

## MONTEREY COUNTY PLANNING COMMISSION

<b>Meeting:</b> August 27, 2014	<b>Agenda Item No.:</b> 2
<b>Project Description:</b> Consider Coastal Development Permit to allow construction of a 100,000 gallon water tank and water distribution lines within an environmentally sensitive habitat area.	
<b>Project Location:</b> 19200 Oakridge Drive, Aromas	<b>APN:</b> 141-081-011-000, 141-081-012-000, 141-081-013-000, 141-081-014-000 and 127-171-015-000
<b>Planning File Number:</b> PLN140475	<b>Owner:</b> Ann and C.P. Mc Auley <b>Applicant:</b> Aromas Water District <b>Agent:</b> Vicki Morris
<b>Planning Area:</b> North County Land Use Plan	<b>Flagged and staked:</b> Yes
<b>Zoning Designation:</b> : “RDR/5(CZ)” [Rural Density Residential, 5 acres per unit (Coastal Zone)] and “RC/B-8” [Resource Conservation with Building Site Zoning District overlay]	
<b>CEQA Action:</b> Consider Mitigated Negative Declaration	
<b>Department:</b> RMA-Planning	

### RECOMMENDATION:

Staff recommends that the Planning Commission adopt a resolution (**Exhibit C**) to:

- 1) Consider Mitigated Negative Declaration;
- 2) Approve the Coastal Development Permit (PLN140475), based on the findings and evidence and subject to the conditions of approval (**Exhibit C**).

### PROJECT OVERVIEW:

The Aromas Water District (AWD) proposes to construct a new water tank and water distribution lines to provide water service to existing residential connections on Oakridge Drive and Via Del Sol Road in Aromas. Monterey County Local Agency Formation Commission (LAFCO) approved an amendment to the AWD sphere of influence to include this area and the annexation of the area to the AWD. The majority of the project to extend the water main is located within existing public utility easements in or adjacent to existing roads and is exempt from discretionary approval by the County. A Coastal Development Permit is required to allow the construction of the water tank and water distribution lines in newly acquired easements across previously undisturbed portions of four parcels within the Coastal Zone. For further discussion, see **Exhibit B**.

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


- √ RMA-Public Works Department
- √ RMA-Environmental Services
- √ Environmental Health Bureau
- Water Resources Agency
- Aromas Tri-County Fire Protection District
- Economic Development Department
- California Coastal Commission

Agencies that submitted comments are noted with a check mark (“√”). Conditions recommended by RMA-Public Works Department, RMA-Environmental Services and Environmental Health Bureau have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the draft resolution (**Exhibit C**).

The project was heard by the North County Coastal Land Use Advisory Committee (LUAC) at a public hearing on August 19, 2014. The LUAC recommended approval of the project as proposed, by a vote of 4 to 0.

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

/S/ Delinda Robinson

  
Delinda Robinson, Senior Planner  
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August 20, 2014

cc: Front Counter Copy; Planning Commission; Aromas Tri-County Fire Protection District; RMA-Public Works Department; RMA-Environmental Services; Environmental Health Bureau; Water Resources Agency; Jane Barr, Economic Development Department; California Coastal Commission; Luke Connolly, RMA Services Manager; Delinda Robinson, Project Planner; Ann and C.P. Mc Auley, Owner; Eugene and Joan Chu, Owner; James E. Keim Trust, Owner; Roger and Dorinda Monroe, Owner; Daniel Patrick Scrodin, Owner; Vicki Morris, Applicant/Agent; The Open Monterey Project (Molly Erickson); LandWatch (Amy White); John H. Farrow; Janet Brennan; Planning File PLN140475

Attachments: Exhibit A Project Data Sheet  
Exhibit B Project Discussion  
Exhibit C Draft Resolution, including:  
• Conditions of Approval  
• Site Plan, and Elevations,  
Exhibit D Vicinity Map  
Exhibit E Mitigated Negative Declaration, including:  
• Notice of Intent to Adopt an MND  
• MND/Initial Study  
• Responses & Public Comment Letters  
• Aromas Water District Resolution 2012-02  
• Mitigation Monitoring and/or Reporting Plan  
• Notice of Determination  
Exhibit F North County Coastal Land Use Advisory Committee Minutes  
Exhibit G Letter from U.S. Fish and Wildlife Service

This report was reviewed by , RMA-Services Manager.

## EXHIBIT A

### Project Information for PLN140475

**Application Name:** Aromas Water District [Multiple Private Owners]  
**Location:** 19200 Oakridge Dr, Aromas  
**Applicable Plan:** North County LCP  
**Advisory Committee:** North County-Coastal Advisory Committee  
**Permit Type:** Coastal Development Permit  
**Environmental Status:** Mitigated Negative Declaration  
**Zoning:** RDR/5(CZ)

**Primary APN:** 141-081-011-000  
**Coastal Zone:** Yes  
**Final Action Deadline (884):** 1/26/2015  
**Land Use Designation:** Residential - Rural Density

#### Project Site Data:

**Lot Size:** 42.4  
**Existing Structures (sf):** 0  
**Proposed Structures (sf):** 706  
**Total Sq. Ft.:** 706

**Coverage Allowed:** 25%  
**Coverage Proposed:** N/A  
**Height Allowed:** 30'  
**Height Proposed:** 20'  
**FAR Allowed:** N/A  
**FAR Proposed:** N/A

**Special Setbacks on Parcel:**

#### Resource Zones and Reports:

**Seismic Hazard Zone:** III|UNDETERMINED  
**Erosion Hazard Zone:** High  
**Fire Hazard Zone:** Moderate|High  
**Flood Hazard Zone:** X (unshaded)  
**Archaeological Sensitivity:** low  
**Visual Sensitivity:** None

**Soils Report #:** NONE  
**Biological Report #:** LIB140204, LIB140205  
**Forest Management Rpt. #:** NONE  
**Geologic Report #:** NONE  
**Archaeological Report #:** LIB140206  
**Traffic Report #:** NONE

#### Other Information:

**Water Source:** PUBLIC  
**Water Purveyor:** AROMAS WATER DISTRICT  
**Fire District:** Aromas Tri-County FPD  
**Tree Removal:** NONE

**Grading (cubic yds.):** 60  
**Sewage Disposal (method):** SEPTIC  
**Sewer District Name:** N/A

## EXHIBIT B DISCUSSION

### Project Description and Background

The Aromas Water District proposes to install a 100,000 gallon water tank and water distribution lines to provide water service to residents on Oakridge Road and Via Del Sol Road in Aromas. The purpose of the project is to provide safe, potable water in an area where the wells are not producing sufficient water to serve existing connections, creating a situation where some residents have to haul potable water in for their use. The project as a whole includes an expansion of the Aromas Water District's sphere of influence and the annexation of the Oakridge Drive/Via Del Sol Road area. LAFCO approved the sphere of influence expansion and annexation in June of 2012. The proposed water main project extends along Dunbarton Road from San Juan Road to Oak Ridge Drive. The project continues up Oakridge Drive then connects to Via Del Sol Road and down to Echo Valley Road. The 100,000 gallon water tank will be located at the top of Oakridge Drive to provide gravity-fed water to the residents below (see **Exhibit C**). The majority of the new water lines will be installed within existing public utility easements in or adjacent to Dunbarton Road, Oakridge Drive and Via Del Sol Road and are exempt from the requirement for a Use Permit per Section 21.64.160.C or a Coastal Development Permit per Section 20.64.160.C, provided the route of the water lines are submitted to the Planning Commission for recommendation to the public utility at least 30 days in advance of the acquisition of rights-of-way for such routes.

The water tank and the portions of the water line between the tank and Via Del Sol Road will be located within new easements that are located on four parcels on Oakridge Drive within the North County Land Use Plan (Coastal Zone) and one parcel on Via Del Sol Road in the non-coastal area of North County. The route of the water lines is shown on the project plans (see **Exhibit C**).

Therefore, only a small portion of the overall project requires discretionary approval by the Planning Commission. A Coastal Development Permit is required solely for the new water tank and water lines that will extend across undeveloped areas at the top of Oakridge Drive and to connect between Oakridge Drive and Via Del Sol Road in the newly acquired easements within an environmentally sensitive habitat area in the Coastal Zone.

### Project Issues

The proposed water tank and water lines will be constructed in an area of grasslands that has been identified as environmentally sensitive habitat. Although the grasslands are suitable upland habitat for California tiger salamander (CTS), a State and Federally threatened species, the United States Fish and Wildlife Service has made a determination that due to the distance from known breeding ponds and the intervening roads (Highway 101 and San Juan Road), it is unlikely that CTS will be present on the site. Mitigation measures to reduce potential impacts to CTS to less than significant were adopted by the Lead Agency, the AWD.

A portion of the project site contains Needlegrass grassland which is considered to be a community of special concern. Mitigation measures to reduce potential impacts to Needlegrass grassland to less than significant were also adopted by the Lead Agency, the AWD.

### Environmental Review

The Aromas Water District was the Lead Agency for the project environmental review process and accordingly, drafted and circulated an Initial Study/Mitigated Negative

Declaration(IS/MND). The IS/MND identified potential impacts to Biological Resources and Hydrology/Water Quality, all of which could be reduced to “less-than-significant” with the implementation of mitigation measures as recommended in the document. The Aromas Water District adopted the MND and a Mitigation Monitoring and/or Reporting Plan (attached as **Exhibit E**) on January 24, 2012. The following state agencies were designated as Reviewing Agencies for the IS/MND:

- Resources Agency
- California Coastal Commission
- Department of Fish and Wildlife, Region 4
- Office of Historic Preservation
- Department of Parks and Recreation
- Department of Water Resources
- California Highway Patrol
- Caltrans, District 5
- Regional Water Quality Control Board, Region 3
- Department of Toxic Substances Control
- Native American Heritage Commission

No comments related to the portion of the project subject to this Coastal Development Permit presently being considered by the County were received by the Lead Agency from the public or any of the Reviewing Agencies during the public review period, which ran from November 14, 2011 to December 15, 2011. Acting as a Responsible Agency, County staff has reviewed the previously adopted IS/MND and concurs with the findings and mitigations contained within. The County is not the responsible agency to ensure that any of the mitigation measures are complied with; however, for those mitigation measures relevant to the issuance of the Coastal Development Permit, the County will receive verification agency from the lead agency that those measures have been complied with.

#### Recommendation

Staff recommends approval of the project as proposed.

**EXHIBIT C  
DRAFT RESOLUTION**

**Before the Planning Commission in and for the  
County of Monterey, State of California**

In the matter of the application of:

**AROMAS WATER DISTRICT (PLN140475)**

**RESOLUTION NO. ----**

Resolution by the Monterey County Hearing Body:

- 1) Considering a Mitigated Negative Declaration; and
- 2) Approving Coastal Development Permit to allow construction of a 100,000 gallon water tank and water distribution lines within an environmentally sensitive habitat area.

[PLN140475, Aromas Water District, 19200 Oakridge Drive, Aromas, North County Land Use Plan (APN: 141-081-011-000, 141-081-012-000, 141-081-013-000, 141-081-014-000 and 127-171-015-000)]

**The Aromas Water District application (PLN140475) had a public hearing before the Monterey County Planning Commission on August 27, 2014. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:**

**FINDINGS**

1.       **FINDING:**       **PROJECT DESCRIPTION** – The proposed project is a Coastal Development Permit to allow construction of a 100,000 gallon water tank and water distribution lines within an environmentally sensitive habitat area.  
**EVIDENCE:**       The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN140475.
  
2.       **FINDING:**       **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.  
**EVIDENCE:**       a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
  - the 1982 Monterey County General Plan (1982 GP);
  - the 2010 Monterey County General Plan (2010 GP);
  - North County Land Use Plan (LUP)
  - Monterey County Coastal Implementation Plan Part 2 (CIP);
  - North County Area Plan (AP);
  - Monterey County Zoning Ordinance (Title 20 and Title 21);

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

- b) The property is located at 19200 Oakridge Drive, Aromas (Assessor's Parcel Numbers 141-081-011-000, 141-081-012-000, 141-081-013-000, and 141-081-014-000, North County Land Use Plan and 127-171-015-000, North County Area Plan. The parcels are zoned "RDR/5(CZ)" [Rural Density Residential, 5 acres per unit (Coastal Zone)] and "RC/B-8" [Resource Conservation with Building Site Zoning District overlay]. The RDR/5(CZ) zoning district allows construction of water system facilities including storage tanks serving 15 or more service connections, subject to a Coastal Development Permit in each case. Public utility underground facilities for the distribution of water are allowed without the necessity of first obtaining a Use Permit or Coastal Development permit provided the routes of proposed water lines are submitted to the Planning Commission for recommendation to the public utility at any time prior to but at least thirty (30) days in advance of the acquisition of rights-of-way for any such routes. Therefore, the project is an allowed land use for this site.
- c) Building Site Zoning District: The project is consistent with the B-8 overlay. The B-8 restricts intensification of land use that increases the demand on the constraint which caused the B-8 to be applied over that use existing at the time the B-8 zoning overlay was applied to the property. The project will provide water service to existing, developed, residential parcels. There will be no intensification of the existing residential use of the land and no intensification of the use of water.
- d) Consolidation of Water systems: The project is consistent with General Plan policies regarding water service (1982 GP Policies 53.1.1 and 53.1.4 and 2010 GP Policies PS-2.1 and PS-2.3) which encourage coordination between public water service providers and require new development to connect to public utilities, where feasible. The Aromas Water District has annexed 80 parcels in the Oak Ridge Drive and Via Del Sol area and will provide water service to 72 existing service connections that were previously served by the Oak Ridge Mutual Water Company and several small water systems on Via Del Sol Road.
- e) Consolidation of Water systems: The project is consistent with Monterey County Code Section 15.04.006.e which states that it is the policy of Monterey County to reduce the proliferation of water systems by requiring the consolidation and incorporation of proposed and existing water systems when feasible. This project will result in the consolidation of the Oak Ridge Mutual Water Company and several small systems on Via Del Sol Road and their incorporation into the Aromas Water District.
- f) Visual Resources: Consistent with North County Coastal LUP visual resources policies, the water tank will be screened from view by existing vegetation on the site to the maximum extent feasible. The tank will be located behind large pine trees at the top of the ridge west of Dunbarton Road. The edge of the upper part of the tank will be visible from a distance of approximately 4,200 feet for approximately 5 seconds when travelling north on Dunbarton Road. The standard

condition requiring landscaping and that the tank be painted to blend with the existing landscaping has been applied to the project. There will be no substantial adverse visual impact on the public viewshed.

- g) Environmentally Sensitive Habitat: The water tank and approximately 800 feet of water distribution lines will be constructed in or adjacent to areas identified in the Mitigated Negative Declaration prepared for the project as “potential marginal upland habitat” for California tiger salamanders (CTS), a California and Federally protected species. Mitigation measures were adopted by the Aromas Water District to reduce impacts to CTS to less than significant.
- h) Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the North County Coastal LUAC because the development required CEQA review (Mitigated Negative Declaration). The project was heard by the LUAC at a public hearing on August 19, 2014 and the LUAC recommended approval of the project by the Planning Commission as proposed, by a vote of 4 to 0.
- i) The project planner conducted site inspections on July 3, 2014 and August 11, 2014 to verify that the project on the subject parcel conforms to the plans listed above.
- j) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN140475.

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

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: RMA- Planning, Aromas Tri-County Fire Protection District, RMA-Public Works, RMA-Environmental Services, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended by RMA-Environmental Services, RMA-Public Works and Environmental Health Bureau have been incorporated into the Coastal Development Permit.
  - b) As the lead agency, AWD staff identified potential impacts to Biological Resources, Archaeological Resources, and Erosion. The following reports were prepared:
    - “Phase I Archaeological Survey for the Aromas Water District Annexations of the Oak Ridge Mutual Water System and the Via Del Sol Area” (LIB140206) prepared by Archaeological Consulting, Salinas, CA, April 1, 2011;
    - “Oak Ridge/Via Del Sol Project, Aromas Water District Assessment District” (LIB140204) prepared by Biotic Resources Group, Soquel, CA, April 28, 2011;
    - “Biological Assessment for Oakridge/Via Del Sol Water System Improvements Project” (LIB140205) prepared by Aromas Water District, Aromas, CA, January 2014;
    - “Storm Water Pollution Prevention Plan for Construction Activities, Linear Underground/Overhead Project (Oak Ridge/Via



Del Sol)” prepared by Michael Freitas, Aptos, CA, June 2014; The above-mentioned technical reports by concluded that there are no physical or environmental constraints that indicate that the site is not suitable for the use proposed. As a responsible agency under CEQA, County staff has independently reviewed these reports and also concurs with their conclusions.

- c) Staff conducted site inspections on July 3, 2014 and August 11, 2014 to verify that the site is suitable for this use.
- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development are found in Project File PLN140475.

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

- EVIDENCE:**
- a) The project was reviewed by the RMA - Planning, Environmental Services and Public Works, Aromas Tri-County Fire Protection District, Public Works, the Environmental Health Bureau, and the Water Resources Agency. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
  - b) Necessary public facilities are available. The project proposes to replace existing water system facilities in order to serve existing residential water connections. Waste water is disposed in existing private on-site septic systems. No changes to waste water disposal are proposed.
  - c) A letter of support was received for the consolidation of water systems and single connection wells along Oak Ridge Drive and Via Del Sol Road with the Aromas Water District dated October 27, 2010 from the Monterey County Environmental Health Bureau.
  - d) Condition No. 8, imposed by Environmental Health Bureau, requires that the water system improvements be designed to meet the standards found in Titles 17 and 22 of the California Code of Regulations.
  - e) Staff conducted site inspections on July 3, 2014 and August 11, 2014 to verify that the site is suitable for the proposed use. Staff concluded that it is.
  - f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development are found in Project File PLN140475.

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

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning and Building

Services Department records and is not aware of any violations existing on subject property.

- b) Staff conducted site inspections on July 3, 2014 and August 11, 2014 and researched County records to assess if any violation exists on the subject property. No evidence of violations was found.
- c) The application, plans and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN140475.

6. **FINDING:**

**CEQA (Mitigated Negative Declaration)** - On the basis of the whole record before the Monterey County Planning Commission, there is no substantial evidence that the proposed project, as designed, conditioned and mitigated, will have a significant effect on the environment. The Mitigated Negative Declaration prepared and adopted by the Aromas Water District as Lead Agency reflects the independent judgment and analysis of the County, which is a Responsible Agency as defined in CEQA Guidelines Section 15381.

**EVIDENCE:**

- a) Public Resources Code Section 21080.d and California Environmental Quality Act (CEQA) Guidelines Section 15064.a.1 require environmental review if there is substantial evidence that the project may have a significant effect on the environment.
- b) The Aromas Water District prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the offices of RMA-Planning and is hereby incorporated by reference (PLN140475).
- c) The Draft Mitigated Negative Declaration (“MND”) for the Aromas Water District Oakridge/Via Del Sol Water System Improvement Project was prepared in accordance with CEQA and circulated for public review from November 15, 2011 through December 14, 2011(SCH#: 2011111048).
- d) The Initial Study identified several potentially significant effects; however, the Mitigated Negative Declaration includes mitigation measures that avoid the effects or mitigates the effects to a level of insignificance.
- e) On January 24, 2012, by Resolution 2012-02, the Aromas Water District as Lead Agency adopted the Mitigated Negative Declaration and a Mitigation Monitoring and/or Reporting Plan, which are hereby incorporated by reference.
- f) All project modifications required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. As Lead Agency, Aromas Water District is responsible for implementing the Mitigation Monitoring and/or Reporting Plan. Condition No. 6 requires that the applicant demonstrate to the satisfaction of the County that the applicable mitigation measures have been implemented, as adopted by the Aromas Water District.
- g) Issues that were analyzed in the Mitigated Negative Declaration include: aesthetics, agriculture and forest resources, air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hydrology/water quality, noise, population/housing, transportation/traffic, and utility/service systems.
- h) The following mitigation measures to reduce potential impacts to

biological resources and hydrology/water quality identified in the Mitigated Negative Declaration are applicable to the portion of the project subject the County's Coastal Development Permit:

BIO-3: During the grading for the water tank and trenching for the water line portions of the project that cross the grassland areas, the Aromas Water District shall hire a qualified biologist to monitor for presence of California tiger salamander. The biologist shall be on the site during construction in these areas to ensure no salamanders are in the work area. The silt fences (installed as stated in Mitigation Measure BIO-4) will also prevent movement of animals from adjacent areas into the work area, such that any take of the species is avoided. No take of California tiger salamanders is allowed.

BIO-4: Prior to grading and construction, the Aromas Water District shall designate the limits of construction work and equipment access and install protective fencing. Grassland adjacent to the work area shall be protected by placing plastic protection fencing (i.e., plastic construction mesh fencing with metal t-bars) at the limit of work. Protective fencing should be in place prior to any site grading or other disturbances. All grassland areas outside the limits of work shall be preserved. When all site construction is complete, the temporary fencing can be removed.

BIO-5: Areas disturbed by construction shall be seeded with a native erosion control seed mix suitable to the project area. Plant species suitable for use include purple needlegrass (*Nassella pulchra*) and California brome (*Bromus carinatus*).

BIO-6: To avoid potential impacts to nesting migratory birds and raptors, schedule construction to avoid the nesting season to the extent feasible, which is typically from March 1 to August 1. If construction cannot be scheduled outside this area, a qualified biologist shall conduct surveys for nesting birds no more than two weeks prior to onset of tree pruning and construction with heavy equipment. If nesting birds are observed within the project corridor, postpone construction along that portion of the project until the biologist confirms that all young have fledged from the nest. For most birds a 50 foot buffer zone is adequate to protect the nest; a raptor nest will require a 250 foot buffer.

BIO-7: Prior to grading and construction, the Aromas Water District shall protect all oak trees that are within 20 feet of grading, trenching, and/or construction staging or access by placing plastic protection fencing (i.e., plastic construction mesh fencing with metal t-bars) at the limit of work. At the direction of a qualified arborist, fencing should be in place prior to any site grading or other disturbances. The final location and integrity of the fencing shall be inspected by a qualified arborist prior to any site construction. All areas outside the limits of work shall be preserved. When all site construction is complete, the temporary fencing can be removed.

BIO-8: During ground excavation all roots greater than 2 inches in diameter should be hand-cut (instead of being cut by a mechanical trencher, grader, or excavator). Hand cutting of roots will minimize

impacts to trees adjacent to construction. Limbing of tree limbs for access shall follow standards for pruning as per the International Society of Arboriculture (ISA), with any additional measures as identified by a qualified on-site arborist. A qualified arborist shall be on site to oversee all root cutting and limbing. Any additional protective tree measures as identified by the on-site arborist shall be implemented.

WQ-1: In addition to erosion control measures identified in Mitigation Measures BIO-2 and BIO-5, include erosion control measures in the construction specifications for all water system improvements and implement during construction to include, but not be limited to, prohibiting construction activities, placement of spoils, and storage of materials and machinery adjacent to water bodies; prohibiting grading between November 1 and April 1; protecting disturbed areas during these times with appropriate erosion control measures; and immediately revegetating disturbed areas with appropriate native plant species that are compatible with surrounding vegetation.

- i) Evidence that has been received and considered by the County includes: the application, technical studies/reports (see Finding 2/Site Suitability), staff reports that reflect the County's independent judgment, and information and testimony presented during public hearings. These documents are on file in RMA-Planning (PLN140475) and are hereby incorporated herein by reference.
- j) Staff analysis contained in the MND/Initial Study prepared by AWD and the record as a whole indicates the project could result in changes to the resources listed in Section 753.5(d) of the California Department of Fish and Game (CDFG) regulations. All land development projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless the Department of Fish and Wildlife determines that the project will have no effect on fish and wildlife resources. The site supports grasslands that are potential upland habitat for California tiger salamander. For purposes of the Fish and Wildlife Code, the project may have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. At the time of its preparation by AWD, the MND/The Initial Study was sent to the California Department of Fish and Wildlife for review and to recommend necessary conditions to protect biological resources in this area. The State Environmental Filing fee was paid by AWD as the CEQA Lead Agency on January 31, 2012. The applicant will be required to pay a fee payable to the Monterey County Clerk/Recorder for processing and posting the Notice of Determination (NOD).
- k) No comments related to the project subject to the Coastal Development Permit were received by the Lead Agency during the public review period.
- l) Monterey County RMA-Planning, located at 168 W. Alisal, 2nd Floor, Salinas, California, 93901, is a custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the Mitigated Negative declaration is based.

7. **FINDING:** **ESHA** – The subject project minimizes impact on environmentally sensitive habitat areas in accordance with the applicable goals and

- policies of the applicable area plan and zoning codes.
- EVIDENCE:**
- a) The project includes application for development within 100 feet of environmentally sensitive habitat areas (ESHA). In accordance with the applicable policies of the North County Land Use Plan and the Monterey County Coastal Implementation Plan – Part 2 (CIP), a Coastal Development Permit is required and the criteria to grant said permit have been met.
  - b) Pursuant to Section 20.144.040.B.2 (Environmentally Sensitive Habitat Development Standards of the CIP, development on parcels containing or within 100 feet of ESHA shall not be permitted to adversely impact the habitat's long-term maintenance, as determined by a biological survey. Proposals shall be modified to reduce impacts to an insignificant level. Recommended mitigation measures and conditions shall be incorporated into the approval of the project.
  - c) The project proposes to construct a 100,000 gallon water tank in an area that contains grassland that could be used as upland habitat for California tiger salamander (CTS) and water distribution lines that will cross through grasslands areas that are potential upland habitat for CTS. CTS are State and Federally listed as threatened. However, the closest known occurrence of CTS is approximately 1.25 miles northeast of the northern end of the water pipeline, which is located across San Juan Road and Highway 101 to the north east.
  - d) The grasslands on the project site include Needlegrass grasslands that have a State rank of S3, which indicates that it is a community of special concern by the California Natural Diversity Database and California Department of Fish and Wildlife.
  - e) Trenching for installation of water distribution lines will occur within undisturbed oak woodlands in two locations. The project has been designed to avoid impacts to oak trees.
  - f) A biological report was prepared by Biotic Resources Group (see Finding 3, Evidence b) to assess potential impacts to sensitive biotic resources. Mitigation measures recommended in the biology report to reduce impacts to sensitive resources on the site to a less than significant level have been incorporated into the Mitigation Monitoring and/or Reporting Plan adopted by AWD, the Lead Agency (see Finding 6, Evidence h). Condition No. 6 requires that the applicant, AWD, provide evidence to the County that the applicable mitigation measures have been implemented in accordance with the adopted Mitigation Monitoring and/or Reporting Plan.
  - g) The applicant is required by United States Department of Agriculture Rural Development to implement measures recommended by the United States Fish and Wildlife Service (USFWS) to avoid and minimize adverse environmental impacts per USDA Rural Development's Environmental Assessment. Condition No. 6 requires that the applicant provide evidence to the County that the applicable mitigation measures have been implemented to the satisfaction of the USFWS and/or USDA Rural Development. The following mitigation measures to reduce potential environmental impacts identified by the USFWS are applicable to the portion of the project subject to this Coastal Development Permit:

1. Before any ground disturbing activities begin on a project, a qualified biologist will conduct a training session for all construction personnel. At a minimum, the training will include a description of the California red-legged frog and California tiger salamander and their habitat, their protected status, general measures to be implemented to avoid any impacts to the California red-legged frog and California tiger salamander as they relate to the project, and the boundaries within which the project may be accomplished. Brochures, books and briefings may be used in the training session, provided that a qualified person is on hand to answer any question.
4. During grading for the water tank and trenching for the water line portions of the project that cross the grassland areas, the Aromas Water District will hire a qualified biologist to monitor for the presence of California Tiger Salamander. The biologist will be on-site during construction that includes vegetation stripping, grading, and trenching within the grasslands, to ensure no salamanders are within the work area. No take of California tiger salamanders is allowed.
5. A Service-approved biologist will be present at the work site until all disturbance of potential habitat of California tiger salamanders and California red-legged frogs and instruction of workers have been completed. After this time, the biologist will designate a person to monitor on-site compliance with all minimization measures. The Service-approved biologist will ensure that this individual receives training outlined above and in the identification of California tiger salamander and California red-legged frogs.
6. The biological monitor and the Service-approved biologist will have the authority to halt construction in the area if any federally listed species are observed and any action that might result in impacts to listed species will be postponed until approval is obtained from the Service. If work is stopped, the USDA and the Service will be notified immediately by the Service-approved biologist or on-site biological monitor. In the case of the California tiger salamander, which is also State listed, the California Department of Fish and Wildlife (CDFW) will also be immediately notified by the project proponent. No relocation of any federally listed species is allowed.
7. If a trench must remain open at the end of a work day, the construction contractor will ensure that the trench is securely covered overnight. The biological monitor will inspect the trench after the cover is removed in the morning, to ensure no animals are trapped in the trench.
8. During project activities, all trash that may attract predators will be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris will be removed from work areas.
10. A Service-approved biologist or on-site biological monitor will ensure that the spread or introduction of invasive exotic plant species will be avoided to the maximum extent possible. When practicable, invasive exotic plants in the project area will be removed.
11. The number of access routes, number and size of staging areas, and total area of the activity will be limited to the minimum necessary to

achieve the project goal. Routes and boundaries will be clearly demarcated, and these areas will be outside of riparian and wetland areas.

13. To control erosion during and after project implementation, the applicant will implement best management practices, as identified by the Resource Water Quality Control Board (RWQCB).

15. To avoid potential impacts to nesting migratory birds and raptors, the Aromas Water District will schedule construction to occur during the non-nesting season, which is August 1 to March 1 of any given year. If this is not practical, a qualified biologist will conduct surveys for nesting birds no more than two weeks prior to the onset of tree pruning and construction with heavy equipment. If nesting birds are observed within the project corridor, postpone construction along that portion of the project until the biologist confirms that all young have fledged from the nest. For most birds, a 50-foot buffer zone is adequate to protect a nest; a raptor nest will require a 250-foot buffer (Aromas Water District 2014).

8. **FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.
- EVIDENCE:**
- a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.144.150 of the Monterey County Coastal Implementation Plan can be demonstrated.
  - b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 7 in the North County LUP).
  - c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
  - d) The application, plans and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN140475
  - e) The project planner conducted site inspections on July 3, 2014 and August 11, 2014.
9. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission
- EVIDENCE:**
- a) Section 20.86.030.A of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.
  - b) Section 20.86.080.A.3 of the Monterey County Zoning Ordinance states that the proposed project is subject to appeal by/to the Coastal Commission because the project involves development that is permitted in the underlying zone as a conditional use.

### **DECISION**

**NOW, THEREFORE,** based on the above findings and evidence, the Planning Commission does hereby:

1. Consider the Mitigated Negative Declaration per CEQA Guidelines Section 15074; and
2. Approve a Coastal Development Permit to allow construction of a 100,000 gallon water tank and water distribution lines within an environmentally sensitive habitat area, in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 27<sup>th</sup> day of August, 2014 upon motion of xxxx, seconded by xxxx, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

Mike Novo, Planning Commission

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

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

(Coastal Projects)

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

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

#### NOTES

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

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

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

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



# Monterey County RMA Planning

## DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN140475

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** RMA-Planning

**Condition/Mitigation  
Monitoring Measure:**

This Coastal Development Permit (PLN140475) allows construction of a 100,000 gallon water tank and water distribution lines within an environmentally sensitive habitat area. The property is located at 19200 Oakridge Drive, Aromas (Assessor's Parcel Numbers 141-081-011-000, 141-081-012-000, 141-081-013-000, 141-081-014-000 and 127-171-015-000), North County Land Use Plan, Coastal Zone. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

**Compliance or  
Monitoring  
Action to be Performed:**

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

## 2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall record a Permit Approval Notice. This notice shall state:

"A Coastal Development Permit (Resolution Number \*\*\*) was approved by the Monterey County Planning Commission for Assessor's Parcel Numbers 141-081-011-000, 141-081-012-000, 141-081-013-000, 141-081-014-000 and 127-171-015-000 on August 27, 2014. The permit was granted subject to 15 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of building permits or commencement of the use. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

## 3. PD004 - INDEMNIFICATION AGREEMENT

Responsible Department: RMA-Planning

**Condition/Mitigation Monitoring Measure:** The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA-Planning for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to RMA-Planning .

#### 4. PD002(A) - ATTACH RESOLUTION TO CONSTRUCTION PLANS

Responsible Department: RMA-Planning

**Condition/Mitigation Monitoring Measure:** A copy of the Resolution of Approval (Resolution No. \*\*\*) for the Coastal Development Permit (Planning File No.: PLN140475) shall be incorporated onto the construction plans for the project prior to beginning construction. The Contractor/Owner/Applicant shall be responsible for compliance with all conditions of approval. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to commencement of any grading or construction activities, the Owner/Applicant shall submit evidence to RMA-Planning for review and approval, that the Resolution of Approval, for the project, has been incorporated onto the construction plans for the project/approved development.

Ongoing throughout construction and until all Conditions of Approval and/or Mitigation Measures have been complied with, the Contractor/Owner/Applicant shall provide evidence of compliance with Conditions of Approval to the Responsible Land Use Department as specified in the "Condition of Approval Implementation Plan/Mitigation Monitoring Reporting Plan."

#### 5. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: RMA-Planning

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

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County RMA - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

## 6. PDSP001 - VERIFICATION OF COMPLIANCE WITH MITIGATION MEASURES

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall provide evidence to RMA-Planning for review and approval that:

1. The mitigation measures applicable to Coastal Development Permit PLN140475 (BIO-3, BIO-4, BIO-5, BIO-6, BIO-7, BIO-8 and WQ-1) contained within the Mitigation Monitoring and/or Reporting Plan adopted for the project by the Aromas Water District have been implemented; and
2. The mitigation measures applicable to Coastal Development Permit PLN140475 contained within the United States Fish and Wildlife Service Informal Consultation for the Aromas Water District Oak Ridge Drive and Via del Sol Drive Annexation Project (Nos. 1, 4, 5, 6, 7, 8, 10, 11 and 13) have been implemented to the satisfaction of the USFWS and/or USDA Rural Development (RMA-Planning).

**Compliance or Monitoring Action to be Performed:** Prior to grading or construction, provide evidence to RMA-Planning that the listed mitigation measures have been included in the Construction Specifications and that pre-construction actions have been completed as required by the mitigation measures.

Prior to final or beginning the use, provide evidence to RMA-Planning that the mitigation measures adopted by the Aromas Water District were implemented as specified in the Mitigation Monitoring and/or Reporting Plan and that the USFWS Service mitigation measures have been implemented to the satisfaction of the USFWS and/or USDA Rural Development.

## 7. PD038 - WATER TANK APPROVAL

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** (NON-STANDARD) The water tank shall be painted an earth tone color to blend into the area and landscaped (including land sculpturing and fencing, where appropriate), subject to the approval of the Director of RMA - Planning, prior to the commencement of use. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the start of construction, the Owner/Applicant shall submit proposed color of water tank and landscaping plans to RMA - Planning for review and approval.

Prior to final inspection or commencement of use, the Owner/Applicant shall provide evidence to the Director of RMA - Planning that the water tank has been painted and the landscaping has been installed according to the plans approved by RMA - Planning.

On an on-going basis, the Owner/Applicant shall continuously maintain all landscaped areas and fences; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

## 8. PW0044 - CONSTRUCTION MANAGEMENT PLAN

**Responsible Department:** RMA-Public Works

**Condition/Mitigation Monitoring Measure:** The applicant shall submit a Construction Management Plan (CMP) to the RMA-Planning Department and the Department of Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall provide the following information:

Duration of the construction, hours of operation, an estimate of the number of truck trips that will be generated, truck routes, number of construction workers, parking areas for both equipment and workers, and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the Construction/grading phase of the project.

**Compliance or Monitoring Action to be Performed:** 1. Prior to issuance of the Grading Permit or Building Permit or prior to beginning grading or construction Owner/Applicant/ Contractor shall prepare a CMP and shall submit the CMP to the RMA-Planning Department and the Department of Public Works for review and approval.

2. On-going through construction phases Owner/Applicant/Contractor shall implement the approved measures during the construction/grading phase of the project.

## 9. PWSP001 - NON STANDARD CONDITION

**Responsible Department:** RMA-Public Works

**Condition/Mitigation Monitoring Measure:** Obtain an encroachment permit from RMA-Public Works and construct water distribution lines along Dunbarton Road.

**Compliance or Monitoring Action to be Performed:** Prior to beginning construction or prior to issuance of a Building/Grading Permit, Owner/Applicant shall obtain an encroachment permit from RMA-Public Works and complete improvement prior to occupying or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.

## 10. EHSP01 - DESIGN WATER SYSTEM IMPROVEMENTS (STATE PERMITTED SYSTEM) NON-STANDARD

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** Design the water system improvements to meet the standards as found in Titles 17 and 22 of the California Code of Regulations.

**Compliance or Monitoring Action to be Performed:** Prior to issuance of construction permit or prior to beginning construction, provide evidence to the satisfaction of the Environmental Health Bureau that the California State Water Resources Control Board has received an application to amend the water system permit and approved the design plans and specifications for the proposed water system improvements.

## 11. CALIFORNIA CONSTRUCTION GENERAL PERMIT

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall submit a WDID# certifying the project is covered under the California Construction General Permit. (RMA-Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any grading or building permits or prior to beginning construction, the applicant shall submit a WDID# certifying the project is covered under the California Construction General Permit.

## 12. EROSION CONTROL PLAN

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall submit an Erosion Control Plan addressing the requirements of Monterey County Code Chapter 16.12. The plan shall include the location and details for all selected erosion control measures. The Erosion Control Plan may be incorporated into other required plans provided it is clearly identified. (RMA-Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any grading or building permits or prior to beginning construction, the applicant shall submit an Erosion Control Plan to RMA-Environmental Services for review and approval.

## 13. INSPECTION-PRIOR TO LAND DISTURBANCE

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall schedule an inspection with RMA-Environmental Services to ensure all necessary sediment controls are in place and the project is compliant with Monterey County grading, erosion control, and stormwater regulations. (RMA – Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to commencement of any land disturbance during the rainy season (October 15 – April 15), the owner/applicant shall schedule an inspection with RMA-Environmental Services.

## 14. INSPECTION-DURING ACTIVE CONSTRUCTION

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall schedule an inspection with RMA-Environmental Services, during active construction, to review the maintenance and effectiveness of BMPs installed, as well as, to verify that pollutants of concern are not discharged into receiving water bodies. (RMA – Environmental Services)

**Compliance or Monitoring Action to be Performed:** During construction, the applicant shall schedule an inspection with RMA-Environmental Services.

## 15. INSPECTION-FOLLOWING ACTIVE CONSTRUCTION

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall schedule an inspection with RMA-Environmental Services to ensure all disturbed areas have been stabilized and all temporary erosion and sediment control measures that are no longer needed have been removed. (RMA – Environmental Services)

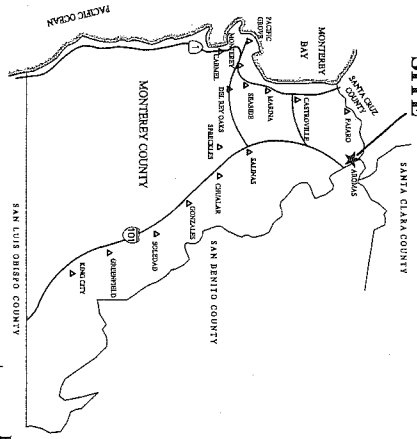
**Compliance or Monitoring Action to be Performed:** Prior to final inspection or prior to commencement of the use, the owner/applicant shall schedule an inspection with RMA-Environmental Services.

# Construction Drawings

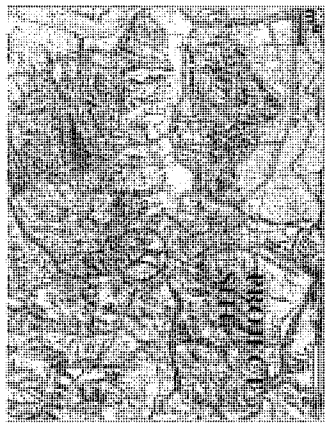
## OAK RIDGE/VIA DEL SOL PROJECT

### ASSESSMENT DISTRICT No. 2013-1

### AROMAS WATER DISTRICT



**LOCATION MAP**  
Not to Scale

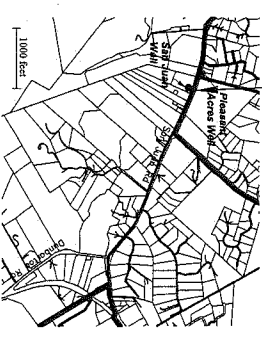


**NOTICE:** PORTION AND VARIETY BEHIND, LOCATION, AND DIMENSION OF ALL EXISTING UTILITIES, PIPES TO ANY CONSTRUCTION.

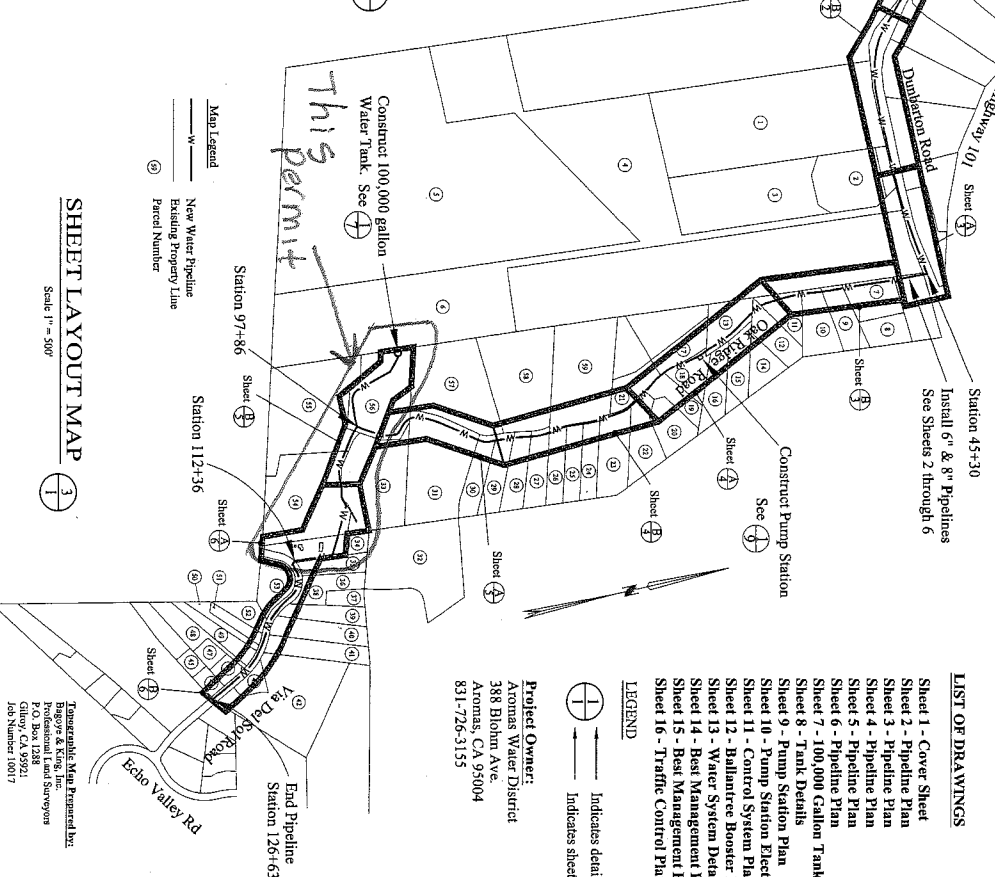
**NOTE:** PORTION, ACTION TO VERIFY UTILITY TYPE, AND SIZE PRIOR TO OVERSOUND MATERIALS FOR CONSTRUCTION.

**NOTICE TO CONTRACTORS**

CONTRACTORS SHALL VERIFY THE LOCATION AND DIMENSION OF ALL EXISTING UTILITIES, PIPES TO ANY CONSTRUCTION.



Parcel #	APN Number	Parcel #	APN Number	Parcel #	APN Number
1	141-071-011	21	141-071-041	41	141-071-071
2	141-071-012	22	141-071-042	42	141-071-072
3	141-071-013	23	141-071-043	43	141-071-073
4	141-071-014	24	141-071-044	44	141-071-074
5	141-071-015	25	141-071-045	45	141-071-075
6	141-071-016	26	141-071-046	46	141-071-076
7	141-071-017	27	141-071-047	47	141-071-077
8	141-071-018	28	141-071-048	48	141-071-078
9	141-071-019	29	141-071-049	49	141-071-079
10	141-071-020	30	141-071-050	50	141-071-080
11	141-071-021	31	141-071-051	51	141-071-081
12	141-071-022	32	141-071-052	52	141-071-082
13	141-071-023	33	141-071-053	53	141-071-083
14	141-071-024	34	141-071-054	54	141-071-084
15	141-071-025	35	141-071-055	55	141-071-085
16	141-071-026	36	141-071-056	56	141-071-086
17	141-071-027	37	141-071-057	57	141-071-087
18	141-071-028	38	141-071-058	58	141-071-088
19	141-071-029	39	141-071-059	59	141-071-089
20	141-071-030	40	141-071-060	60	141-071-090

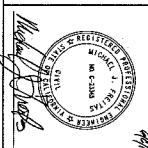


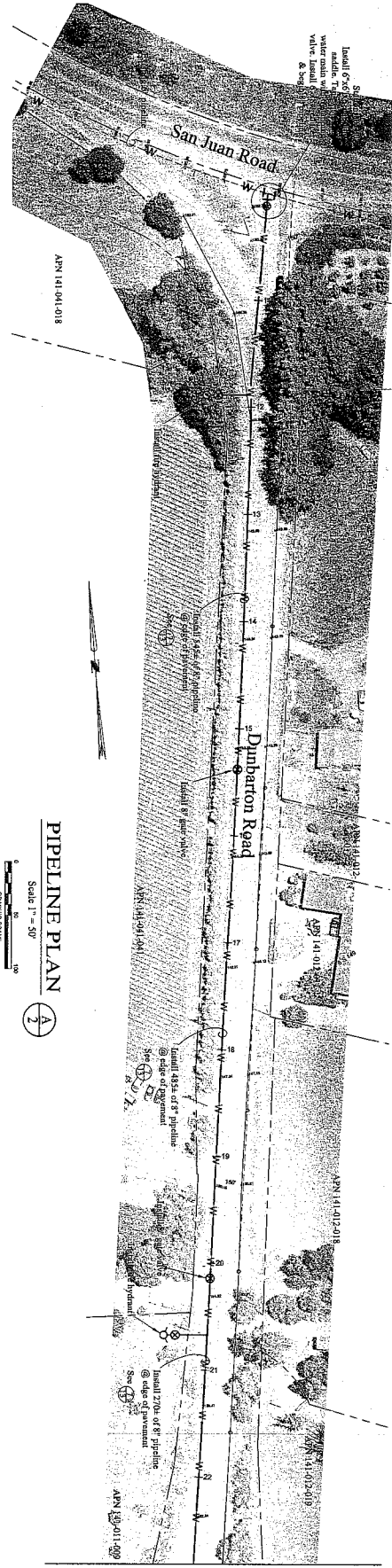
**PROJECT OWNER:**  
Aromas Water District  
388 Blodin Ave.  
Aromas, CA 95004  
831-726-3155

**PREPARED BY:**  
Freitas + Freitas  
3233 Valencia Ave., Suite A1  
Agoura, CA 95001  
Phone: (818) 686-1168

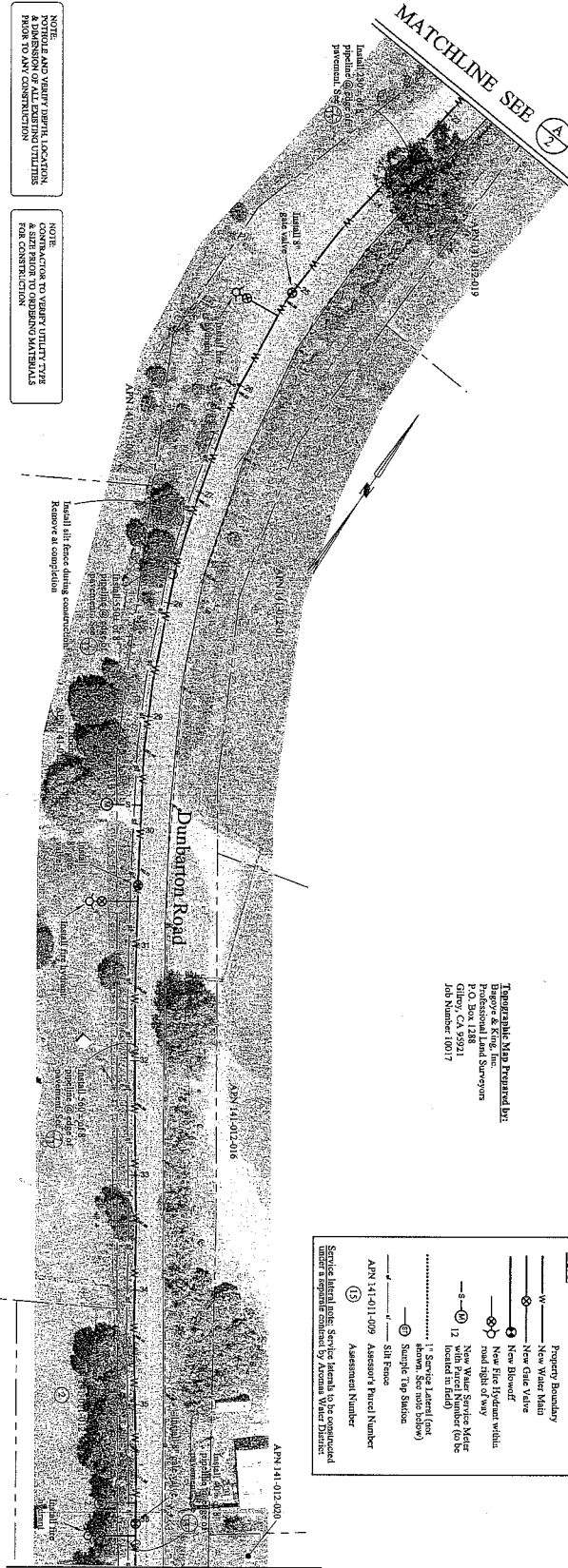
Sheet	Date	Scale	Drawn	Checked
1 of 16	6/14	As Shown	Digital Graphics	10001

- LIST OF DRAWINGS**
- Sheet 1 - Cover Sheet
  - Sheet 2 - Pipeline Plan
  - Sheet 3 - Pipeline Plan
  - Sheet 4 - Pipeline Plan
  - Sheet 5 - Pipeline Plan
  - Sheet 6 - Pipeline Plan
  - Sheet 7 - 100,000 Gallon Tank Plan
  - Sheet 8 - Tank Details
  - Sheet 9 - Pump Station Plan
  - Sheet 10 - Pump Station Electrical
  - Sheet 11 - Control System Plan
  - Sheet 12 - Balltree Booster Pumps
  - Sheet 13 - Water System Details
  - Sheet 14 - Best Management Practices #1
  - Sheet 15 - Best Management Practices #2
  - Sheet 16 - Traffic Control Plan
- LEGEND**
- ⊕ Indicates detail number
  - ⊖ Indicates sheet number





PIPELINE PLAN  
Scale 1" = 50'  
GRAPHIC SCALE



PIPELINE PLAN  
Scale 1" = 50'  
GRAPHIC SCALE

**Legend**

- Property Boundary
- New Water Valve
- New Gate Valve
- New Breaker
- New Fire Hydrant with 12" Service Lateral (not shown, see note below)
- New Water Service Meter with Parcel Number (to be located in field)
- 12" Service Lateral (not shown, see note below)
- Sample Tap Station
- San Fence
- Assessment Number

APN 141-011-009 Assessment Number

1" Service Lateral (not shown, see note below)

San Fence

Assessment Number

NOTE: Service lateral notes, Sample Meter to be connected under a separate contract by Aromas Water District.

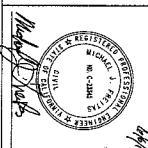
Topographic Map Prepared by  
Hugos & King, Inc.  
10000 Elgin Road, Suite 9999  
P.O. Box 1288  
Gilroy, CA 95021  
Job Number: 10017

**NOTICE TO CONTRACTORS**

CONTRACTOR SHALL NOTIFY OAK RIDGE (UNDERGROUND SERVICES MAINT) UNDERGROUND WORK FOR VERIFICATION OF THE LOCATION OF UNDERGROUND UTILITIES.

NOTE: DATE AND VERIFY DEPTH, LOCATION & DIMENSION OF ALL EXISTING UTILITIES PRIOR TO ANY CONSTRUCTION.

NOTE: DATE AND VERIFY DEPTH, LOCATION & DIMENSION OF ALL EXISTING UTILITIES PRIOR TO ANY CONSTRUCTION.



