)(1) and Section 21080.25 (b)(1).

CEQA includes a list of six conditions called exceptions to exemptions listed in State CEQA Guideline §15300.2. If a project were to violate any of the exceptions, an exemption would not apply. The proposed project would not violate any of the exceptions. It should be noted that the project qualifies for Class 1 exemption and is not subject to the exceptions listed below. Nonetheless, the following discussion is provided for informational purposes. Each exception is listed below followed by the reason it would not be violated:

a) *Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the proposed project is to be located – a project that is ordinarily insignificant in its impact on the environment may be in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*

The proposed project does not rely on a Class 3, 4, 5, 6, or 11 exemption and therefore this exception does not apply. However, the project is located in a built environment and is not located in a sensitive environment and no resources of hazardous or critical concern have been identified.

b) *Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

The proposed project would be located within the existing trail which has been heavily disturbed from its natural state. The project site does not contain any vegetation or habitats that support sensitive species or other sensitive resources. The addition of permeable pavement would not result in any impacts to the environment in conjunction with any past, present, or reasonably foreseeable project. The proposed project would not make a cumulative contribution to any environmental impact.

c) *Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

The installation permeable pavement on the walking trail would result in disturbance of existing trail heavily disturbed from its natural state. The project site does not contain, nor would it disturb any sensitive habitats, hazardous materials, or cultural resources. While the project site is adjacent to Monterey Bay, the proposed project would not have a significant effect on the surrounding environment because the existing trail has already been constructed and the project proposes no expansion of use. The project would be a trail improvement and there are no unusual circumstances associated with project construction or operation. Therefore, the proposed project would not have a significant effect on the environment due to unusual circumstances.

d) *Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.*

There are no scenic highways within or adjacent to the proposed project site. The nearest officially designated state scenic highway is Route 1, approximately 1.6 miles southeast of the proposed project site. The proposed project would not remove any trees, damage any historic structures or scenic resources within a highway officially designated as a state scenic highway.

e) *Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*

The proposed project site does not occur within a hazardous waste site and the proposed project would not use, handle, store, or dispose of any acutely hazardous materials. Review of the State Water Resources Control Board Geotracker tool, the Department of Toxic Substances Control (DTSC) EnviroStor Database, and CORTESE list revealed no evidence of hazardous materials on the project site (DTSC, 2024, and Waterboards, 2024). There are four closed LUST cleanup sites located to the north of the project site. The closest site is approximately 609.09 feet (0.12 miles) north of the project site. There are also numerous closed cleanup sites within the Presidio of Monterey. All adjacent LUST cleanup cases have been closed and would not be affected by the project. The only Cortese-listed sites in the City of Monterey is located at 153 Webster Street, approximately 0.7 miles

south of the project site. These Hazardous waste sites would not be affected by the project. No impacts from hazardous waste sites would occur.

f) *Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource. No Historical resources would be affected.*

There are no registered historic buildings on the proposed project site. City of Monterey's Old Town Historic District is located approximately 600 feet (0.11 miles) south of the proposed project. The trail improvements would occur on the existing trail and would not impact Old Town Historic District. The project site has been heavily disturbed and altered from its natural state. Hence, the potential for the project to impact historic resources is remote.

Conclusion

The proposed project is consistent with State CEQA Exemptions Division Application to Discretionary Projects, Nonapplication, Negative Declarations, Environmental Impact Report Preparation in accordance with Public Resources Code Section 21080.25 (b)(1). There are no CEQA exceptions to Statutory Exemptions.

The proposed project is consistent with State CEQA Exemptions Class 1 - Existing Facilities in accordance with Cal. Code Regs., tit. 14, § 15300 et seq. No exceptions to the Exemptions detailed in §15300.2 would be applicable.

References

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California Department of Transportation (Caltrans). 2018. *California State Scenic Highway System Map*. Available at: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa . Accessed: November 7, 2024.

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National Park Service, 2024. *National Register of Historic Places*. Available at: https://www.nps.gov/maps/full.html?mapId=7ad17cc9-b808-4ff8-a2f9-a99909164466 . Accessed: November 7, 2024.

