Attachment H

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MONTEREY COUNTY

HOUSING AND COMMUNITY DEVELOPMENT
PLANNING
1441 SCHILLING PLACE, 2nd FLOOR, SALINAS, CA 93901
PHONE: (831) 755-5025/FAX: (831) 757-9516

INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title:	Anthony Nicola Inc.
File No.:	PLN200203
Project Location:	124 Gonda Street, Royal Oaks
Name of Property Owner:	Anthony Nicola Inc.
Name of Applicant:	Anthony Nicola Inc.
Assessor's Parcel Number(s):	117-361-017-000
Acreage of Property:	1.3 acres
General Plan Designation:	Residential, Pajaro Community Area
Zoning District:	High Density Residential, 20 unit per acre
Lead Agency:	County of Monterey HCD-Planning
Prepared By:	County of Monterey HCD-Planning
Date Prepared:	August 31, 2023
Contact Person:	Mary Israel, Supervising Planner Phone: 831-755-5183 Email: israelm@co.monterey.ca.us

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project

The project includes demolition of an existing single family dwelling and septic system and construction of 2 new three story appartment buildings totaling 36,200 square feet for agricultural employees. The proposed buildings would contain 35 units in an apartment-style layout including a "manager unit" with the potential to house up to 272 agricultural employees (8 per unit) and one manager. Project includes a request for a Density Bonus and two ~~concession~~incentives. The Density Bonus would allow the project to increase the density allowed in the underlying zoning district (20 acres per unit on 1.3 acres) by 9 units. At 1.3 acres with a 20 unit per acre maximum, the zoning density would allow 26 units. By dedicating 3 units for very low income restricted rental housing in the development, the project qualifies for a 35% Density Bonus under State and County laws. Restricting 3 units for very low income rental housing means that the project would include 3 units for very low income rental housing, 1 manager unit and 31 units for agricultural employees. The agricultural employee housing would be capable of housing 248 employees (up to 8 employees in 31 units, excluding the income restricted units and the manager unit).

In providing 11% of the units for very low income housing, the project would qualify for two ~~concession~~incentives or incentives under state and local density bonus law in addition to the increased density. In this case, the applicant has requested two additional ~~concession~~incentives. First is an increase in height from 35 feet maximum allowed under the zoning to 43 feet proposed. The second ~~concession~~incentive is a reduction in parking from 78 spaces required for apartment-style multifamily housing to 56 spaces proposed. The added height and reduced parking will allow the project to elevate the finished floor of the structures above flood elevations in the area and will help cluster the buildings to meet setbacks from the toe of the river levee and from adjacent agricultural operations. With the density bonus and ~~concession~~incentives, the buildings would reach a maximum height of 43 feet above average natural grade with 56 parking spaces and approximately 27% building site coverage. Income restricted units will be subject to the Monterey County Housing Ordinance (Chapter 18.40, Source: IX. 3).

The project is located at 124 Gonda Street in the community of Pajaro and the site is zoned High Density Residential, with a maximum of 20 units per acre (HDR/20). The site is 1.3 acres in size and is located adjacent to the levee on the southern side of the Pajaro River. An Administrative Permit and a Use Permit are required for the development. (Source: IX. 5).[1]

[1] MCC section 21.66.060 requires issuance of a Use Permit for agricultural employee housing consisting of more than thirty-seven (37) or more beds in a group quarters or thirteen (13) or more units or spaces designed for use by a single family or household.

The two three-story apartment style buildings will contain twenty-two 975 sf two-bedroom "corner units," twelve 971 sf two-bedroom "interior units," one 975 sf one-bedroom manager unit with an office in one building, and one 455 sf laundry facility and one 519 sf recreation/community room in the second of the buildings. Each residential unit would provide the essential needs such as kitchen and restroom amenities (see Figure 5). The development includes outdoor tables and outdoor recreation facilities and on-site parking for 56 ~~automobles~~ vehicles (2 of which are ADA compliant) and 10 bicycle racks. The project proposes a 6-foot tall perimeter fence around the front and sides of the development with a vehicle gate at the driveway entrance and a 6-foot-tall cement wall on the rear lot line. Exterior lighting would be downward facing and shielded to direct light downwards and prevent excess light pollution. (Condition of Approval No. 24).

The subject site is within the Community Area of Pajaro where public facilities are available. Water and sewer services would be provided by Pajaro/Sunny Mesa Community Services District and Pajaro County Sanitation District (PCSD), respectively. PCSD contractually transports wastewater to the City of Watsonville treatment plant in Santa Cruz County. The proposed project's waste would be hauled by Waste Management, Inc. of Monterey County. Fire response in the Pajaro Commmunity is served by the North County Fire Protection District. Two new fire hydrants are proposed within the development and all buildings would include a fire protection system with NFPA 13 light hazard required sprinkler systems (pursuant to CBC/CFC Chapter 9 as amended by the County of Monterey in 2020, Source XI. 7).

The project includes over an acre of land disturbance and approximately 1,000 cubic yards of grading. The erosion control plan relates to Drainage Controls because the project site is adjacent to the Pajaro levee and completely within the 100-year floodplain of the Pajaro River. The site plan, drainage plan, and stormwater control plan for the project all relate to the best available data for flood hazard which was developed by Pajaro Regional Flood Management Agency in the multi-agency effort to improve the Pajaro levee (Source: IX. 30).

The agricultural worker housing project is proposed to be leased to ~~one~~ agricultural ~~company~~ companies ~~which~~ that will take part in the H-2A federal worker VISA program. The workers would occupy the project site during the Salinas Valley planting/harvesting season from March through November of each year. As such, it is designed to accommodate up to 248 employees without dependents. Local employees will be given the opportunity for housing which may reduce the number of H-2A empolyees on site. At least three apartments will be set aside as Inclusionary Housing for very-low income households.

Figure 1 – Project Location

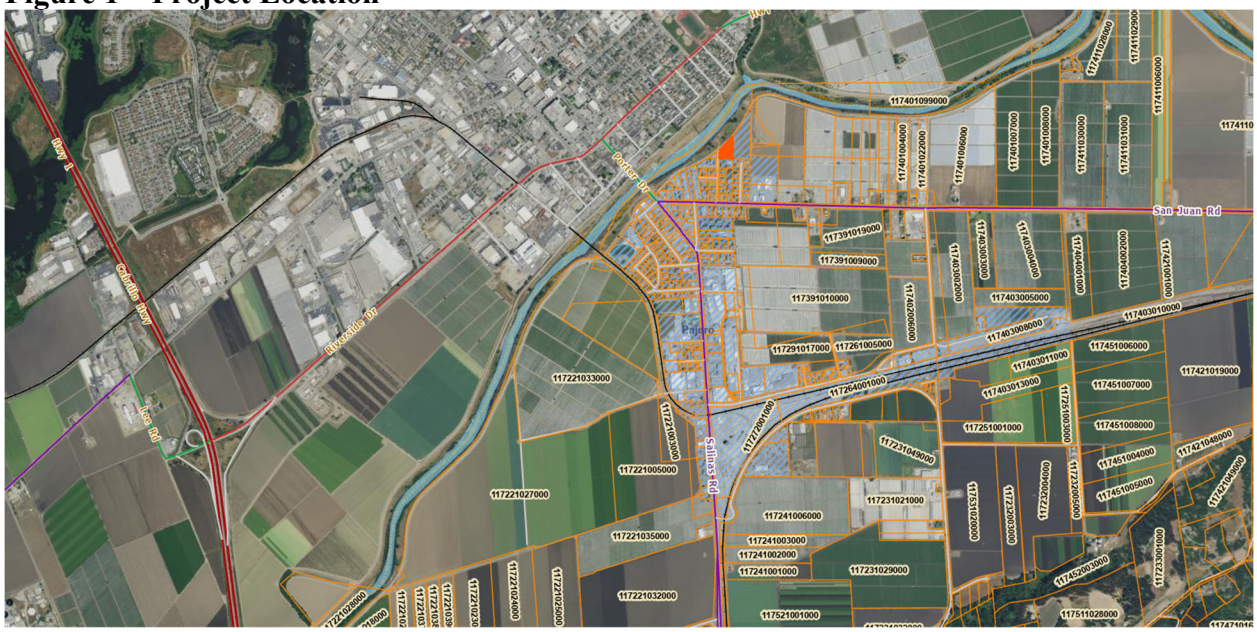


Figure 1 shows the subject parcel in solid orange. Note the urbanized area to the North is the city ofWatsonville, Santa Cruz County. Light blue shading overlays the Pajaro Community Area of Monterey County.

