

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: April 14, 2011 Time: 1:30 p.m.	Agenda Item No.:
Project Description: Coastal Development Permit and Design Approval to allow a water well intended to serve 890 connections total, with 616 connections within the Oak Hills subdivision and 274 connections in the Moro Cojo area. The new well site will include: 1) a submersible pump, 2) on-site piping, 3) electrical equipment including panel board and transformer; 4) chlorination equipment including 300 gallon double contained chlorination tank and covered metering pump injecting 12.5% sodium hypochlorite into the well stream, and 5) a backup 72 square foot generator with fuel tank. A seven foot high chain link enclosure will surround the chlorination tank and metering pump and a six foot high chain link fence will enclose all structures, perimeter landscaping and less than one hundred cubic yards of grading for a paved driveway.	
Project Location: Pampas Path in Oak Hills Subdivision (Highway 156) Salinas	APN: 133-481-054-000
Planning File Number: PLN080469	Owner: California Water Service Company Agent:
Planning Area: North County Coastal Land Use Plan	Flagged and staked:
Zoning Designation: : “MDR/B-8-D (CZ)” [Medium Density Residential/B-8 Overlay-Design Control in the Coastal Zone]	
CEQA Action: Mitigated Negative Declaration	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit B**) to:

- 1) Adopt the Mitigated Negative Declaration;
- 2) Approve PLN080469, based on the findings and evidence and subject to the conditions of approval (**Exhibit B**); and
- 3) Adopt the Mitigation Monitoring and Reporting Program (**Exhibit 1**)

PROJECT OVERVIEW:

The project consists of the construction of a ground water well to replace an existing contaminated well that has been put out of service. In order to meet peak demand, two wells must be active at all times to service the approximate 890 connections, with 616 connections in the Oaks Hills subdivision and 274 connections in the Moro Cojo area. California Water Service Company will then destroy the contaminated well once the new well is constructed and connected to the system. Once the new well is providing service to the connections, one of the wells now providing service will serve again as a backup.

A Draft Mitigated Negative Declaration was prepared in accordance with CEQA and circulated for public review from December 9, 2010 through January 7, 2011. Issues analyzed include aesthetic resources, air quality, biological resources, cultural resources, hazard/hazardous materials and noise. Mitigation Measures have been implemented in the Initial Study to ensure impacts remain less than significant.

A comment was received from a neighboring property owner during the public review period lead to but did not alter the conclusions in the Initial Study and Mitigated Negative Declaration. Revisions were made to the Initial Study to address the concerns from the comment letter. Pursuant CEQA Section 15073.5(c)2, A Lead Agency is not required to re-circulate a negative declaration when new project revisions are added in response to written or verbal comments on the projects' effects identified in the proposed negative declaration which are not new avoidable

significant effects. No new mitigation measures were added. Pursuant to 15073.5.(c)4, the information added to the Mitigated Negative Declaration merely clarifies, amplifies, and/or makes insignificant modifications to the Mitigated Negative Declaration. Therefore, staff did not re-circulate the Initial Study.

The parcel was identified as a well lot. The proposed use is consistent with the intended use. It is consistent with the Monterey County Zoning Regulations (Title 20) and policies in the North County Land Use Plan. The applicant has addressed the concerns expressed by the neighbors and mitigation is provided for potential biological impacts.

No unresolved issues remain.

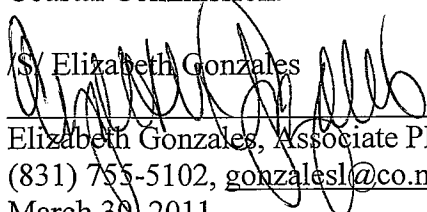
OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

- √ RMA - Public Works Department
- √ Environmental Health Bureau
- √ Water Resources Agency
- √ North County Fire Protection District
- California Coastal Commission

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by RMA Public Works, Environmental Health Bureau and North County Fire Protection District have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit B**).

The project was referred to the North County Coastal Land Use Advisory Committee (LUAC) on February 17, 2009 for review. They continued the project to a future date to allow the applicant to address concerns expressed by the neighbors. The neighbors were concerned with construction noise, fumes from the chlorination tank and visibility of the new structures. They were also concerned that the project would cut off access through the property and reduce the value of the properties within the area. California Water, the applicant, met with the Homeowners Association, and presented modifications to the plans to address their stated concerns. Based on Homeowners Association meeting, the California Water Service Company revised the project to include the temporary 20 foot high sound curtain for construction noise attenuation, a submersible pump to attenuate noise from the well, moved the permanent fencing and landscaping away from the property lines and closer to the proposed facilities to reduce visibility and allow continued access to the neighbors. A copy of the Initial Study was sent to the North County Coastal LUAC. They had no comments.

Note: The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.


Elizabeth Gonzales, Associate Planner
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March 30, 2011

California Coastal Commission; John Ford, Planning Services Manager; Elizabeth Gonzales, Project Planner; Carol Allen, Senior Secretary; California Water Service Company, Owner; Elrond and Laura Lawrence, Planning File PLN080469

Attachments: Exhibit A Project Data Sheet
Exhibit B Draft Resolution, including:
1. Conditions of Approval and Mitigation Monitoring and Reporting Program
2. Site Plan, Floor Plan and Elevations, Parcel Map, Tentative Map
Exhibit C Vicinity Map
Exhibit D Advisory Committee Minutes (North County Coastal LUAC)
Exhibit E Mitigated Negative Declaration
Exhibit F Comments on Mitigated Negative Declaration

This report was reviewed by John Ford, Planning Services Manager



EXHIBIT A

Project Data Sheet for PLN080469

Project Title: California Water Service Company

Location: Pampas Path, Oak Hills
Subdivision, Salinas

Primary APN: 133-481-054-000

Applicable Plan: North County Land Use
Plan

Coastal Zone: YES

Permit Type: Coastal Development
Permit

Zoning: MDR/B-8-D (CZ)

Environmental Status: Mitigated Neg Dec

Plan Designation: Residential

Advisory Committee: N/A

Final Action Deadline (884): 10/28/2010

Project Site Data:

Lot Size: .52 Acres

Coverage Allowed: 35%

Coverage Proposed: 1%

Existing Structures (SF): 0

Height Allowed: 30 Feet

Proposed Structures (SF): Approx. 200 square feet
total

Height Proposed: 7 Feet

Total SF: Approx. 200 square feet

Floor Area Ratio Allowed: N/A

Floor Area Ratio Proposed: N/A

Resource Zones and Reports:

Environmentally Sensitive Habitat: LIB090093/LIB110119

Erosion Hazard Zone: Moderate

Biological Report #: LIB090093/LIB110119

Soils Report #: N/A

Forest Management Rpt. #: N/A

Archaeological Sensitivity Zone: High

Geologic Hazard Zone: VI

Archaeological Report #: LIB090094

Geologic Report #: N/A

Fire Hazard Zone: Moderate

Traffic Report #: N/A

Other Information:

Water Source: Well

Sewage Disposal (method): N/A

Water Dist/Co: California Water Service Co.

Sewer District Name: N/A

Fire District: North County FPD

Total Grading (cubic yds.): Less than 100 cubic yards

Tree Removal: N/A

**EXHIBIT B
DRAFT RESOLUTION**

**Before the Zoning Administrator in and for the
County of Monterey, State of California**

In the matter of the application of:

California Water Service Company (PLN080469)

RESOLUTION NO. [REDACTED]

Resolution by the Monterey County Zoning
Administrator:

- 1) Adopting a Mitigated Negative Declaration; and
- 2) Approving a Coastal Development Permit and Design Approval to allow a water well intended to serve 890 connections total, with 616 connections within the Oak Hills subdivision and 274 connections in the Moro Cojo area. The new well site will include: 1) a submersible pump, 2) on-site piping, 3) electrical equipment including panel board and transformer; 4) chlorination equipment including 300 gallon double contained chlorination tank and covered metering pump injecting 12.5% sodium hypochlorite into the well stream, and 5) a backup 72 square foot generator with fuel tank. A seven foot high chain link enclosure will surround the chlorination tank and metering pump and a six foot high chain link fence will enclose all structures, perimeter landscaping and less than one hundred cubic yards of grading for a paved driveway; and
- 3) Adopt the Mitigation Monitoring and Reporting Program.

[PLN080469, California Water Service Company, Pampas Path in Oak Hills Subdivision (Highway 156) Salinas , North County Coastal Land Use Plan (APN: 133-481-054-000)]

The Coastal Development Permit application (PLN080469) came on for public hearing before the Monterey County Zoning Administrator on April 14, 2011. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:

- the 1982 Monterey County General Plan;
- North County Coastal Land Use Plan;
- Monterey County Coastal Implementation Plan Part 2,
- Monterey County Zoning Ordinance (Title 20);

No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

- b) The property is located off Pampas Path in the Oak Hills Subdivision (Highway 156) Salinas (Assessor's Parcel Number 133-481-054-000, North County Coastal Land Use Plan. The parcel is zoned "MDR/B-8-D (CZ)" [Medium Density Residential/B-8 Overlay-Design Control in the Coastal Zone], which allows water system facilities including wells and storage tanks serving 15 or more service connections subject to a Coastal Development Permit. Therefore, the project is an allowed land use for this site.
- c) The parcel is located within a Design Control District. Pursuant to Chapter 20.44, Design Control Zoning Districts, the project requires design review of structures to make sure they are appropriate to assure protection of the public viewshed, neighborhood character, and assure visual integrity. The panel board, pressure tank, chlorination tank, and the acoustic shelter for the well, all of which are above ground, will be of a neutral color (greenish tan) with a 7 foot high wood fenced enclosure surrounding the chlorination tank. A 6 foot high chain link fence will enclose the structures within the parcel and shrubs will be planted around the fence to provide for additional screening. Therefore, the project is consistent with the Design Control regulations.
- d) The project planner conducted a site inspection on June 15, 2010 to verify that the project on the subject parcel conforms to the plans listed above.
- e) ESHA: Pursuant to Policy 2.3.2.3, (NCLUP), land uses adjacent to locations of environmentally sensitive habitats are required to be compatible with the long-term maintenance of the resource. A biological report was prepared by PCR Services Corporation in June 2009, detailing the findings of a biological assessment conducted on the proposed well Station. On August 4, 2009, Chambers Group conducted a focused plant survey and wildlife reassessment. No sensitive wildlife species were observed during the survey but potential for the occurrence of two sensitive amphibian species, Santa Cruz long-toed salamander and California Tiger Salamander and one sensitive mammal species, Monterey shrew does exist within the project footprint. There is also a potential for nesting birds in and adjacent to the project area. Mitigation Measures include educational training with contractors and applicants, daily pre-construction inspections from the biologist, and a biologist will be retained onsite during grading and vegetation removal. These mitigations have been implemented in the Initial Study to reduce impacts to less than significant.
- f) Viewshed: The North County Land Use Plan (LUP) **Policy 2.2.4.3** states that areas within or immediately adjacent to designated scenic highways, routes, and waterways should be zoned with a district that allows only visually compatible uses and development. State Highway 156 is located within this described area and so the least visually

obtrusive portion of a parcel should be considered the most desirable site for the location of new structures. The proposed project will be located on the least visible portion of the water utility parcel. The site is marginally visible from a moving vehicle. The site is lower in elevation than other parcels within the adjacent subdivision. Existing trees provide natural screening, proposed landscape planting will provide additional screening and the use of natural colors will blend the structures into the vegetation. All of the factors result in the proposed development of a well at this location being consistent with the viewshed policies of the North County Land Use Plan.

- g) Archaeological Resources: The project site is located in an area identified in County records as having a high archaeological sensitivity zone. Pursuant to Section 20.144.110 Archaeological Resources Development Standards, an archaeological survey report shall be required for any development project within a High Archaeological Sensitivity Zone. A Phase I Archaeological Resources Assessment was prepared by PCR Services Corp. in November, 2008. The report states no archaeological resources were identified during the pedestrian survey, although the dense vegetation cover throughout the study area may have obstructed their identification. A Mitigation Measure requiring work to be stopped within 50 meters of any resources, if uncovered, has been implemented in the Initial Study to ensure impacts remain less than significant.
- h) The project was referred to the North County Coastal Land Use Advisory Committee (LUAC) on February 17, 2009 for review. They continued the project to a future date to allow the applicant to address concerns expressed by the neighbors. The neighbors were concerned with construction noise, fumes from the chlorination tank and visibility of the new structures. They were also concerned that the project would cut off access through the property and reduce the value of the properties within the area. California Water, the applicant, met with the Homeowners Association, and presented modifications to the plans to address their stated concerns. Based on Homeowners Association meeting, the California Water Service Company revised the project to include the temporary 20 foot high sound curtain for construction noise attenuation, a submersible pump to attenuate noise from the well, moved the permanent fencing and landscaping away from the property lines and closer to the proposed facilities to reduce visibility and allow continued access to the neighbors. A copy of the Initial Study was sent to the North County Coastal LUAC. They had no comments.
- i) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN080469.

2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

EVIDENCE: a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, North County Coastal Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. There has been no indication

from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

- b) Staff identified potential impacts to biological and archaeological resources. Technical reports by outside biological and archaeological consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed and Mitigation Measures were proposed as appropriate (*See CEQA Finding 5*). County staff independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:
- "Biological Survey Report (LIB090093), prepared by Chambers Group, Biological Consultant, Redlands, CA, August 13, 2009.
 - "Phase I Archaeological Resources Assessment (LIB090094), prepared by PCR Services Corp., San Jose, CA, November, 2008.
 - Results of the Biological Assessment conducted on the Station 205 Project Site (LIB110119), prepared by PCR Services Corp., Irvine, CA, April 24, 2009
- c) Staff conducted a site inspection on June 15, 2010 to verify that the site is suitable for this use.
- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN080469.

3. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by RMA - Planning Department, North County Coastal Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
- b) The project consists of the construction of a ground water well to replace an existing contaminated well that has been put out of service. In order to meet peak demand, two wells must be active at all times to service the approximate 890 connections, with 616 connections in the Oaks Hills subdivision and 274 connections in the Moro Cojo area. California Water Service Company will then destroy the contaminated well once the new well is constructed and connected to the system. Once the new well is

providing service to the connections, one of the wells now providing service will serve again as a backup.

- c) A permit for Hazardous Materials Storage is required for hazardous materials that are stored or otherwise handled in excess of 55 gallons. California Water plans to store 300 gallons of hypochlorite and 310 gallons of diesel fuel. The permit is based on volume. Neither material is considered acutely toxic or extremely hazardous. (See Finding #5)
- d) See preceding Findings #1 and #2 and supporting evidence for PLN080469.

4. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on June 15, 2010 and researched County records to assess if any violation exists on the subject property.
 - c) There are no known violations on the subject parcel.
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN080469.

5. **FINDING:** **CEQA (Mitigated Neg Dec)** - On the basis of the whole record before the Monterey County Zoning Administrator, there is no substantial evidence that the proposed project as designed, conditioned and mitigated, will have a significant effect on the environment. The (Mitigated) Negative Declaration reflects the independent judgment and analysis of the County.