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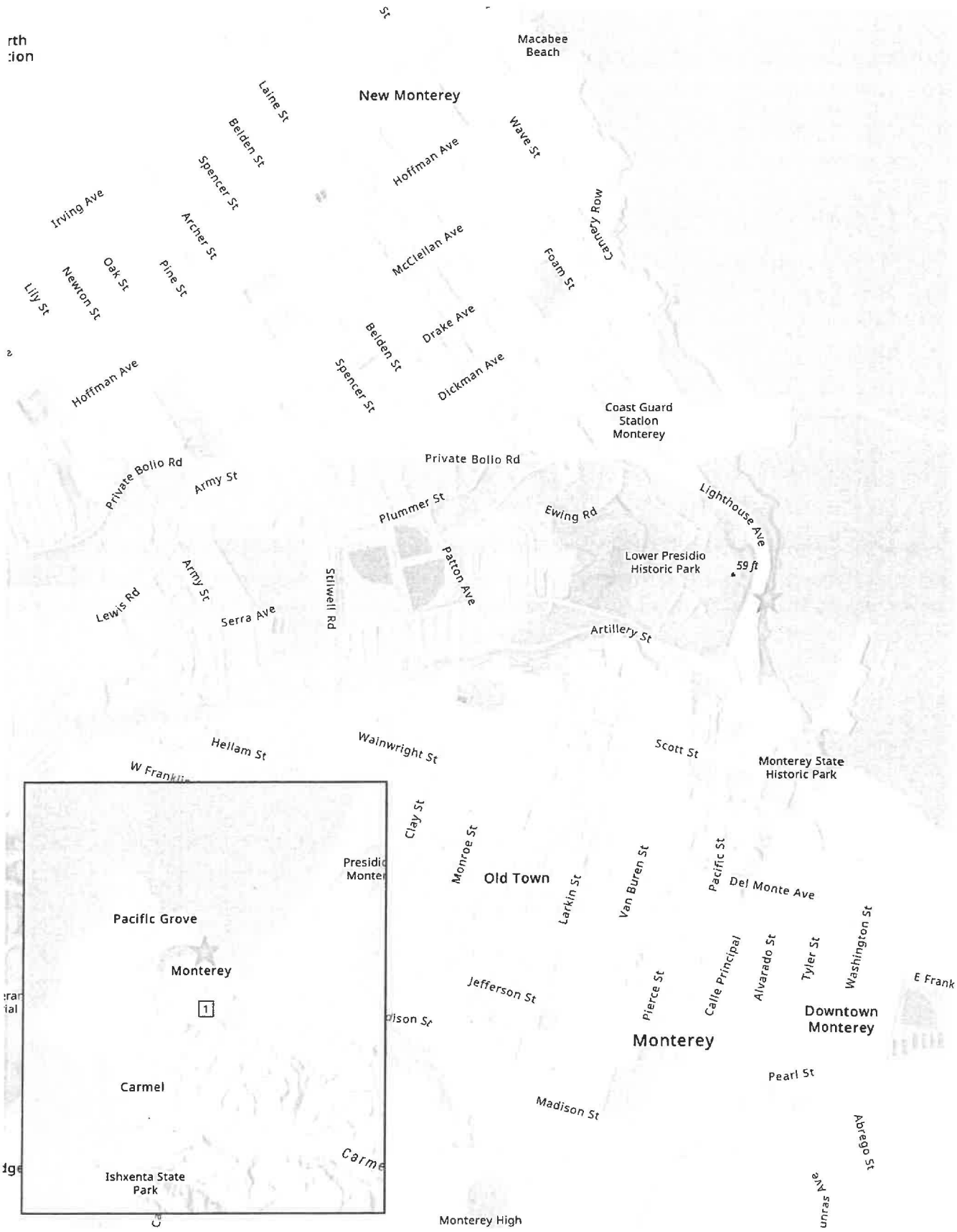
State Water Resources Control Board. 2024. *Geotracker*. Available at: GeoTracker (ca.gov) .Accessed: November 7, 2024.