Figure 2 – Project Vicinity

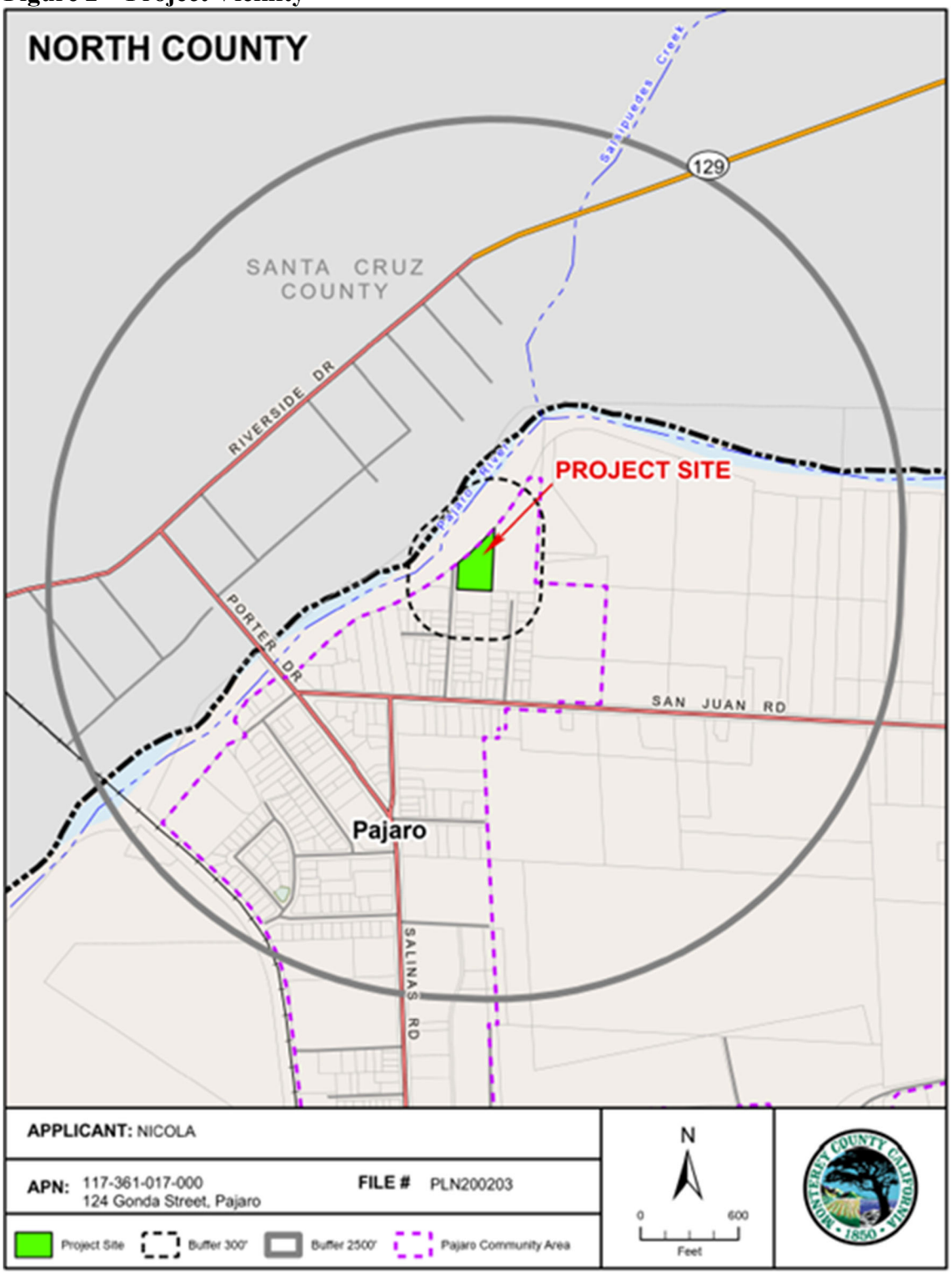


Figure 2. The Project Vicinity map shows the project is located within the Pajaro Community Plan area and adjacent to the Pajaro River levee at the end of a dead-end street off of San Juan Road.

Figure 3 – Project Site Plan

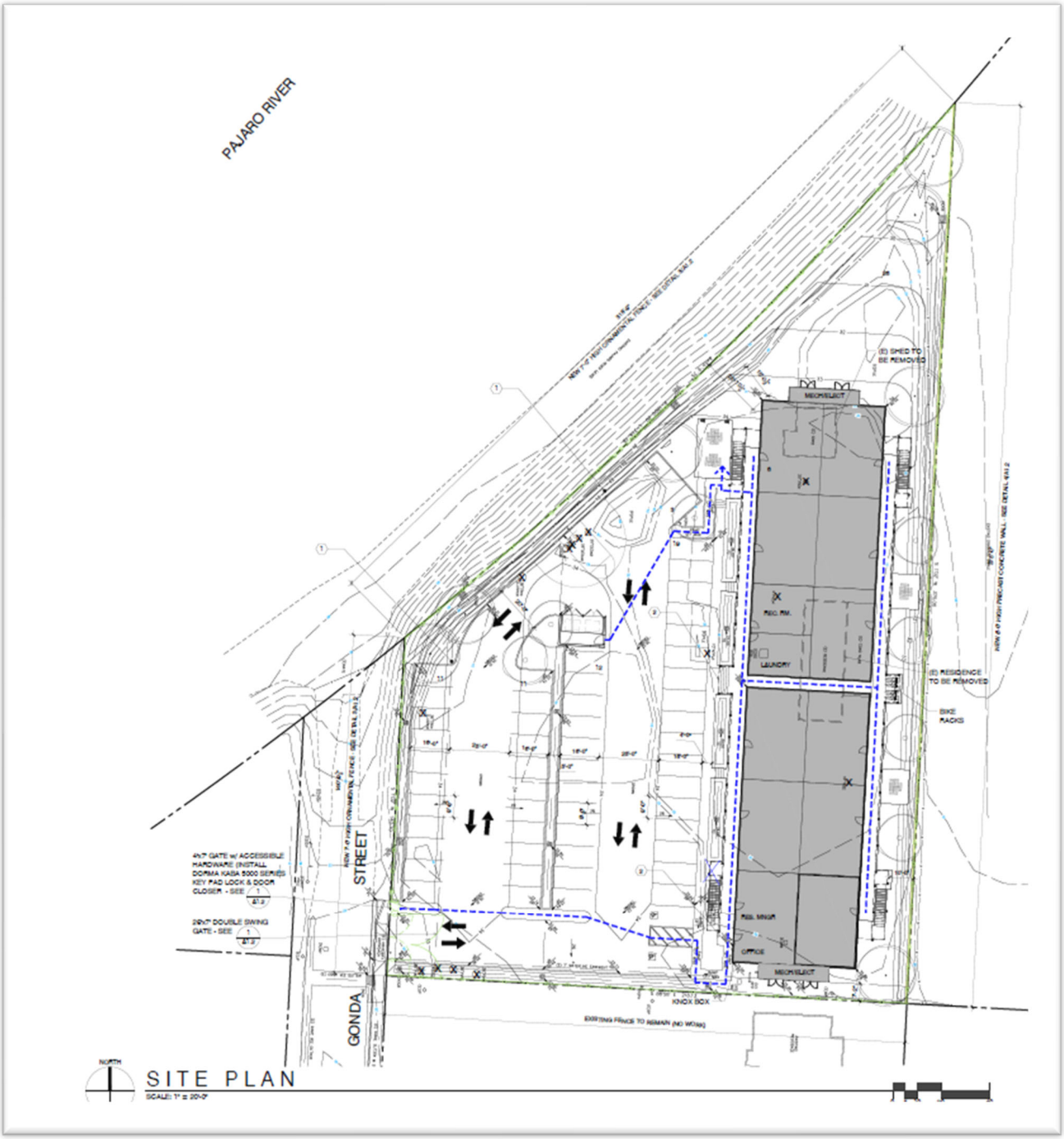


Figure 3 shows the overall site plan on the full extent of the subject parcel. Two buildings are proposed side-by-side on the eastern edge of the parcel, with bicycle racks and landscaping behind the building. Black arrows on the proposed parking lot indicate the proposed onsite traffic flow. Blue dashed lines show the foot traffic paths from the buildings to the trash recepticle and the street. Recreation areas are to the north of the buildings and in an area of the parking lot where a basketball facility will be added as dual-use.

Figures 4a and 4b – Project Elevations

Figure 4a. Both buildings elevations are the same. West elevation, facing Gonda Street, is shown above.

Figure 4b. South elevation for both buildings is shown above. The measurement on the left shows the building height is proposed as 43 feet above natural grade.

As the subject site is located at the terminus of the two-lane local street of Gonda Street beside the Pajaro River levee, any pedestrian and vehicular access to the project site would be via Gonda Street. As shown in the site plan (Figure 3), vehicular ingress and egress is proposed at the southern-most border of the project site connecting the project to Gonda Street. The employer(s) will provide transportation to and from work sites via employer-owned shuttles. Shuttles are proposed to be stored offsite. The shuttles would pick up the agricultural employees at a designated pick up location on the project site and return to drop workers off within the property each work day. Shuttles may also be used to transport the residents approximately as many as three times weekly into Pajaro and Watsonville for shopping, recreation, and religious services. The specific employers ~~has~~ have not be identified yet, so the hours and frequency of shuttle service are yet to be defined.

Figures 5 (a through d) – Project Floor Plans

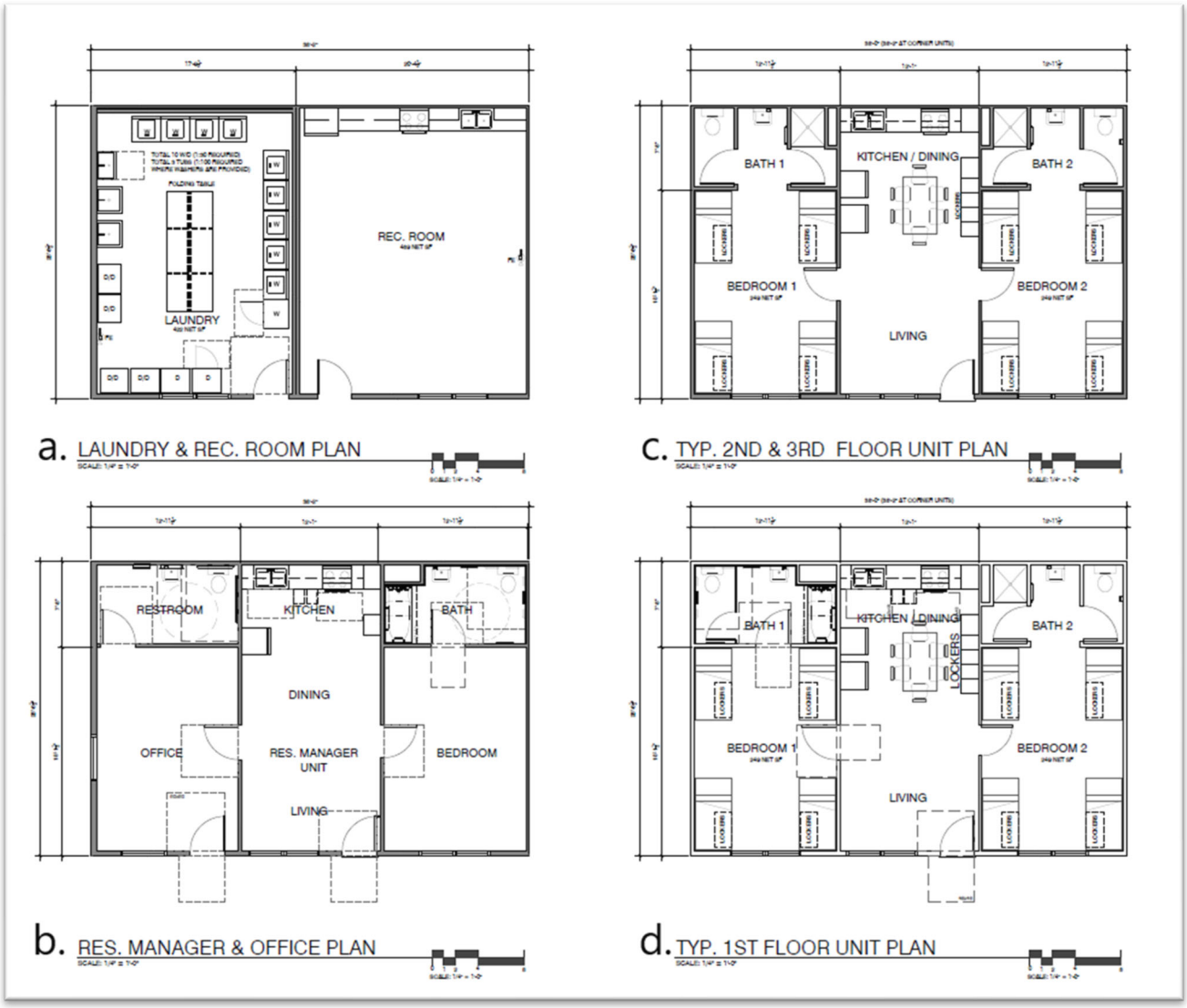


Figure 5a. Laundry and Recreation Room floor plan.
Figure 5b. Resident Manager unit and Office floor plan.
Figure 5c. Typical second and third floor employee housing unit floor plan showing eight beds per unit with personal bedroom lockers, two bathrooms, shared kitchen and dining area with personal kitchen lockers, livingroom with main entrance accessed from the external walkway.
Figure 5d. Typical first floor employee housing unit floor plan with same interior features and main entrance onto ground level.
Floor plans are designed to meet Federal and State Employee Housing standards (Source IX.1).