- EVIDENCE:**
- a) Public Resources Code Section 21080.d and California Environmental Quality Act (CEQA) Guidelines Section 15064.a.1 require environmental review if there is substantial evidence that the project may have a significant effect on the environment.
 - b) The Monterey County Planning Department prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the offices of the Planning Department and is hereby incorporated by reference (PLN080469).
 - c) The Initial Study identified several potentially significant effects, but revisions have been made to the project and the applicant has agreed to proposed mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. Staff accordingly prepared a (Mitigated) Negative Declaration. The Initial Study is on file in the RMA-Planning Department and is hereby incorporated by reference (PLN080469).
 - d) Issues that were analyzed in the Mitigated Negative Declaration include: aesthetic resources, air quality, biological resources, cultural resources, hazards/hazardous materials and noise.
 - e) Hazards/Hazardous Materials - The project includes the use of hazardous materials, 300 gallons of 12.5% sodium hypo-chlorite and 310 gallons of #2 diesel fuel, as an essential part of the proposed

project. Both the chlorination tank and the diesel fuel tank have secondary contained closed top tanks that will be secured behind a locked shelter/fence. The Environmental Health Bureau has conditioned the project to comply with a Hazmat Business Response Plan pursuant to Title 19 of the California Code of Regulations and Chapter 6.95 of the California Health and Safety Code and Risk Management Plan pursuant to Title 22, Division 4.5 of the California Code of Regulations and Chapter 6.50 of the California Health and Safety Code (Condition #6). In January 2009, the California Water Service Company prepared a Hazardous Materials Business Plan for the use of sodium hypo-chloride and diesel fuel and the potential for a hazard. It contains an Emergency Response/Contingency Plan that includes a hazardous spill prevention plan that will be developed and implemented during all phases of construction. A permit for Hazardous Materials Storage is required for hazardous materials that are stored or otherwise handled in excess of 55 gallons. The permit is based on volume. Neither material is considered acutely toxic or extremely hazardous. There is very low risk for explosion. The 12.5% sodium hypochlorite has a National Fire Protection Association (NFPA) fire hazard rating of "0" on a scale of 0-4 with "0" being least flammable and "4" being extremely flammable. Sodium hypochlorite is not flammable, combustible, or explosive. Diesel #2 has a National Fire Protection Association (NFPA) fire rating of "2" and is considered a combustible liquid, but is not explosive. The structures will be located approximately 60 feet from the nearest parcel, and therefore, the impact is less than significant.

- f) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. A Condition Compliance and Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations and is designed to ensure compliance during project implementation and is hereby incorporated herein by reference as **Exhibit 1**. The applicant must enter into an "Agreement to Implement a Mitigation Monitoring and/or Reporting Plan as a condition of project approval (Condition #5).
- g) The Draft Mitigated Negative Declaration ("MND") for PLN080469 was prepared in accordance with CEQA and circulated for public review from December 9, 2010 through January 7, 2011 (SCH#: 201012026). Issues that were analyzed in the Draft Mitigated Negative Declaration ("MND") include aesthetic resources, air quality, biological resources, cultural resources, hazard/hazardous materials and noise.
- h) Evidence that has been received and considered includes: the application, technical studies/reports (*see Finding 2/Site Suitability*), staff reports that reflect the County's independent judgment, and information and testimony presented during public hearings (as applicable). These documents are on file in the RMA-Planning Department (PLN080469) and are hereby incorporated herein by reference.
- i) Staff analysis contained in the Initial Study and the record as a whole indicate the project could not result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game (DFG) regulations. All land development projects that are subject to environmental review

are subject to a State filing fee plus the County recording fee, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources. No letter of exemption was received. Therefore, the project will be required to pay the State fee plus a fee payable to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination (NOD).

- j) The County has considered the comments received during the public review period, and they do not alter the conclusions in the Initial Study and Mitigated Negative Declaration. Staff revised the Initial Study to address the concerns from the comment letter. Pursuant CEQA Section 15073.5.(c)2, A Lead Agency is not required to re-circulate a negative declaration when new project revisions are added in response to written or verbal comments on the projects' effects identified in the proposed negative declaration which are not new avoidable significant effects. No new mitigation measures were added. Pursuant to 15073.5.(c)4, the new information that was added to the Mitigated Negative Declaration merely clarifies, amplifies, and/or makes insignificant modifications to the Mitigated Negative Declaration. Therefore, staff did not re-circulate the Initial Study.
- k) The Monterey County Planning Department, located at 168 W. Alisal, Second Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the negative declaration is based.

5. **FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.144.150 of the Monterey County Coastal Implementation Plan can be demonstrated.
 - b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 4 in the North County Land Use Plan).
 - c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN080469
 - e) The project planner conducted a site inspection on June 15, 2010.

6. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission

- EVIDENCE:**
- a) Section 20.86.030 Monterey County Zoning Ordinance (Board of Supervisors).
 - b) Section 20. 86.080.A.3 Monterey County Zoning Ordinance (Coastal Commission). The project is subject to appeal by/to the California Coastal Commission because the underlying use is a conditional use.
 - c)

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Zoning Administrator does hereby:

- A. Adopts the Mitigated Negative Declaration; and
- B. Approves Coastal Development Permit and Design Approval to allow a water well intended to serve 890 connections total, with 616 connections within the Oak Hills subdivision and 274 connections in the Moro Cojo area. The new well site will include: 1) a submersible pump, 2) on-site piping, 3) electrical equipment including panel board and transformer; 4) chlorination equipment including 300 gallon double contained chlorination tank and covered metering pump injecting 12.5% sodium hypochlorite into the well stream, and 5) a backup 72 square foot generator with fuel tank. A seven foot high chain link enclosure will surround the chlorination tank and metering pump and a six foot high chain link fence will enclose all structures, perimeter landscaping and less than one hundred cubic yards of grading for a paved driveway, in general conformance with the attached sketch (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.
- C. Adopts the Mitigation Monitoring and Reporting Program (**Exhibit 1**)

PASSED AND ADOPTED this 14th day of April, 2011 upon motion of

Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON _____.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE _____.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS / IS NOT APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

- 1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

Form Rev. 03-28-2011

**Monterey County Planning Department
DRAFT Conditions of Approval/Mitigation Monitoring Reporting Plan**

PLN080469

Responsible Department: Planning
Compliance or Monitoring Actions to be Performed: Adhere to conditions and uses specified in the permit. Ongoing unless otherwise stated

Conditions of Approval and/or Mitigation Monitoring Measures

1. PD001 - SPECIFIC USES ONLY

This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)

This permit (PLN080469) allows a Coastal Development Permit and Design Approval to allow a water well intended to serve 890 connections total, with 616 connections within the Oak Hills subdivision and 274 connections in the Moro Cojo area. The new well site will include: 1) a submersible pump, 2) on-site piping, 3) electrical equipment including panel board and transformer, 4) chlorination equipment including 300 gallon double contained chlorination tank and covered metering pump injecting 12.5% sodium hypochlorite into the well stream, and 5) a backup 72 square foot generator with fuel tank. A seven foot high chain link enclosure will surround the chlorination tank and metering pump and a six foot high chain link fence will enclose all structures, perimeter, landscaping. The property is located at Pampas Path (Assessor's Parcel Number 133-481-054-000), North County Land Use Plan.

2. PD002 - NOTICE-PERMIT APPROVAL

Proof of recordation of this notice shall be furnished to the RMA - Planning Department. Prior to the issuance of grading and building permits or commencement of use.

The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Zoning Administrator for Assessor's Parcel Number 133-481-054-000 on April 12, 2011. The permit was granted subject to 16 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)

3. PD012(G) - LANDSCAPE PLAN AND MAINTENANCE (OTHER THAN SINGLE FAMILY DWEL
The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping and shall include an irrigation plan. The landscaping shall be installed and inspected prior to occupancy. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA & Planning Department)

Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, &I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures.& PRIOR TO ISSUANCE
The landscaping shall be installed and inspected.
PRIOR TO OCCUPANCY
All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.
ONGOING

Planning

4. PD050. RAPTOR/MIGRATORY BIRD NESTING

Although no tree removal activity will occur during the typical bird nesting season (February 22-August 1), the County of Monterey shall require that the project applicant retain a County qualified biologist to perform a nest survey in order to determine if any active raptor or migratory bird nests occur within the project site or within 300 feet of proposed tree removal activity. During the typical nesting season, the survey shall be conducted no more than 30 days prior to ground disturbance or tree removal. If nesting birds are found on the project site, an appropriate buffer plan shall be established by the project biologist. (RMA Planning Department)

Planning

No more than 30 days prior to ground disturbance or tree removal, the Owner/Applicant/Tree Removal Contractor shall submit, to the RMA-Planning Department, a nest survey prepared by a County qualified biologist to determine if an active raptor or migratory bird nests occur within the project site or immediate vicinity. - No more than 30 days prior to ground disturbance or tree removal

5. PD006 - MITIGATION MONITORING PROGRAM

Conditions of Approval and/or Mitigation Monitoring Measures

The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. (RMA - Planning Department)

Responsible Department

Compliance or Monitoring Actions to be Performed

- 1) Enter into agreement with the County to implement a Mitigation Monitoring Program.
- 2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement. - Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.

6. EH31 - HAZ MAT RMP

Applicant shall submit a Risk Management Plan to the Director of Environmental Health for review and approval. The RMP shall comply with Title 19, Chapter 4.5 of the California Code of Regulations and Chapter 6.95, Article 2 of the California Health & Safety Code. Submit plan to the Hazardous Materials Program of the Division of Environmental Health for review and approval. (Environmental Health)

Env Health

Prior to commencement of operation, submit a Risk Management Plan to the Director of Environmental Health for review and approval; and Submit plan to the Hazardous Materials Program of the Division of Environmental Health for review and approval.

7. EH28 - HAZ MAT BUSINESS RESPONSE PLAN

Applicant shall comply with Title 19 of the California Code of Regulations and Chapter 6.95 of the California Health and Safety Code (Hazardous Material Registration and Business Response Plans) as approved by the Director of Environmental Health. (Environmental Health)

Env Health

Contact the Hazardous Materials Program of the Division of Environmental Health. Continuous Action

8. AMEND STATE WATER SYSTEM PERMIT (NONSTANDARD)

The California Waer Service Company is classified as a public Community Water System, regulated by the California Department of Public Health (CDPH). Modification to the existing water system requires an amendment to the existing public water system permit from CDPH, pursuant to Title 22 of the California Code of Regulations. (Environmental Health Bureau)

Env Health

Submit evidence to the Environmental Health Bureau that the water system permit has been amended.

9. PW0005 ENCROACHMENT (STD DRIVEWAY)

Applicant shall obtain an encroachment permit from the Department of Public Works and construct a standard driveway connection to Pampas Path. (Public Works)

Pub Works

Prior to issuance of building permits and complete improvement prior to occupancy or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.

10. FIRE030 - OTHER NON-STANDARD CONDITION

Applicant shall enumerate as ¿Fire Dept. Notes¿ on plans, "Emergency Access Utilizing the Knox Box system is required."

Fire

Prior to issuance of building permit.

11. Mitigation Measure #1:

Conditions of Approval and/or Mitigation Monitoring Measures

An agreement between the Contractor and the Applicant shall be signed stating that the contractor received and fully read and understood the Biological Survey Report, prepared by Chambers Group, Biological Consultants, dated August 13, 2009. A note shall be put on the construction plans requiring that all recommendations shall be adhered to during construction. (RMA Planning Department)

Planning

Monitoring Action #1:

- a) A copy of the signed agreement shall be submitted to RMA-Planning Department for review and approval prior to issuance of any grading/building permits.
- b) Copy of construction plans shall be submitted to the RMA Planning Department that shows all recommendations are required be adhered to during construction.

Additional on-going Monitoring Action:

The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.

12. Mitigation Measure #2:

Prior to construction activities, the project proponent shall retain a qualified biologist. The applicant shall submit a signed contract to the County prior to the issuance of any grading permit or vegetation clearance activities. The contract will include language demonstrating that a qualified biologist shall be retained to be on-site during initial grading and vegetation removal activities and to fulfill the requirements of all the biological mitigation measures required of this project, to include bird nesting behaviors.

Planning

Monitoring Action #2:

A copy of a signed agreement between a qualified biologist and the applicant stating that the biologist will be retained to be on-site during initial grading and vegetation removal activities and to fulfill the requirements of all the biological mitigation measures required of this project, to include pre-construction site visit to observe bird nesting behaviors, shall be submitted to RMA-Planning Department for review and approval prior to issuance of any grading/building permits.

Additional on-going Monitoring Action:

The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.

13. Mitigation Measure #3:

A qualified biologist that is approved by the US Fish and Wildlife Service shall conduct a training session with construction personnel and applicants. The Biologist shall meet with the construction crew foreman and applicants at the project site at the onset of construction to educate the foreman and applicants on the following: Training shall include a description of the California Tiger Salamander and California Santa Cruz Long-Toed Salamanders and its habitat, general measures being implemented to protect listed species to include bird nesting behaviors on the project and boundaries between which the project may be accomplished, as well as measure to prevent accidental spills of hazardous materials and measures to take should a spill occur. (RMA Planning Department)

Conditions of Approval and/or Mitigation Monitoring Measures

Before work activities begin each day, a qualified biologist shall inspect the area to look for SCLTS, CTS, MS species and bird nesting. The biologist shall be on-site during initial brush clearing, grading and vegetation removal activities to identify any special-status species encountered. If special-status species are identified prior to or during construction activities, the biologist has the authority to stop the project until the individual wildlife species has left the site. If the individual does not leave the site within a reasonable amount of time, the biologist shall contact the US Fish and Wildlife Service (USFWS) and California Department of Fish and Game (DFG) for guidance on how to proceed. Project activities shall not resume until the individual leaves the site or authorization is received from DFG to resume activities. There will be no handling, trapping, captures, or other forms of take, of any listed species by the biological monitor or other project personnel. (RMA Planning Department)

14. Mitigation Measure #4:

Prior to any construction activities, a biological monitor shall supervise installation of the boundaries of construction areas using protective flagging and shall monitor the maintenance of the flagging (and other protective measures) during each of their monitoring visits as described in the above mitigation measures. To increase visibility, the orange construction flags will be used to mark the silt fence. There will be a six inch gap between the ground and the permanent site fencing. This gap is adequate to allow for the species of concern to enter and exit the property with no limitation. All construction personnel, equipment, and vehicle movement shall be confined to the designated construction areas and connecting roadways. Movement of construction and personal vehicles shall be prohibited except within the designated construction areas and off-site established roadways. (RMA Planning Department)

15. Mitigation Measure #5:

Monitoring Action #3:

A copy of a signed agreement between the applicant and the qualified biologist stating if special-status species are identified prior to or during construction activities, the biologist shall contact the RMA-Planning Department along with the USF&W and CDF&G, shall be submitted to the RMA Planning Department for review and approval prior to issuance of grading/building permits.

Additional on-going Monitoring Action:

The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.

