

Exhibit C  
Addendum to  
Mitigated Negative Declaration  
Including adopted  
Mitigated Negative Declaration  
Initial Study

REF100047  
Carmel Cottages

Planning Commission  
February 9, 2011

## EXHIBIT C

### **Addendum Pursuant to the California Environmental Quality Act Article 11, Section 15164**

#### **Carmel Cottages (formerly Gamboa) Planning File Nos. PLN000357, PLN060102 and REF100047 78-Bed Assisted Care Living Facility**

##### 1. Introduction

The original approved Combined Development Permit (PLN060102/Keehn, PLN000357/Gamboa) consists of a Use Permit to allow a quasi-public use in the Low Density Residential zoning district, including site plan and design review for development of a 64-suite, 78-bed, assisted care living facility consisting of a 3-building complex totaling 43,400 square feet, 35 space parking lot including 4 handicap-accessible spaces, balanced grading (3,000 cy cut/3,000 cy fill), access and parking improvements across a neighboring lot (APN: 015-021-003-000) to Carmel Rancho Boulevard, improvements to Val Verde Drive for emergency access to Carmel Valley Road, an underground graywater and cistern systems, and on-site water detention ponds; a Use Permit to allow development on slopes exceeding 30%; and allocation of 4.8 acre feet of water to the project.

Modifications to be considered (file number REF100047) include modification of conditions requiring the preservation of a non-protected Monterey pine and amending the project description to delete graywater and cistern systems, removing conditions requiring underground graywater and cistern systems, and amending landscaping conditions to reflect the project changes. Some of the modifications are related to Monterey Peninsula Water Management District Water Permit No. 25730, issued on July 27, 2008, wherein the District determined graywater was not required for a 78-bed facility subject to Special Conditions of Approval including specific design requirements.

This technical addendum has been prepared pursuant to Article 11, Section 15164 of the California Environmental Quality Act guidelines to make minor technical changes to the project analyzed in a Mitigated Negative Declaration, adopted July 13, 2004, by the Board of Supervisors by Resolution No. 04-253. None of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred.

## 2. Scope and Purpose of this Addendum

The project description is being amended to eliminate the requirement for a graywater system and allowing the removal of a Monterey pine tree. These project changes do not require preparation of a subsequent Mitigated Negative Declaration (MND) as none of the conditions described in Public Resources Code section 21166 or CEQA Guidelines section 15162, calling for preparation of a subsequent MND, have occurred. Therefore, in compliance with CEQA Guidelines section 15164, preparation of this Addendum is appropriate.

Substantial evidence supports this conclusion, including:

- The change to the project description, eliminating the need for a graywater system, and a change to the conditions of approval allowing replacement of landscaping in lieu of preserving a Monterey pine, does not result in any change to the approved water cap for the project.
- The water cap was placed on the project through mitigation measures and conditions of approval to assure that the county's water allocation for this area does not exceed the amount of water determined for the county's water use in this area. The proposed solution is to provide 13 new trees along the south property line and five more trees along the south side of Building A.
- The change to the project description, modifying the conditions of approval to allow replacement landscaping in lieu of preserving a single Monterey pine, does not result in an increase in aesthetic impacts identified in the original Initial Study.
- All policies and mitigation measures, adopted as part of the previous MND process and as modified, would continue to be followed under the revised project.
- None of the circumstances under which the revised project is being undertaken have changed such that revisions to the previous MND are required.

- No new information has become available that would change the analysis or conclusions in the previous MND.
- The revised project will not result in any significant effects not discussed in the previous MND adopted for this project.
- Documents that support the conclusions of this Addendum include the following documents:
  - Axiom Engineers study dated November 21, 2007 (“Expected Water Use Analysis for Cottages of Carmel, Carmel Valley”)
  - MPWMD letter dated September 10, 2010
  - MPWMD letter dated January 18, 2008
  - Rushforth letter dated September 3, 2010 (Condition Compliance #27 and #49)

The revised project will not increase the severity of any effects beyond what was disclosed and analyzed in the previous MND.

Attachment: Initial Study, Gamboa-Sunrise Assisted Care Living Facility

# MONTEREY COUNTY

PLANNING & BUILDING INSPECTION DEPARTMENT  
PO BOX 1208 SALINAS, CA 93902  
PHONE: (831) 755-5025 FAX: (831) 755-5487



## INITIAL STUDY

### I. BACKGROUND INFORMATION

**Project Title:** Gamboa-Sunrise Assisted Care Living Facility

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**File No.:** PLN000357/Gamboa

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**Project Location:** A 4.5-acre, vacant, parcel located: at the southwest corner where Carmel Valley Road intersects with Val Verde Drive (unimproved private, right of way); east of Carmel Rancho Boulevard and Highway One; and north of Rio Road and the Carmel River at the mouth of the Carmel Valley.

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**Name of Property Owner:** Elvira and William Gamboa

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**Name of Applicant:** Anthony Lombardo, representing the Gamboa's and Sunrise Development, Incorporated

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**Assessor's Parcel Number(s):** 015-021-036-000

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**Acreage of Property:** 4.5 Acres

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**General Plan Designation:** Low Density Residential 5-1 Ac/Unit (Lower Valley Area of Carmel Valley Master Plan)

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**Zoning District:** LDR/B-6/D/S (Low Density Residential/Building Site Restriction - No Further Subdivision/Design Review/Site Plan Review)

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**Lead Agency:** Monterey County Planning and Building Inspection Department

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**Prepared By:** Carl P. Holm, AICP

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**Date Prepared:** February 21, 2003 (Revised June 14, 2004)

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**Contact Person:** Carl Holm, Senior Planner

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**Phone Number (email):** (831) 833-7593 (holmcp@co.monterey.ca.us)

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## **II. DESCRIPTION OF PROJECT & ENVIRONMENTAL SETTING**

*This is a revised initial study/mitigated negative declaration to assess impacts resulting from project changes. Changes consist of including a graywater system as part of the project and revising access from Rio Road/Val Verde Drive to Carmel Rancho Boulevard through a neighboring commercial center. The primary discussion of these changes are contained in Sections 7 (Hazards), 15 (Traffic), and 16 (Utilities).*

### **A. BACKGROUND**

Prior Project – Carmel Greens. In the mid-1990's the subject property was one of seven properties along Val Verde Drive included as part of a residential development called "Carmel Greens". That project consisted of creating 89 units, including 24 senior moderate income units, on three non-contiguous sites along Val Verde Drive totaling 22.4-acres. This project involved seven parcels including the subject 4.5-acre parcel.

An environmental impact report was prepared for Carmel Greens in 1995 to specifically address issues of water and traffic (SCH#: 88111512). Anticipated traffic impacts were reduced with the construction of a climbing lane on Highway One. Although the Monterey County Board of Supervisors indicated their intent to allocate water for the affordable units, there was not water available for the market rate units. As a result, the Carmel Green project was ultimately denied in 1997.

Proposed Project Review. In December 2000, a new application was submitted requesting permits to develop a 78-bed, senior assisted care living facility on a 4.5-acre site (APN:015-021-036-000/Gamboa) that was one part of the Carmel Greens project. A mitigated negative declaration was prepared and circulated for this assisted care project in August 2002 (SCH#: 2002081124). In January 2003, the Monterey County Board of Supervisors determined that a new initial study should be prepared to address a number of issues that were identified during the review process. A revised IS/MND was prepared and re-circulated February 22, 2003.

At a following hearing, the Board of Supervisors determined that issues relative to water, graywater, and traffic on Val Verde remained unresolved. During the process of resolving these issues, the project description changed and staff discovered additional information that could affect the required mitigation measures. Therefore, a new IS/MND has been prepared to address changes in traffic patterns and water use.

### **B. PROJECT DESCRIPTION**

Application. Elvira and William Gamboa, together with Sunrise Development, Incorporated, request use permits, site plan approval and design approval to develop a 78-bed, senior assisted care living facility in the lower Carmel Valley. Use permits include requests to allow:

- 1) A quasi-public facility in the low density residential zone, and
- 2) Development in slopes exceeding 30% located at the southeast corner of the site.

Site Plan review is intended to obtain detailed information to identify topography, vegetation, proposed grading and hazards conditions of the site. The purpose of design review is to assure protection of the public viewshed, neighborhood character and assure visual integrity without imposing undue restriction.

Design. The proposed development consists of three, 1-story buildings with 64 resident suites, which include a mixture of studio, large studio, and double bedrooms consisting of approximately 78 beds (Figure 1 – Project Site, Floor and Elevation Plans – Following 7 Sheets):

*Building 1 (11,500 square feet).* Consists of 18 suites (approximately 22 beds) located at the northern end of the site (Cottage Building, Floor Plan Sheet SD3).

*Building 2 (19,500 square feet).* This building includes 26 suites (approximately 30 beds) plus administrative offices located in the center of the project site (Main Building, Floor Plan Sheet SD2).

*Building 3 (12,400 square feet).* Consists of 20 suites (approximately 24 beds) located at the southern end of the site. This building is a segregated unit for cognitive impairments such as dementia and Alzheimer's disease (Alzheimer Cottage Building, Floor Plan Sheet SD4).

All three buildings have common areas at the center of the floor plan including living rooms, dining rooms, activity rooms, and special amenities. They are connected by breezeways to create one, 43,400 square foot facility.

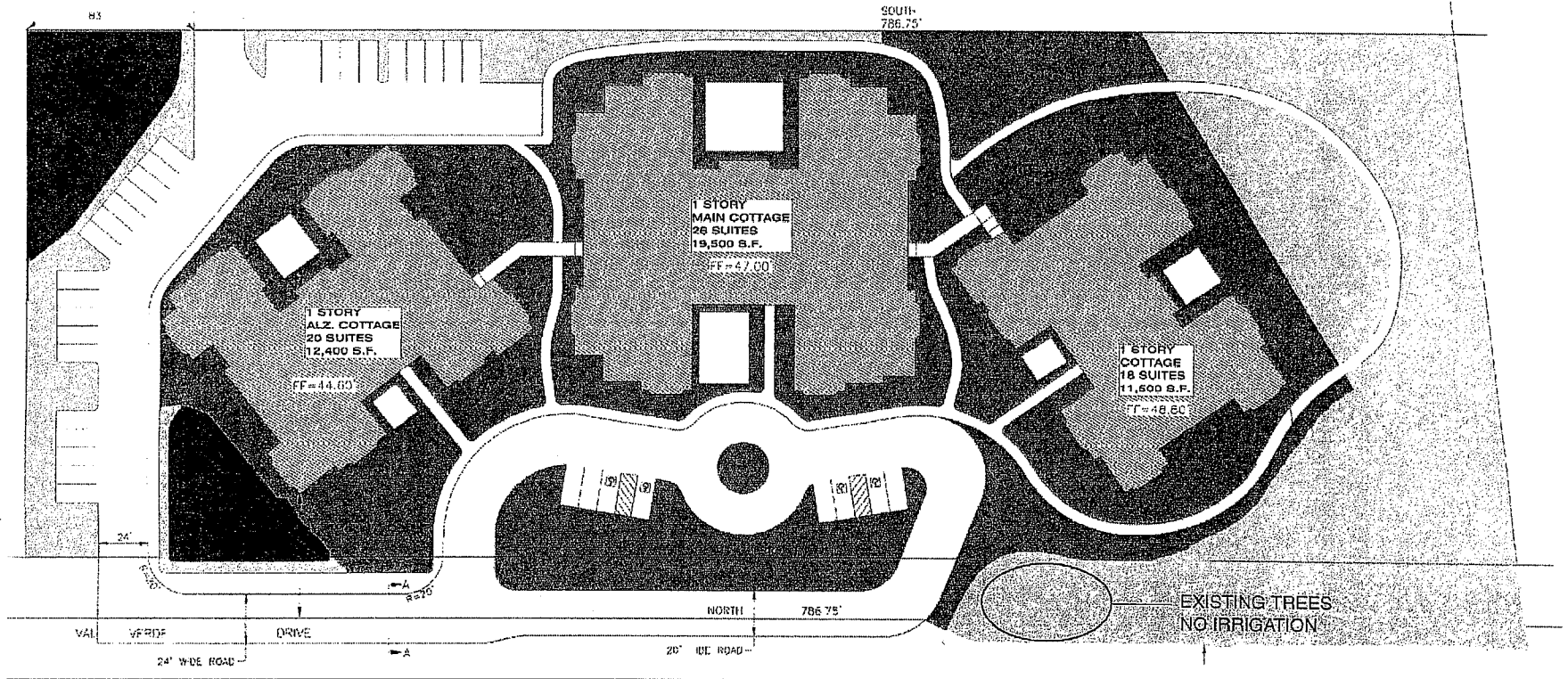
Proposed landscaping around the site includes an orchard along Carmel Valley Road and native, drought-tolerant plant materials around the buildings. Breezeways and walking paths traverse the site for residents to be able to walk around the facility and landscape areas.

Circulation. Initially the project included improving Val Verde Drive from a 1-lane, private, dirt road to a 24-foot wide, paved road with access to Rio Road south of the site. Access has been revised to include an access easement across an adjacent property to Carmel Rancho Boulevard where there is a signalized intersection.





Val Verde Drive would provide restricted (gated), emergency access to Rio Road south of the project entrance and Carmel Valley Road north of the site. The segment of Val Verde south of the site would remain unimproved and the section north of the site would be improved with a 12-foot wide emergency access lane.

On-site circulation consists of two parking areas with a total of 38 parking spaces for this facility. Eight (8) spaces are located in front of the facility including four (4) spaces for disabled parking. This parking area is served by a circular driveway from Carmel Rancho Boulevard. The main parking includes 30 parking spaces, which has been designed along the south and west edges of the site.

Infrastructure. Improvements of the site include two detention ponds at the south end to regulate storm water run-off plus underground tanks for collection of both rainwater

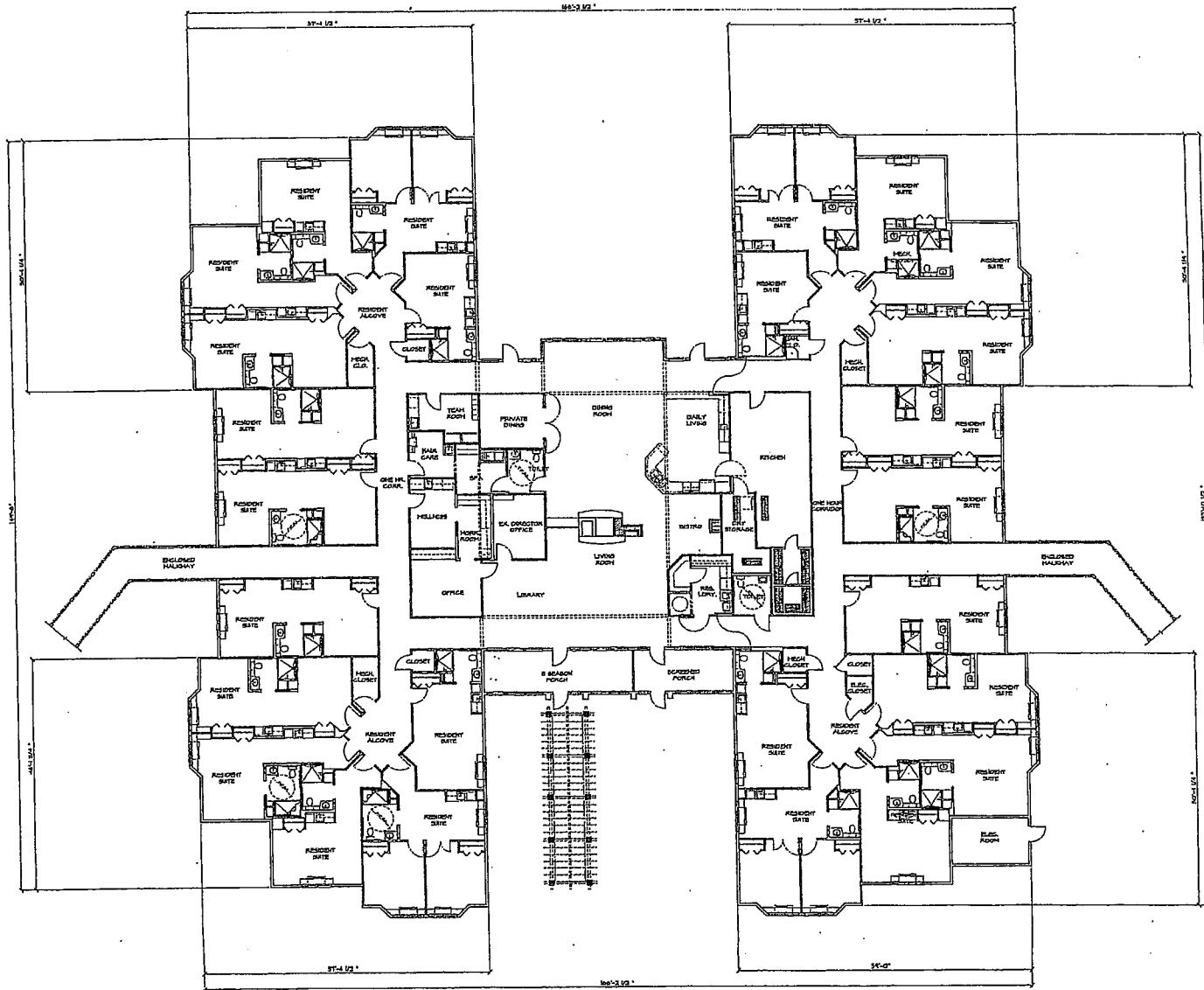


### LEGEND

	<p><b>LANDSCAPE</b> Adjacent the building and walkways, low water use plants. Drought tolerant shrubs and groundcover, drip irrigated.</p>	<p>Approximate area: 52,000 square feet Estimated water use: 451,360 gallons/year</p>
	<p><b>ORCHARD</b> Fruit trees (100) planted 25' on center, point to point irrigation. Non-irrigated grasses as ground plane.</p>	<p>Approximate area: 59,500 square feet Estimated water use: 45,000 gallons/year (450 gal/tree)</p>
	<p><b>DETENTION PONDS</b> Hydroseeded with indigenous, non-irrigated grasses.</p>	<p>Approximate area: 9,500 square feet Estimated water use: 0</p>
	<p><b>HARDSCAPE</b> Patios at front and rear alcoves of buildings.</p>	<p>Estimated water use: 0</p>

## PLANTING ZONES DIAGRAM





FLOOR PLAN

DECEMBER 7, 2000

MAIN BUILDING

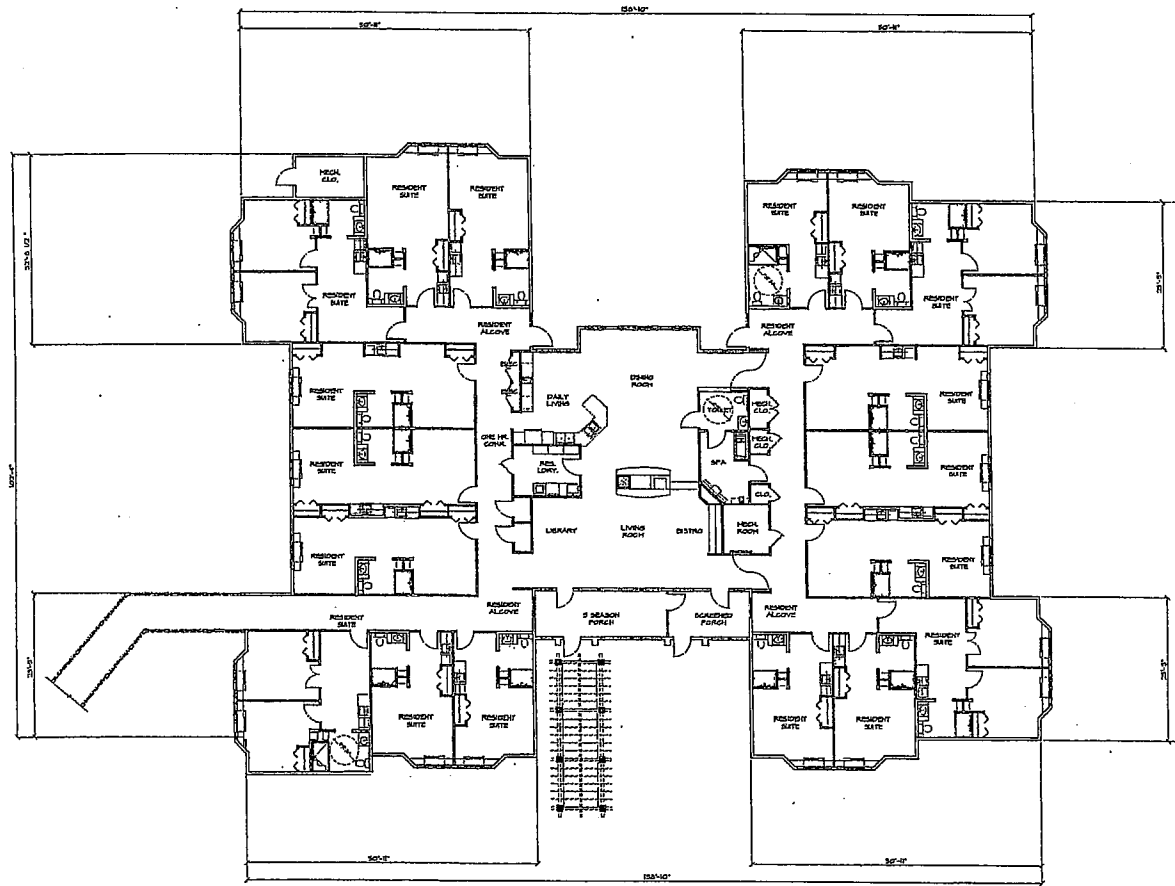
SD 2

SUNRISE ASSISTED LIVING OF CARMEL VALLEY

hpi  
 15 TWENTY-SECOND STREET  
 NEWPORT BEACH, CALIFORNIA 92660  
 949.475.6442



0 4 8 1



FLOOR PLAN

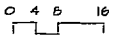
SUNRISE ASSISTED LIVING OF CARMEL VALLEY

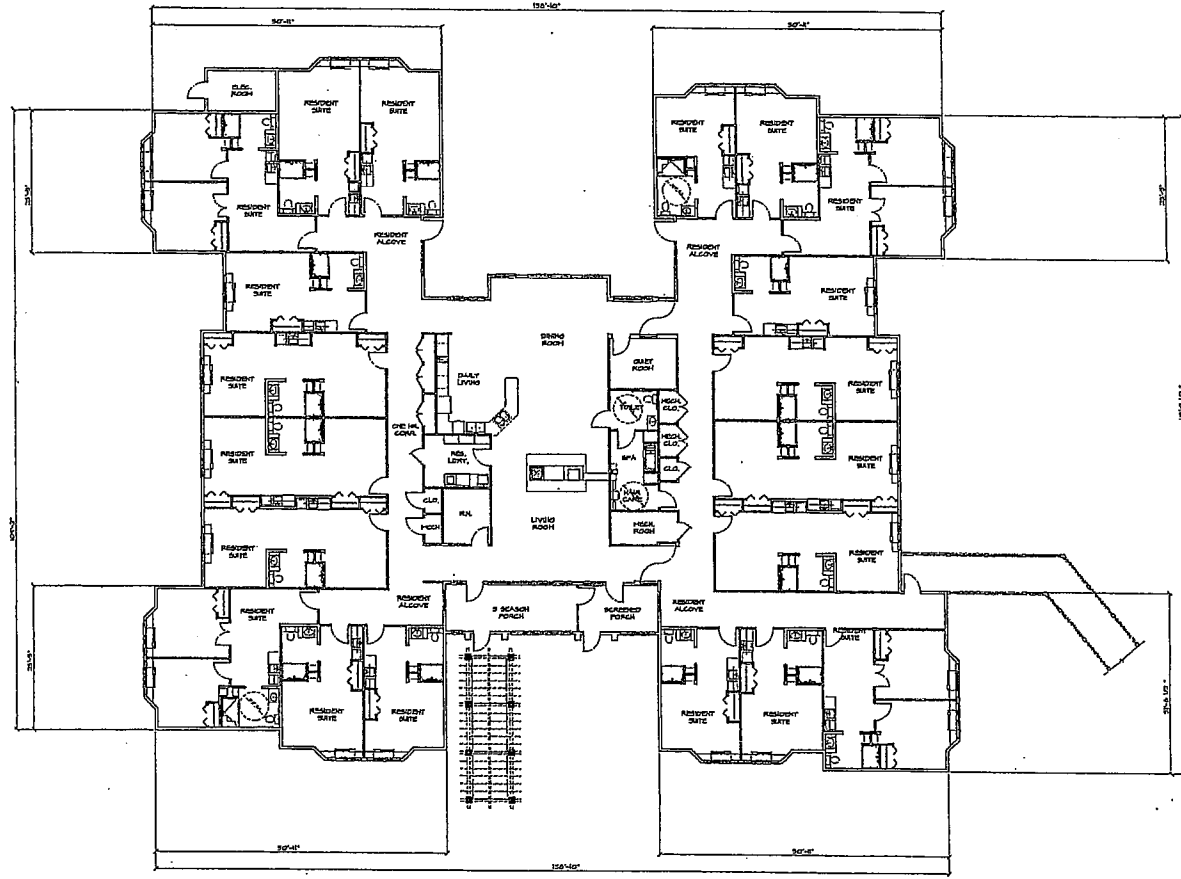
DECEMBER 7, 2000

COTTAGE BUILDING

SD 3

**hoi**  
 HOOPER & PARTNERS  
 15 TWENTY-SECOND STREET  
 NEWPORT BEACH, CALIFORNIA  
 949.755-6442 92661





FLOOR PLAN

SUNRISE ASSISTED LIVING OF CARMEL VALLEY

DECEMBER 7, 2000

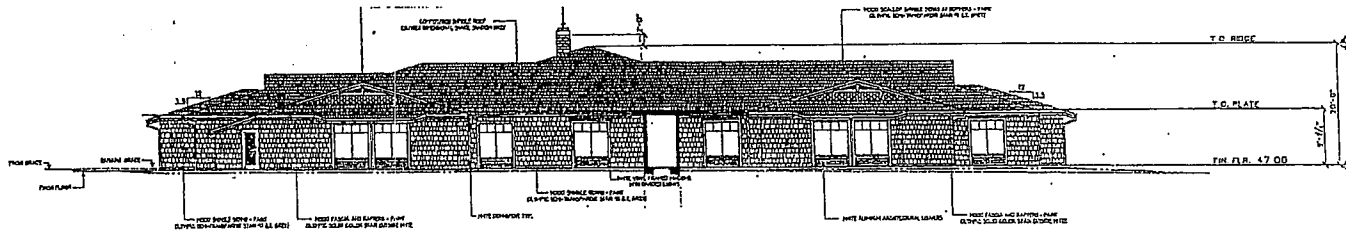
ALZHEIMER COTTAGE BUILDING

SD 4

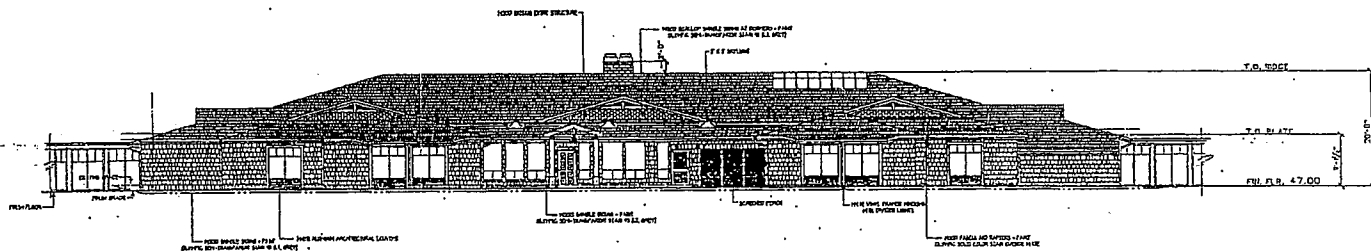
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 NEWPORT BEACH, CALIFORNIA  
 949-755-2442