B. Environmental Setting and Surrounding Uses

The project site is located on a single parcel (APN 117-361-017-000) on the east side of Gonda Street in Pajaro, California, designated designated as "High Density Residential" (HDR/20) by the Monterey County Inland Zoning Code, Title 21. The project site is located to the south of the Pajaro River and the border between Monterey County and Santa Cruz County. The Pajaro River levee is adjacent to the length of the northern property line. Built up residential properties surround the subject parcel to the west and south. The parcel to the east was in agricultural production and is zoned Farmland/40 as well as HDR/20 (on the southern 15% of the parcel). At the time of this writing, agricultural operations on the parcel have ceased and site preparations for an agricultural employee housing project are underway.

The parcel is located on soils classified by the Soil Survey Monterey County as Metz Fine Sandy Loam and Mocho Silt Loam are generally used mostly for vegetable and field row crops. (Source IX.25, pages 49 and 51.)

The project site is in a documented area of high archaeological sensitivity. The project site is located within one quarter mile of two archaeological sites. Although located in an area of high sensitivity and known resources, the Archaeological Assessment Study prepared for the project site identified no resources and no anticipated impacts. A Tribal Cultural Consultation was made pursuant to CEQA Guidelines 16054.25, which resulted in two tribal groups requesting monitoring during construction due to their knowledge of resources along the Pajaro River. Project work would have a less than significant impact on cultural resources with mitigation measures incorporated. See Sections VI.5 and VI.18 (Cultural Resources and Tribal Cultural Resources, respectively) below for discussion.

The project site is in a documented area of Monterey spineflower (*Chorizanthe pungens var. pungens*) and California Red-legged frog (*Rana draytonii*). The project site is located within 1.3 miles of an identified site presence for Monterey spineflower and within 1.5 miles of an identified occurrence for California Red-legged frog. Because the project property is already developed and disturbed, a Biological Report was not prepared for the project site. Instead, County relied upon a Biological Report and addenda made for the neighboring parcel, (Source: IX.33, Denise Duffy & Associates, HCD Library Document No. LIB210240). That report identified no occurrences of these resources, but recommended mitigation measures to avoid impacts. See Section VI.4, Biological Resources for further discussion.

The site is also located in the Pajaro Valley groundwater area which is idenfitied by the State Water Resources Control Board as a critically overdrafted groundwater basin.

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

County General Plan	☒	Air Quality Mgmt. Plan	☒
Specific Plan	☐	Airport Land Use Plans	☐
Water Quality Control Plan	☒	Local Coastal Program-LUP	☐

Monterey County 2010 General Plan/ North County Area Plan

The project was reviewed for consistency with the policies of the 2010 Monterey County General Plan and the North County Area Plan. This property is within the Pajaro Community Plan area. Community Plan areas are identified in Policy LU-1.19 as areas that are a priority for development. Additionally, the project includes 3 very low income units and housing for agricutural employees which are both identified as needed housing in the Housing Element of the General Plan.

The project is consistent with the Land Use, Safety, and Public Services Elements of the 2010 Monterey County General Plan. (Land Use/Planning is discussed more fully in Section VI.11.) A geotechnical report (Source: IX.29, Butano Geotechnical Engineering, Inc., revised May 2021, HCD Library Doc. No. LIB210076) was provided with the application that verified that the project site is sutiable for the proposed development, consistent with Policy S-1.7. The project includes needed housing in an area targeted for growth (Source: IX.10). Detailed analysis of the projects consistency with the 2010 General Plan will be required as part of the discretionary review of the permit. Consistency with many of the policies are also described in more detail in the applicable resource topics below.

The project has the potential to be consistent with the Agricultural Element of the Monterey County General Plan. General Plan Policy AG-1.2 requires a well-defined buffer area to be provided between new non-agricultural development proposals that are located adjacent to agricultural land uses on viable farmlands designated as Prime, of Statewide Importance, Unique, or of Local Importance. As introduced in section II., the neighboring parcel to the east was used for agricultural operations and is Prime, so the proposed development is in conflict with this policy in the current configuration. In accordance with General Plan Policy AG-1.2, the project was reviewed at the January 27, 2022 Agricultural Advisory Committee (AAC) meeting (Source: IX.18). The AAC recommended to the applicant that the project include a buffer area and other buffer mechanisms. The current MCC zoning code defines the required width of agricultural buffers as 200 feet, a distance which would not be physically possible given that the width of the subject parcel is approximately 220 feet at the widest area (See Figure 3). The agricultural operations on the property to the east have since ceased. The County has approved the development of that property for agricultural employee housing and site preparation work on that property has already begun. A lawsuit is pending on that project and the future use of the property is unknown at this time.

In the case that PLN210152 (RIO VISTA GROUP LLC) does not get constructed and the parcel to the east continues as a farming operation, the applicant shall be required to work with the Agricultural Commissioner's Office and HCD to implement agricultural buffering that would achieve the adequate buffering benefits of a well-defined area on the properties and, given the width issues discussed above and request a Variance to the agricultural buffer required by the zoning ordniance (MCC section 21.66.030.F.2). (Agricultural and Forest Resources are discussed more fully in Section VI.2.)

The project is consistent with the Housing element of the 2010 Monterey County General Plan. General Plan Policy H-2.1 encourages the planning of farmworker housing, and General Plan Policy H-2.11 supports private sector partnerships to increase the supply of farmworker housing within Monterey County. General Plan Policy H-2.b sets an objective for the County to assist employers to provide 10 lower income farmworker housing units annually with three of the 10 units as extremely-low-income. This project would provide 31 units of farmworker housing.

The project was reviewed for consistency with the North County Area Plan (NCAP). The intent of the NCAP is to maintain and enhance the County's rural character, natural resources, and economic base by providing for adequate residential, agricultural, commercial and industrial growth in areas best suited for the respective development. The project is consistent with the NCAP as it is fulfilling a typical use for the HDR zoned areas within the Pajaro Community Area. Land Use/Planning is discussed more fully in Section VI.11.

Air Quality Management Plan

The proposed project was reviewed for consistency with the 2008 Monterey Bay Area Resources District's (MBARD) CEQA Air Quality Guidelines for the Monterey Bay Region. Section IV.3 below (Air Quality) discusses standards applicable to whether this particular project conflicts or obstructs implementation of air quality plans, violates any standard or contributes to air quality violations, results in cumulative non-attainment of ambient air quality standards, exposes sensitive receptors to pollutant concentrations or creates objectionable odors affecting many people. The proposed project complies with the requirements of this plan.

Water Quality Control Plans

The proposed agricultural employee housing project (PLN200203, Nicola Inc.) is not in conflict with local or regional water quality and water management plans. The project plans include surface water protection requirements. Water Management Plans for the Pajaro groundwater basin have been adopted for the area including the subject parcel and the owner pays normal fees as a fair share for implementation of groundwater sustainability measures.

There is no conflict with Regional Water Quality Control Board's plans with respect to any water quality standards and waste discharge requirements. Regional Water Quality Control Board's plan for the area includes the National Pollutant Discharge Elimination Ssytem (NPDES) Environmental Protection Agency program for waste discharges to surface waters, administered by County of Monterey Housing and Community Development. Conditions of Approval Nos. 15, 17, 18 and 19 were applied to the project by HCD-Environmental Services to ensure compliance with NPDES regulations (PLN200203, Nicola Inc. project file, Source: IX.1.)

Longrange Water Management Plans for the Pajaro groundwater basin have been adopted by the Pajaro Valley Water Management Agency's (PVWMA's) Sustainable Groundwater Management Program Alternative with respect to groundwater recharge and the requirements of the California Department of Water Resources (DWR). The management plans include immediate actions the PVWMA can take to help alleviate seawater intrusion as well as measures to stop seawater intrusion from advancing as a long-term goal. The current guiding documents are the Water Quality Control Plan for the Central Coastal Basin June, 2019 and the 5-year update of the Pajaro Valley Groundwater Sustainability Plan Alternative (PV GSP, Source IX.31). In its approval of the PV GSP Alternative, DWR provided 10 recommended actions for PVWMA to address in the 5-Year Update of the PV GSP Alternative. The PVWMA prepared a Pajaro Valley Basin Groundwater Sustainability Update in 2022 ("GSU22") to address the 10 recommended actions from DWR.[2] DWR approved the PV GSP Alternative because it found that the PV GSP Alternative is likely to achieve the sustainability goal for the Basin. Several projects and management actions are operational, including a Conservation Program for domestic and agricultural users and the Recycled Water Facility Optimization Project, the Coastal Distribution System F-Pipeline Expansion Project as well as the Coastal Distribution System Expansion Project which increased recycled water deliveries. Other projects are in the process of being implemented, such as the College Lake Integrated Resources Management Project for coastal distribution of water, and the Watsonville Slough System Managed Aquifer Recharge and Recovery Projects which are expected to improve the Harkins Slough and Watsonville Slough groundwater recharge basins. A formal review and assessment of the projects and management actions will take place by 2025. DWR has designated the Basin as "subject to critical overdraft" so the Basin must achieve sustainability by 2040 and maintain sustainability through 2070, or risk state intervention in Basin groundwater management. However, section 7 of the PVWMA GSU22 evaluates the status of projects and management actions for achieving sustainability based on current information and such evaluation indicates that projects and management actions are having the intended effects of reducing groundwater extraction, raising groundwater elevations, and increasing groundwater in storage. The Project's proposed use of high density residential projects within the Pajaro Community is anticipated within the longrange water management plans of the GSP Alternative and the GSU22. Therefore, it does not have the potential to impede or conflict with the plans (Sources: IX.23, 28, 31).