Planning

Monitoring Action #4:

A signed agreement between the applicant and qualified biologist stating that a biological monitor shall supervise the installation of protective flagging prior to construction and shall monitor the maintenance during each of their monitoring visits daily; a copy of the signed agreement shall be submitted to the RMA- Planning Department for review and approval.

Additional on-going Monitoring Action:

The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.

Conditions of Approval and/or Mitigation Monitoring Measures	Responsible Department	Compliance or Monitoring Actions to be Performed
<p>No fueling or maintenance of equipment shall take place in the construction area. Mechanical equipment shall be serviced in designated staging areas located outside of the construction area. Water from equipment washing or concrete wash down shall be prevented from entering nearby riparian habitats and shall only occur where approved by the project biologist. All food-related trash items shall be enclosed in sealed containers and removed daily from the site to discourage the concentration of potential predators in habitat potentially occupied. (RMA - Planning Department)</p>	<p>Planning</p>	<p>Monitoring Action #5: A signed agreement between the applicant qualified biologist and contractor stating that a qualified biologist shall monitor that no fueling or maintenance of equipment shall take place in the construction area, that all mechanical equipment be serviced in designated staging areas located outside of the construction area and all food related trash items shall be removed daily. A copy of the signed agreement shall be submitted to the RMA- Planning Department for review and approval.</p> <p>Additional on-going Monitoring Action: The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.</p>
<p>16. Mitigation Measure #6: If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (RMA Planning Department)</p>	<p>Planning</p>	<p>Monitoring Action #6: Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.</p>

ENGINEER



DEPARTMENT

REVISIONS:

PLAT SHEET:

SCALE: 1:50

DRAWN BY: LA

DESIGNED BY: R. IPPAGU

CHECKED BY:

APPROVED BY:

DATE:

TIME:

PLAT:

PROJECT:

REVISIONS:

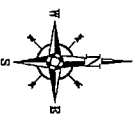
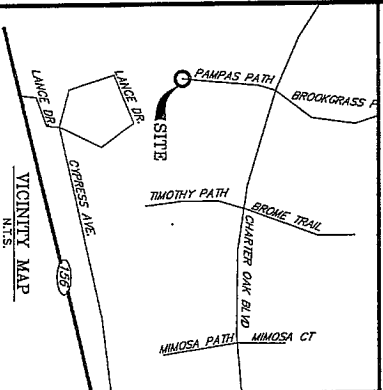
DATE:

TIME:

PROPOSED WELL WITH SURROUNDING WETLANDS

DISTRICT: SALINAS

DATE: 08-04-1
PROJECT ID: 0001886
DRAWING NO: SLN-24-1
SHEET 1 OF 1



FRESHWATER FOREST/SHRUB WETLAND

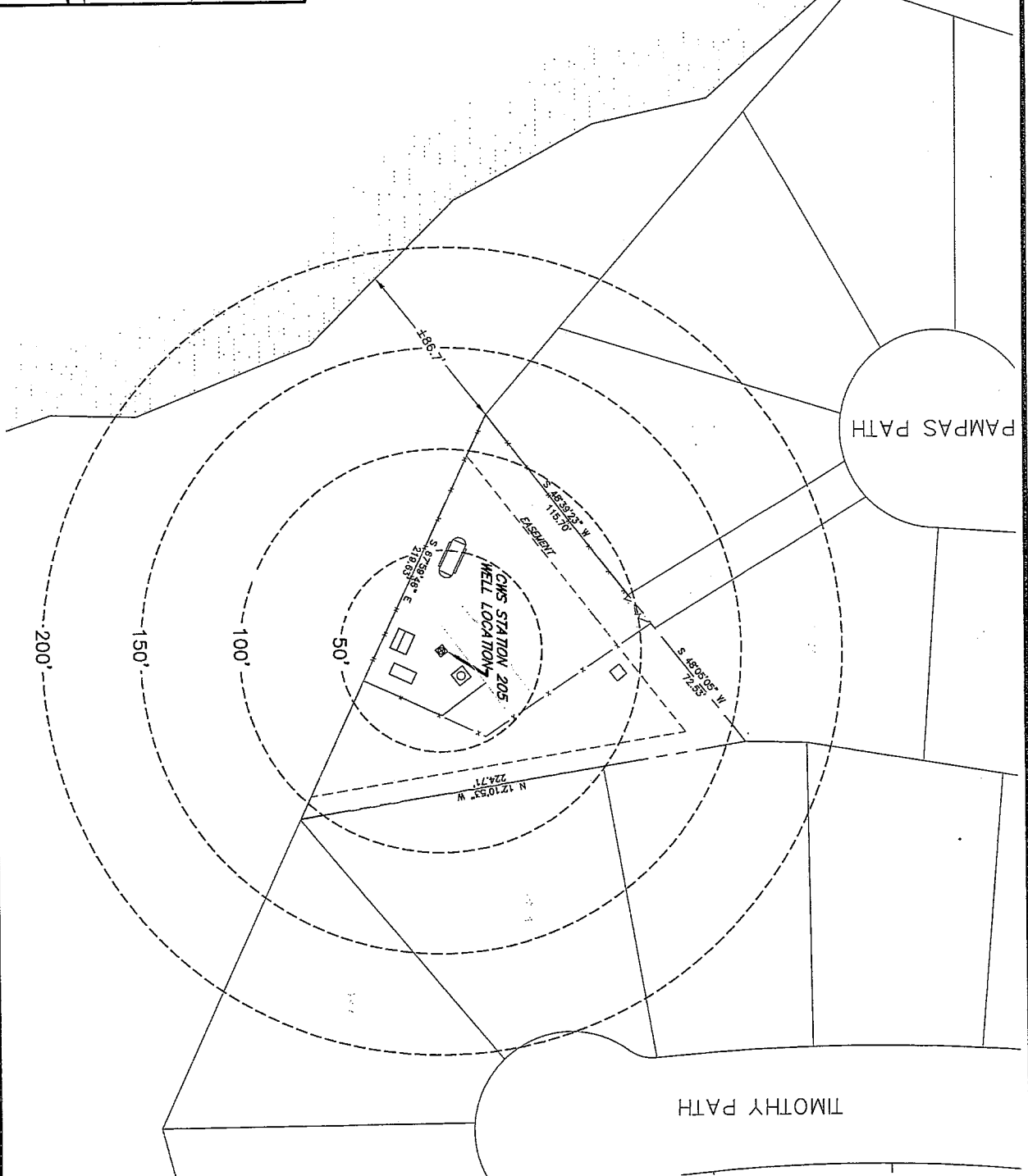


EXHIBIT "C"



NORTH COUNTY



APPLICANT: CALIFORNIA WATER SERVICE COMPANY

APN: 133-481-054-000

FILE # PLN080469

 300' Limit
  2500' Limit
  City Limits

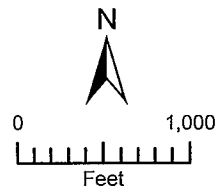


EXHIBIT "D"

MINUTES

North County Coastal Land Use Advisory Committee
Monday, February 17, 2009

1. Meeting called to order by Nowak at 9:04 (am/pm)

2. Roll Call

Members Present: Nowak Walker Centeno

Members Absent: Evans (Excused) Borch

3. Approval of Minutes:

A. January 5, 2009 minutes

Motion: walker (LUAC Member's Name)

Second: Centeno (LUAC Member's Name)

Ayes: Nowak Walker Centeno

Noes: _____

Absent: Evans Borch

Abstain: _____

B. February 2, 2009 minutes

Motion: _____ (LUAC Member's Name)

Second: _____ (LUAC Member's Name)

Ayes: _____

Noes: _____

Absent: _____

Abstain: _____

4. **Public Comments:** The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

Margie Kay: water meeting March 2 '09
Coastal Commission meeting 3pm

5. **Other Items:**

A) Selection of LUAC liaison to the Planning Department

Nowak

B) Discussion of input to the Planning Commission

Presone helps that's for Participating

C) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

D) Projects/Applications as scheduled below – please refer to the Project Referral Sheets which follow for each separate file.

6. Meeting Adjourned: 10:03 am/pm

Minutes taken by: Nowak

Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas CA
(831) 755-5025

Advisory Committee: North County Coastal

Please submit your recommendations for this application by **February 17, 2009**

Project Name: CALIFORNIA WATER SERVICE CO
File Number: PLN080469
File Type: ZA
Project Location: 9999
Project Planner: JOHN FORD
Area Plan: NORTH COUNTY LAND USE PLAN

Project Description: COASTAL DEVELOPMENT PERMIT AND DESIGN APPROVAL TO ALLOW A WATER WELL INTENDED TO SERVE THE OAK HILLS AND MORO COJO SUBDIVISIONS. THE PROJECT INCLUDES A WATER WELL, CHLORINATION, SHELTER, PRESSURE TANK, PANEL BOARD, GENERATOR WITH FUEL TANK, DRIVEWAY, FENCING, NEW LANDSCAPING AND LESS THAN TEN CUBIC YARDS OF GRADING. THE PROJECT IS LOCATED ON PAMPAS PATH, IN OAK HILLS (HWY 156), SALINAS (ASSESSOR'S PARCEL NUMBER 133-481-054-000), NORTH COUNTY LAND USE PLAN, COASTAL ZONE.

Was the Owner/Applicant/Representative Present at Meeting? Yes No

Cal Water

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
<i>See Attached Sheet</i>			
<i>Peter Lemevo</i>	<input checked="" type="checkbox"/>		<i>Environmental, Design Input NO see attached sheet of concerns</i>
<i>Bettie Lawson</i>	<input checked="" type="checkbox"/>		<i>alternative site noise</i>
<i>Margaret de Galiffx</i>	<input checked="" type="checkbox"/>		<i>Property value decline</i>
<i>Andrew Reiter</i>	<input checked="" type="checkbox"/>		<i>is pump necessary? Noise</i>

OVER
1/

Berry A. Ford

yes
✓

alternate site
away from homes

EIR report?

noise
see attached sheet
of concerns

Margie Kay

NO
✓

is well a replacement?
need to change
description

Cold Water

NO
✓

Submersible pump
to reduce noise
May option to
noise

Mike Jones
Jim Longo

Contaminant is
from Plastic Manufacturing
Unknown Source!

Contaminant in
other well necessitate
drilling new well
in different area

Margie Kay

NO
✓

work to homecoming
association for
meeting EIR
well usage

John Ford

NO
✓

LUAC well
benefit from
feedback of home-
owners & cold water
meeting display

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Toys well? Walker		

ADDITIONAL LUAC COMMENTS

RECOMMENDATION: Ed Centeno

Motion by Centeno need for Calwreter Home Owners Meeting (LUAC Member's Name)
~~to resolve issues~~

Second by walker (LUAC Member's Name)

Support Project as proposed

Recommend Changes (as noted above) Re Notice Home Owners

Continue the Item

Reason for Continuance: Need for meeting to resolve issues

Continued to what date: (End of March) April 6, 2009

AYES: Nawal Walker Centeno

NOES: 0

ABSENT: MONTEREY COUNTY PLANNING & BUILDING INSPECTOR

ABSTAIN: Borah

Signin Sheet NCLWA

2/17/09

Margie Kay 5319 Starrway Royal Oaks 95076
Gerald Gifford 9936 Timothy Path Oak Hills
Peter Jovess 9727 Arrowleaf trail Oak Hills Board of Directors
Homeowner

ANDREW L. PEITER 9931 PAMPAS PATH

Margaret de Gaffy 9931 Pampas Path
October 1. de Gaffy 9931 Pampas Path

Rekha L IPPaquiter

James Luongo California Water Service

Mike Jones CAL WATER

Dottie Lawson 9952 Pampas Path

Newitt Lawson 9952 PAMPAS PATH

Consequences of Building a Well and Water Tank at Pampas Path in Oak Hills

Is there an Environmental Impact Report for this project???

1. This project will produce a 24 hour per day noise pollution.
2. This project will produce air polluting gases when petroleum fueled engines run and from other unknown sources.
3. Will substantially reduce the value of properties in Oak Hills which are in sight of the project. Houses on Pampas Path and Timothy Path will be devalued. (Should this prove true, a lawsuit will follow. That's a promise!)
4. Chlorination process close to and downwind of Oak Hills residences. As a heavier than air gas this would be carried close to the ground by the prevailing wind uphill to residences on Timothy Path and Mimosa Path.
5. Cuts off access to the greenbelt for residents on the west end of Charter Oak and associated streets. This is a popular trail for those residents and their animals.
6. Pollutes the view for houses on Timothy Path and Pampas Path. (See photos of plant at Colonial Place)
7. Would be an impediment to the range of the wildlife of the area. (See photos)
8. The area is at a very low elevation and, therefore, not a good location for a pressure tank.
9. The site is located in a 100 year flood plain.
10. The fuel tank is a potential source of pollution to the immediate area and the Moro Cojo Slough which is less than 200 ft. away.
11. Plant would increase industrial traffic on Pampas Path. This would affect every homeowner on that street.
12. The water company has been grossly delinquent in caring for the property in the past. There is no reason to expect it will be any more responsible in the future even with the presence of a water production equipment present.

Recommendations for Mitigating the Detrimental Effects of a Water Plant Near Oak Hills Residences

1. Place the well and associated structures in a more open area away from existing residences. For instance, the area between Moro Cojo subdivision and North Monterey County High School. (See copy of map. The amount of land needed is very small compared to the availability of space in that more open area. It is mostly out of sight and out of sound.)
2. Place the well and associated structures underground. This would mitigate almost all of the above objections to the project especially devalued view, less noise, confines chlorine, and fuel pollution, and allows access to the greenbelt area.
3. Exhaust from petroleum fuel base engines needs to be highly filtered and scrubbed to remove all toxic components.
4. Confine the well and associated structures to the absolute smallest space required for the project. This means limiting parking and driving space within the project.
5. Build fencing structures so as to allow Oak Hills residents and their animals to access their greenbelt areas for recreational purposes.