Unites States Environmental Protection Agency. 2021. *Stormwater Best Management Practice – Permeable Pavements*. Available at: NPDES: Stormwater Best Management Practice, Permeable Pavements. Accessed: November 7, 2024



Source: ESRI, 2025

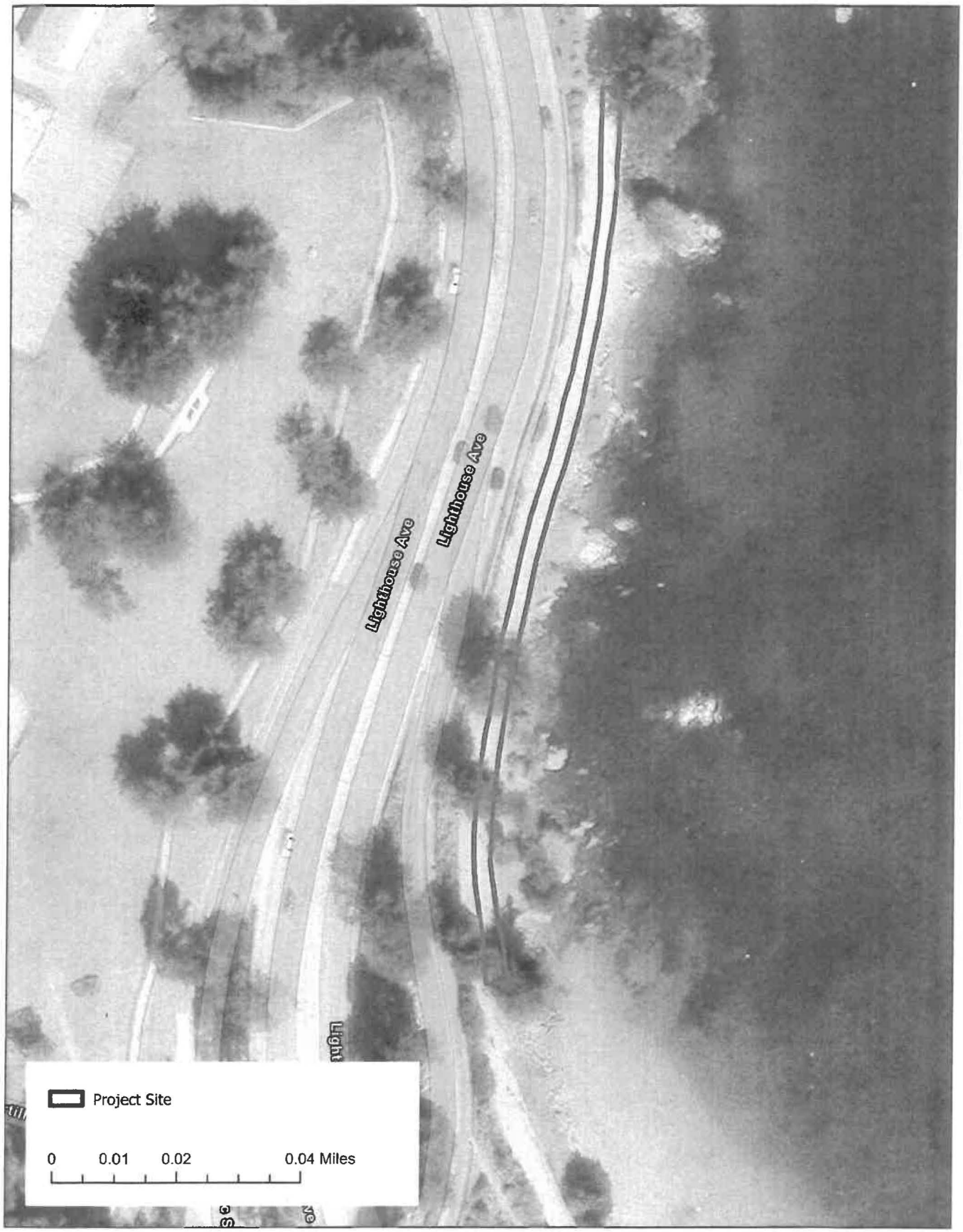
Figure 1: Regional Map

Monterey Bay Recreation Trail Paver Project

City of Monterey

Not to scale

Kimley»Horn



Source: ESRI, 2024

Figure 2: Vicinity Map

Monterey Bay Recreation Trail Paver Project
City of Monterey

Not to scale

Kimley»Horn

Source: Google Earth, 2024

Figure 3: Current Photo of Project Site

Monterey Bay Recreation Trail Paver Project
City of Monterey

Not to scale

Kimley»Horn

Source: Kimley-Horn, 2024

Figure 4: Conceptual Plan

Monterey Bay Recreation Trail Paver Project
City of Monterey

Not to scale

Kimley»Horn