The Pajaro Regional Flood Management Agency (PRFMA) have planned an improvement to the Pajaro River levee to reduce flood risk from the lower Pajaro River and its tributaries in Santa Cruz and Monterey Counties. PRFMA is a joint powers authority of the County of Santa Cruz, Santa Cruz County Flood Control and Water Conservation Zone No. 7, the County of Monterey, the Monterey County Water Resources Agency, and the City of Watsonville. The levee project is to be cost-shared by the U.S. Army Corps of Engineers (USACE) and the DWR. The project is currently in the pre-construction, engineering and design phase and an Environmental Impact Report/Environmental Impact Statement is pending. Construction is expected to begin in 2025 and

[2] The actions are 1)Non-jurisdictional assessment, 2)Quantify depletions of inter-connected surface waters, 3)Groundwater dependent ecosystem identification, 4)Water budget update, 5)Sustainable management criteria for chronic lowering of groundwater levels and interconnected surface water, 6)Sustainable management criteria for seawater intrusion, 7)Finalize monitoring network and develop monitoring plan, 8)Subsidence analysis, and 9)Drought resiliency actions.

is expected to be managed by the USACE in partnership with PRFMA and the DWR. The Nicola project was reviewed by representatives of PRFMA and the County of Monterey Water Resources Agency to ensure that the setbacks required by the USACE for levee maintainence are not encroached. The setback of 15 feet from the foot of the levee is demonstrated in the project plans (see Figure 3). During project application review, the applicant caused the design of the structures to be informed by flood data produced by PRFMA as the most current model of flood flows. Therefore, the project is not in conflict with PRFMA's regional plan for the Pajaro River levee. (Sources: IX. 1, 16, 30.)

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

A. Factors

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

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

Some proposed applications that are not exempt from CEQA review may have little or no potential for adverse environmental impact related to most of the topics in the Environmental Checklist; and/or potential impacts may involve only a few limited subject areas. These types of projects are generally minor in scope, located in a non-sensitive environment, and are easily identifiable and without public controversy. For the environmental issue areas where there is no potential for significant environmental impact (and not checked above), the following finding can be made using the project description, environmental setting, or other information as supporting evidence. Note that this Initial Study uses the following terminology consistent with CEQA Guidelines to denote the significance of potential environmental impacts. A "less than significant" impact or an impact that is "not significant" would cause no substantial adverse changes in the environment; no mitigation is needed. A "potentially significant" impact could or would cause substantial physical changes in the environment. Mitigation is recommended to reduce the impact to a Less Than Significant level.

☐ Check here if this finding is not applicable

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

EVIDENCE: Section IV.12 – Mineral Resources: Data contained within the Monterey County Geographic Information System (GIS), published geological texts on the area, and a site visit conducted by staff verifies that there are no mineral resources on the site. Further, the project does not include an ongoing use, or mining of, mineral resources on or near the site. Therefore, implementation of the proposed project would have no impact on minimal resources. (Sources: IX.1, 10, 16) *No Impact*.

B. DETERMINATION

Based on 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.

Mary Israel, Supervising Planner	August 31, 2023 Date

V. EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).

2) All answers must consider the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a

previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

8) The explanation of each issue should identify:

a) The significance criteria or threshold, if any, used to evaluate each question; and
b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista? (Sources: IX.1, 4, 10, 44)	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Sources: IX.1, 4, 10, 44)	☐	☐	☒	☐
c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality. (Sources: IX.1, 4, 10, 44)	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: IX.1)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation: The project site is located at the north end of Gonda Street. Gonda Street contains existing residential apartment buildings and single-family residences. The project is bordered by vacant land that is approved to be converted to high density agricultural employee housing to the east, residential to the west, and the Pajaro River to the north. According to the Monterey County 2010 General Plan, the proposed project site is not located within a

visually sensitive area. The project site is within the North County Area Plan, which identifies portions of State Route 156 as scenic corridors (Sources: IX. 4, 10) and the proposed project site is not located near or visible from these scenic corridors. The buildings will be the tallest in the area (sixteen feet taller than the apartment buildings across Gonda Street to the west on APN 117-371-011-000 and seven feet taller than the 4 agricultural employee housing buildings permitted on the adjacent property [PLN210152, APN 117-361-016-000]). Vantage points from porches and second floor windows/balconies in the surrounding area will have a portion of blue sky blocked and this was raised as an area of concern by some residents in a Land Use Advisory Committee meeting discussion of the project. However, viewsheds are only protected by County regulations as viewed from public vista points and public roads where visual sensitivity has been determined by the Area Plan. The design meets regulations governing scenic quality, such as exterior light fixtures not creating glare. When viewed from Gonda Street (Figure 6), the buildings will be visible and may loom over the viewer; this is a contrast from the existing small house and accessory buildings that currently occupy the property. The proposed project site is zoned High Density Residential, twenty units per acre. Larger apartment buildings are among the anticipated uses for HDR zoned parcels and, in urbanized areas, are acceptable if the project does not conflict with applicable zoning and other regulations governing scenic quality. 3D modelling shows the project would not add significantly to the skyline of Susan Street (Figure 7).

Figure 6 – Project Elevations as viewed from Gonda Street (driveway of subject site).

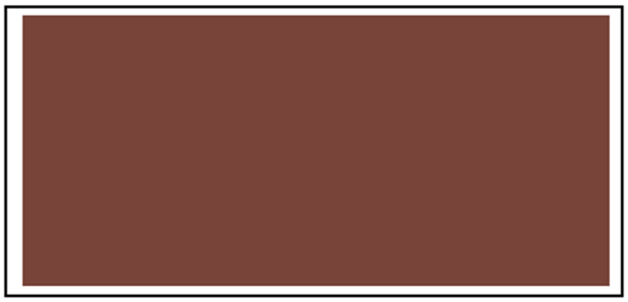
Figure 6. 3D modeled image captures the height of the proposed development buildings when viewed from street level at the driveway on Gonda Street. From this angle, the proposed buildings do not appear significantly taller than the 35-foot height maximum that is the

standard for the zoning district. The added eight feet in height is a proposed incentive for additional housing density, pursuant to MCC section 21.65.070. (Sources: IX. 1, 5).

Figure 7 – Project Elevations as viewed from Susan Street (nearest point on street).

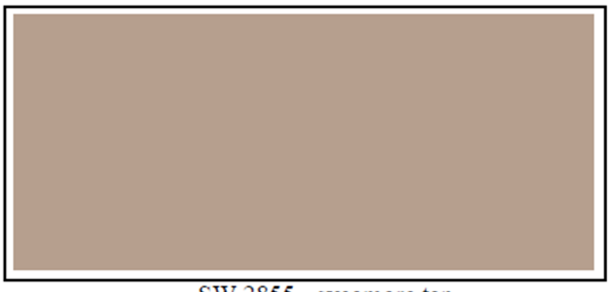
Figure 7. 3D modeled image captures the height of the proposed development buildings when viewed from street level at the terminus of Susan Street. (Source: IX.1).

Figure 8 – Project Colors and Materials



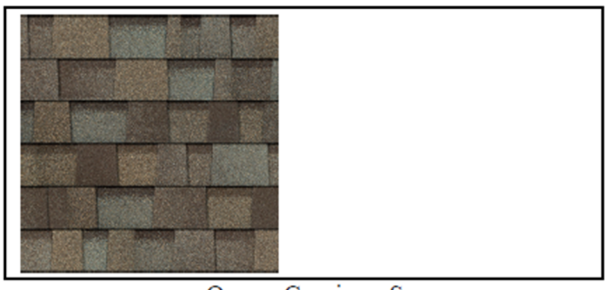
1x4 board & batt o/ cement fiber panel Colors: SW 2837 - aurora brown

siding 6" Colors: SW 2836 - quartersawn oak



trim, fascia, post, beam, gutter Colors: SW 2855 - sycamore tan

Fiber glass door Colors: SW 7746 - rushing river



roof - asphalt singles Colors: Owens Corning - Sycamore

1(a, b, c, d): Less than Significant Impact

The project site is not located in a visually sensitive area. Additionally, there are no scenic resources near the site, and it is not within a state scenic highway corridor. Public views from the streets of Gonda and Susan would be altered by the presence of the new buildings.

The proposed project would alter the existing visual character of the site by introducing a new residential complex with a height of 43 feet above natural grade, which is taller than the zoning

allows and consequently also taller than other structures in the neighborhood and the immediate area. The neighborhood is urbanized and is not visited by the public for scenic vistas. The added height is the subject of a request for an incentive under the density bonus law pursuant to MCC section 21.65.070. The added height aids in elevating the buildings above the base flood elevations while also maintaining a project at a density that can subsidize the construction of 3 units in the development that will be dedicated for very low income housing. Also pursuant to County Code, the public viewshed is a viewshed experienced from the public streets of the neighborhood, rather than one experienced from porches or private residences. However, a view of the trees along the Pajaro River will be blocked by the structures both from these private locations and from the terminus of Gonda Street when looking northeast. Because this view is not a prominent feature for public viewing and it is only briefly experienced from the public locations, it is a less than significant damage to scenic resources.

As part of the application submittal, colors and materials are proposed to be in natural tan, brown and reddish browns that would be harmonious with the area and not damage aesthetic qualities of the neighborhood. These colors are shown in Figure 8, above.

Nighttime lighting is proposed to be used by the project for security. All proposed exterior lighting will be consistent with the Monterey County 2010 General Plan lighting policies, including LU-1.13, which states that "All exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range visibility is reduced of the lighting source, and off-site glare is fully controlled." (Source: IX. 5) An exterior lighting plan has been included as a staff recommended condition of approval to ensure that all lighting will be downlit, shielded, and unobtrusive to the surrounding areas (Condition No. 24).

Although the structures will be 8 feet taller than allowed in the zoning district and taller than other structures in the vicinity, the area is urbanized with relatively high densities for an unincorporated area. The area is not located in a scenic area or in an area visible from a scenic vista or highway. The introduction of the new structures is not anticipated to significantly change the visual character of the area in this case.