REVISIONS	BY

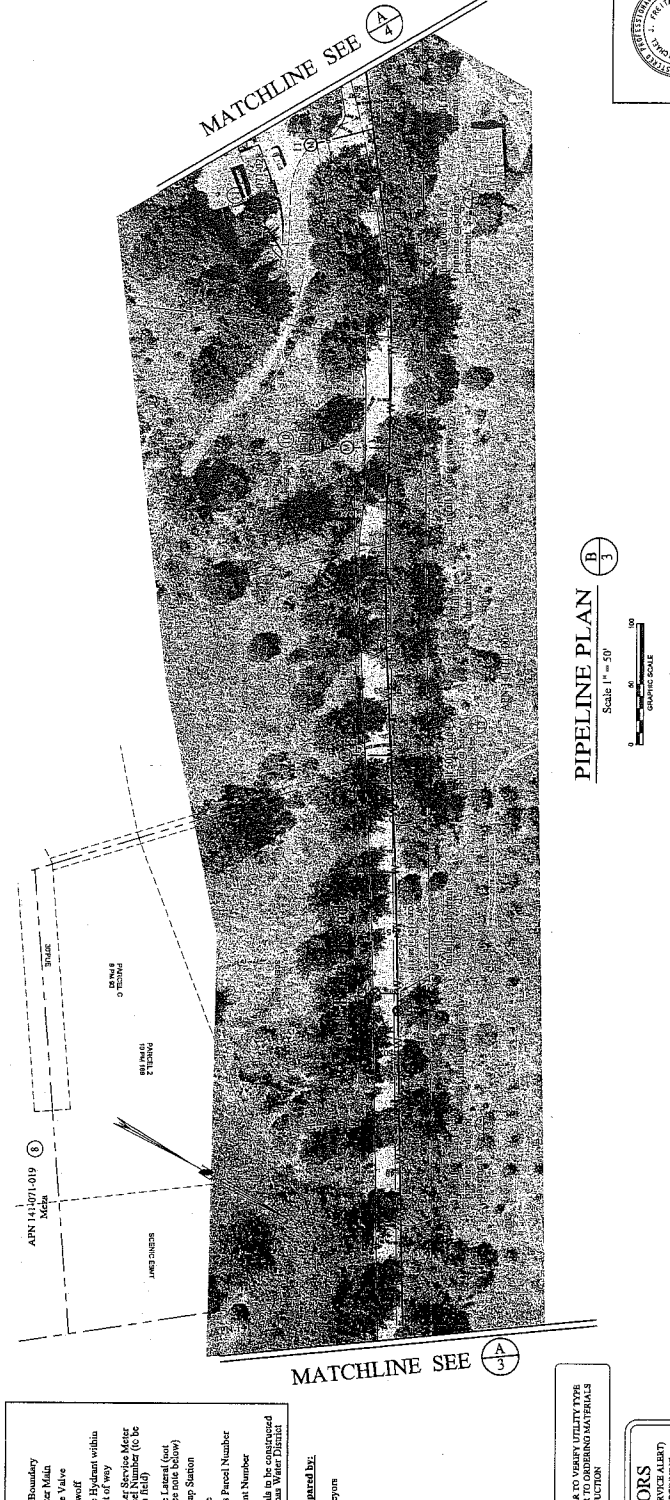
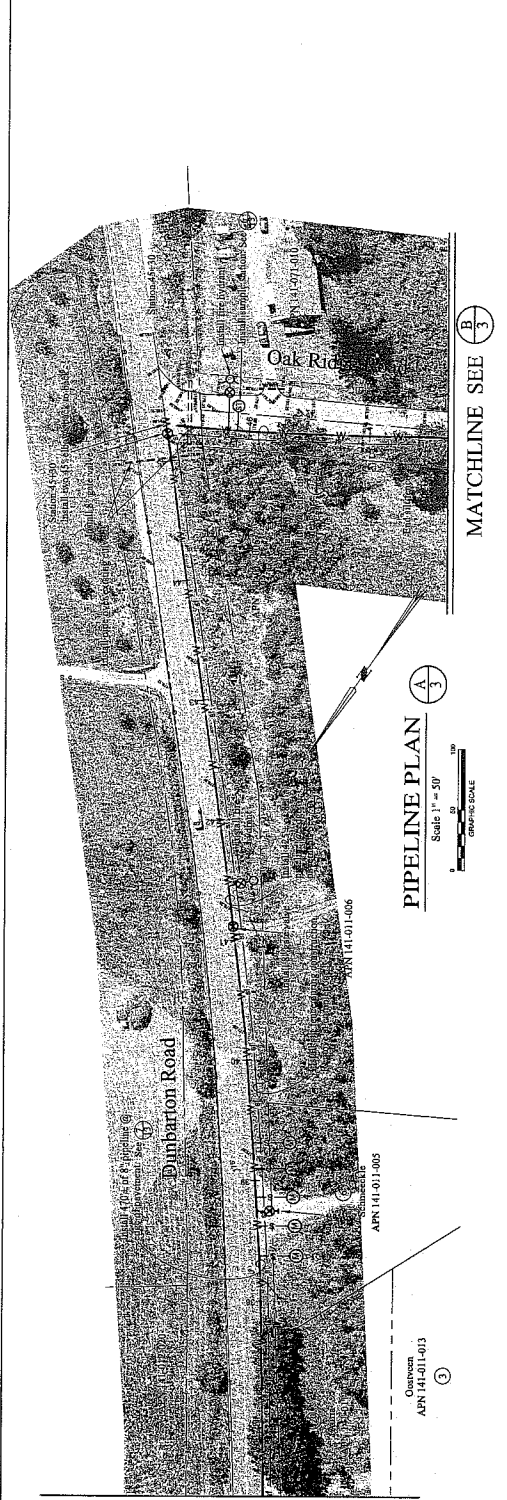


NO.	DESCRIPTION	DATE	BY

**PIPELINE PLAN**  
**OAK RIDGE/VIA DEL SOL PROJECT**  
**ASSESSMENT DISTRICT NO. 2013-1**  
**AROMAS WATER DISTRICT**

**FREITRAS + FREITRAS**  
 Engineering and Planning Consultants, Inc.  
 3233 Valencia Ave., Suite A1  
 Aptos, CA 95025  
 Phone (831) 688-1188  
 Fax (831) 688-1218

Date: 6/14  
 Scale: As Shown  
 Drawing No.: Digital Graphics  
 Job No.: 10001  
 Sheet No.: 3 of 16  
 Drawn by: *M. Freitas*



**Matchline SEE B/2**

**Matchline SEE B/3**

**PIPELINE PLAN**  
 Scale 1" = 50'  
 GRAPHIC SCALE

- LEGEND**
- - - - Property Boundary
  - - - - New Water Main
  - - - - New Gate Valve
  - - - - New Blowoff
  - - - - New 12" Hydrant within Road Right-of-Way
  - - - - New Water Service Meter with Parcel Number (to be located in field)
  - - - - 1" Service Laterals (not shown. See note below)
  - - - - Sample Tap Station
  - - - - Silt Fence
- APN 141-01-409** Assessor's Parcel Number  
**(3)** Assessment Number

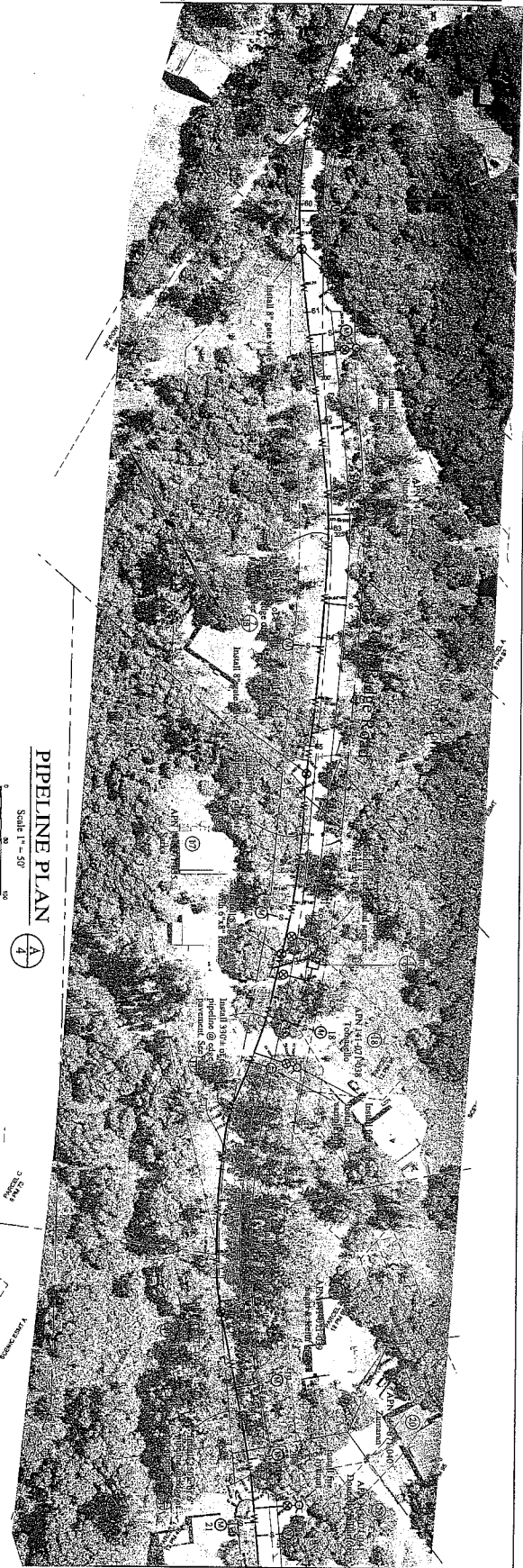
**Topographic Map Prepared by:**  
 Bagby & King, Inc.  
 1515 E. Main Street  
 P.O. Box 1388  
 Gilroy, CA 95021  
 Job Number 10017

Services listed on this map shall not be construed under a separate contract by Arromas Water District.

**NOTE:**  
 CONTRACTOR TO VERIFY UTILITY TYPE AND DIMENSIONS PRIOR TO CONSTRUCTION.

**NOTICE TO CONTRACTORS**  
 CONTRACTOR SHALL NOTIFY THE AROMAS WATER DISTRICT AT LEAST 48 HOURS BEFORE BEGINNING OF CONSTRUCTION OF THE LOCATION OF UNDERGROUND UTILITIES.

MATCHLINE SEE 3



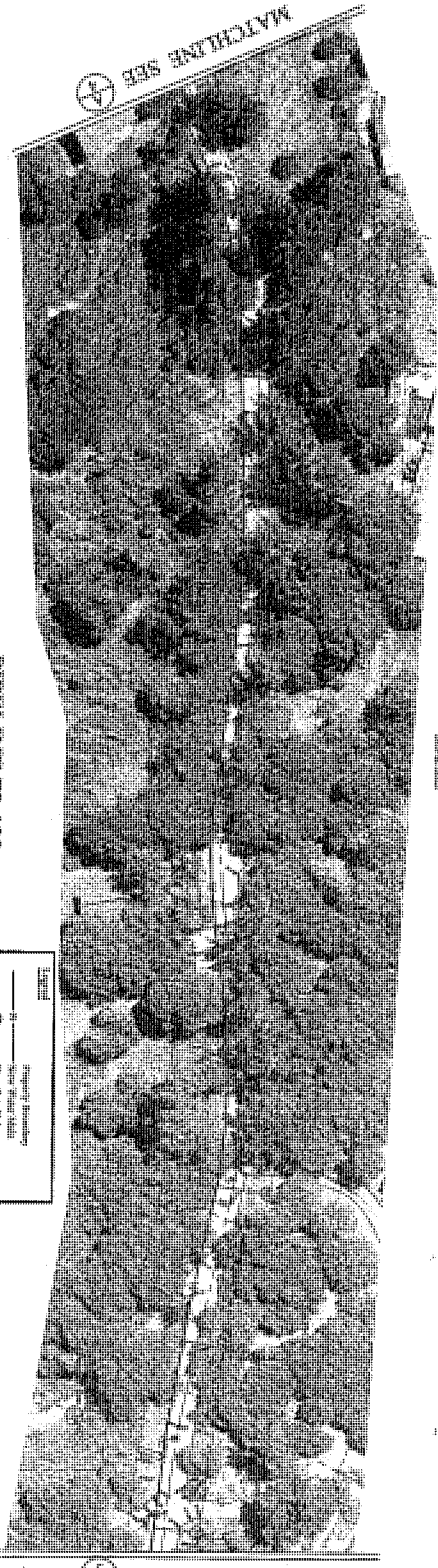
MATCHLINE SEE 4

PIPELINE PLAN

Scale 1" = 50'



MATCHLINE SEE 3



MATCHLINE SEE 4

PIPELINE PLAN

Scale 1" = 50'



-----	Proposed Boundary
-----	Service Line Right of Way
-----	New Gate Valve
-----	New Blowoff
-----	New Fire Hydrant within road right of way
-----	New Water Service Meter (to be located in field)
-----	Sample Tap Station
-----	Silt Fence
-----	Assessor's Parcel Number

Special Interest Parties Services herein to be constructed under contract to the Aromas Water District.

APN 141-011-009 Assessor's Parcel Number

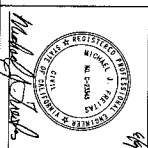
**NOTICE TO CONTRACTORS**

CONTRACTOR SHALL NOTIFY AROMAS WATER DISTRICT OF ANY CHANGES TO THE LOCATION OF THE UTILITY BEFORE BEGINNING CONSTRUCTION.

NOTE:  
CONTRACTOR TO VERIFY UTILITY TYPE FROM EXISTING RECORDS.

NOTE:  
CONTRACTOR TO VERIFY UTILITY TYPE FROM EXISTING RECORDS.

Imagery Map Prepared by  
Bryce & King, Inc.  
Professional Land Surveyors  
C/O Box 1252  
700 N. 1st St.  
Idaho Falls, ID 83401  
Tel. Number (208) 777-1000

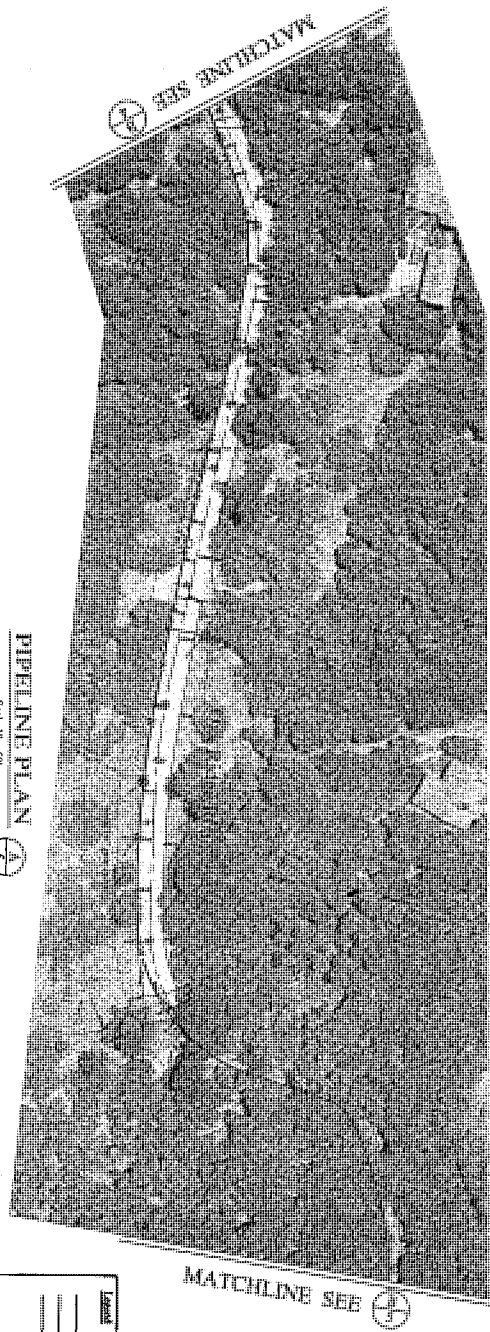
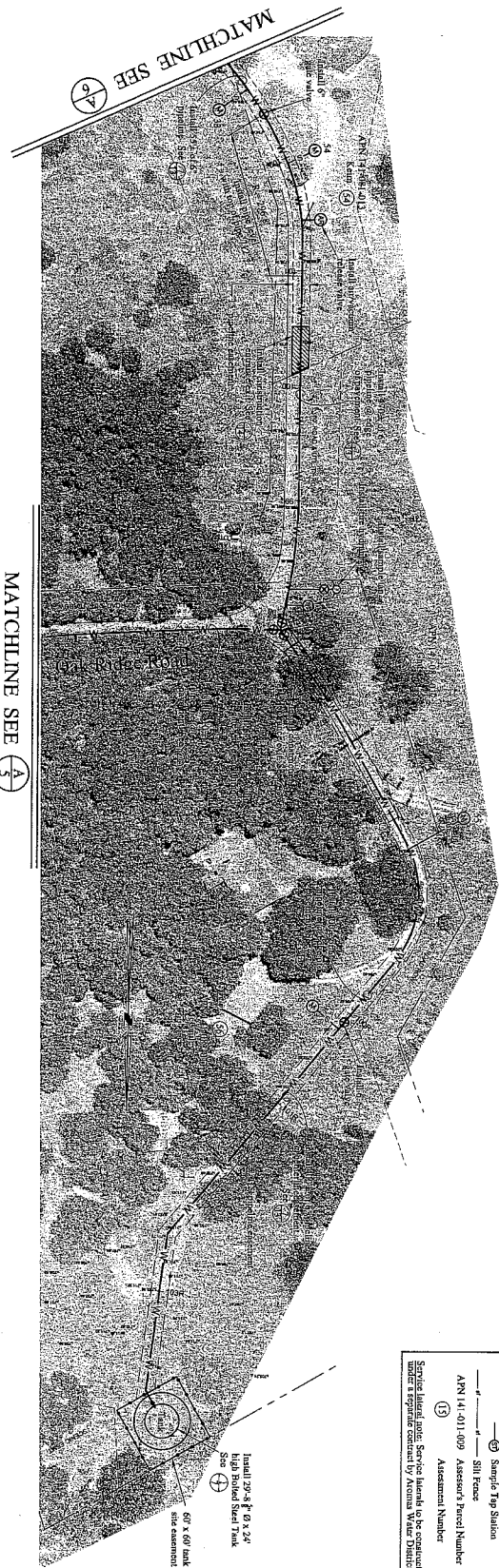


NO.	REVISION	BY

**NOTICE TO CONTRACTORS**  
 CONTRACTOR SHALL NOTIFY VIA ENGINEERING SERVICE ALERTS (ESAs) AND VERIFY UTILITY LOCATIONS PRIOR TO ANY CONSTRUCTION WORK FOR VERIFICATION OF THE LOCATION OF UNDERGROUND UTILITIES.

**NOTE:**  
 POTENTIAL AND VERIFY UTILITY LOCATIONS FROM TO ANY CONSTRUCTION.

**NOTE:**  
 CONTRACTOR TO VERIFY UTILITY TYPE & SIZE PRIOR TO ORDERING MATERIALS FROM CONSTRUCTION.



**PIPELINE PLAN**  
 Scale 1" = 50'  
 MATCHLINE SEE (A) (B)

**PIPELINE PLAN**  
 Scale 1" = 50'  
 MATCHLINE SEE (A) (B)

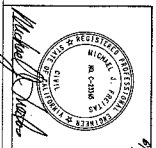
**Legend**

- Property Boundary
- New Water Main
- New Gas Valve
- New Hood
- New Fire Hydrant within road right of way
- New Water Service Meter with Piped Number (to be marked in utility)
- 1" Service Lateral (to be marked in utility)
- Sample Trip Station
- Sill fence
- Assessor's Parcel Number

APN 141-011-009 Assessor's Parcel Number  
 (1) Assessment Number

Service lateral joint. Service Meters to be constructed under separate contract by Aromas Water District.

Topographic Map Prepared by:  
 Bayge & King, Inc.  
 Professional Land Surveyors  
 7000 North Main Street  
 Gilroy, CA 95021  
 Job Number 10017



Sheet 5 of 16  
 Date 6/14  
 Scale A4-30mm  
 Drawn Digital Graphics  
 Job 10001

**FREITAS + FREITAS**  
 Engineering and Planning Consultants, Inc.  
 3233 Valencia Ave., Suite A1  
 San Jose, CA 95131  
 Phone (415) 688-1168 Fax (415) 688-1218

**PIPELINE PLAN**  
**OAK RIDGE/VIA DEL SOL PROJECT**  
**ASSESSMENT DISTRICT NO. 2013-1**  
**AROMAS WATER DISTRICT**

REVISIONS	BY

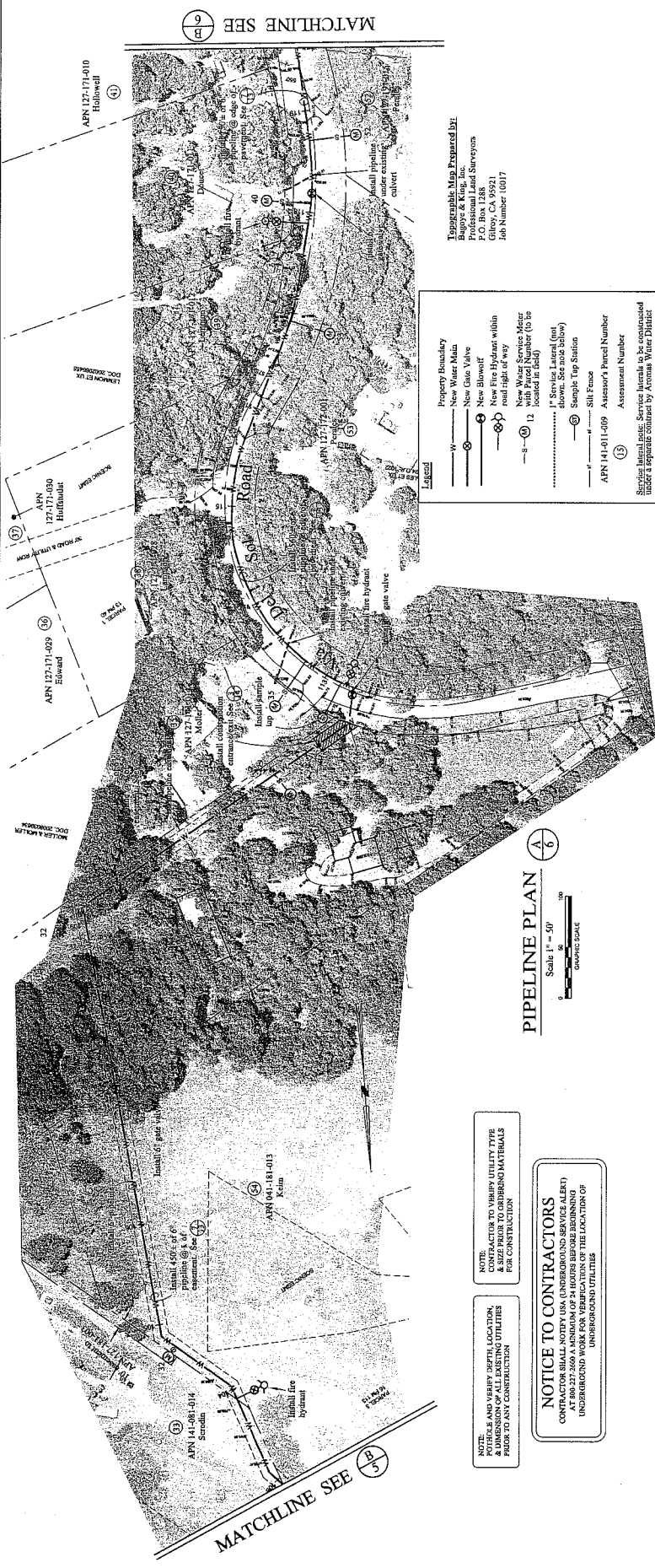


REVISIONS	BY

PIPELINE PLAN  
 OAK RIDGE/VIA DEL SOL PROJECT  
 ASSESSMENT DISTRICT NO. 2013-1  
 AROMAS WATER DISTRICT

**FREITRAS + FREITRAS**  
 Engineering and Planning Consultants, Inc.  
 1233 Valencia Ave., Suite A1  
 Alamo, CA 95008  
 Phone (831) 688-1168  
 Fax (831) 688-1218

Sheet	6 of 16
Date	6/14
Scale	As Shown
Drawn by	Digital Graphics
Job	10001



**Legend**

- Property Boundary
- New Water Main
- New Gate Valve
- New Blowoff
- New Fire Hydrant within road right of way
- New Water Service Meter with Meter Number (to be shown on site)
- 1" Fire Hydrant
- Sample Tap Station
- Silt Fence
- Assessor's Parcel Number

**Topographic Map Prepared By:**  
 Baggett & King, Inc.  
 10000 Highway 101  
 Gilroy, CA 95021  
 Job Number 10017

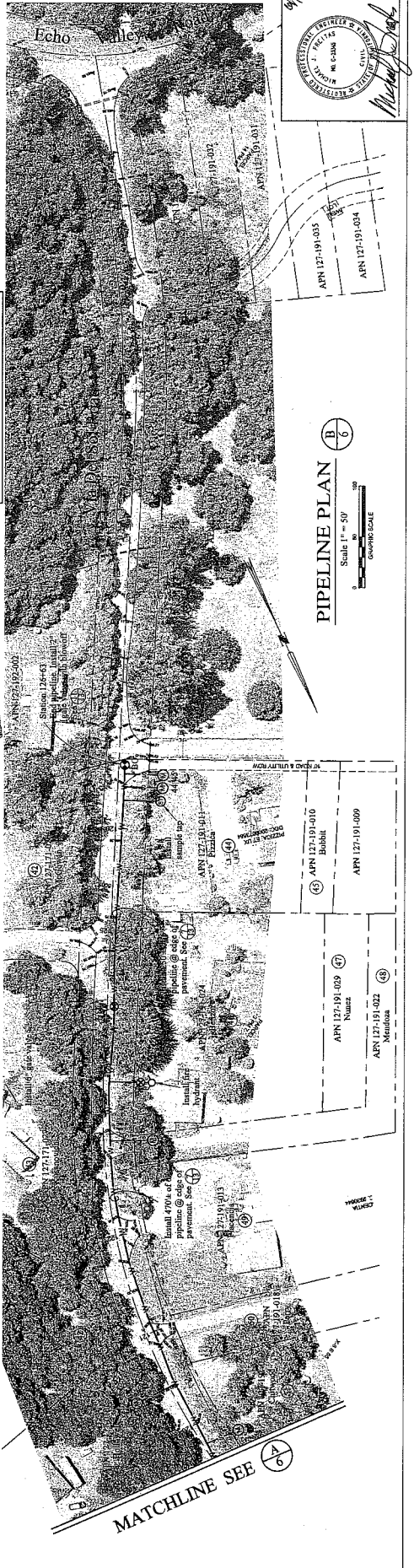
**Service Interval:** Service intervals to be constructed under a separate contract by Aromas Water District

**PIPELINE PLAN**  
 Scale: 1" = 50'  
 GRAPHIC SCALE

**NOTICE TO CONTRACTORS**  
 CONTRACTOR SHALL NOTIFY USA (UNDERGROUND SERVICE ALERT) AT 800-272-6200 A MINIMUM OF 24 HOURS BEFORE BEGINNING UNDERGROUND WORK FOR VERIFICATION OF THE LOCATION OF UNDERGROUND UTILITIES.

**NOTE:**  
 CONTRACTOR TO VERIFY UTILITY TYPE & SIZE PRIOR TO ORDERING MATERIALS FOR CONSTRUCTION.

**NOTE:**  
 CONTRACTOR TO VERIFY UTILITY TYPE & SIZE PRIOR TO ORDERING MATERIALS FOR CONSTRUCTION.



**PIPELINE PLAN**  
 Scale: 1" = 50'  
 GRAPHIC SCALE



NO.	REVISIONS	BY

OAK RIDGE/VIA DEL SOL PROJECT  
 ASSESSMENT DISTRICT NO. 2013-I  
 AROMAS WATER DISTRICT

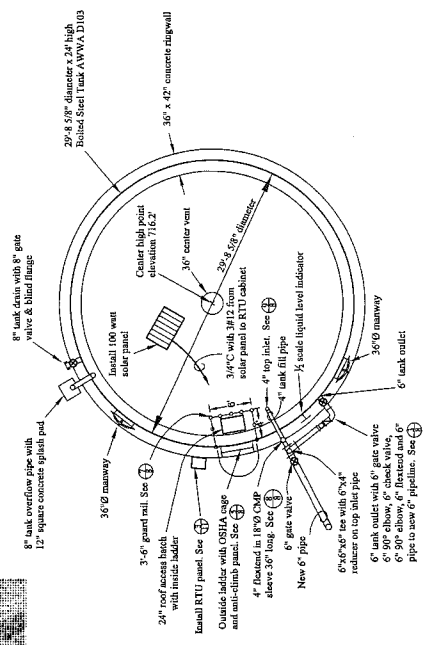
**FREITAS + FREITAS**  
 Engineering and Planning Consultants, Inc.  
 3535 Kettle Rock Ave., Suite 11  
 Menlo Park, CA 94025  
 Phone: (415) 688-1188  
 Fax: (415) 688-1218

Date: 6/14  
 Scale: AS Shown  
 Drawn: Digital Graphics  
 Job: 10001  
 Sheet: 7 of 16

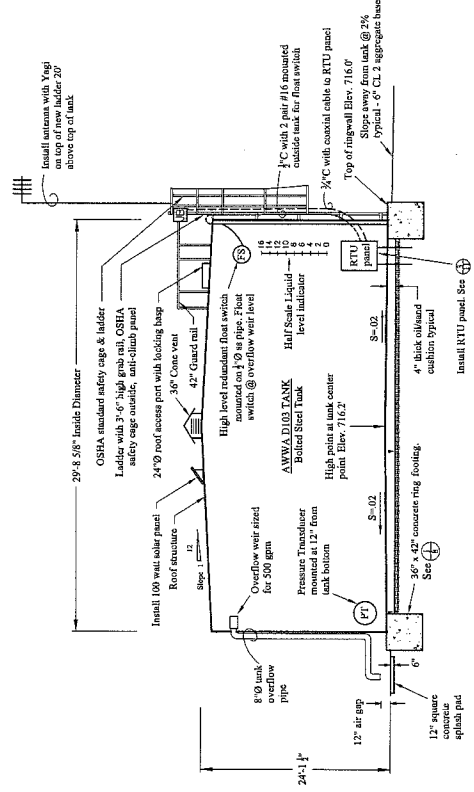


**WATER TANK PLAN**  
Scale: 1" = 10'-0"

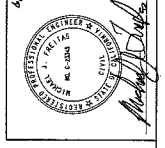
- Legend**
- Existing contour
  - - - - - New grade/contour
  - ⊕ Tank construction line
  - Chain link fence
  - New water main
  - Ground slope 2:1 max
  - Straw wattles (inside fence)
  - 6" Cas 2 aggregate base



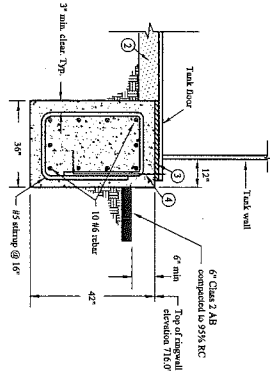
**BOLTED STEEL TANK PLAN**  
Not to scale



**TANK ELEVATION**  
Not to scale



Michael J. Freitas  
 State of California  
 Professional Engineer  
 No. 13000

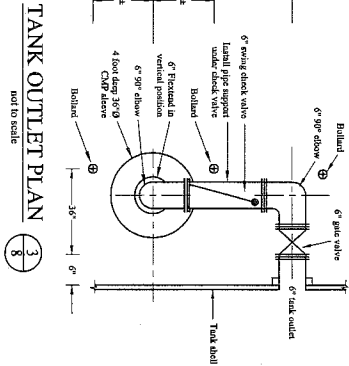


NOTES:

- ① Top of concrete shall be 6" above finish grade, finished to smooth form finish to 6" below finish grade.
- ② Minimum 4" thick outward cushion. Place to level with top of expansion joint material.
- ③ Place 1/2" expansion joint material per ASTM D1751.
- ④ Provide exterior wall external headroom per state seismic calculations.

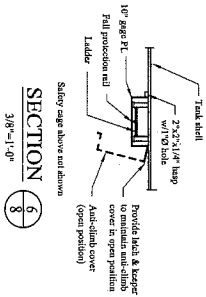
**RINGWALL DETAIL**

not to scale



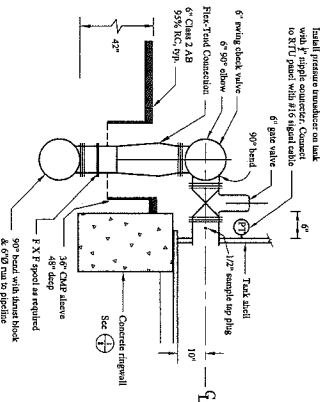
**TANK OUTLET PLAN**

not to scale



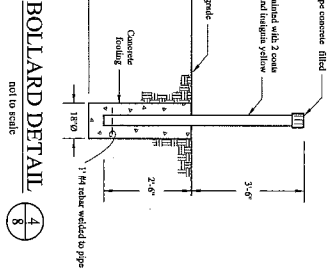
**SECTION**

3/8"=1'-0"



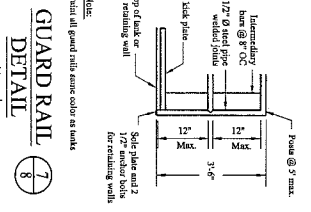
**TANK OUTLET ELEVATION**

not to scale



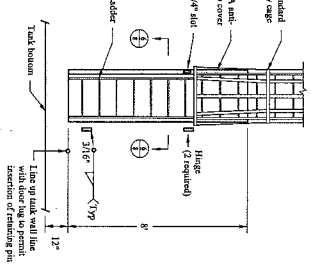
**BOLLARD DETAIL**

not to scale



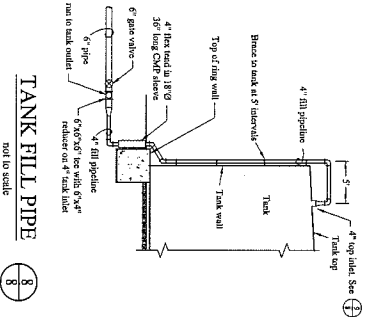
**GUARD RAIL DETAIL**

not to scale



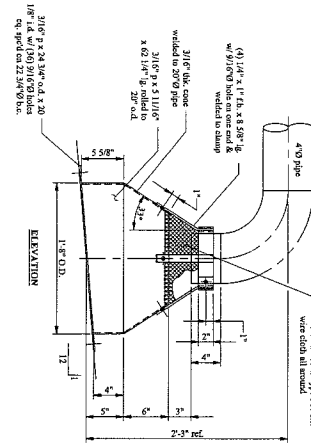
**ANTI-CLIMB DETAIL**

not to scale



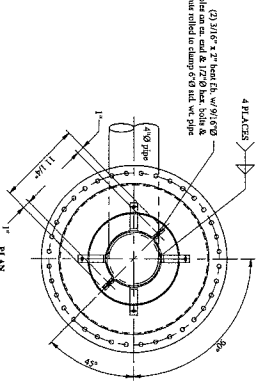
**TANK FILL PIPE**

not to scale

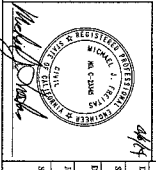


**TANK INLET DETAIL**

not to scale



**PLAN**



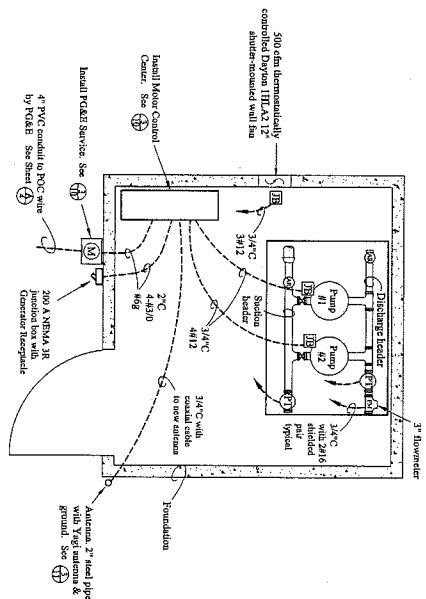
Drawn	AS Shown
Scale	As Shown
Date	6/14
Sheet	8 of 16
Project	10001

**FREITAS + FREITAS**  
Engineering and Planning Consultants, Inc.  
5233 Valencia Ave., Suite A1  
Folsom, CA 95603  
Phone (925) 688-1168 Fax (925) 688-1218

**TANK DETAILS**  
OAK RIDGE/VIA DEL SOL PROJECT  
ASSESSMENT DISTRICT NO. 2013-1  
AROMAS WATER DISTRICT

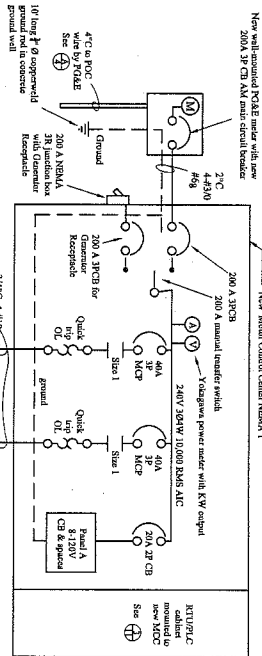
REVISIONS	BY





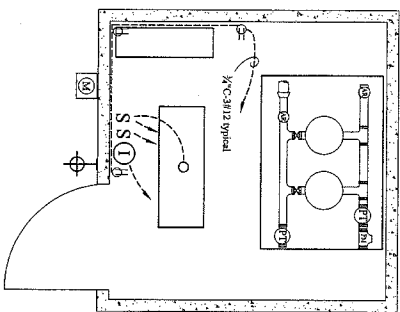
- Notes:**
- All work shall conform to the NEMA and local editions.
  - Motor shall be provided with lockout or interlock to walls.
  - Connect to all equipment with liquid-tight conduit and junction box.
  - Signal cable shall be 2916 shielded pair.

ELECTRICAL PLAN  
Scale 1/2" = 1'-0"

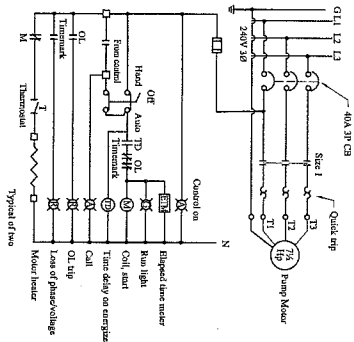


SINGLE LINE DIAGRAM  
Not to Scale

Panel A	
1. Fuse	20A
2. Inboard Light	20A
3. Outdoor Light	20A
4. Receptacle	15A
5. RTU Panel	15A
6. Spare	15A
7. Spare	15A
8. Spare	15A
9. Spare	15A



LIGHTING & RECEPTACLE PLAN  
Scale 1/2" = 1'-0"



BOOSTER PUMP CONTROL  
Not to Scale



Scale: A: Shown  
Date: 6/14  
Job: 10001  
Sheet: 10 of 16

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Engineering and Planning Consultants, Inc.  
3233 Valencia Ave., Suite A1  
Aptos, CA 95003  
Phone (831) 688-1168 Fax (831) 688-1218

PUMP STATION ELECTRICAL  
OAK RIDGE/VIA DEL SOL PROJECT  
ASSESSMENT DISTRICT NO. 2013-1  
AROMAS WATER DISTRICT

REVISIONS

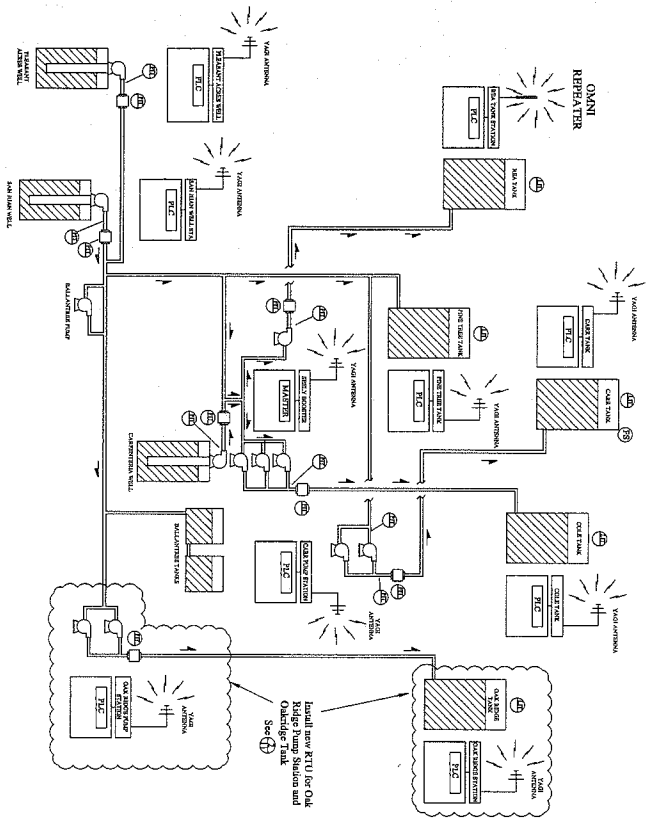
No.	Description	Date



**AROMAS WATER DISTRICT  
SCADA SYSTEM**

Not to Scale

11

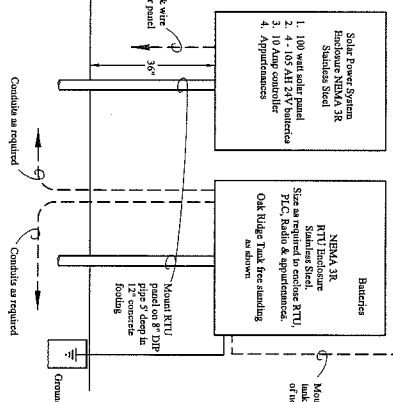


Install new RTU for Oak Ridge Pump Station and Oak Ridge Tank

**TANK SITE RTU PANEL**

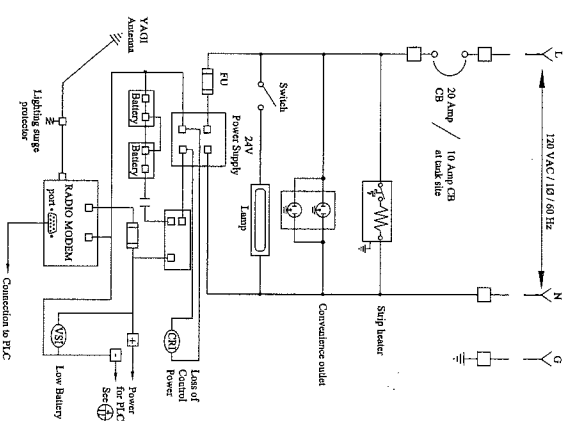
Not to Scale

11



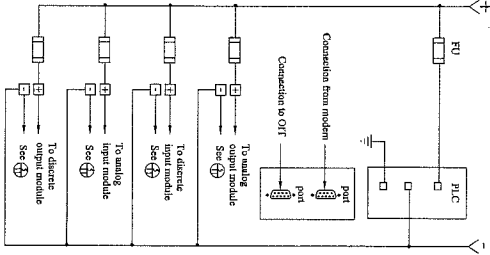
**RTU EQUIPMENT**

11



**PLC DIAGRAM**

11



**Oak Ridge Tank And Booster Pump Station**

11

- PLC/RTU Installation Notes**
- Refer to Specification for description of all equipment.
  - Connector shall provide terminal strips for all wiring from and to device prior to P.L.C.
  - Connector shall provide terminal strips for all wiring from and to device prior to P.L.C.
  - Interference shall be determined by Distric.
  - Now assembly of each site shall be provided.

**Oak Ridge Tank**

- Discrete Input**
- Pump 1 HOA in Auto
  - Pump 2 HOA in Auto
  - Inflow/overflow open
  - Barney power failure
  - Overflow Final Switch
  - Spine
  - Spine
- Discrete Output**
- Oak Ridge Tank level (feet)
  - Spine

**Oak Ridge Tank**

- Discrete Input**
- Inflow/overflow open
  - Barney power failure
  - Overflow Final Switch
  - Spine
  - Spine
- Analog Input**
- Oak Ridge Tank level (feet)
  - Spine

**Oak Ridge Tank**

- Discrete Input**
- System Discharge Pressure (psi)
  - Oak Ridge Booster flow meter (gpm)
  - Oak Ridge flow meter (gpm)
  - Spine
- Analog Output**
- Oak Ridge Tank level (feet)

**RTU I/O TABLE**

Not to Scale

11

4/4/14

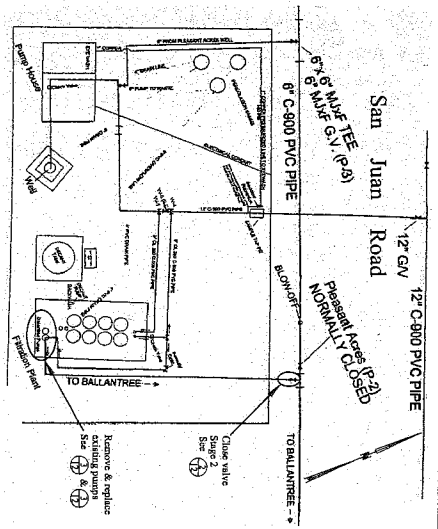


Date	6/14
Scale	As Shown
Author	Michael J. Freitas
Drawn	Michael J. Freitas
Sheet	11 of 16

**FREITAS + FREITAS**  
 Engineering and Planning Consultants, Inc.  
 3233 Valencia Ave., Suite A1  
 Agoura, CA 91301  
 Phone (818) 698-1168

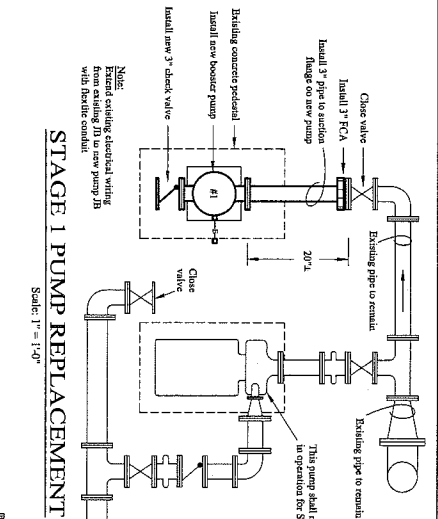
**CONTROL SYSTEM PLAN  
 OAK RIDGE/VIA DEL SOL PROJECT  
 ASSESSMENT DISTRICT NO. 2013-1  
 AROMAS WATER DISTRICT**

REVISIONS: BY

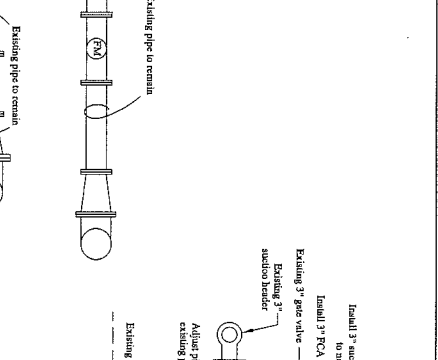


**SAN JUAN WELL & BALLANTREE BOOSTERS**

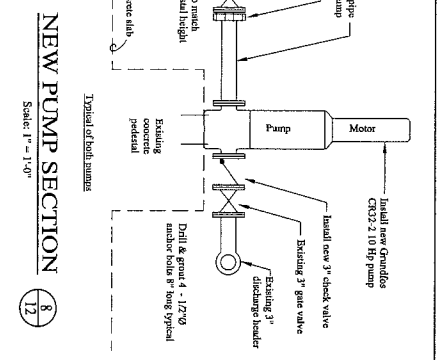
Scale: 1" = 1'-0"



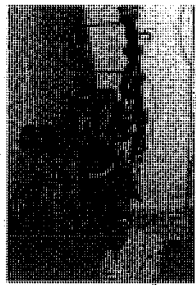
Scale: 1" = 1'-0"



Scale: 1" = 1'-0"

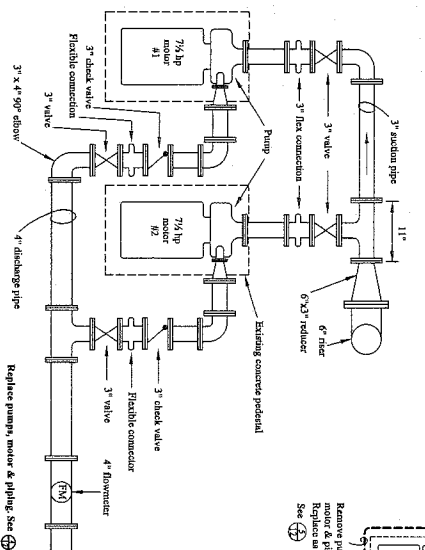


Scale: 1" = 1'-0"



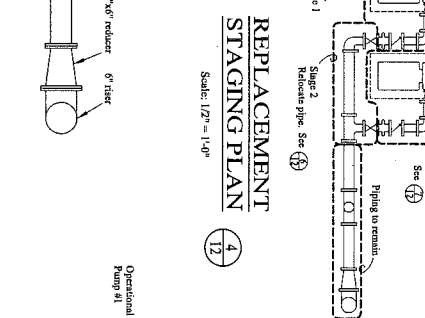
**EXISTING BALLANTREE BOOSTER PUMPS**

Scale: 1" = 1'-0"

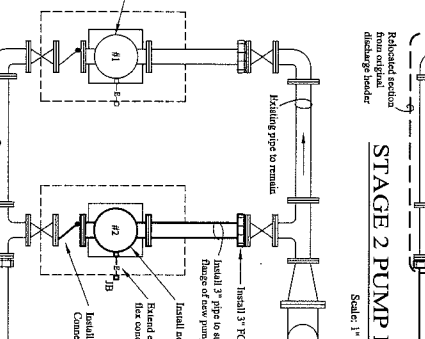


**EXISTING BALLANTREE PUMP & PIPING PLAN**

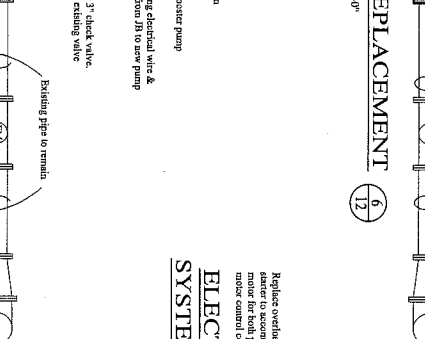
Scale: 1" = 1'-0"



Scale: 1 1/2" = 1'-0"



Scale: 1" = 1'-0"

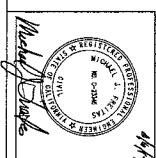


Scale: 1" = 1'-0"

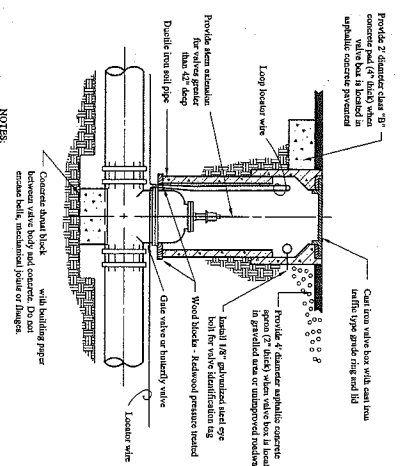
**ELECTRICAL SYSTEM NOTE**

Scale: 1" = 1'-0"

Replace overhead relays and adjust gater to accommodate new 10.0 hp motor control center.

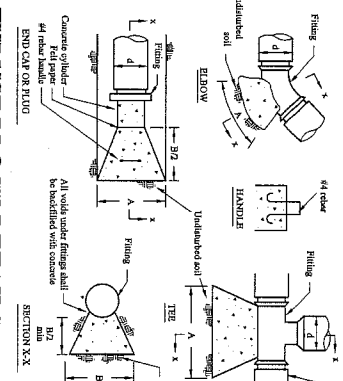


REVISIONS	BY



**VALVE AND BOX DETAIL**  
NTS

**THRUST BLOCK DETAILS**  
NTS

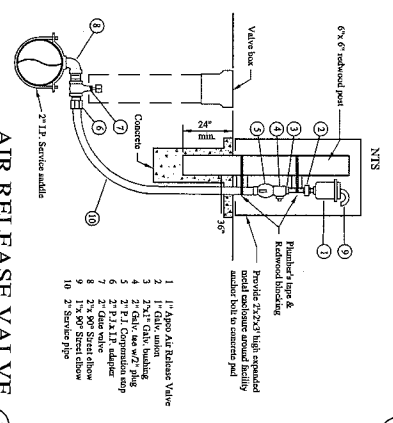


**REQUIRED BEARING AREAS & DIMENSIONS**

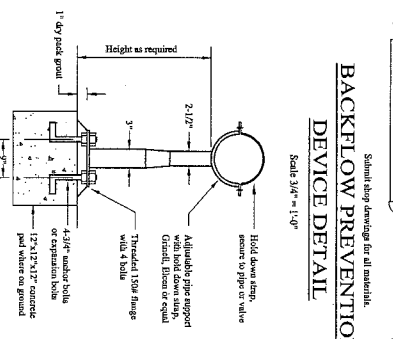
Pipe Size	90° Elbow			45° Elbow			22 1/2° Elbow		
	A	B	C	A	B	C	A	B	C
4"	1.8	2.0	1.0	2.8	2.5	1.0	1.4	1.5	1.0
6"	2.4	2.5	1.0	3.5	2.5	1.5	1.9	2.0	1.0
8"	3.0	3.2	1.5	4.5	3.5	2.0	2.9	3.0	1.5
10"	3.6	3.7	2.0	5.5	4.5	2.5	3.9	4.0	2.0
12"	4.2	4.3	2.5	6.5	5.5	3.0	4.5	4.5	2.5
14"	4.8	4.9	3.0	7.5	6.5	3.5	5.1	5.0	3.0
16"	5.4	5.5	3.5	8.5	7.5	4.0	5.7	5.5	3.5
18"	6.0	6.1	4.0	9.5	8.5	4.5	6.3	6.0	4.0
20"	6.6	6.7	4.5	10.5	9.5	5.0	6.9	6.5	4.5
22"	7.2	7.3	5.0	11.5	10.5	5.5	7.5	7.0	5.0
24"	7.8	7.9	5.5	12.5	11.5	6.0	8.1	7.5	5.5
26"	8.4	8.5	6.0	13.5	12.5	6.5	8.7	8.0	6.0
28"	9.0	9.1	6.5	14.5	13.5	7.0	9.3	8.5	6.5
30"	9.6	9.7	7.0	15.5	14.5	7.5	9.9	9.0	7.0

Area and dimensions based on 150 psi wet ground and 1500 psi bearing from soil.  
Older practices of bearing areas may be used.  
New use - 2400 psi bearing (per 90° & 45°) & 3000 psi (per 22 1/2°) & 3600 psi (per 15°).

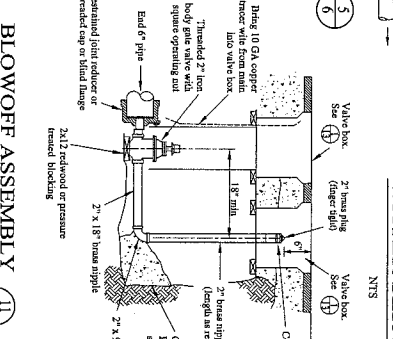
**PIPELINE THRUST BLOCK DETAILS**  
NTS



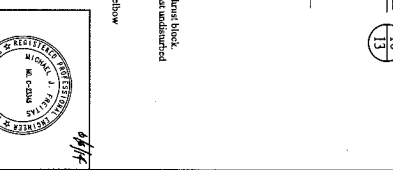
**AIR RELEASE VALVE**  
NTS



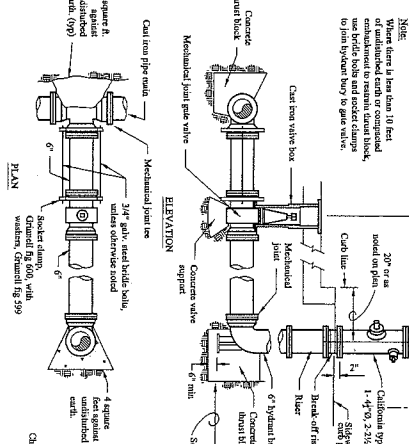
**PIPE SUPPORT**  
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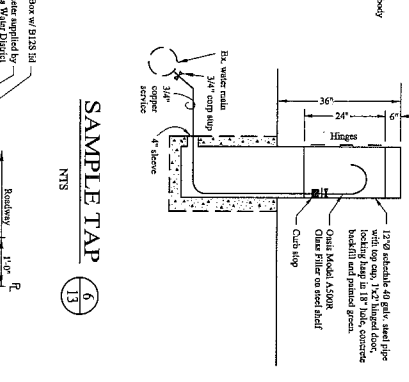
**BLOWOFF ASSEMBLY**  
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**WATER SERVICE**  
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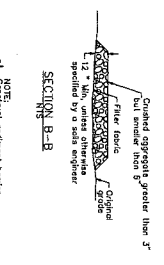
**HYDRANT DETAILS**  
NTS



**SAMPLE TAP**  
NTS

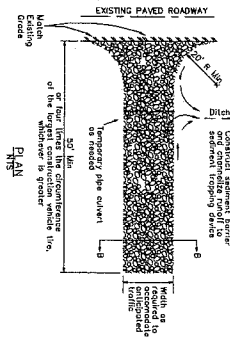
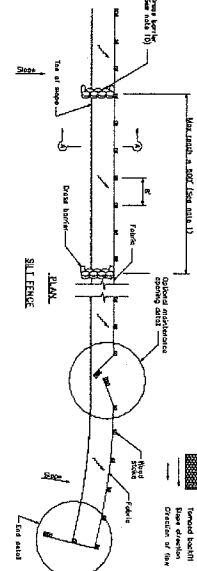
### 3 Stabilized Construction Entrance/Exit

CASDA Detail TC-1



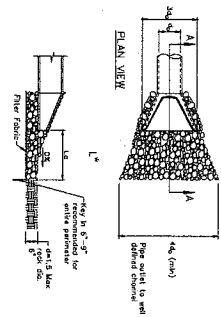
### 1 Silt Fence

CASDA Detail SE-1



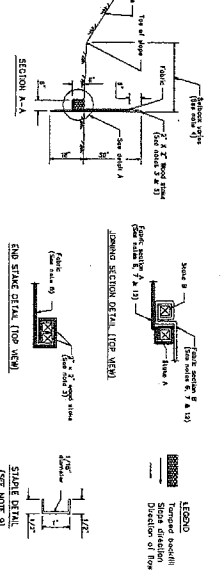
### 4 Velocity Dissipation Devices

CASDA Detail EC-10



### 2 Silt Fence

CASDA Detail SE-1



### STANDARD BEST MANAGEMENT PRACTICE NOTES

1. Silt and Erosion Control Management: Provide well-graded waste collection areas and containers on the way from streets, gutters, storm drains, and conveyors, and arrange for regular collection. The collection areas shall be located in areas that are readily accessible. Spills must be cleaned up immediately and contaminated soil disposed properly.
2. Hazardous Waste Management: Provide proper handling and disposal of hazardous wastes by a licensed hazardous waste contractor. Spills of hazardous materials shall be immediately inhibited in sealed containers constructed of suitable materials.
3. Silt Prevention and Control: Provide proper storage areas for liquid and solid materials, including chemicals and hazardous waste. Silt prevention is required, and storage of equipment that is protected from atmospheric run-off and wind. Measures shall be provided to capture any spills of oil, petroleum, or other hazardous materials. Spills of oil, petroleum, or other hazardous materials shall be contained and cleaned up immediately.
4. Vehicle and Equipment Maintenance and Storage: Areas shall be designated for the maintenance and storage of equipment. Maintenance is required, and storage of equipment that is protected from atmospheric run-off and wind. Measures shall be provided to capture any spills of oil, petroleum, or other hazardous materials. Spills of oil, petroleum, or other hazardous materials shall be contained and cleaned up immediately.
5. Material Delivery, Storage and Storage: In general, materials are necessary and approved by the County, they shall be delivered to the project site in sealed plastic sheeting or tarp and loaded in designated areas near construction entrances and away from any paved areas. Vehicles and equipment shall be provided with spill containment devices which shall be used to contain any spills of oil, petroleum, or other hazardous materials.
6. Handling and Disposal of Concrete and Cement: When concrete trucks and equipment are washed on site, concrete washwater shall be contained in designated containers or in a basin for their removal. If possible, have concrete contractor remove concrete wash water from site. In no case shall fresh concrete be washed into the road right-of-way.
7. Payment Construction Management: Permit or replace the discharge of pollutants from paving operations, using measures to prevent run-off and runoff pollution and properly disposing of excess. Avoid parking in wet areas and trackable materials. Avoid parking in wet areas and trackable materials. Avoid parking in wet areas and trackable materials. Avoid parking in wet areas and trackable materials.
8. Construction Silt and Water Management: Inspections to identify construction silt should occur prior to construction and at regular intervals during construction. Silt control measures shall be implemented and maintained throughout the project. Silt control measures shall be implemented and maintained throughout the project. Silt control measures shall be implemented and maintained throughout the project.
9. Sedimentation and Water Management: Temporary roadway waterways and traffic signs. Only licensed sanitary and sewage waste haulers should be used. Secondary containment should be provided for all sanitary facilities.
10. Inspection & Maintenance: Areas of material and equipment storage sites and temporary sanitary facilities must be inspected weekly. Problem areas shall be identified and appropriate additional erosion/sediment control measures implemented immediately, within 24 hours of the problem being identified.