Animals in a field



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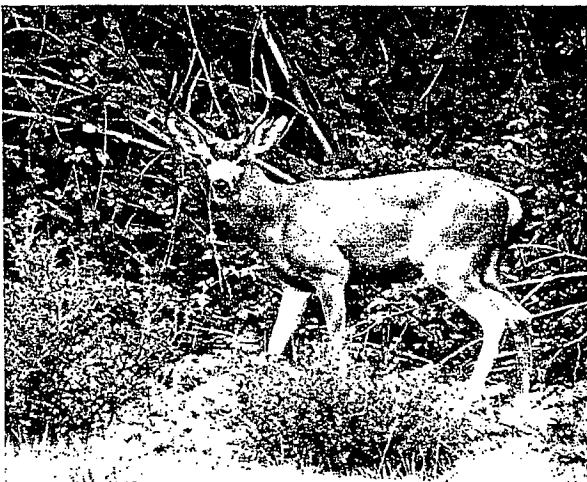
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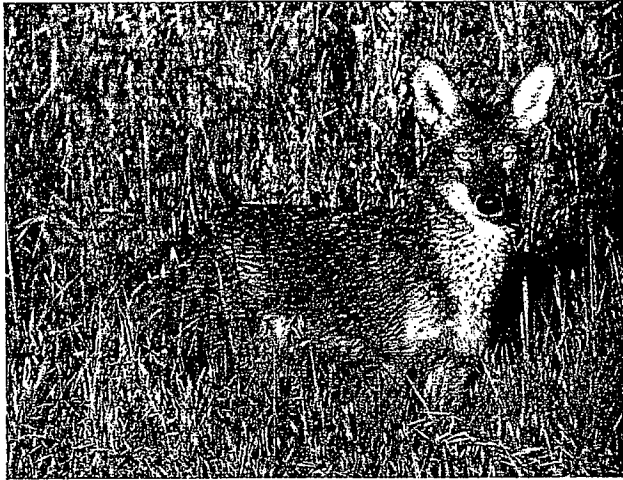
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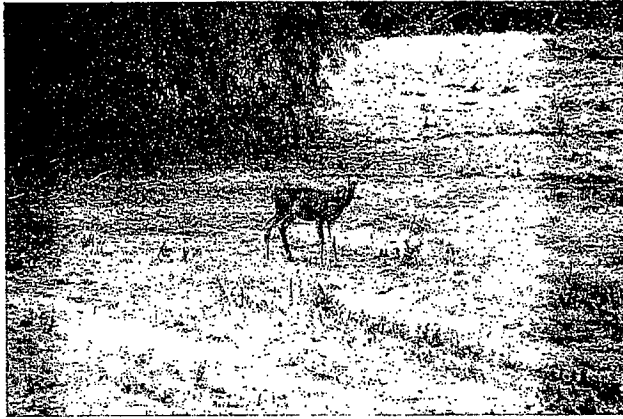
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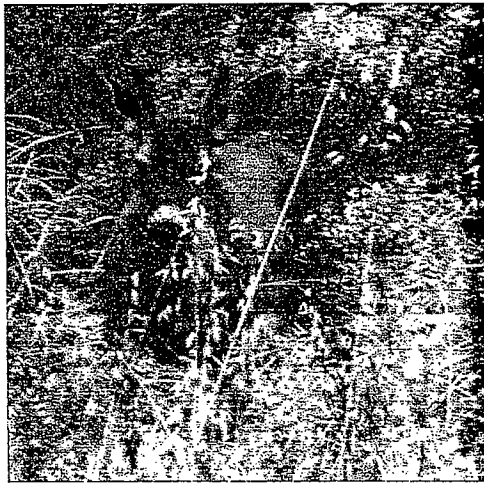
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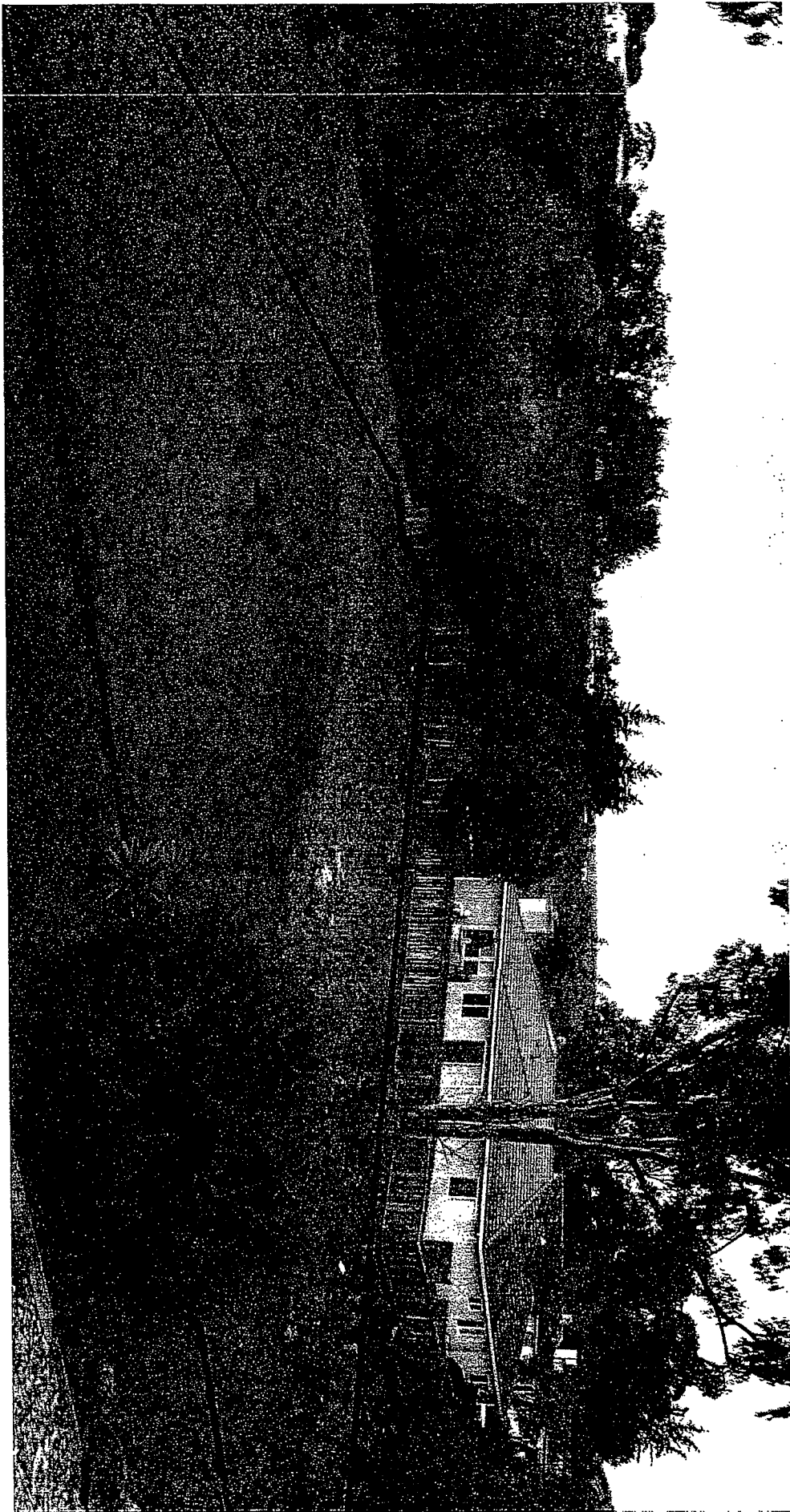


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Like Here

Proposed



Home Queen Site
General Ground



MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

PLANNING DEPARTMENT

168 WEST ALISAL ST., 2nd FLOOR, SALINAS, CA 93901

PHONE: (831) 755-5025 FAX: (831) 757-9516



REVISED INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title:	California Water Service Company
File No.:	PLN080469
Project Location:	Pampas Path, Oak Hills
Name of Property Owner:	California Water Service Company
Name of Applicant:	California Water Service Company
Assessor's Parcel Number(s):	133-481-054-000
Acreage of Property:	.52 acres
General Plan Designation:	RESIDENTIAL
Zoning District:	MDR/B-8-D (CZ) (Medium Density Residential, B District Overlay, Design Control, Coastal Zone)
Lead Agency:	Monterey County Resource Management Agency - Planning Department
Prepared By:	Elizabeth Gonzales
Date Prepared:	March 1, 2010
Contact Person:	Elizabeth Gonzales, Associate Planner gonzalesl@co.monterey.ca.us
Phone Number:	(831) 755-5102

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Project Description:

This Initial Study has been revised to clarify information presented about the project. Information that has been expanded upon is shown in underlined text.

The project consists of the construction of a ground water well intended to serve approximately 890 connections total, with 616 connections in the Oaks Hills subdivision and 274 connections in the Moro Cojo area. This new well would replace an existing well and would provide water to these connections in conjunction with two other existing wells, one of which would be a backup. The project consists of a new drinking water supply well and appurtenant water facilities. The new well site will include: 1) a submersible pump, 2) on-site piping, 3) electrical equipment including panel board and transformer, 4) chlorination equipment including 300 gallon double contained chlorination tank and covered metering pump injecting 12.5% sodium hypochlorite into the well stream. A 7 foot high chain link enclosure will surround the chlorination tank and metering pump and a 6 foot high chain link fence will enclose all structures to include landscaping with less than one hundred cubic yards of grading for a new asphalt driveway. A diesel generator will be located on the site as a backup only to the electrical system if the electricity goes out in the area. The enclosing fence will not only provide a safety barrier for the structures but help reduce visibility to neighboring parcels. The project, well Station 205, is located on Pampas Path, in the Oak Hills subdivision off Hwy 156 in the North County Coastal zone. This parcel is designated as a water utility parcel.

This new well will replace an existing contaminated well located on Holly Oak Way in the Oak Hills subdivision. The existing well was determined contaminated and has been put out of service. The 890 connections are serviced by two active wells located on Century Oak Road and Colonial Place. In order to meet peak demand, two wells must be active at all times. The construction of the new well will replace the contaminated well that is currently out of service. California Water Service Company will then destroy the contaminated well once the new well is constructed and connected to the system. Once the new well is in service, one of the wells that is now in service will serve again as a backup.

The proposed project will include grading for the construction of foundation slabs for the well, panel board, pressure tank, generator and trenching to a depth of approximately four feet below ground surface for underground pipes and conduits. A borehole will be reamed to a depth of 700 feet below ground surface. The actual well drilling process takes approximately two weeks; this would be done continuously for 24 hours. Well drilling cannot not stop during this two week period as there would be a danger of the well hole collapsing. A 20 foot high sound curtain will be installed along the perimeter of the property adjacent to existing residences to attenuate the noise to less than significant.

Well drilling will be followed by pump testing and equipment installation. Initially, once the well is running, site inspections from California Water Company will be approximately once a day for approximately 15 minutes at the maximum. Therefore, any additional traffic is less than significant.

On February 17, 2009, the North County Coastal Land Use Advisory Committee (LUAC) continued the project to a future date due to unresolved issues that the neighbors adjacent to the parcel voiced at the LUAC meeting. The neighbors were concerned with construction noise, fumes from the chlorination tank and visibility of the new structures. The neighbors were concerned that the project would cut off access through the property and reduce the value of the properties within the area. The LUAC was told of a Homeowners Association meeting the following month and therefore requested a continuance until unresolved issues were discussed at the March 2009 Homeowners Association meeting. Based on Homeowners Association meeting, the California Water Service Company revised the project to include the temporary 20 foot high sound curtain for construction noise attenuation, moved the permanent fencing and landscaping away from the property lines and closer to the proposed facilities to reduce visibility and allow continued access to the neighbors. A copy of the Initial Study was sent to the North County Coastal LUAC. They had no comments.

When the subdivision was created, this parcel was created as a water utility parcel for this specific use. The California Water Service Company assured the neighbors that noise will be mitigated and there would not be any potential for odors to occur. A 20 foot high sound curtain will be temporarily installed at the perimeter of two sides of the triangled property during construction. California Water contracts with an electro-acoustic company that has experience to install sound curtains that attenuate noise to a less than significant impact from neighboring properties. A permanent submersible pump will be used to alleviate noise from the pump and the motor. Both the chlorination tank and the diesel fuel tank are secondary contained closed top tanks and therefore no odors are anticipated during normal operation. The diesel generator is installed only for back up purposes if the electricity should go out. No other sources of odors are identified. Changes were made to the project to accommodate the neighbors living within the vicinity of this parcel. The California Water Service Company proposes to locate all the structures in one corner and fencing it off for safety purposes while providing continued access to the neighbors. They also propose to plant shrubs along the 6 foot high chain link fence enclosing all facilities to mitigate visibility of the equipment and provide aesthetic conformity to the surrounding area.

B. Environmental Setting, Surrounding Land Uses, and Site Background:

The Water Utility Parcel, 0.52 acre, is located between parcels 4 and 5, within Tract No. 790 Oak Hills Unit No. 9 in Rancho Bolsa Nueva Y Moro Cojo. The parcel is situated within a semi-rural region of Salinas, California. It is illustrated on the U.S. Geological Survey (USGS) 1954 7.5" Prunedale, CA topographic quadrangle map, in an unsectioned area of Township 13 South, Range 2 East. The parcel is bounded on the north by Pampas Path and single family homes.

The parcel is situated within the northern extent of Monterey County. It encompasses less than one acre in size and is characterized by a moderately sloped topography. Elevation of the parcel ranges from approximately 13 to 37 feet above mean seal level. Surrounding land uses include the Oak Hills residential development to the east and north of the parcel and open space to the south and west, with the Moro Cojo Slough located approximately 175 feet to the west. The North Monterey High School is located approximately one-quarter mile northwest and the community of Castroville is located one mile west of the parcel. Vegetation on the parcel

predominantly consists of seasonal grasses and ruderal communities. Mature eucalyptus and planted Cypress trees are also located on the property.

The site is predominantly disturbed through routine discing activities and shows evidence of human disturbance through the “spillover” effects from the adjacent residential neighborhood. The site is comprised of non-native grassland, which is dominated by wild oat. Associated plant species included perennial rye grass, English plantain, wild radish, creeping rye grass, coyote brush, eucalyptus, cheeseweed, bristly ox-tounge, common sowthistle, bur clover, black mustard, poison hemlock and ripgut grass. A small area dominated by a eucalyptus stand was located along the southwestern boundary of the site. The area’s under story was dominated by non-native grassland and was comprised of the same plant species as listed above. The northern portion of the site, nearest the residential housing, supported various ornamental species typically used for aesthetic purposes.

The project site is also in an area identified in County records as having a high archaeological sensitivity zone and a high seismic hazard zone. However, the parcel is not located within any Earthquake Faults. The potential for liquefaction at the site is considered low and there is no evidence for slope instability or erosion. The fire hazard is designated as “moderate.” The North County Fire Protection District has conditioned the project to address any issues that may arise due to a fire in the area.

The primary CEQA issues involve aesthetics, air quality, biological, cultural, noise and hazards/hazardous materials. These are issues that will be affected by the proposed project. However, evidence supports the conclusion that impacts will be less-than-significant with mitigation incorporated for biological resources and noise and less-than-significant for aesthetics, air quality, cultural resources and hazards/hazardous materials. Detailed analysis for each issue can be found in Section VI. – Environmental Checklist.

No sensitive wildlife species were observed during the biological survey but there is potential for the occurrence of two sensitive amphibian species, Santa Cruz long-toed salamander and California tiger salamander and one sensitive mammal species, Monterey shrew within the project footprint. There is also a potential for nesting birds in and adjacent to the project area. Although no trees will be removed, a biological monitor will be retained to be on-site during initial and vegetation removal activities. The biologist will conduct a pre-construction assessment of the potential for ground protected species and nesting birds within the trees located on the property.

The applicant is well aware of the potential for occurrence of two sensitive amphibian species and one sensitive mammal species within the project footprint. They want to approach this project pro-actively as opposed to reactively. The applicant and the biologist will discuss the Biological Survey Report dated August 13, 2009 with the contractor and require that it be attached as part of the construction plans. Although a biological monitor will be on-site at all times, it is important for the construction crew to be aware of the potential to affect federal and state listed species during construction. Mitigation measures implemented will ensure that impacts are less than significant.