2. AGRICULTURAL AND FOREST RESOURCES

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Sources: IX. 1, 4, 10, 16)	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Sources: IX. 1, 4, 10)	☐	☐	☒	☐
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))? (Sources: IX. 1, 4, 10)	☐	☐	☒	☐
d) Result in the loss of forest land or conversion of forest land to non-forest use? (Sources: IX. 1, 4, 10)	☐	☐	☐	☒
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? (Sources: IX. 1, 4, 10)	☐	☐	☒	☐

Discussion/Conclusion:

The project is situated entirely within the HDR zoning district. The parcel does not provide farmland or forest land resources. If the neighboring parcel's entitled development is not constructed, then the lot (zoned Agricultural for farming uses) would require some buffer pursuant to General Plan Policy AG-1.2. In that case, the applicant would need to request a Variance to the zoning code for buffer areas and work with the neighbor to provide additional agricultural buffering. The design and size of the subsequent buffer area would require additional review by the Agricultural Commissioner's Office.

2(b, c, e): Less than Significant Impact
General Plan Policy AG-1.2 requires a well-defined buffer area to be provided between new non-agricultural development proposals that are located adjacent to agricultural land uses on viable farmlands designated as Prime, of Statewide Importance, Unique, or of Local Importance. As introduced in section II., the neighboring parcel to the east is zoned for agricultural use and has been used for agricultural operations. The site is not currently in agricultural production because a separate agricultural employee housing project has been approved on the site. The zoning ordinance is more specific than the Agricutlural policies of the General Plan. The Zoning Ordinance requires a 200 foot buffer between lands designated for agricultural use and a proposed non-agricultural use. The proposed development is not setback 200 feet from the property to the east. In accordance with General Plan Policy AG-1.2, the project was reviewed at the January 27, 2022 Agricultural Advisory Committee (AAC) meeting. The AAC recommended to the applicant that the project include a buffer area and other buffer mechanisms. The applicant shall be required to work with the Agricultural Commissioner's Office and HCD to implement agricultural buffering that would achieve equivalent buffering benefits of a well-defined area on the property. Buffers will include setbacks, fencing and vegetation that help buffer the buildings from the adjacent property. This is part of the regulatory environment and is applicable at the time of construction permitting depending on the buffering needs at the time, so it is not recommended as a mitigation measure. With appropriate compliance with the Zoning Ordinance by application for a Variance, as needed, the project will comply with the Agricultural Element.

2(a, d): No Impact.
The project has no impacts due to the fact that the parcel does not provide farmland or forest land resources.

3. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Sources: IX. 1, 16, 21)	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? (Sources: IX. 1, 16, 21)	☐	☐	☒	☐

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Expose sensitive receptors to substantial pollutant concentrations? (Sources: IX. 1, 16, 21)	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Sources: IX. 1, 16, 21)	☐	☐	☒	☐

Discussion/Conclusion:
The project site is located within the North Central Coast Air Basin (NCCAB), which is under the jurisdiction of the Monterey Bay Air Resources District (MBARD). The MBARD is responsible for producing an Air Quality Management Plan (AQMP) that reports air quality and regulates stationary sources throughout the NCCAB. According to the MBARD CEQA Guidelines, a screening threshold of 2.2 acres of construction earthmoving per day is correlated to remaining below the 82 pound-per-day threshold of significance. Grading on the site is also subject to the regulations contained on MCC sections 16.08, Grading and 16.12, Erosion Control. Implementation of these requirements would ensure dust from grading and construction activities are controlled (Source: IX. 6). Operational emissions would not be substantial as they would only involve vehicle trips and energy usage associated with the agricultural shuttles. Sensitive receptors are on the next parcels to the west over one hundred feet and sixteen feet to the south. These receptors are apartment buildings (Source: IX. 1).

3(a, b, c): Less than Significant Impact.
Project construction would involve equipment typically used in residential construction projects, such as excavators and trucks, that would emit air pollutants such as carbon monoxide (CO), particulate matter less than 10 microns in diameter (PM10) and 2.5 microns in diameter (PM2.5), and nitrogen oxides (NOX). The proposed project would result in less than 2.2 acres of earthmoving per day, and as a result, would be below the threshold and would have a less than significant impact to air quality from construction activities. The construction-related impacts would not violate any air quality standards or obstruct implementation of the most recent MBARD Air Quality Management Plan. Construction of agricultural employee housing and associated site improvement on the property would not result in the emission of substantial amounts of air pollutants. Impacts related to the emission of toxic air pollutants during construction would be minor and temporary in nature. Sensitive receptors are on the next parcel sixteen feet to the south. These receptors are apartment buildings. The particulate matter and gases related to the construction phase may temporarily impact the receptors, but as the development's earthmoving per day is lower than the threshold, these impacts would not be substantial. Therefore, the project is less-than-significant in relation to the local air quality plans and sensitive receptors. The project

would add such a less-than-significant amount to the cumulative impact, so cumulative impact would remain less-than-considerable.

3(d): No Impact – Odors.
During construction activities, temporary odors from vehicle and construction equipment exhaust and fumes from architectural coatings and fuel for engines would occur. Construction-related odors would be short-term and would cease upon completion of construction activities. Operationally, the project does not include any uses associated with objectionable odors because land uses typically producing objectionable odors include wastewater treatment plants, food processing plants, agriculture, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding (MBARD, Source IX. 21). MBARD Rule 402 prohibits the discharge of air contaminants or other materials which would cause a nuisance or detriment to a considerable number of persons or to the public, with the exception of odors from agricultural activities. Therefore, given the residential nature of the proposed project and required compliance with MBARD Rule 402, the proposed project would not create objectionable odors that would adversely affect a substantial number of people during construction and operation.

3(d): Less than Significant – Dust.
During construction activities, grading operations may result in dust that could adversely affect residential properties on Gonda and Susan Streets. The project is required to comply with the MBARD requirements for dust control during all construction activities. The MBARD fugitive dust controls are required as part of construction plan submittals for HCD Construction Permits prior to approval. With adherence to the standard local regulations, the impact of the project on fugitive dust in the area of the project is reduced to a less than significant level. The following standard Dust Control Measures shall be implemented during construction where ground disturbance occurs to help prevent potential nuisances to nearby receptors due to fugitive dust and to reduce contributions to exceedances of the state ambient air quality standards for PM10, in accordance with MBARD's Guidelines:

a. Water all active construction areas as required with water (preferably from non-potable sources to the extent feasible); frequency should be based on the type of operation, soil, and wind exposure and minimized to prevent wasteful use of water;
b. Prohibit grading activities during periods of high wind (over 15 mph);
c. Cover all trucks hauling soil, sand, and other loose materials and require trucks to maintain at least 2 feet of freeboard;
d. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites;
e. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets;
f. Enclose, cover, or water daily exposed stockpiles (dirt, sand, etc.);
g. Replant vegetation in disturbed areas as quickly as possible;
h. Provide a stabilized construction access point of entrance/exit to the construction site that is stabilized and managed to reduce the tracking of mud and dirt onto public roads by construction vehicles;
i. Post a publicly visible sign that specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the MBARD shall also be visible to

ensure compliance with MBARD rules.

4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Sources: IX. 10, 32, 33, 34)	☐	☒	☐	☐
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? (Sources: IX. 1, 10, 32, 33, 34)	☐	☐	☐	☒
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Sources: IX. 1, 10, 32, 33, 34)	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: IX. 33)	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Sources: IX. 32, 33, 34)	☐	☐	☐	☒
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? (Sources: IX. 1, 10, 34)	☐	☐	☐	☒

Biological Resources Discussion/Conclusion: Biological Resources requiring protection are not immediately evident on the project site. However, a biological assessment was made on the neighboring parcel recently. Environmental scientist Liz Camilo conducted a survey immediately

adjacent to the subject site on September 14, 2021 and found strong likelihood of various protected organisms (Denise Duffy & Associates, Biological Resources Report and Update Memorandum, July 1, 2022, HCD Library Doc. LIB210240, Source IX. 33). Similar ruderal areas are found on the subject parcel and the same riparian corridor and trees are within 300 feet of this project. Therefore, County assumes there is potential habitat on the parcel where the Nicola development and use is proposed. Project will conform with local, State and Federal laws and regulations by adopting mitigation measures to avoid impacts to the species discussed below.

Special-Status Species

Special-status species are those plants and animals that have been formally listed or are Candidates for listing as Endangered or Threatened under ESA or CESA, are CDFW "species of special concern," are listed as rare under the California Native Plant Protection Act (CNPPA), are included in the CNPS California Rare Plant Ranks (CRPR) 1A, 1B, 2A, or 2B, or are California Fully Protected Species. In addition, raptors (e.g., eagles, hawks, and owls), migratory birds, and their nests are protected under California Fish and Game Code.

No special-status plant or wildlife species are known to occur within the project site; however, based on the presence of suitable habitat and known occurrences in the vicinity, Monterey spineflower (*Chorizanthe pungens var. pungens*) and California red-legged frog (*Rana draytonii*, "CRLF") have the potential to occur within the site. In addition, raptors and other nesting birds have the potential to nest within any of the large trees present within or adjacent to the site. These species are discussed below.

Monterey spineflower is a Federally Threatened and CNPS CRPR 1B herbaceous plant species which blooms from April through July. Monterey spineflower typically occurs on open sandy or gravelly soils on relic dunes in coastal dune, coastal scrub, and maritime chaparral habitats, though it can also be associated with cismontane woodlands and valley and foothill grasslands, at elevations of three to 450 meters. Suitable habitat for Monterey spineflower is present within ruderal areas of the project site. The California Natural Diversity Database (CNDDB) has 28 occurrences of this species within the project area, the nearest is approximately 1.3 miles from the project site. Therefore, Monterey spineflower has a moderate potential to occur within the project site.

Raptors, their nests, and other nesting birds are protected under California Fish and Game Code. (Nesting and foraging similarities allow for a blanket discussion and conclusion on potential avian impacts.) Most raptors are breeding residents throughout most of the wooded portions of California. Stands of live oak, riparian deciduous, or other forest habitats, as well as open grasslands, are used most frequently for nesting. Ornamental trees are planned for removal as part of the project that could be nesting habitat. Breeding occurs February through September, with peak activity May through July. Prey for these species include small birds, small mammals, and some reptiles and amphibians. Many raptor species hunt in open woodland and habitat edges. Various species of raptors, such as red-tailed hawk (*Buteo jamaicensis*), red-shouldered hawk (*Buteo lineatus*), American kestrel (*Falco sparverius*), great horned owl (*Bubo virginianus*), and turkey vulture (*Cathartes aura*), as well as other avian species, have a potential to nest within the trees present within 300 feet of the project site.