### STANDARD EROSION CONTROL NOTES

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### STANDARD EROSION CONTROL NOTES

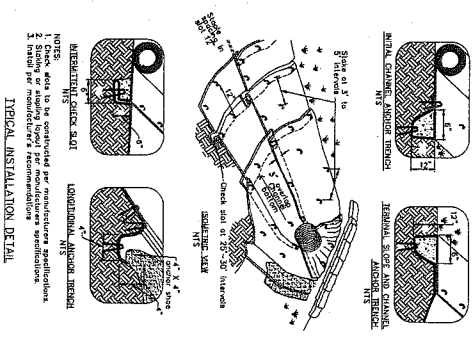
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### STANDARD EROSION CONTROL NOTES

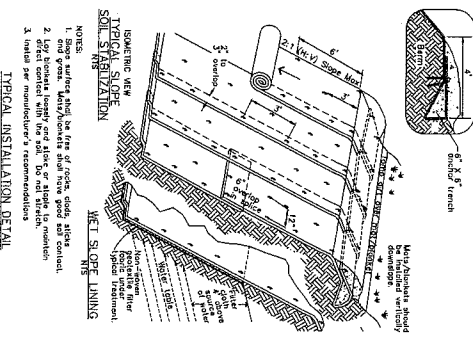
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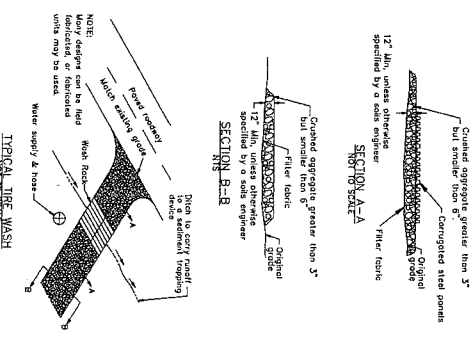
**7** Geotextiles and Mats  
CASQA Detail EC-7



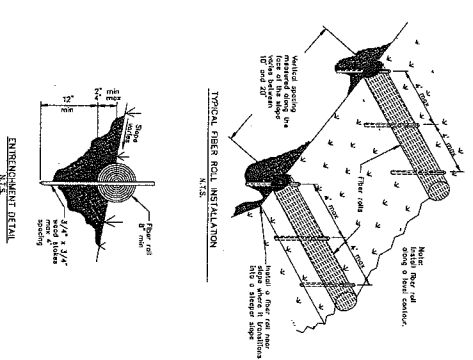
**5** Geotextiles and Mats  
CASQA Detail EC-7



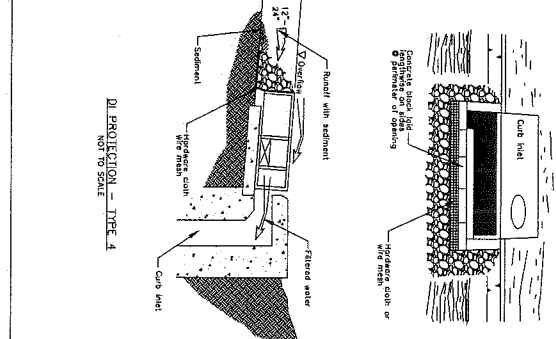
**3** Entrance/Outlet Tire Wash  
CASQA Detail TC-3



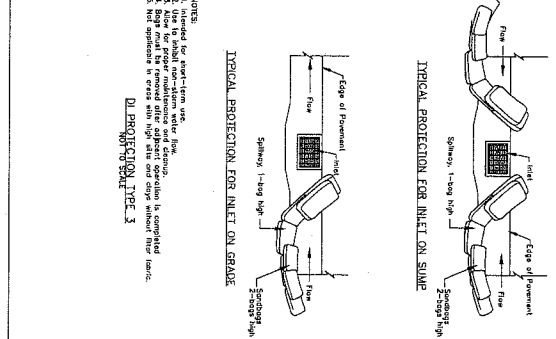
**1** Fiber Rolls  
CASQA Detail SE-5



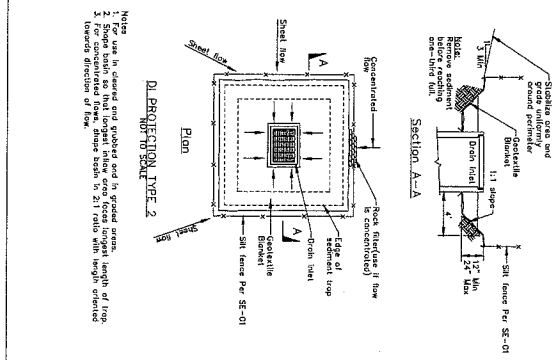
**8** Storm Drain Inlet Protection  
CASQA Detail SE-10



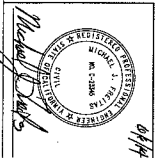
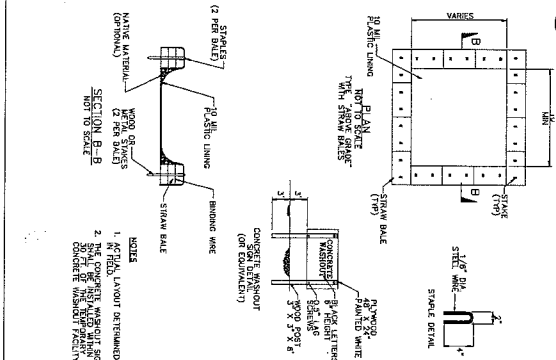
**6** Storm Drain Inlet Protection  
CASQA Detail SE-10



**4** Storm Drain Inlet Protection  
CASQA Detail SE-10



**2** Concrete Waste Management  
CASQA Detail WM-4



Sheet	15 of 16
Date	01/14
Scale	AS SHOWN
Drawn	Digital Graphics
NO	10001

**FREITAS + FREITAS**  
Engineering and Planning Consultants, Inc.  
3213 Valenzia Ave., Suite A1  
Aptos, CA 95003  
Phone (831) 688-1168 Fax (831) 688-1218

REVISIONS	BY	DATE	DESCRIPTION

**BEST MANAGEMENT PRACTICES #2**  
**OAK RIDGE/VIA DEL SOL PROJECT**  
**ASSESSMENT DISTRICT NO. 2013-1**  
**AROMAS WATER DISTRICT**

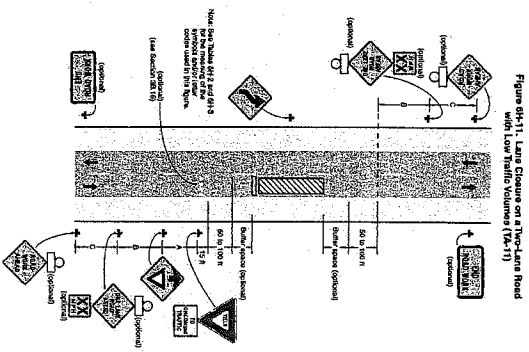


Figure 61-11. Lane Closure on a Two-Lane Road with Low Traffic Volume (7k-11)

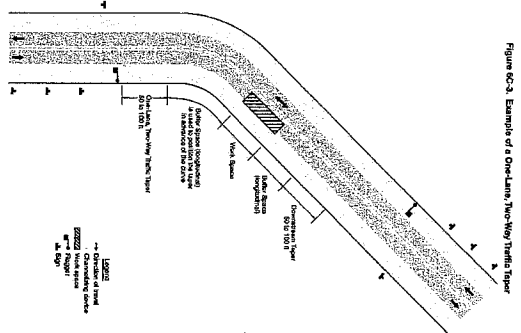


Figure 60-3. Example of a One-Lane, Two-Way Traffic Taper

### TYPICAL TRAFFIC CONTROL PLAN

Not to Scale



### TYPICAL TRAFFIC CONTROL PLAN

Not to Scale



Table 61-2. Meaning of Symbols on Typical Application Diagrams

Symbol	Meaning
	Advance travel
	Reverse travel
	Advance travel in work area
	Reverse travel in work area
	Advance travel in work area
	Reverse travel in work area
	Advance travel in work area
	Reverse travel in work area
	Advance travel in work area
	Reverse travel in work area
	Advance travel in work area
	Reverse travel in work area

### TRAFFIC CONTROL SYMBOLS



- TRAFFIC CONTROL NOTES:**
- All traffic control devices shall conform to the latest edition of California Manual of Uniform Traffic Control Devices (MUTCD) and CALTRANS Standard Plans and Specifications.
  - The local fire department, sheriff/police department, California Highway Patrol, local school district, transit service providers and United States Postal Service shall be notified 72 hours in advance of construction work.
  - The Contractor is solely responsible for the repair of any damage to existing improvements resulting from the contractors operation. This repair shall include all construction and materials to restore to the condition to existing.
  - Each advanced warning sign, on each side of the roadway shall be equipped with at least two flags. Flashing beacons shall be placed at the location indicated for lane closure during hours of darkness.
  - All workers shall be equipped with a reflective vest and hard hat. All flaggers shall also be equipped with a C28 "Stop/Slow" paddle and shall be trained in the proper fundamentals of flagging traffic.
  - No parking signs shall be placed 72 hours prior to set up. Signs shall be posted every 20 linear feet of occupied space with at least one sign at each end of occupied space.
  - Occupied space shall be clearly marked with traffic control devices and signs at all times.
  - Contractor shall maintain continuous adequate lighting of the job area.
  - County Engineer or his representative has the authority to initiate field changes to assure public safety.

Professional Seal of Michael J. Freitas, State of California, License No. 54474, Professional Engineer, Expired 12/31/13.

DATE: 6/14  
SCALE: AS SHOWN  
DESIGN: Digital Graphics  
JOB: 10001  
SHEET: 16 of 16

**FREITAS + FREITAS**  
Engineering and Planning Consultants, Inc.  
3233 Valencia Ave., Suite A1  
Aptos, CA 95003  
Phone (831) 698-1268 Fax (831) 698-1218

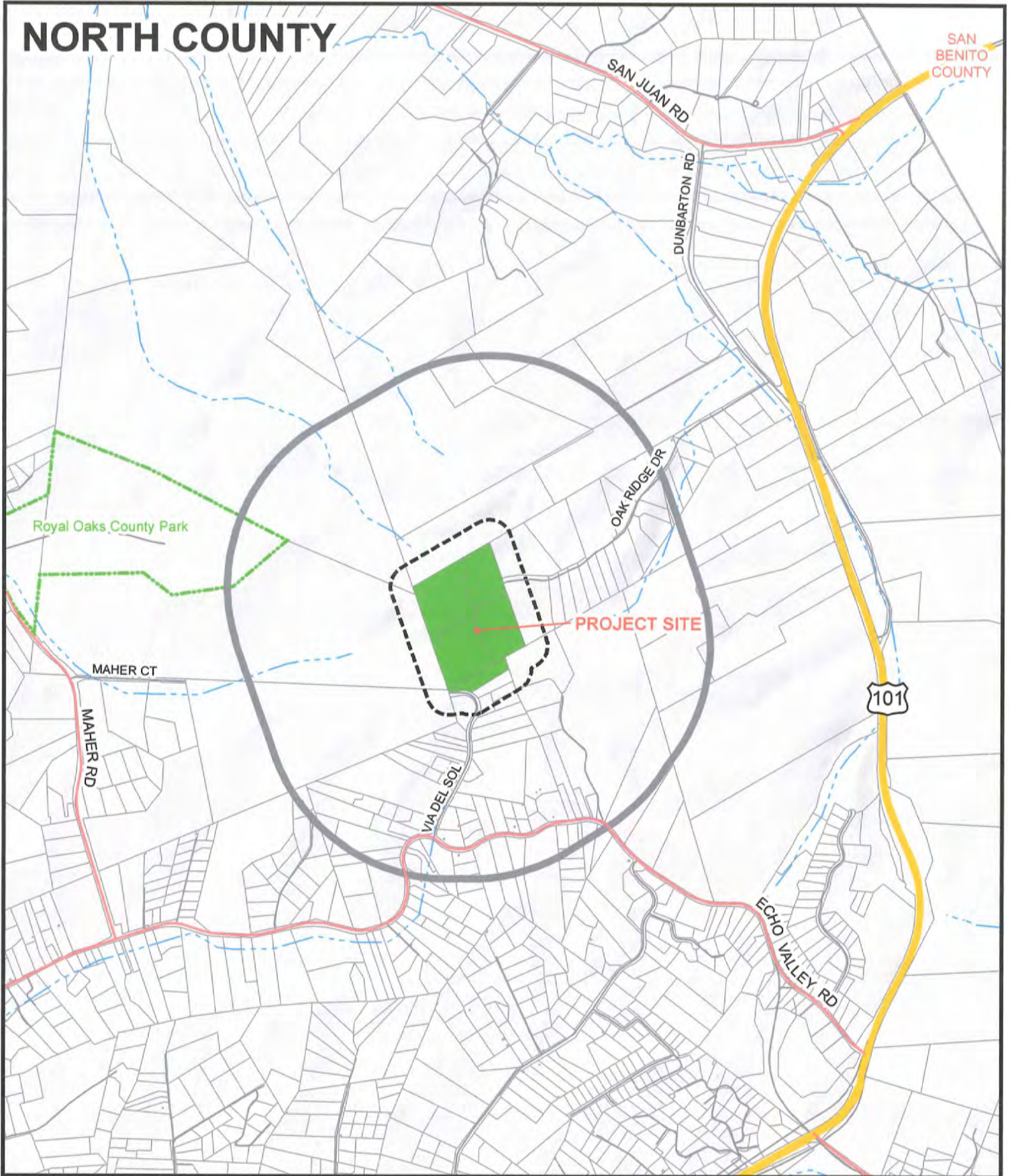
TRAFFIC CONTROL PLAN  
OAK RIDGE/VIA DEL SOL PROJECT  
ASSESSMENT DISTRICT NO. 2013-1  
AROMAS WATER DISTRICT

REVISIONS BY

NO.	DATE	BY	REVISIONS




# NORTH COUNTY



**APPLICANT:** AROMAS WATER DISTRICT (MULTIPLE PRIVATE OWNERS)

**APN:** 141-081-011-000M

**FILE #** PLN140475

 2500' Limit  300' Limit  Water



## EXHIBIT D

PLANNER: ROBINSON

AROMAS WATER DISTRICT  
**Notice of Intent to  
Adopt a Mitigated Negative Declaration**

The Aromas Water District is preparing to adopt a Mitigated Negative Declaration for the following proposed project:

**Project:** Sphere of Influence Amendment & Annexation of Oak Ridge & Via Del Sol Subdivisions

**Project Location:** South of the unincorporated community of Aromas in northeastern Monterey County

**Project Applicant:** Aromas Water District

**Project Description:** The proposed project consists of the following elements:

- 1) Sphere of Influence (SOI) amendment to add approximately 1,720 acres within the AWD's SOI boundary within Monterey County.
- 2) Annexation of two existing subdivisions (Oak Ridge and Via Del Sol) to the Aromas Water District and provision of domestic water service to existing residences that are experiencing water supply problems; the annexation areas are within the proposed SOI amendment area.
- 3) Creation of an assessment district to finance water system improvements for the proposed annexation areas.
- 4) Construction of water system improvements to serve the proposed annexation areas, which includes extension of water lines and construction of accessory water system improvements. These components include approximately 12,000 linear feet of new water pipeline, a pump station, a 100,000 water storage tank, and service connections.

**Significant Effects on the Environment:** Potential significant impacts were identified related to biological resources, geology and soils (erosion), and hydrology (erosion-water quality), which can be mitigated to a less-than-significant level with mitigation measures included in the Mitigated Negative Declaration.

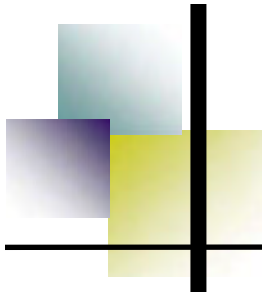
The Aromas Water District has reviewed the proposed project and has determined that the project, with mitigation measures as conditions of project approval, will not have a significant effect on the environment.

A copy of the Mitigated Negative Declaration and Initial Study may be reviewed or obtained at the address below or is available online at [www.aromaswaterdistrict.org](http://www.aromaswaterdistrict.org).

Aromas Water District  
387 Blohm Avenue  
Aromas, CA 95004

Comments on the Mitigated Negative Declaration should be in writing to Vicki Morris at the Aromas Water District address listed above or by email to [aromaswd@aol.com](mailto:aromaswd@aol.com) from November 15, 2011 through December 14, 2011. The Aromas Water District Board of Directors will consider the proposed Mitigated Negative Declaration at a public hearing following the comment period at a date that has not yet been scheduled. If you have any questions or comments, please contact Vicki Morris at (831) 726-3155 or at [aromas@aol.com](mailto:aromas@aol.com).





# MITIGATED NEGATIVE DECLARATION INITIAL STUDY

---

## Aromas Water District

Sphere of Influence Amendment &  
Annexation of Oak Ridge & Via Del Sol Subdivisions

November 2011



# AROMAS WATER DISTRICT MITIGATED NEGATIVE DECLARATION

Sphere of Influence Amendment &  
Annexation of Oak Ridge & Via Del Sol Subdivisions

The Aromas Water District has prepared this Mitigated Negative Declaration for the following described project:

**Project:** Aromas Water District Sphere of Influence Amendment & Annexation of Oak Ridge & Via Del Sol Subdivisions

**Project Location:** South of the unincorporated community of Aromas in northeastern Monterey County as shown on Figures 1, 2 and 3 on the attached Initial Study.

**Project Applicant:** Aromas Water District is the proponent and lead agency; the Local Agency Formation Commission (LAFCO) of Monterey County and Monterey County are responsible agencies.

**Project Description:** The purpose of the proposed project is to: a) annex the two existing developed subdivisions (Oak Ridge and Via Del Sol) to the Aromas Water District (AWD) in order to provide potable water supplies to existing residences that are experiencing water supply problems in northern Monterey County; and b) amend the AWD's Sphere of Influence (SOI) boundary to include approximately 1,720 acres that are located between the AWD's existing southern boundary and the proposed annexation areas, including the proposed annexation parcels. The proposed project consists of the following elements:

- 1) Sphere of Influence (SOI) amendment to add approximately 1,720 acres within the AWD's SOI boundary within Monterey County.
- 2) Annexation of two existing subdivisions to the Aromas Water District and provision of domestic water service to approximately 72 existing homes; the annexation areas are within the proposed SOI amendment area.
- 3) Creation of an assessment district to finance improvements for the proposed annexation areas.
- 4) Construction of water system improvements to serve the proposed annexation areas, which includes extension of water lines and construction of accessory water system improvements. These components include approximately 12,000 linear feet of new water pipeline, a pump station, a 100,000 water storage tank, and service connections.

If the SOI amendment is approved, properties located within the amended SOI area (other than the proposed annexation areas) could apply to the LAFCO of Monterey County in the future for annexation to the AWD as a separate action. New development may or may not be proposed in conjunction with potential future annexation requests. Future annexation requests would be subject to environmental review pursuant to the California Environmental Quality Act (CEAQ). No annexation or development within the SOI amendment area is proposed at this time as part of the SOI amendment request by AWD.

**FINDINGS:** The Aromas Water District has reviewed the proposed project and has determined, based on the attached Initial Study, that the project will have a less-than-significant impact on the environment with implementation of mitigation measures. The Initial Study finds that potentially significant impacts related to biological resources and erosion/water quality as a result of

construction of the water system improvements can be reduced to less-than-significant levels with implementation of mitigation measures as described in the attached Initial Study.

**MITIGATION MEASURES:** The following mitigation measures will be incorporated into the project design or as conditions of approval, to ensure that any potential environmental impacts will not be significant.

**MITIGATION MEASURE BIO-1.** For the work area adjacent to the tributary creek at Oak Ridge Road and Dumbarton Road, the Aromas Water District shall hire a qualified biologist to conduct pre-construction surveys for coast range newt, California red-legged frog and western pond turtle. The survey should be conducted no more than 48 hours prior to onset of willow trimming and trenching. A biologist shall be on-site during construction to ensure no newts, frogs, or turtles are in the work area.

**MITIGATION MEASURE BIO-2.** The Aromas Water District shall implement riparian corridor protection measures to minimize impacts to downstream waters and resources located adjacent to the work area, including:

- Install plastic mesh fencing and silt fencing at the perimeter of the work area that abuts downstream waters and riparian corridor to prevent impacts to the adjacent riparian corridor and injury to nearby native trees (if present). The silt fences will also prevent movement of animals from the creek/riparian area into the work area, such that take of the species are avoided. Protective fencing shall be in place prior to ground disturbances and removed once all construction is complete. During construction, no grading, construction or other work shall occur outside the designated limits of work.
- No excess soil, chemicals, debris, equipment or other materials shall be dumped or stored outside the designated limits of work.
- Work above and below existing creek culverts shall be implemented in a manner where no construction material enters the creeks and the existing culverts are not damaged. The water district shall confer with CDFG, RWQCB, and USACE on the need to obtain permits prior to work under or above the existing culverts.
- Prior to commencement of construction, implement standard erosion control measures to prevent construction materials from entering the downstream drainages. Utilize a native erosion control seed mix on disturbed areas following construction.

**MITIGATION MEASURE BIO-3.** During the grading for the water tank and trenching for the water line portions of the project that cross the grassland areas, the Aromas Water District shall hire a qualified biologist to monitor for presence of California tiger salamander. The biologist shall be on the site during construction in these areas to ensure no salamanders are in the work area. The silt fences (installed as stated in **Mitigation Measure BIO-4**) will also prevent movement of animals from adjacent areas into the work area, such that take of the species is avoided. No take of California tiger salamanders is allowed.

**MITIGATION MEASURE BIO-4.** Prior to grading and construction, the Aromas Water District shall designate the limits of construction work and equipment access and install protective fencing. Grassland adjacent to the work area shall be protected by placing plastic protection fencing (i.e., plastic construction mesh fencing with metal t-bars) at the limit of work. Protective fencing should be in place prior to any site grading or other disturbances. All grassland areas outside the limits of work shall be preserved. When all site construction is complete, the temporary fencing can be removed.

**MITIGATION MEASURE BIO-5.** Areas disturbed by construction shall be seeded with a native erosion control seed mix suitable to the project area. Plant species suitable for use include purple needlegrass (*Nassella pulchra*) and California brome (*Bromus carinatus*).

**MITIGATION MEASURE BIO-6.** To avoid potential impacts to nesting migratory birds and raptors, schedule construction to avoid the nesting season to the extent feasible, which is typically from March 1 to August 1. If construction cannot be scheduled outside this area, a qualified biologist shall conduct surveys for nesting birds

August 1. If construction cannot be scheduled outside this area, a qualified biologist shall conduct surveys for nesting birds no more than two weeks prior to onset of tree pruning and construction with heavy equipment. If nesting birds are observed within the project corridor, postpone construction along that portion of the project until the biologist confirms that all young have fledged from the nest. For most birds a 50 foot buffer zone is adequate to protect the nest; a raptor nest will require a 250 foot buffer.

**MITIGATION MEASURE BIO-7.** Prior to grading and construction, the Aromas Water District shall protect all oak trees that are within 20 feet of grading, trenching, and/or construction staging or access by placing plastic protection fencing (i.e., plastic construction mesh fencing with metal t-bars) at the limit of work. At the direction of a qualified arborist, fencing should be in place prior to any site grading or other disturbances. The final location and integrity of the fencing shall be inspected by a qualified arborist prior to any site construction. All areas outside the limits of work shall be preserved. When all site construction is complete, the temporary fencing can be removed.

**MITIGATION MEASURE BIO-8.** During ground excavation all roots greater than 2 inches in diameter should be hand-cut (instead of being cut by a mechanical trencher, grader, or excavator). Hand cutting of roots will minimize impacts to trees adjacent to construction. Limbing of tree limbs for access shall follow standards for pruning as per the International Society of Arboriculture (ISA), with any additional measures as identified by a qualified on-site arborist. A qualified arborist shall be on site to oversee all root cutting and limbing. Any additional protective tree measures as identified by the on-site arborist shall be implemented.

**MITIGATION MEASURE WQ-1.** In addition to erosion control measures identified in Mitigation Measures BIO-2 and BIO-5, include erosion control measures in the construction specifications for all water system improvements and implement during construction to include, but not be limited to, prohibiting construction activities, placement of spoils, and storage of materials and machinery adjacent to water bodies; prohibiting grading between November 1 and April 1; protecting disturbed areas during these times with appropriate erosion control measures; and immediately revegetating disturbed areas with appropriate native plant species that are compatible with surrounding vegetation.



By: Vicki Morris, General Manager  
Aromas Water District



Date

# AROMAS WATER DISTRICT INITIAL STUDY

## CONTENTS:

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## I. BACKGROUND

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1. **Project Title:** Oak Ridge & Via Del Sol Annexation and Sphere of Influence Amendment
2. **Lead Agency Name and Address:**  
Aromas Water District  
P.O. Box 388  
Aromas, CA 95004
3. **Contact Person and Phone Number:** Vicki Morris, General Manager, (831)-726-5071
4. **Project Location:** South of the community of Aromas in the unincorporated area of northeastern Monterey County (see Figure 1<sup>1</sup>).
  - Water storage tank site: APN 141-081-011
  - Water Pipeline & Annexation Area: See Attachment A for APNs
  - Sphere of Influence Amendment: See Attachment A for APNs
5. **Project Applicant's/Sponsor's Name and Address:** Aromas Water District
6. **General Plan and Coastal Land Use Plan Designation:**
  - Annexation Area: Residential (Rural Density); Resource Conservation;
  - Sphere of Influence Amendment: Residential (Rural Density & Low Density); Resource Conservation; Agricultural Conservation; Permanent Grazing; Commercial

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<sup>1</sup> All figures are located at the end of the Initial Study in Section VII.

## 7. Zoning:

- Annexation Area: RDR [Rural Residential], RC [Resource Conservation]
- Sphere of Influence Amendment Area: RDR [Rural Residential], LDR [Low Density Residential], RC [Resource Conservation], RG [Rural Grazing], F [Farmlands], AC [Ag Conservation]

## II. PROJECT DESCRIPTION and ENVIRONMENTAL SETTING

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### A. Project Description

**Goals and Objectives.** The purpose of the proposed project is to:

- Annex the Oak Ridge and Via Del Sol subdivisions to the Aromas Water District (AWD) in order to provide potable water supplies to existing residences that are experiencing water supply problems in northern Monterey County; and
- Amend the AWD's Sphere of Influence (SOI) boundary to include approximately 1,720 acres that are located between the AWD's existing southern boundary and the proposed annexation areas, including the proposed annexation parcels.

Figure 2 shows the existing AWD service area and existing SOI as well as the proposed annexation and SOI amendment areas; Figure 3 provides a close-up of the project areas. Further details of the project purpose are presented below.

**PROPOSED ANNEXATION.** The proposed annexation area is partially served by the Oak Ridge Mutual Water Company (ORMWC), small shared water systems and individual residential wells. The ORMWC, a small rural mutual water company that serves residences in the Dunbarton Drive area of Aromas and portions of the Oak Ridge subdivision, has experienced insufficient water supplies over the years, requiring some residents to have water delivered by tanker truck. The Via Del Sol Drive area has also suffered from water supply sufficiency problems. This area has seven small shared water systems typically serving two or three homes with the remaining homes having individual water systems. Due to inadequate supply and/or poor water quality, many of the residents in this area have had water delivered via tanker truck. The proposed annexation would result in the provision of domestic water service to these areas by the Aromas Water District via an extension of existing water lines and construction of a new water storage tank. Formation of an assessment district is proposed to finance the improvements; state and/or federal grant funding may also be available.

**PROPOSED SPHERE OF INFLUENCE AMENDMENT.** The proposed annexation area is located approximately one mile south of the existing AWD boundaries and less than one mile south of an existing AWD water transmission main. The proposed annexation would create a service area "island" that is not contiguous to existing AWD boundaries. The Water District is proposing that its Sphere of Influence be amended to include the proposed annexation areas and intervening area, as well as another area east of the project area that is within the AWD

boundaries, but also is not contiguous with the AWD service area. The amendment would join existing areas within the AWD and its existing Sphere of Influence that are not contiguous.

**Project Location.** The proposed project area is located in northeastern Monterey County (see Figure 1). The project area is located approximately 7.5 miles southeast of the city of Watsonville (in Santa Cruz County), approximately 2.5 miles south of the unincorporated community of Aromas, 2.6 miles north of the unincorporated community of Prunedale and approximately 4.5 miles east of the unincorporated area of Las Lomas.

The proposed annexation areas are generally located west of Dunbarton Road and Highway 101 and north of Echo Valley Road as shown on Figure 3. The existing Oak Ridge Subdivision (35 lots) is located along Oak Ridge Drive off of Dunbarton Road. The existing Via Del Sol subdivision (28 lots) is located along Via Del Sol Road off of Echo Valley Road. Figure 2 shows the location of the Oak Ridge and Via Del Sol areas proposed for annexation in relation to the AWD boundaries.

The proposed Sphere of Influence amendment area extends south from the existing AWD boundaries from approximately Carpenteria Road. The area is generally bounded by the existing AWD boundaries on the north, the Monterey-San Benito County line on the east, and unincorporated rural lands on the south and west. Figure 3 shows the proposed SOI amendment area, which includes the proposed annexation areas.

**Proposed Project Elements.** The proposed project consists of the following elements:

- 1) Sphere of Influence (SOI) amendment to add approximately 1,720 acres within the AWD's SOI boundary within Monterey County.
- 2) Annexation of two existing subdivisions to the Aromas Water District and provision of domestic water service to these areas; the annexation areas are within the proposed SOI amendment area.
- 3) Creation of an assessment district to finance improvements for the proposed annexation areas.
- 4) Construction of water system improvements to serve the proposed annexation areas.

Each project component is further described below.

Sphere of Influence Amendment. The proposed project includes amendment of the AWD's adopted Sphere of Influence within Monterey County to include 243 parcels that cover approximately 1,720 acres, including the proposed annexation areas, as shown on Figure 3. Of the total parcels, 207 parcels have at least one existing homes, 26 are not developed, and 10 lots are small well or utility lots. The proposed annexation accounts for 80 lots, and 163 lots are located outside of the proposed annexation areas.

A Sphere of Influence is the probable physical boundaries and service area of a local government that is developed by LAFCOs (Local Agency Formation Commission) in each county pursuant to State law. As indicated above, the AWD is proposing that its Sphere of Influence be amended to include the proposed annexation areas and intervening area, and the amended sphere would connect to an existing discontinuous area within AWD's existing SOI

and service area. Pursuant to state law, the Local Agency Formation Commission (LAFCO) of Monterey County is responsible for reviewing and approving proposed jurisdictional boundary changes, including annexations and sphere of influence lines and amendments. LAFCO actions are outlined below under subsection II.C.

The proposed SOI amendment will result in inclusion of additional lands within the Aromas Water District's Sphere of Influence, which could result in future annexation and potential new development proposals. However, no annexation or development is proposed at this time as part of the proposed SOI amendment. If the SOI amendment is approved, the properties located within the area could apply for annexation to the AWD and potential development proposals. Most of the area is developed or designated for low density residential uses with some limited areas designated resource conservation and agriculture. Existing residentially-designated properties would be limited to one single-family residence on a lot of record (Policy NC-1.5). The resource conservation and agricultural designations generally require larger parcel sizes that would limit future densities and intensity of land uses. Furthermore, any development that may be proposed in the future would be subject to review and permit approvals from Monterey County at which time the appropriate level of environmental review would be conducted.

No development is proposed in the SOI area as part of the proposed project. If the SOI amendment is approved, the properties located within the area could apply for annexation to the AWD, which would require review and approval by the LAFCO of Monterey County. Most of the area is developed or designated for low density residential uses with some limited areas designated Resource Conservation and other agricultural and grazing designations. Development is limited to one single-family residence per lot of record pursuant to the Monterey County General Plan. Any development that may be proposed in the future would be subject to land use permit approvals from Monterey County as further discussed below.

Annexation and Provision of Water Service. The primary project element consists of annexation of up to 80 existing lots (approximately 370 acres) to the Aromas Water District that are located within the existing Oak Ridge and Via Del Sol subdivisions. There are 41 existing developed lots within the Oak Ridge subdivision, and there are four small lots that appear to be well or utility lots. The 41 lots include seven developed lots adjacent to the Oak Ridge Subdivision to the north that are considered for potential annexation due to proximity to the planned water system improvements. There are 31 existing developed lots in the Via Del Sol Subdivision and four small lots that appear to be well or utility lots. Thus, the annexation area includes a total of 80 lots. Attachment A includes a list of the Assessor's Parcel Numbers (APNs) for the lots proposed for annexation.

The Oak Ridge Mutual Water Company (ORMWC) currently has insufficient water supplies to support the subdivision due to declining well production from when the subdivisions were approved in 1976 (see subsection 17d below for further discussion). By 1979, the Monterey Department of Environmental Health prohibited the Water Company from making additional connections (SOURCE VI.8<sup>2</sup>). The ORMWC's water system consists of four wells with one storage tank for each of its two pressure zones. The lower zone tank receives the water from all four wells. When the lower tank is nearly full, a transfer pump is activated, lifting water to the upper tank. When there is insufficient water from the wells, the lower tank cannot be filled sufficiently to activate the transfer pump, and the upper tank cannot be refilled, resulting in no water for the

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<sup>2</sup> All referenced sources are included in Section VI of this Initial Study.



homes served from this upper tank have no water (Ibid.). As a result, water has had to be trucked in during late summer and fall to supplement the deficient water supply. Additionally, the ORMWC's water distribution system of 4-inch pipes does not meet current water system standard requirements, and only marginal fire protection is provided (Ibid.).

As previously indicated, the Via Del Sol Drive homes have seven small shared water systems typically serving two or three homes with the remaining homes having individual water systems (SOURCE VI.8). Water quality has also been an issue in the area due to high nitrate levels. Some wells have exceeded the state standards for nitrates and have significantly declined in capacity; these wells and water systems can no longer provide potable water of the required quantity and quality to support these homes (SOURCE VI.2). Water has also been trucked in to the Via Del Sol area.

The Monterey County Department of Health, in a letter to the Aromas Water District in October 2010, stated its support of consolidation of the water systems and single connection wells along Oak Ridge Drive and Via del Sol with the Aromas Water District (SOURCE VI.2). The Monterey County Health Department is the delegated local authority pursuant to state law that oversees public water systems under 200 connections. The Health Department noted that the County's 1982 and recently adopted 2010 General Plans include policies that strongly promote the consolidation of water systems whenever feasible, which also is included in the Monterey County Code. It also indicated that both the State Department of Health Services and Monterey County policies prohibit use of hauled water as permanent potable water source (Ibid.). The Department indicated that the expansion of the AWD along Oak Ridge Drive and Via Del Sol would bring a much needed, permanent, reliable, continuous and adequate potable water supply to these homes, and bring these properties in compliance with State Health and Safety and Plumbing Codes and Monterey County Code and General Plan.

It is not known whether the existing ORMWC wells or other wells within the annexation area will be abandoned. They may be retained for landscaping or other non-potable uses.

Assessment District Formation. Formation of an assessment district is proposed for financing the proposed water systems improvements, and following approval of the proposed annexation, the Aromas Water District intends to proceed with proceedings for formation of an assessment district. With this method, construction of improvements is financed by sale of bonds by the public agency and secured through liens on the properties benefited. A list of parcel owners who were contacted regarding inclusion in the assessment district is shown in Attachment A.

The process for formation of an assessment district is prescribed by state law. Generally, the public agency (AWD in this case) adopts a Resolution of Intent to order the proposed improvements, and directs preparation of an Engineer's Report detailing the plans and specifications of the proposed improvements and boundaries of the assessment district. Public hearings are conducted, and the extent of the district boundaries are determined.

The engineer's report indicates that a cash contribution would be approximately \$50,105 per connection, which would need to be made prior to construction under this method. With formation of an assessment district, the total estimated project cost would be \$3,386,474 or about \$52,914 per connection (SOURCE VI.8). Depending on financial need, loans and grants may be available through a revolving fund from the California Department of Health Services (DOHS) for small water providers to improve water treatment of their water systems. Additionally, long-

term lending also may be available through the U.S. Department of Agriculture's Rural Development programs.

Water System Improvements. The project includes extension of water lines and construction of accessory water system improvements in order to serve the proposed annexation area. These components include a new water pipeline, pump station, water storage tank, and service connections, which are summarized below as set forth in the engineer's report (SOURCE VI.8) and schematically shown on Figure 4.

- *Water Pipeline:* The project includes installation of approximately 5,500 linear feet of new 8-inch water pipeline and 3,500 linear feet of 6-inch pipeline to serve the Oak Ridge subdivision and an additional 3,000 linear feet 6-inch pipeline to serve the Via Del Sol area for a total of approximately 12,000 linear feet or two miles of new water pipeline. The closest existing AWD water pipeline is a 6-inch pipeline located at the intersection of San Juan Road and Dunbarton Road. A new 8-inch pipeline is proposed to be constructed within Dunbarton Road to Oak Ridge Drive. The line would then extend up Oak Ridge Road to a new pump station and water storage tank as described below; a new water line would extend from the storage tank to the Via Del Sol area. All new water lines would be installed within existing roadways or shoulders within their rights-of-way except for an approximate 800±-foot segment that extends through undeveloped land from the upper Oak Ridge Road area to the Via Del Sol area. An intermittent tributary to Carneros Creek runs parallel to Dunbarton Road and flows via culvert under Oak Ridge Road. The new pipeline would be located on or under the culvert, but there will no construction work within the creek. Figure 5 illustrates the alignment route on a parcel map, and Figures 6a through 6d show the proposed pipeline alignment superimposed on an aerial photo.
- *Pump Station:* A new duplex pump station with a 50 gpm (gallon per minute) pump will be installed in Oak Ridge Road at about elevation 375 feet as shown on Figure 4. The facility would be enclosed in a small building that is expected to cover approximately 100 square feet.

Below the new pump station, the system would receive water from the AWD's existing Ballantree Water Tanks system that serves the area within AWD boundaries that is located east of the project area. (Figure 7 shows the proposed annexation areas in relation to existing AWD water system improvements.) Water is pumped from the San Juan Well system to the Ballantree System pipeline. The existing San Juan Well booster pumps would need to be enlarged to accommodate the new services in this zone (SOURCE VI.8). The Ballantree system has two 15,000 gallon tanks located at an elevation of 482 feet. All new Oak Ridge service connections below elevation 375 would be served off this tank pressure zone and would have a minimum of about 50 psi pressure at the new service meter. The pump station would pump water through the new 6-inch line up Oak Ridge Road to a new water storage tank at about elevation 705. Lots between the new pump station and water storage tank, as well as the Via Del Sol Drive area, would be served via gravity-flow from the new storage tank.

- *Water Storage Tan.:* A new 100,000 gallon tank is proposed to be constructed at the high point of Oak Ridge area. The tank would be a bolted steel facility, approximately 32 feet in diameter and approximately 20 feet in height (water level at 16 feet) with an antenna on the top. The new tank (at approximately elevation 705 feet) would be high enough to

transmit water via a 6-inch gravity pipeline down to Via Del Sol Drive and to homes along this road. Another storage tank would not be required to serve Via Del Sol area. The tank location is shown on Figure 4, and details are shown on Figure 8. The proposed storage tank and a short segment of pipeline are located within the coastal zone as shown on Figure 9B.

- *Service Connections:* New 5/8-inch services and water meters would be installed from the new pipeline to serve the new connections. The service connections would include water meters with backflow preventers. Each parcel will be served with one meter; parcels with more than one residence will have another meter to serve the other residences (SOURCE VI.8).
- *Construction Methods, Timing and Equipment:* Construction is estimated to take approximately 4-6 months. Project construction will occur on weekdays generally between 7 AM and 6 PM. Equipment is expected to include bulldozer, track loader or excavator for excavation activities and other standard construction equipment. It is expected that approximately 400 to 500 linear feet of trench will be exposed per day, but will be covered during non-working hours. A trench for the installation of the water lines will be excavated to a depth of approximately four feet with an approximate 18-inch width. Traffic control plans will be implemented in accordance with County Public Works requirements, and project roadways will be resurfaced upon completion of the pipeline installation.

## **B. Environmental Setting and Surrounding Land Uses**

The project sites are located within a rural area within the northeastern portion of Monterey County. The project area (both the proposed annexation and SOI areas) is situated between a ridgetop on the west and Highway 101 on the east. The area is generally characterized as rural and contains rural residential lots with some agricultural uses amidst rolling grasslands and oak woodlands. The northeastern Monterey County area includes several unincorporated residential areas, including Aromas, Prunedale to the south of the project area, and Las Lomas to the west. Elkhorn Sough and the unincorporated larger community of Castroville are situated further south of the project area.

The project areas are within the North County planning area of the Monterey County General Plan. The proposed water storage tank and a short segment of pipeline are located within the coastal zone, which are subject to the North County Coastal Land Use Plan. Figure 9 illustrates the coastal zone boundary in the project area.

Most of the proposed SOI amendment area, including the Oak Ridge subdivision, is located within the Carneros Creek drainage to Elkhorn Slough. Carneros Creek flows adjacent to Dunbarton Road along a segment of the proposed new water line. The proposed annexation area includes two existing subdivisions located within grassland and oak woodland areas. Scattered oaks and oak woodlands are found interspersed within the larger project area. As previously indicated, the proposed annexation area includes primarily developed residential lots. The SOI area has similar terrain as the annexation area. The area contains existing residences, as well with some areas of existing farming along San Juan Road. There is an existing high pressure gas line is on the east side of Dunbarton Road and on the north side of San Juan Road; the proposed pipelines are located on the opposite sides of the roads from existing gas lines.

## **C. Project Actions**

The proposed project includes the following approvals and permits; the Initial Study covers all project actions.

- AROMAS WATER DISTRICT (AWD): Approval of Service to the Oak Ridge and Via Del Sol subdivisions if annexation is approved by LAFCO of Monterey County.
- LOCAL AGENCY FORMATION COMMISSION OF SAN BENITO COUNTY: Delegation of the authority to LAFCO of Monterey County for processing a Sphere of Influence amendment and annexation to the AWD. This delegation by the LAFCO of the AWD's Principal County was granted on May 27, 2010.
- LOCAL AGENCY FORMATION COMMISSION (LAFCO) OF MONTEREY COUNTY: Approval of an amendment of the AWD Sphere of Influence amendment and approval of annexation of the Oak Ridge and Via Del Sol subdivisions to the Aromas Water District.
- MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY - PLANNING AND BUILDING INSPECTION DEPARTMENT: Approval of Coastal Development Permit for construction of a water storage tank in the coastal zone.
- MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY - PUBLIC WORKS DEPARTMENT: Approval of encroachment permits for installation of water pipelines within existing County roadways.
- MONTEREY COUNTY WATER RESOURCES AGENCY: Approval of removal of Via Del Sol parcels from the County's "Zone 2C" if annexed to AWD.
- PAJARO VALLEY WATER MANAGEMENT AGENCY: Authorization to allow AWD to extend water service to the Oak Ridge and Via Del Sol Subdivision areas. This authorization was granted on November 3, 2010, and is further described in Section V.9 of this Initial Study.

The Aromas Water District, Monterey County and LAFCO staffs reviewed the project, and concluded that the Water District is the lead agency for environmental review.

### III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

X	Aesthetics	X	Agriculture & Forest Resources	X	Air Quality
X	Biological Resources	X	Cultural Resources	X	Geology / Soils
X	Greenhouse Gas Emissions		Hazards & Hazardous Materials	X	Hydrology / Water Quality
	Land Use / Planning		Mineral Resources	X	Noise
X	Population / Housing		Public Services		Recreation
X	Transportation / Traffic	X	Utilities / Service Systems	X	Mandatory Findings of Significance

## IV. 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.	

*V. Morris*

Vicki Morris, General Manager  
AROMAS WATER DISTRICT

*11/8/2011*

Date

## V. ENVIRONMENTAL CHECKLIST and EVALUATION OF ENVIRONMENTAL IMPACTS

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### A. Instructions to Environmental Checklist

- 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 parentheses following each question (see section VI for list of cited sources and references). 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 when it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies when 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 "Earlier Analyses" (see below) may be cross-referenced.
- 5) Earlier analyses may be used when, 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 previously prepared or outside documents 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 significant.

## **B. Use of Earlier Analyses**

The Monterey County General Plan was updated in 2010. The County Board of Supervisors adopted the *2010 Monterey County General Plan* and certified the accompanying EIR on October 26, 2010. The EIR provides a comprehensive analysis of impacts of water demand from development supported by the General Plan on regional water supplies in the North County and Pajaro Valley Water Management Agency areas of Monterey County, in which the project sites and AWD wells are located. This Initial Study utilizes the *2010 Monterey County General Plan* EIR analysis for the regional groundwater impact analysis as summarized and discussed in subsection 9(b)–Groundwater of this Initial Study. As such, this Initial Study “tiers” off the County General Plan EIR for addressing regional groundwater issues in accordance with State CEQA Guidelines section 15152, which encourages lead agencies to use an EIR prepared for a general plan or other program or ordinance, when the later project is pursuant to or consistent with the program or plan. The County’s General Plan EIR addresses future development and water demand within the North County area, including the area served by the Aromas Water District. While it does not specifically address the annexation and sphere of influence amendment currently proposed by the AWD, it does address future water demand and regional water supply impacts. The EIR analysis and conclusions are summarized in subsection 9(b) of this Initial Study.

This Initial Study tiers from Monterey County’s General Plan EIR analysis and provides additional analysis related to the impacts of annexation and the sphere amendment. Regional water supply issues are reviewed in the Draft EIR volume (Chapter 4.3 – Water Resources) and the Final EIR volume (Chapter 4 – Changes to Draft EIR), which are “incorporated by reference” in accordance with State CEQA Guidelines section 15150. The referenced documents are on file at the Aromas Water District office during business hours (Monday, Wednesday and Friday, 9 AM to 5 PM, located at 387 Blohm Avenue, Aromas, CA.). The documents are also available on the County’s website at: [http://www.co.monterey.ca.us/planning/gpu/GPU\\_2007/gpu\\_2007.htm](http://www.co.monterey.ca.us/planning/gpu/GPU_2007/gpu_2007.htm).



## **C. Introduction – Project Review**

Unless otherwise indicated, the following subsections review potential environmental impacts associated with the proposed annexation, construction of water system improvements and provision of potable water by the Aromas Water District to the annexed areas. If the SOI amendment is approved, properties located within the amended SOI area could apply to the LAFCO of Monterey County in the future for annexation to the AWD as a separate action. New development may or may not be proposed in conjunction with potential future annexation requests. Future annexation requests would be subject to environmental review pursuant to the California Environmental Quality Act (CEAQ). No annexation or development within the SOI amendment area is proposed at this time as part of the SOI amendment request by AWD.

Most of the SOI amendment area is developed or designated for rural and low density residential uses with some limited areas designated resource conservation and agriculture. New development would be subject to the Monterey County General Plan land use designations and zone district regulations. Existing residentially-designated properties would be limited to one single-family residence on a lot of record pursuant to recently adopted General Plan policies for the North County area (Policy NC-1.5). The rural residential, resource conservation and agricultural designations generally require larger parcel sizes that would limit further subdivision or land use intensity even if it were permitted. Furthermore, any development that may be proposed in the future would be subject to review and permit approvals from Monterey County at which time the appropriate level of environmental review would be conducted.

Thus, unless otherwise discussed below, the proposed SOI amendment would not result in direct site-specific, physical environmental impacts as no development or extension and provision of water service is proposed with the SOI amendment. Indirect impacts related to the proposed SOI amendment are addressed in the following sections:

- Agricultural and Forest Resources
- Hydrology – Regional Groundwater Impacts
- Population and Housing - Growth
- Public Utilities -- Water Supply

# 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 highway or scenic vista?			✓	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			✓	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				✓

## Analysis and Conclusions:

**a) Scenic Views – Less than Significant.** The proposed annexation and Sphere of Influence (SOI) project areas are located west of State Highway 101. Highway 101 in the project vicinity is identified as a proposed scenic highway in the newly adopted Monterey County General Plan between Echo Valley Road and the San Benito County line (Figure 15 – “Scenic Highway Corridors & Visual Sensitivity, North County”) (SOURCE VI.1 a). Highway 101 also is designated “Eligible State Scenic Highway – Not Officially Designated” by Caltrans from State Route 156 near Prunedale.

Two areas in the proposed annexation area are within mapped “sensitive” visual areas in the County’s newly adopted General Plan (Figure 15 – “Scenic Highway Corridors & Visual Sensitivity, North County”) (SOURCE VI.1 a). One area is north of Oak Ridge Road, and the other area is south of Oak Ridge Road and east of Dunbarton Road. Both areas are located outside the coastal zone. A small portion of the proposed SOI amendment area east of Highway 101 also is located within the an area of “visual sensitivity” as mapped in the Monterey County General Plan (Figure 15 – “Scenic Highway Corridors & Visual Sensitivity, North County”) (SOURCE VI.1 a).

The proposed water storage tank is located within the coastal zone at an upper elevation that is the top of the Oak Ridge subdivision. The proposed tank site is sited adjacent to an existing large Monterey pine and some oak trees at the western edge of the property. The area is characterized by open grassland surrounded by oaks. According to the project site plans, the tank site is situated adjacent to a scenic easement.

*Impact Analysis:* Construction of the proposed water system improvements would not result in adverse effects to scenic views due to low or no visibility from scenic highways and sensitive visual areas. This is considered a less-than-significant impact.

The proposed water pipelines would be underground and not visible. The small pump station would be a low profile structure (approximately 100 square feet in size and approximately 8 feet high) that would be visible only in its immediate area along Oak Ridge Road. There are trees in the vicinity, and the structure would not be visually prominent from distant areas and likely would be screened by existing trees and vegetation.

The proposed water storage tank is located outside of the “visual sensitivity” area that is mapped in the County’s General Plan. The site is not visible from the coastline, roadways near Elkhorn Slough or from scenic corridors, which are identified as visually sensitive in the *North County Local Coastal Program* (LCP). The tank will be sited at the edge of a parcel at an upper elevation. The upper level of the tank could be visible adjacent to the existing tree cover, but the tank would not be highly visible from Highway 101, a proposed scenic highway, due to the distance (almost one mile) and intervening tree cover. The tank will be completed in a muted color and non-glare finish. Therefore, the proposed project construction elements would not result in significant impacts to scenic views.

**b) Scenic Resources - No Impact.** The project area contains numerous trees, especially oaks within an oak woodland area north of Echo Valley Road. Construction of the proposed water system improvements (pipeline, water storage tank, pump station) would not result in removal of trees. There are no scenic resources (i.e., significant trees, historic buildings, significant rock outcroppings, etc.) on or adjacent to the project sites that would be impacted by the proposed project. Furthermore, the trees in the project vicinity are part of foreground and background views, and based on field observations, there are no significant trees that would be considered a scenic resource as none are visually prominent from a wide area. Nonetheless, no trees are proposed for removal. Therefore, no impact is expected related to scenic resources.

**c) Effects on Surrounding Visual Character - Less than Significant.** The project sites are located in the North County area of Monterey County in a rural area. The region’s topography is characterized by level to gently-rolling topography with oak woodlands and other trees scattered throughout the area.

*Impact Analysis.* The project consists of installation of water system improvements that will be underground or not highly visible and would not substantially degrade the visual character of the area. This is a less-than-significant impact.

The new underground water pipeline will have no effect on views or the visual quality of the surrounding area as it is located underground. The above ground features, including fire hydrants and individual water meters to serve each lot, are unobtrusive and typical features found in a residential area.

The proposed water storage tank will be sited at an upper elevation adjacent to an existing large Monterey pine tree and a dense oak woodland. The tank site is not visible from other homes in the vicinity, and would not be highly visible from surrounding areas. The tank dimensions are approximately 20 feet in height and 38 feet in diameter. The tank will be sited on a ridgetop partially screened by existing trees, but will not be visible from public roads within the coastal zone or from most areas along Dunbarton Road. The upper portion of the tank may be partially visible from a short segment of Dunbarton

Road for a brief period of time as shown in the photo to the right. A large Monterey pine is located adjacent to the site and provides a partial screening from most locations, and the site would have limited, if any visibility from Highway 101 as discussed above in subsection 1(a). The tank color will be muted and selected to be compatible with the surrounding background colors of the trees which will further reduce visibility of the structure, especially from a distance. The limited visibility would not be highly noticeable given the distance between public roads, intervening vegetation and wooded slopes adjacent to the tank, as well as visibility of residences.



According to section 20.06.950 of the Monterey County Code, ridgeline development means development on the crest of a hill which has the potential to create a silhouette or other substantially adverse impact when viewed from a common public viewing area. The tank is situated adjacent to existing tree cover and would not appear as a prominent feature or create a silhouette or other substantially adverse impact. The tank would not be highly visible from public viewpoints, i.e. Highway 101 given the distance (almost one mile). The limited area of visibility along Dunbarton Road is outside the coastal zone. Thus, the tank would not create a substantially adverse visual impact when viewed from a common public viewing area, consistent with County ordinances and General Plan Policies OS-1.3 and NC-3.2, as public views would not be adversely affected.

Therefore, the project would not substantially degrade the existing visual character of the site and surrounding area, and impacts are expected to be less-than-significant.

**d) Light and Glare – No Impact.** The project elements will not result in introduction of a major new source of light and glare. The water storage tank will be designed with a muted color and non-glare finish. Therefore, the project would not result in a substantial source of glare or glare of the area and no impacts are anticipated. No development is proposed within the SOI amendment area as part of the proposed project. Any future proposed development or annexation to the AWD would be subject to land use permit approvals from Monterey County at which time effects on the visual quality of surrounding areas would be evaluated.

## 2. AGRICULTURAL and FOREST RESOURCES

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓
d) Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				✓

### Analysis and Conclusions:

#### a) Agricultural Land Conversion – No Impact.

ANNEXATION PROJECT AREA: The proposed annexation area does not contain lands that are designated "Prime Farmland" by the California Farmland Mapping System. The area is designated "Other Land", and some areas along Via Del Sol Road are also designated "Urban and Built-Up Land" (SOURCE VI.6). Similarly the proposed water system improvements (new pipeline, pump station and water storage tank) are also located in areas that are designated

“Other Land”. Furthermore, none of the parcels located within the proposed annexation area are designated for agricultural uses. Thus, the proposed annexation and construction of water system improvements would not result in disruption to or conversion of agricultural lands.