Once the California Water Service Company receives approval from the County of Monterey, they will have to obtain a Drinking Water Permit from California Department of Public Health; a permit from Monterey Bay Unified Air Pollution Control District for authority to construct the stand by generator and a permit to operate the generator, along with a permit for Hazardous Materials Storage. The permit for Hazardous Materials Storage is required for hazardous materials that are stored or other wise handled in excess of 55 gallons. California Water plans to store 300 gallons of 12.5% sodium hypochlorite and 310 gallons of #2 diesel fuel. The permit is based on volume. Neither material is considered acutely toxic or extremely hazardous.

FIGURE 1) Vicinity Map:



III. PROJECT CONSISTENCY WITH OTHER APPLICABLE LOCAL AND STATE PLANS AND MANDATED LAWS

Use the list below to indicate plans are applicable to the project and verify their consistency or non-consistency with project implementation.

General Plan/Area Plan	■	Air Quality Mgmt. Plan	■
Specific Plan	□	Airport Land Use Plans	□
Water Quality Control Plan	□	Local Coastal Program-LUP	■

General Plan/Area Plan. The proposed project was reviewed for consistency with the 1982 Monterey County General Plan and the North County Land Use Plan (NCLUP). Policy 4.3.1 of the NCLUP categorizes Medium Density Residential as the primary use of this category. Development densities from 1 unit or more per acre to 4 units per acre is allowed according to site specific evaluation of resource and public facility constraints. The proposed project meets those categories. Section IV. 9 (Land Use and Planning) discusses whether the project physically divides an established community; conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (refer to *Local Coastal Program-LUP* discussion below); or conflicts with any applicable habitat conservation plan or natural community conservation plan. **CONSISTENT** (References 1, 3, 4, 5, 6)

Air Quality Management Plan (AQMP).

Consistency with the AQMP is an indication of a project's contribution to a cumulative adverse impact on regional air quality. It is not an indication of project-specific impacts, which are evaluated according to the Air District's adopted thresholds of significance. Inconsistency with the AQMP is considered a significant cumulative air quality impact. Consistency of a residential project is determined by comparing the project population at the year of project completion with the population forecast for the appropriate five year increment that is listed in the AQMP. If the population increase resulting from the project would not cause the estimated cumulative population to exceed the relevant forecast, the project would be consistent with the population forecasts in the AQMP. The project is consistent with the 1982 Monterey County General Plan and with the Association of Monterey Bay Area Governments (AMBAG) regional population and employment forecast. The proposed project will not increase the population of the area nor generate additional permanent vehicle trips above levels projected in the AQMP, because this is a well replacement for existing residential units. Therefore, the project will be consistent with the AQMP. **CONSISTENT** (References 1, 5, 7)

Local Coastal Program-LUP. The proposed project was reviewed for consistency with the North County Land Use Plan (LUP). Section IV. 9 (Land Use and Planning) discusses whether the project physically divides an established community; conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project; or conflicts with any applicable habitat conservation plan or natural community conservation plan. This is a well lot and was created as part of the subdivision. The intended purpose of this lot was for a well to

serve the surrounding community. Therefore, the proposed project is completely consistent with all the Land Use Policies. **CONSISTENT**

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

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

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural/Forest Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input checked="" type="checkbox"/> Hazards/Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | | |

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

- Check here if this finding is not applicable

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

EVIDENCE:

- 1) Aesthetics. See Section VI. for detailed analysis.
- 2) Agricultural and Forest Resources. The project site is not designated as Prime, Unique or Farmland of Statewide or Local Importance, and the proposed project would not result in conversion of prime agricultural lands to non-agricultural uses.

Nor will it Conflict with existing zoning for, or cause rezoning of, forest land or result in the loss of forest land or conversion of forest land to non-forest use. The site is not under a Williamson Act Contract. The site is designated residential. Constructing a well on this site will not affect agricultural properties that are located approximately one half mile away. Therefore, the project will have no impacts to agricultural resources.

- 3) Air Quality. See Section VI. for detailed analysis.
- 4) Biological Resources. See Section VI. for detailed analysis.
- 5) Cultural Resources. See Section VI. for detailed analysis.
- 6) Geology and Soils. The project will not expose people or structures to potential substantial adverse effects. Nor is the site located within a known earthquake fault, have strong seismic ground shaking, liquefaction or have any landslides. The site soil is not known to be unstable, have expansive soils, or have soils incapable of adequately supporting the intended use. Environmental Health Division has conditioned the project to have the applicants meet the standards for State Water system Permits as required by Monterey County Code (References 1, 3, 5, 10).

The LCP has policies that require land uses and development in areas of high geologic, flood, tsunami, and fire hazard shall be carefully regulated through the best available planning practices in order to minimize risks to life and property and damage to the natural environment (Key Policy 2.8.1). The parcel is not located within any Earthquake Fault Zones. The potential for liquefaction at the site is considered low and there is no evidence for slope instability or erosion. (References 1, 3, 5, 6, 10)

- 7) Hazards/Hazardous Materials. See Section VI. for detailed analysis.
- 8) Hydrology and Water Quality. The proposed project will not violate any water quality standards, deplete groundwater supplies, substantially alter the existing drainage pattern of the site or create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or otherwise substantially degrade water quality. Stormwater runoff from impervious surfaces, such as driveway and concrete pads for the tanks, will be dispersed into the ground on site. The site is flat and there are no steep slopes that would require erosion control measures. The applicants will incorporate Best Management Practices prior to and during construction. The proposed project will not be located within a 100-year flood hazard nor expose people or structures to a significant risk of loss, injury or death, nor be inundated by seiche, tsunami, or mudflow. (References 1, 3, 5, 6, 10)

The LCP policies require the water quality of the North County groundwater aquifers to be protected, and new development controlled to a level that can be

served by identifiable, available, long term water supplies (Key Policy 2.5.1). The estuaries and wetlands of North County are to be protected from excessive sedimentation resulting from land use and development practices in the watershed areas (Key Policy 2.5.1). Although on a different parcel within the Oak Hills subdivision, the proposed water well replaces an existing contaminated well that serves approximately 890 connections; 616 connections in the Oaks Hills subdivision and 274 connections in the Moro Cojo area. The California Water Service Company is classified as a public community Water System, regulated by the California Department of Public Health (CDPH). It has been reviewed by the Environmental Health Bureau for consistency. They have conditioned the project to require an amendment as modifications to the existing water system requires an amendment to the existing public water system permit from CDPH, pursuant to Title 22 of the California Code of Regulations. (References 1, 2, 3, 5, 6, 10)

- 9) Land Use and Planning. The proposed project will not physically divide an established community. The project does not conflict with any of the policies within the North County Land Use Plan and meets all zoning requirements. There is not a habitat or natural community conservation plan in this area of the County (References 1, 2, 3, 4, 5, 6).

The LCP policies that require all future development within the North County coastal segment to be clearly consistent with the protection of the area's significant human and cultural resources, agricultural, natural resources and water quality (Key Policy 4.3.4). This is a well lot and was created as part of the subdivision. The intended purpose of this lot was for a well to serve the surrounding community. The proposed project consists of the construction of a well to replace an existing contaminated well that services approximately 890 connections total, with 616 connections in the Oaks Hills subdivision and 274 connections in the Moro Cojo area. There is no tree removal proposed for the development. Surrounding land uses residential development to the east and north of the parcel and open space to the south and west, with the Moro Cojo Slough located approximately 200 feet to the west. County Departments reviewed the project application and have provided recommended Conditions of Approval. (References 1, 3, 5, 6, 10) Therefore, the proposed project is consistent with the applicable Land Use policies.

- 10) Mineral Resources. No mineral resources have been identified in the area or would be affected by the project. (References. 1, 2, 3, 5, 6)

It is possible that mineral resources could come from the well source. The Environmental Health Bureau will require testing of the well once it has been drilled. (Reference 14) However, there is no evidence that the project would result in impacts to mineral resources.

- 11) Noise. See Section VI. for detailed analysis.

- 12) Population/Housing The proposed project would not substantially induce population growth in the area, either directly, or indirectly, as no new infrastructure

would be extended to the site and this vacant parcel was planned as a water utility parcel. The project would not alter the existing location, distribution, or density of human population in the area, nor create a demand for additional housing, or displace people. (References 1, 2, 3, 5, 6, 10) There would be no impacts to population or housing.

The limited capacities of roads, highways, schools, and public wastewater treatment systems is an issue affecting potential growth in the area (Policy 4.2 NCLUP), however, this is a water utility parcel that will be used to provide water to 890 existing service connections.

- 13) Public Services. The project would have no 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. County Sheriff's Department and local fire department have easy access to the existing parcel. All of the roads within the Oak Hills Subdivision west of Cathedral Oak Road are public roads maintained by the County of Monterey Public Works Department except for Arrowleaf Trail, Clover Trail and Sandbur Place. Those streets would be maintained by the Homeowners' Association. (References 1, 2, 3, 5, 6, 10)
- 14) Recreation. The project, as proposed, would not result in an increase in the use of existing neighborhood and regional parks or other recreational facilities causing substantial physical deterioration. The proposed project does not include or require construction or expansion of recreational facilities. No parks, trail easements, or other recreational opportunities would be adversely impacted by the proposed project, based on review of Figure 4 (Public Access and Recreation) of the North County LUP and staff site visits. The project would not create significant recreational demands. (References 1, 3, 5, 6)

The LCP includes policies that require public access to the shoreline and along the coast be protected and provided, and opportunities for recreational hiking access be enhanced (Key Policy 6.2). The project is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (Monterey County Zoning Ordinance, Section 20.70.050.B.4). The proposed project is in conformance with the public access policies of Chapter 6 of the North County Land Use Plan (LUP), and Section 20.145.150 of the Monterey County Coastal Implementation Plan for North County (Part 2). Figure 4 does not identify the parcel as an area requiring existing or proposed public access. No public access points or trails are located on the parcel. The proposed project would have no impacts related to recreation. (References 1, 3, 4, 5, 6)

- 15) Transportation/Traffic. During normal operation, the site will be visited once in a day and trucks will be used to access the site. Visits will be made during off-peak traffic hours. The contribution of traffic from the proposed project would not cause any roadway or intersection level of service to be degraded. The project would not result in a change in air traffic patterns or an increase in traffic levels. The project is a proposal for a water well to service 890 existing connections. Traffic would not increase to a level of significant impact. It would not substantially increase hazards due to a design feature, nor result in inadequate emergency access or parking capacity. The North County Fire District has conditioned the project to allow for emergency access and water availability. The project also would not conflict with adopted policies, plans, or programs supporting alternative transportation. (References 1, 2, 3, 5, 6, 10)
16. Utilities and Service Systems. The proposed project will not exceed wastewater treatment requirements, require the construction of a new wastewater treatment facility, require new entitlements and will comply with federal, state, and local statutes and regulations related to solid waste. The nearest landfill in Monterey County is located in the city of Marina. Currently, capacity is at a level that is not significant. (References 1, 2, 3, 4, 5, 6)

B. DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE

DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Elizabeth Gonzales

Date

Associate Planner

V. EVALUATION OF ENVIRONMENTAL IMPACTS

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

to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

- c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Analysis/Mitigations:

The North County Land Use Plan (LUP) **Policy 2.2.4.3** states that areas within or immediately adjacent to designated scenic highways, routes, and waterways should be zoned with a district that allow only visually compatible uses and development. No uses or development except as otherwise provided should be allowed that are visually intrusive and detract from the scenic character of the scenic corridor. State Highway 156 is considered a scenic highway; therefore, the project site is located within this described area.

Aesthetics 1(c) –Less than Significant Impact

The parcel is located within a Design Control District. Pursuant to Chapter 20.44, Design Control Zoning Districts, the project requires design review of structures to make sure they are appropriate to assure protection of the public viewshed, neighborhood character, and assure visual integrity. The panel board, pressure tank, chlorination tank, and the acoustic shelter for the well, all of which are above ground, will be of a neutral color (greenish tan) with a wood, 7 foot high fenced enclosure surrounding the chlorination tank. A 6 foot high chain link fence will enclose the structures within the parcel and shrubs will be planted around the fence to provide for additional screening. Therefore, the project is consistent with the Design Control regulations.

The structures will be located on the least visible portion of the water utility parcel. If one were to stop the car on Highway 156 and look for the parcel, one could see it. However, it is very hard to see while driving. **Policy 2.2.2.4** states that the least visually obtrusive portion of a parcel should be considered the most desirable site for the location of new structures. Structures should be located where existing topography and vegetation provide natural screening. The site is lower than other parcels within the existing subdivision, existing trees provide natural screening and the additional landscape planting renders the development less than significant from a visual

standpoint. Natural colors of green and brown will also be used to naturally blend the structures into the vegetation.

Aesthetics 1(a, b, d) –No Impact

The proposed project will not have a substantial adverse effect on a scenic vista, substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway nor create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. If one were driving the speed limit along scenic Highway 156, one could not see the parcel. However, if you were to stop and look for the parcel you could probably see it. The parcel is an empty lot and does not contain any historic structures. If construction goes beyond sunset, night lighting shall be installed below the height of the noise barriers (below the top of the 20 foot sound curtain) so as to shield artificial lighting from reaching nearby habitat areas.

2. AGRICULTURAL AND FOREST RESOURCES

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (Source: 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use? (Source: 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2. AGRICULTURAL AND FOREST RESOURCES

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (Source: 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Analysis/Mitigations: See Section IV.

3. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: IX. 1, 3, 5, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: IX. 1, 3, 5, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: IX. 1, 3, 5, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in significant construction-related air quality impacts? (Source: IX. 1, 3, 5, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: IX. 1, 3, 5, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Create objectionable odors affecting a substantial number of people? (Source: IX. 1, 3, 5, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Air Quality 3(a, b, c, e, and f) - No Impact.

The proposed project site is located in the North Central Coast Air Basin, which is comprised of Monterey, Santa Cruz, and San Benito counties. The Monterey Bay Unified Air Pollution Control District (MBUAPCD) is the agency with jurisdiction over the air quality regulation in the subject air basin. In 2008, the MBUAPCD adopted an Air Quality Management Plan, which outlines the steps necessary to reach attainment with the state standards of air quality for criteria pollutants. The project involves the construction of a water well to replace a contaminated well with grading of less than 100 cubic yards. The project would not permanently conflict with or obstruct the implementation of Air Quality Management Plan, nor would it violate any air quality standard or result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment. (Source: IX. 1, 3, 5, 6) The project would not expose any sensitive receptors to substantial pollutant concentrations, and would not create any objectionable odors affecting a substantial number of people. The generation of substantial or significant odors over the long-term is not typically associated with the drilling of a well that will take approximately three days to complete. The parcel is approximately .52 acres.

Air Quality 3(d) – Less than Significant.