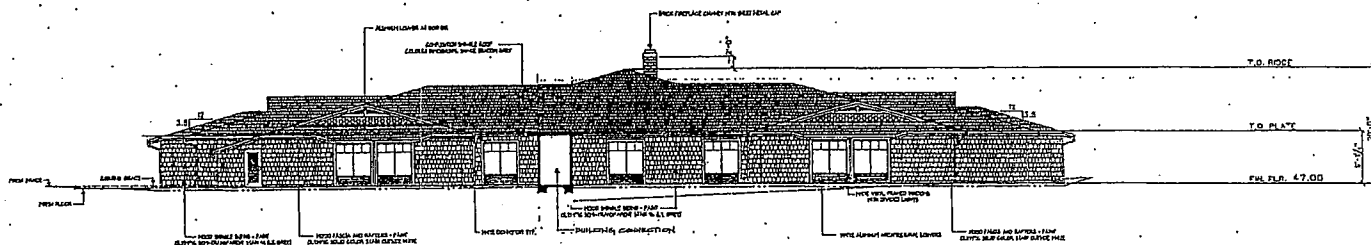
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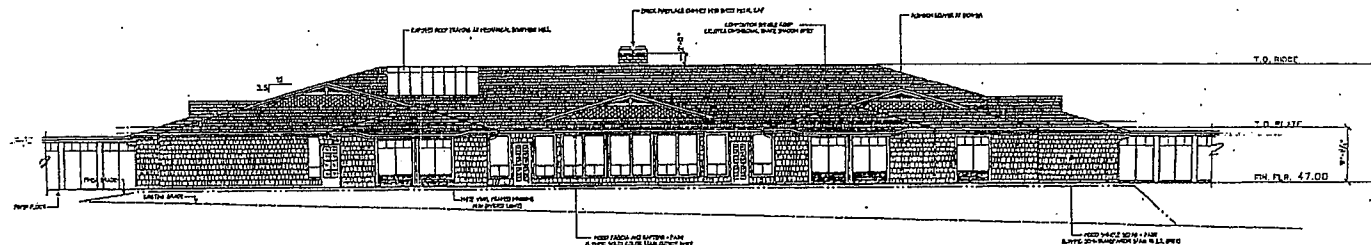
SOUTH ELEVATION - MAIN BUILDING



EAST ELEVATION - MAIN BUILDING



NORTH ELEVATION - MAIN BUILDING

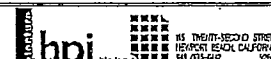


WEST ELEVATION - MAIN BUILDING

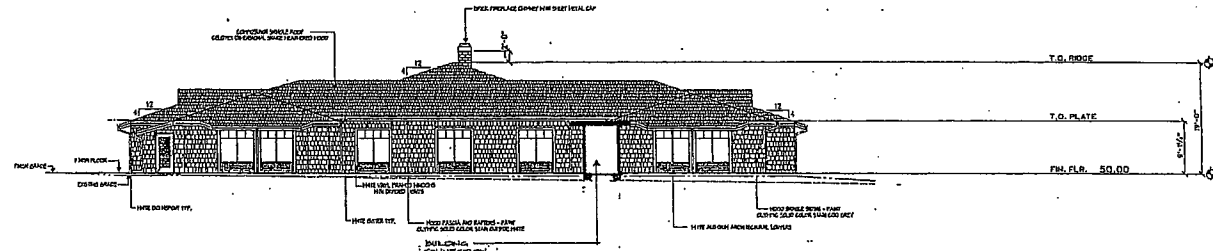
AUGUST 31, 2000

SUNRISE SENIOR ASSISTED LIVING OF CARMEL VALLEY

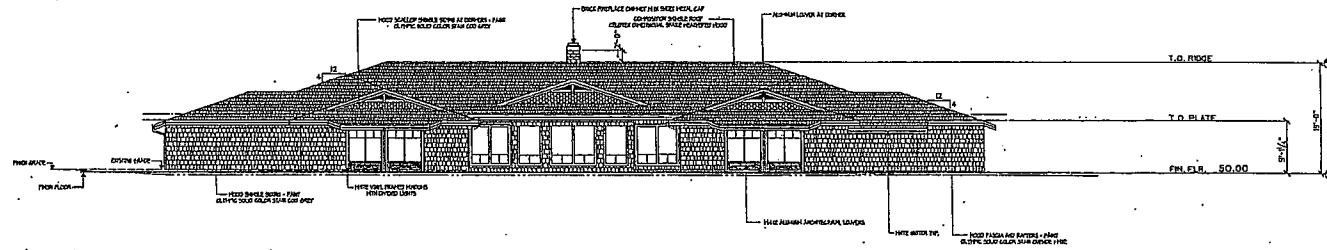
SD 5



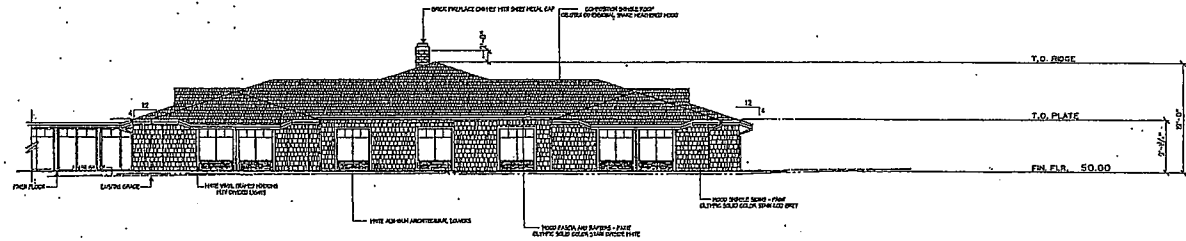
EXTERIOR ELEVATIONS - MAIN I  
 0 4 2 16



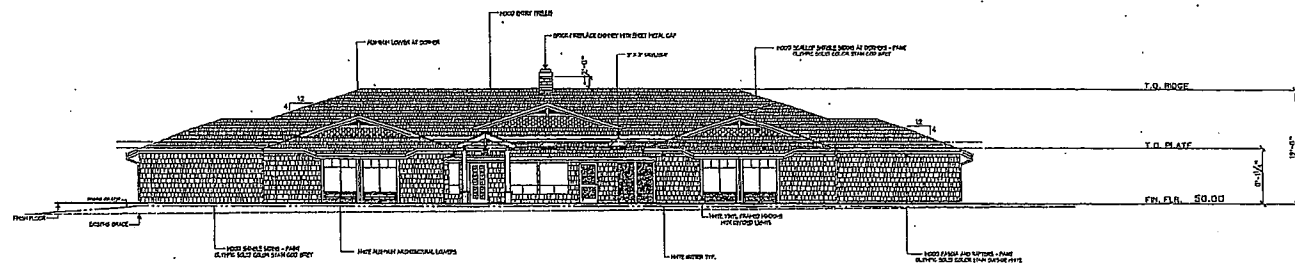
WEST ELEVATION - COTTAGE BUILDING



NORTH ELEVATION - COTTAGE BUILDING



EAST ELEVATION - COTTAGE BUILDING

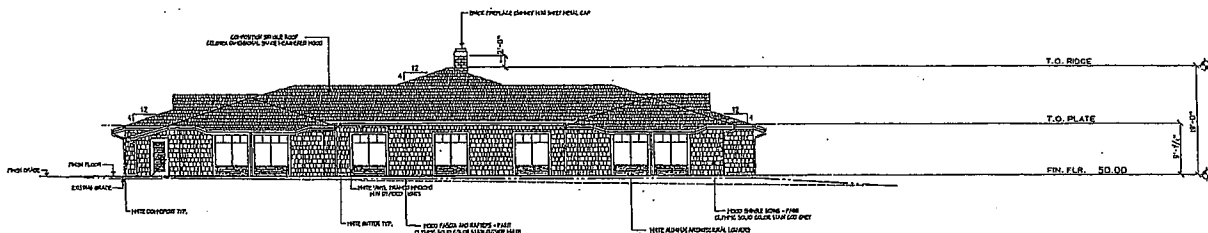


SOUTH ELEVATION - COTTAGE BUILDING

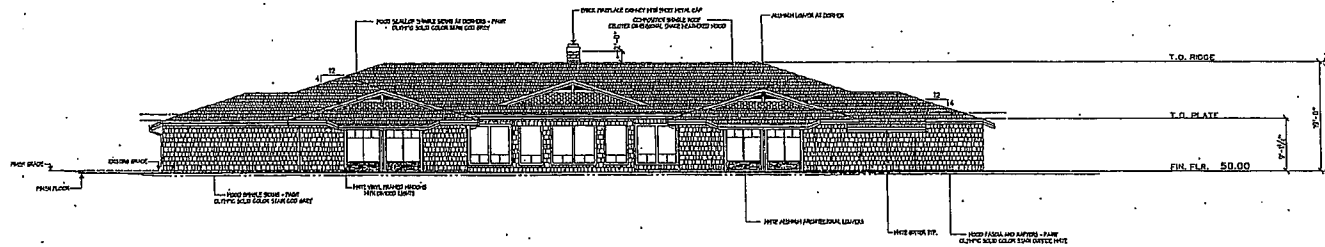
AUGUST 31, 2000

SD 6

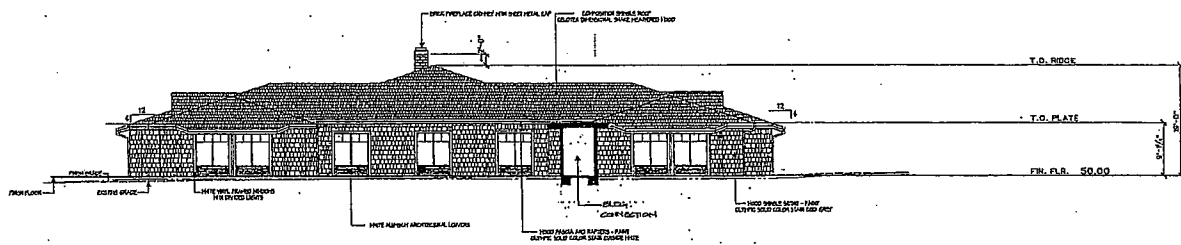
SUNRISE SENIOR ASSISTED LIVING OF CARMEL VALLEY



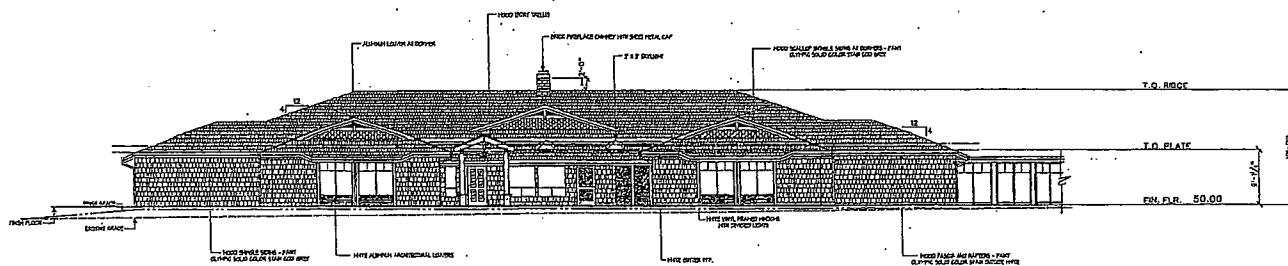
EAST ELEVATION - ALZHEIMER COTTAGE BUILDING



SOUTH ELEVATION - ALZHEIMER COTTAGE BUILDING



WEST ELEVATION - ALZHEIMER COTTAGE BUILDING



NORTH ELEVATION - ALZHEIMER COTTAGE BUILDING

AUGUST 31, 2000

SUNRISE SENIOR ASSISTED LIVING OF CARMEL VALLEY

SD 7

		EXTERIOR ELEVATIONS - ALZHEIMER COTTAGE
		16 18th/15th Street Newport Beach, California 949 495-6100

O 4 B 16

(cistern) and graywater to be used for exterior irrigation. Plans include a 2.5-foot tall retaining wall along the southern property line to support fill for the parking area and the lower detention pond, and involves development of a slope that exceeds 30%. An ozone generator would be installed for treatment of the graywater.

Operation. Operation of the facility is designed to create a home-like setting to care for seniors who can no longer live on their own, but do not need complex medical care (e.g. nursing home). Sunrise Assisted Living services would include a specially designed program for residents with Alzheimer's disease and other forms of memory impairment. This facility would be operated using trained staff who will service clients in three staggered shifts. The total number of employees for the facility would be 30; however, the applicant states that the maximum number of employees at the facility at any time would be 19.

### **C. SITE DESCRIPTION**

The project site is 4.5-acres and is currently vacant (APN: 015-021-036-000). It is located at the southwest corner where Carmel Valley Road intersects with Val Verde Drive, which is an unimproved, private, right-of-way. Rio Road is located approximately one-quarter mile south of the site (Figure 2 - Vicinity Map - next page).

This project site was established as a 5.01-acre parcel as part of Lot 14 per Hatton Partition of Rancho Canada de la Segunda that was subdivided into 17 lots in 1955. Approximately 0.5-acres was separated off and included as part of the commercial development west of the project site in the early 1980's. This property is currently designated for low density residential land uses and is subject to the Carmel Valley Master Plan. A B-6 zoning designation has been applied to this site restricting the property from further subdivision.

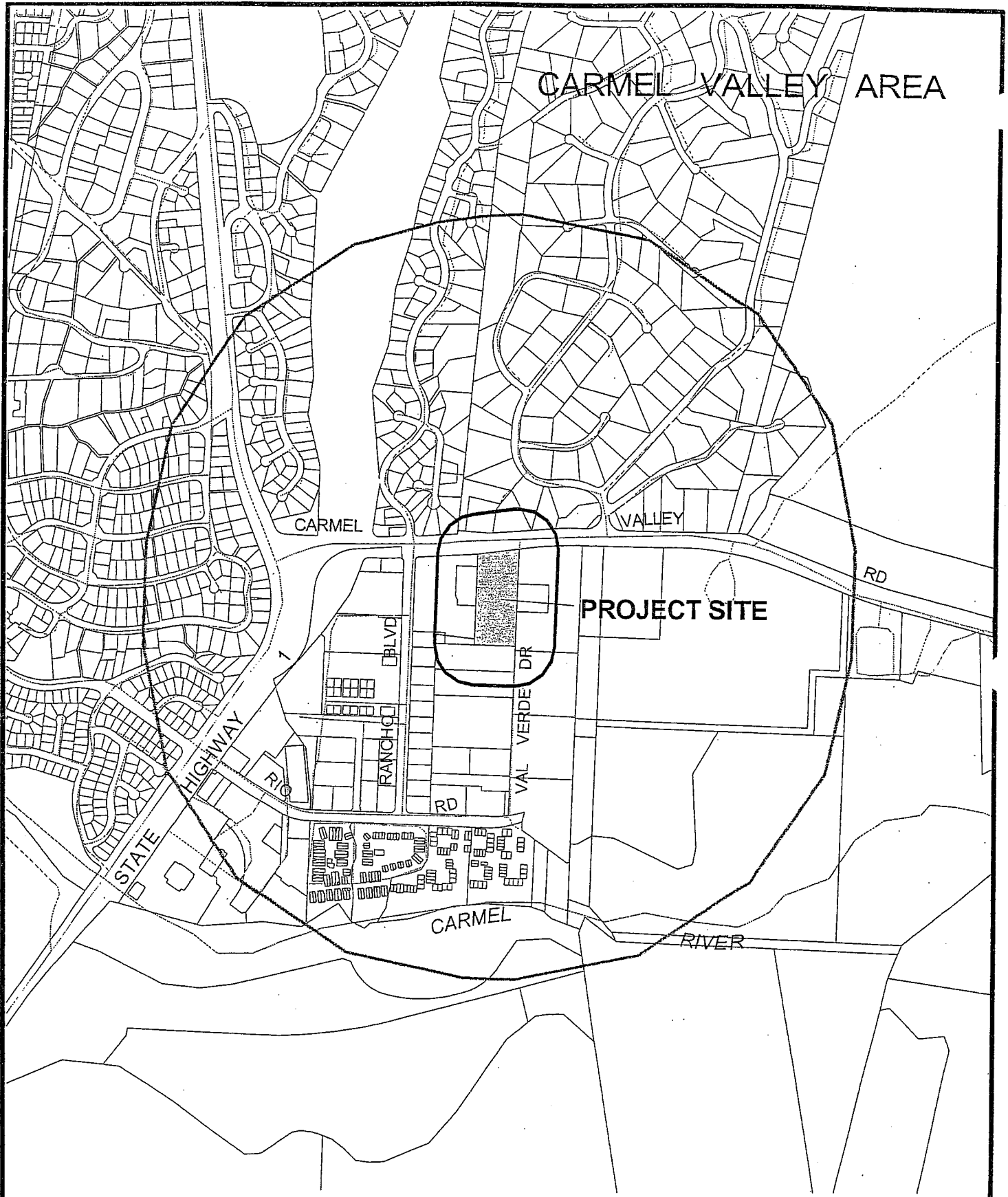
The site generally slopes south from Carmel Valley Road toward the Carmel River, which is located approximately ½ mile south of the site. A swale is located at the south end of the site with a drop of about 10 feet from the general elevation of the site. The southwest corner of the site drops down below the 35-foot elevation, which is defined as the 100-year floodplain.

The subject parcel has not been cultivated or cleared. It is generally overgrown, containing non-native grassland with non-native and native volunteer grasses, trees and shrubs. In addition, there are invasive plants such as pampas grass and French broom on the building site. A stand of arroyo willows have established within an area at the southeast corner of the site and extend into the Val Verde Drive right-of-way. An existing stand of eucalyptus trees located in the middle of the site would be removed.

### **D. ENVIRONMENTAL SETTING**

Carmel Valley. The proposed project is located near the western end of the Carmel Valley in Monterey County. This Valley extends from the Carmel Valley Village west to


# CARMEL VALLEY AREA




APPLICANT: GAMBOA

APN: 015-021-036-000

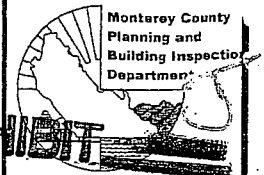
FILE# PLN 000357

 300' Limit

 2500' Limit



0 1000  
Feet





Highway 1 and includes most of the primary watershed for the Carmel River, which runs the entire length of the planning area. The River, its tributaries and the Valley aquifers supply a major part of the Monterey Peninsula with water.

Carmel Valley is a major northwest-southeast trending valley that is bounded by the California coastal range with elevations ranging from just above sea level at the valley floor to over 2,000 feet. This Valley is a scenic area with major views from Carmel Valley Road and Laurels Grade corridors. Generally views in the project area are to the south and southeast looking out towards the steep vegetative slopes of Big Sur. Views from the site include the riparian vegetation of the Carmel River and slopes of the Fish Ranch and the Big Sur Land Trust holdings to the south.

Carmel Valley is part of the North Central Coast Air Basin, which attains all Federal standards but has moderate non-attainment for ozone (O<sub>3</sub>) and for particulates (PM<sub>10</sub>) at the State level. It has a moderate, Mediterranean-type climate with warm, dry summers and mild, rainy winters. Terrain and regional climatic patterns create inversion layers in the valley for a significant part of the year.

Project Area. This site is approximately ½ mile east of Highway One and ¼ mile east of Carmel Rancho Boulevard/Carmel Rancho Shopping Center. Carmel Valley Road borders the northern edge of the subject site. Val Verde Drive borders the eastern edge of the site and extends from Carmel Valley Road about ½-mile south to Rio Road.



Photo #1; Val Verde @ Carmel Valley Road



Photo #2; Val Verde Drive, looking north

Carmel Valley Road is a major roadway that provides access to the upper valley from Highway One. The 1955 subdivision of Lot 14 of the Hatton Partition established Val Verde Drive as a cul-de-sac from Carmel Valley Road. When development along Rio Road connected to Val Verde Drive, the access from Val Verde Drive to Carmel Valley Road was blocked with a barricade (Photo #1). Since Carmel Valley Master Plan policies restrict access to Carmel Valley Road due to safety concerns related to heavy traffic conditions, access to the project is designed to use Carmel Valley Road for emergency access only.



Photo #3; Val Verde @ Rio Road



Photo #4; Val Verde south of Carmel Valley Rd.

Val Verde Drive is a private, road within a 60-foot wide right-of-way extending from Rio Road to Carmel Valley Road (Photo #2). It consists of 1-lane (about 12 feet wide) that is unpaved except for the southern 100 feet near Rio Road (Photo #3). Currently the dirt road portion of Val Verde Drive terminates at the southeast corner of the site where there is a large grove of willow trees (Photo #4). A number of mature cypress, pine and oaks are growing within the Val Verde Drive right-of-way and along Carmel Valley Road.

The site generally slopes down from Carmel Valley Road south toward Rio Road and the Carmel River. The southern end of the site has some steep grades (30%+) that drop down into a swale (Photo #5). Parcels south of the project site, the southwest corner of the subject site, and the area where Val Verde intersects with Rio Road are located within the 100-year floodplain (Zone A8) of the Carmel River. A tie-back levee has been created at the east end of Rio Road to reduce the risk of flooding for this area (Photo #6).

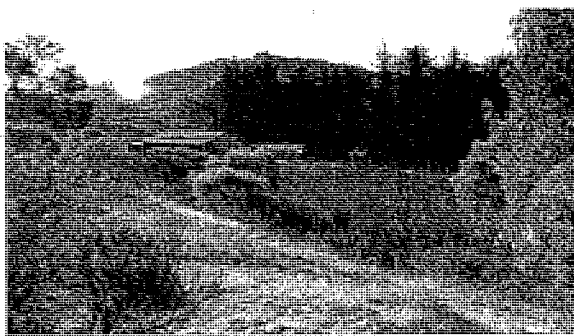


Photo #5; Swale @ south end

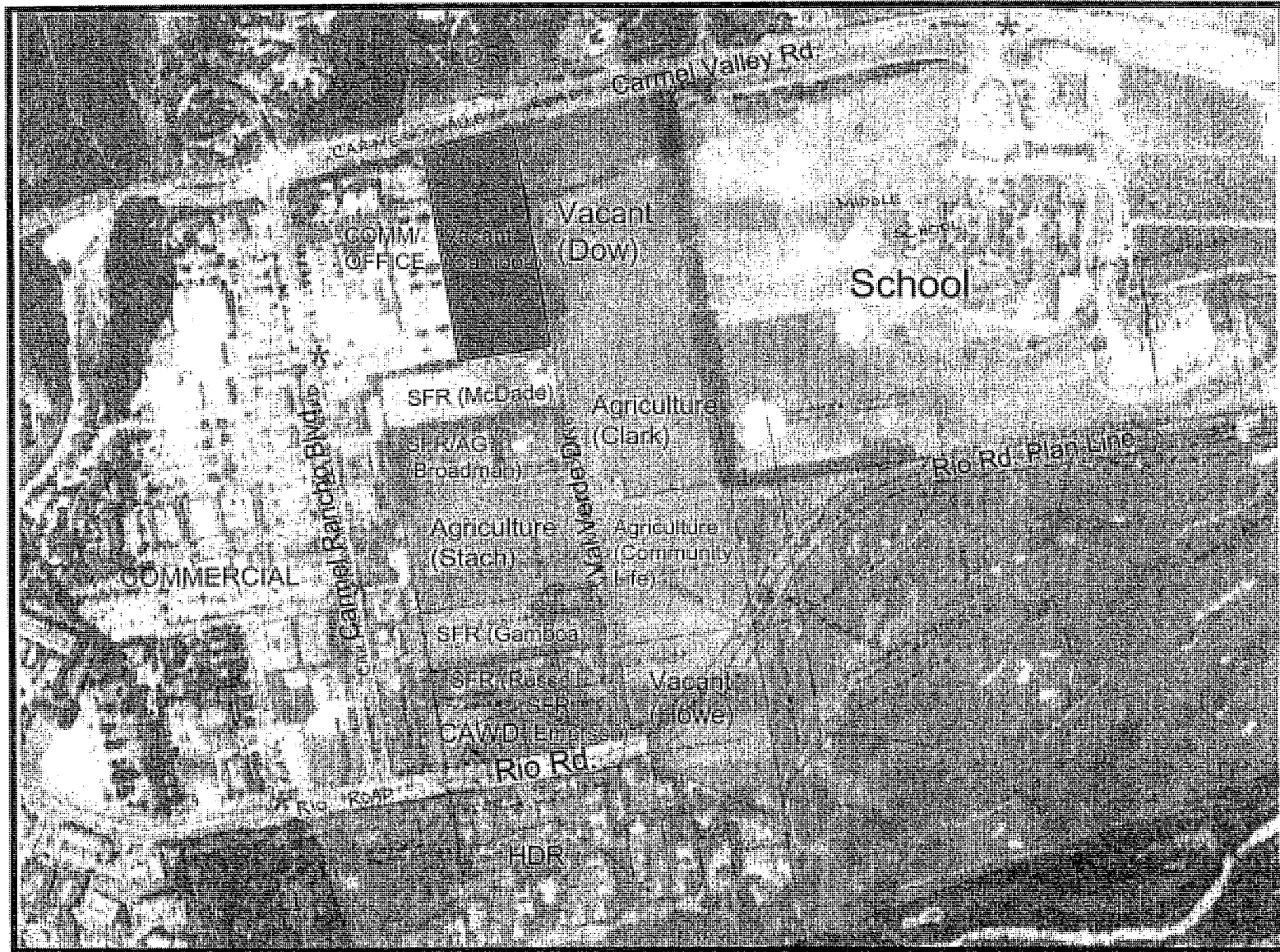


Photo #6; Rio Road tie back levee

Improvements to the area have created a drainage swale that runs from Carmel Valley Road down the Val Verde Drive easement and then west toward the shopping center. The lower part of this swale area contains a large area of dense vegetation including willows, oaks and pines with vines underneath. Drainage continues south along the eastern edge of Val Verde Drive to a swale with dense vegetation located at the intersection of Rio Road and Val Verde Drive (Photo #3).