SPHERE OF INFLUENCE PROJECT (SOI) AREA: Most of the area within the proposed SOI amendment area is not designated “Prime Farmland” by the California Farmland Mapping System, but is designated “Other Land”. However, there is a small band of land south of San Juan Road that is designated “Prime Farmland” and “Farmland of Statewide Importance,” although the area is designated for rural residential uses in the County’s General Plan and North County Land Use Plan. There are two areas within the SOI amendment area that are designated for agricultural and grazing uses in the County’s General Plan and Zoning Ordinance, but these areas are not mapped as prime, unique or important farmland in the State Farmland Mapping Program.

The agriculturally designated properties within the SOI consist of nine parcels that total approximately 150 acres, of which over half (80 acres) is designated for grazing uses. One 69-acre parcel is located north of the Oak Ridge annexation area is designated as “Agricultural Conservation” and “Permanent Grazing”. Approximately 80 acres (eight parcels) east of Dunbarton Road are designated “Rural Grazing” in the Monterey County General Plan. Based on a parcel review conducted by AWD staff, all of the agriculturally-designated properties have existing residences except for one 11-acre parcel designated for Rural Grazing and the 69-acre parcel noted above.<sup>3</sup>

No development is proposed in the SOI area as part of the proposed project. The proposed Sphere of Influence (SOI) amendment would expand the SOI boundaries for the Aromas Water District to join non-contiguous areas of the District. Inclusion with the SOI could suggest that lands within this boundary may be suitable for receiving municipal water supply in the future. Most of the SOI area is developed with an existing residence, and only two agriculturally-designated properties do not have a residence, both of which have a 40-acre minimum. Potential future development is limited to one single-family residence on a legal lot of record pursuant to Monterey County General Plan (Policy NC-1.5) (SOURCE VI.1α). Thus, under existing County plans and regulations, these properties would be limited to one residence for a total of two potential new residences. This potential future development would not preclude continued agricultural use of the properties, and future conversion of agricultural lands would not be anticipated. Thus, the SOI amendment would not directly result in new development or direct conversion of agricultural lands.

**b) Effects on Williamson Act Contracts – No Impact.** There are no known Williamson Act contracts in the proposed annexation area. There is one potential property within the northern portion of the proposed SOI area that may be subject to a Williamson Act contract (SOURCE VI.1c – DEIR Exhibit 4.2.2), but this property is designated for residential uses in the County General Plan. However, as indicated above, lands designated for agricultural uses in the County’s General Plan have limited future development potential to two homes due to County policies and large minimum lot sizes that would be required. This would prevent agricultural land conversion. Thus, the SOI amendment would not lead to indirect conflicts with this contract.

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<sup>3</sup> The AWD staff compiled a list of all APNS within the annexation and SOI amendment areas along with acreage and Assessor’s use code, which identify whether there is an existing residence on the parcel or whether the property is vacant or in agricultural or other use.

**c-e) Forest Conversion – No Impact.** The project areas are not zoned Timberland Land Preserve or do they contain commercial forest resources. None of the surrounding areas is zoned Timberland Preserve or designated for Forest Resources in the Monterey County General Plan. The proposed annexation and SOI amendment would not conflict with existing zoning to protect forest resources or result in forest land conversion. While a portion of the new water pipeline would be located within a oak woodland area, no trees are planned to be removed. Thus, neither the proposed annexation nor SOI amendment would conflict with zoning to protect forest resources, result in direct conversion of forest land or involve other changes that could indirectly lead to such conversion.

**e) Effects on Surrounding Agricultural Lands Conversion – No Impact.**

ANNEXATION PROJECT AREA: No agriculturally-designated lands or lands in agricultural cultivation are located within the proposed annexation area. The proposed water system improvements (new pipeline, pump station and water storage tank) are located in designated residential areas and will serve existing subdivisions. Thus, this project element would have no effect on agricultural lands or indirectly lead to conversion of agricultural lands as the proposed water system improvements are not located within or adjacent to agricultural areas.

SPHERE OF INFLUENCE PROJECT (SOI) AREA: The proposed SOI amendment includes some agricultural lands and some small areas of designated “Prime Farmland” and “Farmland of Statewide Importance” along San Juan Road as described above in subsection 2(a). However, the Monterey County General Plan designates most of the SOI area for residential uses, except for two areas as noted about in subsection 2(a).

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

- First, that development or land uses other than open-space uses shall be guided away from existing prime agricultural lands toward areas containing non-prime agricultural lands, unless such an action would not promote the planned, orderly, efficient development of an area; and
- Second, that development of existing vacant or nonprime agricultural lands for urban uses within the existing agency jurisdiction or sphere of influence should be encouraged before any proposal is approved which would allow for or lead to the development of existing open space lands for non-open-space uses which are outside of the existing jurisdiction boundaries or sphere.

Further, Section 56426.5 requires that LAFCOs consider the effect of maintaining the physical and economic integrity of Williamson Act-designated agricultural preserves when determining an agency’s Sphere of Influence or when reviewing an annexation proposal.

The proposed SOI amendment includes two limited areas that are designated for agricultural uses. If included in the Water District’s amended SOI, these properties may apply to LAFCO for annexation to the AWD for provision of municipal water service in future. However, as indicated



above in the “Introduction” to the Checklist and subsection 2(a), future development is governed by the Monterey County General Plan, Zoning Ordinance and other regulations that generally seek to protect agricultural lands. The existing agricultural designations require large parcel sizes, which would prevent potential subdivision and conversion of agricultural uses to non-agricultural uses. Furthermore, development in the North County area is limited to one single-family residence per existing legal parcel. Thus, agriculturally-designated properties within the proposed SOI amendment area would not be able to subdivide or develop, and thus, the proposed SOI amendment would not indirectly lead to conversion of agricultural land to non-agricultural uses.

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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.

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				✓
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			✓	
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)?				✓
d) Result in significant construction-related air quality impacts?			✓	
e) Expose sensitive receptors to substantial pollutant concentrations?				✓
f) Create objectionable odors affecting a substantial number of people?				✓

## Analysis and Conclusions:

**a) Conformance with Air Quality Plan – No Impact.** The Monterey Bay Unified Air Pollution Control District's *Air Quality Management Plan For the Monterey Bay Region (AQMP)* addresses state air quality standards. The Monterey Bay Unified Air Pollution Control District (MBUAPCD) incorporates the County's General Plan and population forecasts in its preparation of regional air quality plans. Population-generating projects that are within the *AQMP* population forecasts are considered consistent with the plan. The proposed project is an improvement to an existing water supply system to provide water service to existing development and amendment of the Sphere of Influence boundaries of the Aromas Water District. There is no proposed or planned development as a result of these proposals. The project would not result in new development or population increases, and thus, the project does not conflict with or obstruct implementation of the *AQMP*.

**b) Project Emissions – Less-than-Significant Impact.** To protect public health, both the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established ambient air quality standards (AAQS) that are the maximum levels of ambient (background) air pollutants considered safe, with an adequate margin of safety to protect public health and welfare. The national standards address six criteria pollutants, including ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, fine particulate matter (both PM<sub>10</sub> and PM<sub>2.5</sub>, which refer to particles less than 10 microns and 2.5 microns, respectively), and lead. The state standards, which are generally more stringent than the federal standards, apply to the same pollutants as the federal standards do, but also include sulfate, hydrogen sulfide, and vinyl chloride.

The project sites are located within the North Central Coast Air Basin as established by CARB, which is under the jurisdiction of the Monterey Bay Unified Air Pollution Control District (MBUAPCD) and includes Santa Cruz, Monterey and San Benito Counties. The NCCAB is currently in attainment for the federal PM<sub>10</sub> (particulates less than 10 microns in diameter) standards and state and federal nitrogen dioxide, sulfur dioxide and carbon monoxide standards. The basin is considered attainment or unclassified for other national standards and non-attainment for the 1-hour state ozone standard and for the state PM<sub>10</sub> standard.

The new proposed water system improvements (underground water pipelines, water storage tank and pump station) will not result in permanent stationary emissions, and indirect vehicular emissions would be limited to infrequent maintenance trips by AWD staff. The provision of water service to existing development as a result of the proposed annexation also would not result in new stationary emissions. As discussed in subsection 13(a) below, the no new homes would be expected within the proposed annexation area under current County regulations. Approximately 26 additional homes could potentially be constructed outside the annexation area but within the proposed SOI area under current County regulations. However, this is below MBUAPCD's screening level for potential significant ozone impacts due to residential development. Thus, the project would not result in a *less-than-significant impact* related to potential violation of air quality standards or substantial contribution to an existing violation. Potential emissions related to construction activities are discussed below in subsection 3(d).

**c) Cumulative Emissions – No Impact.** According to the MBUAPCD CEQA Guidelines, projects that are consistent with the *Air Quality Management Plan (AQMP)* would not result in cumulative impacts, as regional emissions have been factored into the Plan. The MBUAPCD prepares air

quality plans which address attainment of the state and federal emission standards. These plans accommodate growth by projecting growth in emissions based on different indicators. For example, population forecasts adopted by Association of Monterey Bay Area Governments (AMBAG) are used to forecast population-related emissions. These forecasts then are accommodated within the AQMP. As indicated above, water system improvements and provision of water service to existing development will not result in new population growth, and thus, the proposed project would not contribute to cumulative emissions or conflict with the adopted Air Quality Management Plan for the region. Similarly, the proposed SOI amendment changes the potential future boundaries of the Aromas Water District, but no development is proposed as part of the project.

**d) Construction Impacts – Less Than Significant Impact.**

*Impact Analysis.* The proposed project's construction activities include excavation for the new pipeline, pipeline installation and grading for and installation of a new water storage tank. Project excavation and grading could result in a short-term, localized decrease in air quality due to generation of particulate emissions (PM<sub>10</sub>) caused by clearing, excavation, and grading operations.

According to MBUAPCD's "CEQA Air Quality Guidelines" (as updated in February 2008), 8.1 acres could be graded per day with minimal earthmoving, or 2.2 acres per day with major grading and excavation without exceeding the MBUAPCD's PM<sub>10</sub> threshold of 82 lbs/day. Limited excavation and grading will occur for installation of the new water line and construction of the water storage tank. The proposed transmission pipeline covers a distance of about 12,000 linear feet, and it is anticipated that a maximum 4-foot wide and 18-inch deep trench would be excavated. The project anticipates completing approximately 400 linear feet per day, resulting in an approximately 2,500 square feet of excavation per day, which is well below MBUAPCD thresholds for potentially significant PM<sub>10</sub> emissions. The water storage tank improvements are located on an area of approximately 0.5 acre or less (about 20,000 square feet). The project sites would not be graded simultaneously and would be well below MBUAPCD thresholds even with the combined area of the project sites (including daily pipeline trenching and installation), which would be less than one acre. Therefore, the project would result in a less-than-significant impact related to construction emissions.

**e) Sensitive Receptors – No Impact.** The project sites are located within a rural area. Sensitive receptors in the vicinity of the project site include existing residences. The proposed water system improvements would not result in stationary emissions. Thus, the proposed residential project will not expose sensitive receptors to substantial pollutant concentrations, and no impacts are expected to sensitive receptors.

**f) Odors – No Impact.** The project site is located within a rural area. The proposed water system improvements and provision of water service to existing residences would not create objectionable odors due to the nature of the planned components (i.e., underground pipeline and water storage tank, none of which are known for generating odors). No development is proposed in the SOI area as part of the proposed SOI amendment. Therefore, no impacts related to generation of odors are expected to occur.

## 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?		✓		
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?		✓		
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?				✓
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		✓		
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		✓		
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				✓

### Analysis and Conclusions:

Four natural community types were documented within the annexation project area: coast live oak woodland, coyote brush scrub, needlegrass grassland, riparian woodland, and landscaped areas/ tree groves (SOURCE VI.10). The riparian woodland grows along the main stem and tributaries to Carneros Creek, an intermittent drainage that empties into Elkhorn Slough. The distribution of the vegetation types within the project area is depicted on Figure 10 and further described in Attachment B. Neither the proposed annexation area nor the SOI amendment area are within a critical habitat area identified by Monterey County (SOURCE V.1c – DEIR Exhibit 4.9-5).

**a) Special Status Species – Less Than Significant With Mitigation Incorporated.**

SPECIAL STATUS PLANT SPECIES. No special status plant species were observed within the project area during the December 2010 or April 2011 field surveys. The April survey was conducted during the blooming season for the special status species with the potential to occur within the habitats occurring project area, but none were observed (SOURCE VI.10). The project area lacks specialized habitats/substrates (i.e., serpentine, vernal pools, seasonal wetlands, or maritime chaparral) that have a propensity to support special status plant species in the greater Prunedale region; however, the site does support grassland and pockets of oak woodland that are suitable habitat for some special status plant species. The fragrant fritillary (*Fritillaria liliacea*) has been recorded northwest of the project area (near San Juan Road and Carpentaria Road). This species occurs in moist grasslands and blooms between February and April. This species was not detected during focused surveys in April. Monterey pines (CNPS List 1B species) were observed on site; however, these are planted specimens that are located outside their native region. There are no records in the CNDDDB for special status species located within the project area (Ibid.).

SPECIAL STATUS WILDLIFE SPECIES. A biotic assessment prepared for the project indicate that several special status wildlife species have been found in the area to include California red-legged frog (federally listed as threatened), California tiger salamander (federally and state listed as threatened), Western pond turtle (California Species of Special Concern), and coast range newt (California Species of Special Concern). No suitable breeding habitat was identified on any of the water system sites for any of these species (SOURCE VI.10). However, occurrences of these species are known within 0.5 – 1.25 miles of the site, generally north of San Juan Road and east of Highway 101. California red-legged frogs and/or Western pond turtles may occur along the Carneros Creek tributary along Dunbarton Road. The coast range newt may occur in the riparian willows along this tributary, and the grassland area near the proposed tank site may provide upland habitat for the California tiger salamander (Ibid.).

*Impact Analysis.* Construction of the proposed water system improvements may result in inadvertent harm to special status wildlife species that may be present along the Carneros Creek intermittent drainage and/or the upper grassland areas. This is considered a potentially significant impact.

Three special status amphibians and the pond turtle occur within the general project vicinity, within 1.25 miles of portions of the project area. The amphibians are coast range newt, California tiger salamander, and California red-legged frog. The majority of the project's water pipeline will be placed within the existing roadways or road shoulders, which do not provide suitable habitat for these species. The roadways are paved and the road shoulders are compacted base rock. Areas where potential construction-related impacts may occur are discussed below.

Carneros Creek – Drainages. There will be no work directly within Carneros Creek or its tributary that is parallel to Dunbarton Road. However, work will occur within the roadway of Dunbarton Road, which is adjacent to Carneros Creek and has the potential to impact coast range newt, California red-legged frog, or pond turtle if any are present during the trimming of willows or trenching at that location. Areas of potential impact include Carneros Creek (a culvert under Dunbarton Road just south of San Juan Road) and a tributary to Carneros Creek (along Dunbarton Road north of Oak Ridge Road). At Carneros Creek, the new pipeline will be placed above the existing creek culverts. At the

intersection of Dunbarton Road and Oak Ridge Road, the new pipeline may be placed under the existing creek culvert. Although construction will occur within the shoulder of the roadway and/or above/under existing culverts, activities may result in excavated materials entering the creek during rainfall events, inadvertent deposition of construction materials in the creek.

**Grassland Areas.** The new water line will cross two grasslands areas that are potential upland habitat for the California tiger salamander in the upper elevations. The new water tank at the 705 ft knoll above the western end of Oak Ridge Road also contains grassland that could be used as upland habitat for this species. The other area is the water pipeline that will cross a grassland area between residences at the end of Oak Ridge Road and connect to Via Del Sol Drive. These grasslands have only marginal upland habitat for tiger salamander with scattered gopher burrows, but they are located approximately 0.3 to 0.4 mile from an agricultural pond. It is unknown if tiger salamanders breed in this agricultural pond. The closest known occurrence of tiger salamanders is approximately 2 km (1.24 miles) northeast of the northern end of the water pipeline.

Implementation of the Mitigation Measures BIO-1 through BIO-3 below would reduce the project's impacts on the special status wildlife species to a less-than-significant level and will mitigate potential construction impacts to individual California tiger salamanders, California red-legged frogs, coast range newt and Western pond turtle if present in the work area.

**MITIGATION MEASURE BIO-1.** For the work area adjacent to the tributary creek at Oak Ridge Road and Dumbarton Road, the Aromas Water District shall hire a qualified biologist to conduct pre-construction surveys for coast range newt, California red-legged frog and western pond turtle. The survey should be conducted no more than 48 hours prior to onset of willow trimming and trenching. A biologist shall be on-site during construction to ensure no newts, frogs, or turtles are in the work area.

**MITIGATION MEASURE BIO-2.** The Aromas Water District shall implement riparian corridor protection measures to minimize impacts to downstream waters and resources located adjacent to the work area, including:

- Install plastic mesh fencing and silt fencing at the perimeter of the work area that abuts downstream waters and riparian corridor to prevent impacts to the adjacent riparian corridor and injury to nearby native trees (if present). The silt fences will also prevent movement of animals from the creek/riparian area into the work area, such that take of the species are avoided. Protective fencing shall be in place prior to ground disturbances and removed once all construction is complete. During construction, no grading, construction or other work shall occur outside the designated limits of work.
- No excess soil, chemicals, debris, equipment or other materials shall be dumped or stored outside the designated limits of work.
- Work above and below existing creek culverts shall be implemented in a manner where no construction material enters the creeks and the existing

culverts are not damaged. The water district shall confer with CDFG, RWQCB, and USACE on the need to obtain permits prior to work under or above the existing culverts.

- Prior to commencement of construction, implement standard erosion control measures to prevent construction materials from entering the downstream drainages. Utilize a native erosion control seed mix on disturbed areas following construction.

**MITIGATION MEASURE BIO-3.** During the grading for the water tank and trenching for the water line portions of the project that cross the grassland areas, the Aromas Water District shall hire a qualified biologist to monitor for presence of California tiger salamander. The biologist shall be on the site during construction in these areas to ensure no salamanders are in the work area. The silt fences (installed as stated in Mitigation Measure BIO-4) will also prevent movement of animals from adjacent areas into the work area, such that take of the species is avoided. No take of California tiger salamanders is allowed.

**b) Sensitive Habitat – Less Than Significant with Mitigation Incorporated.** As previously indicated, there are four natural community types within the project area: coast live oak woodland, coyote brush scrub, needlegrass grassland, and riparian woodland, as well as, landscaped areas/ tree groves. The riparian woodland grows along the main stem and tributaries to Carneros Creek, an intermittent drainage that empties into Elkhorn Slough. The distribution of the vegetation types within the project area is depicted on Figure 10.

Sensitive habitats are defined by local, State, or Federal agencies as those habitats that support special status species, provide important habitat values for wildlife, represent areas of unusual or regionally restricted habitat types, and/or provide high biological diversity. CDFG classifies and ranks the State's natural communities to assist in the determining the level of rarity and imperilment. Vegetation types are ranked between S1 and S5. For vegetation types with ranks of S1-S3, all associations within the type are considered to be highly imperiled. If a vegetation alliance is ranked as S4 or S5, these alliances are generally considered common enough to not be of concern; however, it does not mean that certain associations contained within them are not rare. The project area was observed to support one vegetation type with an imperiled status (SOURCE VI.10).

Needlegrass grassland is ranked S3 and is considered a sensitive habitat (SOURCE VI.10). The project area supports grassland along the ridgetop and on slopes between the knoll and Via del Sol. The grassland supports stands of purple needlegrass (a native species) that intermix with non-native species (Ibid.).

The riparian woodland occurs along the main stem of Carneros Creek just south of San Juan Road and along an intermittent tributary that parallels a portion of Dunbarton Road. The woodland is dominated by a dense growth (thicket) of arroyo willow (*Salix lasiolepis*). This type of riparian woodland has a State ranking of S4, indicating it is common within the State and not considered sensitive in the CNDDDB (SOURCE VI.10). However, riparian habitat is one of the highest value habitats for wildlife species diversity and abundance in California. Factors which contribute to the high wildlife value include the presence of surface water, the variety of niches provided by the high structural complexity of the habitat, and the abundance of plant growth.



Riparian habitat along the project site may be used by a diversity of wildlife species for food, water, escape cover, nesting, migration and dispersal corridors, and thermal cover (Ibid.).

*Impact Analysis.* Some of the project construction activities would result in construction in areas supporting the sensitive needlegrass plant community, which is considered a potentially significant impact. Water main trenching and construction of the access road in near the proposed tank site will require trenching through areas supporting needlegrass grassland. While this community type is State ranked S3 (sensitive resource) and native bunchgrass stands and natural meadows are identified as areas of biological significance in the County General Plan, the community on the project site is not of high quality, as evidenced by the predominance of non-native species, presence of invasive thistles, human activities within the area, and the lack of special status plant species. In addition, the project will affect a small acreage of this community type (approximately 2,000 square feet) and it is unlikely that this impact will be a serious threat to the existence of high quality habitat of this type (SOURCE VI.10). Nevertheless, implementation of the following mitigation measure will ensure that the impact is reduced to a less-than-significant level.

The project will require pruning of the willow thicket located at the intersection of Dunbarton Road and Oak Ridge Road. The willows overhang the existing roadway where construction will occur. The extent of limbing is approximately 50 square feet (10 feet long by 5 feet wide). Removal of riparian woodland is a potentially significant impact; however, limbing is a temporary impact. As the limbed willow trees are expected to quickly re-grow after completion of the project, this action is not considered to be a significant impact to riparian resources. No mitigation is required.

Implementation of the Mitigation Measures BIO-4 and BIO-4 below would reduce the project's impacts on the sensitive needlegrass habitat to a less-than-significant level.

**MITIGATION MEASURE BIO-4.** Prior to grading and construction, the Aromas Water District shall designate the limits of construction work and equipment access and install protective fencing. Grassland adjacent to the work area shall be protected by placing plastic protection fencing (i.e., plastic construction mesh fencing with metal t-bars) at the limit of work. Protective fencing should be in place prior to any site grading or other disturbances. All grassland areas outside the limits of work shall be preserved. When all site construction is complete, the temporary fencing can be removed.

**MITIGATION MEASURE BIO-5.** Areas disturbed by construction shall be seeded with a native erosion control seed mix suitable to the project area. Plant species suitable for use include purple needlegrass (*Nassella pulchra*) and California brome (*Bromus carinatus*).

**c) Wetlands – No Impact.** The biological resources investigation found no evidence of wetlands at any of the project sites.

**d) Wildlife Corridors and Nesting Species – Less Than Significant With Mitigation Incorporated.** The proposed water system improvements (underground pipeline and water storage tank) would not interfere with wildlife movement.

The federal Migratory Bird Treaty Act (MBTA; 16 U.S.C., §703, Supp. I, 1989) prohibits killing, possessing or trading in migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. Migratory birds also are protected in and by the state of California (State Fish and Game Code §3503 [and other sections and subsections]). Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment, a violation of the MBTA. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered “take” by the CDFG. The mitigation measure described below should be implemented to comply with laws and regulations protecting raptors or other birds nesting on or immediately adjacent to the sites.

*Impact Analysis.* The project has the potential to disturb nesting migratory birds or raptors if any are present within the work area during tree pruning and use of heavy equipment. Nests may potentially be destroyed by pruning, resulting in death of chicks or eggs, if any are present. Loud noise from heavy equipment may potentially cause adult nesting birds to abandon their nests, resulting in death of chicks or eggs, if any are present. No long-term impacts to bird nesting habitat are expected to occur from the minor amount of tree pruning needed for this project. This is considered a potentially significant impact. Implementation of the following mitigation measure would reduce the impact to a less-than-significant level.

**MITIGATION MEASURE BIO-6.** To avoid potential impacts to nesting migratory birds and raptors, schedule construction to avoid the nesting season to the extent feasible, which is typically from March 1 to August 1. If construction cannot be scheduled outside this area, a qualified biologist shall conduct surveys for nesting birds no more than two weeks prior to onset of tree pruning and construction with heavy equipment. If nesting birds are observed within the project corridor, postpone construction along that portion of the project until the biologist confirms that all young have fledged from the nest. For most birds a 50 foot buffer zone is adequate to protect the nest; a raptor nest will require a 250 foot buffer.

**e) Local Tree Ordinances – Less Than Significant with Mitigation Incorporated.** Removal of healthy, native oak trees in northern Monterey County is discouraged in the County’s 2010 General Plan (Policy NC3-4). The General Plan also outlines measures for the preservation of oak woodland and protection of oak and madrone trees. Within the unincorporated portions of the County, outside the coastal zone, permits are required for removal of oak and madrone trees larger than six inches diameter as measured two feet above grade pursuant to provisions in Chapter 16.60 of the County Code (“Preservation of Oak and Other Protected Trees”). Landmark oaks are those greater 24 inches diameter as measured two feet above grade.

The project area supports numerous oak trees that are greater than six inches diameter within the oak woodland along Oak Ridge Road, the knolltop, and in the Via del Sol area. The oak woodland east of Via del Sol Drive also supports several oak trees that would meet the definition of landmark oaks. As depicted on Figure 11, oak woodland abuts much larger woodland areas that are located outside the project area. Oak woodland is also found adjacent to Via del Sol Drive.

The woodland east of Via Sol Drive is comprised of large, multi-branched coast live oak trees. The trees form a dense canopy; many trees have extensive low-hanging branches. Many trees

in this area meet the size requirement of landmark oaks, as defined in the County's General Plan (SOURCE VI.10). Approximately 31 oak trees occur adjacent to the proposed water main construction area. The approximate diameter of the trees ranges from six inches to over 60 inches (Ibid.). (See Table 2 in Attachment B for specific sizes.)

*Impact Analysis.* As depicted on the site plan, no oak trees will be removed to accommodate the water line, and the majority of the construction work will occur within the shoulder of existing roadways. Thus, the project would not be conflict with local policies and regulations regarding protection of oak trees. However, in two locations (along the Oak Ridge knoll and within oak woodland east of Via del Sol Drive) trenching will occur within undisturbed oak woodland. Several oak trees, including trees meeting the County's requirement of landmark oaks, will be located within 20 feet of trenching and associated construction activities. Construction trenching and other activities will occur within the dripline of numerous oak trees that are to be retained. Indirect impacts to these trees may occur through root disturbances, soil compaction, removal of limbs, and inadvertent injury to tree trunks. Thus, this is considered a potentially significant impact. Implementation of the following mitigation measure would reduce the impact to a less-than-significant level.

**MITIGATION MEASURE BIO-7.** Prior to grading and construction, the Aromas Water District shall protect all oak trees that are within 20 feet of grading, trenching, and/or construction staging or access by placing plastic protection fencing (i.e., plastic construction mesh fencing with metal t-bars) at the limit of work. At the direction of a qualified arborist, fencing should be in place prior to any site grading or other disturbances. The final location and integrity of the fencing shall be inspected by a qualified arborist prior to any site construction. All areas outside the limits of work shall be preserved. When all site construction is complete, the temporary fencing can be removed.

**MITIGATION MEASURE BIO-8.** During ground excavation all roots greater than 2 inches in diameter should be hand-cut (instead of being cut by a mechanical trencher, grader, or excavator). Hand cutting of roots will minimize impacts to trees adjacent to construction. Limbing of tree limbs for access shall follow standards for pruning as per the International Society of Arboriculture (ISA), with any additional measures as identified by a qualified on-site arborist. A qualified arborist shall be on site to oversee all root cutting and limbing. Any additional protective tree measures as identified by the on-site arborist shall be implemented.

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

## 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?				✓
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?			✓	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✓
d) Disturb any human remains, including those interred outside of formal cemeteries?				✓

### Analysis and Conclusions:

**a) Historical Resources – No Impact.** None of the project sites contain structures or other features that would be considered historical. Therefore, the project would result in no impact to historical resources.

**b) Archaeological Resources – Less than Significant.** The project sites are generally are not located within an archaeological sensitivity area as shown on Monterey County General Plan maps (SOURCE VI.1c – DEIR Exhibit 4.10-2). However, a small area near the upper reach of the water pipeline appears to be within a identified high archaeological sensitivity zone.

An archaeological analysis of the subject sites was conducted by Archaeological Consulting, which included a records search, field survey and Native American consultation. The background records search at the Northwest Regional Information Center found several recorded cultural resources located in and adjacent to the project area, primarily along portions of the water pipeline alignment. Several others are located within one kilometer of the project area. Historic resources were recorded on some properties, but none are listed in the California Inventory of Historical Resources, California Historical Landmarks or in the National Register of Historic Places. The Sacred Lands file search through the Native American Heritage Commission found no recorded resources in the project area (SOURCE VI.9).

During the field reconnaissance, none of the materials frequently associated with prehistoric cultural resources in this area (dark midden soil, marine shell fragments, flaked or ground stone, old bone fragments, fire-affect rock, etc.) were observed on the project sites. Additionally, there was no evidence of significant historic resources in or immediately adjacent to the project area (SOURCE VI.9).

*Impact Analysis.* The archaeological investigation concluded that the project area contains no surface evidence of significant historic resources, and as currently designed,

will have no effect on significant cultural resources identified within the project area. However, according to concerned Native American consultants, the segment of the proposed pipeline near Carneros Creek has a potential for discovery of buried resources during installation of the new water pipeline. An approximate 4-foot deep and 2-foot wide trench would be excavated for installation of the pipeline. Native American consultants from the Amah Mutsun Band recommend Native American monitoring of excavations within 400 feet of a waterway. Because no significant cultural resources were identified, but unknown resources may be uncovered during construction, this is considered a less-than-significant impact. Although mitigation measures are not required, the following is recommended due to the possibility of unidentified (e.g., buried) cultural resources being found during construction.

**RECOMMENDED CONSTRUCTION SPECIFICATION 1.** Require project construction specifications to include Native American and archaeological monitoring of project excavations within 400 feet of a waterway.

**RECOMMENDED CONSTRUCTION SPECIFICATION 2.** If archaeological resources or human remains are unexpectedly discovered during any construction, work shall be halted within 50 meters ( $\pm$ 160 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated, with the concurrence of the Lead Agency, and implemented. If human remains are discovered during the construction of the project, an appropriate representative of Native American groups and the County Coroner shall be informed and consulted, as required by law.

**c) Paleontological Resources – No Impact.** No unique geologic or paleontological features have been identified in county plans and none were observed on the project sites during site visits. Therefore, the project would result in no impact to these resources.

**d) Human Remains – No Impact.** No known burials are known to have occurred on the project site based on the archaeological records search and consultation with the California Native American Heritage Commission (SOURCE VI.9). However, the project site may contain previously unknown buried human remains. In the event that human remains are discovered during project activities, compliance with Section 7050.5 of the State Health and Safety Code and section 5097.98 of the State Public Resources Code would reduce any potential impacts to less than significant. This is included in the recommendation above.

## 6. GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
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? Refer to Division of Mines and Geology Special Publication 42.				✓
ii) Strong seismic ground shaking?			✓	
iii) Seismic-related ground failure, including liquefaction?			✓	
iv) Landslides?			✓	
b) Result in substantial soil erosion or the loss of topsoil?		✓		
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			✓	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			✓	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				✓

## Analysis and Conclusions:

**a-i) Fault Rupture – No Impact.** The project site is located in the North County planning area within Monterey County. Two faults are of concern in the project area: the San Andreas and Zayante-Vergeles faults. The active San Andreas Fault represents a major seismic hazard in California. The main trace of the San Andreas Fault is east of the project site and located within San Benito County (SOURCE V.1c).

The Vergeles Fault is mapped from Dunbarton (Monterey County) southeast to San Juan Bautista (San Benito County), and has been associated with the Zayante Fault in Santa Cruz County. No major earthquakes have occurred on this fault during the past 100 years (SOURCE VI.1c). It is not delineated on the Alquist-Priolo Earthquake Fault map (Ibid.). Based on fault investigations and evidence of past rupture, the only state-designated fault zones in Monterey County are along the San Andreas Fault (Ibid.).

The mapped location of the Vergeles Fault appears to be slightly to the north of the project area (SOURCE VI.1c – DEIR Exhibit 4.4-1). Thus, the proposed water system improvements would not be subject to fault rupture. Furthermore, the pipeline will be designed with flexible connections to withstand rupture in the event of an earthquake.

**a-ii-iv, c) Exposure to Seismic Hazards – Less than Significant.** Documented seismic sources within Monterey County include the Rinconada, San Gregorio (Palo Colorado), Monterey Bay-Tularcitos, Hosgri, and San Andreas Faults (SOURCE V.1c). The active San Andreas Fault, located east of the project sites in San Benito County, represents a major seismic hazard in California. The present analysis of seismic data indicates that the highest-magnitude earthquakes that would generate the strongest seismic shaking are expected to occur on the San Andreas Fault since this has the highest slip rates and rupture lengths (Ibid.). Other faults with high slip and rupture lengths are the southern segment of the San Gregorio and Hosgri Faults. Both the Rinconada and Monterey Bay-Tularcitos Faults have much lower slip rates and are therefore not expected to produce as large an earthquake as the other faults. Evidence indicates that the San Andreas Fault is the dominant seismic source in the region. The Vergeles fault is mapped as an active fault, but no earthquakes have occurred on this fault during the past 100 years (Ibid.).

The project site is not located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project. The project sites are located within an area identified as having a low liquefaction potential and a low to moderate landslide potential (SOURCE V.3 and SOURCE V.1c-Exhibit 4.4.3). The project area is identified in the Monterey County General Plan as having a low to moderate susceptibility to earthquake-induced landsliding (SOURCE V.1c-Exhibit 4.4.4).

*Impact Analysis.* The proposed water system improvements will be subject to seismic shaking from earthquakes on nearby faults. Seismic shaking is expected as a result of a major earthquake on regional faults. The proposed project elements do not include habitable structures. With designs in accordance with geotechnical recommendations, exposure to seismic and geologic hazards would be a less-than-significant impact.

As indicated above, the underground pipeline will have flexible connections to minimize rupture during a seismic event. The pipeline is generally located on flat or gently sloping

terrain, and the tank site is located on level terrain. A short segment of the new water line will be constructed on laterally across 30+% slopes for a distance of approximately 400 feet between the end of Oak Ridge Road and the Via Del Sol lots. The pipeline has been routed to avoid crossing steep slopes or creation of unstable slopes. The water storage tank will be designed in accordance with recommendations of a geotechnical report that will be prepared for the facility and in accordance with California Building Code requirements. Therefore, *less-than-significant impacts* are expected to occur related to seismic shaking and other seismic hazards.

**b) Erosion – Less than Significant with Mitigation Incorporated.** Several soil types are found on the project sites. Arnold loamy sand and the Arnold-Santa Ynez complex are found throughout the area, as well as, Vista coarse sandy loam. These soils are classified by the Monterey County Soil Survey<sup>4</sup> as having a moderate to high erosion hazard potential. The project area is identified in the Monterey County General Plan as having a high erosion potential (SOURCE V.1b-Exhibit 4.4.5).

*Impact Analysis.* Construction activities associated with the project would include site preparation, grading and installation of utilities. Several segments of the pipeline alignment are sited on gently sloping terrain, and the some of the soils are classified as having moderate to high erosion hazards. The greatest potential impacts could occur during construction along segments adjacent to Carneros Creek and its tributary. Implementation of Mitigation Measures BIO-2 and BIO-5 above, as well as Mitigation Measure WQ-1 below, would require implementation of erosion control measures and revegetation, and would mitigate impacts to a less-than-significant level.

Indirect impacts to water quality could result from inadvertent transport of sediments into nearby water bodies during construction, which is discussed below in subsection 9(f).

**d) Expansive Soils – Less than Significant.** As indicated above, several soil types are found on the project sites, all of which are classified by the Monterey County Soil Survey as having a low shrink swell potential. The water storage tank will be designed and constructed in accordance with recommendations of geotechnical reports prepared for this project element; the pipeline installation will include engineered fill and soil compaction recommendations as necessary. Thus, the project would not create substantial risks to life or property should expansive soils be present, and this is considered a less-than-significant impact.

**e) Soil Suitability – No Impact.** The project does not involve the use of septic tanks or alternative wastewater disposal systems; therefore, there is no impact.

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<sup>4</sup>United States Department of Agriculture, Soil Conservation Service. April 1978. "Soil Survey of Monterey County.



## 7. GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment??			✓	
B) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				✓

### Analysis and Conclusions:

**a) Generation of Greenhouse Emissions – Less-than-Significant Impact.** Climate change refers to any significant change in measures of climate, such as average temperature, precipitation, or wind patterns over a period of time. Climate change may result from natural factors, natural processes, and human activities that change the composition of the atmosphere and alter the surface and features of the land. Greenhouse gases trap heat in the atmosphere, which in turn heats the surface of the Earth. Some GHGs occur naturally and are emitted to the atmosphere through natural processes, while others are created and emitted solely through human activities (SOURCE V.11e). Climate change models predict changes in temperature, precipitation patterns, water availability, and rising sea levels, and these altered coastal conditions can have impacts on natural and human systems in California (SOURCE V.11c). Changes in temperature, precipitation, and sea levels can affect California’s public health, habitats, ocean and coastal resources, water supplies, agriculture, forestry, and energy use (Ibid.), as well as result in increased droughts and flooding.

The most common GHG that results from human activity is carbon dioxide, followed by methane and nitrous oxide (SOURCE V.11e). The primary contributors to GHG emissions in California (as of 2008) are transportation (about 37%), electric power production (24%), industry (20%), agriculture and forestry (6%), and other sources, including commercial and residential uses (13%). Approximately 81% of California’s emissions are carbon dioxide produced from fossil fuel combustion (SOURCE V.11a).

The State of California passed the Global Warming Solutions Act of 2006 (AB32), which seeks to reduce GHG emissions generated by California. The Governor’s Executive Order S-3-05 and AB 32 (Health & Safety Code, § 38501 et seq.) both seek to achieve 1990 emissions levels by the year 2020. Executive Order S-3-05 further requires that California’s GHG emissions be 80 percent below 1990 levels by the year 2050. AB 32 defines GHGs to include carbon dioxide, methane, nitrous oxide, hydrocarbons, perfluorocarbons and sulfur hexafluoride.

The California Air Resources Board (CARB) is the lead agency for implementing AB32. CARB identified 36 “early actions to mitigate climate change in California” in April 2007 as required by AB 32. These actions relate to low carbon and other fuel standards, improved methane capture

at landfills, agricultural measures, reduction of hydrocarbons and perfluorocarbons from specified industries, energy efficiency, and a variety of transportation-related actions.

In accordance with provisions of AB 32, CARB has completed a statewide Greenhouse Gas (GHG) Inventory that provides estimates of the amount of GHGs emitted to, and removed from, the atmosphere by human activities within California. Based on review of this inventory, in December 2007 CARB approved a 2020 emissions limit of 427 CO<sub>2</sub> equivalent million metric tons (MMT CO<sub>2</sub>e)<sup>5</sup>, which is equivalent to the 1990 emissions level. In accordance with requirements of AB32, a Scoping Plan was released in October 2008 and adopted by CARB in December 2008. The Scoping Plan identifies 18 emissions reduction measures that address cap-and-trade programs, vehicle gas standards, energy efficiency, low carbon fuel standards, renewable energy, regional transportation-related greenhouse gas targets, vehicle efficiency measures, goods movement, solar roofs program, industrial emissions, high speed rail, green building strategy, recycling, sustainable forests, water and air (SOURCE V.11b).

*Impact Analysis.* The proposed project will result in the construction of water system improvements, provision of water service to existing residencies and amendment of a SOI boundary for the Aromas Water District. The proposed project would not result in direct or indirect emissions of GHGs associated with new development. The proposed water system improvements would not result in stationary emissions or vehicular emissions that would generate greenhouse emissions. The project would use limited electricity to pump water to the new water storage tank, but this would be a very minor and intermittent level of energy consumption and related indirect GHG emission. Therefore, this is considered a less-than-significant impact.

**(b) Conflict with Applicable Plans – No Impact.** The project would not conflict with state plans adopted for the purpose of reducing greenhouse gas emissions. Monterey County is in the process of preparing a Climate Action Plan to address countywide greenhouse emissions, but a plan has not yet been adopted. Thus, the project would not conflict with plans adopted for the purpose of reducing greenhouse gas emissions.

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## 8. HAZARDS AND HAZARDOUS MATERIALS

	Less Than Significant		
Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact

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**Would the project:**

- |   |   |
|---|---|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ✓ |
|---|---|

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<sup>5</sup> The CO<sub>2</sub> equivalent emissions are commonly expressed as "million metric tons of carbon dioxide equivalent (MMT CO<sub>2</sub>E)". The carbon dioxide equivalent for a gas is derived by multiplying the tons of the gas by the associated Global Warming Potential (GWP).

## 8. HAZARDS AND HAZARDOUS MATERIALS

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

### Would the project:

- |  |  |  |   |
|--|--|--|---|
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?  |  |  | ✓ |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?  |  |  | ✓ |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?                                   |  |  | ✓ |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? |  |  | ✓ |
| 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?  |  |  | ✓ |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?  |  |  | ✓ |
| 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?   |  |  | ✓ |

### Analysis and Conclusions:

**a) Hazardous Materials, Waste or Emissions – No Impact.** The proposed annexation consists of the extension of water service to an existing developed residential area and construction of necessary infrastructure improvements (i.e., water lines, meters, hydrants). The project does not involve the transport, use, or disposal of hazardous materials or wastes and would not result in creation of a public health hazard. Therefore, the project would not result in impacts related to hazardous material use or hazardous emissions or wastes.

**d) Hazardous Sites – No Impact.** Review of applicable state and Environmental Protection Agency (EPA) database resources indicate that the project site is not included on a list of hazardous materials sites (compiled pursuant to Government Code Section 65962.5) which includes but is not limited to the National Priorities List (NPL) or “Superfund List” and the Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS). Therefore, the project would not pose a significant hazard to the public or the environment and there would be no impact.

**e-f) Airport Safety – No Impact.** The project site is not located near a public airport or private airstrip. (SOURCE VI.1c). The proposed provision of water service and construction of water system improvements would not result in new employees or residents.

**g) Emergency Response Plans – No Impact.** The project is located within a semi-rural portion of the county and the temporary construction activities would have no effect on or interfere with adopted emergency response or evacuation plans for the area. The Monterey County Emergency Plan contains policies and actions needed to respond to widespread emergencies. As a public facility improvement, the project would not interfere with implementation of the plan or its objectives; therefore, no impacts would result.

**h) Wildland Fire Hazards – No Impact.** The project sites are located within a rural, wooded area subject to wildland fire hazards. The proposed project consists of water system improvements and would not result in habitable structures or an increase in population that would result in wildland fire risks or expose residents to such a risk. Therefore, no impacts are expected. The proposed water system components would result in improve fire flows, water storage and provide new fire hydrants in the area.

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## 9. HYDROLOGY AND WATER QUALITY

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Would the project:**

- |   |   |
|---|---|
| a) Violate any water quality standards or waste discharge requirements?   | ✓ |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | ✓ |

## 9. HYDROLOGY AND WATER QUALITY

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

### Would the project:

- |   |   |   |   |
|---|---|---|---|
| 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?  |   |   | ✓ |
| 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? |   | ✓ |   |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?  |   | ✓ |   |
| f) Otherwise substantially degrade water quality?   | ✓ |   |   |
| 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?  |   |   | ✓ |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?   |   |   | ✓ |
| 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?  |   |   | ✓ |
| j) Inundation by seiche, tsunami, or mudflow?   |   |   | ✓ |

### Analysis and Conclusions:

**a) Waste Discharge – No Impact.** The proposed water system improvements would not result in discharges that would be regulated or potentially violate water quality standards or waste discharge requirements. Therefore, no impacts are expected.

**b) Groundwater – Less than Significant.** The project areas are located within northern Monterey County. The Monterey County Water Resources Agency (MCWRA) is responsible for the management and planning of water resources within Monterey County, except for the northernmost portion of the County that is managed by the Pajaro Valley Water Management Agency (PVWMA) as further discussed below. The water agency jurisdiction and project watershed boundaries are shown on Figure 11.

As indicated in section V.B above, this Initial Study tiers from Monterey County’s General Plan EIR analysis regarding regional water supply. The Draft and Final EIR sections that address this issue are “incorporated by reference.” The information and analysis is summarized in this subsection and supplemented with information and data regarding the Aromas Water District.

NORTH MONTEREY COUNTY GROUNDWATER CONDITIONS. The project area is identified as being located with the Bolsa Nueva watershed in northern Monterey County, which is adjacent to and south of the Pajaro River watershed (SOURCE VI.1c Exhibit 4.3.1). The North County watersheds lie between the Salinas River and Pajaro River watersheds, straddling the Pajaro Valley groundwater basin and the northeastern end of the Salinas Valley groundwater basin (East Side Subarea) - a watershed divide that is not topographically well defined, and includes the Elkhorn Slough watershed (Ibid.). The Elkhorn Slough drainage and its major tributary, Carneros Creek, extend beyond the county’s eastern boundary into San Benito County. Most of the proposed SOI amendment area, including the Oak Ridge subdivision, is located within the Carneros Creek drainage.

There are four large (more than 200 connections) water systems in the North County planning area: Cal-Water’s Oak Hills and Las Lomas water systems, Normco, and the Aromas Water District. These four systems have approximately 2,246 connections, serving approximately 23% of the parcels in North County. There are approximately 600 small (from 2 to 200 connections) water systems in North County, serving approximately 3,707 parcels. This represents 38% of the total number of parcels in the area (SOURCE VI.1c). Approximately 40% of parcels in North County are served by private wells or are undeveloped (Ibid.).

According to the Monterey County General Plan EIR, groundwater supply in North County is limited by a combination of natural conditions, including relatively small aquifers, limited recharge potential, and impermeable layers between subareas (SOURCE VI.1c). Due to demand exceeding supply, the area has been in a state of chronic overdraft<sup>6</sup> since the 1950s. Groundwater extractions are estimated to be twice the average annual recharge. Resultant water supply and water quality problems include falling water levels, seawater intrusion, and extensive areas with nitrate contamination. North County problems not only affect residents and agriculture in the area, they also affect water supply and water quality conditions in the adjacent and hydraulically connected Salinas and Pajaro Valleys. Agriculture makes up the largest part of the water demand (SOURCE VI.1c).

Groundwater in the North County has been divided into five planning areas with varying hydrogeologic and water use characteristics: the Pajaro, Springfield Terrace, and Highlands North planning areas are managed as part of the Pajaro Valley groundwater basin; the Highlands South and Granite Ridge planning areas are managed as part of the Salinas River groundwater basin (SOURCE VI.1c). The Highlands North and South areas reflect the jurisdictional boundary between the PVWMA and the MCWRA, which is based on hydrogeology because

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<sup>6</sup> Overdraft - the amount of water withdrawn exceeds the amount of water replenishing the basin.

relatively impermeable mud fills a deep valley underlying Elkhorn Slough and acts as a barrier to groundwater movement between the Salinas and Pajaro Valleys (Ibid.). Local recharge in the area may flow into either the Pajaro Valley groundwater basin or the Salinas Valley groundwater basin (Ibid.).

The project sites are located primarily within the Granite Ridge subarea, except for the northern portion of the proposed SOI amendment area, which is located in the Highlands North subarea. The Granite Ridge community has experienced problems with water quality and supply. Groundwater supply in North County is limited by a combination of natural conditions, including relatively small aquifers, limited recharge potential, and impermeable layers between subareas. Groundwater extractions are estimated to be twice the average annual recharge, with a reported demand of approximately 1,300 acre-feet per year (AFY) that has resulted in an overdraft of approximately 700 AFY (SOURCE VI.1c). Resultant water supply and water quality problems include falling water levels, seawater intrusion, and extensive areas with nitrate contamination (Ibid.).

Groundwater overdraft is also experienced within the Highlands North planning subarea. Water extractions are estimated to be almost twice the average annual recharge, with a reported demand of approximately 5,621 acre-feet per year (AFY) that has resulted in an overdraft of approximately 2,701 AFY (SOURCE VI.1c).

In 2002, MCWRA drafted a *Comprehensive Water Resources Management Plan* to present strategies to resolve overdraft conditions and associated water quality problems in North County. For the area within MCWRA's jurisdiction (the Salinas Valley basin), the plan proposes a possible long-term expansion of the Salinas Valley Water Project (SVWP) to deliver supplemental water to agricultural users in North County. This would be dependent upon the participation and funding support of landowners in the area (SOURCE VI.1c). A portion of the proposed annexation area in the Via Del Sol subdivision are also part of the County's "Zone 2C" that was established to fund implementation of the Salinas Valley Water Project (SVWP). The MCWRA is currently evaluating a new well and water system for the Granite Ridge Area to increase water supply and improve supply reliability, and an EIR is currently being prepared for the project.

A small portion of the 76,800-acre Pajaro Valley groundwater basin, is located within northern Monterey County. The primary sources of recharge to the Pajaro Valley groundwater basin are infiltration of rainfall, seepage of streamflow from the Pajaro River and its tributaries, and percolation of irrigation water. As documented in numerous groundwater studies conducted over the past 55 years, the Pajaro Valley groundwater basin is in an overdraft condition (SOURCE VI.1c), which is further described below.

Water quality issues in North County relate primarily to high levels of nitrates. Intensive agriculture and non-sewered residences have resulted in excessive nitrogen loading that has rendered groundwater non-potable in many areas (SOURCE VI.1c). There are approximately 680 small water systems in North County, including all wells serving from 2 to 200 connections. Of these, 77 (about 11% of the total) currently exceed the 45-mg/l nitrate standard. Approximately 165 systems (about 23% of the total) have nitrate levels greater than half but not in excess of the standard (23–45 mg/l) The remainder of the systems (about 66% of the total) have nitrate levels of from 0 to 22 mg/L (Ibid.).

AWD WATER SUPPLIES & PVWMA BACKGROUND. The Aromas Water District (AWD) utilizes groundwater to provide potable drinking water to its service area. (Further description of AWD's service area and water supplies is provided in subsection 17(d) below.) Most of the AWD service area that is located within Monterey County, as well as the District's three water supply wells, is located within the Highlands North groundwater planning subarea. Annual water use within the AWD has ranged between about 370 and 415 acre-feet per year over the past ten years (SOURCE VI.4b).

Two of AWD's active wells (Carpenteria and Pleasant Acres) are located within the jurisdiction of the Pajaro Valley Water Management Agency (PVWMA). Additionally, most of the Monterey County portion of the AWD is located within the Pajaro groundwater basin that is managed by the PVWMA. The District's San Juan well is located outside, but adjacent to, the PVWMA boundary, and is within the southern portion of the Highlands North groundwater planning subarea. However, pursuant to an agreement between AWD and PVWMA in 2002, the San Juan well is subject to PVWMA ordinances and resolutions as if the well were located within PVWMA's jurisdiction.

The PVWMA is charged with the management of existing and supplemental water supplies in the Pajaro Valley Water Basin, which is in an overdrafted condition. The PVWMA is responsible for developing and using supplemental water and available underground storage to manage the groundwater supplies. The Agency is authorized to construct, maintain, improve, operate, and repair necessary works for the protection of groundwater and for any reclamation and replenishment of such water within its statutory boundaries. This authority includes importation of water, but only for agricultural purposes (with the one exception that imported water may be provided for other uses to the Aromas Water District) (SOURCE VI.5a).

The PVWMA's infrastructure components include the operational Coastal Distribution System recycling project in partnership with the City of Watsonville, and the Harkins Slough Project. The Coastal Distribution System delivers blended supplemental recycled water supplies to agricultural parcels along the coast where groundwater pumping must be eliminated in order to prevent seawater intrusion into the aquifer. The Harkins Slough Project diverts excess flow from Harkins Slough in the winter months and pumps it to a 12-acre recharge basin where it percolates into the upper aquifer for temporary storage (SOURCE VI.5a).

Numerous studies conducted over the past 50 years have documented that the Pajaro Valley groundwater basin is in an overdraft condition, which has led to seawater intrusion in some coastal areas. Current groundwater pumping provides approximately 69,000 acre-feet per year (AFY) of the total PVWMA area water demand of 71,500 AFY. Nearly 85% of the water use in the basin is for agricultural purposes (SOURCE VI.7). Water demand in the basin is estimated to increase by approximately 9,000 acre-feet per year (AFY) from an existing use of about 69,000 AFY to a total of 78,000 AFY in the year 2040 (Ibid.).

Modeling has shown that seawater intrusion is not uniform and that some areas along the coast are more impacted than others. The results indicate that, under current pumping practices, a 65% reduction in basin-wide groundwater pumping (45,000 AFY) is necessary to eliminate seawater intrusion throughout the coastal area, which would also cause groundwater levels to rise throughout the basin. With basin-wide pumping reductions, the sustainable yield<sup>7</sup> of the

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<sup>7</sup> Basin sustainable yield is defined as the long-term amount of groundwater, which can be extracted from the aquifer system without causing an adverse impact on the quantity and/or quality of the groundwater basin.



Pajaro groundwater basin is estimated at approximately 24,000 AFY (69,000 – 45,000 AFY). This yield is only one third of the current average annual demand on groundwater supplies (SOURCE VI.7). With modified pumping (i.e., elimination of coastal pumping) and dependable supplemental water supplies, the basin sustainable yield could increase to 48,000 AFY (Ibid.). With the current groundwater demand of 69,000 AFY and a basin sustainable yield of 48,000 AFY, 21,000 AFY would still be needed to balance the basin. With a projected future groundwater demand of 78,000 AFY, 30,000 AFY would still be needed to balance the basin (Ibid.).

The PVWMA adopted a revised Basin Management Plan (BMP) on February 6, 2002, which currently is being updated. The Revised Basin Management Plan (BMP) evaluates basin management strategies to:

- Balance water demand within the PVWMA service area with sustainable water supplies:
- Prevent seawater intrusion in the service area; and Initiate long-range programs to protect water supply and quality within the basin (PVWMA, February 2002); and
- Initiate long-range programs to protect water supply and quality within the basin.

The Revised BMP includes a range of projects dealing with development of local surface water supplies, recycling of treated wastewater, groundwater storage, and importation of water from the Central Valley Project. The final strategy adopted by the Board, the “Modified BMP 2000 Alternative,” includes five major projects and programs, as well as, watershed management programs that would include water resources monitoring, water metering, nitrate management, wells management, and recharge area protection (SOURCE VI.7).

The PVWMA is authorized to connect to the Central Valley’s San Felipe water project by constructing a new pipeline that would transport this non-local water to supplement local water supplies within the Pajaro Valley. According to legislation that formed the Agency, the use of San Felipe water is to be limited to agricultural irrigation within the Pajaro basin and to supplement existing water supplies of the Aromas Water District. However, recent court decisions regarding environmental quality in the Delta Project may result in reducing the amount of water supplies that are available from the San Felipe project (SOURCE VI.5a). Due to Delta water and environmental issues, as well as cost of a pipeline project, the CVP project no longer appears to be a feasible long-term supplemental supply. The PVWMA Board of Directors deleted this project from the 2002 BMP in February 2010 (Bannister, PVWMA, personal communication, November 2011).

In 1998, the PVWMA adopted two ordinances which restrict any water district or water purveyor within the Pajaro basin from exporting water beyond the basin, except for public health and safety. The AWD’s wells are within the jurisdiction of PVWMA, except its most recent well, San Juan, is located just outside the PVWMA’s jurisdictional boundary. However, AWD and PVWMA, pursuant to an agreement executed in 2002, AWD agreed to comply with all current and future PVWMA ordinances and resolutions that may apply to the new well as if the new well were located within the PVWMA boundaries, including the export provisions of Ordinance 98-1. Thus, any approval of water service by the AWD to areas outside the PVWMA jurisdiction would be subject to PVWMA approval under the Agency’s export provisions. Authorization to allow AWD to extend water service to the Oak Ridge and Via Del Sol Subdivision areas was considered and granted by the PVWMA on November 3, 2010.

*Impact Analysis:* The proposed Oak Ridge and Via Del Sol annexation and potential future annexation of properties located within the proposed Sphere of Influence amendment area, if approved by LAFCO, will expand AWD's provision of water service and would increase groundwater pumping in an area subject to overdraft conditions. Most of the water demand within the annexation and SOI amendment areas currently exists as the areas are primarily developed. The minor increase in water demand would not be considered significant. Most of the existing and potential future demand is within the same subwatershed (Carneros Creek), as are the AWD wells. Therefore, the project impact on regional groundwater supplies is considered less than significant as discussed below.