The temporary and short-term impacts from project-related construction activities, such as drilling a well and laying decomposed granite on the existing dirt road, only have the potential to affect local air quality. Emissions may include on-site and off-site generation of fugitive dust from construction equipment. However, fugitive dust will be watered down periodically. The parcel consists of a .52 acre water utility parcel that is designated for a well located on Pampas Path. There are 4 parcels that abut the water utility parcel (Assessor’s Parcel Numbers 133-481-004-000, 133-481-005-000, 133-471-025-000, 133-471-026-000); these parcels would be the most affected, temporarily. Monterey County will notify all neighbors within 300 feet of the parcel prior to any public hearing process. Additionally, the Water Company will notify those four neighbors approximately two weeks before actual construction. Staff will incorporate a Condition of Approval into the project to that affect. Pursuant to Air Quality CEQA Guidelines for MBUAPCD, the Threshold of Significance for construction Impacts for Pollutant: PM₁₀ is 82 lb/day (Source: Monterey Bay Unified Air Pollution Control District 2000). The project proposes approximately 448 cubic feet of grading. Urbemis 2007 (9.2.4) could not quantify this amount in

cubic yards. Therefore, the project meets the criteria for short-term construction and is considered less than significant. (References 1, 7)

Pursuant to Erosion Control Ordinance, Chapter 16.12, the applicant will be required to submit an erosion control plan to show how all existing and potential conditions of accelerated (human-induced) erosion such as dust generation, runoff control to maintain water quality, and land clearing for the well will be controlled prior to and within winter operations. (References 3, 11)

4. BIOLOGICAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: IX. 1, 3, 5, 6, 8, 12, 13)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: IX. 1, 3, 5, 6, 8, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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? (Source: IX. 1, 3, 5, 6, 8, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: IX. 1, 3, 5, 6, 8, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: IX. 1, 3, 5, 6, 8, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: IX. 1, 3, 5, 6, 8, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Land uses adjacent to locations of environmentally sensitive habitats are required to be compatible with the long-term maintenance of the resource. New land uses are considered compatible only where they incorporate site planning and design features needed to prevent habitat impacts upon habitat values and where they do not establish a precedent for continued land development which, on a cumulative basis, could degrade the resource. **(North County Land Use Plan Policy 2.3.2.3)**

A biological report was prepared by PCR Service in June 2009 to present findings of a biological assessment conducted on the proposed well Station 205 located in Oak Hill subdivision, Salinas, California. On August 4, 2009 Chambers Group conducted a focused plant survey and wildlife reassessment for the well Station 205. The purpose of the wildlife reassessment is to refine the evaluation of species potentials within the project area. This report summarizes the survey methods, findings, and recommendations of the focused plant survey and wildlife reassessment.

The focused plant survey and wildlife reassessment survey was conducted for species identified as having potential to occur within the survey area in the *Results of the Biological Assessment Conducted on the Station 205 Project Site, by PCR Services Corporation* (June 2009).

Chambers Group biologists conducted a protocol-level focused plant survey throughout the survey area. The survey was conducted within the project footprint to determine the presence/absence of three sensitive plant species including Congdon's tarplant, Santa Cruz tarplant, and Gairdner's yampah. The survey was conducted during the appropriate blooming period when these species would be conspicuous (August).

Each of the three special status plant species, included in the protocol-level focused plant survey were not observed onsite. Because the survey was conducted when these species were in bloom and conspicuous, Congdon's tarplant, Santa Cruz tarplant and Gairdner's yampah are considered absent from the project site, and therefore protection measures will not need to be implemented.

In conjunction with the focused plant survey, Chambers Group biologists conducted a reassessment of the wildlife resources within the survey area. Although no trees will be removed for the proposed project, the biologist will look for bird nesting habitat prior to construction. Chambers Group biologists specifically evaluated the connectivity of the project footprint to the aquatic and riparian habitats identified within the adjacent areas for the potential ingress/egress of sensitive species into the project footprint.

Biological Resources 4(a) – Less Than Significant with Mitigation Incorporated.

No sensitive wildlife species were observed during the survey but potential for the occurrence of two sensitive amphibian species, Santa Cruz long-toed salamander and California tiger salamander and one sensitive mammal species, Monterey shrew does exist within the project footprint. There is also a potential for nesting birds in and adjacent to the project area.

Santa Cruz Long-toed Salamander

The Santa Cruz long-toed salamander is a federally and state listed Endangered species which occurs in coastal woodlands and upland chaparral near the ponds and freshwater marshes in which it breeds. This salamander spends a significant portion of its life underground in the burrows of

small mammals such as mice, gophers, and moles. It can also be found among the roots of plants in upland and wooded areas. At the onset of the rainy season (November or December) adults begin their annual nocturnal migration from upland habitat to the breeding ponds. As the ponds dry (May-August), young salamanders move at night away from the ponds to subterranean or vegetative cover.

The Santa Cruz long-toed salamander does not use eucalyptus groves as habitat and, in general, eucalyptus trees have been found to provide poor quality habitat for many native wildlife species. Due to the presence of eucalyptus groves in the area, the potential for the occurrence of this species with the project area is significantly reduced.

California Tiger Salamander

The California tiger salamander is a state listed Endangered species and is federally listed as Threatened. The species is restricted to grasslands and low foothill regions where lowland aquatic sites are available for breeding. They prefer natural ephemeral pools or ponds that mimic them (stock ponds that are allowed to go dry). They require refuges provided by ground squirrels and other burrowing mammals in which to enter a dormant state called estivation during the dry months.

The existing grassland within the project footprint provides suitable habitat for the California tiger salamander during estivation. A limited number of ground squirrel burrows and several gopher burrows were observed on and adjacent to the project footprint. Additionally, the adjacent riparian area contains natural ephemeral pools which are suitable for breeding. Due to the habitat within and adjacent to project area, there is a potential for this species to occur within the project footprint.

Monterey shrew

The Monterey shrew is a California State Species of Special Concern (SSC). Ornate shrews typically are found in brackish water marshes, along streams, in brushy areas of valleys and foothills, and forests. They especially favor low, dense vegetation that forms a cover for worms and insects.

Dense grassland vegetation within the project footprint provides adequate habitat for this species. Additionally, habitat exists in the form of a water marsh and additionally adjacent to the project footprint. Based on these existing habitat requirements, there is a low potential for this species to occur in the project footprint.

The applicant is well aware of the potential for occurrence of these two sensitive amphibian species and one sensitive mammal species within the project footprint. The applicant and the biologist will discuss the Biological Survey Report dated August 13, 2009 with the contractor and require that it be attached as part of the construction plans. Also, the following mitigation measures are recommended: Although a biological monitor will be on-site at all times, it is important for construction crew to be aware of the potential to affect federal and state listed species during construction.

Mitigation Measure #1:

An agreement between the Contractor and the Applicant shall be signed stating that the contractor received and fully read and understood the Biological Survey Report, prepared by Chambers Group, Biological Consultants, dated August 13, 2009. A note shall be put on the construction plans requiring that all recommendations shall be adhered to during construction.

Monitoring Action #1:

a) A copy of the signed agreement shall be submitted to RMA-Planning Department for review and approval prior to issuance of any grading/building permits.

b) Copy of construction plans shall be submitted to the RMA – Planning Department that shows all recommendations are required be adhered to during construction.

Additional on-going Monitoring Action:

The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.

Mitigation Measure #2:

Prior to construction activities, the project proponent shall retain a qualified biologist. The applicant shall submit a signed contract to the County prior to the issuance of any grading permit or vegetation clearance activities. The contract will include language demonstrating that a qualified biologist shall be retained to be on-site during initial grading and vegetation removal activities and to fulfill the requirements of all the biological mitigation measures required of this project, to include bird nesting behaviors.

A qualified biologist that is approved by the US Fish and Wildlife Service shall conduct a training session with construction personnel and applicants. The Biologist shall meet with the construction crew foreman and applicants at the project site at the onset of construction to educate the foreman and applicants on the following: Training shall include a description of the California Tiger Salamander and California Santa Cruz Long-Toed Salamanders and its habitat, general measures being implemented to protect listed species to include bird nesting behaviors on the project and boundaries between which the project may be accomplished, as well as measure to prevent accidental spills of hazardous materials and measures to take should a spill occur.

Monitoring Action #2:

A copy of a signed agreement between a qualified biologist and the applicant stating that “the biologist will be retained to be on-site during initial grading and vegetation removal activities and to fulfill the requirements of all the biological mitigation measures required of this project, to include pre-construction site visit to observe bird nesting behaviors” shall be submitted to RMA-Planning Department for review and approval prior to issuance of any grading/building permits.

Additional on-going Monitoring Action:

The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.

Mitigation Measure #3:

Before work activities begin each day, a qualified biologist shall inspect the area to look for SCLTS, CTS, MS species and bird nesting. The biologist shall be on-site during initial brush clearing, grading and vegetation removal activities to identify any special-status species encountered. If special-status species are identified prior to or during construction activities, the biologist has the authority to stop the project until the individual wildlife species has left the site. If the individual does not leave the site within a reasonable amount of time, the biologist shall contact the US Fish and Wildlife Service (USFWS) and California Department of Fish and Game (DFG) for guidance on how to proceed. Project activities shall not resume until the individual leaves the site or authorization is received from DFG to resume activities. There will be no handling, trapping, captures, or other forms of take, of any listed species by the biological monitor or other project personnel.

Monitoring Action #3:

A copy of a signed agreement between the applicant and the qualified biologist stating “If special-status species are identified prior to or during construction activities, the biologist shall contact the RMA-Planning Department along with the USF&W and CDF&G” shall be submitted to the RMA Planning Department for review and approval prior to issuance of grading/building permits.

Additional on-going Monitoring Action:

The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.

Mitigation Measure #4:

Prior to any construction activities, a biological monitor shall supervise installation of the boundaries of construction areas using protective flagging and shall monitor the maintenance of the flagging (and other protective measures) during each of their monitoring visits as described in the above mitigation measures. To increase visibility, the orange construction flags will be used to mark the silt fence. There will be a six inch gap between the ground and the permanent site fencing. This gap is adequate to allow for the species of concern to enter and exit the property with no limitation. All construction personnel, equipment, and vehicle movement shall be confined to the designated construction areas and connecting roadways. Movement of construction and personal vehicles shall be prohibited except within the designated construction areas and off-site established roadways.

Monitoring Action #4:

A signed agreement between the applicant and qualified biologist stating that a biological monitor shall supervise the installation of protective flagging prior to construction and shall monitor the maintenance during each of their monitoring visits daily; a copy of the signed agreement shall be submitted to the RMA- Planning Department for review and approval.

Additional on-going Monitoring Action:

The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.

Mitigation Measure #5:

No fueling or maintenance of equipment shall take place in the construction area. Mechanical equipment shall be serviced in designated staging areas located outside of the construction area. Water from equipment washing or concrete wash down shall be prevented from entering nearby riparian habitats and shall only occur where approved by the project biologist. All food-related trash items shall be enclosed in sealed containers and removed daily from the site to discourage the concentration of potential predators in habitat potentially occupied.

Monitoring Action #5:

A signed agreement between the applicant qualified biologist and contractor stating that a qualified biologist shall monitor that no fueling or maintenance of equipment shall take place in the construction area, that all mechanical equipment be serviced in designated staging areas located outside of the construction area and all food related trash items shall be removed daily. A copy of the signed agreement shall be submitted to the RMA- Planning Department for review and approval.

Additional on-going Monitoring Action:

The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.

Biological Resources 4(b), (c), (d) - Less than Significant Impact

No active bird nests or nesting behaviors were observed at the time of the survey, however, limited suitable nesting habitat does occur within the project footprint. Additional suitable nesting habitat is located adjacent to the project site within the surrounding ornamental trees and riparian habitats.

Freshwater marsh and willow riparian habitats are located approximately 175 feet downslope of the project footprint. If unattended, sediment, debris or construction spoils have potential to enter the marsh and compromise water quality and biological resources supported in these habitats. To avoid impacts to water quality, erosion control Best Management Practices (BMP) shall be implemented and maintained through the duration of construction activities. Erosion control BMP measures may include but are not limited to straw waddles, silt fencing, and sandbags. A Condition of Approval will require an erosion control plan to address proper BMP measures.

Biological Resources 4(e) and 4(f) – No Impact.

The project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. There is no tree removal proposed for this project.

5. CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: IX. 1, 3, 5, 6, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: IX. 1, 3, 5, 6, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: IX. 1, 3, 5, 6, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Disturb any human remains, including those interred outside of formal cemeteries? (Source: IX. 1, 3, 5, 6, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Analysis/Mitigations:

The Local Coastal Program (LCP) has policies that require that North County’s archaeological resources, including those areas considered to be archaeologically sensitive but not yet surveyed and mapped, are to be maintained and protected for their scientific and cultural heritage values. New land uses, both public and private, should be considered compatible with this objective only where they incorporate all site planning and design features necessary to minimize or avoid impacts to archaeological resources (Key Policy 2.9.1).

Cultural Resources (a) – No Impact

There are not structures on this water utility site that would cause a substantial adverse change in the significance of a historical resource.

Cultural Resources (a), (b), (c), (d) – Less Than Significant Impact

The project site is located in an area identified in County records as having a high archaeological sensitivity zone. Pursuant to Section 20.144.110 Archaeological Resources Development Standards, an archaeological survey report shall be required for any development project within a High Archaeological Sensitivity Zone. A Phase I Archaeological Resources Assessment was prepared by PCR Services Corp. in November, 2008. The report states no archaeological resources were identified during the pedestrian survey, although the dense vegetation cover throughout the study area may have obstructed their identification. Nine prehistoric resources have been identified within a one-mile radius (5,280 feet) of the study area. Although the current nature and condition of the nine prehistoric resources is unknown, they are located far enough away from the study area and will not be impacted by the proposed project.

Given the low potential for buried archaeological resources, archaeological monitoring is not recommended during implementation of the proposed project. However, the following mitigation measure is recommended to identify, evaluate, and recover archaeological resources that are accidentally encountered during implementation of the proposed project.

Mitigation Measure #6:

If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

Monitoring Action #6:

Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

6. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: IX. 1, 3, 5, 6, 10) Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

6. GEOLOGY AND SOILS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.

7. GREENHOUSE GAS EMISSIONS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) <u>Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</u> (Source: 1, 7, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <u>Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</u> (Source: 1, 3, 7, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

Greenhouse gases (GHG) are emitted by natural processes and human activities such as electricity production, motor vehicle use, and agricultural uses. It has been found that elevation of GHGs has led to a trend of unnatural warming of the earth's climate, otherwise known as the "greenhouse effect". In order to reduce the statewide level of GHG emissions, the State Legislature adopted California Assembly Bill 32 (AB 32) California Global Warming Solutions Act of 2006. AB 32 established a comprehensive statewide program of regulatory and market mechanisms to achieve reductions in GHG emissions, thereby reducing the State's vulnerability to global climate change (GCC). Pursuant to Senate Bill 97 (SB 97), the Governor's Office of Planning and Research (OPR) issued interim guidance for addressing climate change through CEQA and recommends that each agency develop an approach to address GHG emissions based

on the best available information. At this time, the County of Monterey and the Monterey Bay Unified Air Pollution Control District (agency responsible for regulating air quality in the region) have not identified a significance threshold for GHG emissions. There will be GHG emissions associated with the use and transport of construction materials to and from the project site. However, quantifying the emissions has a level of uncertainty. Therefore, in lieu of State guidance or locally adopted thresholds, a primarily qualitative approach will be used to evaluate possible impacts for the proposed project.