Surrounding Land Uses. An aerial photo illustrating the surrounding land uses is included as Figure 3 (following this page). Properties to the north, across Carmel Valley Road, are developed with residential uses at a density of 2.5/unit acres (Photo #1). Properties south of the project site that front onto Val Verde Drive consist of five, smaller, single family

# SURROUNDING LAND USE



homes on larger lots intermingled with some agricultural uses. Large, undeveloped, lots with fallow agriculture and active agricultural uses are located along the east side of Val Verde Drive (Photos #2 and 7).

A community hall, activity center project called "Community Life Center" has a use permit, but not building permits, allowing development of a 30,000 square foot facility on the east side of Val Verde Drive south of the project site (PLN965481). A line of Cypress trees are located along the eastern edge of the agricultural uses, which borders the Carmel Valley Middle School (Photo #7). There is a drainage swale along the west edge of the school that channels water from the foothills north of Carmel Valley Road to a point at the south end of the school where the water then sheet flows across what is now fields.



Photo #7; View east toward school



Photo #8; Access to Carmel Rancho Boulevard

A townhouse development is located south of Rio Road and the Rancho Canada Golf Course is located across the Carmel River to the south. Immediately west of the site is a planned commercial development along Carmel Rancho Boulevard. A 2-story office building, hardware store and car wash are located on the property immediately west of the project site. Vehicle and pedestrian access for the project would be created between the 2-story building and the car wash (Photo #8), which will require some modification of this parking lot.

## E. ANALYSIS OVERVIEW

Carmel Valley Master Plan. This 4.5-acre site is located in the Lower Valley Area of the Carmel Valley Master Plan. Maps associated with this plan identify that this area has the potential for very high geologic hazards, high archeology sensitivity, and that the area is visually sensitive. A quasi-public use such as the assisted care facility is an allowed land use under the Carmel Valley Master Plan provided the project conforms with criteria related to noise, aesthetics, access, character, and plan policies. Public controversy has been expressed over this project relative to land use, water, traffic, and aesthetics. A site inspection by staff identified potential biological issues within areas of dense vegetation that have grown within a drainage channel on and adjacent to the southern boundary of the site.

Water. Water within the Carmel Valley is significantly limited due to an existing over-draft condition of the Carmel River. In 1993, the Board of Supervisors adopted a water

allocation plan for the unincorporated areas of Monterey County. This plan established priority uses that could apply for a total of 63.71 acre feet of water based upon the Monterey Peninsula Water Management District's water allotment system within its jurisdiction. This water was available as a result of the Paralta well being brought on-line.

In 1994, the Board allocated 4.8-acre feet of water to part of the Carmel Greens project that included 24 units of affordable, senior housing. However, the Carmel Greens project was denied. In addition, the proposed project (PLN00357/Gamboa) changes the scope of development from the 24 units of affordable housing for seniors in the Carmel Greens project to 64 market-rate, units (78 beds) with no affordable component. Therefore, the County determines that this 4.8-acre feet of water is available for allocation to any project that qualifies under the County's allocation plan.

On December 11, 2001, the Board of Supervisors adopted Resolution No. 01-497 amending the water allocation plan's list of priority land uses to include "assisted care living facilities". The resolution did not approve any particular project; therefore, any project on this list would be eligible to request allocation of available water under the allocation plan. Although allocation of the water is subject to Board of Supervisor action, this study assumes an allocation of 4.8 acre feet of water per year for purposes of evaluating impacts of this project.

The Monterey Peninsula Water Management District has established a water demand factor of 0.085 acre feet/water/bed/year. A number of water conservation devices are proposed for this facility to reduce the water demand. In addition, the project includes dual-plumbing to allow a graywater system for exterior irrigation. Any credit for such devices/systems is subject to review and approval of the Monterey Peninsula Water Management District; and therefore, is not included as part of this evaluation. In addition, this would be the first graywater system for this type of facility in Monterey County.

Project Reports. The subject property was separated from what had been the Carmel Greens project. In December 2000, an application for an assisted care living facility was submitted on the subject site. Since the subject site was included in the environmental impact report (EIR) for Carmel Greens, some information that was prepared for that project (e.g. archaeology) has been included as part of the analysis for the proposed assisted care project. Professional reports regarding geotechnical and traffic were used as a basis for project specific studies.

The traffic engineer, Higgins and Associates, prepared traffic reports for the Carmel Greens EIR and the Presbyterian Church facility located on Val Verde Drive. In December 2000, Higgins and Associates used the earlier reports as a basis with updated information to address proposed project conditions using Val Verde Drive and Rio Road. A new letter (May 2004) from this traffic engineer, assesses taking access through a shopping center to a signalized intersection on Carmel Rancho Boulevard as opposed to using Val Verde Drive to Rio Road.

An initial water demand analysis prepared in March 2001 was updated in January 2003 to address issues presented to the Board of Supervisors. Although this report concludes that the project will not exceed the 4.8 acre foot limit using conservation devices, the Monterey Peninsula Water Management District is the authority to apply credit ("special circumstance") for conservation devices. Since Monterey County's action precedes the Water District Board review, the County's analysis does not apply credit for the water conservation devices.

Since the last initial study was completed in February 2003, the County of Monterey has continued to receive information relative to a graywater system. Plans for a system that includes rainwater back wash and ozone treatment were submitted in May 2004.

The applicant also submitted a market analysis to address the need for the services that would be provided, should this project be approved. Although economics is not directly part of CEQA, some components of this report help address land use and housing issues that are part of CEQA.

Initial Mitigated Negative Declaration. An initial study was circulated from August 22, 2002 to September 25, 2002. Copies of this Initial Study were sent to local agencies as well as the State Clearinghouse for distribution (SCH#: 2002081124). In addition, a number of comments were submitted addressing the project back in 2001 as the project underwent some initial reviews. Comments were also received during the public hearing process.

Comments from Monterey Bay Unified Air Pollution Control District and County Service Area #50 were received prior to a hearing before the Planning Commission on October 9, 2002. These comments identified environmental issues in the draft IS/MND. Additional comments regarding issues in the draft document were presented by the public and Commissioners at the October 9<sup>th</sup> Planning Commission hearing. These comments are summarized in the minutes from that meeting. Following that hearing staff also identified additional entitlements and project issues that had not been considered in the draft mitigated negative declaration. These issues are summarized in a staff report to the Planning Commission dated November 13, 2002.

Following an appeal hearing in January 2003, the Board of Supervisors for Monterey County determined that a new initial study should be prepared and circulated based on a more detailed review of the available data. Although the revised IS/MND (February 2003) addressed comments received during the initial review process, additional issues were raised. The Board determined that issues relative to traffic, water and graywater needed to be resolved before taking final action.

New Environmental Review. In response to the Board's direction, the applicant revised the circulation to take access from Carmel Rancho Boulevard. Emergency gates would be located along Val Verde Drive to restrict access north or south of the project site. Initially graywater was viewed as one of a number of options for mitigating water

impacts should the project approach the 4.8 acre foot limit. Additional work was completed regarding a graywater system that is now considered part of the entitlements this project. This new IS/MND (June 2004) evaluates the revised project and its potential impacts.

#### F. SUMMARY OF IMPACTS

This project has a number of potential impacts to the environment. Potentially significant short term impacts relative to construction and grading were identified for noise and air quality. Additional impacts were identified relative to lighting (aesthetics), biology, drainage and flooding (hydrology), traffic, and water (utilities). Plans have been revised and additional information provided to address these issues. However, water remains to be a significant issue and actual allocation is subject to approval by the Board of Supervisors and the Monterey Peninsula Water Management District.

This document finds that although potentially significant impacts are identified, all impacts can be mitigated to a level of insignificance. Also, the revised project design with attached conditions addresses issues and reduces potential impacts.

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

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

General Plan/Area Plan	<input checked="" type="checkbox"/>	Air Quality Mgmt. Plan	<input checked="" type="checkbox"/>
Specific Plan	<input type="checkbox"/>	Airport Land Use Plans	<input type="checkbox"/>
Water Quality Control Plan	<input checked="" type="checkbox"/>	Local Coastal Program-LUP	<input type="checkbox"/>

General Plan/Area Plan: The project site is designated as Low Density Residential (5-1 Ac/Unit) in the Carmel Valley Master Plan (Area Plan) for the Monterey County General Plan. Policy 31.1.3.1 of the Carmel Valley Master Plan allows quasi-public uses in any zone provided that the project meets five criteria relative to view, noise, access, design, and meeting other plan policies. The low density residential zoning regulations allow quasi-public uses subject to a use permit. The Planning Division interprets an assisted care living facility to be a quasi-public use, subject to conforming to the five criteria. **CONSISTENT**

Water Quality Control Plan: Monterey County is included in the Central Coast Regional Water Quality Control Board – Region 3 (Regional Board), which extends from Santa Clara County to northern Ventura County. The Regional Board regulates the sources of water quality related problems which could result in actual or potential impairment or degradation of beneficial uses or degradations of water quality. The Regional Board regulates both point and non-point source discharge activities through control actions that are set forth for implementation by the State Water Resources Control Board, by other agencies with water quality or related authority, and by the Regional Board. The Monterey County Water Resources Agency has reviewed the project relative to runoff and

drainage for the area (See Section IV-8). Monterey County Environmental Health Division has reviewed the project relative to graywater, water use and waste treatment (See Sections IV-7 and -16). Both County agencies conclude that the project conforms with State and local laws. **CONSISTENT**

Air Quality Management Plan (AQMP): The 2000 Air Quality Management Plan for the Monterey Bay Region (AQMP) prepared by the Monterey Bay Unified Air Pollution Control District (MBUAPCD) addresses the attainment and maintenance of state and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB). The Association of Monterey Bay Area Governments (AMBAG) has determined that the proposed project is consistent with the AQMP. Measures applied to this project will provide AQMP consistency related to short-term construction activity. Project consistency with the AQMP is evaluated in more detail in Section IV-3 (Air Quality). **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 checked="" type="checkbox"/> Agriculture Resources   | <input checked="" type="checkbox"/> Air Quality            |
| <input checked="" type="checkbox"/> Biological Resources        | <input checked="" type="checkbox"/> Cultural Resources      | <input checked="" type="checkbox"/> Geology/Soils          |
| <input checked="" type="checkbox"/> Hazards/Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input checked="" type="checkbox"/> Land Use/Planning      |
| <input checked="" type="checkbox"/> Mineral Resources           | <input checked="" type="checkbox"/> Noise                   | <input checked="" type="checkbox"/> Population/Housing     |
| <input checked="" type="checkbox"/> Public Services             | <input checked="" type="checkbox"/> Recreation              | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input checked="" 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

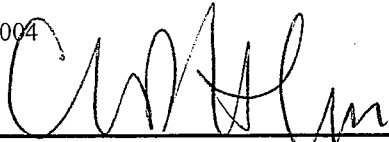
**FINDING:** For the above referenced topics that are not checked off, there is no potential for significant environmental impact to occur from either construction, operation or maintenance of the proposed project and no further discussion in the Environmental Checklist is necessary.

**EVIDENCE:** This project is located in an environmentally sensitive area of the Carmel Valley. In addition, significant public controversy has been expressed over this project. Therefore, all environmental issues have been addressed in the Environmental Checklist - Section VI.

## **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

June 14, 2004

Date

Carl P. Holm, AICP

Printed Name

Senior Planner

Title

## 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, and 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
<b>Would the project:</b>				
a) Have a substantial adverse effect on a scenic vista? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: 1,2,3)	<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: 1,3)	<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: 1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION:** County resource maps for the Carmel Valley Master Plan (CVMP) identify this area to be visually sensitive, which is the reason why the site is located in Site Plan Review and Design Control zoning districts. Policy 31.1.3.1 of the CVMP

states that quasi-public facilities are allowed in any zone subject to meeting five criteria. One of the criteria is for the facility to be low visibility.

Criteria. Monterey County prepared a Carmel Valley Visual Study in order to establish a format for objective review of policies as they relate to viewsheds. This Study identifies the features as being "key scenic features" that are chiefly responsible for the rural quality of Carmel Valley. Examples of critical viewsheds identified in the Carmel Valley Visual Study for the project area include the unlit nightscape, view of Carmel River and its riparian vegetation, and agricultural open space on the Carmel Valley floor. Features applicable to the subject project include the Carmel River and its riparian vegetation, fields being row cropped, and open space with natural vegetation.

Visual character (including aesthetics, design, and view corridors) is subjective in nature and thereby subject to individual interpretation. When discussing views under CEQA, the review is directed more at the general public and not any one person's individual view. According to the CVMP, "quality of views" is defined as the interrelationship between natural landforms and vegetative masses. Large areas of the valley qualify as high-quality natural visual settings, although a number of areas have been adversely affected by poorly sited or unscreened development.

Visual Setting. The project site has no scenic trees or rock outcroppings and the site is not part of a scenic vista that could be impacted by development. State Highway One is located about ¼-mile west of the site. There are no existing buildings and the site is screened from view from the highway by an existing, 2-story, commercial development.

The public view corridor in this area is generally from Carmel Valley Road to the south towards the valley floor and river with a backdrop of steep slopes of the Santa Lucia Mountains. Major public views are available primarily from places along Carmel Valley Road, which is a designated County scenic road. The project area, adjacent to Carmel Valley Road and Val Verde Drive, is predominately comprised of open, agricultural fields.

Lands in active agriculture production are considered a key scenic feature of the critical viewshed. There are only two properties on Val Verde Drive currently in active row crop production and one has an approved use permit to develop a 30,000 square foot Community Life Center. The project site has not been used for agricultural purposes and the site immediately east of Val Verde is a fallow agricultural property that had previously been row crops.

East of the fallow agricultural land is the Carmel Middle School with ball fields and a line of cypress trees along the edge closest to the project area. The Carmel River and its associated riparian corridor is located beyond the agricultural fields. Tall trees, brush and vegetation line both sides of the river edge. Riparian lands along the Carmel River as well as the undeveloped slopes of the Palo Corona Ranch to the south are also considered key scenic features and critical viewshed. North of the site, across Carmel Valley Road, is large lot subdivisions to the west is commercial development.

Visual Analysis. The project site slopes south away from Carmel Valley Drive and the closet building (Building 1) is set back a minimum of 100 feet from Carmel Valley Road (Policy 40.2.1.1 CVMP). There are a number of mature trees (oak, pine, cypress) that are 25-30 feet tall along the edge of Carmel Valley Road, which is located at an elevation of 56-57 feet.

The finished floor of Building 1 (closest to Carmel Valley Road) would be at the 50-foot elevation and Buildings 2 and 3 step down behind Building 1 with finished floor elevations of 47 feet and 44 feet, respectively. All of the buildings are proposed to be 22-foot tall, which meets the 24-foot height limit measured from the average natural grade. This means that the tallest point would be about 15 feet above Carmel Valley Road.

A key element for the visual character is linked to native vegetation associations and their aesthetic value, and which also provides habitat for the wildlife. There is an existing grove of willow trees located at the southeast corner of the site that would be removed as a result of improvements to the site and Val Verde Drive. A biology report was prepared for this site and found no significant impact to biological resources provided that certain mitigation measures are applied. These issues are discussed further in Section IV(4)-Biological Resources of this document.

#### **IMPACT ANALYSIS/MITIGATION:**

**Less Than Significant (Aesthetic Impact 1) – Scenic Vista.** Staking and flagging was used to help visualize the height and mass of the proposed development. The tallest point of the buildings would be 15 feet higher than the finished elevation of Carmel Valley Road. Since the trees along Carmel Valley Road at 25-30 feet tall, views of the Carmel Valley and Santa Lucia mountains will not be impacted beyond existing conditions.

**Less Than Significant with Mitigation (Aesthetic Impact 2) – Visual Character.** Landscaping “adds” to the visual character of a project with a diverse composition of vegetation species. This project design includes combinations of arbors and landscape areas that are located in areas to soften the visual appearances of buildings and parking areas. The applicant proposes to install an orchard in the front 100-foot set back to resemble other properties further up along Carmel Valley Road.

Policy 7.2.1.3 (CV) indicates a desire to use natural vegetation in conjunction with appropriate site design. Existing trees and plants around the site provide a mature visual character that should be continued within the proposed development where possible. Mature plants help add screening of the proposed new structures and its light sources plus use of appropriate native plant materials helps to stabilize soils.

Retaining existing mature trees will help to provide immediate mitigation for the parking lot lighting. In addition, replanting the detention pond areas with willows will provide both aesthetic and biological mitigation for the project and willows are fast growing trees with appropriate irrigation to get them started. The Sheriff Department’s standards for Crime

Prevention through Environmental Design (CPTED) can help to provide guidelines how to balance these issues.

Section 8-Hydrology identifies that this project includes storage tanks for graywater and rainwater (cistern). Plans include a design to place all storage tanks underground. Therefore, there would be no visual impact.

**Mitigation Measure 1:** In order to reduce lighting impacts and preserve the visual character of the area, the developer shall submit Landscape Plans prepared by a licensed Landscape Architect that:

- Identify the location, species and size of the proposed landscaping material.
- Include species that are botanically appropriate to the area, including but not limited to Monterey Pine, Cypress, and Oak trees.
- Include planting of arroyo willows and other riparian associated species around both detention ponds.
- Identify all existing trees within the project area including the site, Val Verde Drive right-of-way, and along Carmel Valley Road. Indicate all trees to be removed.
- Retain the 26-inch pine along the south property lines plus all of the mature trees along Carmel Valley Road.
- Provide a mix of mature plants and species to screen or soften the visual impact of new development.
- Provide notes on the plans to eradicate invasive vegetation for areas on or near the project area including on-site, within the right-of way adjacent to the project site, along the Carmel Valley Road frontage, and along Rio Road.
- Address Sheriff Department standards for Crime Prevention through Environmental Design (CPTED).

**Monitoring Action 1A:** At least three weeks prior to occupancy, the applicant/owner shall submit a Landscape and Irrigation Plan, with the required review fee, for review and approval of the Director of Planning and Building Inspection and Monterey County Sheriff.

**Monitoring Action 1B:** Prior to occupancy, the applicant/owner shall install landscaping in accordance with the approved Landscape and Irrigation Plan to the satisfaction of the Director of Planning and Building Inspection.

**Monitoring Action 1C:** On going, the applicant/owner shall maintain landscaping in accordance with the approved Landscape and Irrigation Plan to the satisfaction of the Director of Planning and Building Inspection.

**Less Than Significant with Mitigation (Aesthetic Impact 3) – Light and Glare.**  
There is one single family home located immediately south of the project site with a few other homes located further south along Val Verde Drive. The project site is located adjacent to commercial development (west) that has external lighting for security.

The proposed project would include security lighting for the buildings and parking lot areas, ornamental lighting around the site, plus internal lighting. In addition, the proposed buildings would contain some reflective surfaces (e.g.; windows). Any new source of light and/or glare would be considered a significant increase for the existing residents since the project site is currently vacant. While there is a need to provide lighting for safety, there is also a need to limit lighting to the minimal amount necessary to protect the nighttime views of the area.

Street lights on public or private roads are not required unless there is a demonstrated nighttime accident problem that can be corrected with lighting. At this time there is no record of such accident history on Val Verde Drive and the project has been designed to avoid use of Val Verde Drive. In addition, the project has been designed to avoid using Val Verde Drive. Therefore, street lights are not deemed necessary for this project.

East of the site is fallow agricultural land and then a school. Lighting from the proposed project would not be a significant impact to the commercial and school properties.

**Mitigation Measure 2:** In order to reduce lighting impacts and preserve the nighttime views of the area, the applicant shall submit a Lighting Plan including photometrics for the site for review and approval by the Director of Planning and Building Inspection and the Monterey County Sheriff. Said plan shall include, but not be limited to:

- Low intensity lighting with 90-degree cut-off shields for all exterior light fixtures.
- No light source shall extend beyond the project boundary.
- Parking lot lights shall not exceed 14 feet in height.
- Incorporate landscaping to screen glare from surrounding areas and meet Sheriff Department standards for Crime Prevention through Environmental Design (CPTED).

**Monitoring Action 2A: Prior to issuance of any building permit,** the applicant/owner shall submit a Lighting Plan for review and approval of the Director of Planning and Building Inspection and Monterey County Sheriff.

**Monitoring Action 2B: Prior to occupancy,** the applicant/owner shall install lighting in accordance with the approved Lighting Plan to the satisfaction of the Director of Planning and Building Inspection.

**CONCLUSION:** Construction will result in permanent alteration of views of fields planted in row crops and a partial view of the Carmel River corridor. The Carmel Valley Master Plan Visual Study defines these features as key scenic features and critical viewshed components. Existing trees serve to obscure these views in their current condition and an existing use permit to replace row crops with a 30,000 square foot Community Life Center would further obscure these views. The proposed project would increase light and glare within a residential neighborhood that could create a potentially significant impact to the nighttime conditions for this area.

*Mitigation includes landscaping that retains existing trees complimented with strategic new landscape consistent with the visual character of the area. Designing lighting with landscape screening will reduce potential aesthetic impacts to a level of insignificance.*

**2. AGRICULTURAL 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.

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: 1,2,3,5)	<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, 2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Source: 1,2,3,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION:** The project site is located at the mouth of the Carmel River Basin and as such, the area has good agricultural soil. This 4.5-acre parcel is currently zoned for low density residential uses under the Carmel Valley Master Plan, which does allow for some limited agricultural uses. The Williamson Act requires a minimum of 100 acres and this site would be too small to be considered unless part of a conglomerate of parcels.

The site has never been used for agricultural production other than a dry, open, pasture for horses. Invasive vegetation has gained a foothold and established itself over about 50% of the parcel. The property immediately east of the project site is fallow agriculture.

Surrounding properties include a mix of small single family homes on larger parcels with equestrian and limited agricultural crops. Some properties include cottage industry uses with agricultural plantings of flower and vegetable specialties. One of the two parcels on Val Verde Drive currently used for agricultural crops has a use permit to allow development of a 30,000 square foot quasi-public facility known as the Community Life Center.

There is an organic farm operating within 600 feet of the subject parcel. Policy 4.2.5 requires that development in the Carmel Valley be planned to minimize effects on the adjacent agricultural soils. Val Verde Drive would serve as a buffer along the eastern



edge of the project site and the project has been re-designed to avoid use and/or improvement of Val Verde Drive. The Carmel Middle School is located approximately 400 feet east of the subject site and borders the agricultural properties in this area.

**IMPACT ANALYSIS/MITIGATION:** No mitigation is required for this issue due to the limited size and nature of the lots.

**CONCLUSION:** New development of Val Verde Drive and the project site will increase development pressure of agricultural lands in this area. However, the few 5-acre parcels in this neighborhood used for agricultural purposes are bordered by commercial and residential development. *Therefore, the potential impacts to agricultural resources are determined to be less than significant.*

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**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: 1,6,7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 1,6,7,12)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: 1,6,7,12)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in significant construction-related air quality impacts? (Source: 1,6,20)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: 1,3,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION:** Air quality standards are adopted by state and federal agencies to protect public health, vegetation, materials and visibility. This project is within the Monterey Bay Unified Air Pollution Control District ("Air District"). The Air District follows the 2000 CEQA Air Quality Guidelines for the North Central Coast Air Basin (AQMP), which is comprised of Monterey, Santa Cruz and San Benito Counties. The AQMP specifies the air

quality standards for the basin (Federal and State) and provides data regarding the historic compliance with air quality standards of each of the monitoring stations. This is an advisory document intended to provide uniform procedures for assessing potential air quality impacts and preparing the air quality section of environmental documents.