California Red-legged Frog (CRLF) is a federally Threatened species and a CDFW species of special concern (Sources: IX. 32, 34). It inhabits aquatic habitats with riparian vegetation during the breeding season. It also inhabits non-aquatic areas within a few hundred yards of aquatic habitats to shelter in small mammal burrows, leaf litter, or other moist areas during non-breeding periods. Radio telemetry data indicates that adults engage in straight-line breeding season movements irrespective of riparian corridors or topography and they may move up to two miles between non-breeding and breeding sites. These areas are considered dispersal habitats. The CNDDB reports an occurrence 1.5 miles east of the project site within the Pajaro River (Sources: IX 10, 33. The project site has not been surveyed for potential CRLF upland habitat because no breeding habitats presented during application reviews. The site is therefore assumed to contain potential upland habitat for the purposes of CEQA (worst-case scenario) and, due to linear distance from known occurrences, the site offers suitable dispersal habitat for this species. Therefore, CRLF have a moderate potential to occur within the project site.

Biological Resources 4(a, d): Less than Significant with Mitigation Incorporated
No sensitive habitats are present within or adjacent to the project site. However, certain special-status species have a moderate chance of occurring onsite. Construction with mitigation would protect against the loss of habitat, nest abandonment, and/or direct mortality of individual members of a special status species, if present at the time of construction. Direct harm or death of an ESA-listed species would be considered a "take" and would require an incidental take permit. Implementation of the below listed mitigation measures would reduce impacts to less than significant:

Mitigation Measure BIO-1: Employee Education on Biological Resources. A qualified biologist shall conduct an Employee Education Program for the construction crew prior to any construction activities. The qualified biologist shall meet with the construction crew at the onset of construction at the project site to educate the construction crew on the following:

1. the appropriate access route(s) in and out of the construction area and review project boundaries;
2. how a biological monitor will examine the area and agree upon a method which will ensure the safety of the monitor during such activities,
3. the identification of special-status species that may be present; and the California Red-Legged Frog (CRLF) training shall include:
    a) Identifying photographs of CRLF at typical age demographic and phenotypes for the dispersal habitat area and Information about distribution and habitat needs of CRLF and their sensitivity to human activities;
    b) The special status of CRLF including legal protection, recover efforts and penalties for violation.
    c) Distribution of wallet-sized cards and/or a fact sheet handout containing the information identified in a - c for the construction monitor to carry when on the project site. The Applicant/Owner shall make at least three copies of a version of the card/fact sheet in English and Spanish available to the construction monitor to provide to employees upon request. Each card or handout shall also direct personnel to contact the construction monitor if any tentative identification is made.

Mitigation Monitoring Action BIO-1.1

Prior to construction permits from HCD - Building Services, the owner/applicant shall submit to HCD - Planning for review and approval a contract with a qualified biologist on the County's list of approved biological consultants for the required employee education program, wildlife survey, and focused botanical surveys. When the contract is reviewed and approved, and other mitigation actions and steps in conditions of approval required prior to construction permit issuance are met, HCD-Planning staff will remove hold on the issuance of construction permits from HCD - Building Services.

Mitigation Monitoring Action BIO-1.2
Within one week of the commencement of construction activities including grading, the owner/applicant shall submit evidence to HCD - Planning for review and approval that the education program took place. This evidence shall be in the form of minutes and/or a list of attendees. The list will be updated as required when new personnel start work; no staff member may work in the field without participating in the Employee Education Program.

Mitigation Monitoring Action BIO-1.3
Prior to the building final, the owner/applicant shall submit to HCD – Planning a letter from the qualified biologist demonstrating how the education program was implemented, and how it was successful. The letter shall include the full and final list of all construction staff who participated in the Employee Education Program.

Mitigation Measure BIO-2: Botanical Survey. Prior to construction, a focused botanical survey shall be conducted within the project site during the appropriate blooming period (approximately May or June) to determine the presence or absence of Monterey spineflower within the site. If this species is not identified within the project site, no additional mitigation is required. If Monterey spineflower is identified within the project site, individuals that are not in the construction footprint shall be fenced or flagged for avoidance. A biological monitor shall supervise the installation of protective fencing and shall train a construction worker to be the onsite monitor. The site monitor shall verify in a log that protective fencing remains intact for the duration of construction. If avoidance of all Monterey spineflower is not possible, a Revegetation Plan shall be prepared by a qualified biologist prior to construction. The plan shall include a detailed description of revegetation areas, plant source material, planting specifications, and a monitoring program that describes annual monitoring efforts which incorporate success criteria and contingency plans if success criteria are not met.

Mitigation Monitoring Action BIO-2.1
Prior to construction permits from HCD - Building Services, the owner/applicant shall submit to HCD - Planning for review and approval a contract with a qualified biologist on the County's list of approved biological consultants for the required focused botanical surveys. When the contract is reviewed and approved, and other mitigation actions and steps in conditions of approval required prior to construction permit issuance are met, HCD-Planning staff will remove hold on the issuance of construction permits from HCD - Building Services.

Mitigation Monitoring Action BIO-2.2
Prior to construction permits from HCD - Building Services, the owner/applicant shall submit evidence to HCD - Planning for review and approval evidence that the botanical surveys took place

during the appropriate blooming periods and submit the results of the presence/absence surveys. HCD-Planning will hold construction permits, including grading permits, until the botanical survey results are submitted and reviewed.

Mitigation Monitoring Action BIO-2.3
If special-status plants are found on the site, prior to construction permits from HCD - Building Services, the owner/applicant shall submit to HCD - Planning for review and approval evidence that these species were avoided. If avoidance is not feasible, the owner/applicant or the qualified biologist shall submit to HCD - Planning for review and approval a Restoration Plan prepared by a qualified biologist. The restoration plan shall include the species and number of individual special-status plants that are expected to be impacted by development and detailed description of restoration areas, plant source material, planting specifications, and a monitoring program with annual monitoring efforts which incorporate success criteria and contingency plans if success criteria are not met. If the Restoration Plan discloses take of plants that are rare, threatened or endangered within the State of California, the Restoration Plan will be shared with CDFW for review. The killing or possession of California rare, threatened or endangered plant species is prohibited by California law. Other actions may be taken by CDFW at that time; the owner/applicant shall follow those required steps and inform HCD-Planning staff of the procedures and the timing of completion.

Mitigation Measure BIO-3: Raptor and Nesting Bird Surveys. To avoid impacts to nesting birds, construction shall commence prior to the nesting season (February 1 through September 15). If this is not possible, a pre-construction survey for nesting birds shall be conducted by a qualified biologist within 14 days prior to the commencement of construction activities in all areas that may provide suitable nesting habitat within 300 feet of the project boundary. If nesting birds are identified during the pre-construction survey, an appropriate buffer shall be imposed within which no construction activities or disturbance will take place (generally 300 feet in all directions). In the case that active nests are found and buffered zones marked, a qualified biologist shall be contracted to be on-site for initiation or re-initiation of work in the vicinity of the nest (up to 500 feet) to ensure that the buffer is adequate and that the nest is not stressed and/or abandoned. No work shall proceed in the vicinity of an active nest until such time as all young are fledged, or until after September 15 (when young are assumed fledged). Because some bird species nest early in spring and others nest later in summer, some breed multiple times in a season, surveys for nesting birds may be required to continue during construction to address new arrivals. The necessity and timing of these continued surveys will be determined by the qualified biologist based on review of the final construction plans.

Mitigation Monitoring Action BIO-3.1:
During construction permit application through HCD - Building Services, the owner/applicant shall submit a construction schedule detailing project activities, including when vegetation removal will be scheduled, to HCD – Planning and HCD – Building Services for review. If this action is not completed, HCD – Planning staff will place a hold on construction permits.

Mitigation Monitoring Action BIO-3.2:
If, in the determination of HCD – Planning and pursuant to the nesting periods described in this condition, the schedule indicates that vegetation removal is likely to occur during the raptor and

other nesting avian species avoidance period, the applicant shall submit a contract with a qualified biologist from the County's list of approved consultants for the required surveying to HCD - Planning. The contract shall be submitted to HCD-Planning prior to construction permit issuance. If this action is not completed, HCD – Planning staff will place a hold on construction permits.

Mitigation Monitoring Action BIO-3.3:
The owner/applicant or the qualified biologist shall promptly send the results of the qualified biologist's surveys in text and graphical form to HCD – Planning. If the qualified biologist deems a no-disturbance buffer is warranted, the owner/applicant shall establish the buffer in accordance with the qualified biologist's recommendations and update the grading plan with notes and graphical indications of the buffer areas. Alert HCD – Planning of the update to the grading permit for prompt review. HCD – Planning staff will place a hold on construction permits until this action is completed or written documentation is received from the biologist that buffers are not necessary.

Mitigation Monitoring Action BIO-3.4:
If no-disturbance buffers are found to be necessary by the qualified biologist, the owner/applicant or the qualified biologist shall submit evidence to HCD - Planning for review and approval that the no-disturbance buffers have remained in place until the young of the year have fledged at the mapped locations in the form of photographic evidence and a brief report by the qualified biologist. This documentation shall be received by HCD – Planning within four months of the survey dates.

Mitigation Measure BIO-4: California Red-legged Frog (CRLF) Survey. A qualified biologist shall survey the project site and immediately adjacent areas 48 hours before and the morning of the onset of work activities for the presence of CRLF. If any life stage of CRLF is observed, construction activities shall not commence until the Service is consulted and appropriate actions are taken to allow project activities to begin. The biologist shall fully train construction workers who shall serve as the onsite monitor. The training group size share ensure that at least one trained monitor is at the construction site at all times during the pre-construction and construction phases. If any life stage of CRLF is found and these individuals are likely to be killed or injured by work activities, work shall stop and the Service shall be contacted. Construction activities will not resume until the Service is consulted and appropriate actions are taken to allow project activities to continue.

Mitigation Monitoring Action BIO-4.1:
During construction operations, the owner/applicant or the qualified biologist shall send the results of the qualified biologist's CRLF surveys to HCD - Planning. If the qualified biologist discovers any life stage of CRLF, construction activities will not commence and the owner/applicant or biologist will notify HCD - Planning that USFWS has been consulted. Next actions taken will be in accordance with the recommendations of USFWS. Pre-construction and morning-of-onset survey results and evidence must be submitted to HCD - Planning in a timely manner which is contingent on the rate of construction activity as determined by the construction timeline; results are expected either at the end of every two weeks or at the end of every month of ground disturbing and vegetation removal activities. Full documentation shall be submitted to HCD – Planning prior to building final or commencement of use, whichever comes first.