Conclusion:

7(a). Less than Significant.

Although the proposed project will create a temporary impact to greenhouse gas emissions caused by construction activities, the result of the project will not increase the baseline amount of GHGs emitted prior to the project to a level of significance. The temporary impacts for drilling of the well will not permanently create a greater amount of vehicle trips nor will it cause an increase in the emission of carbon dioxide (CO₂) by fuel combustion. During the drilling, there will a large drill rig powered by burning of fossil fuels. The operation of the drill rig and the temporary construction traffic will result in emission of greenhouse gas. The short term nature associated with the construction work will not constitute a significant impact. Therefore, impacts will be temporary and less than significant.

7(b), No Impact..

There will be no removal of woody vegetation, hence, no loss of carbon sequestration. A landscape plan proposes to plant shrubs and small trees that are a beneficial impact. The project will not conflict with any applicable plan, policy or regulations adopted for the purpose of reducing the emissions of greenhouse gases. Therefore, the project will have no impacts.

8. HAZARDS AND HAZARDOUS MATERIALS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: IX. 1, 3, 5, 6, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: IX. 1, 3, 5, 6, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: IX. 1, 3, 5, 6, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: IX. 1, 3, 5, 6, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: IX. 1, 3, 5, 6, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source: IX. 1, 3, 5, 6, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: IX. 1,3, 5, 6, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: IX. 1, 3, 5, 6, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

The project does involve the transport and use of hazardous materials, 300 gallons of 12.5% sodium hypo-chlorite and 310 gallons of #2 diesel fuel, as an essential part of the proposed project. However, the 300 gallon double walled self-contained sodium hypo-chlorite will be located in a locked chlorination shelter. The diesel fuel will be stored with the diesel generator and secured behind a locked fence. The diesel generator is a necessary back up component to the well in case there is a potential power outage. During an outage, the generator will be used to maintain power to the well. Both the chlorination tank and the diesel fuel tank have secondary contained closed top tanks and therefore no odors are anticipated during normal operation. No other sources of odors are identified.

Hazards/Hazardous Materials (a), (b) – Less Than Significant Impact

The Environmental Health Bureau has conditioned the project to comply with a Hazmat Business Response Plan pursuant to Title 19 of the California Code of Regulations and Chapter 6.95 of the California Health and Safety Code and Risk Management Plan pursuant to Title 22, Division 4.5 of the California Code of Regulations and Chapter 6.50 of the California Health and Safety Code. In January 2009, the California Water Service Company prepared a Hazardous Materials Business Plan for the use of sodium hypo-chloride and diesel fuel and the potential for a hazard. It contains

an Emergency Response/Contingency Plan that includes a hazardous spill prevention plan that will be developed and implemented during all phases of construction. Other measures such as a security fence and a 300 gallon double contained enclosure tank will be used to create a less than significant impact.

A permit for Hazardous Materials Storage is required for hazardous materials that are stored or other wise handled in excess of 55 gallons. California Water plans to store 300 gallons of 12.5% sodium hypochlorite and 310 gallons of #2 diesel fuel. The permit is based on volume. Neither material is considered acutely toxic or extremely hazardous. There is very low risk for explosion. The 12.5% sodium hypochlorite has a National Fire Protection Association (NFPA) fire hazard rating of "0" on a scale of 0-4 with "0" being least flammable and "4" being extremely flammable. Sodium hypochlorite is not flammable, combustibile, or explosive. Diesel #2 has a National Fire Protection Association (NFPA) fire rating of "2" and is considered a combustibile liquid, but is not explosive. The structures will be located approximately 60 feet from the nearest parcel, and therefore, the impact is less than significant.

Hazards/Hazardous Materials (c), (d), (e), (f), (g), (h) - No Impact

The project would not involve stationary operations, create hazardous emissions or handle acutely hazardous materials. There is no storage of large quantities of acutely hazardous materials on site. The site location and scale have no impact on emergency response or emergency evacuation. The site is not located near an airport or airstrip. The site is located in a low fire hazard zone. The proposed project consists of the construction of a water well to provide 890 service connections to the Oak Hills subdivision. The LCP requires that all development meet the guidelines contained in the Fire Safe Guide for Residential development in California (Policy 2.8.4.4). The approved development plans identify and minimize fire safety hazards as required by the local fire protection district (Policy 2.8.3.C.6). The North County Fire Department has conditioned the project to provide the best access in case of any fires. The project would have no impacts regarding hazards or hazardous materials.

9. HYDROLOGY AND WATER QUALITY		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Violate any water quality standards or waste discharge requirements? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially 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 (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)? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

9. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 result in substantial erosion or siltation on- or off-site? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? (Source: IX. 1,3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.

10. LAND USE AND PLANNING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community? (Source: IX. 1, 2, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Source: IX. 1, 2, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: IX. 1, 2, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.

11. MINERAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: IX. 1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: IX. 1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.

12. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: IX. 1, 3, 5, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels? (Source: IX. 1, 3, 5, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

12. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: IX. 1, 3, 5, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: IX. 1, 3, 5, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: IX. 1, 3, 5, 6, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: IX. 1, 3, 5, 6, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

The project would not change the existing use of the property, would not expose the surrounding properties to noise levels that exceed standards or to permanent substantial vibration from construction activities, and would not substantially increase ambient noise levels.

Noise (a), (b), (d) – Less Than Significant Impact

All construction activities with regard to drilling the well will have short term temporary effects, such as ground borne vibrations that are temporary. Because this is a one half acre parcel, the four abutting parcels may feel some vibrations. The soils in the area are clayey which would make drilling easier than if the soils were made of fractured rock. Therefore, ground borne vibrations during drilling would be a temporary less than significant impact.

There is the potential for a substantial temporary or periodic increase in ambient noise levels in the project vicinity during construction of the well that would be above levels existing without mitigation. A borehole will be reamed to a depth of 700 feet below ground surface. The actual well drilling process takes approximately two weeks; this would be done continuously for 24 hours. Well drilling cannot not stop during this two week period as there would be a danger of the well hole collapsing. Therefore, the applicant proposes a 20 foot high sound curtain to be used to substantially reduce the temporary noise during the drilling for the well. California Water Service Company installs water wells all the time. They use Western Electro-Acoustic Laboratory to obtain data with regard to ambient noise levels. At 25 feet from the source, the noise level will be 95 decibels (db) without mitigation. The 20 foot high sound curtains will be temporarily installed at the perimeter of two sides of the triangled property during construction. The company installing

the sound curtain has the experience and abilities to attenuate noise levels to a less than significant impact from neighboring properties. Once the sound curtains are installed the decibel levels would be reduced to 22 db at the perimeter of the property in addition to the distance to each neighbor's house.

A permanent submersible pump will be installed to alleviate noise from the pump and the motor. The four neighbors abutting the water utility parcel will be contacted at least two weeks prior to any construction commencing on site. This will be required as a Condition of Approval of the project. As mitigated, the California Water Service Company does not anticipate noise levels to become such that it is unbearable to the immediate neighbors. As a condition of Approval the applicant will provide evidence that the 20 foot high acoustic sound curtain be installed at two sides of the perimeter of the water utility parcel. A permanent pump box will also be installed around the chlorination pump to reduce noise off site.

Noise (a), (c), (e), (f) - No Impact

The project site is not located in the vicinity of an airport or private airstrip. The generation of substantial or significant noise over the long-term is not typically associated with a project of this scope. The proposed project would have temporary noise impacts due to construction of the well but would cease once the well has been drilled and the accessory structures are in place. Agricultural related noise would not be an impact as the fields are substantially far from the site.

13. POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: IX. 1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: IX. 1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: IX. 1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.

14. PUBLIC SERVICES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
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? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Police protection? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Schools? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Parks? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Other public facilities? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.

15. RECREATION		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.

16. TRANSPORTATION/TRAFFIC	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (Source:)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (Source: 1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Source: 1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: 1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? (Source: 1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (Source: 1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.

17. UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: IX. 1, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

17. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: IX. 1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: IX. 1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: IX. 1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: IX. 1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Source: IX. 1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Source: IX. 1, 3, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to 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? (Source: IX. 1, 2, 3, 5, 6, 9, 10, 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects?) (Source: IX. 1, 2, 3, 5, 6, 7, 8, 9, 10, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: IX. 1, 2, 3, 5, 6, 7, 8, 9, 10, 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

(a), (c) Less than Significant with Mitigation Incorporated. Based upon the analysis throughout this Initial Study, the project may 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. The biological resources analysis above describes the possible impacts to special-status plants and animals and sensitive natural communities, including environmentally sensitive habitat (ESHA). With the proposed mitigation, the project can be considered less than significant.

The project could potentially result in some construction-related impacts but these have been minimized and will not create any long-term impacts on the local area. The temporary and short-term environmental effects from project-related construction activities would not cause substantial adverse effects on human beings, either directly or indirectly.

(b) No Impact. The project involves the construction of a well on a parcel zoned specifically for a well to serve the neighboring residences within the Oak Hills subdivision. This new well will replace an existing contaminated well. Impacts relating to air quality, population/housing, public services, recreation, transportation/traffic, and utilities and service systems attributable to the project have been addressed in the North County Land Use Plan and do not pose new impacts. Implementation of the project, as proposed and mitigated would not result in an increase of development potential for the project site. Therefore, the well lot is consistent with all considerations of prior decisions.

VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

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

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

To be considered for determination of “no effect” on fish and wildlife resources, development applicants must submit a form requesting such determination to the Department of Fish and Game. Forms may be obtained by contacting the Department by telephone at (916) 631-0606 or through the Department’s website at www.dfg.ca.gov.

Conclusion: The project will be required to pay the fee.

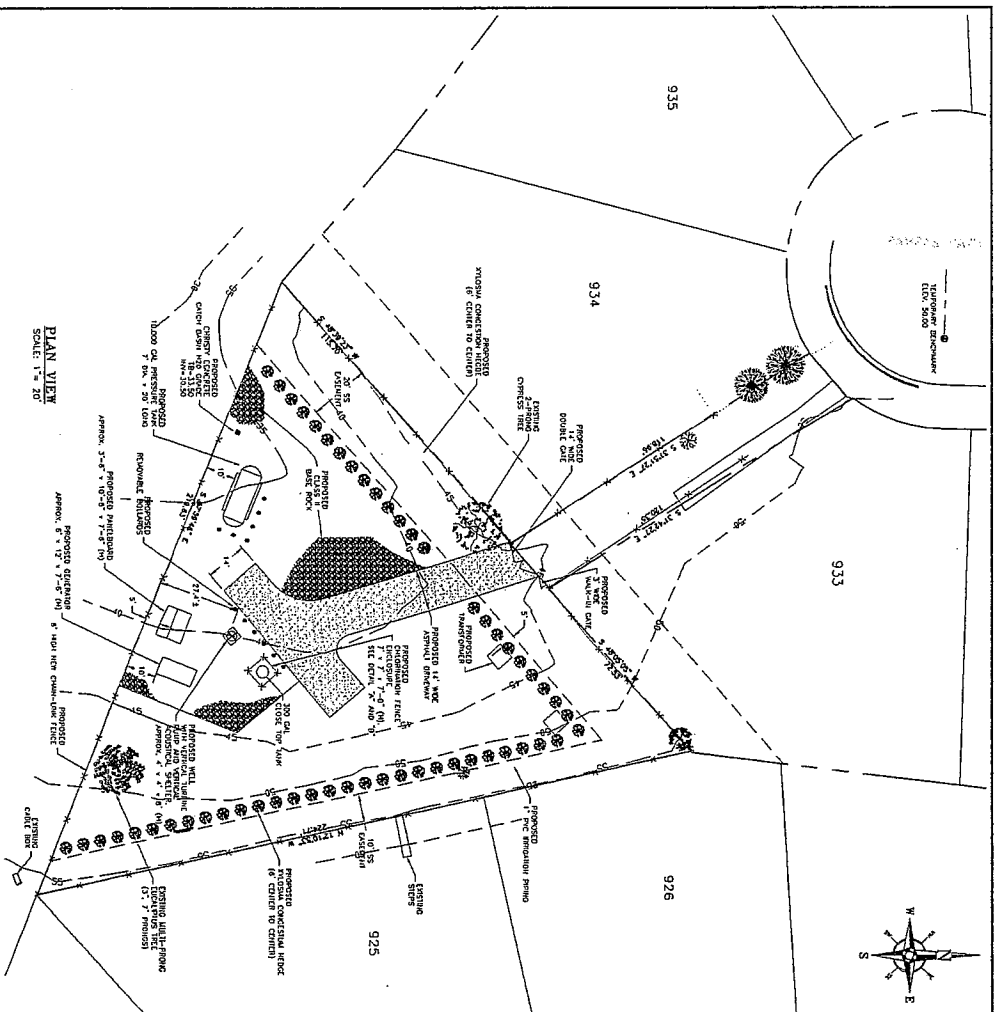
Evidence: Based on the record as a whole as embodied in the Planning Department files pertaining to PLN080469 and the attached Initial Study / Mitigated Negative Declaration. The project as proposed may have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species or have a substantial adverse effect on any riparian habitat or other sensitive natural community. The project as proposed, conditioned, and mitigated will not have the potential to degrade the environment (References 1, 3, 5, 6, 8, 12)

IX. REFERENCES

1. Project Application/Plans for Planning File No. PLN080469.
2. Monterey County General Plan (1982)
3. North County Land Use Plan and Coastal Implementation Plan, Part 2.
4. Title 20 of the Monterey County Code (Zoning Ordinance).
5. Site Visits conducted by the project planner on June 15, 2010.
6. Monterey County Planning Department GIS System, Property Report for Selected Parcel – APN 133-481-054-000.
7. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised June 2008.
8. Biological Survey Report (LIB090093), prepared by Chambers Group, Biological Consultant, Redlands, CA, August 13, 2009.
9. Phase I Archaeological Resources Assessment (LIB090094), prepared by PCR Services Corp., San Jose, CA, November, 2008.
10. Interdepartmental Review Comments located in Project File PLN080469.
11. Monterey County Noise Ordinance, Chapter 10.20.
12. California Coastal Act; 1976
13. Results of the Biological Assessment conducted on the Station 205 Project Site (LIB110119), prepared by PCR Services Corp., Irvine, CA, April 24, 2009

X. ATTACHMENTS

1. Site Plan, floor plan, elevation



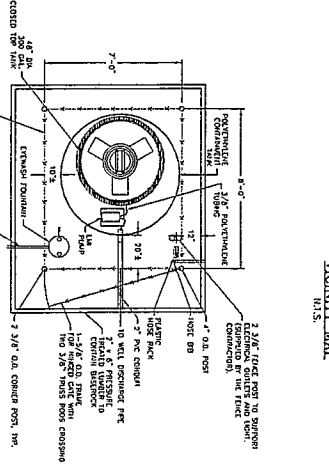
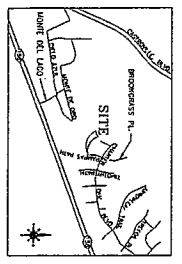
PLAN VIEW
SCALE: 1/8" = 1'-0"

PROPERTY DATA:
 PROPERTY LOCATED WITHIN SITE IN THE EAST BAY AREA, UNINCORPORATED
 COUNTY, SAN DIEGO COUNTY, STATE OF CALIFORNIA.
 APN #11381854
 LOT SIZE: 21,800 SQ. FT.
 WITHIN UNITS: 1.52 ACRES, 65,520 SQ. FT. (5.5 ACRES) OF LAND
 BEING OFFERED FOR SALE. THE PROPERTY IS LOCATED IN THE
 EAST BAY AREA, UNINCORPORATED COUNTY, SAN DIEGO COUNTY,
 STATE OF CALIFORNIA.
 THE SITE IS 1/8" = 1'-0" SCALE.