AQMP Consistency. The 2000 AQMP concludes that the North Central Coast Air Basin remains on the borderline between attainment and non-attainment in part due to variable meteorological conditions occurring from year-to-year, transport of air pollution from the San Francisco Bay Area, and locally generated emissions. Determination of project consistency with the 2000 AQMP is necessary to identify project impacts on air quality, and to meet Federal and CEQA requirements. The Plan includes population forecasts that are based on vacant land, General plan land use designations, development potential and expected annual rates of growth.

For a proposed residential type of project, consistency with the AQMP is determined by comparing the project population with the population forecasts for the applicable jurisdiction and year of project completion. A proposed project is consistent with the AQMP if the population increase resulting from the project will not cause the estimated cumulative population to be exceeded for the year of project completion.

The Association of Monterey Bay Governments (AMBAG) conducted a project consistency analysis on October 22, 2002. Cumulative impacts were determined by adding the 78 new residents (assuming 100 percent occupancy) to growth from approved projects expected to be constructed during the 2000-2005 period. Cumulative growth in unincorporated Monterey County includes data on subdivisions approved since 2000, assumed average household size of 2.94 persons per dwelling unit (State Department of Finance, May 2002), and the latest applicable vacancy rate (8.93% based on Dept. of Finance, May 2002). Based on these assumptions, AMBAG concluded that that growth associated with the Gamboa/Sunrise Assisted Living Care Facility (820) less than the increase in population between current estimated and forecasted population in 2005 (1,944) is consistent with the 2000 AQMP.

Criteria. A checklist to help determine if a project may have significant impacts is included in Figure 5-1 of the AQMP. The Air District encourages analysis of construction impacts by emphasizing implementation of effective and comprehensive control measures rather than detailed calculation of emissions. Except for VOC and NO<sub>x</sub> emissions from construction equipment, the AQMP recommends quantification of both construction and operational emissions to determine if a project would trigger thresholds of significance. The Air District has established that a project involving more than 2.2 acres of excavation or 8.1 acres of grading per day would potentially exceed State standards for PM<sub>10</sub>.

Ozone. The project includes an ozone generator as part of the graywater system. This is described and discussed in Section VI-7 (Hazards).

Road Improvements. Val Verde Drive is currently a 1-lane, unpaved, private, road. The proposed project would include improving a portion of Val Verde Drive from the entrance to Carmel Valley Road for emergency access only. Since the project will not access Rio Road and the portion of Val Verde Drive south of the site is not necessary for emergency access, that segment would remain unimproved. Locked gates would be used to restrict general traffic from using Val Verde Drive in either direction.

Using the Carmel Rancho Boulevard access would reduce levels of Particulate Materials (fugitive dust or PM<sub>10</sub>) from the original proposal that involved accessing the site via Val Verde Drive. Higgins and Associates generated a traffic report in December 2000 to assess impacts from a project that involved using Val Verde Drive for access. This report indicates that there would be no significant traffic impacts by the project on the level of service for surrounding roads. As such there would be no significant impact to air quality resulting from this new traffic.

An addendum was prepared in May 2004 to evaluate changes in impacts to revise the current design to access the site from Carmel Rancho Boulevard where there is a signalized intersection. The revised design to access the site from Carmel Rancho Boulevard rather than Val Verde Drive would not alter this finding.

#### **IMPACT ANALYSIS/MITIGATION:**

**Less Than Significant with Mitigation (Air Quality Impact 1) – Construction.** The proposed project would include grading of about 3,000 cubic yards based on the Site Plan. A Grading Plan with more detail and identifying the amount of cut and fill proposed is required at the time construction plans are submitted. Although the applicant has indicated that the grading would be balanced on-site, site plan information (e.g.: topography and finished floor elevation), illustrates that the project could involve fill activity to raise the southern end of the site. In addition, the geotechnical report identifies the need to import “non-expansive” soils for this project.

The actual quantity of imported fill material that will be required has not been identified. The average capacity for trucks transporting soil is 10 cubic yards, or 20 cubic yards when a second bed is attached. Importing material would create short-term truck traffic that would access the site from Rio Road to Val Verde Drive.

Grading and excavation activity for the proposed project would create short-term air quality impacts including:

- Particulate Materials (fugitive dust or PM<sub>10</sub>) from clearing and grading activities on-site as well as improvements to Val Verde Drive.
- Exhaust emissions and potential odors from the construction equipment used on-site as well as the vehicles used to transport materials to and from the site; and exhaust emissions from the motor vehicles of the construction crew.

The District’s 2000 CEQA Air Quality Guidelines recommend mitigation measures to address projects that could have a significant impact on air quality. Potential impacts from the proposed project are limited to the construction activity relative to particulate

matter and fugitive dust. The threshold for potential significance impacts on ozone from this type of development would be approximately 1,400 rooms/units. The proposed project includes 64 rooms with 78 beds, which is well below this threshold.

**Mitigation Measure 3:** To reduce short-term, localized air quality impacts due to dust generated during site preparation/construction and exhaust from construction vehicles, the applicant shall submit a program for how air quality control measures will be implemented during construction activities. Said plan shall include, but not be limited to the following:

- a. Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil condition, and wind exposure.
- b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard.
- c. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites to the satisfaction of the Director of Planning and Building Inspection.
- d. Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
- e. Cover stockpiles of debris, soil, sand or other materials that may be blown by the wind.
- f. Sweep construction areas and adjacent streets of all mud and dust daily or as needed.
- g. Landscape or cover completed portions of the site as soon as construction is complete in that area.
- h. Grading activity shall not exceed 2.2 acres of excavation or 8.1 acres of grading per day.

**Monitoring Action 3A. Prior to issuance of a grading permit,** the applicant/owner shall submit a program with the grading and building plans identifying how all air quality control measures will be implemented throughout construction. Said plan shall be subject to review and approval of the Planning and Building Inspection Department.

**Monitoring Action 3B. During Construction,** the applicant/owner shall implement all air quality control measures to the satisfaction of the Planning and Building Inspection Department.

**CONCLUSION:** The project is consistent with the 2000 AQMP. Based on the project's traffic data, there would be no impact from increased vehicle traffic. Construction activity including the improvements to Val Verde Drive has the potential to create short-term impacts due to dust and equipment emissions. *Mitigation measures requiring the project to follow all required applicable air quality standards and practices would reduce potential impacts to a level of insignificance.*

4. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
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: 1,2,3,5,15)	<input type="checkbox"/>	<input checked="" 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: 1,2,3,5,15)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: 1,5,15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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: 1,5,15)	<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: 1,2,3,4,15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: 1,2,3,4,5,15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION:** The parcel has been plowed and grazed for years as a dry, open, pasture for horses. As a result, most of the site is covered with invasive plants species such as pampas grass and eucalyptus. However, a significant stand of arroyo willows is located in the southeast corner of the site where runoff drains from Carmel Valley Road. Proposed plans indicate that all current vegetation would be removed and the site graded as part of this application.

A Biological Assessment of this project site was completed by Dale Hameister from the Rana Creek Habitat Restoration on January 23, 2003 (Exhibit A). Mr. Hameister has 4.5 years experience preparing biological assessment reports, mitigations and restoration plans, rare species recovery plans, and surveys for rare and endangered species.

Master Plan. Policies of the Carmel Valley Master Plan relative to this project include; 7.1.1.1 (preserve areas of biological significance as open space), 7.1.1.2 (preserve critical habitat as open space), and 7.2.1.2 (maintain existing vegetation as much as possible). Policy 7.2.2.5 notes to discourage removal of oaks. Although there are multiple trees located within right-of-way, proposed road improvements will avoid these trees.

A landscape plan is required with the development proposal to mitigate aesthetic impacts (Mitigation Measure 1). Policy 7.2.2.1 requires the use of plant species that are botanically correct with the area. Including a mitigation measure that requires the use of plants that are native to this area would follow this policy and create new potential habitat for animals that rely on this habitat.

Biological Setting. Out of a total of 57 plant species identified on the property, 48 were found to be non-native. The majority of the property is considered ruderal and is dominated by invasive, non-native vegetation where the site has previously been disturbed. The project area (site, Val Verde Drive, and Carmel Valley Road frontage) contains multiple tree species including Coastal Live Oaks, Monterey Pines, eucalyptus, several cypress, and arroyo willows.

This area was evaluated for wetland habitat using the Army Corp of Engineers “three-parameter test”. These three parameters are hydrophytic vegetation, hydric soils, and wetland hydrology. The biology assessment found that the site does not include a jurisdictional wetland because the willow area has no areas of ponding water, the soils are not typical hydric wetland soils and there is no wetland hydrology.

The low diversity of the site and domination of non-native weedy plants provide very little food and habitat for wildlife. During site visits by the project biologist, he observed several bird species including rock dove, European starling, ash-throated flycatcher, and American crow.

#### **IMPACT ANALYSIS/MITIGATION:**

**Less Than Significant (Biology Impact 1) –Oak Trees.** Field reviews by staff found a number of oak and other trees that meet a landmark type of criteria for preservation. However, the Carmel Valley Master Plan policies limit protection to oak, redwood and madrone trees. Trees meeting this criteria are located within the easement for Val Verde Drive and along the frontage of Carmel Valley Road. The applicant has indicated that they would design the access road in a manner to avoid the significant oak trees within the Val Verde Drive right-of-way. No other trees in the project area are protected under current adopted plans, policies or regulations for this area.

**Mitigation Measure 4.** In order to avoid impact to significant oak trees protected under the Carmel Valley Master Plan, the applicant/owner shall provide plans to improve Val Verde Drive that include protection and avoidance of all significant oak trees in the project area to the satisfaction of the Director of Planning and Building Inspection. The

applicant/owner shall install fencing along the edge of the drip line of the oak trees to avoid impacting said trees during grading activity.

**Monitoring Action 4A. Prior to issuance of grading permits,** the applicant/owner shall submit Improvement Plans including the accurate location of the trunk and drip lines of all significant oak trees both within the site and within the right of way for Val Verde Drive and Carmel Valley Road to the Director of Planning and Building Inspection and the Director of Public Works.

**Monitoring Action 4B. Prior to issuance of grading permits,** the applicant/owner shall install fencing around the drip line of all significant oak trees to be maintained during construction to the satisfaction of the Director of Planning and Building Inspection.

**Less Than Significant (Biology Impact 2) –Dusky-Footed Wood Rat.** There are several Dusky-footed woodrat (California Species of Concern) nests in the under-story of the willows and oaks. As per recommendation of the California Department of Fish and Game, any nest found within a development area should be dismantled by hand before any heavy equipment is used to clear the site. This will allow the woodrats to escape and find new homes outside the project area.

**Mitigation Measure 5.** In order to allow the Dusky-footed woodrat to escape and find new homes outside of the building area, the applicant/owner shall consult with a qualified biologist to dismantle any nest found in or near the project area before any heavy equipment is used to clear the site.

**Monitoring Action 5. Prior to issuance of grading permits or any heavy equipment allowed on site,** a qualified biologist shall provide a report to the Director of Planning and Building Inspection that certifies the proper removal of all Dusky-footed woodrat nests within the project area.

**Less Than Significant (Biology Impact 3)–Nesting Birds.** All nesting birds, excluding non-native species, are protected by the California Department of Fish and Game Code (Section 3503 and 3801) as well as the Federal Migratory Bird Teary Act. The developer is responsible to survey for nesting birds prior to disturbance to assure that no nesting birds on or near the project area will be disturbed, particularly if tree removal and grading are scheduled to begin prior to August 1<sup>st</sup>. If nesting birds are discovered on or near the project area, the California Department of Fish and Game should be consulted regarding measures to avoid impact.

**Mitigation Measure 6.** In order to assure that no nesting birds are disturbed, the developer shall consult with a qualified biologist to survey trees on or near the project area for nesting birds, particularly if tree removal and grading are scheduled to begin prior to August 1<sup>st</sup>. If nesting birds are discovered on or near the project area, the applicant shall contact the California Department of Fish and Game regarding measures to avoid impacts.

**Monitoring Action 6. Prior to any tree removal and/or grading,** a qualified biologist shall provide a report to the Director of Planning and Building Inspection that certifies the proper removal of all nesting birds within the project area.

**Less Than Significant (Biology Impact 4)–Amphibians.** The property was surveyed for suitable habitat for “at risk” amphibians including the California Red-legged frog, the Yellow-legged frog, California Tiger Salamander, and Santa Cruz long-toed Salamander. None of these species were found and likely would not since there is no ponding water. However, a search of the known locations within the California Department of Fish and Game National Diversity Database of California Red-legged frogs found two recorded occurrences of 980 and 14,000 feet from the project site.

**Mitigation Measure 7.** To avoid attracting frogs during development, no vegetation removal shall take place while it is raining and precautions should be taken to prevent puddles on site. Following any rain activity, the Monterey County Planning and Building Inspection Department and a qualified biologist shall be immediately contacted by the responsible individual on-site. When contacted, the project planner and the biologist shall immediately visit the site to determine if any “at risk” amphibians are present. If any “at risk” amphibians are discovered, the biologist shall contact the California Department of Fish and Game to identify appropriate measures to avoid impacts before continuing operations.

**Monitoring Action 7. During Site Preparation and Grading,** the applicant and inspectors shall monitor the site to remove puddles of water. Following any rain activity, the responsible individual on-site shall halt all grading activity and contact the Monterey County Planning and Building Inspection Department and the project biologist who will visit the site and determine proper mitigation based on the findings.

**Less Than Significant (Biology Impact 5)–Arroyo Willows.** Approximately 0.98 acres in the southeast portion of the property and within the Val Verde Drive right-of-way is dominated by arroyo willow trees. The under-story includes non-native vegetation such as poison hemlock and English ivy. These trees apparently established themselves with irrigation runoff from the agricultural fields and Carmel Valley Road. The area generally drains to a drainage inlet installed for the commercial development to the west. This inlet is located within the 100-year floodplain at the southwest corner of the site.

**Mitigation Measure 8.** To replace the habitat of the arroyo willows that will be removed, arroyo willows and/or other riparian associated species shall be planted around the detention ponds to the satisfaction of the Director of Planning and Building Inspection.

**Monitoring Action 8A. Prior to Occupancy,** the applicant shall contact the Planning and Building Inspection Department for a representative to inspect the project area relative to compliance with Mitigation Measure 8.



**Monitoring Action 8B. Two years following occupancy,** a qualified biologist shall review the project site and provide the Director of Planning and Building Inspection with a report of site conditions relative to successful establishment of the riparian habitat around the detention ponds. Said report shall include recommended remediation of unsuccessful establishment where/if necessary. If remediation is determined to be necessary, the biologist shall verify the completion and effectiveness of said remediation in a manner consistent with this mitigation monitoring action.

**Less Than Significant (Biology Impact 6)–Invasive Species.** Invasive species have established on the site as a result of prior disturbance for agricultural uses. County policies direct projects to control the spread of invasive plant species in to enhance the natural habitat. Mitigation Measure 1 will reduce this impact to a level that is less than significant.

**CONCLUSION:** The proposed project has the potential to impact nesting, native birds and the Dusky-footed woodrat. No “at risk” amphibian species were found and likely would exist without ponding water on the site. While removal of the vegetation is not considered significant of itself, the removal of trees and habitat from the subject site could be considered potentially significant to the wildlife. *Potential impacts to biological resources can be reduced to a level of insignificance with mitigation.*

5. CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: 1,3,8)	<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: 1,3,8)	<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: 1,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Disturb any human remains, including those interred outside of formal cemeteries? (Source: 1,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION:** The site is located along the floodway fringe of the Carmel River. County resource maps for the Carmel Valley Master Plan identify the project area to be in a high archeology sensitivity area. A preliminary cultural resources reconnaissance was performed by Anna Runnings, M.A. in 1988 for the Carmel Greens project, which included the subject project site.

Background investigations included research of records and maps. The California Inventory of Historical Resources, California Historical Landmarks, and the National Registry of Historic Places did not identify any known cultural resources within or near the project area. There are no structures located on the site.

#### **IMPACT ANALYSIS/MITIGATION:**

**Less Than Significant (Cultural Impact 6)–Archaeological Resources.** A survey consisted of a general surface reconnaissance of all areas that could reasonably be expected to contain visible cultural resources without major vegetation removal or excavation. No materials frequently associated with prehistoric cultural resources in this area (shell fragments, dark soil, broken or fire-altered rocks, bone or bone fragments, flaked or ground stone, etc.) were observed during the field survey. In addition, there were no previously recorded sites in the immediate vicinity and none for the parcel itself. Although the study concludes that there is no evidence of significant historical resources, the close proximity to the river could result in a finding during excavation.

**Mitigation Measure 9:** If archaeological resources or human remains are accidentally discovered during construction, work shall be halted within 150 feet of the find until a qualified professional archaeologist. The Monterey County Planning and Building Inspection Department and a qualified archeologist (i.e.; an archeological registered with the Society of Professional Archeologists) shall be immediately contacted by the responsible individual on-site. When contacted, the project planner and the archeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

**Monitoring Action 9. During Grading,** the applicant and inspectors shall monitor the site for cultural materials in the soils. If any materials are found, the responsible individual on-site shall halt all grading activity within 150 feet of the find and immediately contact the Monterey County Planning and Building Inspection Department and the project archeologist who will visit the site and determine proper mitigation based on the findings.

**CONCLUSION:** No evidence was found during the preliminary survey, which finds that there would be no potential impact. However, it is possible that unidentified cultural resources may be found during construction and such a find would be a significant issue. *Therefore, mitigation to monitor the site during grading would reduce this potential impact to a level of insignificance.*

6. **GEOLOGY AND SOILS**

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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: 1,5,9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking? (Source: 1,5,9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Source: 1,5,9,20)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides? (Source: 1,5,9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Source: 1,5,9,20)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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: 1,9,20)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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: 1,9,20)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: 1,9,20,21)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION:** County resource maps for the Carmel Valley indicate this area has a very high potential for geologic hazards (Zone VI). A Geotechnical report was prepared by Jacobs, Rass & Associates in 1988 the Carmel Greens project, which included the subject parcel. A preliminary geological report by Foxx, Nielsen, and Associates (June 17, 1988) was included as part of the geotechnical investigation report. In December 2000, the applicant had a new geotechnical report prepared by Kleinfelder, Inc to address project-specific conditions (Exhibit B).

Field Investigation. The field investigation for Jacobs was performed on June 10, 1988. Test borings were drilled to depths of up to 51 feet below the existing ground surface. This investigation included eight test borings of which one was within the current project

site boundary and four additional borings were along the eastern edge of the Val Verde right-of-way opposite the project site (Borings 1, 7, 9, and 10). The single boring on the subject site (Test B-6) was taken toward the southern end of the site near the top edge of the topographical break identified in the report as being the west bank of the swale.

Laboratory testing was directed towards determining the physical and engineering properties of the underlying soils. Moisture content and dry density tests were performed on representative soils samples to determine the density of the soil and the moisture variations. Strength parameters of the foundation soils were determined from direct shear and penetrometer tests. Results of the borings and tests are included in the Jacobs Geotechnical report.

Six additional borings were performed within the subject site by Kleinfelder on November 16, 2000. All six borings were performed within the building footprints, which are above the swale location. This report does reference one of the borings performed by Jacobs in 1988. The results of the Kleinfelder investigation determined that the soils were moist. These soils include variations of silty sand, sandy clay, poorly graded sand, and clayey sand.

Geology. The subject property lies within the floodplain of the Carmel River on the north side of the river valley. Generally the terrain is level except for a topographical break that occurs on the southern end of the site separating two relatively level surfaces by 6-10 vertical feet. Aerial photography interpretation suggests that this break represents the contact between older alluvium (up slope) and more recent flood plain deposits (down slope).

The subject site is underlain entirely by alluvium consisting of river channel and over-bank deposits. Underlying sediments consist of interlaid clay, silt, and very fine to course-grained sand. The upper portion of the site has poorly sorted, course-grained sand with a significant percentages of rounded pebbles and cobbles that suggests it was deposited within a stream channel. The lower section has finer grained sediments (sand and silt) that were interpreted to be younger, less consolidated, over-bank deposits.

Seismic There are five faults that could affect the subject property:

1. *San Andreas.* This is 29 miles from the site with an estimated recurrence interval of 30-250 years and an estimated maximum creditable earthquake of 6.5-8.3 Richter magnitude.
2. *San Gregorio.* This is 4.5 miles from the site with an estimated recurrence interval of 250-400 years and an estimated maximum creditable earthquake of 7.2-7.9 Richter magnitude.
3. *Zayante.* This is 25 miles from the site with an estimated recurrence interval of 6,500 years and an estimated maximum creditable earthquake of 7.4 Richter magnitude.
4. *Monterey Bay (Tularcitos and King City).* This is 3-11 miles from the site with an estimated recurrence interval of >500 years and an estimated maximum creditable earthquake of 6.5-7.0 Richter magnitude.

5. *Cypress Point*. This is 1.1 miles from the site with an estimated recurrence interval of >1,000 years and an estimated maximum creditable earthquake of 4.5 Richter magnitude.

The San Gregorio fault is the fault most likely to produce the greatest shaking. Based on deep soil conditions, the mean peak of horizontal ground acceleration is estimated to be 0.40g-0.58g where forces greater than 1.0g results in objects leaving the ground. There is no evidence to suggest that an active fault trace occurs on or adjacent to the project area, indicating that the probability of fault rupture is very low.

Landslides. Landslides generally occur during large magnitude earthquakes. Since the site has gentle slopes, the potential for a seismic induced landslide is low.

Liquefaction. This condition tends to occur in loose, unconsolidated soil, which is found in the lower swale area of Boring 1. This boring test was taken within the swale area along the eastern edge of the Val Verde Drive right-of-way. Based on the soil consistency, the location of the ground water table, the general water table, the general nature of the subsurface soils and the proposed foundation preparation would indicate that the potential for liquefaction to occur on the majority of the project site would be low.

The Kleinfelder report identifies potentially liquefiable soils along the southern edge and southeast corner of the site. A geotechnical constraints map included as part of the August 2002 "Lower Carmel River Flood Control Project" (~~Next Page~~) indicates that the liquefaction susceptibility for this site ranges from low to medium. The Kleinfelder report notes that the Alzheimer's Cottage would be constructed on 7- to 8-foot tall retaining walls and/or fill slopes. There would be engineered fill under the parking area on the south end of the site.

#### **IMPACT ANALYSIS/MITIGATION:**

**Less Than Significant with Mitigation (Geologic Impact 1)–Geotechnical Conditions.** Boring 6 (B-6) of the Jacobs investigation consisted of stiff to very stiff sandy silts in the upper four feet, blending to a medium dense to dense sand that extended to 15 feet. A granite rock boulder was encountered at 15 feet and the boring was terminated. No free ground water was encountered.

Borings 1, 7, 9, 10 and 11 were taken within the right of way for Val Verde Drive and swale area adjacent to or near the project site. In all cases, the soil was damp from the very beginning of the boring. Two borings (Boring 9 and 11) were taken in the lower area of the swale. These borings found water at a depth of about 10 feet.

The report concludes that from a geotechnical standpoint, the property may be developed provided the recommendations of the Jacobs report are included in the project design and construction. The laboratory testing indicates that the near surface soils possess moderately expansive properties. The Kleinfelder report recommends use of a 12-inch thick layer of "non-expansive" fill below concrete slabs to reduce this potential impact.

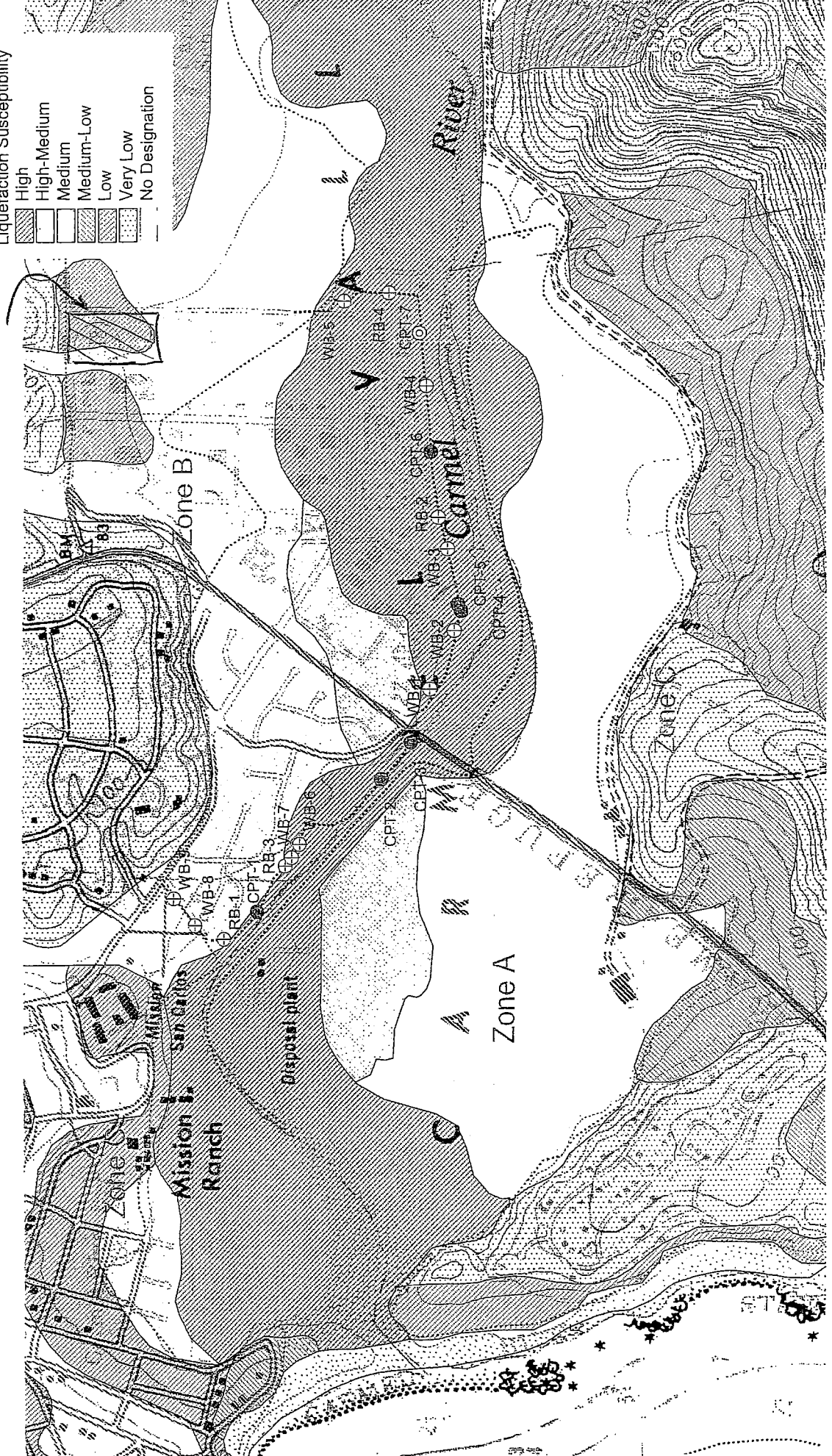
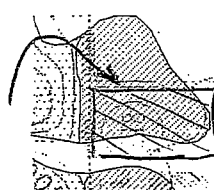
Geotechnical Constraints Map

Dupre, 1990

Raas, 2000

Wahler, 1989

- Soil Boring Location
- Cone Penetrometer
- Test Boring
- Levees
- FEMA Flood Zone
- Liquefaction Susceptibility



In addition, there would be a 6-inch thick layer of sand and gravel (capillary break) below the interior building floor slabs. The report recommends use of imported "non-expansive" fill for this project.