Mitigation Monitoring Action BIO-4.2:

During ground disturbing and vegetation removal activities, a qualified biologist or biologist-trained construction monitor shall survey appropriate areas of the construction site daily before the onset of work activities for the presence of CRLF. The construction monitor shall remain onsite during all ground disturbing and vegetation removal activities. The CRLF training and supporting documents are listed in MM BIO-1, item 3.

Mitigation Measure BIO-5: California Red-legged Frog (CRLF) Construction Monitoring and Reporting. After ground disturbing and vegetation removal activities are complete, or earlier if determined appropriate by the qualified biologist, the qualified biologist will designate a Construction Monitor to oversee on-site compliance with all avoidance and minimization measures. The qualified biologist shall ensure that this construction monitor receives the sufficient training in the identification of CRLF. The Construction Monitor or the qualified biologist shall be authorized to stop work if the avoidance and/or minimization measures are not being followed. If work is stopped due to the presence of CRLF, the U.S. Fish and Wildlife Service (Service) shall be notified and construction activities will not resume until the Service is consulted and appropriate actions are taken to allow project activities to continue. As part of the Construction Monitor's daily tasks at the worksite, they will prevent inadvertent entrapment of CRLF during project construction, all excavated, steep-walled holes or trenches more than two feet deep will be covered at the close of each working day with plywood or similar materials. Before such holes or trenches are filled, they will be thoroughly inspected by the Construction Monitor for trapped animals. The qualified biologist and the construction monitor shall complete a daily log summarizing activities and environmental compliance throughout the duration of the proposed project. A complete daily log shall be submitted to HCD-Planning to review prior to final occupancy.

Mitigation Monitoring Action BIO-5.1:
The qualified biologist shall remain available to come to the site if a CRLF is identified until all ground disturbing activities are completed. If any life stage of the CRLF is found and these individuals are likely to be killed or injured by work activities, the qualified biologist shall be contacted, and work shall stop in that area until the CRLF has moved on its own out of the work area and the USFWS has been contacted. Construction activities will not resume until the USFWS is consulted and appropriate actions are taken to allow project activities to continue.

Mitigation Monitoring Action BIO-5.2:
During ground disturbing and vegetation removal activities, the owner/applicant or the qualified biologist shall send the results of the qualified biologist's daily CRLF surveys to HCD - Planning. If the qualified biologist confirms discovery of any life stage of CRLF, ground disturbing and vegetation removal activities will stop and the owner/applicant or biologist will notify HCD - Planning that USFWS has been consulted. Next actions taken will be in accordance with the recommendations of USFWS. All daily surveys and evidence must be submitted to HCD - Planning in a timely manner which is contingent on the rate of construction activity as determined by the construction timeline; results are expected either at the end of every two weeks or at the end of every month of ground disturbing and vegetation removal activities. Full documentation shall be submitted to HCD – Planning prior to building final or commencement of use, whichever comes first.

Mitigation Monitoring Action BIO-5.3:

After ground-disturbing and vegetation removal activities are complete, or earlier if determined appropriate by the qualified biologist, the qualified biologist will designate a construction monitor to oversee on-site compliance with all avoidance and minimization measures. The qualified biologist shall ensure that this construction monitor has fully understood the training described in Mitigation BIO-5 on the identification and enforcement of protection of CRLF. The construction monitor or the qualified biologist is authorized to stop work if the avoidance and/or minimization measures are not being followed. If work is stopped, the USFWS shall be notified. The qualified biologist and the construction monitor shall complete a daily log summarizing activities and environmental compliance throughout the duration of the proposed project.

Mitigation Monitoring Action BIO-5.4:
The owner/applicant shall send the results of the designated construction monitor's daily CRLF surveys during ground-disturbing and vegetation removal activities in the form of a daily log summarizing activities and compliance with the CRLF monitoring to HCD - Planning. If the construction monitor or qualified biologist confirms discovery of any life stage of CRLF, construction activities will stop and the owner/applicant or biologist will notify HCD - Planning that USFWS has been notified. Next actions taken will be in accordance with the recommendations of USFWS. All daily surveys and evidence must be submitted to HCD - Planning for review in a timely manner. Reporting timing is contingent on the rate of construction activity as determined by the construction timeline; results are expected either at the end of every two weeks or at the end of every month of construction activities. If HCD – Planning finds the daily CRLF surveys are not sufficiently complete (compared to the Biologist's survey log and evidence), then the Chief of Planning will communicate to the owner/applicant that the Biologist must 1) retrain the construction monitor, 2) train a different person for the task, or 3) monitor the grading/construction site fulltime. The change in protocol shall be commensurate with the intensity of the mishandling of the task. Full documentation shall be submitted to HCD – Planning prior to building final or commencement of use, whichever comes first.

Mitigation Measure BIO-6: Safe Worksite for Wildlife Movement – Best Management Practices. Only tightly woven fiber netting or similar material may be used for erosion control at the project site. Coconut coir matting is an acceptable erosion control material. No plastic mono-filament matting will be used for erosion control, as this material may ensnare wildlife, particularly CRLF. Because dusk and dawn are often the times when CRLF are most actively foraging and dispersing, all construction activities shall cease one half hour before sunset and shall not begin prior to one half hour after sunrise. Prevent inadvertent entrapment of CRLF during project construction, all excavated, steep-walled holes or trenches more than two feet deep will be covered at the close of each working day with plywood or similar materials. Before such holes or trenches are filled, they will be thoroughly inspected by the Construction Monitor for trapped animals (see MM-BIO-5). All trash that may attract predators shall be properly contained, removed from the construction site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.

Mitigation Monitoring Action BIO-6.1:
The Safe Worksite for Wildlife Movement BMPs shall be noted in a bullet-list on the grading and construction site plans.

Mitigation Monitoring Action BIO-6.2:
Prior to the issuance of construction permits from HCD-Building Services, the owner/applicant shall submit to HCD - Planning for review and approval in the form of a presentation of photographic evidence with time and date stamp and brief explanations that all protective fencing that was proscribed by a qualified biologist is in place prior to construction. These BMPs shall be occasionally assessed by HCD staff at construction inspections, as well.

Mitigation Monitoring Action BIO-6.3:
Within one month of the commencement of construction, the owner/applicant shall submit a signed and dated report from the onsite construction manager attesting that all construction workers have been trained that food-related and other trash must be disposed of in closed containers and removed from the project area at least once a week during the construction period or more often if trash is attracting avian or mammalian predators, and that construction personnel will not feed or otherwise attract wildlife to the area during construction. If the documentation is not received by HCD – Planning within six weeks of the construction training, notice will be issued through the Code Compliance division of the HCD Department that the building final inspection will be on hold until MM Action BIO- 6.3 is completed.

Biological Resources 4(b, c, e, f): No Impact
The project site consists of only ruderal/disturbed habitats. The project site is not within the coastal zone or a designated critical habitat for a listed species. Therefore, no impacts are anticipated to state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. The project does not propose removal of protected trees. Therefore, it would not conflict with local policies or ordinances pertaining to tree preservation policies and similar biological resource protections. The project is not located within, nor conflicts with, an adopted conservation plan.

Conclusion
Implementation of the biologist recommended mitigations as stated above will lead the project to a less than significant impact related to a substantial adverse effect on candidate, sensitive, and/or special-status species. Impacts are ***Less than Significant with Mitigation Incorporated****.*

5. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? (Sources: IX. 1, 10, 35, 36, 44)	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Sources: IX. 35, 36, 37)	☐	☒	☐	☐

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Disturb any human remains, including those interred outside of formal cemeteries? (Sources: IX. 10, 36, 37)	☐	☒	☐	☐

Discussion/Mitigation:
The subject property is located in a highly sensitive area that has archaeological and cultural resources. The project site does not contain any structural improvements or features that may be considered historical resources eligible for listing (Source: IX. 35, Phase 1 Inventory of Archaeological Resources, December 29, 2020, Archives & Archaeology, HCD Library Doc. No. LIB210074). Neither historical cultural nor pre-historical archaeological resources were discovered during the Phase 1 site survey but that does not preclude the possibility of disturbance of archaeological resources during ground disturbing activities (Sources: IX. 10, 36, 37). The project site is within the territory of the ethnographic group known as the Mutsun of the Costanoan, or alternatively Tiuvta of the Calendarruc (alternatively, Calendarurk) centered on present-day Watsonville. Each group likely had a population of 250-350 people. They would have had main residential villages as well as seasonal camps. A major Native American trail proceeded from Elkhorn Slough south of the project and then up the Pajaro River and onward north of the project area. The Ohlone population at the time of Spanish contact was estimated at 7,000 while recent research using mission records suggests a population of 16,000. Traditional Native American lifestyles were disrupted by European exploration, colonization, and the development of the Spanish missions in the late 18th century. The Ohlone were transformed from hunters and gatherers into agricultural laborers who lived at the missions and worked with former neighboring groups such as the Esselen, Yokuts, and Miwok. The sparse ethnographic data available on the prehistoric Ohlone populations have been based on intensive mission records study. (Source: IX. 36.) See also section V.18 that includes the results of tribal cultural consultations pursuant to Public Resources Code Section 21080.3.1.

Cultural Resources 5(b, c): Less than Significant with Mitigation
Although additional cultural resources were not identified within the project site, unanticipated discoveries are possible in unexcavated portions of the project site because of the proximity of the site to known resources. Therefore, impacts to cultural resources are potentially significant. Because the project site is considered sensitive for archaeological resources, an archaeological monitor is required to be present for all project ground disturbance. Therefore, implementation of **Mitigation Measure CULT-1** would reduce impacts related to archaeological resources and human remains to a less than significant level.

Mitigation Measure CULT-1: Employee Education on Cultural Resources. To reduce potential impacts to cultural resources that may be discovered during development of the site, a qualified archaeologist shall conduct a cultural resource awareness and response training for the construction field staffs that conduct any grading or excavation activities. The construction plans shall include the standard notes of the on-going condition to halt work immediately when any

cultural, archaeological, historical, or paleontological resources are uncovered at the site. If the find is determined to be significant, work shall remain halted until proper mitigation measures for the discovery has been formulated and implemented, with the concurrence of HCD-Planning and the archaeologist.