The proposed Oak Ridge-Via Del Sol annexation area includes 80 lots of which eight are small well or utility lots, and the remaining 72 lots are developed and are currently using some level of groundwater that is supplied by the Oak Ridge Mutual Water Company and other mutual and private wells. Due to diminishing supplies, water has been trucked into the area at times. Therefore, water demand within the area would increase slightly with connection to the AWD. Based on annual water use within AWD's service area, existing accounts average annual water use is approximately 0.5 AFY per connection. Thus, the total existing water demand from the 72 residences to be annexed is estimated as 36 AFY, which is partially provided by existing groundwater supplies. (The AWD indicated in its letter to PVWMA in October 2010 that estimated demand would be 30 AFY based on a slightly lower lot count, which has since been updated.)

With connection to AWD, groundwater extraction would shift from the Granite Ridge planning subarea to the Highlands North subarea where the AWD wells are located, but half the lots (Oak Ridge) and the AWD wells are all located within the same Carneros Creek watershed. The proposed new water service is proposed in response to existing health and safety concerns, and the PVWMA has authorized AWD to extend service to the proposed areas. The County's General Plan policies promote coordination between and consolidation with public water service providers drawing from a common water table to ensure that the water table is not overdrawn (Policy PS-2.1). Since the annexation area is currently developed and using groundwater, and both the County and PVWMA have supported the annexation, the potential minor net increase in water demand and pumping as a result of the proposed annexation, would not be considered significant.

The proposed SOI amendment area includes 243 existing lots, of which 80 are within the proposed annexation area as discussed above. Of the remaining 163 lots, 135 are currently developed, 26 lots are vacant and two lots are well lots. If the SOI amendment is approved, all lots that are not in the current annexation proposal could apply to LAFCO at some future date requesting annexation to the AWD. Since nearly all the lots in the SOI amendment area are currently using water, there would not be a significant net increase in water demand. As with the proposed annexation area, water extraction would shift from mostly the Granite Ridge to the Highlands North planning subarea, although some of the SOI amendment area is located within the Highlands North subarea. The SOI area outside of the proposed annexation area, as well as the AWD wells, are located in the same Carneros Creek watershed.

The SOI amendment area outside the proposed annexation area is estimated to currently use approximately 68 AFY of water based on the estimated 0.5 AFY for each of

the 135 developed lots. There are 26 undeveloped lots in the SOI area. Under current County policies, only one residential unit would be permitted on existing lots of record until supplemental water sources are developed. Thus, 26 new homes may be developed in the future with an estimated water demand of 13 AFY based on the 0.5 AFY water demand rate. The 2010 *Monterey County General Plan* EIR projected that 435 new residential units could potentially be developed in the North County area with 262 constructed by 2030 (SOURCE VI.1c). This level of development would result in a new water demand of 154 AFY in the North County area (SOURCE VI.1b). There are an estimated 577 vacant residential lots in the North County Plan area according to the General Plan EIR. Thus, potential new development in the SOI area has been included in the County General Plan EIR analysis.

The 2010 *Monterey County General Plan* EIR concluded that land uses and development consistent with the General Plan would result in a water demand that exceeds the capacity of water supplies and could continue to impact declining groundwater supplies, resulting in a significant unavoidable impact. Future potential development resulting from the SOI amendment would be within the development levels analyzed within the General Plan EIR. The EIR concluded that General Plan policies will constrain development until long-term water supplies are assured, but until then, non-discretionary development on legal lots of record (i.e., one single-family home) will exacerbate existing water supply problems in the North County, including the Pajaro Valley, and within the Pajaro River basin the impact would remain significant and unavoidable. The EIR did acknowledge that while current planning is underway in both the North County and Pajaro watershed areas to address current problems and provide water for new development, none of the major supply projects is sufficiently developed to conclude that they will provide adequate water to address current problems and future needs (SOURCE VI.1b). Mitigation Measure WR-1 puts the County on record as supporting a regional solution (but not necessarily those currently proposed). For the Granite Ridge/Highlands South areas, the EIR concluded that impacts to water supply would be less than significant because Salinas Valley Water Project brings balance to basin overall (Ibid.).

The Monterey County General Plan Public Services Element Policy PS-3.1 prohibits approval of new development that does not have proof of sustainable water supply, both in quality and quantity, to serve the development. The first single-family dwelling and accessory uses on an existing lot of record are exempted from this policy. The policies include comprehensive requirements to ensure that new discretionary development has adequate potable water supplies before it can be built. Policy PS-3.9 requires that a program to eliminate overdraft of water basins be established as part of the Capital Improvement and Financing Plans of the General Plan. The program would use water banking, groundwater and aquifer recharge and recovery, desalination, pipelines to new supplies, and a variety of conjunctive use techniques. Furthermore, The North County Area Plan Policy NC-5.1 requires new development to maximize groundwater recharge capabilities. North County Area Plan Policy NC-5.2 (surface and groundwater water supply) states that water development projects that can offer a viable water supply to water-deficient areas in North County shall be a high priority.

Water supplied to the proposed annexation and SOI amendment areas would be from existing AWD wells that have already been permitted and developed. Approximately 117 AFY of new water demand within the AWD could result from the project as outlined

above: 36 AFY for the proposed annexation; 68 AFY for existing residences in the remainder of the SOI amendment area; and 13 AFY for undeveloped lots in the SOI amendment area. While the level of AWD pumping would increase, water withdrawals would primarily occur from the same subwatershed as existing uses. However, the project water demand would shift some groundwater extraction from the Granite Ridge subarea to the Highlands North subarea. Approximately 50 lots in the SOI amendment area outside of the proposed annexation area are located in the Granite Ridge subarea; the remainder of the lots are already located within the Highlands North subarea. Thus, approximately 61 AFY of groundwater pumping would shift from the Granite Ridge to Highlands North subarea (36 AFY for the proposed annexation area and approximately 25 AFY for a portion of the SOI amendment area). This represents approximately 1% of the estimated withdrawals from the Highlands North subarea.

The Highlands North subarea in which the AWD production wells are located is managed by the PVWMA and all AWD wells are within or treated as they are within the PVWMA jurisdiction. Thus, the proposed project would also result in a minor increased demand within the basin in which current demand of approximately 69,000 AFY is projected to increase to 78,000 AFY in the future. As indicated above, the proposed project could result in additional annual water demand of 117 AFY to be served by AWD with the currently proposed annexation and other potential future annexations within the SOI amendment area. This represents approximately 0.2% of the existing demand within the Pajaro basin, which is a very minor increase.

The PVWMA's Basin Management Plan includes the following water supply efforts; water conservation program (5,000 acre-feet), Harkins Slough project (1,100 acre-feet), Murphy Crossing project (1,600 acre-feet), and the Watsonville Area Water Recycling Project (4,000 acre feet) and related distribution system. These projects will relieve pumping pressure by providing recycled water supplies to replace groundwater used for farmland irrigation. However, these efforts will not be sufficient to prevent continued overdraft as result of urban and agricultural demands without importation of water from the Central Valley. There are no current plans to import additional water supplies from outside the county in order to meet future demand.

The currently proposed annexation will expand AWD's service area and provision of water service to approximately 72 existing homes. If the proposed Sphere of Influence amendment is approved, additional annexations and requests for water service may be forthcoming in the future for an additional 161 existing parcels, which are currently developed with homes, except for 26 lots. Annexation would increase groundwater pumping in a basin that has experienced historical groundwater overdraft and supply problems. However, the majority of the area is currently developed and utilizing water from the same groundwater basin – the Carneros Creek subwatershed. The AWD wells are also within this subwatershed. Since most of the water demand associated with the proposed annexation and within the SOI area currently exists and is in the same subwatershed, the project would not substantially impact groundwater resources. The amount of new development that may occur in the future in the SOI amendment area would be minor and would fall under the analysis of regional groundwater impacts included in the County's General Plan EIR. Furthermore, future annexation would be subject to environmental review and approval by LAFCO of Monterey County. Provision of water by AWD to the SOI amendment area would also be subject to approval of the PVWMA under provisions of its export ordinance. New development would be subject to

County land use regulations. Monterey County General Plan policies prohibit approval of new development that does not have proof of a sustainable water supply (PS-3.1).

**c) Alteration of Drainage and Erosion Potential – No Impact.** The proposed annexation and Sphere of Influence project elements would not result in new development or impervious surfacing, except for a potential minor increase with construction of a new water storage tank. The proposed water system improvements would have no effect on streams or watercourses in the vicinity. Therefore, the project would result in no impact regarding alteration of drainage patterns and watercourses and potential subsequent erosion.

**d-e) Drainage – Less than Significant.** Existing drainage in the vicinity is via surface flow into intermittent drainages that primarily flow into creeks and tributaries within the Elkhorn Slough drainage. The proposed pipeline is underground and would not affect drainage. The water storage tank and small pump station would result in a minor increase in impervious surface of a magnitude of less than 7,500 square feet. The resulting increase in runoff would be minimal and would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding and would not substantially alter the existing drainage pattern of the site. The minor increase in runoff at the water storage tank site is not expected to substantially affect intermittent drainages. Therefore, the project is expected to have a less-than-significant impact on drainage and would not contribute runoff that would exceed capacity of storm water drainage systems.

**f) Water Quality – Less than Significant with Mitigation.** An intermittent tributary to Carneros Creek is located on the west side of Dunbarton Road south of San Juan Road. Carneros Creek is located to the north and is culverted under Dunbarton Road at its intersection at San Juan Road. None of the creeks/drainages in the project areas are identified as being “impaired” in the Monterey County General Plan. The project area is identified in the Monterey County General Plan as having a low to moderate susceptibility to earthquake-induced landsliding (SOURCE V.1b-Exhibit 4.3.14).

*Impact Analysis.* Excavation and installation of the water pipeline could result in inadvertent erosion into Carneros Creek and its tributary, if not properly managed. Without incorporation of proper erosion control measures and best management practices, soil disturbance could result in inadvertent erosion into these water bodies that could adversely affect water quality. This is considered a potentially significant impact.

Pipeline construction will occur within the roadway of Dunbarton Road, which is adjacent to Carneros Creek (at a culvert under Dunbarton Road just south of San Juan Road) and a tributary to Carneros Creek (along Dunbarton Road north of Oak Ridge Road). At Carneros Creek the new pipeline will be placed above the existing creek culverts. At the intersection of Dunbarton Road and Oak Ridge Road, the new pipeline may be placed under the existing creek culvert. Although construction will occur within the shoulder of the roadway and/or above/under existing culverts, activities may result in excavated materials entering the creek during rainfall events, inadvertent deposition of construction materials in the creek, or inadvertent damage to existing creek culverts. The proposed water storage tank is located at upper elevations away from watercourses, although standard erosion control measures would be required during construction.

Implementation of Mitigation Measures BIO-2 and BIO-5 above, as well as Mitigation Measure WQ-1 below, would require implementation of erosion control measures and revegetation, and would mitigate impacts to a less-than-significant level.

**MITIGATION MEASURE WQ-1.** In addition to erosion control measures identified in Mitigation Measures BIO-2 and BIO-5, include erosion control measures in the construction specifications for all water system improvements and implement during construction to include, but not be limited to, prohibiting construction activities, placement of spoils, and storage of materials and machinery adjacent to water bodies; prohibiting grading between November 1 and April 1; protecting disturbed areas during these times with appropriate erosion control measures; and immediately revegetating disturbed areas with appropriate native plant species that are compatible with surrounding vegetation.

**g-h) Housing and/or Structures in Flood Hazard Areas – No Impact.** Most of the proposed water system improvements are located outside of a mapped 100-year floodplain (SOURCE VI.3 and SOURCE V.1c-Exhibit 4.3.13). However, a segment of the water line along Dunbarton appears to be within the 100-year floodplain of the Carneros Creek tributary. However, the pipeline would be underground. None of the project elements would result in construction of housing or other structures within a floodplain or expose people to flood hazards. Therefore, the project would have no impact related to placement of housing or structures within a flood hazard area.

**i-j) Dam Failure, Tsunami, Seiche, Mudflow Hazards – No Impact.** The project site is not located within an area subject to flooding as a result of failure of a dam or levee according to County maps. The project site is not located in the coastal zone or near any waterbody, and thus, is not subject inundation by seiche, tsunami, or mudflow. Therefore, there is no impact.

## 10. 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?				✓
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, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				✓
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				✓

**Analysis and Conclusions:**

**a) Physically Divide a Community – No Impact.** The proposed annexation component of the project consists of construction of a new water pipeline and storage tank to serve existing subdivision. As such, it would not divide an established community. The proposed SOI amendment will result in inclusion of additional lands within the Aromas Water District’s Sphere of Influence to provide a contiguous service area, which also would not physically divide an established community. Thus, no impact would result with implementation of the proposed project.

**b) Conflicts with Policies & Regulations – No Impact.** The proposed annexation and SOI amendment area are located within the North County Planning Area; the water storage tank and a short segment of the proposed water pipeline are located in the coastal zone and subject to provisions in the North County Land Use Plan. The parcels within the proposed annexation sites area are designated Residential (Rural Density) in the Monterey County General Plan, except for the area along Via Del Sol, which is designated Resource Conservation. Land use designations within the proposed SOI amendment area include: Residential (Rural Density & Low Density); Resource Conservation; Agricultural Conservation; Permanent Grazing; and Commercial.

It does not appear that the project conflicts with relevant County policies or regulations adopted for the purpose of avoiding or mitigating an environmental impact. The proposed actions are consistent with Monterey County General Plan Policy PS-2.1, which promotes coordination between and consolidation with those public water service providers drawing from a common water table to ensure that the water table is not overdrawn. The proposed construction of water system improvements is consistent with “North County Area Plan” policies. There will be no new development within a sensitive visual area, consistent with Policy NC-3.1 as discussed in subsection 1(a) above. There will be no removal of native oak trees, consistent with Policy NC-3.4 as discussed in subsection 4(e).

**c) Habitat Plans – No Impact.** Monterey County does not have an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state habitat conservation plan. Therefore, there is no impact.

<b>11. MINERAL RESOURCES</b>	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?				✓
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?				✓

**Analysis and Conclusions:**

**a-b) Mineral Resources – No impact.** The project site does not contain any locally or regionally valuable mineral resources according to the Monterey County General Plan. A couple of areas outside the proposed annexation area are identified as locations of “non-metallic” mineral mines (SOURCE V.1b-Exhibit 4.5.1), but there is no proposed construction in these areas. Therefore, the proposed project would not adversely affect mineral resources and no impact is expected.

**12. 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?				✓
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				✓
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			✓	
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?				✓
f) For a project within the vicinity of an airstrip, would the project expose people residing or working in the project area to excessive noise levels?				✓

**Analysis and Conclusions:**

**a-b) Noise Exposure – No Impact.** The project consists of construction of water system improvements to provide water service to existing residences, including installation of an underground water pipeline and a water storage tank (above ground). The project sites are located in a rural area. Ambient noise in rural areas is generally very low and well within noise



compatibility standards. None of the project components (annexation, water system improvements or SOI amendment) will result in structural development that might subject people to excessive noise levels. Thus, the project would result in no impact related to noise exposure.

**c) Permanent Noise Increases – Less-than-Significant Impact.** The project consists of construction of water system improvements to provide water service to existing residences, including installation of an underground water pipeline and a water storage tank (above ground). Once completed, there will be no permanent increases in ambient noise levels associated with the water pipeline and water storage tank. The small proposed pump station would generate minor intermittent sounds due to pumping, but the facility will be enclosed and would not result in a substantial increase in ambient noise levels. Thus, the construction of the proposed water system improvements would not result in a substantial increase in ambient noise level or expose people to noise in excess of standards identified in the County’s General Plan. Thus, this is considered a less-than-significant impact.

**d) Temporary Noise Increases – Less than Significant.** The proposed water pipeline and water storage tank are located within an existing rural – low density residential area.

*Impact Analysis.* Construction of the proposed water system improvements will temporarily increase noise levels. Noise levels will vary during the construction period, depending on the activity and type of equipment used, but would not be considered substantial due to the short-term duration. Project construction activities will result in short-term and temporary noise increases (approximately 4-6 months) associated with construction activities. This will result in intermittent increased ambient noise levels that would vary throughout the day. However, given the temporary and short-term nature of this construction activity, impacts related to construction noise are not considered significant. Therefore, the project would result in a less-than-significant impact related to permanent ambient noise levels.

**e-f) Airport Noise – No Impact.** There are no air carrier or general aviation airports in the immediate vicinity of the project site (SOURCE v.1c). The Watsonville Municipal Airport is located approximately 10 miles to the northwest. There are no private airstrips in the area that would be affected by the proposed project. Therefore, no impacts are expected.

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### 13. 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)?			✓	

### 13. POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓

#### Analysis and Conclusions:

##### **a) Population Growth Inducement – No Impact (Annexation) and Less-than-Significant Impact (SOI Amendment).**

The Aromas Water District currently serves approximately 900 connections. Estimates provided by AWD to AMBAG indicate that the AWD estimated that it can serve an additional 491 housing units (AMBAG, June 2008, “Monterey Bay Area 2008 Regional Forecast Population, Housing Unit and Employment Projections for Monterey, San Benito and Santa Cruz Counties to the Year 2035”). Infrastructure improvements to serve a population increase of 10 to 20 percent is not expected.

ANNEXATION PROJECT AREA: The proposed project consists of water system improvements and annexation to serve 72 existing developed residential lots and residences in the Oak Ridge Road and Via Del Sol Drive areas. These lots are developed with a single-family home, and there would be no potential for additional development or growth. The project will result in replacement of existing private water systems with public water service provided by the Aromas Water District. The proposed project will provide a new water transmission pipeline, a new water storage tank and supporting water distribution system infrastructure. The project is proposed due to existing water supply availability and quality problems that do not meet state standards.

SPHERE OF INFLUENCE AMENDMENT PROJECT AREA: In addition to the proposed 72 homes in the annexation area, there are 161 lots within the proposed Sphere of Influence amendment area for a total of 233 potential new connections in the entire SOI amendment area, which is within the amount of additional housing the AWD estimates it can serve. If the SOI amendment is approved, the properties located within the area could apply for annexation to the AWD in the future as a separate action. New development may or may not be proposed in conjunction with potential future annexation requests. No annexation or development within the SOI amendment area is proposed at this time as part of the SOI amendment request by AWD.

Most of the SOI amendment area (207 lots including the proposed annexation) is developed with single-family residences and is designated for rural and low density residential uses with some limited areas designated for resource conservation and agriculture. New development would be subject to the Monterey County land use designations and regulations. Existing residentially-designated properties would be limited to one single-family residence on a lot of

record pursuant to recently adopted General Plan policies for the North County area (Policy NC-1.5). The resource conservation and agricultural designations that exist in limited areas generally require larger parcel sizes that would limit future densities and intensity of land uses. Based on parcel research conducted by the AWD<sup>8</sup>, there are 26 undeveloped parcels that may be able to develop a single-family home in the future assuming compliance with County policies and regulations and no site constraints that would preclude development. The inclusion of these properties within the proposed AWD SOI and the potential to be served by a municipal water source could be an incentive to some properties to seek annexation. However, 26 homes represents approximately 3% of the AWD's total existing connections. Thus, while the proposed SOI amendment, if approved by LAFCO, could indirectly induce population growth in the area, this is not considered substantial due to the small amount of growth in relation to the District's service area and population. Furthermore, any development that may be proposed in the future would be subject to review and permit approvals from Monterey County at which time the appropriate level of environmental review would be conducted.

**b-c) Housing & Population Displacement – No Impact.** The project includes properties are primarily developed with existing residences. The water system improvement project sites do not contain habitable structures. Most of the facilities are located within road rights-of-way, and the water storage tank is located on a property with an existing residence that will not be affected by the siting of the tank. The project, therefore, would not displace numbers of people or homes or otherwise adversely affect housing or population; therefore there is no impact.

## 14. PUBLIC SERVICES

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

<sup>8</sup> The AWD staff compiled a list of all APNS within the annexation and SOI amendment areas along with acreage and Assessor's use code, which identify whether there is an existing residence on the parcel or whether the property is vacant or in agricultural or other use.

## 14. PUBLIC SERVICES

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Other public facilities?				✓

### Analysis and Conclusions:

**α-e) Public Service Demand – No Impact.** The proposed project consists of the extension of water service to an existing developed residential area and construction of necessary infrastructure improvements (i.e., water lines, meters, hydrants). The project does not involve new development or habitable structures that would result in new population growth or demands for public services. The project does not involve new habitable structures and will bring no new students to the area, require no new school facilities, or impact parks/recreation facilities or other governmental services. The temporary construction activities and associated work crews will not have an impact on fire or police protection services.

The proposed water system improvements include expanded storage capacity and new water lines, which will improve water pressure and meet local fire flow and storage requirements. The Aromas Tri-County Fire Protection supports the consolidation of water systems and single connection wells along Oak Ridge Drive and Via Del Sol with the Aromas Water District. The consolidation would provide a fire protection water supply system meeting current California Fire Code regulations and National Fire Protection Standards, greatly enhancing the firefighting capability in that area.<sup>9</sup>

## 15. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				✓
b) 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?				✓

### Analysis and Conclusions:

<sup>9</sup> Letter from Reno DiTullio Jr, Battalion Chief, Aromas Tri-County Fire Protection District to Vicki Morris, General Manager, Aromas Water District regarding "Consolidation of Oak Ridge and Via Del Sol Water systems with Aromas Water District; dated November 11, 2010.

**a-b) Parks and Recreational Facilities – No Impact.** The proposed project consists of the extension of water service to an existing developed residential area and construction of necessary infrastructure improvements (i.e., water lines, meters, hydrants). The water system improvements will not result in new development, population or public service demands related to parks and recreational facilities.

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## 16. TRANSPORTATION/TRAFFIC

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

## Analysis and Conclusions:

**a-b) Traffic – No Impact.** Access to all project sites is provided by Dunbarton Road and Echo Valley Road. Highway 101 provides major freeway access in the area. Traffic is limited on roadways in the vicinity of the project site. Given the rural and agricultural nature and small population of the project vicinity, roadways are expected to be operating at acceptable levels of service. There are no adopted congestion management plans in the project vicinity.

*Impact Analysis.* The proposed project is a water system improvement and will not result in new habitable development, population increases or trip generation that would affect vicinity roadways. Therefore, the project would not result in a permanent increase of substantial traffic. Occasional maintenance activities would briefly affect only local segments; this would be a less-than-significant impact.

There would be a short-term temporary increase in traffic in the project area related to construction equipment and workers during the construction period. This is not considered significant due to the low peak hour trip volume generated by the project in relation to the existing roadway traffic. Project-generated traffic would be dispersed throughout the construction work hours, thus minimizing the effect on traffic flow on project area roadways. Given the low number of estimated construction workers and estimated daily truck trips, temporary construction traffic would not cause a substantial increase in traffic relative to existing conditions or contribute substantial volumes of traffic during peak hours.

During construction of the new water pipeline, temporary road and lane closures would be necessary. The roadways mostly affected would be local roads serving the area, including Dunbarton Road, Oak Ridge Road, Via Del Sol Drive. There may be brief periods when temporary lane closures and traffic control may be required. During times of temporary lane closures, traffic control measures will be implemented in accordance with the encroachment permit issued by the County of Monterey for construction within public roadways.

Construction of the proposed water line would affect access to adjacent residences for both general and emergency traffic, and result in temporary traffic disruption and short-term traffic delays. Access to driveways and to cross streets along the construction route may be temporarily blocked due to trenching and paving. However, provisions will be made to allow access to private property at all times. Vehicle access would be restored at the end of each work day through the use of steel trench plates over trenched segments. Emergency vehicle access would be maintained at all times throughout project construction. Construction and installation of the proposed water lines within the existing roadway will require approval of an encroachment permit by the Monterey County Public Works Department which will require the preparation and implementation of a traffic control plan to include traffic controls and provision of emergency and private property access.

**RECOMMENDED CONSTRUCTION SPECIFICATION:** To the extent possible, restrict any temporary lane closures on Dunbarton Road to times outside peak traffic periods, which are generally 7-9 AM and 4-6 PM, and require implementation of traffic

controls during times of lane closures consistent with provisions of a traffic control plan.

**c-e) Air Traffic and Access – No Impact.** The proposed project will have no effect on air traffic patterns. The project does not propose new structural development and will not result in inadequate emergency access. There would be no impact.

**f) Alternative Transportation – No Impact.** The proposed project is located in a rural area. The proposed water system improvements would not result in increased vehicle trips or traffic and would not conflict with adopted policies, plans or programs supporting alternative transportation. Therefore, there would be no impact.

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## 17. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				✓
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?		✓		
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?				✓
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			✓	
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?				✓
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				✓
g) Comply with federal, state and local statutes and regulations related to solid waste?				✓

## Analysis and Conclusions:

The proposed project consists of the annexation and provision of public water service to an existing developed residential area and construction of necessary infrastructure improvements (i.e., water lines, meters, hydrants). The project does not involve new development or habitable structures that would result in construction of storm drainage facilities (c) or that would result in new population growth or demands for public utilities related to wastewater treatment (e) or solid waste disposal (f-g).

**a) Exceed Wastewater Treatment Requirements – No Impact.** The proposed project consists of a proposed Sphere of Influence amendment for the Aromas Water District, annexation of two existing subdivisions with provision of water service, and construction of water system improvements. No change is proposed in wastewater treatment in connection with the proposed water system improvements. Therefore, the project would have no effect on wastewater treatment requirements and would result in no impact.

**b) Construction of New Water or Wastewater Facilities – Less than Significant with Mitigation Incorporated.** As indicated above, the proposed project would result in construction of new water system facilities, including a new water storage tank and pipeline, which are the subject of review in this Initial Study. Potentially significant impacts have been identified in this Initial Study related to biological resources and water quality. With implementation of recommended mitigation measures, construction of new water service facilities would result in a less-than-significant impact. The project would not result in construction of new water treatment facilities.

**d) Water Supply – Less than Significant.** The project area is served by the Aromas Water District (AWD), which was formed in 1959, and serves portions of Monterey and San Benito Counties. The district now includes four discontinuous, annexed areas (Ballantree Estates, Monterey RV Park, Orchard Acres, Rancho Larios); two of which extend into neighboring San Benito County. The District provides potable drinking water and distributes it to customers throughout the District with 900 connections, of which 47 are inactive (SOURCE VI.4). Annual water use within the AWD has ranged between about 370 and 415 acre-feet per year (AFY) over the past ten years (SOURCE VI.4b). The current maximum daily demand is estimated at 612 gpm<sup>10</sup> (Ibid).

The AWD currently has four wells (three active and one inactive) with a combined capacity of 1,500 gallons per minute (gpm) and a design capacity of 2,005 gpm as summarized on Table 1 (SOURCE VI.4). (Design capacity refers to the permitted capacity, while current capacity refers to the actual existing production capability of the well.) The Marshall well is inactive and production in the Pleasant Acres well has decreased. The District replaced its Carpenteria well in 2011, which increased total AWD supply capacity. The District's pipeline distribution system allows water from the various wells to be mixed before entering the main water storage tank, the Pine Tree Tank. The District has a total of about 153,000 lineal feet of pipelines to distribute water from the wells to the storage tanks and to District customers (SOURCE VI.5a).

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<sup>10</sup> Annual average water use is expressed in acre-feet per year, which is commonly used to discuss groundwater issues. Maximum daily demand is expressed in gallons per minute in the analysis of well production capacity.



TABLE 1: Aromas Water District Well Production

Sources	Design Capacity (gpm)	Current Capacity (gpm)
San Juan	700	700
Pleasant Acres	700	400
Carpenteria	400	400
Marshall Well	205	0
<b>Total Capacity</b>	<b>2,005 gpm</b>	<b>1,500 gpm</b>

**SOURCE:** Aromas Water District

The project includes annexation and provision of water service to the Oak Ridge and Via Del Sol subdivisions. The Oakridge Mutual Water Company serves potentially 35 lots, and 33 lots are currently developed (SOURCE VI.8). The Via Del Sol Drive area has 28 homes that also suffer from water supply sufficiency problems and also wish to be adsorbed into Aromas Water District.

In 1976 the Monterey Division of Environmental Health issued a water supply permit to serve 44 potential connections to the Oak Ridge Mutual Water Company (ORMWC); a number of very large lots, that could be subdivided in the future, received more than one connection (shares). At the time of permitting, a sustained pumping test of the wells produced a total of about 60gpm. By September of 1979, the production had declined to about 12 gpm, which does not meet State and County water system requirements Division of Environmental Health prohibited the Water Company from making additional connections (SOURCE VI.8).

The ORMWC's water system consists of four water supply wells with one 10,000 gallon steel tank for each of the two pressure zones. The lower zone tank receives the water from all four wells. When the lower tank is nearly full, a transfer pump is activated, lifting water to the upper tank. When insufficient water is available from the wells, the lower tank cannot be filled sufficiently to activate the transfer pump, and the upper tank cannot be refilled and homes served from this upper tank have no water (SOURCE VI.8). As a result, in recent years water had to be trucked in during late summer and fall to supplement the deficient water supply. Additionally, the ORMWC's water distribution system of 4-inch pipes does not meet current water system standard requirements, and only marginal fire protection is provided (Ibid.).

*Impact Analysis.* The proposed project will result in annexation of two existing subdivisions with provision of water service to approximately 72 existing homes and potentially up to 161 additional homes in the SOI area. The AWD well capacity is adequate to serve the additional demand. This is a less-than-significant impact.

As indicated in subsection 9(b) above, the proposed annexation and potential future annexations within the SOI amendment area could result in an increased water demand of 117 AFY on the AWD water supply system. Average annual water demand within the District from existing and project water demand would total approximately 500-535 AFY. This level of production is within the estimated safe yield for the Aromas area of approximately 1,000 AFY based on past reviews conducted for the AWD (SOURCE VI.4c). Additionally, due to water problems experienced by these areas, the Monterey County

Division of Health supports consolidation of the Oak Ridge and Via Del Sol systems and provision of water service by the AWD (SOURCE VI.2).

Table 2 identifies maximum daily water demand with a comparison to well production capacity with existing, planned and project uses. As of September 2011, maximum daily demand within the AWD was estimated at 612 gpm (approximately 0.68 gpm per connection) (SOURCE VI.4a). Another 141 gpm of demand is projected for parcels that have already been annexed, but not yet connected, resulting in a total demand of 753 gpm. The proposed annexation and SOI amendment areas could result in an additional maximum daily demand of approximately 167 gpm based on a peak factor of 0.68 gpm per meter (Ibid.). Existing and future peak demand with addition of the proposed project would total approximately 912 gpm, which is below the current well capacity of 1,500 gpm. Thus, there is adequate well capacity within the existing AWD water supply system to serve both the proposed annexation and potential future annexations with amendment and expansion of the AWD's sphere of influence in Monterey County.

In February 2011, the LAFCO of the County of San Benito approved a Sphere of Influence amendment for the Aromas Water District that expanded the San Benito County portion of the AWD's SOI by approximately 4,763 acres. Figure 2 shows the San Benito County SOI area. The majority of this area is located outside of the PVWMA jurisdiction. Based on the environmental review for the San Benito County SOI (and supporting analyses), these properties would be subject to PVWMA Ordinance 98-1 which prohibits AWD from exporting water outside PVWMA boundaries without PVWMA approval and for health or safety reasons (SOURCE VI.4d). Thus, any future development proposed in the approved San Benito County SOI would require a water source that does not derive its origin from the Pajaro Valley basin (Ibid.).

TABLE 2: Estimated AWD Water Demand

Sources	Number of Connections	Maximum Daily Demand [1]
<b>Current Demand</b>		
Current Active Meters	853	580 gpm
Inactive Meters	47	32 gpm
<i>Subtotal</i>	900	612 gpm
<b>Potential Connections</b>		
Annexed, but not yet connected	208	141 gpm
<i>Subtotal</i>	208	141 gpm
<b>Proposed Project</b>		
Oak Ridge & Via Del Sol	72	49 gpm
Remainder of Proposed SOI Amendment Area	161	110 gpm
<i>Subtotal</i>	233	159 gpm
<b>TOTAL</b>	<b>1,341</b>	<b>912</b>

[1] Maximum daily demand is factored at 0.68 gpm based on production meter records. MDD is determined by using production data from the historically greatest month's use.

**SOURCE:** Aromas Water District for Current Demand and Potential Connections

The AWD anticipates development of a new water source at some future time within San Benito County. Even if the San Benito County SOI properties were to be served by existing AWD facilities, adequate well capacity would be available. The AWD has estimated a maximum daily water demand of 262 gpm for the San Benito County SOI (SOURCE VI.4a). When added to existing, planned and project demand as summarized in Table 2, the total maximum daily demand would be 1,174 gpm which is within the Districts production capacity of 1,500 gpm. Thus, existing AWD water supplies are adequate to serve the project and future development. (See also subsection 18(b) below regarding water demand in AWD's San Benito County portion of its sphere of influence.)

## 18. MANDATORY FINDINGS OF SIGNIFICANCE

Would 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, substantially reduce the number or restrict the range of an endangered, rare or threatened species or eliminate important examples of the major periods of California history or prehistory?		✓		
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects?)			✓	
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				✓

### Analysis and Conclusions:

**a) Degradation of Environment - Less than Significant with Mitigation Incorporated.** Based upon the findings of this environmental initial study, the proposed project, as mitigated, would not significantly degrade or diminish the quality of the environment, substantially reduce or burden the habitat of fish or wildlife species, cause fish or wildlife populations to decrease below self-sustaining levels, threaten to eliminate special or unique plant or animal communities, or reduce the number or restrict the habitat or range of rare or endangered plants or animal life. No cultural resources were identified in the area, and the project would not eliminate important examples of the major periods of California history or prehistory.

**b) Cumulative Impacts – Less than Significant.** The Monterey County Planning Department conducted a review of pending and recently approved applications within the general project vicinity. Approximately eight additional residential units and two residential lots have pending applications before the Department. This would result in ten additional residential units for a total of 36 potential new residential units with the proposed project (future development within the proposed SOI area). As discussed in subsection 9(b) above, the 2010 *Monterey County General Plan* EIR projected that 435 new residential units could potentially be developed in the North County area with 262 constructed by 2030 (SOURCE VI.1c). This level of development would result in a new water demand of 154 AFY in the North County area (SOURCE VI.1b). Cumulative residential development in the North County area would result in increased water

demand within groundwater basins that are in overdraft conditions. The County's General Plan EIR has analyzed the impacts of this future development, and the analysis is incorporated by reference in this document as discussed in Section V.B above. See also the groundwater analysis in subsection 9(b). There are no other known potential projects or significant cumulative impacts within the Monterey County portion of the Aromas Water District to which the project would contribute.

As previously indicated, approximately 4,763 acres within San Benito County were added to AWD's SOI in February 2011 as approved by the LAFCO of the County of San Benito. The majority of this area is located outside of the PVWMA jurisdiction. Based on the environmental review for the San Benito County SOI (and supporting analyses), these properties would be subject to PVWMA Ordinance 98-1 which prohibits AWD from exporting water outside PVWMA boundaries without PVWMA approval and for health or safety reasons (SOURCE VI.4d). Thus, any future development proposed in the approved San Benito County SOI would require a water source that does not derive its origin from the Pajaro Valley basin (Ibid.), and future development and provision of water service by AWD to San Benito County properties would not contribute to the significant regional cumulative groundwater impacts in the Pajaro basin. The AWD anticipates development of a new water source at some future time within San Benito County. Even if the San Benito County SOI properties were to be served by existing AWD facilities, adequate well capacity would be available as discussed in subsection 17(d) above.

**c) Adverse Effects on Human Beings – No Impact.** The project would not directly or indirectly cause substantial adverse effects on human beings. The project would improve an existing small water system to meet state drinking water standards.

## VI. REFERENCES and SOURCES

### Agency Documents:

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  - b) March 2010. *Monterey County General Plan Final Environmental Impact Report.* SCH#2007121001. Prepared by ICF International.
  - c) September 2008. *Monterey County General Plan Draft Environmental Impact Report.* SCH#2007121001. Prepared by ICF Jones & Stokes.
  - d) Certified June 1982; updated through December 1999. *North County Land Use Plan Local Coastal Program.*
2. Monterey County Division of Health. October 27, 2010. Letter to Aromas Water District regarding "Consolidation of Oak Ridge and Via Del Sol Water Systems with Aromas Water District."
3. Monterey County Water Resources Agency. 2008 Update. *Monterey County Floodplain Management Plan.*

4. Aromas Water District.
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  - d) August 24, 2010. Environmental Checklist Form for the Aromas Water District Sphere of Influence Amendment.
5. Local Agency Formation Commission (LAFCO) of Monterey County.
  - a) February 2006. *Final Municipal Services Review for the North County Area of Monterey County*.
  - b) February 25, 2008. Staff Report regarding Annexation to the Aromas Water District of Approximately 738 Acres.
  - c) Undated. "Standards for the Evaluation of Proposals."
  - d) Adopted April 25, 2011. "Policies and Procedures Relating to Spheres of Influence and Changes of Organization and Reorganization."
6. California Department of Conservation. 2007. "Farmland Mapping & Monitoring Program" – Monterey County Important Farmland 2008." Online at: [ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2008/mnt08\\_no.pdf](ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2008/mnt08_no.pdf)
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#### **Project Documents:**

8. Freitas + Freitas. January 2010. "Water System Engineer's Report for Connection of Oak Ridge Mutual Water Company & Via Del Sol Drive Area to Aromas Water District, Aromas, California."
9. Archaeological Consulting. April 1, 2011. "Phase 1 Archaeological Survey for the Aromas Water District annexations of the Oak Ridge Mutual Water System and the Via Del Sol Area, Aromas, Monterey County, California."
10. Biotic Resources Group. April 28, 2011. "Oak Ridge / Via Del Sol Project Aromas Water District Assessment District, Monterey County Biological Report."

#### **Other Documents:**

11. Global Climate Change References:
  - a) California Air Resources Board. September 22, 2010 (Last Updated). "Greenhouse Gas Inventory Data – 2000 to 2008." Online at: <http://www.arb.ca.gov/cc/inventory/data/data.htm>

- MAY 12, 2010. "California Greenhouse Gas Inventory for 2000-2008 – By — by Category as Defined in the Scoping Plan"
  - May 28, 2010. "Trends in California Greenhouse Gas Emissions for 2000 to 2008 – by Category as Defined in the Scoping Plan."
- b) California Air Resources Board. December 2008. *Climate Change Proposed Scoping Plan – A Framework for Change.* December 2008. Online at: [http://www.arb.ca.gov/cc/scopingplan/document/adopted\\_scoping\\_plan.pdf](http://www.arb.ca.gov/cc/scopingplan/document/adopted_scoping_plan.pdf)
  - c) California Climate Action Team. December 2010. "Climate Action Team Report to governor Schwarzenegger and the California Legislature." California Environmental Protection Agency.
  - d) California Natural Resources Agency. "2009 California Climate Adaptation Strategy." A Report to the Governor of the State of California in Response to Executive Order S-13-2008.
  - e) California Governor's Office of Planning and Research. June 19, 2008. "CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act (CEQA) Review."
  - f) California Air Resources Board. November 16, 2007. "Staff Report – California 1990 Greenhouse Gas Emissions Level and 2020 Emissions Limit."

**Persons and Agencies Contacted:**

- Aromas Water District: Vicki Morris
- LAFCO of Monterey County: Kate McKenna, Thom McCue
- Monterey County Planning Department, Laura Lawrence
- Monterey County Water Resources Agency: Rob Johnson, Kathy Thomasberg
- Pajaro Valley Water Management Agency: Mary Bannister
- Freitas + Freitas: Mike Freitas, Project Engineer

**Initial Study Preparation:** Stephanie Strelow, STRELOW CONSULTING

## VI. LIST OF FIGURES

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2. Aromas Water District and Project Areas
3. Proposed Annexation and Sphere of Influence Amendment Areas
4. Proposed Project Improvements – Schematic
5. Water Pipeline Layout
- 6A-E Water System Site Plans
7. Aromas Water District Facilities
8. Water Storage Tank Site Plan
- 9A. Monterey County General Plan Designations
- 9B. Monterey County Coastal Zone Boundary and Land Use Designations
10. Plant Communities
11. Water Management Agency and District Service Areas



**ATTACHMENT A**  
**Parcels Proposed for Annexation**  
**& Within Proposed Sphere of Influence Amendment Area**

**Parcels Proposed for Annexation & Assessment District Formation**  
**and Included in SOI Amendment Area**

	<b>Oak Ridge</b>		<b>Adjacent to OR</b>		<b>Via Del Sol</b>
1	141-071-003	39	141-011-001	1	127-171-010
2	141-071-011	40	141011002000	2	127171011000
3	141071013000	41	141011003000	3	127171012000
4	141071014000	42	141011005000	4	127171014000
5	141071015000	43	141011006000	5	127171015000
6	141071016000	44	141-011-012	6	127171026000
7	141071017000	45	141011013000	7	127171027000
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27	141071041000			27	127191032000
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32	141081008000			32	127192013000
33	141081009000			33	127192014000
34	141081010000			34	127192017000
35	141081011000			35	127192018000
36	141081012000				
37	141081013000				
38	141081014000				

**Other Parcels Proposed for Inclusion**  
**Within Proposed Sphere of Influence Amendment**

1	141-011-007	41	141041011000	81	141051027000	121	141091032000
2	141011008000	42	141041012000	82	141051028000	122	141091033000
3	141011009000	43	141041016000	83	141051029000	123	141091034000
4	141011011000	44	141041018000	84	141051030000	124	141091035000
5	141-012-007	45	141041021000	85	141051031000	125	141091036000
6	141012008000	46	141041022000	86	141051032000	126	141091039000
7	141012010000	47	141041023000	87	141051033000	127	141091040000
8	141012011000	48	141041024000	88	141051034000	128	141091041000
9	141012012000	49	141041025000	89	141-071-010	129	141091042000
10	141-012-016	50	141041032000	90	141-091-001	130	141091043000
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12	141012018000	52	141041037000	92	141091003000	132	141092002000
13	141012019000	53	141041038000	93	141091004000	133	141092003000
14	141-012-020	54	141041039000	94	141091005000	134	141092004000
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16	141-012-022	56	141041044000	96	141091007000	136	141-141-001
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33	141014012000	73	141051005000	113	141091024000	153	141141018000
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38	141041006000	78	141051022000	118	141091029000	158	141141023000
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## **ATTACHMENT B**

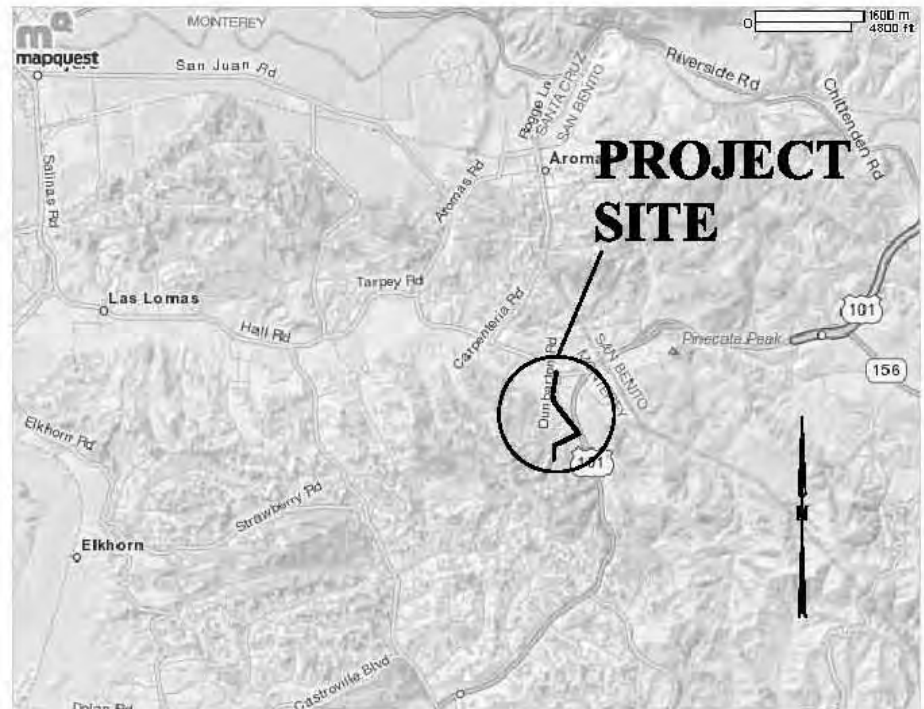
### **Biological Report**

Biotic Resources Group

**FIGURE 1: Regional Location**

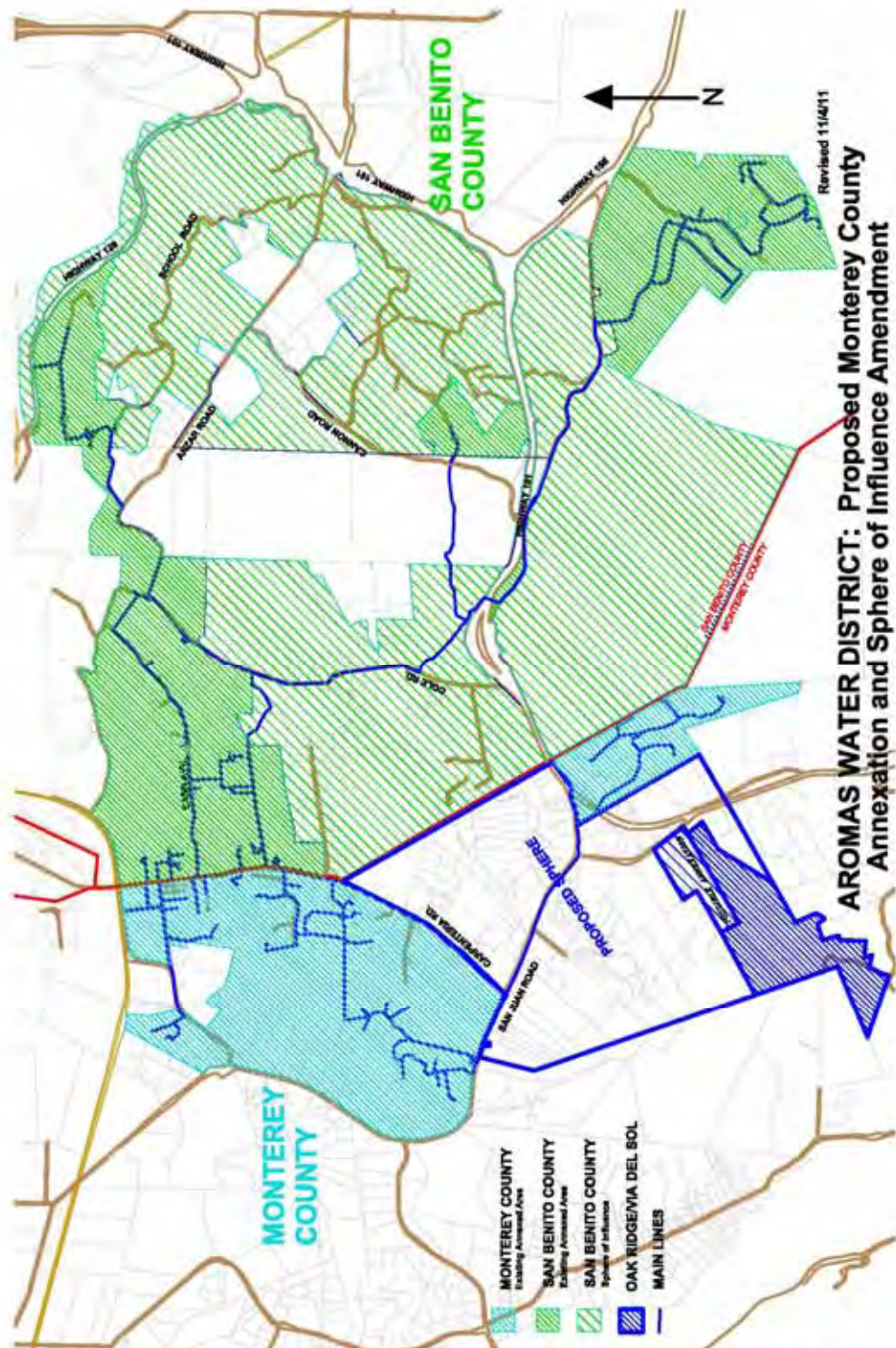


**SOURCE:** Base Map from Parsons Transportation Group for TAMC



**SOURCE:** Freitas + Freitas

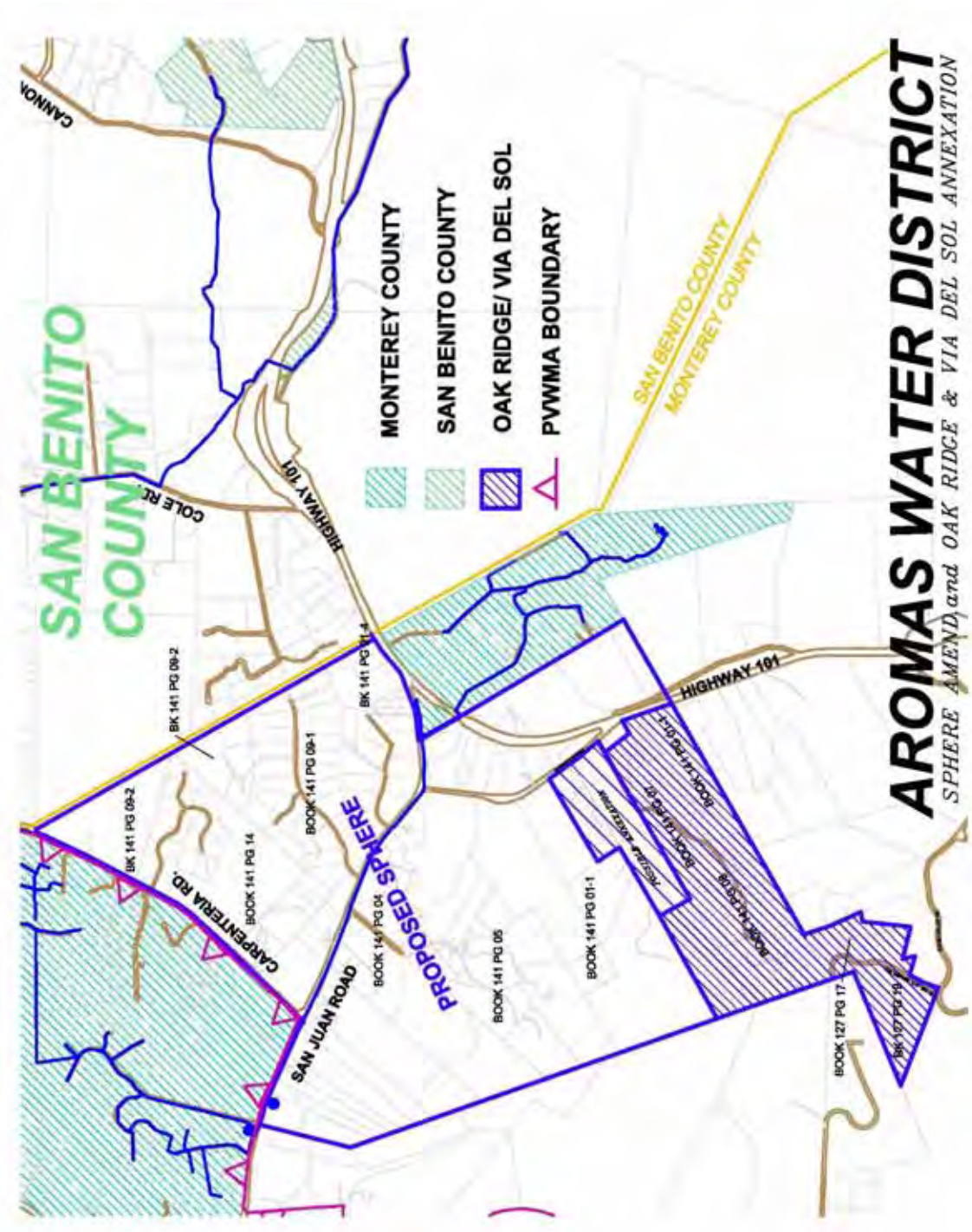
**FIGURE 2: Aromas Water District & Project Areas**