**Mitigation Measure 10:** In order to address geotechnical conditions identified for the project site, the applicant/owner shall submit grading plans that incorporate all recommendations of the Kleinfelder Geotechnical Investigation (**Exhibit B**) onto said grading plans as specifications for the proposed project. In order to monitor geotechnical conditions identified for the project site, the applicant shall submit reports from a certified geotechnical engineer that inspect, test and approve all geotechnical aspects of the project construction including, but not limited to: site preparation and grading, site drainage improvements, foundation and retaining wall excavations prior to placement of steel and concrete, location and design of graywater system, and excavations for utilities prior to placement of conduits. Grading plans and reports shall be subject to review and approval by the Direction of Planning and Building Inspection.

**Monitoring Action 10A. Prior to issuance of a grading permit,** the applicant/owner shall submit grading plans stamped by a certified geotechnical engineer and completed in accordance with geotechnical/geological recommendations to the satisfaction of the Planning and Building Inspection Director. The Director shall verify the existence of said recommendations as specifications on the Grading Plans prior to issuance of the grading permit.

**Monitoring Action 10B. Prior to final grading approval,** a certified geotechnical engineer shall inspect, test and approve all geotechnical aspects of the project construction and report all findings to the Director of Planning and Building Inspections.

**Monitoring Action 10C. Prior to placement of engineered fill,** a certified geotechnical engineer shall inspect and approve all cut slopes and all key way excavations, if any, and report all findings to the Director of Planning and Building Inspections.

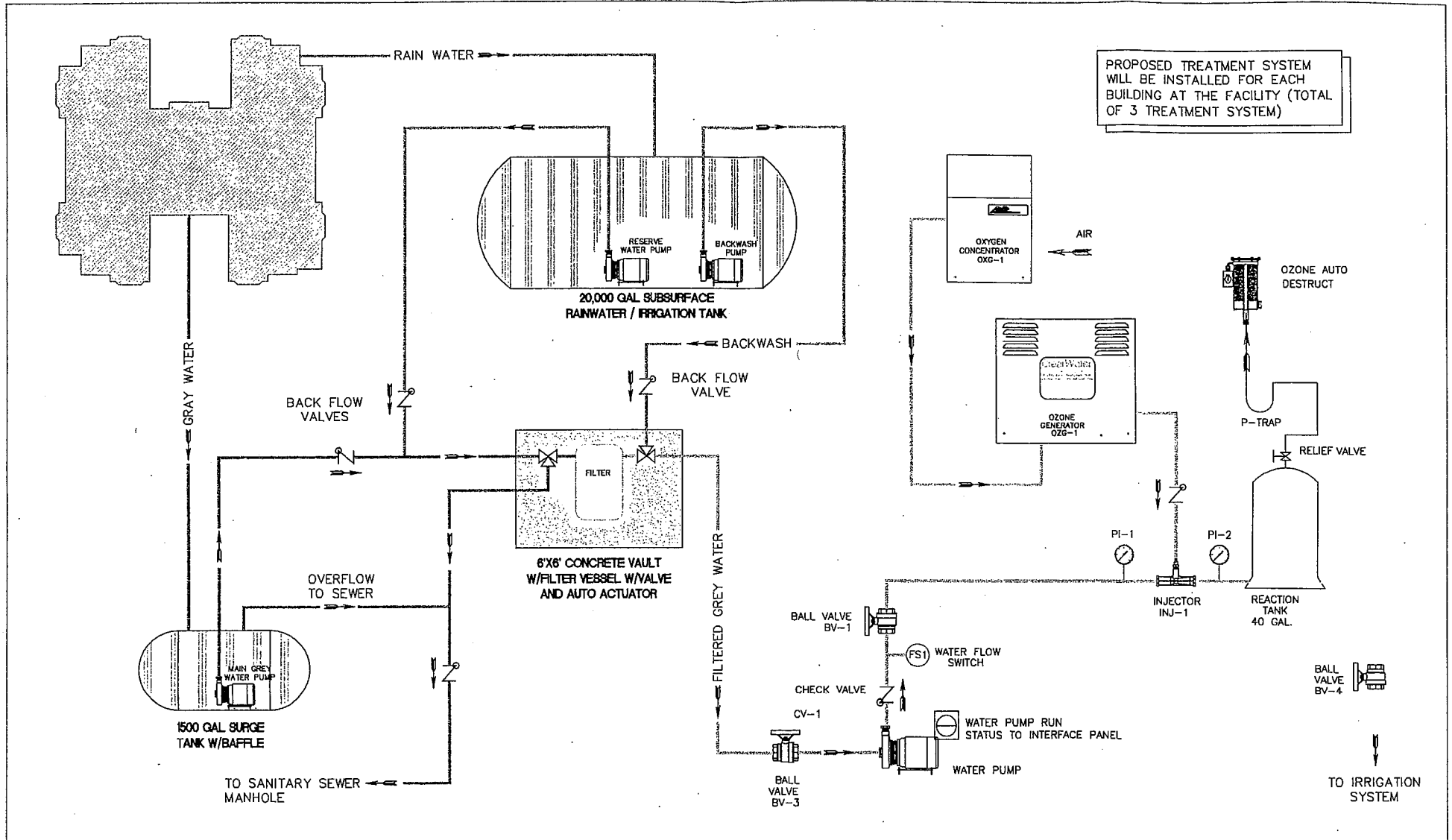
**CONCLUSION:** Findings from the Kleinfelder geotechnical report indicate that the property may be developed provided that certain recommendations are included in the design and construction. Mitigation measures will be required to assure proper implementation of these recommendations as they pertain to the subject project. *Mitigation will reduce potential impacts to a level of insignificance.*

7. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: 1,14,23)	<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: 1,14)	<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: 1,14,23)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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: 1,5,18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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: 1,2,3)	<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 result in a safety hazard for people residing or working in the project area? (Source: 1,2,3)	<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: 1,2,3)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION:** An assisted care facility involves distributing medications to patients that cannot do so themselves. Such actions would generate medical waste that must be handled in accordance with State laws. Depending on the amount of waste generated, the facility may be required to register as a generator of medical waste.

The project includes a graywater system to irrigate the exterior landscape areas. Each of the three buildings would have separate systems (Diagram SK-1, Next Page). Each





PROPOSED TREATMENT SYSTEM WILL BE INSTALLED FOR EACH BUILDING AT THE FACILITY (TOTAL OF 3 TREATMENT SYSTEM)

**GAMBOA PROJECT**  
 SUNRISE ASSISTED LIVING, CARMEL VALLEY, CA

tel: (931) 848-8000  
 fax: (931) 848-8002  
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 CONSULTING ENGINEERS  
 2511 Gordon Road, Suite 4-110  
 Monterey, California 93940-5378  
 AE Project # : 20030017

L&A FILE: 20030017  
 DATE: 05/12/2004  
 BY: S.I.

SK-1

building would have one plumbing line for graywater and a second plumbing line for rainwater. Rainwater would drain from the building into a 20,000-gallon subsurface tank. Graywater would drain from the building into to a subsurface, 1,500-gallon surge tank with baffle and a main graywater pump. Excess graywater would be discharged through a separate line that connects to the sanitary sewer.

Graywater to be used for irrigation is pumped to a sand filter. Rainwater is fed into this graywater line to flush and dilute the graywater before it is pumped into a sand filter. Rainwater is also used to backwash the sand filter. Filtered graywater is then pumped into a 40-gallon reaction tank where it is treated with ozone before it is distributed for irrigation. Ozone generation consists of an oxygen concentrator and a Clear Water ozone generator. No ozone would be stored on-site.

A Phase I Environmental Site Assessment was prepared by Kleinfelder, Inc. for the project site on December 5, 2000. Investigations included records review, site history (aerial photographs, etc.) and site reconnaissance. Previous use of the site was identified as undeveloped range land (grazing) and agriculture. Review of regulatory agency databases revealed several gas stations with underground storage tanks and three with leaking tanks located within ¼ to ½ mile west and southwest of the site. The project site is at a higher elevation than these sites and no item of concern was found on site. Therefore, the report determines that the applicant would not be required to perform investigative or remedial actions. The assessment revealed no evidence if recognized environmental conditions in connection with the subject property.

#### **IMPACT ANALYSIS/MITIGATION:**

**Less Than Significant (Hazard Impact 1) – Medical Waste.** Assisted care operations include medical services that will generate medical waste products as well as storage and use of compressed gas (oxygen) and other hazardous materials on site. These services will require permits from the Monterey County Health Department for use and handling of said materials. Generation or use of these hazardous materials should have no impact to the public or the environment, unless handled improperly according to the staff for Monterey County Health Department, Environmental Health Division.

Standard conditions applied by the Monterey County Health Department, Environmental Health Division require the operator to register the facility as a generator of medical waste and obtain all necessary health permits (e.g.; hazardous materials handler permit and medical waste generator permit). This permit process includes providing a business response plan that identifies the type, quantity and handling of hazardous materials.

**Less Than Significant with Mitigation (Hazard Impact 3) – Graywater.** Although graywater is allowed for subsurface landscape irrigation under the State Plumbing Code, Monterey County Division of Environmental Health (MCHD) finds that using untreated graywater from this type of facility could present public health hazards. In order to address this concern, the applicant proposes to treat the graywater by sand filtration in

conjunction with ozone disinfection graywater before it is used for irrigation. This system will generate the amount of ozone needed with no storage on-site.

**Mitigation Measure 11:** Because the MCHD has never evaluated the actual performance of graywater technology in a facility of this type, this graywater system will be treated as a pilot project that shall be monitored for the life of the use permit. All services, testing, and modifications required by the Director of Health shall be in accordance with and subject to any amendments of Monterey County Code Chapter 15.20. The provisions of this mitigation shall be at the owner's expense.

**Monitoring Action 11A. Prior to issuance of any permits,** an operation and maintenance training plan/schedule (either in-house or by the manufacturer) shall be provided to MCHD for review and approval.

**Monitoring Action 11B. Prior to issuance of any permits,** the applicant shall submit detailed plans of the proposed graywater system to MCHD for review and approval. In order to minimize the possibility for an assisted care living facility generating graywater with substances that are not of a quality consistent with the intent of Appendix G (Section G 13) of the California Plumbing Code, the system shall be designed as follows:

- All unused or expired pharmaceuticals shall be disposed of in accordance with the Medical Waste Management Act, Section 117600 through 118360 of the California Health & Safety Code. No pharmaceuticals shall be discharged down any fixture connected to the graywater system.
- No laundry that includes soiled diapers may be included with the graywater for the facility.
- Only resident bathroom lavatories, showers and bathtubs, restroom lavatories, and laundry fixtures shall be connected to the graywater system. All other building fixtures shall be connected to the sanitary sewer system.
- No chemicals, disinfectants, and/or wastewater prohibited by Appendix G (Sections G 2 and G 13) shall be discharged into fixtures connected to the graywater system. Separate fixtures that do not connect to the graywater system shall be installed for disposing of cleaning chemicals, disinfectants, and/or wastewater. Fixtures connected to the graywater system may use minimal amounts of institutional chemicals or disinfectants for cleaning of those fixtures only.
- This graywater system shall incorporate sand filtration and ozone disinfection of the graywater (as proposed by the applicant) prior to distribution for irrigation.

**Monitoring Action 11C. Prior to occupancy of the facility,** the owner/operator shall provide documentation demonstrating that the company and/or staff responsible for maintaining and operating the graywater system has the technical and managerial skills necessary in the maintenance and operation of all components of the system (plumbing cistern, ozone, etc).

**Monitoring Action 11D. For the first five (5) years after installation,** MCHD staff will inspect the system two (2) times per year.

**Monitoring Action 11E.** After Year Five, MCHD shall perform a final evaluation of the system and the technology with the potential for permanent approval should the technology prove itself.

**Monitoring Action 11F.** By December 1 of each year, the owner/operator shall submit a report completed by the person(s) responsible for maintenance and operation of the graywater system to the Director of Health for review and approval. Said report shall record and report all diversions of the graywater to the sewer as a result of ponding/surfacing of graywater, system back up, system overflow, and the reason for said diversion.

**CONCLUSION:** As an assisted care facility some amount of medical waste would be generated on-site. The California Plumbing Code allows graywater systems for institutional and commercial uses. As a pilot project, graywater used in conjunction with this facility will be treated with sand filtration and ozone disinfection, which exceeds the minimum state standards. *Mitigation measures to obtain all required permits and submit reports to the Monterey County Health Department, Environmental Health Division will reduce any potential impacts to a level of insignificance.*

8. HYDROLOGY AND WATER QUALITY		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Violate any water quality standards or waste discharge requirements? (Source: 1,14,20,21,23)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 (Source: 1,10,11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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: 1,5,19)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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: 5,19)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: 1,5,19)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**8. HYDROLOGY AND WATER QUALITY**

		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
f)	Otherwise substantially degrade water quality? (Source: 1,20,21)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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: 1,2,3,5,19)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: 1,2,3,19)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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: 1,2,3,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j)	Inundation by seiche, tsunami, or mudflow? (Source: 1,2,3,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION:** This section evaluates the potential impacts to drainage, soil erosion and water quality. The environmental impact report for the Carmel Green project includes information from a drainage report prepared by Bestor Engineers as well as data from the geotechnical and geological analysis by Jacobs, Raas and Associates and Foxx, Nielsen & Associates, respectively. Recently the County Service Area (CSA) #50 completed a "Lower Carmel River Flood Control Project Final Report" that investigates as set of structural and operational improvements for reducing flood hazards within the CSA #50 during the 100-year frequency event. In addition, the Monterey County Water Resources Agency has provided input for this section.

Setting. The lower Carmel Valley has a Mediterranean climate that receives rain generally only during the winter months. Streams in the area are ephemeral, flowing only briefly during winter storms. The subject site slopes down from the northwest corner to a swale that cuts across the southeast corner of the site. As an undeveloped site the drainage is generally by sheetwash and rilling.

The Carmel River collects flows from watershed areas along its 35 mile course and drains into the Carmel Bay, south of the City of Carmel. The river, its tributaries and the associated aquifer are the major source of water for the Monterey Peninsula. Therefore, a number of key issues related to water resources in this area are connected to the Carmel River Watershed. These issues include unpredictable rainfall for aquifer recharge, impacts to riparian vegetation, seasonal drought, water quality, and loss of recharge.

During site tests for the geologic and geotechnical reports, groundwater was found in the area at depths ranging from 10-25 feet below the ground surface. The report notes that tests were done in June of a dry water year, so the study presumes that the groundwater table may rise to near the ground surface during normal or above average rainfall years. Average rainfall in the Carmel Valley region ranges from 17 inches at the mouth of the valley to 40 inches at the upper elevations of the basin. The mean annual rainfall for Watershed No. 28 is shown in the Koretsky-King Plan to be 15.8 inches. During dry years, the Carmel River flows intermittently or dries up all together.

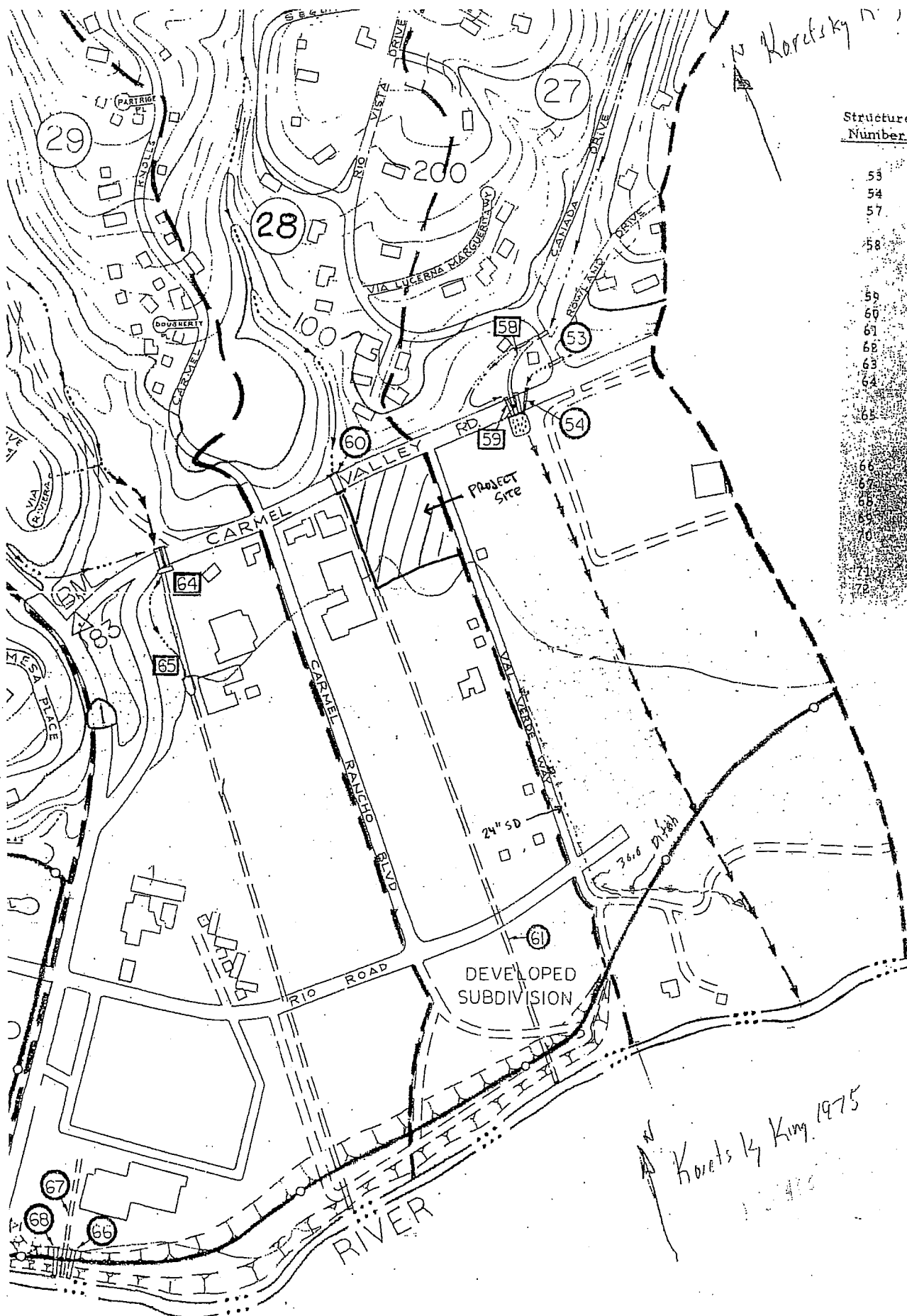
However, during extremely wet winters with periods of intense, sustained rainfall, flooding has occurred along the valley floor, as well as the low lying terraces near the mouth of the Carmel River. San Clemente and Los Padres Dam inundation failure mapping indicates that this site could be impacted if a dam were to fail. The County and Monterey Peninsula Water Management District (District) agencies early warning systems would offer some advanced warning for evacuation.

The project site is located about ½-mile north of the bank of the Carmel River and approximately two miles upstream (east) from the river mouth. A Master Drainage Plan, Lower Carmel Valley Watersheds by Koretsky-King in 1975 (Next Page) identifies that this project site would be located within Sub-Watershed Number 28. This watershed has an area of 175 acres with 124 acres of this located above Carmel Valley Road. The watershed is long and narrow with a natural waterway down its center and homes developed along the ridges on both sides. This waterway drains to a 30-inch CMP located under Carmel Valley Road approximately in line with the western property line of the subject site.

Floodplain. The portion of the watershed located below Carmel Valley Road consists of properties located along Carmel Rancho Boulevard and Val Verde Drive. The Plan identifies a levee located along the north bank of the Carmel River that minimizes flooding of this lower area; however, about ¾ of this area is within the Carmel River Floodplain. Approximately 500 square feet of the project site (southwest corner) is partially within the 100-year floodplain of the river under existing channel and bank conditions. This area would be part of the proposed detention pond improvement.

As shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), Community-Panel Number 060195-0180 E, revised August 5, 1986 (Next Page), the majority of the parcel is located within Zone B (500-year floodplain) and a small portion is in Zone A8 (100-year floodplain). The base flood elevation ranges from 34-35 feet mean sea level, and there are two drainage channels on the project site located within Zone B. The Site Plan for the project notes the flood elevation line to be 35.2 feet, which would include the southwest corner of the site.

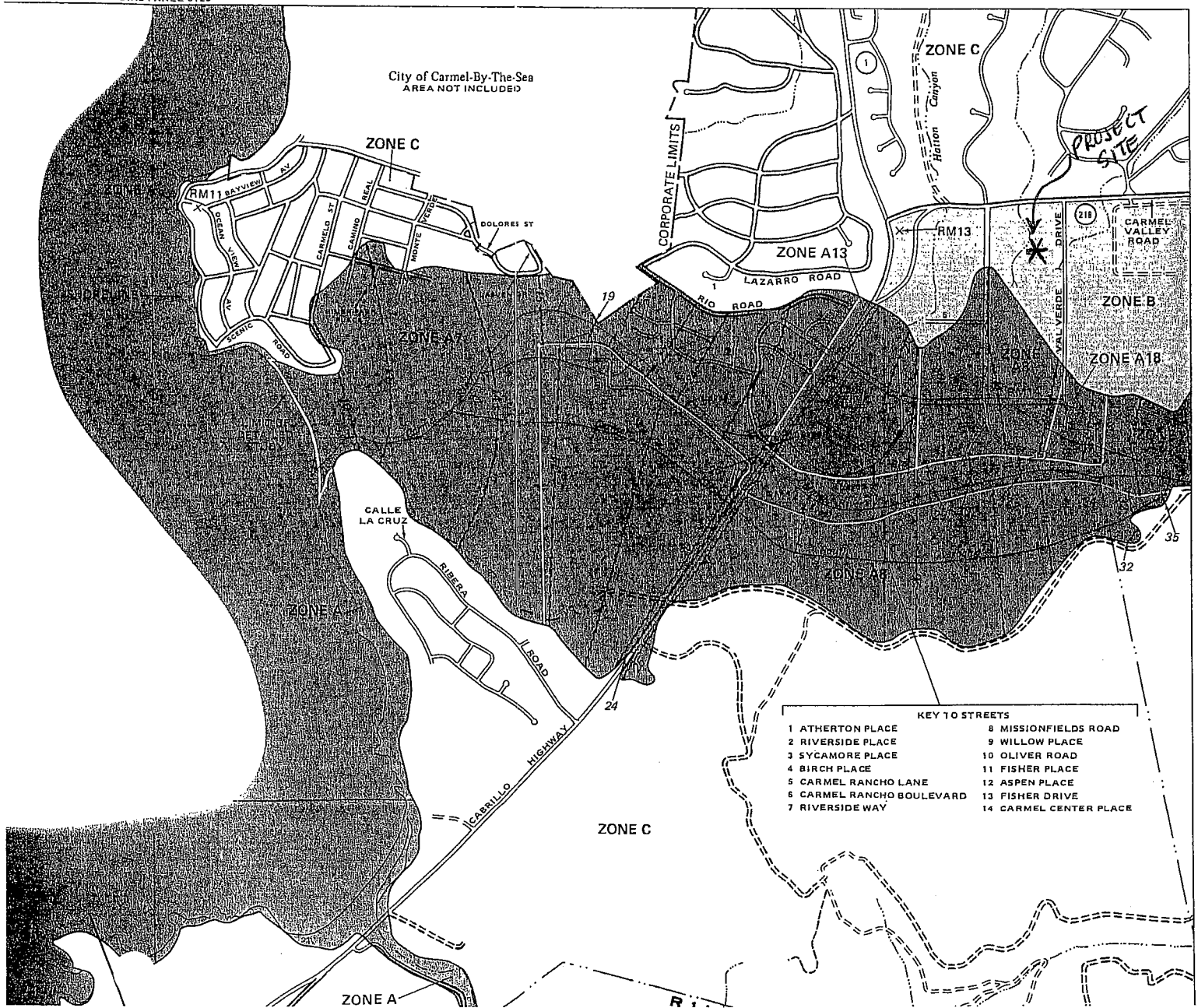
County Service Area #50 (CSA). CSA #50 is a special district in the lower Carmel Valley managed by the Monterey County Public Works Department in cooperation and collaboration with the Monterey County Water Resources Agency to operate and maintain local storm drain and flood control facilities in the areas of Riverwood, Arroyo



Structure Number

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Koretsky King 1975



**KEY TO MAP**

- 500-Year Flood Boundary
  - 100-Year Flood Boundary
  - Zone Designations
  - 100-Year Flood Boundary
  - 500-Year Flood Boundary
  - Base Flood Elevation Line With Elevation In Feet\*\* 513
  - Base Flood Elevation in Feet Where Uniform Within Zone\*\* (EL 987)
  - Elevation Reference Mark RM7
  - Zone D Boundary
  - River Mile \*M1.5
- \*\*Referenced to the National Geodetic Vertical Datum of 1929

**EXPLANATION OF ZONE DESIGNATIONS**

ZONE	EXPLANATION
A	Areas of 100-year flood; base flood elevations and flood hazard factors not determined.
A0	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; average depths of inundation are shown, but no flood hazard factors are determined.
AH	Areas of 100-year shallow flooding where depths are between one (1) and three (3) feet; base flood elevations are shown, but no flood hazard factors are determined.
A1-A30	Areas of 100-year flood; base flood elevations and flood hazard factors determined.
A99	Areas of 100-year flood to be protected by flood protection system under construction; base flood elevations and flood hazard factors not determined.
B	Areas between limits of the 100-year flood and 500-year flood; or certain areas subject to 100-year flooding with average depths less than one (1) foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood. (Medium shading)
C	Areas of minimal flooding. (No shading)
D	Areas of undetermined, but possible, flood hazards.
V	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors not determined.
V1-V30	Areas of 100-year coastal flood with velocity (wave action); base flood elevations and flood hazard factors determined.