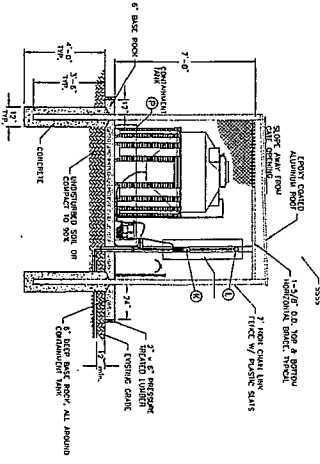
- PROPOSED MATERIALS:**
- 10000 CALIBER PRESSURE TANK
 - ENDOURER/CEMENTATION
 - CHALKLINE TAPE W/ 1/2" WIDE TAPE AND 3" WIDE TAPE IN DATE
 - CHALKLINE TAPE W/ 1/2" WIDE TAPE AND 3" WIDE TAPE IN DATE
 - ACOUSTIC STRUCTURE FOR THE NEW WELL PUMP
 - 1/2" WIDE BRICKWAY
 - ELECTRICAL PANELBOARD
 - TRANSFORMER
 - LANDSCAPING

NOTES:

1. PLEASE REFER TO THE PLAN VIEW FOR THE LOCATION OF THE PROPOSED WELL PUMP AND ELECTRICAL PANELBOARD AT THE CORNER OF THE LOT.
2. THE PROPERTY OF THE NEW WELL IS TO BE LOCATED IN THE EAST BAY AREA, UNINCORPORATED COUNTY, SAN DIEGO COUNTY, STATE OF CALIFORNIA.
3. THE PROPERTY OF THE NEW WELL IS TO BE LOCATED IN THE EAST BAY AREA, UNINCORPORATED COUNTY, SAN DIEGO COUNTY, STATE OF CALIFORNIA.
4. THE PROPERTY OF THE NEW WELL IS TO BE LOCATED IN THE EAST BAY AREA, UNINCORPORATED COUNTY, SAN DIEGO COUNTY, STATE OF CALIFORNIA.
5. THE PROPERTY OF THE NEW WELL IS TO BE LOCATED IN THE EAST BAY AREA, UNINCORPORATED COUNTY, SAN DIEGO COUNTY, STATE OF CALIFORNIA.
6. ALL THE SPECIFICATIONS REQUIRE A MINIMUM OF 24 HOURS BEFORE THE CONCRETE IS PLACED. THE CONCRETE SHOULD BE CURED FOR 28 DAYS BEFORE THE FENCING IS INSTALLED.
7. THE PROPERTY OF THE NEW WELL IS TO BE LOCATED IN THE EAST BAY AREA, UNINCORPORATED COUNTY, SAN DIEGO COUNTY, STATE OF CALIFORNIA.
8. NO CHANGE IS PROPOSED OTHER THAN FOUNDATION EXCAVATION AND CONCRETE DRIVEWAY.



DETAIL "A"
 PLAN VIEW OF FENCED ENCLOSURE WITH ROOF
 N.T.S.



DETAIL "B"
 ELEVATION VIEW OF FENCED ENCLOSURE WITH ROOF
 N.T.S.

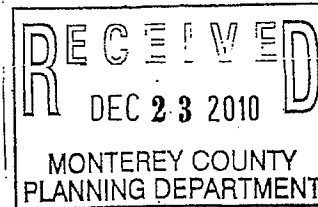
SOUTH ELEVATION FROM PARKING PATH
 N.T.S.

EXHIBIT "F"

LAURA & ELROND LAWRENCE
9928 TIMOTHY PATH
SALINAS, CA 93907

December 22, 2010

County of Monterey
Resource Management Agency-Planning Department
Attn: Mike Novo, Director of Planning
168 West Alisal Street, 2nd Floor
Salinas, CA 93901



**RE: COMMENTS ON THE CALIFORNIA WATER SERVICE COMPANY MITIGATED
NEGATIVE DECLARATION (MND) – PLANNING FILE NO. PLN080469**

Dear Mr. Novo:

Thank you for the opportunity to review and comment on the above-mentioned environmental document. Our property is Lot 926 on the site plan shown on pages 6 and 36 of the document. As a neighbor to the project site, we will be impacted by the construction of the project. We have some comments and concerns about the analysis presented in the Mitigated Negative Declaration. We have outlined them below:

Section II

Page 2: The project description states that the well is intended to serve 890 connections within the Oak Hills subdivision. Is this number correct? The portion of Oak Hills where we live (west of Cathedral Oak Road) has 269 homes. We do not think the area of Oak Hills east of Cathedral Oak Road has many more than that. Does the water system that will be served by this well serve other areas in North County? If so, we believe the project description, and the rest of the document, should be corrected to clarify either the correct number of homes served in Oak Hills or to clarify other areas served by the water system.

The project includes a 300 gallon double contained chlorination shelter. Can you clarify? Does the project include a 300 gallon double contained tank within a chlorination shelter? See additional comments under the Hazards/Hazardous Materials Section.

The project description states that the well-drilling will take about one to two weeks to complete; yet on pages 17 and 31, the document states that the drilling of the well will take approximately three days to complete. What is the correct time frame? The time frame for drilling the well has a direct effect on the impacts to neighbors adjacent to the project site.

Page 2-3: The project description states that noise associated with the project can be mitigated and that a 20-foot high sound curtain will be temporarily used as mitigation during construction. However, when we reviewed the Environmental Checklist for Noise in Section VI (page 30), no mitigation is proposed to mitigate noise impacts. See additional comments under the Noise Section.

Page 4: The project description excludes Hazards/Hazardous Materials and Noise as primary CEQA issues on the project. We disagree with this assessment. Based on comments in this letter, we believe that impacts from Hazards/Hazardous Materials and Noise are also primary CEQA issues on the project.

Also, does the project require other approvals or permits from other agencies such as the Public Utilities Commission, the California Department of Public Health, the California Department of Fish and Game, or the U.S. Fish and Wildlife Service? Please address this as well.

As a side note, the document refers to the Environmental Health Division, the Environmental Health Bureau, and the Department of Environmental Health. Please correct the document throughout for consistency.

Section IV

Since March 18, 2010, environmental documents have been required to analyze a project's impacts on greenhouse gas emissions. This document does not include any analysis of the project's impacts to greenhouse gas emissions. The document will need to be revised and recirculated to include an analysis of the project's impacts to greenhouse gas emissions in Sections IV and VI.

Page 8: The proposed project has the potential to affect the environmental factors of Hazards/Hazardous Materials and Noise. Because these topics are discussed in detail in the Environmental Checklist in Section VI, the boxes should be marked here.

Pages 8-9: The checklist in Section VI for Agriculture and Forestry Resources is not correct. On March 18, 2010, the initial study checklist was revised to rename the topic and to incorporate two additional issues to analyze. Please provide discussion on any conflicts with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production as well as the loss of forest land or conversion of forest land to non-forest use.

Page 9: The topic of Hydrology and Water Quality states that storm water run off shall be dispersed away from and below any septic leach fields. Is a septic system proposed for the project? The homes within the Oak Hills Subdivision are connected to a sewage treatment plant operated by California American Water Company. Does the water from the well require treatment that will result in the need for waste disposal through a wastewater system? If wastewater disposal is proposed for the project, the property should connect to the sewer system. This should be discussed under the Geology and Soils Section as well.

Page 11: The topic of Public Services states that Pampas Path is an existing private road for residential units which the Homeowner's Association improves as necessary. This is not correct. All of the roads within the Oak Hills Subdivision west of Cathedral Oak Road are public roads maintained by the County of Monterey Public Works Department except for Arrowleaf Trail, Clover Trail, and Sandbur Place. These roads are maintained by the Oak Hills Homeowner's Association through additional assessments to the homeowners who live on these streets.

Page 11: The checklist in Section VI for Transportation/Traffic is not correct. On March 18, 2010, the initial study checklist was revised to incorporate addressing conflicts with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, conflicts with an applicable congestion management program, and to remove the analysis for inadequate parking capacity. Please provide a discussion on these issues.

Section VI

Air Quality, Page 18: The document states that there will be approximately 3 houses that would be affected by dust from the proposed project. What houses are you referring to? The site plan on

pages 6 and 36 clearly shows 4 residential lots that abut the proposed project. The document states that the California Water Service Company will notify them prior to construction. Which of the homeowners will be notified prior to construction? How long prior to the start of the construction will they be notified? The requirement to notify neighbors well in advance of construction should be a condition of approval on the project.

How will dust generation by the project be controlled? The document states that the applicant will be required to submit an erosion control plan to show how dust generation (among other factors) will be controlled. However, that information is not included here. The document states that the project meets the criteria for short-term construction in Table 5.1, but there is no Table 5.1 in the document. What table are you referring to?

Biological Resources, Page 22: Monitoring Action #3 requires that a signed agreement be submitted to the RMA Planning Department prior to the issuance of grading/building permits. Is the Department required to "review and approve" the agreement as required in Monitoring Action #2?

Page 23: What is the timing for Monitoring Actions #4 and #5? Is the Department required to "review and approve" the agreement as required in Monitoring Action #2?

The document states that no active bird nests or nesting behaviors were observed during the biological survey, however, suitable nesting habitat occurs within the project site. I have seen and heard raptors occupying the eucalyptus trees on the project site. Shouldn't the project include mitigation to require additional surveys prior to construction or to avoid construction during the nesting season?

Pages 23-24: The document states that sediment, debris, and construction spoils from the project have the potential to affect fresh water and willow riparian habitat if unattended. Wouldn't the implementation of Best Management Practices (BMPs) be mitigations to avoid impacts to water quality?

Cultural Resources, Page 24: The checklist states that the project will have "no impact" to cultural resources, yet a mitigation measure is included to mitigate the potential effects to cultural resources. This section also states that there is a low potential for buried archaeological resources. However, the project is within a high archaeological sensitivity zone, is within a mile of nine prehistoric resource sites, and has a dense vegetative cover that may obstruct identification of resources. How does the analysis reach this conclusion? The checklist should be corrected and the analysis should be clarified to explain the conclusion of "no impact."

Hazards/Hazardous Materials, Page 27: What is "chlorine fuel"? The proposed project refers to both the use of sodium hypo-chloride (sic) and diesel fuel yet refers to only one 300 gallon double contained enclosure tank. The conceptual plot plan on page 36 shows only a chlorination shelter—no tanks for sodium hypochlorite or diesel fuel are shown. As stated in the project description, the diesel fuel is associated with the generator proposed on the project site. However, the project description does not identify the number and size of the tanks. How much sodium hypochlorite and diesel fuel will be stored on the project site? The project will handle hazardous materials within one-quarter mile of an existing school as the project site is located within one-quarter mile of North Monterey County High School (page 3). Item (c) in the checklist should be corrected and the analysis should disclose the potential impacts.

Noise, Pages 30-31: The analysis and discussion in this document contains conflicting information with regard to noise impacts. We disagree with the assessment that the impacts are less-than-significant with no mitigation required. We believe that the potential noise impacts from the project do require mitigation.

The document states that the project will have a less-than-significant impact (with no mitigation required) on noise levels during construction. Yet, pages 2 and 3 cite that that noise associated with the project can be mitigated and that a 20 foot high sound curtain will be temporarily used as mitigation during construction. The checklist does not identify impacts that can be mitigated to a level of less-than-significant and the analysis proposes no mitigation to mitigate noise impacts. However, the analysis does state that the project proposes to use a 20-foot sound curtain to mitigate for temporary noise. If the sound curtain is being used as mitigation for noise impacts, the details of how this mitigation will reduce impacts to a less-than-significant level shall be included in the analysis.

The analysis in this Section does not provide sufficient detail to substantiate a determination of less-than-significant impact. For example, what is the baseline noise level at the project site or at the property line for adjacent neighbors? What is the noise level expected at the project site or at the property line for adjacent neighbors during and after construction of the project? How will the sound curtain reduce noise impacts to neighbors? Was an acoustical analysis prepared supporting the determination of a less-than-significant impact?

The document states that no construction will take place during evening hours. However, the details for how the well will be constructed are not disclosed in the document. What are the hours of construction? Can the well be drilled by starting and stopping the drilling process over three days during daylight hours or will the well-driller need to drill continuously, 24 hours a day, to construct the well?

My husband works from home. In addition, our master bedroom and living/dining room face the proposed project site. We are separated from the project site only by a change in elevation and a wood fence. If the well-driller intends to construct the well continuously, 24 hours a day, over a three-day period, the noise from the well-drilling will impact our quality of life as well as the quality of life for our neighbors who are closer to the project site. The project should be sufficiently analyzed to determine which neighbors would be affected by continuous well-drilling. To mitigate the impact of the well-drilling activities on the neighbors, the project applicant, at their expense, should relocate those affected to a hotel during the construction of well.

The document states that the California Water Service Company will notify neighbors prior to construction. Which of the homeowners will be notified prior to construction? How long prior to the start of the construction will they be notified? The requirement to notify neighbors well in advance of construction should be included as a monitoring action for the mitigation needed on the project.

Section VII

Page 35: Under the Mandatory Findings of Significance (c), we disagree with the "no impact" conclusion that the project will have no environmental effects which will cause substantial adverse

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effects on human beings. The project has the potential for construction-related impacts relating to noise and those impacts must be mitigated.

To conclude, the analysis requires correction and clarification to fully disclose the scope of the project and the potential environmental effects. CEQA Guidelines Section 15073.5 states that a lead agency is required to recirculate a negative declaration when the document must be substantially revised after public notice of its availability has previously been given but prior to its adoption. A "substantial revision" is when a new, avoidable significant effect is identified and mitigation measures or project revisions must be added in order to reduce the effect to insignificance, or when the lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significance and new measures or revisions must be required.

The document does not provide enough information to support the conclusion that the neighbors adjacent to the project site will not be affected by the noise during construction. In addition, sufficient mitigation has not been incorporated to reduce the noise impacts to a less-than-significant level. Also, construction impacts to fresh water and willow riparian habitat and construction impacts to nesting birds may require mitigation. Finally, the document does not include an analysis of the project's impacts on greenhouse gas emissions. Therefore, the document should be revised and recirculated per the requirements of the CEQA Guidelines stated above.

Thank you, again, for the opportunity to review and comment on this document.

Sincerely,

A handwritten signature in cursive script that reads "Laura M. Lawrence". The signature is written in black ink and is positioned above the printed name.

Laura Lawrence