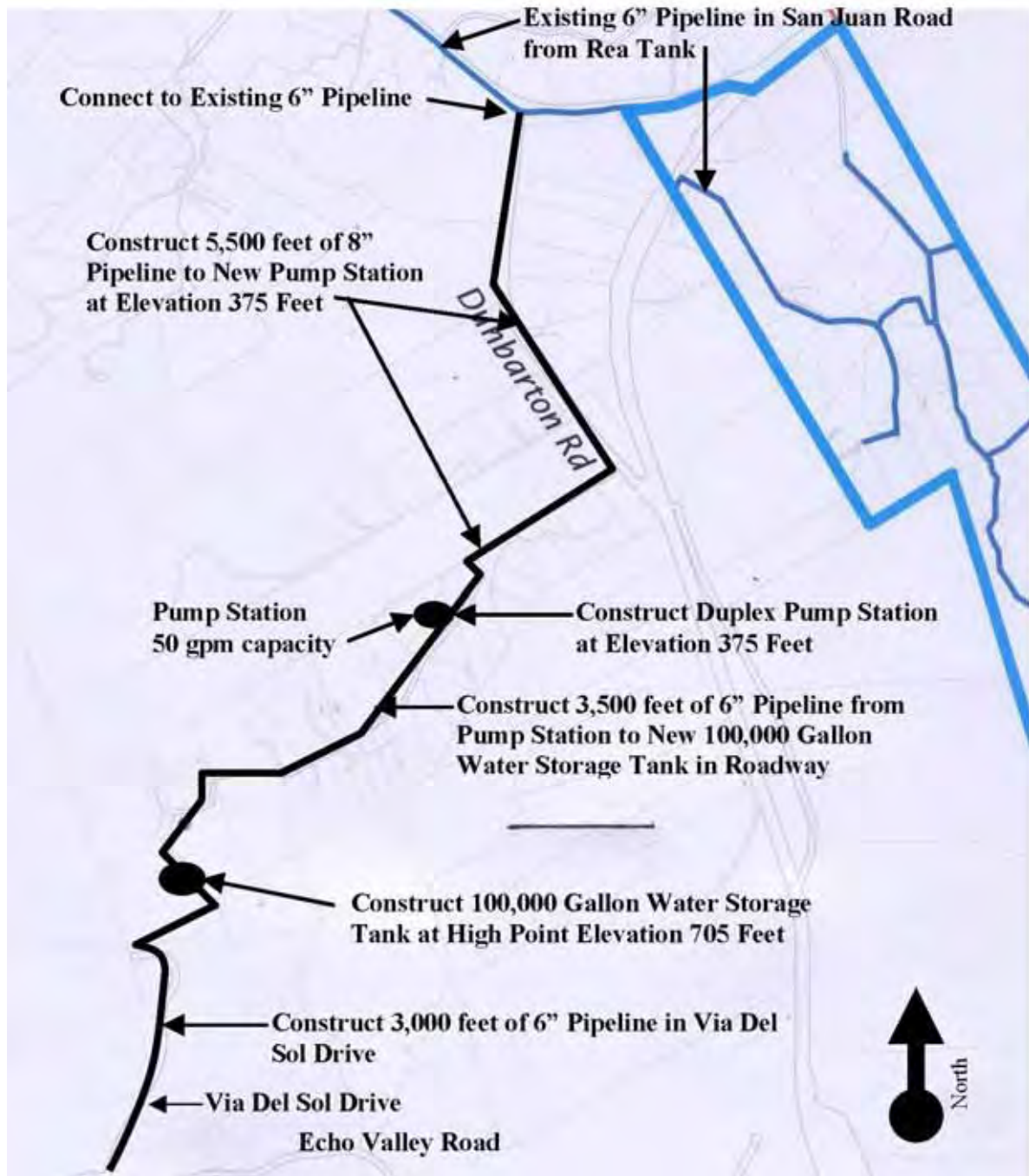


**FIGURE 3: Proposed Annexation and**

**Sphere of Influence Amendment Areas**

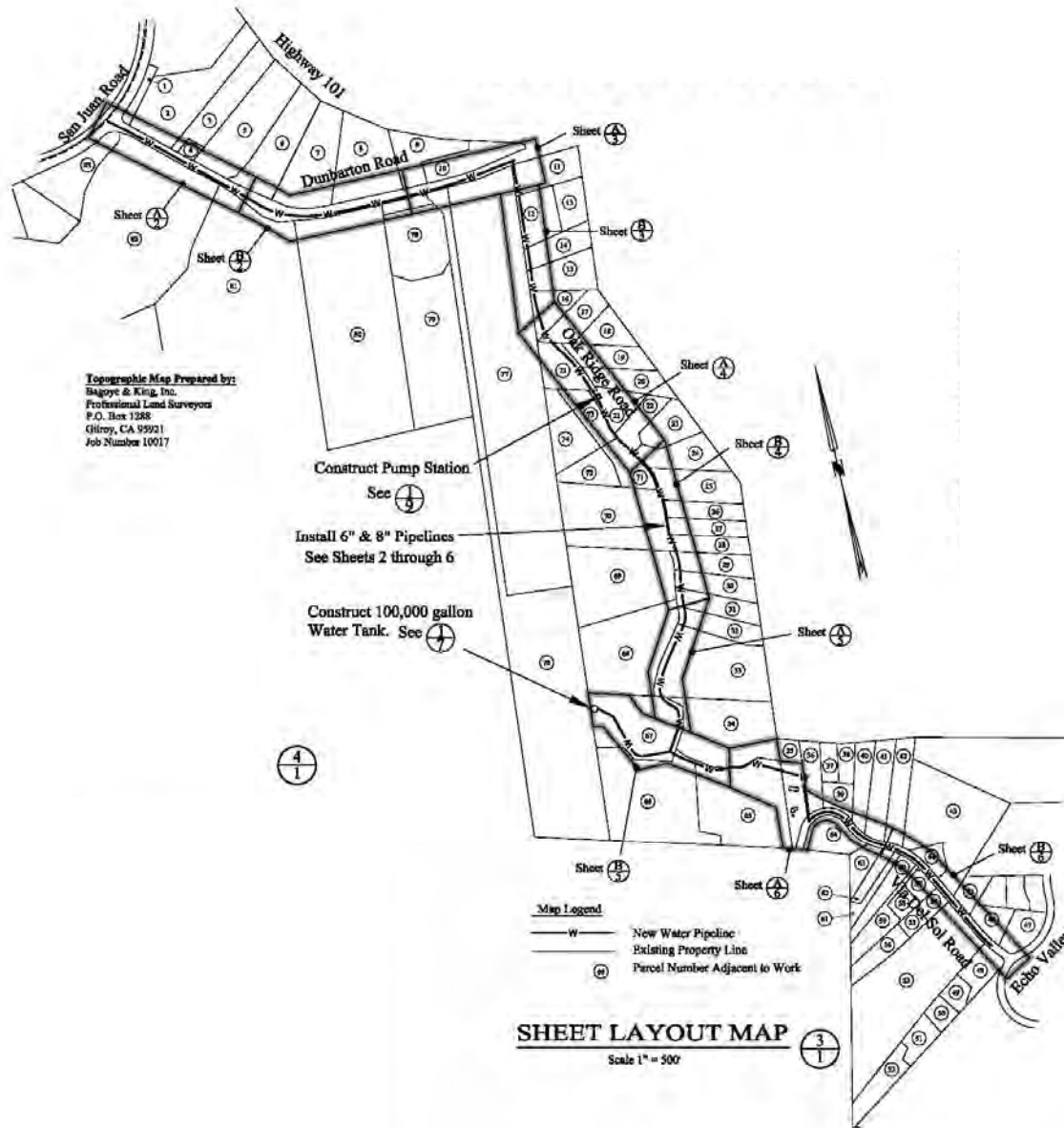


**FIGURE 4: Proposed Project Improvements- Schematic**



**SOURCE:** Freitas + Freitas

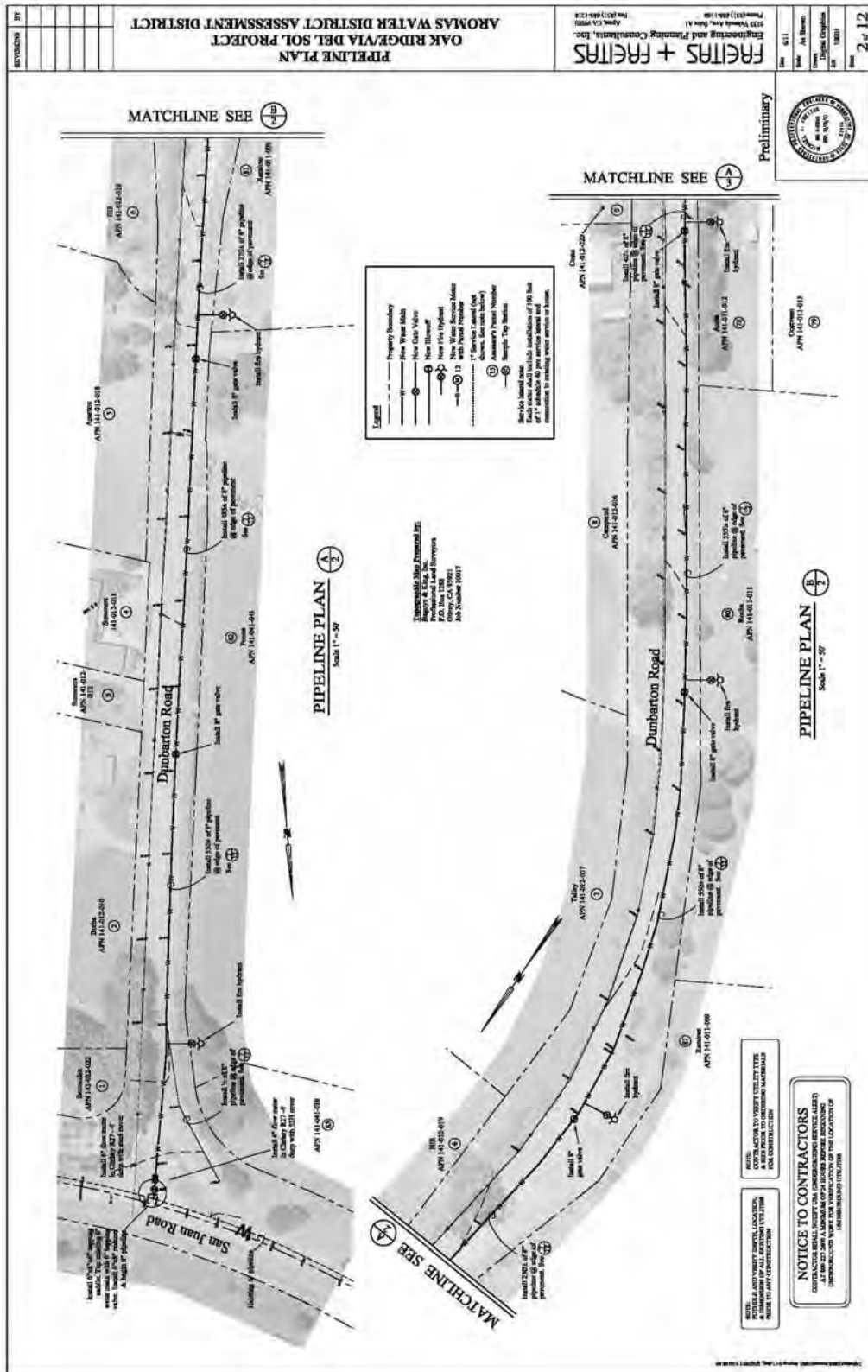
**FIGURE 5: Water Pipeline Layout**



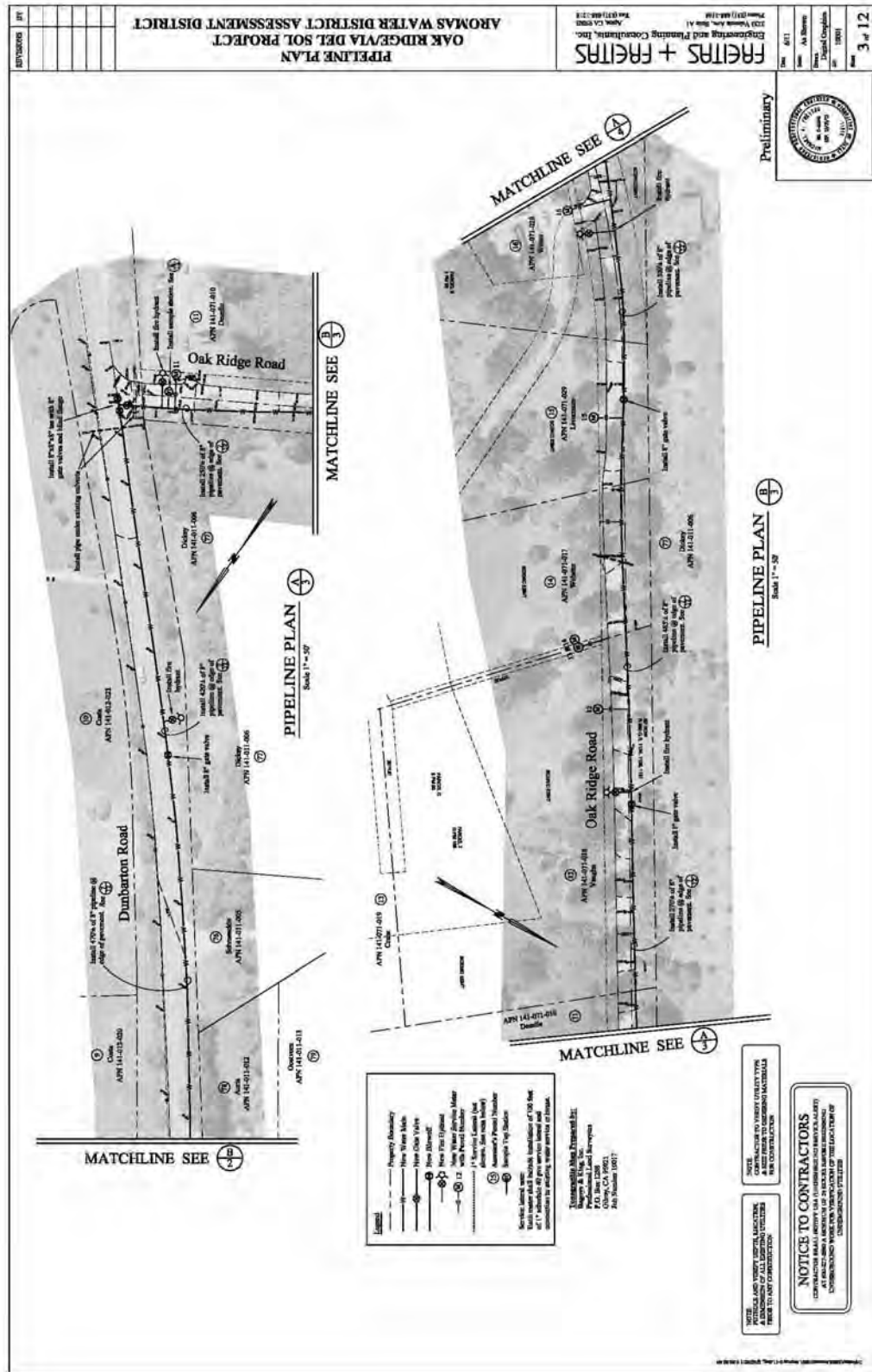
**SOURCE:** Freitas + Freitas



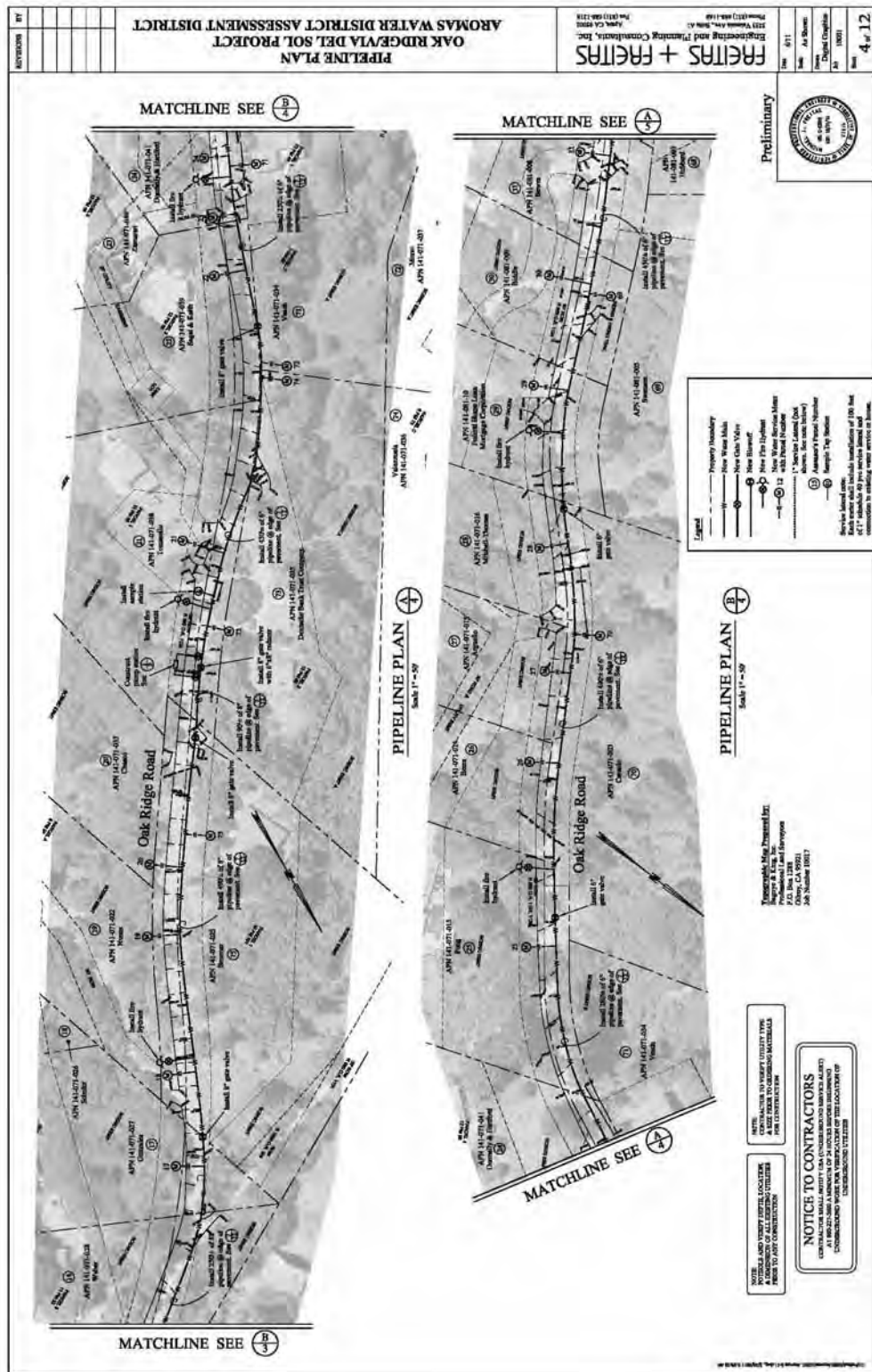
**FIGURE 6A: Water Pipeline Layout**



**FIGURE 6B: Water Pipeline Layout**



**FIGURE 6C: Water Pipeline Layout**





**FIGURE 6D: Water Pipeline Layout**

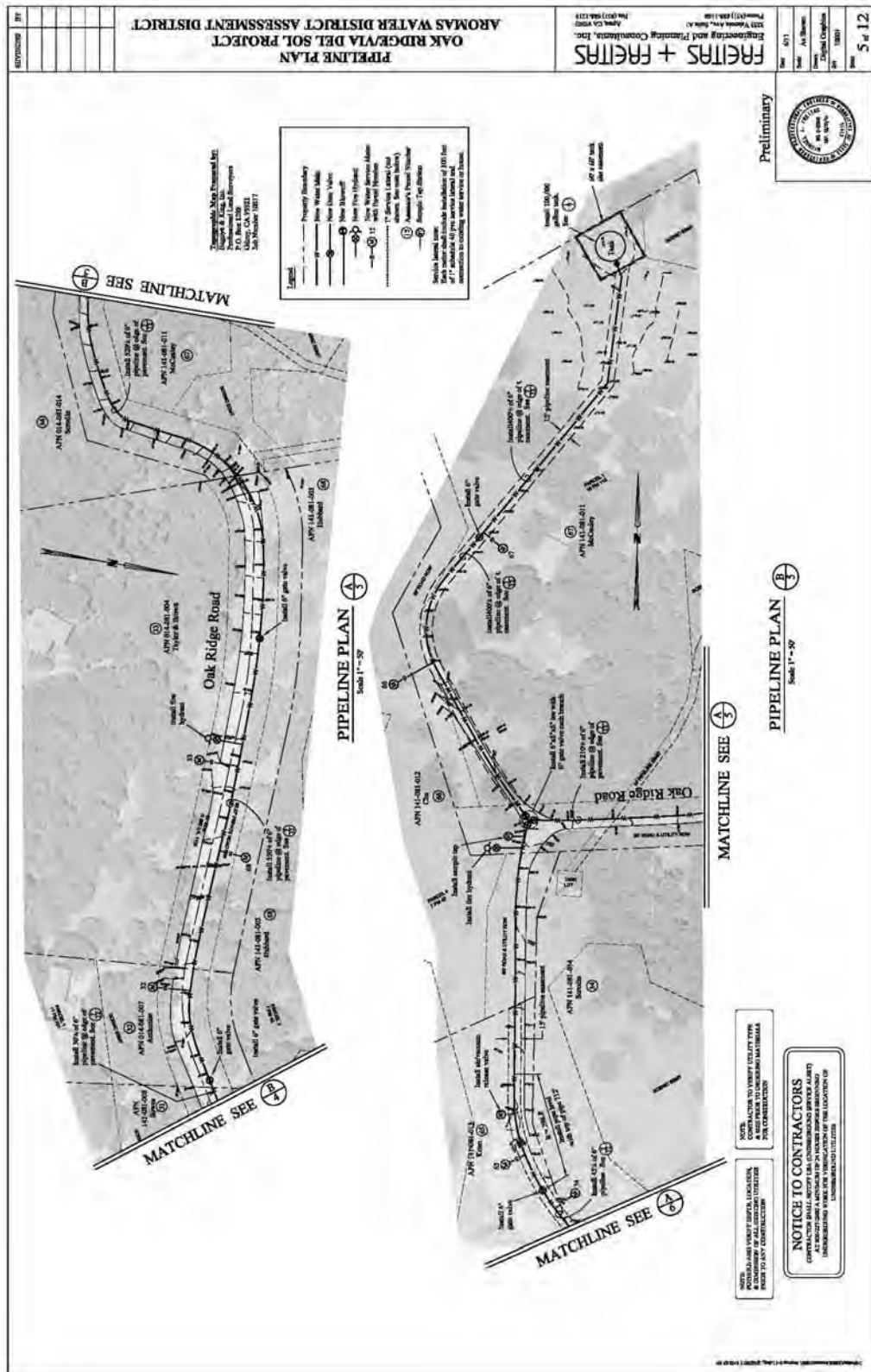
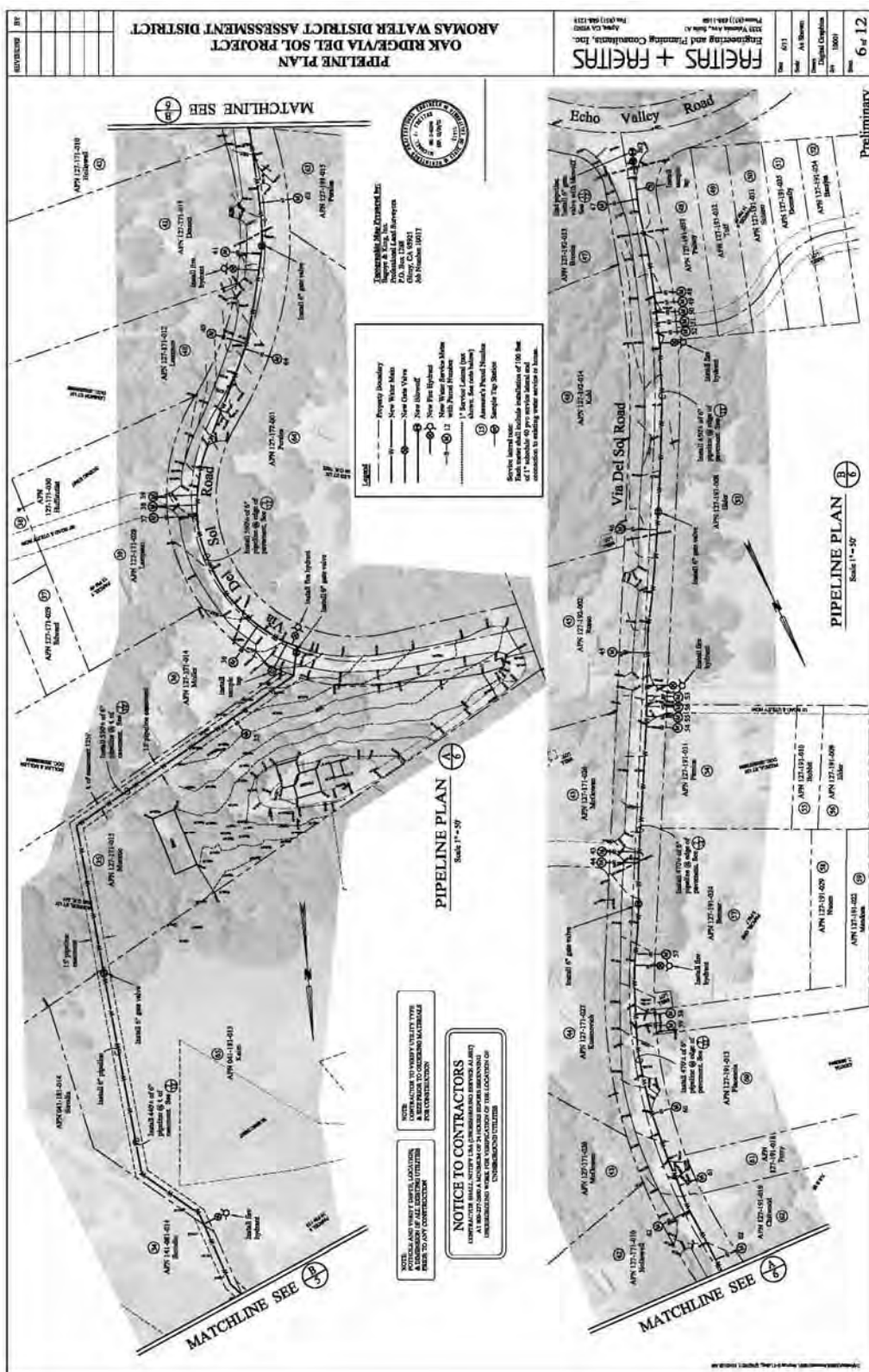
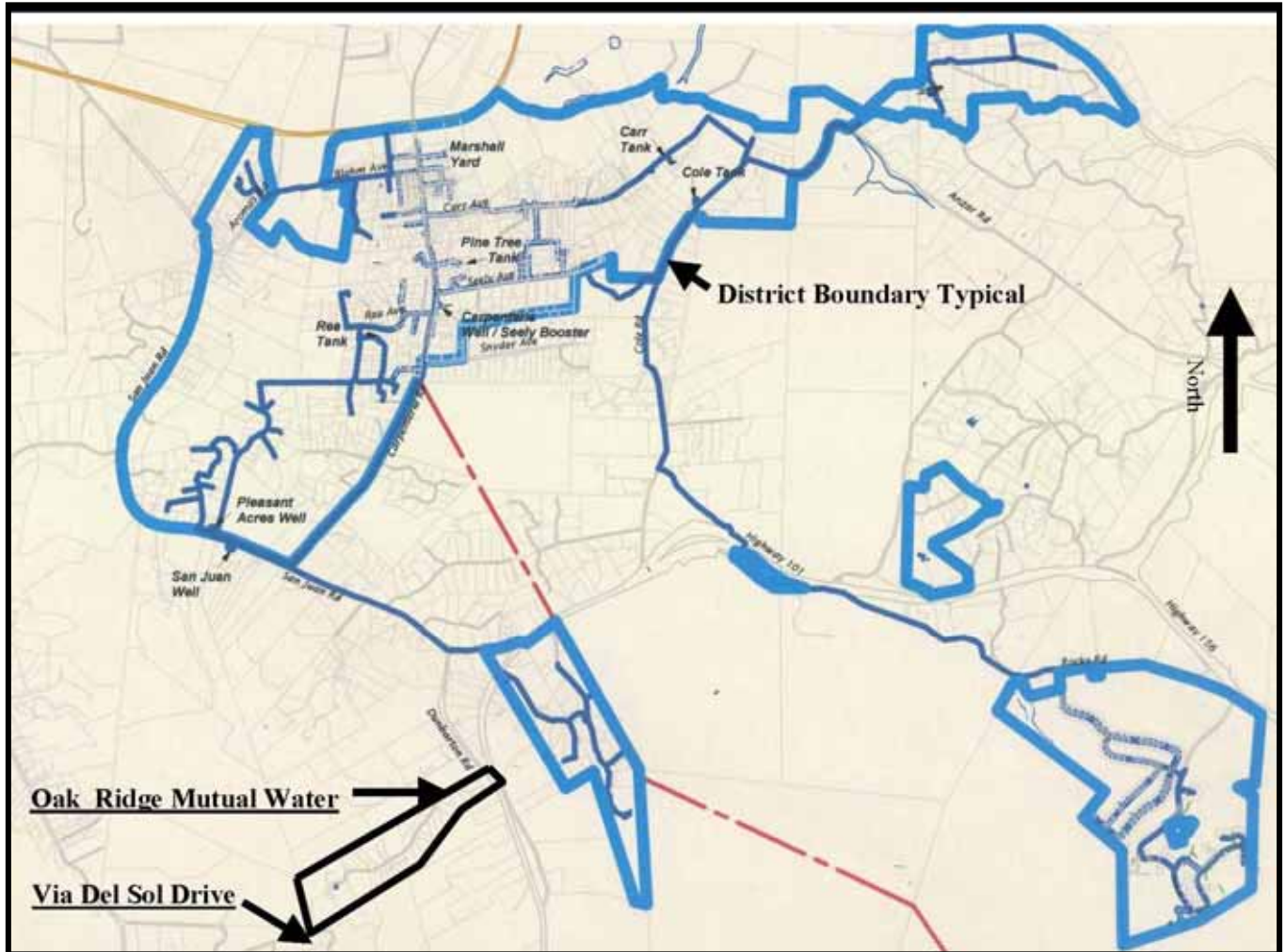


FIGURE 6E: Water Pipeline Layout



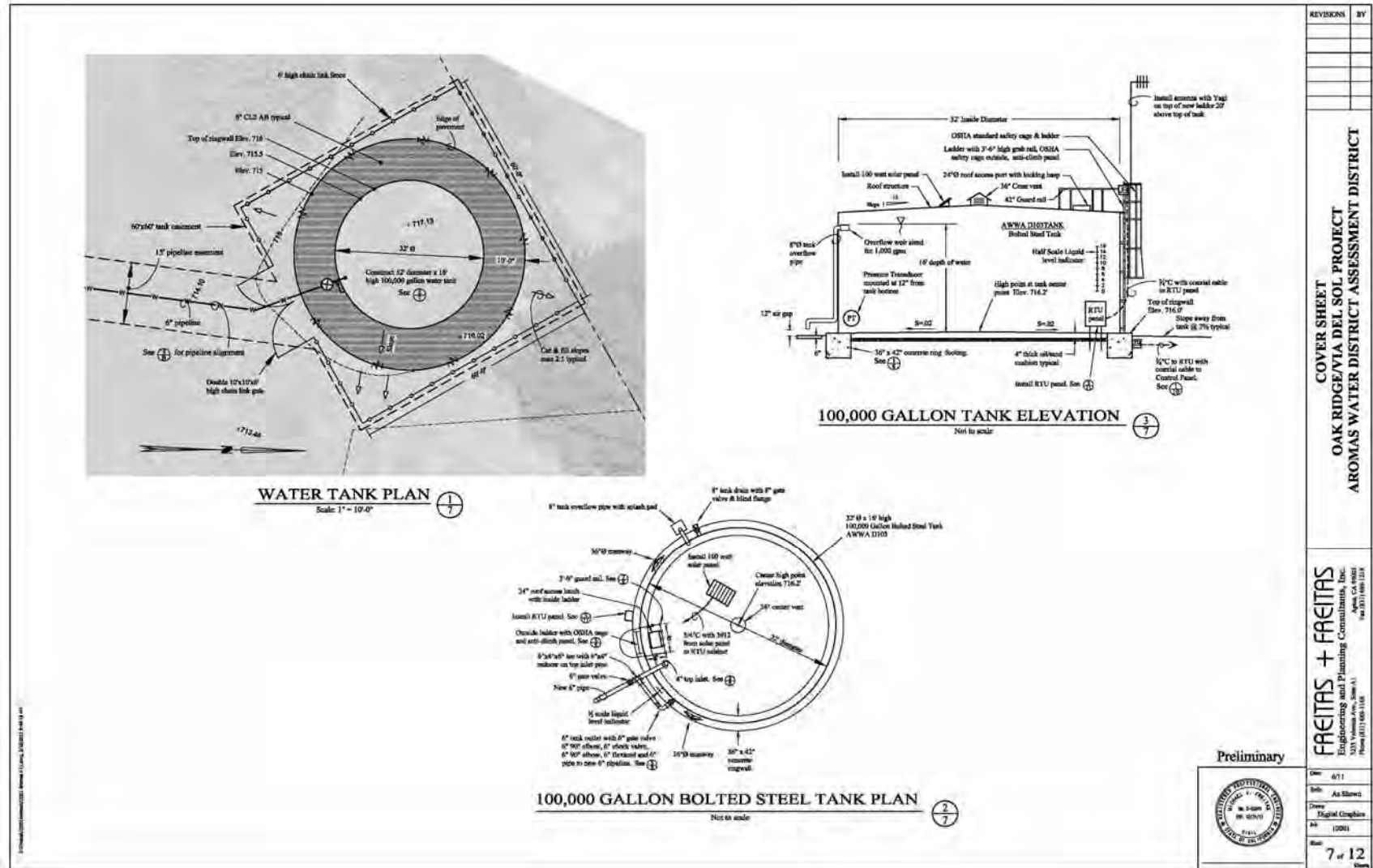
**FIGURE 7: Aromas Water District Facilities**



**SOURCE:** Freitas + Freitas

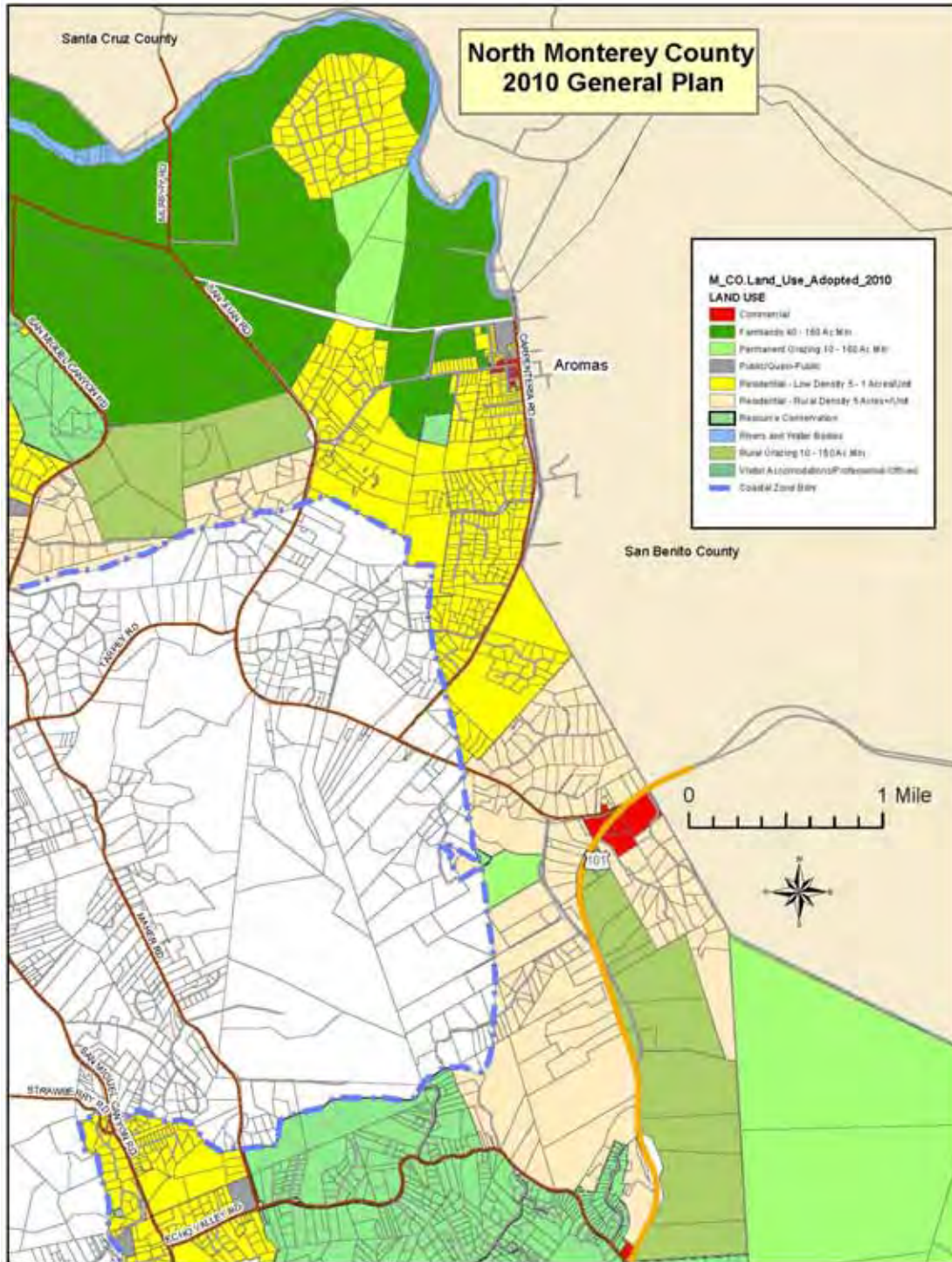


**FIGURE 8: Water Storage Tank Site Plan**



**FIGURE 9A: Monterey County**

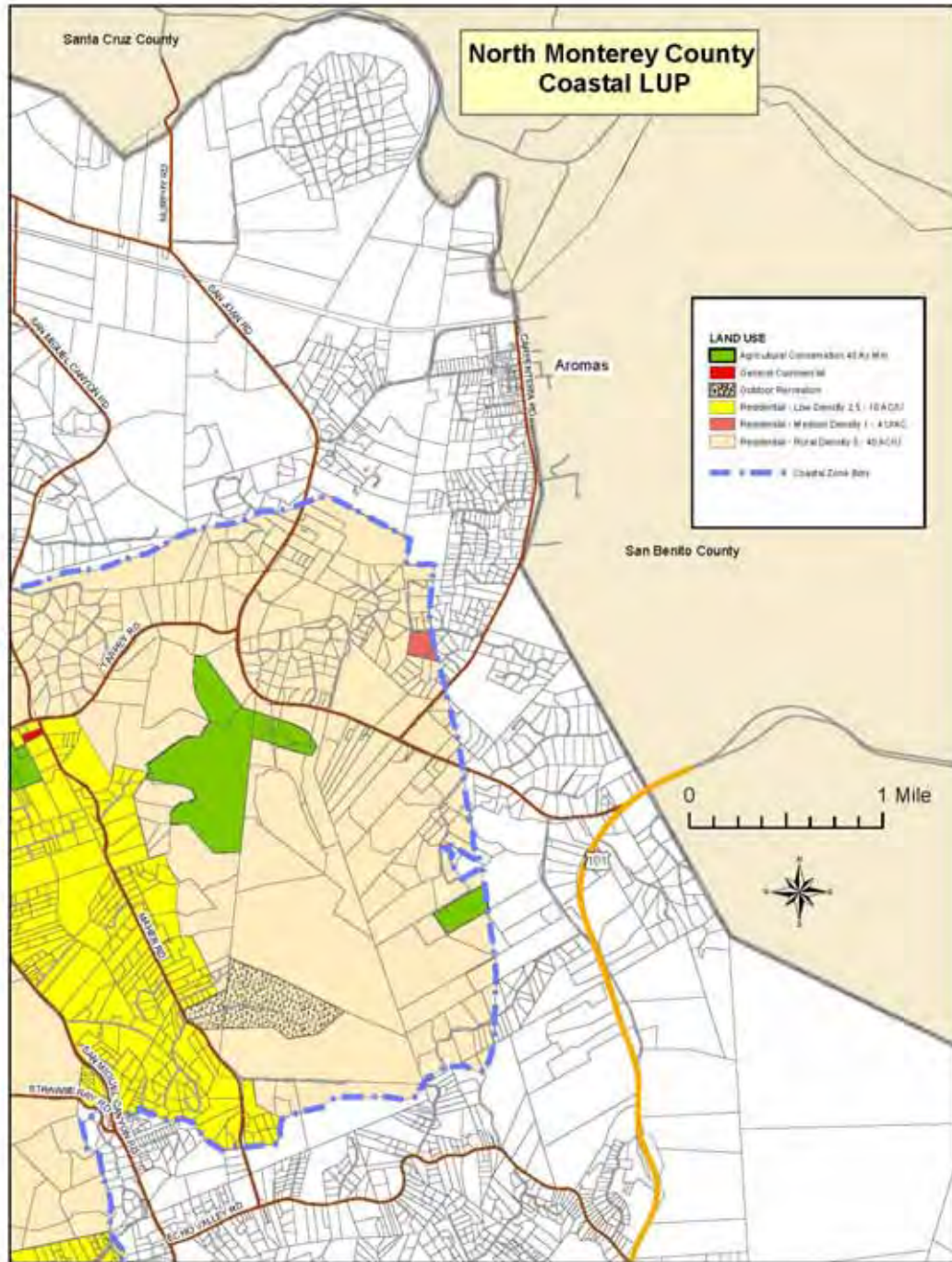
**General Plan Designations**





**FIGURE 9B: Monterey County Coastal Zone Boundary**

**& Land Use Designations**



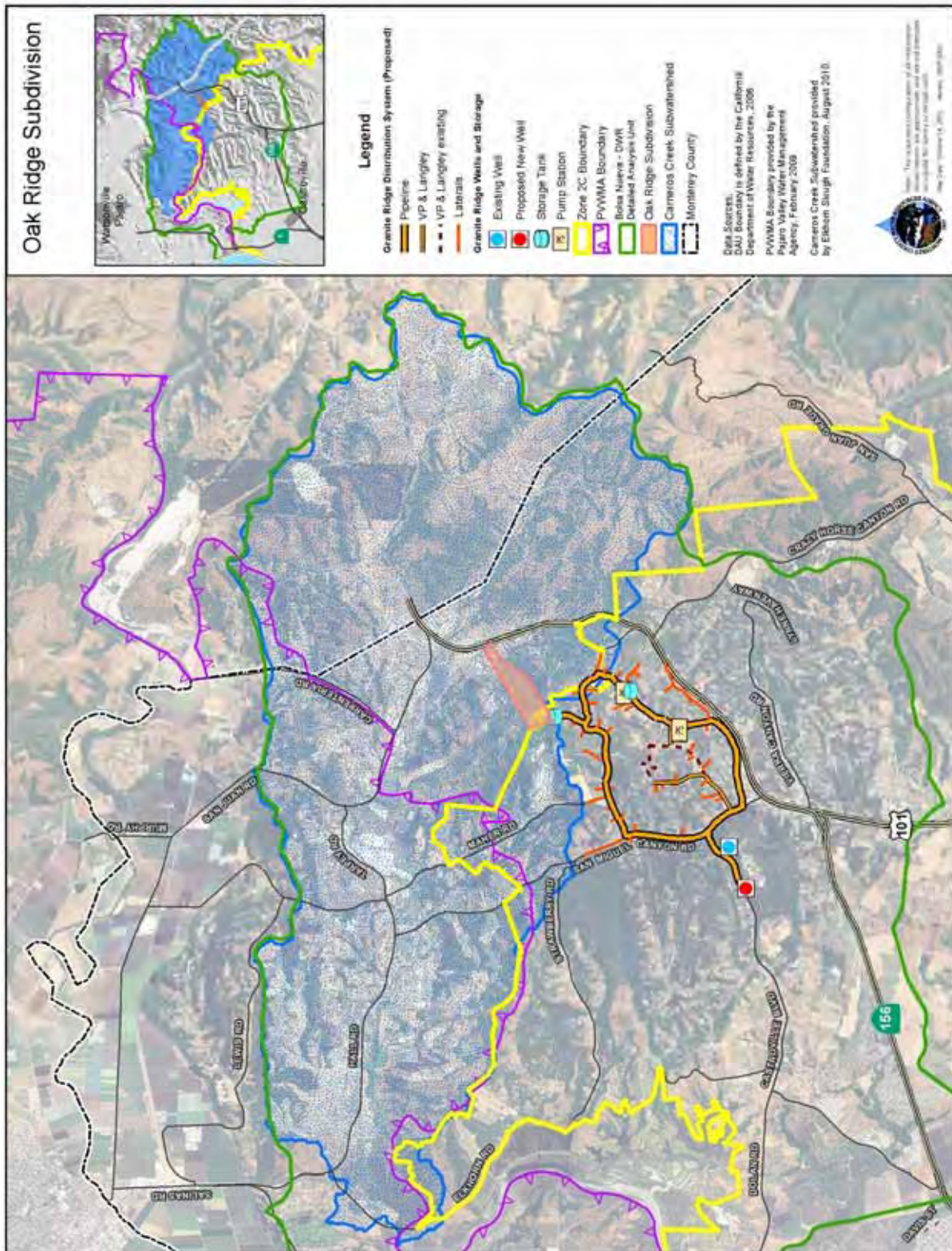
**FIGURE 10: Plant Communities**



**SOURCE:** Biotic Resources Group



**FIGURE 11: Water Management Agency Boundaries**



OAK RIDGE /VIA DEL SOL PROJECT  
AROMAS WATER DISTRICT ASSESSMENT DISTRICT  
MONTEREY COUNTY

Biological Report



**Biotic Resources Group**

Biotic Assessments ♦ Resource Management ♦ Permitting

# Biotic Resources Group

Biotic Assessments ♦ Resource Management ♦ Permitting

## OAK RIDGE /VIA DEL SOL PROJECT AROMAS WATER DISTRICT ASSESSMENT DISTRICT MONTEREY COUNTY

### Biological Report

*Prepared for:*

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*Prepared by:*

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Kathleen Lyons, Plant Ecologist

With

Dana Bland, Wildlife Biologist  
Dana Bland & Associates

April 28, 2011

## 1.0 INTRODUCTION

The Biotic Resources Group, with Dana Bland & Associates, conducted a biological assessment for a proposed water line to service residences along Oak Ridge Road and Via Del Sol in northern Monterey County.

Specific tasks conducted for this study include:

- Identify sensitive biotic resources, including species of concern, within the water line construction area, and
- Evaluate the potential effects of the proposed work, and associated infrastructure, on sensitive biological resources and recommend measures to avoid or reduce such impacts.

### 1.1 PROPOSED PROJECT

The project area is located in the Aromas area of northern Monterey County and consists of two developed residential subdivisions. The proposed water main project extends along Dunbarton Road from San Juan Road to Oak Ridge Road. The project continues along Oak Ridge Road then connects to Via Del Sol Drive and to Echo Valley Road. Existing water service is supplied by Oak Ridge Mutual Water Company and private wells in the Via Del Sol drive area.

The project involves annexing the existing Oak Ridge Road and Via Del Sol Drive subdivisions into the Aromas Water District. The District will provide full water service, including meter reading and maintenance of the system, including a new pipeline, water storage tank, and pumps. The new system will connect to an existing pipeline at the intersection of San Juan Road and Dunbarton Road. A new 8" pipeline will be constructed within the shoulder of Dunbarton Road (western side of the road) to Oak Ridge Drive. At Oak Ridge Drive, the pipeline will be jack and bored beneath existing culverts that carry flow within a tributary to Carneros Creek. West of the culverts, the pipeline will be located within the shoulder of the paved road (northern edge of the road) up to a new pump station located at about elevation 375 feet on Oak Ridge Road. The pipeline would continue within the shoulder of Oak Ridge Road to the knoll. A line will split northward to a new water storage tank. The pipeline will traverse grassland and oak woodland to reach the tank site. The new 100,000 gallon tank will be located at the high point of the knoll at about elevation 705 feet as shown on the USGS map. Water will travel via gravity in 6" pipeline down to Via Del Sol Drive and to homes along this road. On the knoll, the pipeline will be constructed within the shoulder of an existing road before going down slope through undisturbed grassland and oak woodland. Upon reaching Via del Sol, the pipeline will be placed in the shoulder of the roadway (west side of the road). The project includes new 5/8" service lines and water meters with backflow preventers installed from the new pipeline to serve the new connections. Aromas Water District policy is to serve each parcel with one water meter. Parcels with more than one residence will have to have another meter or meters to serve additional residences. The proposed water line project is depicted on the Pipeline Plan (Freitas + Freitas, 10/10). The project location is depicted on Figure 1.

### 1.2 INTENDED USE OF THIS REPORT

The findings presented in this biological report are intended for the sole use of Strelow Consulting and Aromas Water District in evaluating the proposed project. The findings presented by the Biotic Resources Group in this report are for information purposes only; they are not intended to represent the interpretation of any State, Federal or County laws or ordinances pertaining to permitting actions within sensitive habitat or endangered species. The interpretation of such laws and/or ordinances is the responsibility of the applicable governing body.

## 2.0 EXISTING BIOTIC RESOURCES

### 2.1 METHODOLOGY

Kathleen Lyons, plant ecologist, and Dana Bland, wildlife biologist, conducted an assessment of biological resources within the project area in December 2010. A rare plant survey was conducted in April 2011.

Study methodology included field reconnaissance surveys, literature review, and accessing electronic databases. Literature and data base searches included the California Natural Diversity Data Base (CNDDB) “Rare Find” (2010) and California Native Plant Society (CNPS) Rare Plant Electronic Inventory (2010) for the Prunedale quadrangle and surrounding eight quadrangles.

Prior to conducting the field survey, a potential list of special status or sensitive plant species was prepared for the project area, utilizing species recognized by California Department of Fish and Game, U.S. Fish and Wildlife Service, and CNPS. The field survey was conducted to document the biological resources within the expected project work area. The *Jepson Manual* (Hickman, 1993) and *An Illustrated Field Key to the Flowering Plants of Monterey County* (Matthews, 1997) were the principal taxonomic references. A survey to determine the presence/absence of special status plant species was conducted in April 2011, which corresponded to the blooming period for special status plant species with potential to occur within the project area. Classification of vegetation types is according to the California Natural Community Codes as developed by CDFG (CDFG, 2010).

### 2.2 ENVIRONMENTAL SETTING

#### 2.2.2 Geographic Setting

Four natural community types were documented within the project area: coast live oak woodland, coyote brush scrub, needlegrass grassland, riparian woodland, and landscaped areas/ tree groves. The riparian woodland grows along the main stem and tributaries to Carneros Creek, an intermittent drainage that empties into Elkhorn Slough. The distribution of the vegetation types within the project area is depicted on Figure 2. Each vegetation type, its California code, and state ranking (rarity) are listed in Table 1.

**Table 1. Vegetation Types within the Oak Ridge/Via Del Sol Project Area, Monterey County**

CaCode	Vegetation Type	Plant Association	State Ranking <sup>1</sup>
71.060.00	Coast Live Oak Woodland	Coast Live Oak / Blackberry / Annual Grasses	S4
32.060.00	Coyote Brush Scrub	Coyote Brush/ Sticky Monkey Flower/California Coffee Berry	S5
41.150.00	Purple Needlegrass Grassland	Purple Needlegrass/Dogtail Grass/Rattlesnake Grass	S3
61.201.00	Arroyo Willow Thicket Riparian Woodland	Arroyo Willow/California Blackberry	S4
-	Landscaped Areas/Tree Groves	Eucalyptus/Monterey Cypress/Acacia	-

1- State Rankings: S1-S3 vegetation types and associations considered to be highly imperiled and considered of special concern by CDFG. S4 vegetation types are common and are not considered of special concern by CDFG (CDFG, 2010).



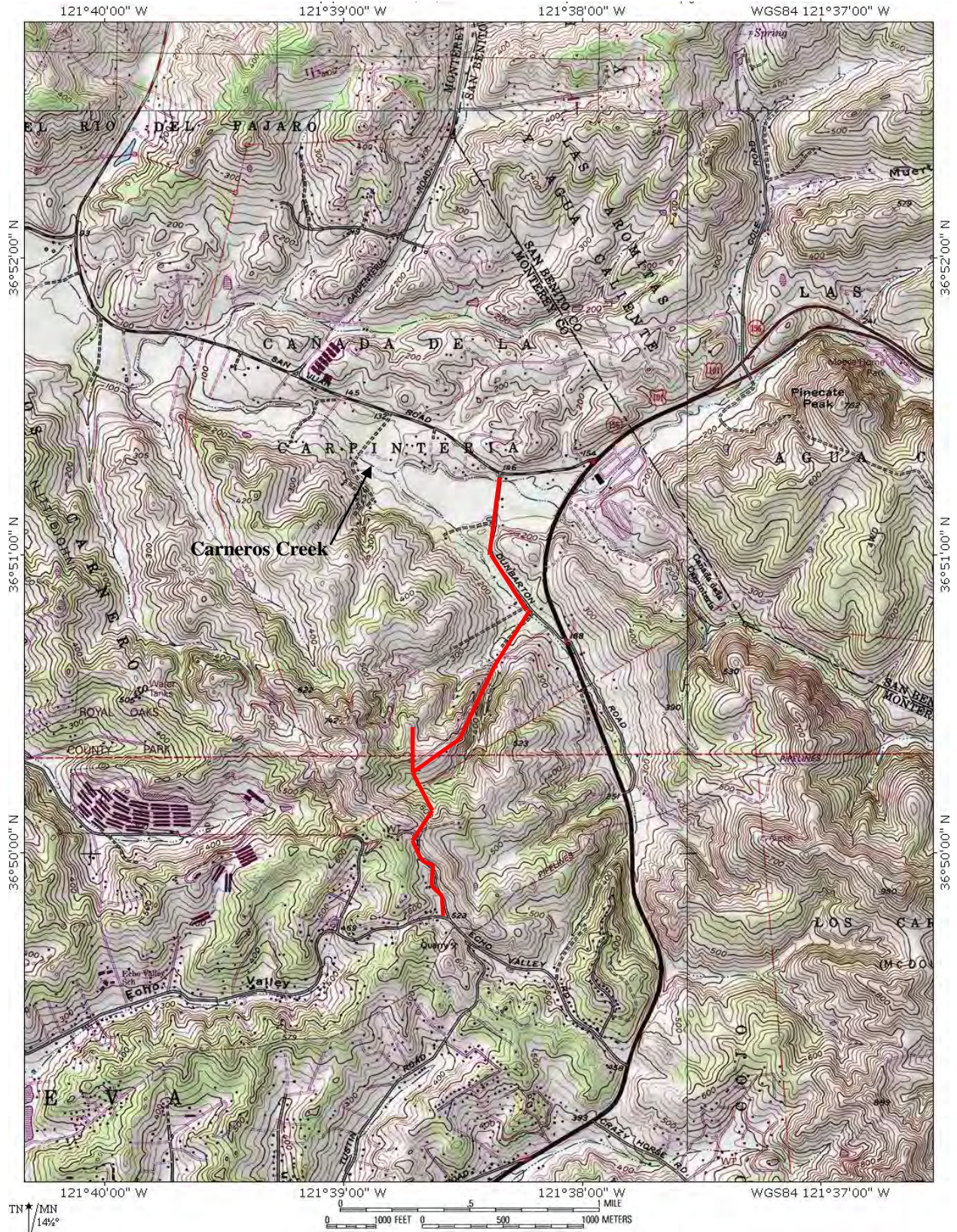
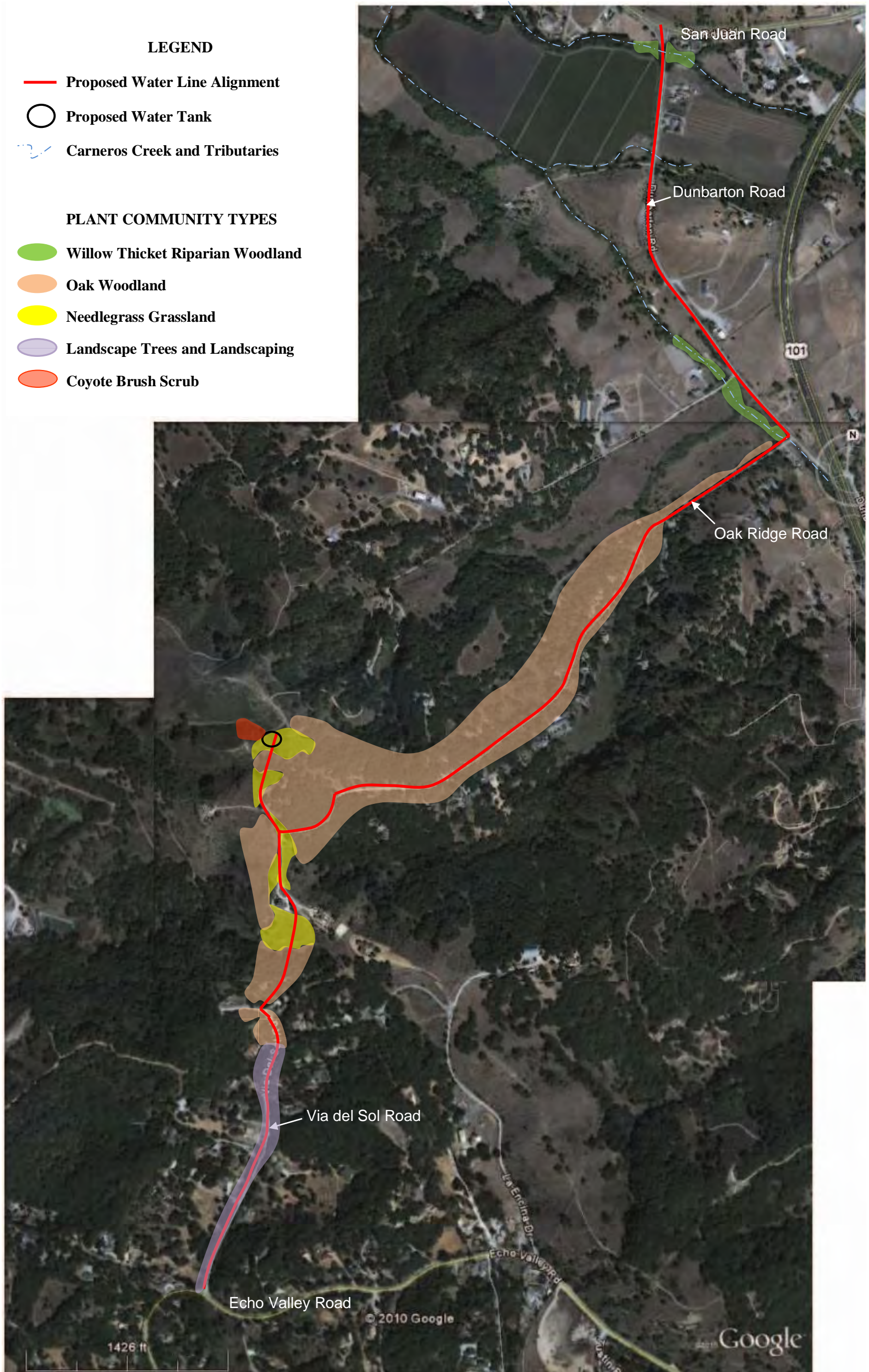


Figure 1. Project Location on Prunedale USGS Topographic Map





**Figure 2. Plant Community Types in Project Area**



## 2.2.2 Vegetation and Wildlife Habitats

### Coast Live Oak Woodland

The coast live oak woodland occurs along the both sides of Oak Ridge Road, along the ridge leading to the proposed water tank, and along a section of the water line route near Via del Sol. As depicted on Figure 2, this vegetation type abuts much larger woodland areas that are located outside the project area. This oak woodland type has a State ranking of S4, indicating it is common within the State and not considered sensitive in the CNDDDB.