**KEY TO STREETS**

1 ATHERTON PLACE	8 MISSIONFIELDS ROAD
2 RIVERSIDE PLACE	9 WILLOW PLACE
3 SYCAMORE PLACE	10 OLIVER ROAD
4 BIRCH PLACE	11 FISHER PLACE
5 CARMEL RANCHO LANE	12 ASPEN PLACE
6 CARMEL RANCHO BOULEVARD	13 FISHER DRIVE
7 RIVERSIDE WAY	14 CARMEL CENTER PLACE

**NOTES TO USER**

Certain areas not in the special flood hazard areas (zones A and V) may be protected by flood control structures.

This map is for flood insurance purposes only; it does not necessarily show all areas subject to flooding in the community or all planimetric features outside special flood hazard areas.

Coastal base flood elevations apply only landward of the shoreline shown on this map.

For adjoining map panels, see separately printed Index To Map Panels.

INITIAL IDENTIFICATION:  
 FEBRUAR 1978

FLOOD HAZARD BOUNDARY MAP REVISIONS:  
 APRIL 24, 1979



Carmel, the Crossroads area, Mission Fields and nearby properties within the 100-year floodplain of the lower Carmel River. The CSA was created by the Monterey County Board of Supervisors in response to flooding that occurred in 1995. Costs for operating and maintaining storm drain and flood control infrastructure in the jurisdictional boundaries of the CSA are financed through local assessments to these properties. The Board of Supervisors has appointed a group of residents and property owners to provide recommendations and advice to the Board relating to issues in the CSA's purview.

"While the Gamboa property is located in the watershed of the Carmel River, and storm drain runoff from the property drains to the Carmel River through land in the CSA#50 area, the Gamboa property itself is not located within the jurisdictional boundaries of CSA 50. The Gamboa project will provide on-site detention of storm drain runoff to the degree that storm drainage will run off the property at a rate equal to or less than that prior to development, so there will be no impact on storm drain facilities managed or maintained by CSA #50.

CSA #50 has funded the preparation of a preliminary plan by the consulting firm of Philip Williams and Associates which recommends a number of flood protection improvements along the Carmel River, including increasing the levee height in this area and raising the grade of Val Verde Drive to 39.5-foot elevation so that it serves as an extension of the existing Rio Road Tie-Back Levee. The increase in grade would range from 5.5 feet at Rio Road to zero feet where the grade of Val Verde exceeds this 39.5 foot elevation. Before this plan can be implemented, it would need to be approved by the Board of Supervisors, and the property owners of CSA #50 would need to vote to increase assessment fees for the proposed improvements. Further, such a project would require environmental review for potential impacts of the proposed improvements within the report. Since this plan has not yet been adopted, implementation of the improvements with the Gamboa project would not be appropriate at this time.

#### **IMPACT ANALYSIS/MITIGATION:**

**Less Than Significant (Hydrology Impact 1) – Erosion.** Some erosion may occur during construction and earthmoving activities. The applicants are required to submit a grading and drainage plan that addresses construction related runoff and erosion control as well as permanent grading and drainage features. Monterey County Grading Ordinances include Best Management Practices that requires erosion control measures on the grading and drainage plans for all construction projects prior to issuance of any permits.

**Mitigation Measure 12.** To prevent runoff from moving soil off-site and to prevent post construction erosion, appropriate Best Management Practices shall be implemented and the soil shall be re-vegetated within 60 days of completing construction.

**Monitoring Action 12. Prior to Final Permit Approval,** the applicant shall contact the Planning and Building Inspection Department for a representative to inspect the project area relative to compliance with Mitigation Measure 13.

**Less Than Significant with Mitigation (Hydrology Impact 2) – Drainage.** A preliminary site design indicates that construction will alter the sheet flow across the project site to two detention ponds. One pond would be located in the southwest corner and the other is located along the east side of Building 3. The project's detention ponds would be designed to detain run-off so that there is no increase of runoff from existing conditions. A reduced rate of outflow from the detention ponds would discharge into a 24-inch storm drain that extends under the Carmel Rancho Office property, and then to the Carmel River. Said ponds will require regular maintenance to assure that the facilities remain operational and that any standing water does not become a nuisance from odor or pests.

Street runoff will be conveyed with storm water facilities to terminal drainage in the Carmel River. The portion of Val Verde Drive below the project site would continue to drain south to a low point in Rio Road where a reduced rate flow is discharged into a 42-inch line west of the Carmel Area Wastewater District property via a pipe in Rio Road. There are no proposed changes to Val Verde Drive that would affect the existing condition. In addition, the project includes three 20,000-gallon tanks located underground to collect rainwater.

The Public Works Department and the Water Resources Agency reviewed the subject project and found that the information presented at this point indicates that potential impacts can be mitigated through the proper design and construction of on-site drainage facilities. Monterey County's policy is to require a detailed drainage plan as a condition of approval. Said plans will need on-site detention facilities to mitigate the increase in impervious surface storm water runoff.

**Mitigation Measure 13:** In order to address water runoff for the project, the applicant/owner shall submit a detailed drainage plan to the Monterey County Water Resources Agency prior to issuance of any permit. Said plan shall include:

- Design data identifying, and evaluating impacts to, the 100-year flood elevation, flood height, and the Rio Road tie back levee.
- Routing natural drainage around the proposed development in a manner that does not impact down slope development. Routing of downstream flows shall be shown along with any new appurtenant drainage structures, erosion protection of existing structures or watercourses, and need for additional right-of-way.
- Routing storm water runoff from the paved, vehicle areas to an oil/grease/water separator before discharge into a detention pond.
- Construction of storm water detention facilities to limit impervious surface storm water runoff to the 10-year predevelopment rate and store the difference between the 100-year post-development and 10-year pre-development runoff. Any detention design requires showing engineering details for the containment structure; including any berms that would create shallow detention using parking areas. An erosion protected spillway shall be designed into the berm to provide a predictable overflow point.
- Fencing of detention ponds for public safety.

- Maintenance and cleaning schedules for oil/grease traps, detention ponds, and the graywater system in accordance with County regulations to insure that all drainage systems are properly maintained and functioning.
- Installation of oil/grease traps adjacent to roadways and parking lots that are designed to remove at least 90% of all storm water contaminants during the first rains.
- Any roadside improvements that could prevent erosion (e.g. curb/gutter or paved swale) and which down slope properties may be affected before water reaches the river, need to be analyzed.
- “Best Management Practices” to prevent degradation of water quality in the Carmel River.
- Designing the proposed detention ponds (with the exception of the proposed cistern) to increase infiltration rates for runoff such that the detention ponds function as percolation ponds.
- Operation and maintenance procedures for the proposed water cistern to assure long-term viability.

The applicant shall implement all on-site and off-site improvements related to drainage as determined necessary by the Monterey County Public Works Department and Water Resources Agency.

**Monitoring Action 13A. Prior to issuance of any permit**, the applicant/owner shall submit a detailed drainage plan prepared by a registered civil engineer to the satisfaction of the Monterey County Water Resources Agency and Public Works Department. Impacts identified during the review of said plans shall be fully mitigated through construction and/or “fair-share” mitigation fees to be determined by the Monterey County Public Works Department and Water Resources Agency.

**Monitoring Action 13B. During grading**, the applicant/owner shall submit weekly activity reports, including photographs and activity logs where applicable, that document how all construction Best Management Practices and recommended mitigations measures were followed during project construction and these conditions. Said reports shall be submitted to the Director of Planning and Building Inspection by the end of the working day on Monday.

**Less Than Significant with Mitigation (Hydrology Impact 3) – Wastewater (Graywater).** Wastewater will be discharged by sanitary sewer to the Carmel Area Wastewater Treatment facility, which is located within the Carmel Area Wastewater District. In addition, the applicant proposes to dual-plumb the facility to allow the use of graywater for the exterior landscaping. This gray water system is limited to storing a maximum of one day’s irrigation needs. All excess gray water would drain through separate line to the sanitary sewer (See Section 16 - Utilities and Service Systems).

The Building Standards Commission approved revised California Graywater Standards in 1997. These standards include minimum absorption capacity for six approved types of soil. Soil types identified in a geotechnical investigation by Kleinfelder, Inc. include silty sand, sandy clay and clayey sand within the top 10-15 feet of the surface. Use of a

graywater system will be required to meet the percolation criteria for the type of soils identified depending on the location of the subsurface drip emitters installed for irrigation.

Appendix G, Section G-6 (b) states that graywater systems shall be designed to distribute the total estimated amount of graywater discharged daily. The proposal from the applicant states that the total available graywater from the facility will be 1.564 acre-feet/year (AF/y) or an average of 1,400 gallons per day (gpd). All graywater tanks would be sized to hold the maximum daily flow only.

Potential impacts created by the graywater system are addressed by Mitigation Measure 12 in Section VI-7 (Hazards).

**Less Than Significant (Hydrology Impact 4) – Flooding.** The project proposes to grade/fill the swale area in order to create detention ponds and grading the site to direct on-site drainage to these detention ponds. These ponds would serve to reduce impervious surface storm water runoff. In addition, the project includes using a 2-foot high retaining wall along the southern property line to support the fill material for parking and pedestrian access.

Section 21.64.130.B of the Monterey County Codes (MCC) exempts this property from requiring a use permit for development within the floodplain. This area is not part of the main flood channel, but is in a backwater overflow area with negligible velocity of flow. Water enters this area by flowing laterally to the north and not in the westerly direction of the main river. The hydrology reports for the Carmel Greens environmental impact report finds that the capacity of the main channel and the overflow channel will not be detrimentally affected by this minor fill placement. Therefore, the proposed project would not significantly affect flood conditions on adjacent properties.

**CONCLUSION:** Initial analysis, plans and reports indicate that all potential impacts would be less than significant; however, final plans are necessary to determine actual impacts of water use and drainage. Any new facilities not evaluated as part of this document will require environmental analysis before the project is issued permits. *Mitigation measures are provided as safeguards to assure project impacts are held at a level of insignificance through the design process.*

9. LAND USE AND PLANNING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Physically divide an established community? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION:** The project site is located in unincorporated Monterey County at the mouth of the Carmel Valley. Existing land use consists of vacant undeveloped land that was previously used for grazing horses. A strand of willow trees is located at the southeast corner of the project site and within the Val Verde Drive right-of-way. Val Verde Drive is a private right-of-way with access shared by the properties abutting it.

Existing Conditions. Old debris such as pavement sections and segments of old fencing are found in areas of large overgrown vegetation. The rear portion of the lot has an area with slopes exceeding 30% and part of the site is located in the 100-year floodplain. Separate use permits are required for development of the slope and floodplain areas. Discussion of floodplain development can be found in Section 8 - Hydrology.

Surrounding Land Uses. Surrounding land uses include low density residential uses with some cottage industry agricultural uses, the Carmel Middle School, and a 2-story office building. South of the site along Val Verde Drive is a mix of low density single family homes and row crop agriculture. One of the row crop properties on the east side of Val Verde Drive near Rio Road has a use permit approved to develop a 30,000 square foot Community Life Center Five homes that are located on Val Verde Drive can generally be characterized as smaller homes on larger lots. Two new homes have been recently built in this area and another is proposed. Val Verde Drive is a private residential street.

A commercial and office development (Carmel Rancho) is located immediately west of the project site, which can be a benefit to provide services for senior living facilities. However, lower elevations and fencing disrupt continuity of this project with the commercial land uses to the east. Across Carmel Valley Road to the north is low density residential housing on slopes less than 20%, and open space land on slopes of 30% or greater. A lot with fallow agriculture is located immediately east with Carmel Middle School is located east of that. A drainage swale with a line of cypress trees is located along the west edge of the school where there are paved playgrounds and grass covered playing fields.

The western most fairways and greens of the Rancho Canada Golf Course are within view of the site to the southeast. Across Rio Road to the south lies a medium density condominium development (Riverwood Condominiums). Beyond the condominiums is the Carmel River and its associated riparian corridor with the undeveloped slopes of the Palo Corona Ranch south of the river. The Carmel Area Wastewater District (CAWD) offices are located southwest of the project site on Rio Road.

Zoning. The site is zoned "LDR/B-6/D/S" and is part of the Carmel Valley Master Plan (CVMP), one of eight sub-components of the Monterey County General Plan. The CVMP describes and designates various land uses within the planning area and identifies appropriate policies and standards that address local land use issues related to transportation, water, wastewater, resources management, public services, and housing.

The "LDR" designation stands for low density residential, and "B-6" indicates that the property cannot be further subdivided. The "D" designation means that this project is subject to Design Review to consider exterior architectural features within a sensitive view shed overlay. A zoning designation that includes "S" means that the project is subject to Site Plan Review where a site has the potential to adversely affect or be affected by constraints that may impose undue restriction on private property.

Quasi-Public. Sunrise Assisted Living provided a project description stating that the operation provides housing and medical services for aging adults including a segregated unit for cognitive impairments such as dementia and Alzheimer's disease. Chapter 21.40 Monterey County Zoning Code provides a list of uses and states that the purpose of public/quasi-public uses is to "serve the public at large". Although an assisted care facility is not specifically listed, listed uses include day care centers, rehabilitation centers and convalescent homes, and "other uses of a similar nature, density and intensity as those listed in this Section" to these types of uses. Monterey County Planning and Building Inspection staff has determined that an assisted care facility is defined as a quasi-public land use.

The CVMP Policy 31.1.3.1 allows public/quasi-public uses in any zone provided they meet criteria related to visibility, access, noise, design and other CVMP policies. These criteria are reviewed from an environmental point of view in Section 1 - Aesthetics, Section 15 - Transportation/Traffic, and Section 11 -Noise. Monterey County Zoning Code (Section 21.14.B) allows quasi-public uses in the low density residential zone, subject to obtaining a Use Permit. There is no density limitation specified in the policies for public/quasi-public uses in the CVMP.

The proposed use is an allowed use within the zoning designation. The facility is located at the end of the neighborhood closest to Carmel Valley Road and another quasi-public facility (Community Life Center) has been approved in the middle of the neighborhood. While the project is a more intense use than low density residential, it would be generally compatible with the character of the surrounding area of commercial/office, public/quasi-public (school and community life center), medium density residential (condominiums).

No new parcels are being created that could be sold separately in the future. Therefore, the Gamboa project cannot be considered a subdivision in the context of Board of Supervisors Resolution No. 02-024, the County's subdivision ordinance, and/or the State Subdivision Map Act.

Criteria. Policies 27.1.5 and 27.3.8B limit the number of units that could be developed in low density residential areas and Val Verde Drive specifically. Under these policies the site could not include more than 16 units provided these units are designated for seniors or made affordable to low-moderate income persons. Attainment of maximum density in these areas is dependant upon conformity of the proposed project to Carmel Valley Master Plan (CVMP) goals and policies. Policy 31.1.3.1 (CVMP) includes five additional criteria for public/quasi-public uses (low visibility, safe pedestrian access, low noise, rural architecture, and conform with CVMP).

A land use goal of the CVMP is to encourage various types of residential development that are accessible to major development centers and at locations and densities which will allow for provision of adequate public services and facilities. The project would be located adjacent to commercial services to the west; however, this commercial area is separated by a steep slope and a chain link fence along the western border of the subject property. Originally the subject site included a strip of land that extended to what is now Carmel Rancho Boulevard. This strip of land was split off and incorporated into the commercial (Carmel Rancho) development.

Project Evaluation. The assisted living facility will provide many services on-site, but does include and encourage seniors to be active. A proposed access to Carmel Rancho Boulevard will include a raised sidewalk for safe pedestrian travel to the neighboring commercial uses.

**IMPACT ANALYSIS/MITIGATION:** No mitigation is required for this issue.

**CONCLUSION:** The proposed assisted care facility has been defined as a quasi-public land use that is permitted in the low density residential zone with a use permit provided criteria and policies of the Carmel Valley Master Plan are met. Determination of meeting these policies and criteria (e.g.; appropriate site, size, design, and policy compliance) is subject to land use processes established in the Monterey County Zoning Codes, and are separate from this environmental review. *Potential environmental impacts relative to land use would be less than significant, so no mitigation is required.*

10. MINERAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
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: 1,2,3)	<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: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION:** This site is not designated on County Resource Maps or State of California Division of Mines and Geology resource mapping as an area with known mineral resources. The geology section of the Carmel Green EIR references a geologic report prepared by Foxx, Nielsen and Associates in 1988. This EIR does not identify any mineral resources on the subject site, which was part of the Carmel Greens project area.

A geotechnical report prepared for the subject project performed boring tests that did not identify and significant mineral resources. The project will not result in the loss of availability of a state or locally important mineral resource recovery site as delineated in the Monterey County General Plan.

**IMPACT ANALYSIS/MITIGATION:** No mitigation is required for this issue.

**CONCLUSION:** *There is no potential impact to mineral resources.*

11. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project result in:</b>				
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: 1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



11. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project result in:</b>				
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: 1,2,3)	<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: 1,2,3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION:** Emergency vehicles will be allowed access using a 12-foot wide lane from Carmel Valley Road. Deliveries (e.g. food, medical supplies, etc.) and visitor traffic will be required to access the project from Carmel Rancho Boulevard, which avoids the residential neighborhood to the south. The project is designed to encourage residents to use amenities around the exterior of the buildings.

**IMPACT ANALYSIS/MITIGATION:**

**Less Than Significant (Noise Impact 1) – Vehicle Noise.** The project is adjacent to Carmel Valley Road, which currently generates traffic noise. The noise level from the road is designated on Exhibit 2 in the Land Use Compatibility for Community Noise Chart of the County General Plan. The required 100-foot setback from Carmel Valley Road and the proper insulation of the buildings will mitigate the ambient interior noise levels of this project.

**Less Than Significant with Mitigation (Noise Impact 2) – Construction.** Monterey County Codes have been established to mitigate potential construction noise impacts. Said Codes include restriction of when and where construction activities/equipment can take place. In addition, mufflers are required for all heavy construction equipment and all stationary noise sources. Stationary noise sources must be located at least 300 feet from occupied dwelling units, or contractors shall be required to provide appropriate noise reducing engine housing enclosures or noise screens.

**Mitigation Measure 14:** To reduce noise impacts during construction, construction activities shall be restricted between the hours of 8:00 a.m. and 5:00 p.m. No work may occur on weekends or holidays, unless pre-approved for unique circumstances in writing by the Director of Planning and Building Inspection. Violation of these restrictions may result in a stop of work for up to 48 hours for each violation.

**Monitoring Action 14.** Prior to issuance of any permits, the applicant shall place a note on the grading and construction plans identifying the restricted times of

construction. Violation of these restrictions may result in a stop of work for up to 48 hours for each violation.

**Less Than Significant with Mitigation (Noise Impact 3) – Emergency Vehicles.** The project description identifies the use of ambulance services for the facility at an average of two trips per month. Use of sirens would be a significant increase in periodic noise levels in the area.

**Mitigation Measure 15:** To reduce the long term ambient noise, the applicant shall prepare an emergency response plan that limits use of sirens for emergency services for this facility. Said plan shall be subject to review and approval of the Monterey County Sheriff Department and Cypress Fire Protection District.

**Monitoring Action 15. Prior to occupancy,** the applicant shall submit an emergency response plan for review and approval of the Monterey County Sheriff Department and Cypress Fire Protection District.

**Less Than Significant (Noise Impact 4) – Outdoor Facilities.** Policy 31.1.3.1 CVMP requires that a quasi-public facility have a low noise impact on surrounding uses. Outdoor activities and/or using a public address system would increase ambient noise levels for the neighboring homes. Since the site is currently vacant, this would be a significant increase above existing levels.

**Mitigation Measure 16:** To reduce long-term noise impacts, the facility shall not install or use any exterior sound devices, including a public address system, bull horn and other similar equipment at any time. No outdoor activities may take place after 7:00 pm on the subject site.

**Monitoring Action 16. On-going,** the facility may not install or use any exterior sound devices at any time. No outdoor activities may take place after 7:00 pm on the subject site.

**CONCLUSION:** New noise sources would be generated from construction and operation of this facility. *Potential impacts can be reduced to a level of insignificance through appropriate mitigation.*

12. POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
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: 1,2,3,11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: 1,2,3,11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: 1,2,3,11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION: Criteria.** The project site is 4.5 acres in size. Policy 27.3.8B of the Carmel Valley Master Plan (CVMP) states that Val Verde Drive is planned for residential use at a basic density of one unit per acre (4 units). With suitable clustering, up to two units per acre may be allowed (9 units). Density of up to four units per acre may be allowed provided at least 25% of the units are developed for individuals of low and moderate income and are contracted for with the County Housing Authority or for senior citizen units. Although no units proposed to be affordable, this project is for seniors so it would be allowed up to 18 units under this policy.

These density limits are discussed under policies for residential land uses in the CVMP. The applicant is requesting a use permit to allow development of a quasi-public use in the low density residential zone and public/quasi-public polices do not limit the density of development for these facilities. Therefore, the proposed project would be consistent with the Master Plan if a use permit is approved to allow a quasi-public use.

**Demographics.** A market study was completed by R.C. Shermer and Company for the subject project. This study investigated existing senior residences in Monterey County and the study area (Monterey Peninsula/Carmel Valley). It also included analysis of demographic studies and application of Census Bureau statistical data on aging and interpretation of surveys of assisted living providers in 44 states.

This market analysis determines that there is a general need for assisted care services based on demographics that show the aging population. Many assisted living units blend in their placement, context, and density within single-family home neighborhoods. They may be designed to look similar to large mansion sized homes, which is the case of the subject project. Some of the external requirements: such as outside lighting, parking lots, and paved surfaces can be designed and scaled to match the community. This special population needs facilities and their needs can be balanced with the community and public review process and conformance of community long-term goals.

Statistics show that about 75-80% of the residents in an assisted living care have family member within 20 miles of the facility and are relocated to the facility from within 15 miles of their prior residence. Therefore, the expected population of the assisted care living units would come from the surrounding community. Some local citizens may wish to relocate relatives to this area when the service is available. However, no major population relocation is expected as a result of this project.

Third Party Review. Gerontological Services, Inc, (GSI) performed a third party review and analysis of this Shermer study. GSI reviewed national data for people over 75 years of age needing assistance with activities of daily living (ADL) by the year 2005. Based on these projections, GSI estimates that the unmet demand for assisted living dementia on the Monterey Peninsula would be from 115-250 beds.

Growth. Development of this project includes the improvement of an access to Carmel Rancho Boulevard. These improvements would not induce growth for the area since the basic path of the road already exists and there is no connection to any other property. In addition, only emergency traffic would be allowed access to Carmel Valley Road so there would be no through traffic that may induce future growth. Furthermore, the limitation of water supply provides additional limits on future growth in this area.

Displacement. There is no housing on the site or within the Val Verde Drive right-of-way that would be displaced. There are five single family homes currently on Val Verde Drive. Some current property owners may not wish to live in a neighborhood with an assisted care facility. However, they are not being forced to relocate and this is not considered a significant impact in the context of the community as a whole.

Inclusionary Housing. Monterey County has identified a need for affordable housing units throughout the County. Therefore, new residential development that does not provide affordable units is required to pay an "inclusionary housing fee" to use for developing affordable units in other locations. This project is considered a public/quasi public use in a residential zone and without cooking facilities this is more of a commercial operation. Given this and since the units are not self-contained apartments the County's Redevelopment and Housing Division finds that the project would not be considered a residential development under Monterey County's Inclusionary Housing Ordinance and is exempt from the requirements.

**IMPACT ANALYSIS/MITIGATION:** No mitigation is required for this issue.

**CONCLUSION:** The project would not displace a substantial number of units/people or induce growth since Val Verde Drive will not allow through traffic. There is a need throughout Monterey County for senior and affordable housing. The Housing and Redevelopment Division of the County determined that this facility is quasi-public and is therefore exempt from an inclusionary housing contribution. *Potential impacts of this project on housing are considered to be less than significant.*

**13. PUBLIC SERVICES**

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

**DISCUSSION:** The project is requesting to develop 64 suites consisting of approximately 78 beds with related staff and visitors. Emergency services would be provided by Cypress Fire District for Fire Protection and Monterey County Sheriffs for law enforcement. This project has been reviewed by fire, sheriff and parks staff. No significant impacts were identified during this review process.