Along Oak Ridge Road and the knoll top, the tree species within the woodland are dominated by coast live oak (*Quercus agrifolia*). The trees are of mixed age, as evidence by a range in tree trunk diameters. The trees are rooted along both sides of Oak Ridge Road, with the tree canopy extending over the roadway in many locations. The woodland also supports scattered occurrences of non-native trees, such as pines (*Pinus sp.*) and acacia (*Acacia sp.*); most of these trees are associated with the nearby residences. The woodland understory supports native species, such as California blackberry (*Rubus ursinus*), poison oak (*Toxicodendron diversilobum*), coyote brush (*Baccharis pilularis*), California sagebrush (*Artemisia californica*), and toyon (*Heteromeles arbutifolia*). Non-native herbaceous species, such as iceplant (*Carpobrotus sp.*), poison hemlock (*Conium maculatum*), Italian thistle (*Carduus pycnocephalus*), and dogtail grass (*Cynosurus echinatus*) dominate the open areas. The character of the woodland along Oak Ridge Road is depicted in Figure 3.



**Figure 3. Oak woodland along Oak Ridge Road**

Oak woodland is also found adjacent to Via del Sol Drive. The woodland east of Via Sol Drive is comprised of large, multi-branched coast live oak trees. The trees form a dense canopy; many trees have extensive low-hanging branches. Many trees in this area meet the size requirement of landmark oaks, as defined in the County's General Plan. The understory is comprised of grasses and forbs, such as Italian ryegrass (*Lolium multiflorum*), ripgut brome (*Bromus diandrus*), and dogtail grass, with California blackberry, poison oak, miner lettuce (*Montia perfoliata*), and thistle (*Carduus sp.*). Since water main trenching will occur in undisturbed land in this area, the number of trees adjacent to construction was determined. Approximately 31 oak trees occur adjacent to the proposed water main construction area. The approximate diameter of the trees

ranges from six inches to over 60 inches. Table 2 lists the trees located within approximately 25 feet of the proposed water main trench. The character of this woodland is depicted in Figure 4.

**Table 2. Approximate Number of Oak Trees within Oak Woodland near Via Del Sol Drive**

Species	Single or Multiple Trunk?	Approximate Diameter (inches) <sup>1</sup>	Within Work Area?
Coast live oak	Double	20+''	Canopy within work area
Coast live oak	Single	20+''	Canopy within work area
Coast live oak	Single	6''	Canopy within work area
Coast live oak	Single	18''	Canopy within work area
Coast live oak	Single	12''	Canopy within work area
Coast live oak	Single	12''	Canopy within work area
Coast live oak	Single	60''	Low branches and canopy within work area
Coast live oak	Single	10''	Canopy within work area
Coast live oak	Single	16''	Canopy within work area
<b>Trees Along Fence Line</b>			
Coast live oak	Single	18''	Canopy within work area
Coast live oak	Double	8''	Canopy within work area
Coast live oak	Triple	8-10''	Canopy within work area
Coast live oak	Single	10''	Canopy within work area
Coast live oak	Single	14''	Canopy within work area
Coast live oak	Triple	6''	Canopy within work area
Coast live oak	Single	40+''	Canopy within work area
Coast live oak	Single	12''	Canopy within work area
Coast live oak	Single	18''	Canopy within work area
Coast live oak	Single	20''	Canopy within work area
Coast live oak	Multiple (6)	12''	Canopy within work area
<b>Total Number of Trees</b>			
	<b>31</b>		

<sup>1</sup> measured two feet from grade



**Figure 4. Oak woodland east of Via del Sol Drive**

The oak woodlands within the project alignment provide high value habitat type for wildlife. The wildlife value of oak woodland varies with the degree of canopy cover and the density and diversity

of understory plants. Acorns from oaks provide an important food resource for many wildlife species, and natural cavities in the oaks provide nesting opportunities for several birds and mammals. Snags are an important component of oak woodlands to some wildlife such as woodpeckers, which excavate nests in snags and holes for storing acorns. Downed decaying logs and limbs add to the structural complexity of the habitat, and are important cover, nesting, roosting, and foraging substrate for species such as newts which are attracted to the moist microclimate and invertebrate food supply. The denser oak woodlands also provide escape cover during the day for species such as deer.

Common wildlife species expected to occur in oak woodlands within the project alignment include California slender salamander (*Batrachoseps attenuatus*), western fence lizard (*Sceloporus occidentalis*), scrub jay (*Aphelocoma californica*), California quail (*Callipepla californica*), red-tailed hawk (*Buteo jamaicensis*), western gray squirrel (*Sciurus griseus*), and deer (*Odocoileus hemionus*).

### **Coyote Brush Scrub**

The project area supports a small area of scrub that is dominated by coyote brush (*Baccharis pilularis*). Other species include California blackberry (*Rubus ursinus*), sticky monkey flower (*Mimulus aurantiacus*), coffee berry (*Rhamnus californica*), and California cudweed (*Gnaphalium californicum*). The scrub is located along the knoll near the proposed water tank site. This scrub type has a State ranking of S5, indicating it is common within the State and not considered sensitive in the CNDDDB. The character of this scrub is depicted in Figure 5.



**Figure 5. Coyote brush scrub on knoll near proposed water tank site**

The berries of shrubs and the seeds of herbaceous plants in the coastal scrub habitat provide important forage for wildlife. Wildlife may perch on the outer perimeter of mixed scrub to take advantage of hunting opportunities in adjacent openings, and take cover in the denser shrub patches as needed. Common wildlife species found in coastal scrub include western fence lizard, California towhee (*Pipilo crissalis*), white-crowned sparrow (*Zonotrichia leucophrys*), and coyote (*Canis latrans*).



## Willow Thicket Riparian Woodland

The riparian woodland occurs along the main stem of Carneros Creek just south of San Juan Road and along an intermittent tributary that parallels a portion of Dunbarton Road (Figure 2). The woodland is dominated by a dense growth (thicket) of arroyo willow (*Salix lasiolepis*). Other plant species observed are California blackberry, poison hemlock, bristly ox-tongue (*Picris echioides*), snowberry (*Symphoricarpos sp.*), California rose (*Rosa californica*), and toyon. This type of riparian woodland has a State ranking of S4, indicating it is common within the State and not considered sensitive in the CNDDDB. The willow thicket along Dunbarton Road is depicted in Figure 6.



**Figure 6. Willow thicket riparian woodland along Dunbarton Road**

The riparian habitat is one of the highest value habitats for wildlife species diversity and abundance in California. Factors which contribute to the high wildlife value include the presence of surface water, the variety of niches provided by the high structural complexity of the habitat, and the abundance of plant growth. Riparian habitat along the project site may be used by a diversity of wildlife species for food, water, escape cover, nesting, migration and dispersal corridors, and thermal cover. The value of riparian areas to wildlife is underscored by the limited amount of remaining habitat which has not been disturbed or substantially altered by flood control projects, agriculture, and urbanization.

Common wildlife species that are expected to inhabit the riparian habitat include Pacific chorus frog (*Pseudacris regilla*), bullfrog (*Rana catesbeiana*), western aquatic garter snake (*Thamnophis couchii*), Wilson's warbler (*Wilsonia pusilla*), Bewick's wren (*Thryomanes bewickii*), several swallow species, red-shouldered hawk (*Buteo lineatus*), raccoon (*Procyon lotor*), opossum (*Didelphis virginiana*), and California myotis (*Myotis californicus*).

## Needlegrass Grassland

The project area supports grassland along the ridge top and on slopes between the knoll and Via del Sol. The grassland supports stands of purple needlegrass (a native species) that intermix with non-native species, such as dogtail grass, wild oat (*Avena sp.*), ripgut brome, rattlesnake grass (*Briza maxima*), and Italian ryegrass. This community type has a State-ranked of S3, which

indicates it is a community of special concern in the CNDDDB and by CDFG. The character of the grassland on the knoll is depicted in Figure 7.

Forbs observed during the winter and spring-season surveys include non-native species, such as Italian thistle, broadleaf filaree (*Erodium botrys*), Bermuda buttercup (*Oxalis pes-caprae*), iceplant (*Carpobrotus* sp.), fiddle dock (*Rumex acetosella*), English plantain (*Plantago lanceolata*), sidewalk conyza (*Conyza bonariensis*), cat's ear (*Hypochaeris* sp.), red-stemmed filaree (*Erodium cicutarium*), flax (*Linum* sp.), narrow-leaved clover (*Trifolium angustifolium*), vetch (*Vicia sativa*), filago (*Filago gallica*), and wild mustard (*Brassica* sp.). Native species observed include lupine (*Lupinus nanus*), common yarrow (*Achillea millefolium*), Ithuriel's spear (*Triteleia laxa*), sun cups (*Camissonia ovata*), telegraph weed (*Heterotheca grandiflora*), and soap plant (*Chlorogalum pomeridianum*). Additional spring season species include checkerbloom (*Sidalcea malvaeflora*), footsteps of spring (*Sanicula arctopoides*), blue dicks (*Dichelostemma capitatum*), blue eyed grass (*Sisyrinchium bellum*), wood rush (*Luzula* sp.), California buttercup (*Ranunculus californica*), and Johnny jump-up (*Viola pedunculata*).



**Figure 7. Needlegrass grassland on knoll, April 2011**

Grasslands provide an important foraging resource for a wide variety of wildlife species. The grasses and forbs produce an abundance of seeds and attract numerous insects, providing food for granivorous and insectivorous wildlife. Sparrows, rabbits and rodents are commonly found in this habitat. Consequently, grasslands are valuable foraging sites for raptors such as hawks and owls, and other predators including coyote, fox, skunk and snakes. Aerial foraging species that occur over grasslands include bats and swallows.

### **Residential Landscaping and Tree Groves**

Non-native landscaping and tree groves occur along Oak Ridge Road and Via del Sol Drive. Commonly observed species include Monterey cypress (*Cupressus macrocarpa*) and Monterey pine (*Pinus radiata*), two native trees, yet planted as landscape trees outside their natural range. Other species include acacia, other pines (*Pinus* sp.), eucalyptus (*Eucalyptus* sp.), oleander (*Nerium oleander*), and other landscape shrubs. Non-native tree stands and landscaping have no State rank in the CNDDDB.

Wildlife use of the landscaping plants is expected to be low because many are non-native plants not frequented by native wildlife species, and most are only single shrubs or trees interspersed among an otherwise developed area providing little vegetative cover for wildlife. Urban adapted species such as scrub jay (*Aphelocoma coerulescens*) and European starling (*Sturnus vulgaris*) may use the landscaped areas as perches, and these as well as other birds may occasionally forage on berries or nectar of some plants.

## **2.3 SENSITIVE BIOLOGICAL RESOURCES**

### *2.3.1 Regulated Habitats*

CDFG is a trustee agency that has jurisdiction under Section 1600 et seq. of the CDFG Code. Under Sections 1600-1603 of the California Fish and Game Code, the California Department of Fish and Game (CDFG) regulates all diversions, obstructions, or changes to the natural flow or bed, channel or bank of any river, stream or lake which supports fish or wildlife. Along watercourses, CDFG jurisdictional limits typically extend to the top of bank or to the edge of riparian habitat if such habitat extends beyond top of bank (outer drip line), whichever is greater. A small portion of the proposed project is located within the regulatory jurisdiction of CDFG, as the new water main will be placed above existing culverts carrying flow within Carneros Creek (south of San Juan Road) and below existing culverts carrying flow within a tributary to Carneros Creek (intersection of Dunbarton Road and Oak Ridge Road). No construction will occur within the bed or bank of any creek; however, some work may occur within the dripline of the willow thicket associated with the tributary to Carneros Creek (at the intersection of Dunbarton Road and Oak Ridge Road).

Water quality in California is governed by the Porter-Cologne Water Quality Control Act and certification authority under Section 401 of the Clean Water Act, as administered by the Regional Water Quality Control Board (RWQCB). The Section 401 water quality certification program allows the State to ensure that activities requiring a Federal permit or license comply with State water quality standards. Water quality certification must be based on a finding that the proposed discharge will comply with water quality standards which are in the regional board's basin plans. The Porter-Cologne Act requires any person discharging waste or proposing to discharge waste in any region that could affect the quality of the waters of the state to file a report of waste discharge. The RWQCB issues a permit or waiver that includes implementing water quality control plans that take into account the beneficial uses to be protected. Waters of the State subject to RWQCB regulation extend to the top of bank, as well as isolated water/wetland features and saline waters. The proposed project will not affect any drainage within the jurisdictional area of the RWQCB. No work or fill will be placed within any drainage way in the project area; however, construction work will occur above and below existing creek culverts.

The US Army Corps of Engineers (USACE) regulates activities within waters of the United States pursuant to congressional acts: Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (1977, as amended). Section 10 of the Rivers and Harbors Act requires a permit for any work in, over, or under navigable waters of the United States. Navigable waters are defined as those waters subject to the ebb and flow of the tide to the Mean High Water mark (tidal areas) or below the Ordinary High Water mark (freshwater areas). The proposed project will not affect any areas within the jurisdictional of the USACE. No work or fill will be placed within any drainage way in the project area; however, construction work will occur above and below existing creek culverts.

### 2.3.2 Sensitive Habitats

Sensitive habitats are defined by local, State, or Federal agencies as those habitats that support special status species, provide important habitat values for wildlife, represent areas of unusual or regionally restricted habitat types, and/or provide high biological diversity. CDFG classifies and ranks the State's natural communities to assist in the determining the level of rarity and imperilment. Vegetation types are ranked between S1 and S5. For vegetation types with ranks of S1-S3, all associations within the type are considered to be highly imperiled. If a vegetation alliance is ranked as S4 or S5, these alliances are generally considered common enough to not be of concern; however, it does not mean that certain associations contained within them are not rare (CDFG, 2007 and 2010). The project area was observed to support one vegetation type with an imperiled status. Needlegrass grassland is ranked S3.

The Monterey County General Plan also identifies sensitive or significant vegetation. Removal of healthy, native oak trees in northern Monterey County is discouraged (North County Area Plan County's 2010 General Plan (NC3-4). The General Plan also outlines measures for the preservation of oak woodland and protection of oak and madrone trees. Within the unincorporated portions of the County, outside the Coastal Zone, permits are required for removal of oaks and madrone  $\geq$  six inches diameter two feet above grade. Landmark oaks are those  $\geq$  24 inches diameter two feet above grade. The project area supports numerous oaks trees  $\geq$  six inches diameter within the oak woodland along Oak Ridge Road, the knoll, and in the Via del Sol area; the oak woodland east of Via del Sol Drive also supports several oak trees that would meet the definition of landmark oaks (see Figure 2).

### 2.3.3 Special Status Plant Species

The assessment focused on special status plant species that are officially listed by the State, /or Federal government, and/or on CNPS List 1B (CDFG, 2010). Several special status plant species were evaluated for the potential to occur in the project vicinity (see Table 3). No special status species were observed within the project area during the December 2010 or April 2011 field surveys. The April survey was conducted during the blooming season for the special status species with potential to occur within the habitats occurring project area. No special status plant species were detected during the plant surveys. A discussion of plant species searched for and their occurrence in the project area is provided in Table 3.

The project area lacks specialized habitats/substrates (i.e., serpentine, vernal pools, seasonal wetlands, or maritime chaparral) that have a propensity to support special status plant species in the greater Prunedale region; however, the site does support grassland and pockets of oak woodland that are suitable habitat for some special status species. One special status species, fragrant fritillary (*Fritillaria liliacea*), has been recorded northwest of the project area (near San Juan Road and Carpenteria Road). This species occurs in moist grasslands and blooms between February and April. This species was not detected during focused surveys in April. Monterey pines (CNPS List 1B species) were observed on site; however, these are planted specimens that are located outside their native region. There are no records in the CNDDB for special status species located within the project area.



**Table 3. List of Special Status Plant Species Evaluated for Potential to Occur in the Vicinity of the Oak Ridge/Vie del Sol Project Area, Monterey County**

Species	Status	Habitat Type Plant Characteristics	Closest Known Occurrence(s) Observed on Site?
<b>Prunedale Quadrangle</b>			
Hooker's manzanita ( <i>Arctostaphylos hookeri</i> ssp. <i>hookeri</i> )	List 1B.2 State: None Fed: None	Sandy soils, maritime chaparral/oak woodland mosaic Evergreen shrub	Long Canyon, Strawberry Canyon. 7 km to SW. Not observed within project area.
Pajaro manzanita ( <i>Arctostaphylos pajaroensis</i> )	List 1B.1 State: None Fed: None	Sandy soils, maritime chaparral/oak woodland mosaic Evergreen shrub	E of Royal Oaks Park (1966), 1 km to W; N rim of Langley Canyon 3 km to SW; Berta Ridge and Eden Path Road, Prunedale, 4 km to S. Not observed within project area.
Congdon's tarplant ( <i>Centromadia parryi</i> ssp. <i>congdonii</i> )	List 1B.2 State: None Fed: None	Moist grasslands, alkaline depressions Annual; blooms July - October	Along Road through Long Canyon 5 km to SW. Not observed within project area.
Monterey spineflower ( <i>Chorizanthe pungens</i> var. <i>pungens</i> )	List 1B.2 State: None Fed: T	Sandy soils, maritime chaparral Annual; blooms May – August	W side of San Miguel Canyon Road, Strawberry Canyon 3 km to W Not observed within project area.
Robust spineflower ( <i>Chorizanthe robusta</i> var. <i>robusta</i> )	List 1B.1 State: None Fed: E	Sandy soils, maritime chaparral Annual; blooms May – August	W of Spreckels 10 km to S. Not observed within project area.
Eastwoods goldenbush ( <i>Ericameria fasciculata</i> )	List 1B.1 State: None Fed: None	Sandy openings in maritime chaparral, pine forests, coastal scrub Perennial shrub; blooms Jul – Oct.	Berta Ridge and Eden Path Road, Prunedale, 4 km to S. Not observed within project area.
Fragrant fritillary ( <i>Fritillaria liliacea</i> )	List 1B.2 State: None Fed: None	Coastal scrub, grasslands near coast Perennial bulb; blooms February - April	Near San Juan Road and Carpenteria Road, 4 km to NW. Not observed within project area.
Santa Cruz tarplant ( <i>Holocarpha macradenia</i> )	List 1B.1 State: E Fed: T	Prairie, grasslands near coast Annual herb; blooms June - August	Porter Ranch near Hall Road and Elkhorn Road, 10 km to W. Not observed within project area.
Yadon's rein orchid ( <i>Piperia yadonii</i> )	List 1B.1 State: None Fed: E	Closed cone pine forest, scrub, coastal bluff scrub Annual, blooms May - June	Vierra Canyon, 3 km to S; Long Canyon 4 km to SW; Manzanita Park 4 km to SSW; Between Prunedale and Berta Canyon 3 km to S. Not observed within project area
Pine rose ( <i>Rosa pinetorum</i> )	List 1B.2 State: None Fed: None	Closed cone pine forest Perennial, blooms May - June	Manzanita Park 4 km to SSW Not observed within project area
<b>Surrounding Eight Quadrangles</b>			
Hickman's onion ( <i>Allium hickmanii</i> )	List 1B.2 State: None Fed: None	Openings in forest, woodlands, or chaparral, grassland Sandy damp ground and vernal swales; blooms April - May	Slopes N of Carmel Valley Road, E side Hwy 1 at Carpenter Road; Veterans Memorial Park Not observed within project area.

**Table 3. List of Special Status Plant Species Evaluated for Potential to Occur in the Vicinity of the Oak Ridge/Vie del Sol Project Area, Monterey County**

Species	Status	Habitat Type Plant Characteristics	Closest Known Occurrence(s) Observed on Site?
Toro manzanita ( <i>Arctostaphylos montereyensis</i> )	List 1B.2 State: None Fed: None	Sandy soils, maritime chaparral/oak woodland mosaic Evergreen shrub	Monterey Airport; Ft. Ord, Toro Regional Park Not observed within project area.
Sandmat manzanita ( <i>Arctostaphylos pumila</i> )	List 1B.2 State: None Fed: None	Closed cone forest, Sandy soils, maritime chaparral, dunes Evergreen shrub	Gibson Canyon, N of Carmel Highlands, Ft. Ord Not observed within project area.
Coastal dunes milk-vetch ( <i>Astragalus tener var. titi</i> )	List 1B.1 State: E Fed: E	Coastal bluff scrub, moist sandy depressions on bluffs or dunes; blooms April – May	Along 17-mile Drive near Ocean Road. Not observed within project area.
Round-leaved filaree ( <i>California macrophylla</i> )	List 1B.1 State: None Fed: None	Grasslands. Oak woodland blooms March – May	Hastings Reserve, Carmel Valley. Not observed within project area.
Johnny nip paintbrush ( <i>Castilleja ambigua ssp. insalutata</i> )	List 1B.1 State: None Fed: None	Coastal bluff scrub Blooms May - August	Pt. Lobos, Veterans Park, Ft. Ord Not observed on site
Seaside birds-beak ( <i>Cordylanthus rigidus ssp. littoralis</i> )	List 1B.1 State: E Fed: None	Dry slopes, grasslands, closed cone forests; coastal scrub Annual; blooms May - September	Hwy 1, 1.2 miles N of Monterey (1940); Monterey Airport, Seaside, Ft. Ord. Not observed within project area.
Pinnacle's buckwheat ( <i>Eriogonum nortonii</i> )	CNPS: List 1.3 State: None Federal: None	Chaparral, scrub Annual; blooms May - June	Gibson Creek, Hastings Reserve, Gabilan Range Not observed in project area
Hutchinson's larkspur ( <i>Delphinium hutchinsoniae</i> )	List 1B.2 State: None Fed: None	Broadleaf upland forest, coastal prairie coastal scrub; usually moist slopes Annual; blooms April – May	E of Pt. Lobos along N side of San Jose Creek and W of Palo Corona Trail crossing, Soberanes Point area Not observed within project area.
Sand-loving wallflower ( <i>Erysimum ammophilum</i> )	List 1B.2 State: None Fed: None	Sandy soils, maritime chaparral; coastal dunes; scrub Biennial, blooms May - June	Ft. Ord; Naval Postgraduate School; Pt. Pinos; Seaside; Asilomar; 17-mile Drive Not observed within project area.
Yadon's wallflower ( <i>Erysimum menziesii ssp. menziesii</i> )	List 1B.1 State: E Fed: E	Sandy soils, coastal dunes Biennial, blooms May - September	Marina dunes, Salinas River mouth Not observed within project area.
Sand gilia ( <i>Gilia tenuiflora ssp. arenaria</i> )	List 1B.2 State: T Fed: E	Coastal dunes, coastal chaparral Annual herb; blooms April – June	Moss Beach, Del Monte Dunes, Sand City, Ft. Ord, Marina Dunes, Asilomar Not observed within project area.
San Francisco gumplant ( <i>Grindelia hirsutula var. maritima</i> )	List 1B.2 State: None Fed: None	Coastal scrub Perennial herb; blooms March – Sept.	No records in CNDDDB Not observed within project area.
Kellogg's horkelia ( <i>Horkelia cuneata ssp. sericea</i> )	List 1B.1 State: None Fed: None	Closed cone forest, coastal scrub, chaparral Perennial; blooms April - June	Carmel Mission, Asilomar, Del Monte area Not observed within project area.

**Table 3. List of Special Status Plant Species Evaluated for Potential to Occur in the Vicinity of the Oak Ridge/Vie del Sol Project Area, Monterey County**

Species	Status	Habitat Type Plant Characteristics	Closest Known Occurrence(s) Observed on Site?
Contra Costa goldfields ( <i>Lasthenia conjugens</i> )	List 1B.1 State: None Fed: E	Moist grassland, vernal pools Blooms March - May	Ft. Ord Not observed within project area.
Tidestom's lupine ( <i>Lupinus tidestomii</i> )	List 1B.1 State: E Fed: E	Coastal dunes Annual herb; blooms April – May	Pt. Pinos, Asilomar. 17-mile Drive; Spanish Bay Dunes Not observed within project area.
Woodland wooly threads ( <i>Monolopia gracilens</i> )	List 1B.2 State: None Fed: None	Chaparral, grasslands, woodlands, serpentine Blooms April - June	Monterey, 1897 herbarium record Not observed within project area
Monterey pine ( <i>Pinus radiata</i> )	List 1B.1 State: None Fed: None	Closed cone pine forest Evergreen tree	Pt. Lobos State Reserve, Pt. Pinos Individuals present yet as installed landscape specimens outside of native stands
Choris' popcorn flower ( <i>Plagiobothrys chorisianus</i> var. <i>chorisianus</i> )	List 1B.2 State: None Fed: None	Grassland, prairie; mesic areas Annual, blooms March - May	No records in CNDDB Not observed within project area
Most beautiful jewelflower ( <i>Streptanthus albidus</i> ssp. <i>peramoenus</i> )	List 1B.2 State: None Fed: None	Serpentine grassland, scrub, rocky outcrops Blooms May - July	Salmon Creek Santa Lucia Mountains Not observed within project area
Santa Cruz clover ( <i>Trifolium buckwestiorum</i> )	List 1B.1 State: None Fed: None	Prairie, grasslands, mesic areas Annual, blooms March - April	Tarpey Flats, Reservation Road Not observed within project area
Saline clover ( <i>Trifolium depauperatum</i> var. <i>hydrophilum</i> )	List 1B.2 State: None Fed: None	Alkali grasslands, mesic areas Annual, blooms May - June	Moro Cojo Slough area Not observed within project area

**CNPS Status:**

**List 1B:** These plants (predominately endemic) are rare through their range and are currently vulnerable or have a high potential for vulnerability due to limited or threatened habitat, few individuals per population, or a limited number of populations. List 1B plants meet the definitions of Section 1901, Chapter 10 of the CDFG Code.

**Federal and State Status:**

**T:** Designated as a threatened species by the federal government or the California Fish and Game Commission

**E:** Designated as an endangered species by the federal government or the California Fish and Game Commission

### 2.3.4 Special Status Wildlife Species

Special status wildlife species include those listed, proposed or candidate species by the Federal or the State resource agencies, as well as those identified as State species of special concern. In addition, all raptor nests are protected by Fish and Game Code, and all migratory bird nests are protected by the Federal Migratory Bird Treaty Act. Special status wildlife species were evaluated for their potential presence in the project area as described in Table 4 below. Known occurrences of special status species within 2km (1.24 miles) of the project corridor are shown on Figure 8.

**Table 4. Special status wildlife species and their predicted occurrence in the vicinity of the Oak Ridge/Vie del Sol Project Area, Monterey County, December 2010.**

SPECIES	STATUS <sup>1</sup>	HABITAT	POTENTIAL OCCURRENCE ON SITE
<b>Amphibians</b>			
Coast range newt <i>Taricha torosa torosa</i>	CSC	Coastal drainages and adjacent forests, breeds in ponds and slow-moving parts of streams.	No breeding habitat within project corridor, but may occur in willow riparian.
California tiger salamander <i>Ambystoma californiense</i>	FT, ST	Ponds, vernal pools for breeding, grasslands with burrows for upland habitat	No breeding habitat within project area, but potential upland habitat in grasslands at new tank site and along pipeline segment between Oak Ridge Road and Via Del Sol Drive.
Santa Cruz long-toed salamander ( <i>Ambystoma macrodactylum croceum</i> )	FE, SE	Ponds for breeding with water at least into June. Riparian, oak woodland, coastal scrub for upland habitat.	No breeding habitat within project area. Closest known breeding pond (Oxbow) is >4 miles to west. Unlikely to occur within project area.
California red-legged frog <i>Rana aurora draytonii</i>	FT, CSC	Riparian, marshes, estuaries and ponds with still water at least into June.	No suitable breeding habitat on site. Closest known occurrence is approx. 0.5 mile east of project area along upper arm of tributary to Carneros Creek (same one that crosses under intersection of Oak Ridge Road and Dumbarton Road). This frog may occur along this tributary creek and Carneros Creek within the project area.
<b>Reptiles</b>			
Western pond turtle <i>Actinemys marmorata</i>	CSC	Creeks and ponds with water of sufficient depth for escape cover, and structure for basking; grasslands or bare areas for nesting.	Closest occurrence is approx. 0.75 mile northeast of north end of project area. May occur along Carneros Creek.
<b>Birds</b>			
White-tailed kite <i>Elanus leucurus</i>	FP	Nests in dense riparian and oak woodlands; adjacent open grasslands and marshes for foraging.	Unlikely, riparian area lacks tall canopy trees, and grasslands too small and fragmented to provide sufficient foraging area.
Golden eagle <i>Aquila chrysaetos</i>	FP	Nests in oak woodlands primarily adjacent to open areas for foraging.	Unlikely, oak woodlands within project area are not suitable for nesting due to high human use; adjacent grasslands too small for suitable foraging habitat.
Western burrowing owl <i>Athene cunicularia hypugea</i>	CSC	Grasslands with suitable burrows.	None, no suitable burrows observed in grasslands along project corridor. Grasslands too small and fragmented to provide sufficient foraging area.
Tricolored blackbird <i>Agelaius tricolor</i>	CSC	Dense bulrush and/or cattail vegetation adjacent to freshwater marshes	None, no suitable habitat on site.
<b>Mammals</b>			

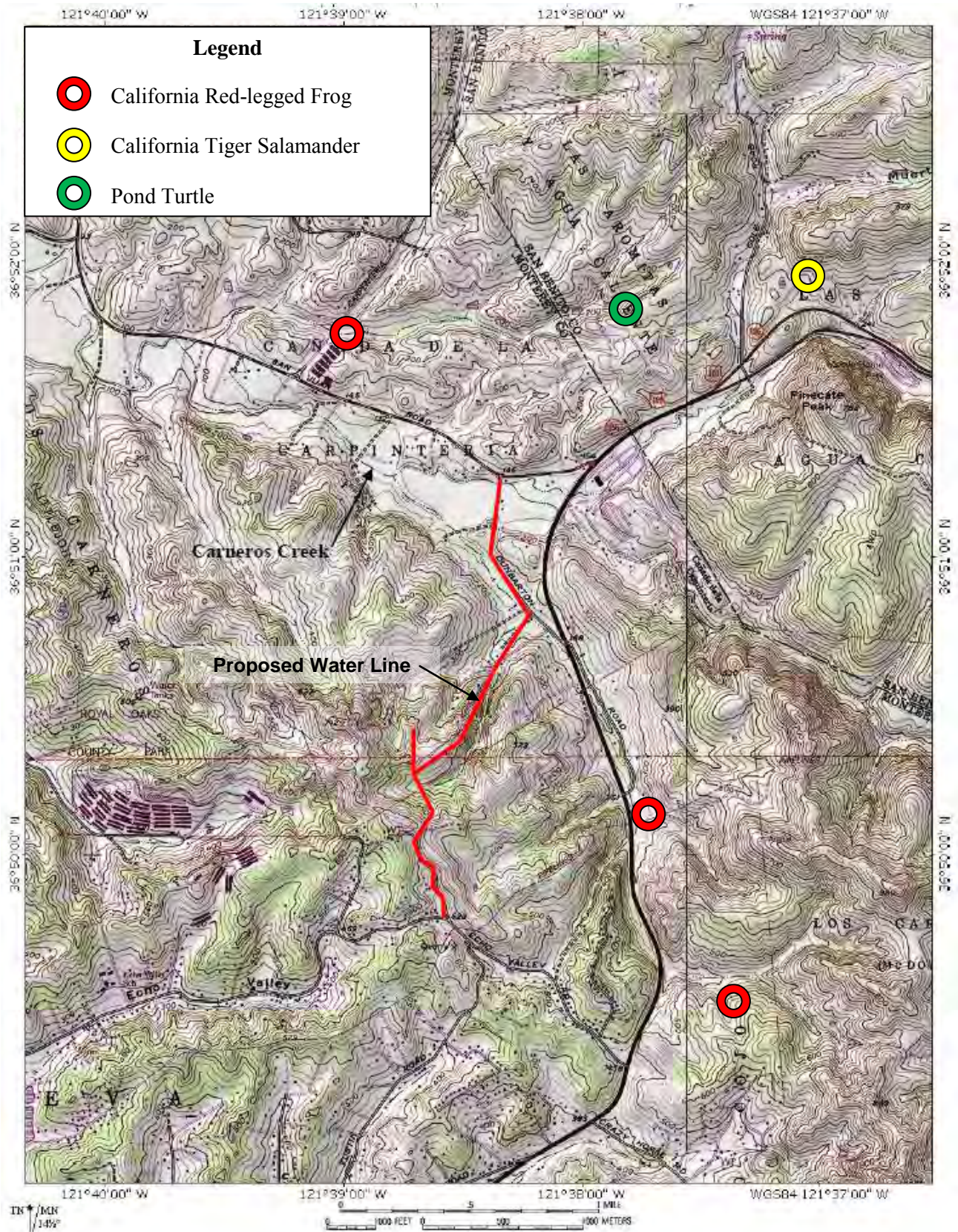
**Table 4. Special status wildlife species and their predicted occurrence in the vicinity of the Oak Ridge/Vie del Sol Project Area, Monterey County, December 2010.**

<b>SPECIES</b>	<b>STATUS<sup>1</sup></b>	<b>HABITAT</b>	<b>POTENTIAL OCCURRENCE ON SITE</b>
Pallid bat <i>Antrozous pallidus</i>	CSC	Roosts in caves, hollow trees that protect from high daytime temps. Very sensitive to human disturbance.	Unlikely, trees along project corridor subject to high human disturbance.
American badger <i>Taxidea taxus</i>	CSC	Grasslands with friable soils for digging dens	None, no suitable habitat on site. Grasslands within project area are too small and fragmented to support a badger population.

<sup>1</sup>Key to status:

FE = Federally listed as endangered species  
 FT = Federally listed as threatened species  
 SE = State listed as endangered species  
 ST = State listed as threatened species  
 CSC = California species of special concern  
 FP = Fully protected species under CDFG Code





**Figure 8. Location of Special Status Wildlife Species within 2 km (1.4 miles) of the Proposed Oak Ridge Road/Via del Sol Project**



## 3.0 IMPACT AND MITIGATION ANALYSIS

### 3.1 IMPACT CRITERIA

The following section describes the thresholds of significance used to assess potential environmental impacts and the impact assessment.

#### 3.1.1 *Thresholds of Significance*

According to CEQA Appendix G Criteria, implementation of the Project would be considered to have a significant impact on biological resources if it resulted in any of the following:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as listed endangered or threatened, proposed for listing, candidate for listing, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFG or USFWS;
- Threaten to eliminate a plant or animal community, substantially reduce the habitat of a fish or wildlife species, or cause a fish or wildlife population to drop below self-sustaining levels, including but not limited to:
  - Substantially fragment, eliminate, or otherwise disrupt foraging areas and/or access to food sources;
  - Substantially interfere with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors; and
  - Impede the use of nursery areas or disrupt nesting and breeding of fish and wildlife species;
- 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 CDFG or USFWS;
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; and
- Conflict with provisions of an adopted HCP, Natural Community Conservation Plan, or other approved local, regional, or state HCP.

Impacts were not considered significant to vegetation communities or habitats that are not protected, are generally common, and do not support listed, candidate or special concern species. For the water main project impacts to the coyote brush scrub, non-native tree groves, or non-native landscape plants were not considered to pose significant impacts to statewide or regional botanical resources.

### 3.2 ENVIRONMENTAL IMPACTS, MITIGATION MEASURES AND SIGNIFICANCE DETERMINATION FOR THE PROPOSED PROJECT

The proposed water project was evaluated as to potential direct and indirect impacts to sensitive resources. One regulated habitat may be affected by the project: willow riparian woodland. One State-recognized sensitive resource may be affected by the project: needlegrass grassland. Oak trees, as regulated by Monterey County, may also be affected by the project. Adverse effects to these

resources would be considered significant impacts. Measures are described below to reduce any potential project impacts to these habitats to a less than significant level.

Nesting migratory birds may occur along the project corridor, and impacts to nesting birds from the project would be considered a significant impact. Three special status amphibian species and one reptile are known from the general project vicinity, and may occur along certain portions of the project corridor. Measures are described below to reduce any potential project impacts to these special status wildlife species to a less than significant level.

### **Impact 3.2-1. Impacts to Willow Riparian Woodland**

The project will require pruning of the willow thicket located at the intersection of Dunbarton Road and Oak Ridge Road. The willows overhang the existing roadway where construction will occur. The extent of limbing is approximately 50 square feet (10 feet long by 5 feet wide). Removal of riparian woodland is a potentially significant impact; however, limbing is a temporary impact. As the limbed willow trees are expected to quickly re-grow after completion of the project, this action is not considered to be a significant impact to riparian resources. No mitigation is required.

**Mitigation Measures:** None Required

### **Impact 3.2-2. Impacts to Carneros Creek and Tributaries**

Project construction will occur within the roadway of Dunbarton Road, which is adjacent to Carneros Creek (at a culvert under Dunbarton Road just south of San Juan Road) and a tributary to Carneros Creek (along Dunbarton Road north of Oak Ridge Road). At Carneros Creek the new pipeline will be placed above the existing creek culverts. At the intersection of Dunbarton Road and Oak Ridge Road, the new pipeline will be placed under the existing creek culvert. Although construction will occur within the shoulder of the roadway and/or above/under existing culverts, activities may result in excavated materials entering the creek during rainfall events, inadvertent deposition of construction materials in the creek, or inadvertent damage to existing creek culverts.

**Level of Significance before Mitigation:** Potentially Significant

**Mitigation Measures:**

#### **Mitigation Measure BIO-1**

*The Aromas Water District shall implement riparian corridor protection measures to minimize impacts to downstream waters and resources located adjacent to the work area, including:*

- *Install plastic mesh fencing and silt fencing at the perimeter of the work area that abuts downstream waters and riparian corridor to prevent impacts to the adjacent riparian corridor and injury to nearby native trees (if present). Protective fencing shall be in place prior to ground disturbances and removed once all construction is complete. During construction, no grading, construction or other work shall occur outside the designated limits of work.*
- *No excess soil, chemicals, debris, equipment or other materials shall be dumped or stored outside the designated limits of work.*
- *Work above and below existing creek culverts shall be implemented in a manner where no construction material enters the creeks and the existing culverts are not damaged. The water district shall confer with CDFG,*



*RWQCB, and USACE on the need to obtain permits prior to work under or above the existing culverts.*

- *Implement standard erosion control measures to prevent construction materials from entering the downstream drainages. Utilize a native erosion control seed mix on disturbed areas following construction. Plant species suitable for use include purple needlegrass (*Nassella pulchra*) and California brome (*Bromus carinatus*).*

**Level of Significance after Mitigation:** Less than Significant

### **Impact 3.2-3. Impacts to Oak Woodland and Oak Trees**

As depicted on the site plan, no oak trees will be removed to accommodate the water line. The majority of the construction work will occur within the shoulder of existing roadways, yet in two locations (along the Oak Ridge knoll and within oak woodland east of Via del Sol Drive) trenching will occur within undisturbed oak woodland. Several oak trees, including trees meeting the County's requirement of landmark oaks, will be located within 20 feet of trenching and associated construction activities. Construction trenching and other activities will occur within the dripline of numerous oak trees that are to be retained. Indirect impacts to these trees may occur through root disturbances, soil compaction, removal of limbs, and inadvertent injury to tree trunks.

**Level of Significance before Mitigation:** Potentially Significant

#### **Mitigation Measures:**

##### **Mitigation Measure BIO-2**

*Prior to grading and construction, the Aromas Water District shall protect all oak trees that are within 20 feet of grading, trenching, and/or construction staging or access by placing plastic protection fencing (i.e., plastic construction mesh fencing with metal t-bars) at the limit of work. At the direction of a qualified arborist, fencing should be in place prior to any site grading or other disturbances. The final location and integrity of the fencing shall be inspected by a qualified arborist prior to any site construction. All areas outside the limits of work shall be preserved. When all site construction is complete, the temporary fencing can be removed.*

##### **Mitigation Measure BIO-3**

*During ground excavation all roots greater than 2 inches in diameter should be hand-cut (instead of being cut by a mechanical trencher, grader, or excavator). Hand cutting of roots will minimize impacts to trees adjacent to construction. Limbing of tree limbs for access shall follow standards for pruning as per the International Society of Arboriculture (ISA), with any additional measures as identified by a qualified on-site arborist. A qualified arborist shall be on site to oversee all root cutting and limbing. Any additional protective tree measures as identified by the on-site arborist shall be implemented.*

**Level of Significance after Mitigation:** Less than Significant

### **Impact 3.2-4. Impacts to Needlegrass Grassland**

Water main trenching and the access road will require trenching through areas supporting needlegrass grassland. While this community type is State ranked S3 (sensitive resource) and native bunchgrass stands and natural meadows are identified as areas of biological significance in the County General Plan, the community on site is not of high quality, as evidenced by the predominance of non-native species, presence of invasive thistles, human activities within the area, and the lack of special status plant species. In addition, the project will affect a small acreage of this community type (approximately 2,000 square feet) and it is unlikely that this impact will be a serious threat to the existence of high quality habitat of this type. Nevertheless, measures to minimize impacts to this habitat from the proposed project are identified.

**Level of Significance before Mitigation:** Potentially Significant

#### **Mitigation Measures:**

##### **Mitigation Measure BIO-4**

*Prior to grading and construction, the Aromas Water District shall designate the limits of construction work and equipment access and install protective fencing. Grassland adjacent to the work area shall be protected by placing plastic protection fencing (i.e., plastic construction mesh fencing with metal t-bars) at the limit of work. Protective fencing should be in place prior to any site grading or other disturbances. All grassland areas outside the limits of work shall be preserved. When all site construction is complete, the temporary fencing can be removed.*

##### **Mitigation Measure BIO-5**

*Areas disturbed by construction shall be seeded with a native erosion control seed mix suitable to the project area. Plant species suitable for use include purple needlegrass (*Nassella pulchra*) and California brome (*Bromus carinatus*).*

**Level of Significance after Mitigation:** Less than Significant

### **Impact 3.2-5. Impacts to Nesting Birds**

The project has the potential to impact nesting migratory birds or raptors if any are present within the work area during tree pruning and use of heavy equipment. Nests may potentially be destroyed by pruning, resulting in death of chicks or eggs, if any are present. Loud noise from heavy equipment may potentially cause adult nesting birds to abandon their nests, resulting in death of chicks or eggs, if any are present. No long-term impacts to bird nesting habitat are expected to occur from the minor amount of tree pruning needed for this project.

**Level of Significance before Mitigation:** Potentially Significant

#### **Mitigation Measures:**

##### **Mitigation Measure BIO-6**

*To avoid potential impacts to nesting migratory birds and raptors, the Aromas Water District shall schedule construction to occur during the non-nesting season, which is*

*August 1 to March 1 of any given year. If this is not practical, implement Measure BIO-8 below.*

#### **Mitigation Measure BIO-7.**

*The Aromas Water District shall hire a qualified biologist to conduct surveys for nesting birds no more than two weeks prior to onset of tree pruning and construction with heavy equipment. If nesting birds are observed within the project corridor, postpone construction along that portion of the project until the biologist confirms that all young have fledged from the nest. For most birds a 50 foot buffer zone is adequate to protect the nest; a raptor nest will require a 250 foot buffer.*

**Level of Significance after Mitigation:** Less than Significant

### **Impact 3.2-6 Impacts to Amphibians and Pond Turtle**

Three special status amphibians and the pond turtle occur within the general project vicinity, within 2 km (1.24 miles) of portions of the project area. The amphibians are coast range newt, California tiger salamander, and California red-legged frog. The majority of the project's water pipeline will be placed within the existing roadways or road shoulders, which do not provide suitable habitat for these species. The roadways are paved and the road shoulders are compacted base rock. There will be no work directly within Carneros Creek or its tributary for this project. However, work will occur adjacent to the edge of the tributary creek on Oak Ridge Road at its intersection with Dumbarton Road, which has the potential to impact coast range newt, California red-legged frog, or pond turtle if any are present during the trimming of willows or trenching at that location.

The new water line will cross two grasslands areas that are potential upland habitat for the California tiger salamander. One area is the water line and new water tank at the 705 ft knoll above the western end of Oak Ridge Road. The other area is the water pipeline that will cross a grassland area between residences at the end of Oak Ridge Road and connect to Via Del Sol Drive. These grasslands have only marginal upland habitat for tiger salamander with scattered gopher burrows, but they are located approximately 0.3 to 0.4 mile from an agricultural pond (see Figures 2 and 8). It is unknown if tiger salamanders breed in this agricultural pond. The closest known occurrence of tiger salamanders is approximately 2 km (1.24 miles) northeast of the northern end of the water pipeline.

**Level of Significance before Mitigation:** Potentially Significant

#### **Mitigation Measures:**

#### **Mitigation Measure BIO-8**

*For the work area adjacent to the tributary creek at Oak Ridge Road and Dumbarton Road, the Aromas Water District shall hire a qualified biologist to conduct pre-construction surveys for coast range newt, California red-legged frog and western pond turtle. The survey should be conducted no more than 48 hours prior to onset of willow trimming and trenching. A biologist shall be on-site during construction to ensure no newts, frogs, or turtles are in the work area. The silt fences (installed as stated in Mitigation Measure BIO-1) will also prevent movement of animals from the*

*creek/riparian area into the work area, such that take of the species are avoided. No take of California red-legged frog is allowed.*

**Mitigation Measure BIO-9.**

*During the grading for the water tank and trenching for the water line portions of the project that cross the grassland areas, the Aromas Water District shall hire a qualified biologist to monitor for presence of California tiger salamander. The biologist shall be on-site during construction to ensure no salamanders are in the work area. The silt fences (installed as stated in Mitigation Measure BIO-1) will also prevent movement of animals from adjacent areas into the work area, such that take of the species is avoided. No take of California tiger salamanders is allowed.*

**Level of Significance after Mitigation:** Less than Significant

#### 4.0 REFERENCES AND LITERATURE CITED

- California Native Plant Society. 2011. Electronic Inventory of Rare and Endangered Vascular Plants of California. Electronic Database, Prunedale quadrangle and eight surrounding quadrangles.
- California, State of, Department of Fish & Game. 2011. Natural Diversity Database. 2011 Rare Find program, Prunedale quadrangle.
- California, State of, Department of Fish & Game. 2010. Natural Diversity Database, Natural Communities Classification System, 2010. <http://www.dfg.ca.gov/biogeodata/vegcamp>.
- Hickman, J. 1993. The Jepson Manual Higher Plants of California. Berkeley: University of California Press.
- Matthews M.A., 1997. Flowering Plants of Monterey County. California Native Plant Society and M.A. Matthews, Sacramento, CA.
- Sawyer, J.O., T. Keeler-Wolf, and Evens. 2009. A Manual of California Vegetation, 2<sup>nd</sup> Edition. California Native Plant Society, Sacramento, CA.

# **AROMAS WATER DISTRICT**

## **RESOLUTION 2012-02 ADOPTING A MITIGATED NEGATIVE DECLARATION For Oak Ridge & Via Del Sol Annexation and Sphere of Influence Amendment**

WHEREAS, in accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines, an Initial Study was prepared for the Oak Ridge & Via Del Sol Annexation and Aromas Water District (AWD) Sphere of Influence Amendment, which did not identify significant impacts with implementation of mitigation measures, thus allowing for preparation of a Mitigated Negative Declaration; and

WHEREAS, a Mitigated Negative Declaration and Initial Study (MND/IS) (dated November 2011) were prepared for the Oak Ridge & Via Del Sol Annexation and Aromas Water District (AWD) Sphere of Influence Amendment; and

WHEREAS, the MND/IS was circulated for agency and public review and comment on November 15, 2011 for a 30-day period to December 14, 2011; and

WHEREAS, four comment letters and emails were received on the MND/IS; and

WHEREAS, a summary of comments and responses and revisions to the Initial Study was prepared, and are included as part of the MND/IS; and

WHEREAS, the MND/IS has been completed in compliance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq, the Guidelines for Implementation of the California Environmental Quality Act (14 Cal. Code Regs. Section 15000 et seq.) (the "State CEQA Guidelines") and local procedures adopted pursuant thereto; and

WHEREAS, the Board of Directors of the Aromas Water District considered the MND/IS, public comments, and responses at a meeting on January 24, 2012;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Aromas Water District that:

1. The Board of Directors has considered the Mitigated Negative Declaration together with the Initial Study, public comments, the Summary of Comments, and finds that the Mitigated Negative Declaration (dated November 8, 2011) and supporting documents reflects the lead agency's independent judgment and analysis.
2. The Board of Directors finds on the basis of the whole record before it (including the Initial Study as revised, comments received and responses) that there is no substantial evidence that the project will have a significant effect on the environment with implementation of mitigation measures.

RESOLUTION NO. 2012-02

3. The Board of Directors hereby adopts the Mitigated Negative Declaration for the Oak Ridge & Via Del Sol Annexation and Aromas Water District (AWD) Sphere of Influence Amendment, consistent with CEQA and State CEQA Guidelines.
4. The Board of Directors hereby adopts the Mitigation Monitoring and Reporting Program in accordance with CEQA and State CEQA Guidelines.
5. All environmental documents and other materials that constitute the record of proceedings upon which this decision is based, are located at the Aromas Water District, located at 387 Blohm Avenue, Aromas, CA 95004.

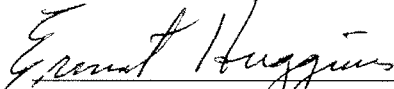
PASSED AND ADOPTED this 24th day of January 2012, by the following vote:

AYES: HUGGINS, DUTRA, HOLMAN, MAHLER, BORCHARD

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

  
\_\_\_\_\_  
President of the Board

  
\_\_\_\_\_  
Secretary



**Aromas Water District**  
**INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**  
**Oak Ridge & Via Del Sol Annexation and**  
**Sphere of Influence Amendment**

**SUMMARY OF COMMENTS AND RESPONSES**

JANUARY 17, 2012

**I. Background**

In accordance with the California Environmental Quality Act (CEQA) and State CEQA Guidelines, an Initial Study was prepared for a proposed amendment to the Aromas Water District (AWD) Sphere of Influence (SOI) and annexation of the Oak Ridge and Via del Sol subdivisions to the AWD. The Initial Study identified four potentially significant impacts to biological resources and water quality as a result of construction of new water system improvements to serve the proposed annexation. Mitigation measures identified in the Initial Study will mitigate these impacts to a less-than-significant level. A Mitigated Negative Declaration was prepared and was circulated with the Initial Study for a 30-day public review period from November 15, 2011 through December 14, 2011.

Comments on the Mitigated Negative Declaration / Initial Study (MND/IS) were received from the following agencies, organizations and individuals. The comment letters are included in Attachment A.

1. California State Clearinghouse (Confirmation of Compliance with State CEQA Requirements)
2. LAFCO of Monterey County
3. Monterey County Department of Health
4. Land Watch Monterey County
5. Joseph and Delores Rodriguez

Pursuant to the State CEQA Guidelines section 15074, the decision-making body of the lead agency shall consider the proposed mitigated negative declaration together with any comments received during the public review process. The decision-making body shall adopt the proposed mitigated negative declaration only if it finds on the basis of the whole record before it (including the initial study and any comments received), that there is no substantial evidence that the project will have a significant effect on the environment and that the negative declaration reflects the lead agency's independent judgment and analysis.

The comments received did not raise significant environmental issues or questions about the analyses contained in the Initial Study. There are no requirements under CEQA to prepare written responses to comments on a mitigated negative declaration. However, a brief overview of comments, and general responses, where relevant, is provided below.

Two comments/questions were received regarding AWD's legal authority to provide water service to the project area. These questions are being addressed by AWD's legal counsel and will be addressed by AWD staff.

Monterey County Health Department stated its support for the proposed annexation and consolidation of service to the AWD due to adverse health impacts from an inadequate or contaminated water supply. The comment letter also outlines the process for abandoning or maintaining existing wells in the project area.

One letter from nearby property owners expresses concern regarding future mandates to connect to the AWD system or inclusion in the Pajaro Valley Water Management Agency (PVWMA) boundaries, as well as concern that expansion of the AWD service area will lead to unsustainable groundwater withdrawals that will affect neighboring properties. AWD staff will address concerns about potential inclusion in future assessment districts and/or annexations. The MND/IS addresses impacts to groundwater and AWD capacity to serve the proposed annexation and SOI amendment areas. As indicated on page 61, the District's existing permitted well system has capacity to serve the proposed project.

LAFCO of Monterey County did request that the MND/IS include an analysis of the consistency of the proposed project to the requirements of relevant sections of the Cortese-Knox-Hertzberg Reorganization Act of 2000 and LAFCO of Monterey County's Policies and Procedures Relating to Spheres of Influence and Changes of Organization and Reorganization. The State CEQA Guidelines do not require such an analysis in environmental documents. The environmental checklist includes one question (10a) as to whether a project would 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, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. EIRs also are required to examine inconsistencies between a project and applicable general plans, specific plans, and regional plans.

LAFCO of Monterey County will review and analyze the proposed SOI amendment and annexation requests during its deliberation of the applications. The review will look at the proposed project in the context of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, LAFCO's adopted Policies and Procedures Relating to Spheres of Influence and Changes of Organization and Reorganization. LAFCO staff and Commissioners will appropriately review the project information and MND/IS to make a determination on the submitted applications. The policies and guidelines serve to guide their review of certain topical areas, rather than providing specific policies against which a project consistency review could be made. LAFCO is a responsible agency that will make its own independent review and analysis on the matter. Nonetheless, a preliminary analysis is provided on the following pages as requested based on discussions with LAFCO staff. If further analysis is deemed necessary by LAFCO, AWD will work with LAFCO to provide any requested analyses and/or information for LAFCO's consideration of the proposed SOI amendment and annexation.

## PROJECT CONSISTENCY WITH LAFCO REQUIREMENTS

**Section 56001 of the Cortese-Knox-Hertzberg Reorganization Act of 2000** declares that it is the policy of the state is to:

“ encourage orderly growth and development which are essential to the social, fiscal, and economic well-being of the state. The Legislature recognizes that the logical formation and determination of local agency boundaries is an important factor in promoting orderly development and in balancing that development with sometimes competing state interests of discouraging urban sprawl, preserving open-space and prime agricultural lands, and efficiently extending government services. The Legislature also recognizes that providing housing for persons and families of all incomes is an important factor in promoting orderly development. Therefore, the Legislature further finds and declares that this policy should be effected by the logical formation and modification of the boundaries of local agencies, with a preference granted to accommodating additional growth within, or through the expansion of, the boundaries of those local agencies which can best accommodate and provide necessary governmental services and housing for persons and families of all incomes in the most efficient manner feasible.”

Project Consistency. The proposed SOI amendment and annexation are not inconsistent with this state policy. The annexation is proposed to serve existing development where water supplies are inadequate, and the SOI amendment would create a logical boundary for AWD without creating discontinuous islands of service areas. As further described below and in the MND/ND, the proposals would not induce growth and future development would be limited and subject to approvals from Monterey County. The proposals would allow for efficient provision of water service through an existing public service district, consistent with both state and local Monterey County policy. The project has no effect on housing.

Agricultural lands will not be impacted. The proposed annexation area does not contain lands that are designated “Prime Farmland” by the California Farmland Mapping System nor are any designated for agricultural uses in the Monterey County General Plan. Within the remainder of the SOI amendment area, there is a small band of land south of San Juan Road that is designated “Prime Farmland” and “Farmland of Statewide Importance,” although the area is designated for rural residential uses in the County’s General Plan and North County Land Use Plan. There are also two areas within the SOI amendment area that are designated for agricultural and grazing uses in the County’s General Plan and Zoning Ordinance, but these areas are not mapped as prime, unique or important farmland in the State Farmland Mapping Program. The agriculturally designated properties within the SOI consist of nine parcels that total approximately 150 acres, of which over half (80 acres) is designated for grazing uses. Based on a parcel review conducted by AWD staff, all of the agriculturally-designated properties have existing residences except for two parcels. Potential future development is limited to one single-family residence on a legal lot of record pursuant to Monterey County General Plan. Thus, under existing County plans and regulations, these properties would be limited to one residence for a total of two potential new residences. This potential future development would not preclude continued agricultural use of the properties, and future conversion of agricultural lands would not be anticipated.

**Section 56425 of the Cortese-Knox-Hertzberg Reorganization Act of 2000** sets forth the factors that LAFCOs shall consider in determining spheres of influence for each local agency, and requires

the Commission to prepare a written statement of its determinations with respect to each of the following:

- (1) The present and planned land uses in the area, including agricultural and open-space lands.
- (2) The present and probable need for public facilities and services in the area.
- (3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- (4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.
- (5) For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, that occurs pursuant to subdivision (g) on or after July 1, 2012, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

Project Consistency. The proposed SOI amendment area consists of primarily rural residential uses that would continue in the future under existing Monterey County General Plan and zoning designations, except for a small agricultural area described above. New development would be subject to the Monterey County General Plan land use designations and zone district regulations. Existing residentially-designated properties would be limited to one single-family residence on a lot of record pursuant to recently adopted General Plan policies for the North County area (Policy NC-1.5). The rural residential, resource conservation and agricultural designations generally require larger parcel sizes that would limit further subdivision or land use intensity even if it were permitted. Furthermore, any development that may be proposed in the future would be subject to review and permit approvals from Monterey County at which time the appropriate level of environmental review would be conducted. The Initial Study provides further details on existing and planned land uses, including agricultural lands.

The annexation is proposed in response to a public health issue in which existing wells to existing development are inadequate in terms of supply and/or quality. Thus, there is an existing probable need for service, and the annexation is supported by the Monterey County Health Department. The SOI amendment area includes mostly developed parcels that could be annexed in the future if individual wells have problems, thus there is a potential future probable need for service. Furthermore, the proposed actions are consistent with Monterey County General Plan Policy PS-2.1, which promotes coordination between and consolidation of public water service providers drawing from a common water table to ensure that the water table is not overdrawn. If annexation of these parcels were requested in the future, LAFCO approval would be required, as well as that of the PVWMA due to its ordinances that require approval for water exported out of the PVWMA area.

The pumping capacity of the AWD's water system is adequate to serve the project. Existing and future peak demand with addition of the proposed project would total approximately 912 gpm, which is below the current well capacity of 1,500 gpm. Thus, there is adequate well capacity within the existing AWD water supply system to serve both the proposed annexation and potential future annexations with amendment and expansion of the AWD's sphere of influence in Monterey County.

In February 2011, the LAFCO of the County of San Benito approved a Sphere of Influence amendment for the Aromas Water District that expanded the San Benito County portion of the AWD's SOI by approximately 4,763 acres. Based on the environmental review for the San Benito County SOI (and supporting analyses), these properties would be subject to PVWMA Ordinance

98-1 which prohibits AWD from exporting water outside PVWMA boundaries without PVWMA approval and for health or safety reasons. Thus, any future development proposed in the approved San Benito County SOI would require a water source that does not derive its origin from the Pajaro Valley basin.

**Section 56668 of the Cortese-Knox-Hertzberg Reorganization Act of 2000** sets forth the factors to be considered in the review of a proposal that include, but are not limited to:

- (a) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.
- (b) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. "Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.
- (c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.
- (d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377.
- (e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.
- (f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.
- (g) A regional transportation plan adopted pursuant to Section 65080, and consistency with city or county general and specific plans.
- (h) The sphere of influence of any local agency which may be applicable to the proposal being reviewed.
- (i) The comments of any affected local agency or other public agency.
- (j) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.
- (k) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.
- (l) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.
- (m) Any information or comments from the landowner or owners, voters, or residents of the affected territory.
- (n) Any information relating to existing land use designations.
- (o) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

Project Consistency. The proposed SOI amendment and annexation would serve primarily existing development where existing wells have encountered problems with supply or water quality. The SOI area includes 243 parcels that cover approximately 1,720 acres, including the proposed annexation area. Of the total, 207 parcels have at least one existing home, 26 are not developed, and 10 lots are small well or utility lots. The proposed annexation accounts for 80 lots and 163 lots are located outside of the proposed annexation area. As discussed in the MND/IS, the proposal would not substantially induce growth. Most of the SOI amendment area is developed with single-family residences and is designated for rural and low density residential uses with some limited areas designated for resource conservation and agriculture. New development would be subject to the Monterey County land use designations and regulations. Existing residentially-designated properties would be limited to one single-family residence on a lot of record pursuant to recently adopted General Plan policies for the North County area (Policy NC-1.5). The resource conservation and agricultural designations that exist in limited areas generally require larger parcel sizes that would limit future densities and intensity of land uses. Based on parcel research conducted by the AWD, there are 26 undeveloped parcels that may be able to develop a single-family home in the future assuming compliance with County policies and regulations and no site constraints that would preclude development, which represents approximately 3% of the AWD's total existing connections. Thus, while the proposed SOI amendment, if approved by LAFCO, could indirectly induce population growth in the area, this is not considered substantial due to the small amount of growth in relation to the District's service area and population. Furthermore, the lots in the proposed annexation are developed with a single-family home, and there would be no potential for additional development or growth. The project will result in replacement of existing private water systems with public water service provided by the AWD.

As indicated above and further discussed in the MND/IS, the annexation is proposed to serve existing development where water supplies are inadequate, and the SOI amendment would create a logical boundary for AWD without creating discontinuous islands of service areas. AWD water supplies are adequate to serve the project area. Thus, it appears that the proposal is consistent with the above factors. The MND/IS provides additional discussion on these items.

**LAFCO of Monterey County's "Policies and Procedures"** set forth 10 policy guidelines outlined for LAFCO to consider on matters regarding spheres of influence. These policy guidelines indicate that LAFCO will use spheres of influence to discourage inefficient development patterns and to encourage the orderly expansion of local government agencies (#1), and that the SOI shall be a primary guide for LAFCO (#2). Any proposal not consistent with an adopted SOI shall not be approved by LAFCO without a noticed public hearing (#3). Inclusion within an agency's SOI does not assure annexation, and LAFCO will evaluate boundary change proposals (#4). The other policies support a single larger general purpose agency rather than a number of adjacent smaller ones (#5) and seek to avoid duplication of authority (#6). Adopted SOIs shall reflect local general plans and other adopted plans (#7). Extension of urban services belongs in cities or areas of development concentration, and LAFCO will discourage the formation of new special districts (#8). Policy #9 promotes protection of agricultural and open space lands. Policy #10 permits LAFCO to establish Planning Concern Areas where there may be inter-agency relationships. LAFCO has adopted separate policies regarding preservation of agricultural and open space lands in which proposals must show how it balances the state interest in the preservation of open space and prime agricultural lands against the need for orderly development, how economic viability of agricultural lands will be maintained, whether the proposal could lead to conversion of agricultural or open space lands to other uses, and be consistent with local General Plans.

Project Consistency. The policies and guidelines serve to guide their review of certain topical areas, rather than providing specific policies against which a project consistency review could be made. The SOI amendment includes areas that have an existing and probable need for domestic water service and is consistent with Monterey County General Plan policies that promote coordination between and consolidation of public water service providers. As discussed above, there would be no conversion of agricultural lands. Thus, the proposal appears to be consistent with LAFCO policies. LAFCO is a responsible agency that will make its own independent review and analysis on the matter.



# **ATTACHMENT A**

## **Letters of Comment**

1. California State Clearinghouse (Confirmation of Compliance with State CEQA Requirements)
2. LAFCO of Monterey County
3. Monterey County Department of Health
4. Land Watch Monterey County
5. Joseph and Delores Rodriguez



EDMUND G. BROWN JR.  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX  
DIRECTOR

December 15, 2011

Vicki Morris  
Aromas Water District  
PO Box 388  
Aromas, CA 95004

Subject: Aromas Water District Sphere of Influence Amendment & Annexation of Oak Ridge & Via Del Sol Subdivision  
SCH#: 2011111048

Dear Vicki Morris:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on December 14, 2011, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

**LOCAL AGENCY FORMATION COMMISSION**

P.O. Box 1369 132 W. Gabilan Street, Suite 102  
Salinas, CA 93902 Salinas, CA 93901  
Telephone (831) 754-5838 Fax (831) 754-5831  
www.monterey.lafco.ca.gov

**KATE McKENNA, AICP**  
**Executive Officer**

December 6, 2011

Vicki Morris  
General Manager  
Aromas Water District  
P.O. Box 388  
Aromas, CA 95004

RE: Draft Initial Study / Mitigated Negative Declaration for a Future Proposal Consisting of a Sphere of Influence Amendment of 1,720 Acres and Annexation of Approximately 370 Acres Consisting of 72 Existing Homes within the Oak Ridge and Via Del Sol Residential Areas to the Aromas Water District

Dear Ms. Morris:

Thank you for the opportunity to comment on the Draft Initial Study and Mitigated Negative Declaration, and for working closely with LAFCO staff in developing the District's proposal and draft environmental documents.

**Project Description in the Draft Initial Study/Mitigated Negative Declaration**

The project description in the Draft Mitigated Negative Declaration states that the proposed project has four components:

1. The amendment of the Sphere of Influence of Aromas Water District by adding approximately 1,720 acres of land within Monterey County;
2. The annexation of the existing Oak Ridge and Via Del Sol residential subdivisions, with approximately 370 acres and 72 existing homes, to the District;
3. The creation of an assessment district to finance improvements for the proposed annexation area, and

4. The construction of the water system improvements to serve the proposed annexation area.

### Comments

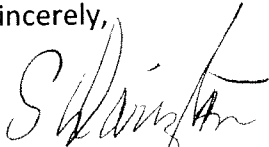
As a Responsible Agency for this project, the Local Agency Formation Commission of Monterey County is responding to the District's "Notice of Availability" in order to assist in preparing an adequate environmental document. LAFCO will rely upon the document when we consider the District's future application for a Sphere expansion and annexation.

Following a review of the Draft Initial Study, LAFCO requests that the Aromas Water District expand the Draft Initial Study and Mitigated Negative Declaration to:

- Include an analysis of the consistency of the proposed project to the requirements of relevant sections of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 and LAFCO of Monterey County's Policies and Procedures Relating to Spheres of Influence and Changes of Organization and Reorganization, and
- Confirm the District's legal authority to provide water to Oak Ridge and Via Del Sol.

We appreciate the opportunity to provide comments. Please contact Executive Officer Kate McKenna if you have questions regarding our comments, and for assistance in preparing the Sphere of Influence and annexation proposal.

Sincerely,



Sherwood Darlington  
Chair

cc: Mike Novo, Planning Director, County of Monterey  
Robert Johnson, Chief, Water Resources Mgmt., Monterey Co. Water Resources Agency  
John Ramirez, Director, Monterey County Environmental Health Bureau  
Mary Bannister, General Manager, Pajaro Valley Water Management Agency  
Gary Armstrong, Executive Officer, LAFCO of San Benito County  
Amy L. White, Executive Director, LandWatch Monterey County

# MONTEREY COUNTY



DEPARTMENT OF HEALTH Ray Bullick, Director

ANIMAL SERVICES  
BEHAVIORAL HEALTH  
CLINIC SERVICES

EMERGENCY MEDICAL SERVICES  
ENVIRONMENTAL HEALTH

PUBLIC HEALTH  
PUBLIC ADMINISTRATOR/PUBLIC GUARDIAN

December 14, 2011

Aromas Water District  
387 Blohm Ave  
Aromas, CA 95004  
Monterey, CA 93942-0085

RE: Mitigated Negative Declaration Initial Study-Aromas Water District-Sphere of Influence  
Amendment & Annexation of Oak Ridge & Via Del Sol Subdivisions

Dear Ms. Morris:

Thank you for the opportunity to review and comment on the Mitigated Negative Declaration Initial Study-Aromas Water District-Sphere of Influence Amendment & Annexation of Oak Ridge & Via Del Sol Subdivisions. The Monterey County Health Department, Environmental Health Bureau (EHB) has the following comments:

1. As referenced in the initial study, EHB has written a letter of support for the consolidation due to the adverse health impacts from an inadequate or contaminated water supply. The referenced letter of support is attached.
2. The initial study indicates that it is not known whether the existing wells within the annexation area will be abandoned. Since abandoned wells can create a physical or environmental hazard and are a violation of Section 15.08.120 of the Monterey County Code, EHB recommends that the current supply wells in the annexation area be either properly maintained or destroyed as a condition of service. Any parcels with wells that are kept need to have appropriate backflow protection to protect the Aromas Water District from a potential cross connection. Any abandoned wells need to be properly destroyed under a county permit. Please note that as per Monterey County Code, a well is considered abandoned if it has not been used for more than a year unless the owner shows intent to use the well again. If the owner does show intent to use the well again, the well shall be properly maintained per County Code (code attached). The owner may show intent to use the well again by maintaining a pump in the well with available power, and using the well at least once per year.

If you have any questions regarding these comments, please feel free to call me at (831) 755-4552.

Sincerely,

A handwritten signature in black ink, appearing to read "Cheryl Sandoval".

Cheryl Sandoval, R.E.H.S.  
Supervising Environmental Health Specialist



## Monterey County Code

### 15.08.120 - Abandoned well.

#### A.

A well is considered "abandoned" when it had not been used for a period of one year, unless the owner can demonstrate his or her intention to use the well again for supplying water or other associated purpose (such as an observation well, monitoring well, or injection well). The well shall then be considered "inactive." As evidence of his or her intentions for continued use, the owner shall properly maintain the well in such a way that:

##### 1.

The well has no defects which will allow the impairment of quality of water in the well or in the water-bearing formations penetrated.

##### 2.

The well is covered such that the cover is watertight and cannot be removed, except with the aid of equipment or the use of a tool.

##### 3.

The well is marked so that it can be clearly seen.

##### 4.

The area surrounding the area is kept clear of brush or debris.

If the pump has been removed for repair or replacement, the well shall not be considered "abandoned." During the repair period, the well shall be adequately covered to prevent injury to people and to prevent the entrance of undesirable water or foreign matter.

#### B.

In areas where groundwater problems are known to exist, abandoned wells that penetrate and/or are perforated into two or more aquifers shall be destroyed and shall be considered "inactive."

#### C.

On abandonment of a well or on the order of the local Health Officer, a well shall be destroyed by methods described in Bulletin 74-81 which are incorporated by reference in this Chapter with the following modifications:

##### 1.

All open wells shall be immediately capped with a fixed cover until the well is properly destroyed.

##### 2.

In areas where groundwater problems are known to exist and where an abandoned well penetrates and/or is perforated in more than one aquifer, the perforations shall be cleaned (when applicable), the casing shall be perforated (when applicable) and neat cement, neat cement/pozzolan/polymer mixture, or any other approved compound by the Health Officer shall be forced out under pressure into the surrounding formation in order to prevent migration of water from one aquifer to another.

#### D.

Monitoring wells, observation wells or test wells used in the investigation or management of groundwater basins by governmental agencies or engineering or research organizations are not considered "abandoned," so long as they are maintained for this purpose. Such wells, however, shall be covered with an appropriate cap, bearing the label, "OBSERVATION WELL," an name of the agency or organization, and preferably shall be locked when measurements are not being made. When these wells are no longer used for this purpose or

for supplying water, they shall be considered "abandoned." Abandonment shall be the responsibility of the land owner.

E.

All test wells not completed according to these standards shall be destroyed by methods described by Bulletin 74-81



# MONTEREY COUNTY



DEPARTMENT OF HEALTH Ray Bullick, Director

ANIMAL SERVICES  
BEHAVIORAL HEALTH  
CLINIC SERVICES

EMERGENCY MEDICAL SERVICES  
ENVIRONMENTAL HEALTH

PUBLIC HEALTH  
PUBLIC ADMINISTRATOR/PUBLIC GUARDIAN

October 27, 2010

Vicki Morris  
General Manager  
Aromas Water District  
387 Blohm Ave.  
Aromas, CA 95004

Re: Consolidation of Oak Ridge and Via Del Sol Water Systems with Aromas Water District

Dear Ms. Morris:

The Monterey County Environmental Health Bureau supports the consolidation of the water systems and single connection wells along Oak Ridge Drive and Via Del Sol with the Aromas Water District.

The following laws, codes, regulations, and ordinances are applicable regarding the supply of water for human consumption:

1. California Department of Public Health is responsible for drinking water regulatory program  
The California Safe Drinking Water Act (i.e. Section 116275 et. al of the California Health and Safety Code) places the drinking water regulatory program within the Department of Health Services now known as the California Department of Public Health (DPH). Title 22, Chapter 14, Article 4 (Local Primacy Delegation) of the California Code of Regulations gives DPH the authority to delegate their primacy authority to a local agency referred to as a Local Primacy Agency (LPA). The LPA is routinely audited and oversighted by DPH. The Monterey County Health Department, Environmental Health Bureau has been delegated this authority and is the LPA for Monterey County for public water systems under 200 connections.
2. Water Systems must provide adequate potable water  
Section 116555 of the California Health and Safety Code (CH&SC) and Section 15.04.085 of the Monterey County Code requires a water system to provide a permanent, reliable, continuous, and adequate supply of pure, wholesome, and potable water.
3. Consolidation of Water Systems  
The 1982 and the newly approved 2010 General Plan for Monterey County have policies that strongly promote the consolidation of water systems whenever feasible. Chapter 15.04 of the Monterey County Code implements these polices by requiring consolidation of water systems whenever feasible.

1270 Natividad Rd., Salinas, CA 93906 Phone (831) 755-4505 Fax (831) 755-4880  
<http://www.co.mtyhd.org>



4. Demonstration of Adequate Technical, Managerial, and Financial capability  
Section 116540 of the CH&SC requires new water systems to demonstrate the system has adequate technical, managerial, and financial (TMF) capability. Demonstration of TMF would include consolidating with an existing water company when feasible. This law was adopted by the state legislature in response to many small water systems and individual well owners inability to afford or have the technical and managerial expertise to adequately maintain the potability and reliability of their water supplies.
5. Adequate Supply of Potable Water to Plumbing Fixtures  
Section 601.1 of the California Plumbing Code requires each plumbing fixture to be provided with an adequate supply of potable running water. The health of the public is placed at risk when there is an inadequate potable running water for sanitary uses (i.e. bathing and cleaning), clothes washing, cooking, and drinking. These are basic public health needs to provide safe and sanitary living conditions.
6. Hauled Water Prohibited as a Permanent Potable Water Source  
The 1982 and the newly adopted 2010 Monterey County General Plan prohibits bulk hauled water as a potable source of water for new development. The reason it is prohibited for new development is that it does not provide a permanent, reliable, continuous, and adequate supply of pure, wholesome, and potable water. It is allowed for existing systems as a temporary measure while a permanent source of potable water is found.

A letter dated February 7, 2003 co-signed by the California Department of Health Services, which is now known as the Department of Health and the California Conference of Directors of Environmental Health (CCDEH), which the Monterey County Environmental Health is a member agency, was sent to the California Directors of Planning and Building Departments. The letter stated that hauled water from any source was unacceptable except as a temporary measure for existing systems because of the following health risks:

- a. The potential for contamination exists when water is transferred from tanker trucks to onsite storage facilities (storage tanks). Improper handling of the piping used to transfer the water by accidental bacterial contamination easily occurs by personnel handling the delivery. Fittings and hoses used in the transfer process between the truck and onsite storage facilities can easily become contaminated during transport or from a prior delivery where adequate disinfection between uses does not occur.
- b. Storage tanks have often been demonstrated to be the source of bacterial contamination. Frequent opening and closing of hatches and transfer pipe openings increase the potential for contamination. Contaminants often enter through poorly constructed and maintained roofs, lids, hatches, vents and other openings.
- c. Although water hauling companies must be licensed by the Department of Public Health, this does not ensure that the licensed hauler will at all times follow the State guidelines. In addition, trucks may inadvertently haul materials other than potable water and failure to recognize the potential for contamination may result in unsafe water being delivered to the consumer.
- d. Although an individual may have the financial resources to purchase bulk hauled water at a given time, economic conditions from an individual, regional or national level can deteriorate



rapidly. A potable water supply must be reliable for not only the initial owner, but also for successors, heirs and future owners of the property. The costs associated with bulk hauled water for all domestic needs may be insurmountable and jeopardize future reliability of such a source.

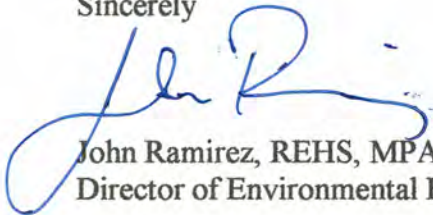
- e. Waterborne disease outbreaks have been demonstrated to be from the use of water not intended for drinking water purposes. There is generally a higher risk for contamination that may result in serious illness or death.

The Oak Ridge Subdivision Mutual Water Company was created to serve all of the lots along Oak Ridge Drive before the current problems of the underlying fractured rock formation and limited water supply in that formation were identified. The Water Company's well has declined in capacity and has not been able to support the lots. Several of the lots along Oak Ridge drive have separated from the Water Company and drilled their own wells, which is in conflict with the General Plan policies and ordinances of Monterey County and the State Department of Public Health. These new wells have also been very limited in capacity.

The lots developed along Via del Sol were developed based on individual wells and small water systems. Some of the wells on these lots have exceeded the state standards for nitrates and have significantly declined in capacity. These wells and water systems can no longer provide potable water of quantity and quality to support these homes.

The expansion of the Aromas Water District along Oak Ridge Drive and Via Del Sol would bring a much needed water supply to the homes and provide them with a permanent, reliable, continuous and adequate supply of pure, wholesome and potable water. The proposed expansion would bring these properties into compliance with the above referenced California Health and Safety Codes, California Plumbing Code, and the Monterey County Code and General Plan.

Sincerely



John Ramirez, REHS, MPA  
Director of Environmental Health Bureau

cc: Simon Salinas, Chair, Monterey County board of Supervisors  
Lou Calcagno, Monterey Board of Supervisors  
Lew Bauman, Monterey County Administrative Officer  
Ray Bullick, Director, Monterey County Health Department  
Richard LeWarne, Assistant Director, Environmental Health Bureau  
Cheryl Sandoval, Supervisor, Environmental Health Bureau

LAFCO

NOV 28 2011

Land**Watch**  
monterey county

Post Office Box 1876  
Salinas, CA 93902-1876  
831-759-2824

Website: [www.landwatch.org](http://www.landwatch.org)  
Email: [landwatch@mclw.org](mailto:landwatch@mclw.org)  
Fax: 831-759-2825



November 22, 2011

Vicki Morris  
Aromas Water District  
387 Blohn Avenue  
Aromas, CA 95004

SUBJECT: MITIGATED NEGATIVE DECLARATION FOR SPHERE OF INFLUENCE  
AMENDMENT AND ANNEXATION OF OAK RIDGE AND VIA DEL SOL  
SUBDIVISIONS

Dear Ms Morris:

LandWatch Monterey County has reviewed the proposed project which includes:

1. Sphere of Influence (SOI) amendment to add approximately 1,720 acres within the Aromas Water District's SOI boundary within Monterey County.
2. Annexation of two existing subdivisions to the Aromas Water District and provision of domestic water service to approximately 72 existing homes; the annexation areas are within the proposed SOI amendment area.
3. Creation of an assessment district to finance improvements for the proposed annexation areas.
4. Construction of water system improvements to serve the proposed annexation areas, which includes extension of water lines and construction of accessory water system improvements.

We have the following comments on the project:

Proposed delivery of water is an illegal appropriation/export out of the overdrafted groundwater Pajaro Valley Groundwater Basin to Via del Sol. Neither PVWMA nor Monterey County has the authority to grant approval for the out-of-basin transfer of Pajaro Valley Groundwater into the Moro Cojo/Salinas Valley Watershed. The PVWMA authorizing statute prohibits out of basin transfers, and there is no justification under California law or CEQA that allows PVWMA to ignore the overlying rights of Pajaro Valley landowners.

Thank you for the opportunity to review the document.

Sincerely,

Amy L. White  
Executive Director

Cc: Monterey County LAFCO

December 6, 2011

From: Joseph and Delores Rodriguez  
PO Box 665  
Aromas, CA 95004

To: Aromas Water District  
Attn: Vicki Morris, General Manager  
PO Box 388  
Aromas, CA 95004

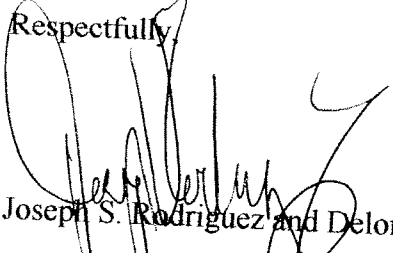
Re: Aromas Water District Sphere of Influence Amendment and Annexation of Oak Ridge and Via Del Sol Subdivisions

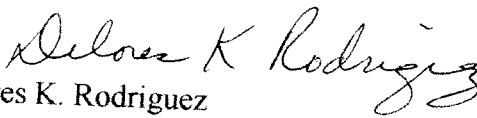
Dear Ms. Morris:

We have reviewed the report dated November 2011 regarding the sphere of influence amendment and annexation of Oak Ridge and Via Del Sol Subdivisions and have the following comments/concerns:

- Our properties have existing wells and springs that have functioned adequately to meet our water needs since we moved here in 1970 (and prior to that for previous owners). We are concerned that our inclusion in the sphere of influence will lead to a future mandate to connect to the Aromas Water District system.
- We are concerned that the creation of an assessment district will require us to pay for improvements to the Aromas Water District system even if we elect to not connect to the system.
- Figure 3, shows that the Pajaro Valley Water Management Agency (PVWMA) boundary is concurrent with the Aromas Water District (west of Carpenteria Road and north of San Juan Road). We are concerned that the expansion of the Aromas Water District will lead to our properties' inclusion in the PVWMA.
- Finally, we are concerned that the continual expansion of the Aromas Water District will lead to un-sustainable withdrawals from the aquifers serving our properties, leading to the failure of our existing water systems.

Respectfully,

  
Joseph S. Rodriguez and Delores K. Rodriguez



Cc: Louis R. Calcagno  
Monterey County Supervisor, District 2

**Mitigation Monitoring and/or Reporting Plan**

**Project Name:** Aromas Water District - Oak Ridge & Visa Del Sol Annexation and Sphere of Influence Amendment

*\*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<b>Mitig. Number</b>	<b>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</b>	<b>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</b>	<b>Responsible Party for Compliance</b>	<b>Timing</b>	<b>Verification of Compliance (name/date)</b>
BIO-1	For the work area adjacent to the tributary creek at Oak Ridge Road and Dumbarton Road, the Aromas Water District shall hire a qualified biologist to conduct pre-construction surveys for coast range newt, California red-legged frog and western pond turtle. The survey should be conducted no more than 48 hours prior to onset of willow trimming and trenching. A biologist shall be on-site during construction to ensure no newts, frogs, or turtles are in the work area.	Implementation actions are specified in measure.	<ul style="list-style-type: none"> <li>• AWD staff responsible for hiring biologist to conduct pre-construction survey.</li> </ul>	<p>Prior to commencement of construction.</p> <p>Surveys shall be prepared prior to any ground disturbance.</p>	
BIO-2	<p>The Aromas Water District shall implement riparian corridor protection measures to minimize impacts to downstream waters and resources located adjacent to the work area, including:</p> <ul style="list-style-type: none"> <li>▪ Install plastic mesh fencing and silt fencing at the perimeter of the work area that abuts downstream waters and riparian corridor to prevent impacts to the adjacent riparian corridor and injury to nearby native trees (if present). The silt fences will also prevent movement of animals from the creek/riparian area into the work area, such that take of the species are avoided. Protective fencing shall be in place prior to ground disturbances and removed once all construction is complete. During construction, no grading, construction or other work shall occur outside the designated limits of work.</li> <li>▪ No excess soil, chemicals, debris, equipment or other materials shall be dumped or stored outside the designated limits of work.</li> </ul>	Measure shall be included in Construction Specifications. Implementation actions are specified in measure.	<ul style="list-style-type: none"> <li>• Aromas Water District engineer is responsible for including measure in Construction Specifications, including Erosion Control Plan. Aromas Water District staff is responsible for reviewing Construction Specifications to ensure that the specified actions outlined in the measure have been included.</li> <li>• Aromas Water District staff is responsible for consulting with CDFG, RWQCB, and ACOE on need to obtain permits.</li> <li>• Aromas Water District staff is responsible for</li> </ul>	<p>Prior to commencement of construction.</p> <p>Inspections shall be conducted throughout construction to ensure that measures are in place.</p>	

<b>Mitig. Number</b>	<b>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</b>	<b>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</b>	<b>Responsible Party for Compliance</b>	<b>Timing</b>	<b>Verification of Compliance (name/date)</b>
	<ul style="list-style-type: none"> <li>▪ Work above and below existing creek culverts shall be implemented in a manner where no construction material enters the creeks and the existing culverts are not damaged. The water district shall confer with CDFG, RWQCB, and USACE on the need to obtain permits prior to work under or above the existing culverts.</li> <li>▪ Prior to commencement of construction, implement standard erosion control measures to prevent construction materials from entering the downstream drainages. Utilize a native erosion control seed mix on disturbed areas following construction.</li> </ul>		site inspection to ensure that onsite fencing and other requirements are in place.		
BIO-3	During the grading for the water tank and trenching for the water line portions of the project that cross the grassland areas, the Aromas Water District shall hire a qualified biologist to monitor for presence of California tiger salamander. The biologist shall be on the site during construction in these areas to ensure no salamanders are in the work area. The silt fences (installed as stated in Mitigation Measure BIO-4) will also prevent movement of animals from adjacent areas into the work area, such that take of the species is avoided. No take of California tiger salamanders is allowed.	Implementation actions are specified in measure.	<ul style="list-style-type: none"> <li>• AWD staff responsible for hiring biologist to be present as specified.</li> <li>• Biologist shall write a memo of outcome of the monitoring.</li> </ul>	During grading of the water tank and trenching of the portions of proposed water line that cross grassland areas.	
BIO-4	Prior to grading and construction, the Aromas Water District shall designate the limits of construction work and equipment access and install protective fencing. Grassland adjacent to the work area shall be protected by placing plastic protection fencing (i.e., plastic construction mesh fencing with metal t-bars) at the limit of work. Protective fencing should be in place prior to any site grading or other disturbances. All grassland areas outside the limits of work shall be preserved. When all site construction is complete, the temporary fencing can be removed.	Measure shall be included in Construction Specifications. Implementation actions are specified in measure.	<ul style="list-style-type: none"> <li>• Aromas Water District engineer is responsible for including measure in Construction Specifications, including Erosion Control Plan. Aromas Water District staff is responsible for reviewing Construction Specifications to ensure that the specified actions outlined in the measure have been included.</li> </ul>	Prior to commencement of construction.  Inspections shall be conducted throughout construction to ensure that measures are in place.	



<b>Mitig. Number</b>	<b>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</b>	<b>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</b>	<b>Responsible Party for Compliance</b>	<b>Timing</b>	<b>Verification of Compliance (name/date)</b>
			<ul style="list-style-type: none"> <li>Aromas Water District staff is responsible for site inspection to ensure that onsite fencing and other requirements are in place.</li> </ul>		
BIO-5	<p>Areas disturbed by construction shall be seeded with a native erosion control seed mix suitable to the project area. Plant species suitable for use include purple needlegrass (<i>Nassella pulchra</i>) and California brome (<i>Bromus carinatus</i>).</p>	<p>Measure shall be included in Construction Specifications as part of the Erosion Control Plan. Implementation actions are specified in measure.</p>	<ul style="list-style-type: none"> <li>Aromas Water District engineer is responsible for including measure in Construction Specifications, including Erosion Control Plan. Aromas Water District staff is responsible for reviewing Construction Specifications to ensure that the specified actions outlined in the measure have been included.</li> <li>Contractor shall provide Aromas Water District staff of evidence of erosion control seeding upon project completion.</li> </ul>	<p>Erosion Control Plan to be prepared as part of Construction Specifications, prior to commencement of construction.</p> <p>Reseeding to be conducted upon completion of grading and trenching.</p>	
BIO-6	<p>To avoid potential impacts to nesting migratory birds and raptors, schedule construction to avoid the nesting season to the extent feasible, which is typically from March 1 to August 1. If construction cannot be scheduled outside this area, a qualified biologist shall conduct surveys for nesting birds no more than two weeks prior to onset of tree pruning and construction with heavy equipment. If nesting birds are observed within the project corridor, postpone construction along that portion of the project until the biologist confirms that all young have fledged from the nest. For most birds a 50 foot buffer zone is adequate to protect the nest; a raptor nest will require a 250 foot buffer.</p>	<p>Implementation actions are specified in measure.</p>	<p>Aromas Water District staff is responsible for having pre-construction surveys conducted by a qualified biologist.</p>	<p>Prior to issuance of commencement of construction.</p> <p>Surveys shall be prepared prior to any ground disturbance.</p>	

<b>Mitig. Number</b>	<b>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</b>	<b>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</b>	<b>Responsible Party for Compliance</b>	<b>Timing</b>	<b>Verification of Compliance (name/date)</b>
BIO-7	Prior to grading and construction, the Aromas Water District shall protect all oak trees that are within 20 feet of grading, trenching, and/or construction staging or access by placing plastic protection fencing (i.e., plastic construction mesh fencing with metal t-bars) at the limit of work. At the direction of a qualified arborist, fencing should be in place prior to any site grading or other disturbances. The final location and integrity of the fencing shall be inspected by a qualified arborist prior to any site construction. All areas outside the limits of work shall be preserved. When all site construction is complete, the temporary fencing can be removed.	Measure shall be included in Construction Specifications. Implementation actions are specified in measure.	<ul style="list-style-type: none"> <li>• Aromas Water District engineer is responsible for including measure in Construction Specifications. Aromas Water District staff is responsible for reviewing Construction Specifications to ensure that the specified actions outlined in the measure have been included.</li> <li>• Aromas Water District staff is responsible for hiring a qualified arborist to advise and inspect on placement of tree protection fencing.</li> </ul>	Prior to commencement of construction.	
BIO-8	During ground excavation all roots greater than 2 inches in diameter should be hand-cut (instead of being cut by a mechanical trencher, grader, or excavator). Hand cutting of roots will minimize impacts to trees adjacent to construction. Limbing of tree limbs for access shall follow standards for pruning as per the International Society of Arboriculture (ISA), with any additional measures as identified by a qualified on-site arborist. A qualified arborist shall be on site to oversee all root cutting and limbing. Any additional protective tree measures as identified by the on-site arborist shall be implemented.	Measure shall be included in Construction Specifications. Implementation actions are specified in measure.	<ul style="list-style-type: none"> <li>• Aromas Water District engineer is responsible for including measure in Construction Specifications. Aromas Water District staff is responsible for reviewing Construction Specs to ensure that the specified actions outlined in the measure have been included.</li> <li>• Aromas Water District staff is responsible for hiring a qualified arborist to be present onsite during trenching near trees to provide specific root or limbing advice..</li> </ul>	Prior to commencement of construction for inclusion in Construction Specs, and during construction in the oak woodland area for implementation.	

<b>Mitig. Number</b>	<b>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</b>	<b>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</b>	<b>Responsible Party for Compliance</b>	<b>Timing</b>	<b>Verification of Compliance (name/date)</b>
WQ-1	In addition to erosion control measures identified in Mitigation Measures BIO-2 and BIO-5, include erosion control measures in the construction specifications for all water system improvements and implement during construction to include, but not be limited to, prohibiting construction activities, placement of spoils, and storage of materials and machinery adjacent to water bodies; prohibiting grading between November 1 and April 1; protecting disturbed areas during these times with appropriate erosion control measures; and immediately revegetating disturbed areas with appropriate native plant species that are compatible with surrounding vegetation.	Measure shall be included in Construction Specifications as part of the Erosion Control Plan. Implementation actions are specified in measure.	<ul style="list-style-type: none"> <li>• Aromas Water District engineer is responsible for including measure in Construction Specifications, including Erosion Control Plan. Aromas Water District staff is responsible for reviewing Construction Specifications to ensure that the specified actions outlined in the measure have been included.</li> <li>• Contractor shall provide Aromas Water District staff of evidence of erosion control seeding upon project completion.</li> </ul>	<p>Erosion Control Plan to be prepared as part of Construction Specifications, prior to commencement of construction.</p> <p>Reseeding to be conducted upon completion of grading and trenching.</p>	

# Notice of Determination

RECEIVED  
JAN 27 2012  
FILED

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

From: Aromas Water District  
P.O. Box 388  
Aromas, CA 95004  
Contact: Vicki Morris, General Manager  
Phone: (831) 726-5071

JAN 31 2012  
STEPHEN L. VAGNINI  
MONTEREY COUNTY CLERK  
DEPUTY  
2012-0012

Monterey County Clerk  
PO Box 29  
Salinas, CA 93902

RE: Filing of Notice of Determination in compliance with Section 21108 or Section 21152 of the Public Resources Code

State Clearinghouse Number: 2011111048

Project Title: Oak Ridge & Via Del Sol Annexation and Aromas Water District Sphere of Influence Amendment

Project Location: Northern Monterey County

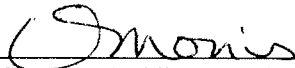
Project Description: The project consists of the following elements:

- 1) Sphere of Influence (SOI) amendment to add approximately 1,720 acres within the AWD's SOI boundary within Monterey County.
- 2) Annexation of two existing subdivisions to the Aromas Water District and provision of domestic water service to approximately 72 existing homes; the annexation areas are within the proposed SOI amendment area.
- 3) Creation of an assessment district to finance improvements for the proposed annexation areas.
- 4) Construction of water system improvements to serve the proposed annexation areas, which includes extension of water lines and construction of accessory water system improvements. These components include approximately 12,000 linear feet of new water pipeline, a pump station, a 100,000 gallon water storage tank, and service connections.

This is to advise that the Aromas Water District as  Lead Agency or  Responsible Agency, approved the above described project on January 24, 2012 and has made the following determinations regarding the above described project:

1. The project [ will  will not] have a significant effect on the environment.
2.  An environmental impact report (EIR) was prepared for this project pursuant to the provisions of CEQA.  
 A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [ were  were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [ was  was not] adopted for this project.
5. A Statement of Overriding Considerations [ was  was not] adopted for this project.
6. Findings [ were  were not] made pursuant to the provisions of CEQA.

This is to certify that the final Mitigated Negative Declaration with comments and responses and record of project approval is available to the General Public at: the office of the Aromas Water District, 387 Blohm Avenue, Aromas, CA.

 (Vicki Morris) GENERAL MANAGER  
Signature (Public Agency) Title

Date: \_\_\_\_\_ Date Received for filing at OPR/County: \_\_\_\_\_

45-DAY



State of California—The Resources Agency  
 DEPARTMENT OF FISH AND GAME  
**2012 ENVIRONMENTAL FILING FEE CASH RECEIPT**

RECEIPT#	433962
STATE CLEARING HOUSE # (If applicable)	201111048

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY	Aromas Water District		DATE	1/31/12
COUNTY/STATE AGENCY OF FILING	Monterey County Clerk		DOCUMENT NUMBER	2012-0012
PROJECT TITLE	Oak Ridge & Via del Sol Annexation & Aromas Water Dist			
PROJECT APPLICANT NAME	Contact person Vicki Morris		PHONE NUMBER	(831) 726-5071
PROJECT APPLICANT ADDRESS	CITY	STATE	ZIP CODE	
P.O. Box 388	Aromas	CA	95004	

**PROJECT APPLICANT** (Check appropriate box):

Local Public Agency   
  School District   
  Other Special District   
  State Agency   
  Private Entity

**CHECK APPLICABLE FEES:**

<input type="checkbox"/> Environmental Impact Report (EIR)	\$2,919.00	\$	_____
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (ND)(MND)	\$2,101.50	\$	2101.50
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only)	\$850.00	\$	_____
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs (CRP)	\$992.50	\$	_____
<input checked="" type="checkbox"/> County Administrative Fee	\$50.00	\$	50.00
<input type="checkbox"/> Project that is exempt from fees			
<input type="checkbox"/> Notice of Exemption			
<input type="checkbox"/> DFG No Effect Determination (Form Attached)			
<input type="checkbox"/> Other _____		\$	_____

**PAYMENT METHOD:**

Cash   
  Credit   
  Check   
  Other \_\_\_\_\_

TOTAL RECEIVED \$ 2101.50

SIGNATURE	TITLE
	Deputy

# EXHIBIT F

## MINUTES

### North County Coastal Land Use Advisory Committee Tuesday, August 19, 2014

FILE COPY  
PLN140475

1. Meeting called to order by David Evans at 9:00 am

2. Roll Call

Members Present: Warren Church, Robert McDonald, David Evans, Margie Kay (4)

Members Absent: Ed Centeno (1)

3. Approval of Minutes:

A. June 17, 2014 minutes

Motion: Warren Church (LUAC Member's Name)

Second: Robert McDonald (LUAC Member's Name)

Ayes: Warren Church, Robert McDonald, David Evans, Margie Kay (4)

Noes: 0

Absent: Ed Centeno (1)

Abstain: 0

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

Planning Commissioner Cosme Padilla reported that committee members David Evans, Warren Church and Margie Kay were reappointed at last Planning Commission meeting. He is looking for additional people to appoint to LUAC. Margie Kay requested a member from the Las Lomas community.

5. Scheduled Item(s)

6. Other Items:

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects - None

B) Announcements

Margie Kay announced that the Elkhorn area will be participating on Saturday September 20<sup>th</sup> from 9am-noon for Coastal Cleanup Day. Volunteers are to meet at 9am at Elkhorn Slough Reserve. Chair David Evans said he has participated in past and it is a good & fun community event.

7. Meeting Adjourned: 9:26 am

Minutes taken by: Margie Kay, Secretary to LUAC

Minutes received via email August 19, 2014



# Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department  
168 W Alisal St 2<sup>nd</sup> Floor  
Salinas CA 93901  
(831) 755-5025

Advisory Committee: **North County Coastal**

Please submit your recommendations for this application by: **August 19, 2014**

**Project Title:** AROMAS WATER DISTRICT [MULTIPLE PRIVATE OWNERS]

**File Number:** PLN140475

**File Type:** PC

**Planner:** ROBINSON

**Location:** 19200 OAKRIDGE DR ROYAL OAKS

**Project Description:**

Coastal Development Permit to allow construction of a 100,000 gallon water tank and water distribution lines within an environmentally sensitive habitat area. The property is located at 19200 Oakridge Drive, Royal Oaks (Assessor's Parcel Numbers 141-081-011-000, 141-081-012-000, 141-081-013-000, 141-081-014-000 and 127-171-015-000), North County Land Use Plan, Coastal Zone.

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

Aromas Water District General Manager Vicki Morris who spoke for application.  
AWD Director Wayne Holman was present but did not speak.

**Was a County Staff/Representative present at meeting?** Dan Lister (Name)

**PUBLIC COMMENT:**

Judi Taylor asked why the address of application description is showing Royal Oaks when it should read Aromas.

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Judi Taylor	X		We need this water supply from Aromas Water District. I am in the Oakridge area and some of us have been hauling water for years. Maybe springs will return in future for the wildlife with less groundwater pumping in this area.

**LUAC AREAS OF CONCERN**

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

**ADDITIONAL LUAC COMMENTS**

Committee members asked some questions as the water source, how the environmentally sensitive plants will be addressed and mitigated or protected, pipeline into slopes over 25%, if the 100,000 gallon water tank would have lighting on during the dark hours since there may be some visual siting issues. General Manager Morris could answer all the question to the satisfaction of the committee members.

Chair David Evans expressed gratitude for a very well prepared packet of information for the committee. All committee members present were able to review the packet before the meeting.

**RECOMMENDATION :**

Motion by: Warren Church (LUAC Member's Name)

Second by: Margie Kay (LUAC Member's Name)

Support Project as proposed

Support Project with changes

Continue the Item

Reason for Continuance: \_\_\_\_\_

Continued to what date: \_\_\_\_\_

AYES: Warren Church, Robert McDonald, David Evans, Margie Kay (4)

NOES: 0

ABSENT: Ed Centeno (1)

ABSTAIN: 0

# EXHIBIT G

## United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Ventura Fish and Wildlife Office  
2493 Portola Road, Suite B  
Ventura, California 93003



IN REPLY REFER TO:  
08EVEN00-2014-I-0163

April 21, 2014

Kaitlin Schmitt, Area Specialist  
United States Department of Agriculture, Rural Development  
744-A La Guardia Street  
Salinas, California 93905

Subject: Informal Consultation for the Aromas Water District Oak Ridge Drive and Via del Sol Drive Annexation Project, Aromas and Salinas, Monterey County, California

Dear Ms. Schmitt:

We have reviewed your letter dated February 5, 2014, and received in our office on February 10, 2014, requesting our concurrence with your determination that the Aromas Water District Oak Ridge Drive and Via del Sol Drive Annexation Project in Aromas and Salinas, Monterey County, California, may affect but is not likely to adversely affect the federally threatened California red-legged frog (*Rana draytonii*) and California tiger salamander (*Ambystoma californiense*). The United States Department of Agriculture (USDA) requests to initiate informal consultation with the United States Fish and Wildlife Service (Service) in accordance with section 7 of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 et seq.). The following project description and evaluation of project impacts have been obtained from the documents which accompanied your request, including the Biological Assessment for Oak Ridge/Via del Sol Water System Improvements Project, Monterey, California (Aromas Water District 2014); Exhibit 1, Revised Mitigation Measures (USDA in litt. 2014a); the Biological Report (Biotic Resources Group 2011); and communications between USDA and Service staff.

### Project Description

The purpose of the proposed project is to upgrade an existing water system and provide safe, potable water to the area residents. The project area is located in the Aromas area of northern Monterey County and consists of two developed residential subdivisions. The proposed water main project extends along Dunbarton Road from San Juan Road to Oak Ridge Road. The project continues along Oak Ridge Road then connects to Via del Sol Road and to Echo Valley Road. Existing water service is supplied by Oak Ridge Mutual Water Company and private wells in the Via del Sol drive area (Aromas Water District 2014). The project comprises approximately 2 miles of water line (USDA in litt. 2014b).

The project would involve annexing the existing Oak Ridge Road and Via del Sol Drive subdivisions into the Aromas Water District. The Aromas Water District intends to provide full water service, including meter reading and maintenance of the system, a new pipeline, water storage tank, and pumps. The new system would connect to an existing pipeline at the intersection of San Juan Road and Dunbarton Road. A new 8-inch pipeline would be constructed within the shoulder on the western side of Dunbarton Road to Oak Ridge Drive. At Oak Ridge Drive, the pipeline would be jack and bored beneath existing culverts that carry flow within a tributary to Carneros Creek. West of the culverts, the pipeline would be located within the shoulder of the paved road (northern edge of the road) up to a new pump station located at about 375 feet elevation on Oak Ridge Road. The pipeline would continue within the shoulder of Oak Ridge Road to the knoll. A line would split northward to a new water storage tank. The pipeline would traverse grassland and oak woodland to reach the tank site. The new 100,000-gallon tank would be located at the high point of the knoll at about 705 feet elevation. Water would travel via gravity in a 6-inch pipeline down to Via del Sol Drive and to homes along this road. On the knoll, the pipeline would be constructed within the shoulder of an existing road before going down slope through undisturbed grassland and oak woodland. Upon reaching Via del Sol, the pipeline would be placed in the shoulder of the roadway on the west side of the road.

Construction would start in spring or summer 2014. Construction staging would occur within the existing roads and shoulders, to the extent possible. The project involves use of heavy equipment for grading, excavating, preparing a pad for the new tank, and trenching for the new water line (Aromas Water District 2014).

#### Habitat Condition and Species in the Project Area

The proposed project is located in northern Monterey County in an area of rural residential land use. Four natural community types were documented within the project area: coast live oak woodland, coyote brush scrub, needlegrass grassland, riparian woodland, and landscaped areas/tree groves. The riparian woodland grows along the main stem and tributaries to Carneros Creek, an intermittent drainage that empties into Elkhorn Slough (Aromas Water District 2014).

The majority of the proposed project's water pipeline would be placed within the existing roadways or road shoulders which do not provide suitable habitat for the California tiger salamander. The new water line would cross two grasslands areas that are potential upland habitat for the California tiger salamander; one area is the water line and new water tank at the 705-foot knoll above the western end of Oak Ridge Road, the other area is the water pipeline that would cross a grassland area between residences at the end of Oak Ridge Road and connect to Via Del Sol Drive. These grasslands have only marginal upland habitat for tiger salamander with scattered gopher burrows, but they are located approximately 0.3 to 0.4 mile from an agricultural pond. It is unknown if California tiger salamanders breed in this agricultural pond. The closest known occurrence of California tiger salamanders is approximately 1.24 miles northeast of the northern end of the water pipeline (Aromas Water District 2014). This

California Department of Fish and Wildlife Natural Diversity Database (CNDDDB) occurrence (number 1006) is located across San Juan Road and Highway 101 to the north east (CNDDDB 2014a).

No suitable breeding habitat for California red-legged frog occurs on the project site. The closest known occurrence is approximately 0.5 mile east of the project area along upper arm of tributary to Carneros Creek (the same tributary that crosses under intersection of Oak Ridge Road and Dunbarton Road). California red-legged frog may occur along this tributary creek and Carneros Creek within the project area (Aromas Water District 2014).

There are three CNDDDB records for the California red-legged frog within 2 miles of the project area (including the aforementioned occurrence); however, two of these occurrences (numbers 1024 and 1025) are located across Highway 101 to the east and the other occurrence (number 790) is located across San Juan Road to the north. There are no CNDDDB records near the project area not segregated by roads or highways (CNDDDB 2014b).

The following measures are proposed to avoid and minimize adverse effects:

1. Before any ground disturbing activities begin on a project, a qualified biologist will conduct a training session for all construction personnel. At a minimum, the training will include a description of the California red-legged frog and California tiger salamander and their habitat, their protected status, general measures to be implemented to avoid any impacts to the California red-legged frog and California tiger salamander as they relate to the project, and the boundaries within which the project may be accomplished. Brochures, books and briefings may be used in the training session, provided that a qualified person is on hand to answer any questions.
2. For the work area adjacent to the tributary creek at Oak Ridge Road and Dunbarton Road, the Aromas Water District will hire a qualified biologist to conduct pre-construction surveys for California red-legged frog. The survey should be conducted no more than 48 hours prior to onset of willow trimming and trenching. A biological monitor will be on-site during construction to ensure no frogs are in the work area. No take of California red-legged frog is allowed.
3. Prior to grading and construction, plastic mesh fencing and silt fencing will be installed at the perimeter of the work area that abuts downstream waters and riparian corridor to prevent impacts to the adjacent riparian corridor and injury to nearby native trees (if present). Protective fencing should be in place prior to any site grading or other disturbances. During construction, no grading, construction or other work will occur outside the designated limits of work. When all site construction is complete, the temporary fencing can be removed.
4. During the grading for the water tank and trenching for the water line portions of the project that cross the grassland areas, the Aromas Water District will hire a qualified

biologist to monitor for presence of California tiger salamander. The biologist will be on-site during construction that includes vegetation stripping, grading, and trenching within the grasslands, to ensure no salamanders are in the work area. No take of California tiger salamanders is allowed.

5. A Service-approved biologist will be present at the work site until all disturbance of potential habitat of California tiger salamanders and California red-legged frogs and instruction of workers have been completed. After this time, the biologist will designate a person to monitor on-site compliance with all minimization measures. The Service-approved biologist will ensure that this individual receives training outlined above and in the identification of California tiger salamander and California red-legged frogs.
6. The biological monitor and the Service-approved biologist will have the authority to halt construction in the area if any federally listed species are observed, and any action that might result in impacts to listed species will be postponed until approval is obtained from the Service. If work is stopped, the USDA and the Service will be notified immediately by the Service-approved biologist or on-site biological monitor. In the case of the California tiger salamander which is also State listed, the California Department of Fish and Wildlife (CDFW) will also be immediately notified by the project proponent. No relocation of any federally listed species is allowed.
7. If a trench must remain open at the end of a work day, the construction contractor will ensure that the trench is securely covered overnight. The biological monitor will inspect the trench after the cover is removed in the morning, to ensure no animals are trapped in the trench.
8. During project activities, all trash that may attract predators will be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris will be removed from work areas.
9. All refueling, maintenance, and staging of equipment and vehicles will occur at least 20 meters from any riparian habitat or water body. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.
10. A Service-approved biologist or on-site biological monitor will ensure that the spread or introduction of invasive exotic plant species will be avoided to the maximum extent possible. When practicable, invasive exotic plants in the project areas will be removed.
11. The number of access routes, number and size of staging areas, and the total area of the activity will be limited to the minimum necessary to achieve the project goal. Routes and boundaries will be clearly demarcated, and these areas will be outside of riparian and wetland areas.

12. Work activities will be completed between April 15 and October 15 of any given year. Should the applicant demonstrate a need to conduct activities outside this period, the USDA will consult with the Service who may authorize such activities or may require more consultation, if needed.
13. To control erosion during and after project implementation, the applicant will implement best management practices, as identified by the Resource Water Quality Control Board (RWQCB).
14. A Service-approved biologist will permanently remove from within the project area, any individuals of exotic species, such as bull frogs, crayfish, and centrarchid fishes to the maximum extent possible. The permittee will have the responsibility to ensure that their activities are in compliance with the California Fish and Wildlife Code.
15. To avoid potential impacts to nesting migratory birds and raptors, the Aromas Water District will schedule construction to occur during the non-nesting season, which is August 1 to March 1 of any given year. If this is not practical, a qualified biologist will conduct surveys for nesting birds no more than two weeks prior to the onset of tree pruning and construction with heavy equipment. If nesting birds are observed within the project corridor, postpone construction along that portion of the project until the biologist confirms that all young have fledged from the nest. For most birds a 50-foot buffer zone is adequate to protect the nest; a raptor nest will require a 250-foot buffer (Aromas Water District 2014).

#### Effects of the Proposed Project

Limited or marginal upland habitat for the California tiger salamander is present within some portions of the project area where trenching for the water line will occur, and the project area provides minimal to no temporary cover for California red-legged frog. Both of these areas will be temporarily disturbed by project activities. We do not anticipate California tiger salamanders or California red-legged frogs to be present in the project area; however, if California tiger salamanders or California red-legged frogs are found utilizing the area for migration or estivation, implementation of the avoidance and minimization measures proposed by USDA would preclude the potential for take; work will be halted and the Service contacted if either of these species are observed in the project area.

#### Conclusion

We concur with your determination that the Aromas Water District Oak Ridge Drive and Via del Sol Drive Annexation Project may affect but is not likely to adversely affect the California red-legged frog or California tiger salamander. This conclusion is based on the proposed implementation of the avoidance and minimization measures outlined above, the reported marginal and/or limited potential habitat for the species in the project area, the majority of the proposed project occurring within the existing roadways or road shoulders which do not provide



Kaitlin Schmitt

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suitable habitat for the California tiger salamander, and records of species occurrences across barriers such as highways and roads and not within the general project area itself.

If circumstances arise indicating the proposed project may result in adverse effects to any federally protected species, construction activities should be suspended and the Service should be contacted immediately to determine whether additional consultation is required. If you have any questions regarding this matter, please contact Lena Chang of my staff at (805) 644-1766, extension 302.

Sincerely,



Douglass M. Cooper  
Deputy Assistant Field Supervisor

## REFERENCES CITED

Aromas Water District. 2014. Biological assessment for Oak Ridge/Via del Sol water system improvements project, Monterey, California. Prepared for the United States Department of Agriculture, Salinas, California.

Biotic Resources Group. 2011. Oak Ridge/Via del Sol project Aromas Water District assessment, Monterey County. Prepared for Strelow Consulting, Santa Cruz, California.

[CNDDDB] California Department of Fish and Wildlife Natural Diversity Database. 2014a. Element occurrences for *Ambystoma californiense*. Unpublished data current to April 2014. Sacramento.

[CNDDDB] California Department of Fish and Wildlife Natural Diversity Database. 2014b. Element occurrences for *Rana draytonii*. Unpublished data current to April 2014. Sacramento.

### *In litteris*

[USDA] United States Department of Agriculture. 2014a. EXHIBIT 1, Aromas Water District Oak Ridge & Via del Sol Annexation environmental CE with an ER mitigation measures. Received via electronic mail on April 1, 2014.

[USDA] United States Department of Agriculture. 2014. Electronic mail regarding the approximate size of the project. Received on April 2, 2014.