Fire. The Rio Road Fire Station is located about 0.25 miles west of the site at 3775 Rio Road. This station is manned by Volunteer Company #72 and Engine Company #7211. The Fire District has identified a number of Codes (California Fire Code and Monterey County Ordinance 3600) that must be met including minimum requirements for fire sprinklers, hydrants (number and flow), and access.

Police Protection. This facility would be served by Monterey County Sheriff's Department. Traffic for the area would be enforced through the California Highway Patrol. The Sheriff station that would serve this facility would be the Monterey Office located at 1200 Aguajito Road, Monterey.

The main concern for the Sheriff's Department is to review project lighting for safety purposes. In order to balance lighting with landscaping, law enforcement has developed Crime Prevention through Environmental Design (CPTED). This issue is reviewed in more detail in Section IV-1 (Aesthetics). Mitigation Measure #1 requires coordinating review of landscape plans with lighting plans (Mitigation Measure #2).

Emergency Access. A 12-foot wide emergency access lane would be improved within the Val Verde Drive easement from the project entry to Carmel Valley Road. This access

would serve to allow emergency vehicles to respond to the site from Carmel Valley Road if needed. This access would be restricted by use of a locked gate. During an emergency evacuation, vehicles from the project as well as the neighborhood south of the project site could get out of the area using this access.

Schools. The project site is located within the Carmel Unified School District. This District's offices are located at 4380 Carmel Valley Road, which is approximately ¼ mile east of the project site. Carmel Valley Middle School is located at the same site as the School District offices. The High School is located about ½ mile north on Highway 1. This new development will be subject to school fees based on the floor area of the facility. Since it is a senior facility, it will not generate new impacts to the school services within the Carmel Unified School District.

**IMPACT ANALYSIS/MITIGATION:** No mitigation is required for this issue.

**CONCLUSION:** *Impacts on public service would be less than significant for this project based on existing Code requirements and the proposed design.*

14. RECREATION	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
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: 1)	<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: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION:** Residents will occasionally use local recreational facilities. Since the "typical" resident in an assisted care facility like the proposed project is female who is age 83 or older, the recreation needs are more passive in nature. The assisted care facility provides private space and common space as well as organized events that will provide recreational opportunities for their residents.

Walking trails will be created around the site for the residents and their visitors. This project will not require new trails or the construction of new facilities, nor does it require lands otherwise dedicated for park purposes. The General Plan does not designate the parcel for park lands.

**IMPACT ANALYSIS/MITIGATION:** No mitigation is required for this issue.

**CONCLUSION:** *The proposed project is found to have no potential impacts to recreation uses.*

15. TRANSPORTATION/TRAFFIC	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections). (Source: 1,12,13,17,22)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (Source: 1,12,13,17,22)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks? (Source: 1,2,3,22)	<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: 1,2,3,12)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access? (Source: 1,12,22)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Result in inadequate parking capacity? (Source: 1,12,13)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Source: 1,2,3,17,22)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION: Setting.** The peak hours for roadways adjacent to this project were determined as 7:30-8:30 am and 4:30-5:30 pm. Monterey County has established standards for determining a significant impact as one that reduces a road segment to a lower level of service (LOS) or if it adds one vehicle trip to a segment operating at the lowest LOS F. Roadways serving the project area include:

- *Highway 1.* Highway 1 serves local and regional traffic and is a State highway under the jurisdiction of Caltrans. The posted speed limit is 55 miles per hour (mph), except in the urban area north of Carmel Valley Road where a 40 mph speed limit is posted. Parking is prohibited along Highway 1. It is designated as a scenic highway. Traffic movements at the Highway 1/Rio Road intersection are controlled by a fully actuated traffic signal and currently operates at LOS C during both peak hours. During peak summer months congestion on Highway 1 north of Carmel Valley Road causes queuing to and through the Highway 1/Rio Road intersection, causing it to operate at LOS F.

The segment south of Ocean Avenue has three travel lanes (two northbound/one southbound), and four travel lanes (two each way) north of Ocean Avenue. North of Carmel Valley Road, Highway 1 carries an average of 2,680-3,050 vehicles per hour (vph) and operates at LOS F during both peak hours. South of Carmel Valley Road, Highway 1 carries an average of 950-1,380 vph and operates at LOS C in the AM peak hour and LOS D in the PM peak hour. South of Rio Road, Highway 1 carries an average of 590-950 vph and operates at LOS C or better.

- *Carmel Valley Road.* Carmel Valley Road provides major vehicle access for the Carmel Valley area. Traffic movements at the Highway 1/Carmel Valley Road intersection are controlled by a fully actuated traffic signal. At the time the traffic study for this project was completed, this intersection operated at LOS D in the AM peak hour and LOS F in the PM peak hour. Monterey County Public Works has stated that this intersection now operates at an acceptable Level of Service due to recent improvements to Highway One and to the intersection. Westbound left turns onto Highway 1 from Carmel Valley Road is currently prohibited. It is designated as a locally scenic roadway. The posted speed limit varies from 45 to 55 mph. Parking is prohibited on both sides of Carmel Valley Road. East of Carmel Rancho Boulevard, Carmel Valley Road has four travel lanes (two each direction). This segment carries an average of 1,940-2,050 vph and operates at LOS B during both peak hours. West of Carmel Rancho Boulevard, Carmel Valley Road is a 2-lane east-west rural highway. This segment carries approximately 1,780 vph in the AM peak hour (LOS E) and 1,690 vph in the PM peak hour (LOS D).

- *Carmel Rancho Boulevard.* This is a 4-lane north-south arterial street from Carmel Valley Road to Rio Road. It has left-turn channelization that provides access to retail and commercial uses on both sides of the street. Parking is prohibited on both sides and a signalized driveway is located about 700 feet south of Carmel Valley Road. Traffic movements at this intersection are controlled by a fully actuated traffic signal and operates at LOS B. Two other driveways on Carmel Rancho Boulevard also provide access into the Carmel Rancho Shopping Center. A raised median at one of the two driveways restricts movement to right turns in and out only. The posted speed limit is 35 mph. Between Carmel Valley Boulevard and Rio Road, Carmel Rancho Boulevard carries an average of 730-1,450 vph and operates at LOS A during both peak hours.

- *Rio Road.* This is a 4-lane arterial street with left turn channelization between Highway 1 and Carmel Rancho Boulevard. Rio Road connects the commercial areas at the mouth of the Carmel Valley to Highway 1 and the Carmel-by-the-Sea to the west. Parking is prohibited on both sides of Rio Road. The function of Rio Road reduces to 2-lane, local road, with a raised median from Carmel Rancho Boulevard about 900 feet east to where it currently dead ends at Val Verde Drive. At Carmel Rancho Boulevard, the Rio Road westbound approach and Carmel Rancho Boulevard southbound left turns are controlled by "STOP" signs and operates at LOS A. The intersections of Rio Road with Highway 1, Crossroads, and Carmel Center



Place are all controlled by fully actuated traffic signals and both operate at LOS B. The posted speed limit for Rio Road is 25 mph. Rio Road between Highway 1 and Carmel Rancho Boulevard carries an average of 730-1,810 vph and operates at LOS A during both peak hours.

- *Carmel Center Place.* This is a local street that provides access to the shopping centers and is approximately 36 feet wide at its approach to Rio Road.
- *Crossroads.* Crossroads is a 2-lane local street that provides access to the shopping centers and is approximately 58 feet wide at its approach to Rio Road. The north leg of Crossroads is a private road that terminates into private property.
- *Val Verde Drive.* This is a road easement with a 60-foot wide, "non-exclusive, right-of-way appurtenant for all purposes of a road" extending from Rio Road to Carmel Valley Road. At one time Val Verde Drive was accessed only by using Carmel Valley Road. However, a barrier was installed to block access to Val Verde from Carmel Valley Road and now the only access to this street is via Rio Road. This right-of-way is shared by 13 property owners that have property fronting onto Val Verde Drive. Approximate 100 feet of the southern section of this road is covered with asphalt. The remaining road is a 1-lane, dirt, road that provides limited access to five single family homes and agricultural row crop production and currently dead ends approximately 790 feet south of Carmel Valley Road at a willow grove.

Access. No general access would be taken from Carmel Valley Road in an attempt to comply with Policy 39.2.5.1 Carmel Valley Master Plan. This policy is to discourage and minimize access on Carmel Valley Road and even deny access if it is otherwise available. An access easement through the commercial center to the west provides access to the proposed assisted care facility from a signalized intersection on Carmel Rancho Boulevard.

Approximately 12 feet of the Val Verde Drive right-of-way would be improved to allow for emergency access only from the project access to Carmel Valley Road. Locked gates would be placed north and south of the project to restrict general vehicular traffic from using Val Verde Drive in either direction. As a result part of the area from the edge of pavement to the edge of right-of-way on Val Verde Drive permanent structures are not allowed because they may block access. However, a property owner that holds title under the easement could landscape this area provided they do not obstruct access.

Road Easement. General traffic for this facility (residents, visitors, deliveries) has been designed to use Carmel Rancho Boulevard from State Highway 1. Questions from the community were raised relative to the impacts on Val Verde Drive by allowing an increase of general traffic on a road easement where the properties are zoned for low density residential land uses. The proposed project would generate 112 vehicle trips and there is currently no traffic generated by the vacant lot.

This amount of traffic is equivalent to approximately 3-4 times more traffic than if the site were developed at the one unit per acre density allowed in the low density residential zone. However, policies in the Carmel Valley Master Plan allow increased density of up to eight units per acre for a qualified affordable housing project. In this case, the proposed project is 2-3 times less than if the property were developed at the maximum density for an affordable housing project.

In response to concerns with increased traffic on Val Verde Drive, the project has been re-designed to gain access from Carmel Rancho Boulevard via an access easement through the neighboring commercial center. This design would retain the rural condition of Val Verde Drive.

Traffic Study. Higgins and Associates prepared a Traffic and Parking Evaluation for the project in December 2000. An addendum was prepared in May 2004 to address the revised access design from Carmel Rancho Boulevard. These traffic reports are attached as Exhibit C.

The initial report includes information on the existing and cumulative traffic volumes in the project area. Evaluation is based on a 43,400 square foot facility providing 24-hour care for seniors who need assistance with daily living activities, but are not at a point of needing additional health care of a nursing home. The project includes 64 units (78 beds/residents) and 36 parking spaces.

The study assumes residents of this facility would be an average age of 84 years. As a result, residents would be less mobile and not expected to drive so the parking demand is lower. This study also assumes that based on the applicant's description the facility would be operated by a total of 30 employees of which a maximum of 19 would be present at any one time and the night shift would have minimal employee presence. In addition, one half of the employees were assumed to either car-pool or use the Monterey-Salinas Transit.

Evaluation of impacts for the project includes looking at the ambient growth. Due to this low growth rate, the report applies a 1% ambient growth factor over an 8-year period from 1997 to 2005. Traffic studies in the Carmel Valley area have been using an estimated growth rate of 1% for many years based on historical development patterns. The Public Works Department's traffic volume monitoring program has indicated that overall average daily traffic volumes on Carmel Valley Road have been increasing at less than 1% per year.

To determine traffic growth trends in this area, the report compares the average annual daily traffic on the following seven road segments:

1. Carmel Valley Road from Rio Road to Carmel Rancho Lane.
2. Carmel Rancho Boulevard from Carmel Rancho Lane to Carmel Valley Road.
3. Carmel Valley Road from State Highway 1 to Carmel Rancho Boulevard.
4. Carmel Valley Road from Carmel Rancho Boulevard to Rio Road.
5. Rio Road from State Highway 1 to Carmel Rancho Boulevard.

6. State Highway 1 south of Carmel Valley Road.
7. State Highway 1 south of Route 68.

Review of the average annual daily traffic (AADT) indicates there was no increase in the overall area traffic from 1997 to 1999. Therefore, the report assumes that the 1997 turning movement volumes still reflect existing conditions. The description of a couple of these segments includes connection of Rio Road and Carmel Valley Road. This connection does not currently exist; however, there is a planned future connection of Rio Road into Carmel Valley Road east of the Carmel Middle School.

Peak Periods. The County's policy relative to traffic impacts on deficient roadways, including Carmel Valley Road and State Highway 1, is as follows: additional peak-hour traffic on these roads generated by a development project is a "significant cumulative" impact, and such impact may be mitigated by payment of a pro-rata contribution to the cost of constructing the long-term improvements that will correct the deficiency. The pro-rata contribution is based on an estimate of anticipated peak-hour traffic generated by the specific project under consideration in proportion to the total anticipated peak-hour volume in the cumulative traffic scenario.

In the case of Carmel Valley Road this had been determined to be the Traffic Impact Mitigation Fee established by the Board-adopted Carmel Valley Road Traffic Impact Fee Ordinance and associated Fee Resolution, and in the case of Highway 1 it is the project's pro-rata share of the cost of constructing widening improvements in accordance with the TAMC-adopted Project Study Report for this roadway.

The project would generate delivery traffic for supplies such as food, mail, trash collection, furniture (movers), florist, and pharmacy. A table in the traffic report estimates a total of about 30 deliveries per week. The largest of the vehicles identified would be a tractor truck with a 27-foot trailer. Peak hours of traffic in this area are from 7:30 am to 8:30 am and from 4:30 pm to 5:30 pm.

Cumulative Traffic. The Higgins study for the Gamboa/Sunrise assisted Living project notes that their current project study accounted for Rio Road Chevron, Community Life Center, September Ranch and Rancho San Carlos projects as well as Quail Meadows, Canada Woods and the Rio Road office/housing mixed use project as they were evaluated for cumulative impacts in the Carmel Greens EIR. Therefore, these cumulative impacts have been assumed to have been addressed for purposes of this evaluation.

Parking. The traffic study defines this project as a "retirement community" under the Parking Generation manual (2<sup>nd</sup> Edition) produced by the Institute of Transportation Engineers (ITE). Using this definition, the ITE parking generation rates for this type of facility is 0.32 parking spaces per suit on weekends and 0.27 spaces per suite on weekdays. With a 64 suite facility, this equates to 21 spaces required on weekends and 18 during the week. The project proposes to provide 36 parking spaces, which meets this projected demand and also accounts for adequate employee parking.

There would be two parking areas for the project. The primary parking has 30 spaces and is located at the southern end of the site around Building 3. It has a single access point from Val Verde Drive. A secondary parking area is located in front of the main, center building (Building 2) using a circular driveway on Val Verde Drive. Both parking aisles are wide enough to accommodate 2-way traffic.

No parking would be located between Building 1 and Carmel Valley Road. This would allow for significant landscaping to be installed in this area and buffer the built portions of the project. This design would require some walking to get to Building 1, but the grades must be relatively flat due to the nature of the operation. The site plan shows pedestrian walkways available all around and through the entire site.

Improvements. The traffic study identifies five improvements that are warranted for existing conditions and that are approved project mitigation measures:

1. Re-time the existing traffic signal at Highway 1/Carmel Valley Road intersection.
2. Install regulatory signs at the Rio Road/Carmel Center Place intersection to prohibit Rio Road eastbound left turns and U-turns.
3. Existing traffic signals along Rio Road will require re-timing to improve traffic flow. This needs to be performed under the direction of the County of Monterey Public Works and Caltrans.
4. Widen Highway 1 (east side) to provide a second northbound through lane from the intersection of Highway 1/Carmel Valley Road to the Highway 1/Ocean Avenue intersection.
5. Implement one of the two median design options on Rio Road as documented in the "Rio Road Mixed Use Development Traffic Study" prepared by Higgins Associates, May 13, 1996.

Since the completion of this study, Improvements No. 1, 4, and 5 have been completed by others. Monterey County's Public Works Department does not recommend including Improvement No. 2 since a "No U-turn" sign has been installed at Carmel Center Place. Public Works does not recommend prohibiting east-bound left turns. The Public Works Department does recommend that the Gamboa project pay a pro-rata fair share of the cost to re-time the traffic signals on Rio Road at the Crossroads Shopping Center.

Staff Review. The County Public Works Department reviewed this report and finds that the report makes a reasonable effort to estimate hourly and daily traffic generation rates and total volumes for the proposed project. In addition, the applicant had Hexagon Transportation Consultants, Inc. prepare a peer review of the Higgins report. Hexagon concurs with the findings and recommendations of the Higgins study and specifically highlights recommendations for how the proposed project could be managed to entirely avoid trips during morning and afternoon peak hours.

Section VI-16 (Utilities) identifies a couple of mitigation measures that may increase the number of vehicle trips for this operation. Individually, the number of trips would be minimal. They would be required to be performed during off-peak periods to avoid

significant impacts. Since each trip adds to the overall congestion of the area, they are subject to the mitigation fees for these added trips.

#### **IMPACT ANALYSIS/MITIGATION:**

**Less Than Significant with Mitigation (Traffic Impact 1) – Carmel Valley Master Plan Area Traffic Mitigation Program.** This project is located in the area of the Carmel Valley Master Plan. As such, it is subject to the Carmel Valley Master Plan Area Traffic Mitigation Program, which requires payment of traffic impact fees.

**Mitigation Measure 17:** Since all projects in the area are subject to the Carmel Valley Road Traffic Impact Fees, the applicant shall pay the applicable Mitigation Fee in effect at the time the building permit is issued. Said fee shall be based on floor area as required for commercial development.

**Monitoring Action 17. Prior to issuance of a building permit,** the applicant shall provide the Director of Planning and Building Inspection with written clearance from Public Works that the required Carmel Valley Road Traffic Impact Fee has paid.

**Less Than Significant with Mitigation (Traffic Impact 2) – Rio Road/Carmel Rancho Boulevard.** Traffic for the project could use Carmel Rancho Boulevard to access Highway One either from Rio Road or Carmel Valley Road. The addendum letter dated May 2004 indicates that the revised design to use Carmel Rancho Boulevard for access would not alter the findings of the original traffic report. That report noted that a future signal may be required at the intersection of Rio Road and Carmel Rancho Boulevard. In addition, the project will require re-timing of traffic signals in this area.

**Mitigation Measure 18:** Since all trips to be generated by the proposed project (13 trips per hour) would utilize the Rio Road/Carmel Rancho Boulevard intersection, the applicant shall contribute their proportional share of the total cost (2.7% or \$4,050) towards installing future traffic signals at this intersection.

**Monitoring Action 18. Prior to issuance of a building permit,** the applicant shall provide the Director of Planning and Building Inspection with written clearance from Public Works that the required Rio Road/Carmel Rancho Boulevard intersection improvement mitigation fee has been paid.

**Mitigation Measure 19:** Since the project will generate 13 peak hour trips along Rio Road during the cumulative peak evening hours, the applicant shall contribute their proportional share of the total cost (3.0% or \$225) towards the retiming of traffic signals along Rio Road.

**Monitoring Action 19. Prior to issuance of a building permit,** the applicant shall provide the Director of Planning and Building Inspection with written clearance from Public Works that the required Rio Road Signal Retiming mitigation fee has been paid.

**Less Than Significant with Mitigation (Traffic Impact 3) – Carmel Rancho Boulevard/Carmel Valley Road.** The project will generate five peak hour northbound right turn trips from Carmel Rancho Boulevard to Carmel Valley Road. Creating a second right-turn lane for northbound traffic at Carmel Valley Road will reduce traffic impacts in this area.

**Mitigation Measure 20:** In order to reduce congestion in the area, the applicant/owner shall contribute their proportional share of the total cost (2.8% or \$3,500) toward a second northbound right turn lane on Carmel Rancho Boulevard at Carmel Valley Road.

**Monitoring Action 20. Prior to issuance of a building permit,** the applicant shall provide the Director of Planning and Building Inspection with written clearance from Public Works that the required Carmel Rancho Boulevard at Carmel Valley Road turn lane mitigation fee has been paid.

**Less Than Significant with Mitigation (Traffic Impact 4) – Mass Transit.** The project identifies the use of mass transit for employees to access the project. Existing bus facilities are located within walking distance on Carmel Valley Road and at the signal for Carmel Rancho Boulevard. The traffic report estimates that the project will generate 13 peak hour trips.

**Mitigation Measure 21:** In order to encourage the use of mass transit and avoid peak hour traffic trips, the applicant/owner shall contribute their proportional share of the total cost (3.3% or \$2,640) toward a bus turnout and shelter on the south side of Carmel Valley Road, in front of the proposed facility.

**Monitoring Action 21. Prior to issuance of a building permit,** the applicant/owner shall provide the Director of Planning and Building Inspection with written clearance from Public Works that the required Bus Turnout mitigation fee has been paid.

**Less Than Significant with Mitigation (Traffic Impact 5) – Highway One/Carmel Valley Road.** Most traffic will access the project using Carmel Rancho Boulevard from State Highway One. The traffic report addendum estimates that more traffic will chose to use Carmel Valley Road for access to Highway One because of the number and efficiency of existing traffic signals. The original traffic report estimates that the project will generate approximately seven trips at Highway 1/Carmel Valley Road during its peak hour.

**Mitigation Measure 22:** In order to address the project's proportional share of impact to Carmel Valley Road, the applicant/owner shall pay their proportional share (0.2% or \$9,800) of the County/State program to address LOS deficiencies.

**Monitoring Action 22. Prior to issuance of a building permit,** the applicant shall provide the Director of Planning and Building Inspection with written clearance from Public Works that the required LOS Deficiency mitigation fee has been paid.

**Less Than Significant with Mitigation (Traffic Impact 6) – Highway One.** This project is subject to the State Highway One long-term improvement project in the Transportation Agency for Monterey County (TAMC) Project Study Report dated December 19, 2001. This project would be assessed using Alternative 2, which is based on \$2,041 per average daily trip.

**Mitigation Measure 23:** In order to address the project's proportional share of impact to Highway One, the applicant/owner shall contribute \$51,025 as the project's pro-rata share of the cost of constructing the State Highway One long-term improvement project in the Transportation Agency for Monterey County (TAMC) Project Study Report dated December 19, 2001. The calculation of this contribution may be adjusted annually based on the *Engineering News Record Construction Cost Index*.

**Monitoring Action 23. Prior to issuance of a building permit,** the applicant shall provide the Director of Planning and Building Inspection with written clearance from Public Works that the TAMC mitigation fee has been paid.

**Less Than Significant with Mitigation (Traffic Impact 7) – Emergency Vehicles.** Emergency services need direct access to the site and avoiding Rio Road will reduce impacts to the neighboring residents.

**Mitigation Measure 24:** In order to provide adequate emergency access and reduce the impact of emergency vehicle traffic on Val Verde Drive, the applicant shall:

- Improve Val Verde Drive to a width of 12 feet (maximum) from the northern most project entry to Carmel Valley Road;
- Install posting/restrictions along this segment for emergency access only;
- Install an emergency gate on Val Verde Drive at the intersection with Carmel Valley Road that is secured from general vehicle traffic;
- Install an emergency gate on Val Verde Drive at the southerly end of the property that is secured from general vehicle traffic; and
- Install an emergency vehicle pre-empt system on the signal at the intersection of the Brinton's driveway with Carmel Rancho Boulevard subject to the approval of the Department of Public Work.

**Monitoring Action 24. Prior to occupancy,** the applicant shall provide the Director of Planning and Building Inspection with written verification that appropriate restrictions are in place for the emergency access segment to the satisfaction of the local fire jurisdiction, Monterey County Sheriff's Department, and the Department of Public Works.

**Less Than Significant with Mitigation (Traffic Impact 9) – Peak Hours.** The traffic study for the Gamboa project finds that deliveries must be scheduled to avoid adding traffic during the peak periods of time. In order to avoid cumulative impacts, staff reviewed the traffic study for the Community Life Center. Peak hours for that study were not specified. Discussion with the traffic engineer determined that the assumed general peak period is 7:00-9:00 AM and 4:00-6:00 PM. The Community Life center

shows an operation plan where up to 60 person trips would occur during the week at these peak periods and up to 140 during this peak time on the weekend. Therefore, staff for the Sunrise facility (Gamboa project) must avoid the both 2-hour periods for any employee or service/delivery traffic in order to avoid potential cumulative impacts.

Regulation of shift changes and delivery times are necessary to eliminate traffic increase during the morning and evening peak periods. In addition, night deliveries should be avoided to reduce noise impacts. Operation schedules need to be coordinated with the Community Life Center that is to also be developed on Val Verde Drive.

**Mitigation Measure 25:** In order to reduce impacts of generating traffic at peak times, the applicant shall schedule employee arrivals/shift changes at non-peak hours (7:00-9:00 AM and 4:00-6:00 PM) and also coordinate this to vary from the peak operation times of the Community Life Center. Deliveries may occur only between the hours of 10:00 am and 3:00 pm.

**Monitoring Action 25. Prior to occupancy,** the applicant shall submit an operation plan that identifies peak traffic periods for the area and Community Life Center and based on such establishes employee schedules (shift changes) and delivery schedules that will not impact these peak periods. Said plan shall be submitted to review and approval of the Director of Planning and Building Inspection.

**Less Than Significant with Mitigation (Traffic Impact 10) – Additional Vehicle Trips.** Traffic mitigation measures have been created to address the project as designed. The applicant has indicated that if laundry service is provided off-site, the laundry would be picked up/dropped of two times a week. Vehicle trips for maintenance services resulting from adding the graywater system to the project would add to long term impacts on Highway One. The project traffic consultant, Higgins and Associates, estimates that these added services would equate to an additional 0.8 daily trips, and an additional mitigation fee to address all of the prior traffic impacts is valued at \$2,041 per daily trip for long term improvements on Highway One.

**Mitigation Measure 26:** In order to reduce long term traffic impacts on Highway One from added trips for a graywater system maintenance employee/service and potential off-site laundry services, the applicant owner shall pay an additional mitigation fee of \$1,632.80 (0.8 trips \* \$2,041/trip).

**Monitoring Action 26. Prior to issuance of a building permit,** the applicant shall provide the Director of Planning and Building Inspection with written clearance from Public Works that the mitigation fee for added trips relating to a graywater system maintenance employee and/or off-site laundry services has been paid.

**CONCLUSION:** The Traffic and Parking Evaluation prepared Higgins & Associates Traffic Engineers dated March 13, 2002, with the addendum dated May 2004, finds that traffic increases from the project by itself would be less than significant. However, the proposed project combined with ambient growth and cumulative projects would add to an



already congested system. Project design changes to avoid physical changes of a private right-of-way eliminate indirect economic impacts to neighboring property owners. *As mitigated and designed the project's share of traffic impacts on the area are reduced to a level of insignificance.*

16. UTILITIES AND SERVICE SYSTEMS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: 1,21)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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: 1,16,21)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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: 1,16)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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: 1,10,11,16)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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: 1,16,21)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Source: 1,14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Comply with federal, state, and local statutes and regulations related to solid waste? (Source: 1,14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION:** The project involves operation of a 64-unit/78 bed residential assisted care facility for seniors. This facility would be run with a staff of 30 employees, of which no more than 19 would be on the site at any time. It includes a segregated building to house people with cognitive impairments such as dementia and Alzheimer's disease. A graywater system would be used to replace potable water use for exterior landscape.

Storm Water. The project includes two detention ponds in the southern part of the project site. These ponds would be designed to retain on-site water so that there is no increase of runoff above existing conditions. Water would then be dispersed at current levels

through a storm drain system located under the neighboring shopping center. In addition, there would be one underground cistern for each building to collect rainwater for additional irrigation and for backwashing the sand filter.

Detention Ponds and a cistern would allow increased recharge of water into the aquifer by holding storm water in place rather than allowing it to runoff. Section VI-8 (Hydrology) evaluates these improvements as they relate to this issue (Mitigation Measure 14). A tie-back levee is located at the end of Rio Road located south of the project site. Since the project has been modified to avoid improvements to Val Verde Drive, there will be no increase of runoff.

Public Works and Water Resources Agency reviewed the subject project, and found no significant impacts. There has been no determination that existing facilities or resources would be significantly impacted from increases of runoff that results from this project based on the information presented at this point. However, final improvement and drainage plans are needed to assess actual impacts.

Water Management (MPWMD). Water supply is a critical issue in the Carmel Valley area. This facility would have their water supplied by the California-American Water Company (Cal-Am) through the Monterey Peninsula Water Management District (Water District). The Water District is the final arbitrator for determining water demand, and the County's Water Resource Agency reviews permits for the type and quantity of fixtures.

Development of properties located within the jurisdiction of the Water District depends on the availability of water pursuant to an allotment system based on pro-rationing of the known water supply for each of the jurisdictions served by the California-American Water Service Company. In 1993, Monterey County Board of Supervisors adopted a water allocation plan for the unincorporated areas of Monterey County based upon the Water District's water allotment system. In December 2001, the Board of Supervisors amended the County's water allocation plan's list of priority land uses to include assisted care facilities.

Water Allocation. In order to process this project, the applicant must first apply to the Board of Supervisors for allocation of water to this project. A water allocation plan was adopted by Board of Supervisors Resolution 01-497 on December 11, 2001. This action amended the water allocation plan's list of priority land uses as follows: 1) Remodels/additions to single-family units and commercial projects; 2) First unit on existing and commercial lots of record; 3) Affordable housing; 4) senior/caretaker units; 5) Assisted Care Living Facilities; and 6) Special Projects. While assisted living facilities were added to the list, nothing in that resolution endorsed or approved water allocation for any specific project.

On January 14, 2003, the Board of Supervisors stated their intent to allocate 4.8-acre feet of water to this project. Once the Board formally allocates water by resolution, then Monterey County's Water Resources Agency would track the application and approve/deny

water availability accordingly. The Water Resources Agency has stated that no additional water would be available above this 4.8-acre foot allocation.

Water Demand. Once a project is allocated water and approved by the County, then the applicant must apply to the Monterey Peninsula Water Management District (Water District) for water allocation. The current factor used by this Water District for Assisted Living Facilities is 0.085 acre-feet/bed/year. County staff determined that this factor includes water required for exterior landscape due to the sites the Water District used in establishing this factor. Landscaping for the proposed project is estimated to account for approximately 1.5-acre feet of water per year.

With 78 beds, the proposed project would require 6.63-acre feet of water per year using the current Water District factors of 0.085-acre feet/year/bed. Conversely using 4.8-acre feet would allow a maximum of 56 beds depending on the water demand factor used. The applicant contends that that proposed water saving devices and a graywater system for landscape irrigation would allow the project operate within this limit.

A water demand analysis prepared by Axiom Engineers Incorporated dated January 2003 (Exhibit D) was submitted to provide evaluation of the proposed conservation devices. This water demand report estimates expected water use beginning with the 0.085 factor and then subtracting credits for various conservation devices using a bottom-up and top-down analysis.

Graywater. The Axiom report determines that the project can operate within the 4.8-acre foot limit with 78 beds provided the Water District approves a "special circumstance". However, the applicant has indicated they would install dual plumbing to include the use of graywater (Exhibit E) for irrigation of the exterior landscape in order to justify allowing a facility with 78 beds based on County review limitations.

Graywater tanks would be limited so that it could only hold the maximum daily flow. The applicant's proposal states that the total available graywater from the facility will be an average of 1,400 gallons per day or 1.564-acre feet/year. Based on the 0.085 demand factor, this additional water would allow the addition of 18 beds (74 total).

Such a system is allowed by Monterey County Code and the State Plumbing Code. Regular monitoring is necessary to assure that the system is working properly. Therefore, such a system would involve the addition of an employee for maintenance. This would require adjusting the traffic mitigation fees accordingly as noted in the traffic section. Similarly, an off-site laundry service would increase delivery traffic that would be included in the mitigation to be performed off-peak. These trips would need to be added as part of the traffic mitigation fees noted in Section VI-15 (Traffic).

As noted in the hydrology discussion (Section VI-8) the Building Standards Commission establishes standards for absorption capacity based on soil types. Use of a graywater system will be required to meet the percolation criteria for the type of soils identified depending on the location of the subsurface drip emitters installed for irrigation. For

aesthetic purposes, the tank and equipment will need to be enclosed and/or placed underground.

Special Circumstances. Proposed devices identified in the water demand report have not been proven for their effectiveness to the Water District. Therefore, a “special circumstance” must be approved by the Water District Board to accept these estimates. Approval of a “special circumstance” would allow development to move forward with monitoring to follow. In the past, when the Water District Board has approved a finding of “special circumstances”, they have set a five-year window of time following occupancy to adjust the connection charge/allocation debit. However, the actual timeframe is determined as part of the “special circumstance”.

With recent approvals, the Board has conditioned the “special circumstance” such that the applicant has to report to the District annually. If during any year, the project exceeds the projected water use, the District will debit the jurisdiction's water allocation for the overage. After five years, the jurisdiction will have water credit returned if they have remained within the projected limit, or conversely, the allocation will be permanently debited if the project is over. Since the County has no additional water beyond the 4.8-acre feet, this creates a significant issue to avoid a project that may exceed the limit.

In May 2001, the Water Demand Committee (Committee) for the Water District reviewed the “special circumstance” request with a report from the applicant identifying conservation devices. This Committee adopted a recommendation to the District Board to approve a “special circumstance” for this project. A letter from the Monterey Peninsula Water Management District dated June 13, 2001 acknowledges a report (water demand analysis) submitted by the applicant that estimates water use for the proposed facility to be between 4.25 and 4.44 acre-feet per year based on a number of water conservation devices.

Discussions with the Water District staff have found that the Water District will attach condition to a “special circumstance” action. One standard condition is to identify the timeframe for monitoring the water use. Another standard condition for special circumstance cases would be to require an agreement from the jurisdiction (e.g. Monterey County) that if the project demands additional water that the Water District would automatically debit that jurisdictions water account.

Water Impacts. As noted earlier in this analysis, the Monterey County Water Resources Agency has stated that no additional water is available. All other water credits have been allocated to projects previously approved by the Board. Furthermore, the State Water Resources Control Board (SWRCB) has determined that California-American (Cal-Am) Water Company does not have legal rights for approximately 10,730-acre feet of water annually that Cal-Am has been diverting from the Carmel River system. This project is allowed to move forward because the 4.8-acre feet noted for this project was taken into account as part of the SWRCB calculation.

However, that means that if this project is approved as a "special circumstance" and then exceeds its allocation, then water would be taken from approved project(s) not yet constructed. If project/water are not available, then the project would be required to take measures to reduce its water use. This could become a potentially significant impact if the County does not agree to allocate additional water for this project, or if the facility uses more water than what has been estimated.

Wastewater: The project would discharge all domestic wastewater to the Carmel Area Wastewater District (CAWD). The District office is located 3945 Rio Road, which is at the corner of Rio Road and Carmel Rancho Boulevard. However, the project proposes to provide dual plumbing for using graywater to irrigate the exterior landscape.

Any graywater not used for irrigation would be pumped to the sewer system on a daily basis. The CAWD has a reclamation project that is able to provide reclaimed water for other uses such as golf courses. The CAWD was contacted to determine that they would not oppose the proposed graywater system.

Electrical: Electrical power for this site is provided by Pacific Gas and Electric Company (PG&E). There are overhead utility lines that run the length of Val Verde Drive and are located along the east side of the right of way. At the southeast corner of the site a secondary utility pole crosses the easement to an area along the west side of the right of way. The overhead lines end at the southeast corner of the subject property.

Underground vaults for PG&E equipment are located in multiple places along the east border of the subject project and just within the right of way. Current plans indicate that the PG&E facilities would be adjacent to, but not within the Val Verde Drive improvements. However, final placement of the roadway may require relocation of some facilities.

If final road placement impacts any PG&E services, the facilities must be relocated by the applicant without impacting any protected trees. Since there is a 60-foot right of way, the applicant would be able to relocate any impacted facilities within the remaining right of way if needed. Therefore, any potential impact would be considered less than significant.

Telephone: Telephone service for this site is provided by Pacific Bell. There are overhead utility lines that run the length of Val Verde Drive and are located along the east side of the right of way. At the southeast corner of the site a secondary utility pole crosses the easement to an area along the west side of the right of way. The overhead lines end at the southeast corner of the subject property.

A Pacific Bell manhole is located at the southwest corner of Carmel Valley Road and Val Verde Drive. Current plans indicate that existing telephone services would not be impacted by the Val Verde Drive improvements. However, final plans for roadway improvements may require relocation or modification of some facilities.

If final road placement impacts the Pacific Bell facilities, these services must be relocated by the applicant without impacting any protected trees. Since there is a 60-foot right of way, the applicant would be able to relocate facilities within the remaining right of way if needed. Therefore, any potential impact would be considered less than significant.

#### **IMPACT ANALYSIS/MITIGATION:**

##### **Less Than Significant with Mitigation (Utility Impact 1) – Water Demand.**

Monterey County's Division of Environmental Health and Monterey County Water Resource Agency reviewed and analyzed the water demand report relative to determining if the project can operate within 4.8 acre feet per year, which is the allocation amount identified as being available for this type of use. These agencies concur that the project would be able to operate within the limit if there is a graywater system in place. The County's concern is that once the project is built, reducing the demand would be difficult if the facility is found to exceed their allocation. Mitigation is necessary to avoid significant impacts to an area with significant cumulative water supply conditions and to protect the County from additional water debit.

**Mitigation Measure 27:** To ensure that the project does not exceed the 4.8-acre foot water allocation which could cause a significant impact to the local water supply, the applicant/owner shall contract with an approved qualified engineer to monitor and provide water use reports. The engineer shall be approved by, and reports shall be submitted to the Director of Planning and Building and the General Manager of Water Resources Agency consistent with the schedule in the following monitoring actions. Said reports shall identify the actual water use of the facility at various stages of occupancy with recommended action(s) if the facility is nearing its water limit as directed in the following monitoring actions.

**Monitoring Action 27A: Immediately following occupancy and for the first two years of operation,** the applicant/owner shall submit monthly (due the 1<sup>st</sup> day of each month) reports to the Director of Planning and Building Inspection and the General Manager of Water Resources Agency prepared by a qualified engineer that identifies the actual water use of the facility. If any report finds that this facility is operating at or over their proportional capacity, Monitoring Action 27C shall be implemented accordingly based on these findings.

**Monitoring Action 27B: During years 3-5 of operation,** the applicant/owner shall submit bi-annual reports (due January 1 and July 1) to the Director of Planning and Building Inspection and the General Manager of Water Resources Agency prepared by a qualified engineer that identifies the actual water use of the facility following the facility. If any report finds that this facility is operating at or over their proportional capacity, Monitoring Action 27C shall be implemented accordingly based on these findings.

**Monitoring Action 27C: If any report directed by Monitoring Action 27A or 27B identifies that the facility has used more than 90% of the allocation for any calendar year,** the consultant engineer shall recommend implementation of one or more actions to

reduce water consumption to the satisfaction of the Water Resources Agency. Said action may include, but are not limited to:

- a. Remove on-site laundry and provide off-site laundry service only.
- b. Implement further staff/client water saving measures through review of water use practices in conjunction with client attrition to reduce the number of beds occupied.
- c. Reduce the allowed number of beds that may be occupied. If the facility is operating with a reduced occupancy (e.g.; 65 beds) when the reports noted in 27A or 27B finds the facility is nearing its proportional capacity, then that level of occupancy shall be the new limit of occupancy until a future report identifies available water to use for additional beds.

**Less Than Significant with Mitigation (Utility Impact 2) – Water Allocation.** This facility would have their water supplied by the California-American Water Company (Cal-Am) through the Monterey Peninsula Water Management District (Water District). The Water District is the authority to evaluate the water use for the proposed project, which is determined after the County takes action on the project. Approval of a “special circumstance by the Water District would likely involve conditions that the County must then accept. Since all available water credit above the 4.8-acre feet has been allocated to other approved projects, the County cannot accept a condition that would allow the Water District to debit the County further if the facility exceeds its allocation.

**Mitigation Measure 28:** In order to verify that the California-American Water Company has adequate water capacity to serve the proposed project the applicant shall submit proof of approval from the Monterey Peninsula Water Management District.

**Monitoring Action 28. Prior to issuance of any permits,** the applicant/owner shall demonstrate that the California-American Water Company has adequate capacity to serve the project as follows:

- a) Submit a can and will serve letter from the California-American Water Company to the Director of Environmental Health.
- b) Obtain all necessary approvals for a water connection permit from the Monterey Peninsula Water Management District (MPWMD) for not more than the amount of water allocated by the Board of Supervisors.
- c) Obtain a resolution from the Board of Supervisors agreeing to any conditions placed on the water connection permit by the MPWMD Board.
- d) Should the Board allocate less than 4.8 acre-feet per year or the MPWMD determines that the amount of water allocated is insufficient for the project as approved, the project shall be reduced accordingly, subject to the approval of the Director of Planning and Building Inspection, the General Manager of the Water Resources Agency and the General Manager of the Monterey Peninsula Water Management District.
- e) Submit to the Director of Planning and Building Inspection a plan for the annual monitoring of water use. The plan shall include but not be limited to monitoring methods, schedules and contingency plans for the reduction in water use should the monitoring report indicate the project used or is projected to use more than the

allocated amount of water in any 12 month period. The plan shall be approved by the General Manager of the Water Resources Agency and the General Manager of the Monterey Peninsula Water Management District.

**Less Than Significant (Utility Impact 3) – Wastewater.** The CAWD will need to submit a can and will serve letter demonstrating that they have sufficient capacity to serve the proposed project at the maximum output, which would be without use of a graywater system. Any graywater not used for irrigation would be pumped to the sewer system on a daily basis.

**Less Than Significant (Utility Impact 4) – Solid Waste.** All facilities are required to provide recycling area for solid waste generated by the facility. Final plans will need to reflect compliance with the Solid Waste Management Plan for Monterey County.

**Less Than Significant with Mitigation (Utility Impact 5) – Water Demand.** Section VI-7 (Hazards) describes the proposed graywater system. Mitigation Measure 12 addresses all potential impacts from use of a graywater system for exterior landscape irrigation. The project could support a maximum of 74 beds based on the maximum water allocation of 4.8 acre feet, the MPWMD demand factor of 0.085 acre feet per bed, plus a water savings of 1.5 acre feet by using gray water for exterior landscape irrigation. The applicant requests to develop a 78-bed facility based on credit for water conservation devices not considered in calculating the water demand factor. Any such credit is subject to approval of the MPWMD, but if approved could allow for a 78-bed facility.

**Mitigation Measure 29:** Due to a maximum water allocation of 4.8-acre feet per year, the facility would be limited to 74 beds including a graywater system for the exterior landscape irrigation. The facility could be allowed up to 78 beds subject to the approval of “special circumstance” credits for conservation devices by the Monterey Peninsula Water Management District (MPWMD).

**Monitoring Action 29.** Prior to issuance of any permits, the applicant/owner shall provide evidence of approval by the MPWMD for a senior, assisted living facility not to exceed 78 beds. The facility shall be limited to the maximum number of beds allowed by the MPWMD based on a maximum water allocation/use of 4.8 acre feet of water per year.

**CONCLUSION:** A significant water supply constraint exists in this area and a maximum of 4.8-acre feet of water is available. Based on the established water demand factor by the Water District, the project is allowed a maximum of 56 beds. The proposed graywater system saves 1.5-acre feet that equates to 18 beds using the Water District demand factor. As a result, the facility would be allowed a maximum of 74 beds, provided the Water District approves the proposed water conservation devices and dual-plumbing for graywater. *Mitigation measures are provided to provide safeguards against any potential impact and reduce potential impacts to a level of insignificance.*

## ***VII. MANDATORY FINDINGS OF SIGNIFICANCE***



Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Source: 1,8,5)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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: 1,3,10,11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: 1,5,11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**DISCUSSION:** The analysis in Section VI identifies impacts relative to land use, circulation, hydrology and utilities that individually and cumulatively would have potentially significant impacts on the area. Mitigation Measures have been identified that would reduce potential impacts to a level of insignificance.

Additional impacts were identified for aesthetics, biology, air quality, geology, hazards and noise. These impacts would not be individually or cumulatively significant impacts on the project area once mitigated.

**IMPACT ANALYSIS/MITIGATION:**

Traffic. Traffic impacts will not be directly mitigated, but rather will be mitigated through paying a fee that represents the project's proportional share of the impact. In accordance with State law (AB 1600), mitigation fees collected as a pro-rata contribution to a specific improvement or series of improvements can only be used for that purpose. For instance, Carmel Valley Road Traffic Impact Mitigation fee revenue has been used from time to time to pay for improvement projects on Carmel Valley Road in accordance with the list of projects contained in the Fee Resolution. Prior adoption of a Project Study Report for long-term improvements on Highway 1, mitigation fees for traffic impacts on Highway 1 were calculated based on developments' pro-rata share of the cost for a series of "interim" operational improvements set forth in the County's Highway 1 Deficiency Plan, which was approved by the Board of Supervisors. These fees were then

used to fund a portion of the series of improvements on Highway 1 constructed over the last five years in accordance with that Deficiency Plan.

Water. If the facility is allowed to average use over a longer period, this could create short-term impacts by exceeding the allocation with a significant cumulative overdraft condition in the area. Cumulative impacts would occur if the Monterey Peninsula Water Management District were to debit the County's allocation for water used above the 4.8-acre foot limit.

**CONCLUSION:** Each issue has been evaluated and adequate mitigation assigned to reduce impacts to a level of insignificance. This analysis includes 29 mitigation measures with monitoring actions for their implementation. *Once mitigated, the cumulative impacts of these issues would be less than significant.* Cumulative monitoring of these mitigation measures will impact County services relative to staff time. Therefore, fees for implementing these mitigation measures are necessary to recover County costs. The Board of Supervisors has adopted a fee schedule to recover these costs.

### ***VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES***

**Assessment of Fee:** For purposes of implementing Section 735.5 of Title 14, California Code of Regulations: If based on the record as a whole, the Planner determines that implementation of the project described herein, will result in changes to resources A-G listed below, then a **Fish and Game Document Filing Fee** must be assessed. Based upon analysis using the criteria A-G, and information contained in the record, state conclusions with evidence below:

- A) Riparian land, rivers, streams, water courses, and wetlands under state and federal jurisdiction.
- B) Native and non-native plant life and the soil required to sustain habitat for fish and wildlife;
- C) Rare and unique plant life and ecological communities dependent on plant life, and;
- D) Listed threatened and endangered plant and animals and the habitat in which they are believed to reside.
- E) All species of plant or animals listed as protected or identified for special management in the Fish and Game Code, the Public Resources Code, and the Water Code, or regulations adopted there under.
- F) All marine terrestrial species subject to the jurisdiction of the Department of Fish and Game and the ecological communities in which they reside.
- G) All air and water resources the degradation of which will individually or cumulatively result in the loss of biological diversity among plants and animals residing in air or water.

**De minimis Fee Exemption:** For purposes of implementing Section 735.5 of the California Code of Regulations: A *De Minimis Exemption* may be granted to the **Environmental Document Fee** if there is substantial evidence, based on the record as a

whole, that there **will** be changes to the above named resources V. A-G caused by implementation of the project. Using the above criteria, state conclusions with evidence below, and follow Planning and Building Inspection Department Procedures for filing a de minimis exemption.

**Conclusion:** The project will be required to pay the fee. Said fee must be submitted within five calendar days of final action on this project so that the required Notice of Determination may be filed in accordance with CEQA.

**Evidence:** The site includes nesting evidence of the Dusky-footed woodrat. In addition, the habitat and area is conducive to existence of the red-legged frog if any ponding occurs. Drainage for the site runs into the Carmel River, which includes steelhead. A few non-native Monterey Pine trees are located within the project area and would be impacted by this project. State Department of Fish and Game will review the Mitigated Negative Declaration to comment and recommend necessary conditions to protect wildlife values in the nearby Carmel River.

## ***IX. SOURCES***

1. Project Application/Plans. On file with Monterey County Planning and Building Inspection Department.
  - A. PLN000357 (Gamboa).
  - B. PLN965481 (Community Life Center).
2. Monterey County General Plan. Adopted Monterey County Board of Supervisors September 30, 1982 and amended to January 6, 1996.
3. Carmel Valley Master Plan. Adopted Monterey County Board of Supervisors December 16, 1986 and as amended through November 5, 1996.
4. Monterey County Zoning Ordinance. Title 21. Adopted Monterey County Board of Supervisors October 11, 2000 and as amended.
5. Final Environmental Impact Report for the Carmel Greens Tentative Subdivision Map. October 10, 1995.
6. CEQA Air Quality Guidelines. Monterey Bay Unified Air Pollution Control District. Adopted October 1995. Amended February 1997, August 1998, December 1999, September 2000, and September 2002.
7. Determination of Consistency. Association of Monterey Bay Area Governments. Letter dated October 22, 2002.
8. Preliminary Cultural Resources Reconnaissance of a Proposed Development on Via Verde Way, Carmel Valley, Monterey California. Anna Runnings, MA, and Gary S. Breshini, SOPA with Archaeological Consulting. June 28, 1988.
9. Geotechnical Investigation for Carmel Greens Carmel, California. Steven M. Raas (G.E. 2039) with Jacobs, Raas and Associates. June 16, 1988. Preliminary

- Geologic Report. Hans Nielsen (Certified Engineering Geologist #1390) with Foxx, Nielsen, and Associates. June 17, 1988.
10. Resolution 01-497 "Amending the Priority Land Use Classifications Set Forth in the County Water Allocation Plan to Include Assisted Care Living Facilities". Adopted Monterey County Board of Supervisors December 11, 2001.
  11. Monterey Peninsula Survey of Senior Assisted Living Facilities. Richard C. Shermer, Sr. with R.C. Shermer Company. Revised July 25, 2001.
  12. Sunrise Assisted Living Project Traffic and Parking Evaluation. K.B. Higgins (CE, TE) with Higgins Associates. December 6, 2000.
  13. Peer Review of Gamboa/Sunrise Assisted Living Project Traffic Study. Gary K. Black with Hexagon Transportation Consultants, Inc. March 13, 2002.
  14. Solid Waste Management Plan. The Environmental Health Division Monterey County Health Department. Revised, December 17, 1985.
  15. Biological Assessment for the Proposed Senior Assisted Living Facility on the Gamboa Property APN 015-021-036. Dale Hameister, Rana Creek Habitat Restoration. January 23, 2003.
  16. Gamboa Project for Lombardo and Gilles (PLN000357). Raymond Cole, PE with Axiom Engineers, Inc. January 24, 2003.
  17. Community Life Center Traffic Study. Meherdad Namiranian and K.B. Higgins (CE, TE) with Higgins Associates. August 31, 1998.
  18. Phase I Environmental Site Assessment. Nathan A. Stoops, R.G. 6607 with Kleinfelder, Inc. December 2000.
  19. Lower Carmel River Flood Control Project Final Report. For County Service Area #50. Philip Williams & Associates, Ltd. August 9, 2002.
  20. Geotechnical Investigation Proposed Sunrise of Carmel Valley. Robert Hasseler (CE 58488) and Chalerm Liang (GE) with Kleinfelder Inc. December 6, 2000.
  21. Revised Graywater Standards (Appendix G). Building Standards Commission. March 18, 1997.
  22. Carmel Rancho Boulevard Access. Letter by Keith Higgins assessing circulation design changes. May 13, 2004.
  23. Graywater Treatment System. System Diagrams by Axiom Engineers. May 12, 2004.

## ***X. EXHIBITS***

- A. Biological Assessment (Rana Creek)
- B. Geotechnical Investigation (Kleinfelder)

- C. Traffic Analysis (Higgins)
- D. Water Demand Analysis (Axiom Eng.)
- E. Graywater System (Axiom Eng.)