Mitigation Monitoring Action CULT-1:
a: Prior to the issuance of grading or building permits, the owner/applicant shall submit evidence that a qualified archaeologist conducted a cultural resource awareness and response training for construction personnel prior to the commencement of any grading or excavation activities. The training shall include a description of the kinds of cultural and tribal cultural resources that are found in the area, protocols to be used in the event of an unanticipated discovery, and the importance of cultural resources to the Native American community.

b: Prior to issuance of construction permits for grading or building, the owner/applicant shall submit to HCD-Planning a copy of the contract between the owner/applicant and a qualified archaeological monitor. The contract shall include a pre-construction meeting agenda with specific construction activities that the monitor shall be present for, any construction activities where the archaeological monitor will not be present for, how sampling of the excavated soil will occur, and any other logistical information such as when and how work on the site will be halted if any cultural resources are found. The contract shall include provisions requiring the monitor be present during soil disturbance for all grading and excavation and authorizing the monitor to stop work in the event resources are found. The contract shall be submitted to HCD-Planning for review and approval. In the events that HCD-Planning finds the contract incomplete or unacceptable, the contract will be returned to the owner/applicant and a revised contract shall be re-submitted for review and approval.

Cultural Resources 5(a): No Impact
The project site does not contain any structural improvements or features that may be considered historical resources eligible for listing (Source: IX. 35).

Conclusion:
As designed, the project has the potential to impact unknown historical/archaeological resources and with adherence to mitigation contained herein, existing regulations, and County Conditions of Approval, the project would have a less than significant impact on cultural and archaeological resources. Impacts are ***Less than Significant with Mitigation Incorporated****.*

6. ENERGY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (Sources: IX. 1, 6, 11, 13, 45, 46)	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Sources: IX. 1, 2, 6, 13, 45, 46, 47)	☐	☐	☐	☒

Discussion/ Mitigation:

There would be energy use during the construction phase of the project. The majority of this energy would be fuel consumed to operate heavy equipment, light-duty vehicles, machinery, and generators. Energy use during construction activities would be temporary in nature, and construction equipment used would be typical of similar-sized construction projects in the region. Construction contractors would be required to comply with the provisions of California Code of Regulations (CCR) Sections 2449 and 2485, which prohibit diesel-fueled commercial motor vehicles and off-road diesel vehicles from idling for more than five minutes to minimize unnecessary fuel consumption. Construction equipment would also be subject to the U.S. EPA Construction Equipment Fuel Efficiency Standard (40 Code of Federal Regulations [CFR] Parts 1039, 1065, and 1068), which would minimize inefficient fuel consumption. There would be operational energy use from gasoline consumption for transportation (vehicle trips) and electricity for the apartment buildings and electric gate. There is an existing single family dwelling at the site that is connected to power and has at least one vehicle in use. The proposed use would include shuttling of employees to worksites and very limited car ownership by inhabitants of the housing not taking part in the H-2A Visa program.

All Pacific Gas & Electric Company (PG&E) customers within Monterey County are enrolled in Central Coast Community Energy (3CE). 3CE is a locally-controlled public agency providing carbon-free electricity to residents and businesses. Formed in February 2017 as Monterey Bay Community Power and renamed 3CE in September 2020, 3CE is a joint powers authority, and runs the Community Choice Aggregation ("CCA") program (Public Utilities Code § 366.2 *et. seq*.) for the counties of Monterey, Santa Cruz, San Benito, and Santa Barbara Counties as well as several cities within San Luis Obispo County. In Monterey County, 3CE partners with PG&E, which continues to provide billing, power transmission and distribution, customer service, grid maintenance services and natural gas services to residents, commercial facilities and agriculture. 3CE's standard electricity offering is carbon free and has progressed on a pathway toward 100% renewable sources by 2030. As of February 2022, 3CE's residential power is classified as 34 percent renewable. Of the electricity provided by the company in 2018, 40 percent was hydroelectric, and 30 percent was solar and wind (eligible renewables) (Source: IX.45, Central Coast Community Energy, https://3cenergy.org).

There are Monterey Salinas Transit bus stops within ¼ mile of the project site that have the potential to transport the tenants to shopping, transit hubs, and recreation. There is an active State program through the California Air Resources Board that provides rebates and incentives to low-income Californians to purchase low-emissions vehicles. (Source: IX. 46., CARB website, https://ww2.arb.ca.gov).

6(a): Less than Significant Impact.
As discussed above, the energy consumed during construction would be temporary in nature and would be typical of other similar construction activities in the County. Federal and state regulations in place require fuel-efficient equipment and vehicles and prohibit wasteful activities, such as diesel idling. Therefore, project construction would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy, and impacts would be less than significant.
Operational mobile-source energy consumption would be primarily associated with vehicle trips to and from the project. The applicant proposed to lease the building to ~~an~~ agricultural employers who would provide all necessary transportation via busses for 248 of the residents of the housing. If operated as proposed, the project mobile vehicle trips would not result in increased fuel usage that would be considered unnecessary, inefficient, or wasteful. As currently proposed, the project would not have a significant impact on Vehicle Miles Travelled (VMT) and would not have the potential to cross a threshold for energy consumption.
Under CEQA Guidelines, the project is also assessed in terms of the environmental worst-case scenario. The shuttles employed by the agricultural company(ies) would generate a Daily Trip Rate of 256 (7.32 trips per unit x 35 units) during weekdays and 285 trips on Saturdays (8.14 trips per unit x 35 units). The existing single family dwelling at the site is attributed a Daily Trip Rate of 9.5 trips during weekdays and 9.5 Saturdays. (Sources: IX. 13, Traffic Impact Analysis, Keith Higgins, November 17, 2021, HCD Library Doc. No. LIB210077; IX.11, Institute of Transportation Engineers Trip Generation Manual, 2017 Ed.). If the Project were to change in future, upon a discretionary amendment, there would also be an opportunity to reassess the environmental impacts to Energy within the context of the state and local plans for renewable energy or energy efficiency that are in place at that future time.

6(b): No impact.
The proposed project would comply with existing state energy standards and would not conflict with or obstruct a state or local plan for renewable energy or energy-efficiency. The proposed project would be designed to comply with the California Green Building Code, Title 24 energy efficiency requirements, 2019 California Building Energy Standards requirements (including those for solar photovoltaic on all low-rise residential buildings), and Assembly Bill (AB)1881 water-efficient landscape requirements. The project would not conflict with other goals and policies set forth in General Plan or CARB pertaining to renewable energy and energy efficiency. Therefore, potential impacts associated with conflict with a state or local plan for renewable energy or energy efficiency have *no impact*.

Conclusion
As designed, the project has the potential to impact energy consumption in the region. With adherence to mitigation contained herein, existing regulations, and County Conditions of

Approval, the project would have a less than significant impact on energy resources. Impacts are ***Less than Significant****.*

7. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☒	☐
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source:) Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking? (Sources: IX.1, 24, 27, 29, 41)	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction? (Sources: IX.10, 16, 24, 29)	☐	☐	☒	☐
iv) Landslides? (Sources: IX.10, 16, 29)	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil? (Sources: IX.1, 10, 16, 28, 29)	☐	☐	☒	☐
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? (Sources: IX. 1,10, 16, 24, 29)	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial risks to life or property? (Sources: IX. 1, 10, 16, 25, 29)	☐	☐	☒	☐
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? (Sources: IX. 1, 10, 16, 25, 29)	☐	☐	☐	☒

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Directly or indirectly destroy a paleontological resource or site or unique geologic feature? (Sources: IX. 1, 10, 35, 37, 44)	☐	☐	☐	☒

Discussion/Mitigations:

The Pajaro Valley is defined by the Gabilan Range to the south and the Santa Cruz Mountain Range to the north. The Pajaro Valley is underlain by the Pajaro Valley Ground Water Basin, created by regional down warping and localized reverse and strike slip faulting along the Santa Cruz Mountain Range. The basin is an erosional and structural depression. Pliocene and younger rocks fill this depression and comprise the groundwater aquifer (Source: IX.27).

The project site is approximately 1.3 acres in size, is mostly flat, and is currently occupied by a house and accessory buildings with ornamental trees and a garden. According to the Monterey County GIS, the project site is located in Seismic Zone VI which is considered a high seismic hazard zone. The proposed project would require grading for foundation preparation and introduce new impervious surfaces. To ensure that the site is suitable for the project and to address geological hazards, the applicants had a Geotechnical Investigation – Design Phase report prepared by Butano Geotechnical Engineering, Inc. (August 2020, HCD Library Document No. LIB210076, Source: IX.29]. The report found erodible/loose surface soils. Recommendations were provided by the Geotechnical Engineer to address these hazards and, provided these recommendations are followed, the site is considered suitable for the proposed development.

7(a.ii, a.iii, b, c, d): Less than Significant Impact

County GIS reports, state fault mapping, and the Geotechnical report prepared for this project all indicate that the site is outside Alquist-Priolo Earthquake Zones. The nearest active fault is the Zayante-Vergleles fault located approximately 2.5 kilometers or just over 1.5 miles away from the site. No known fault lines cross the property and the potential for ground rupture is very low. However, County GIS indicates that it is located in Seismic Zone VI which is considered a high seismic hazard zone Monterey County, and therefore is expected to experience ground shaking at some point. The Geotechnical Report also indicated that the site has potential to experience intense seismic shaking, collateral seismic hazards, liquefaction and lateral spreading. These issues are controlled by the regulatory environment, including adherence to building code requirements on design and adequate engineer review. This project is required to obtain a construction permit from Monterey County. For the construction permit, a construction-phase report will be prepared. The permit plans will be reviewed for compliance with current California Building Code requirements and the construction of the structures will be inspected to ensure they are built according to approved plans and in accordance with building codes and standards. The Condition of Approval No. 16 is added to ensure the applicant prepares the construction plans following recommendations from the Geotechnical Report. Therefore, seismic factors will not be impacted beyond a Less than Significant level.

Liquefaction and lateral spreading tend to occur in loose sands and in places where the liquefied soils can move. The potential for liquefaction at the site is consider "moderate." Risks from liquefaction will be reduced by implementing geotechnical recommendations which include excavating and recompacting the top 5 feet of soils at the site as preparation for the foundation construction. With the application of Condition of Approval No. 16, the geotechnical recommendations prepared for the project as proposed shall be adhered to and impacts of the Project relating to liquefaction will be Less Than Significant.

The project site contains loose/soft surface soils that could result in soil erosion and loss of topsoil by water and/or wind. Measures are needed to control erosion during and after construction. Excavation and grading activities would involve approximately 1,000 cubic yards of soil. The project would be required to comply with MCC Chapter 16.12, *Erosion Control*. Chapter 16.12 sets forth required provisions for project planning, preparation of erosion control plans, runoff control, land clearing, and winter operations; and establishes procedures for administering those provisions. Similarly, erosion and loss of topsoil by water is regulated by the Post Construction Stormwater Management Requirements for Development Projects in the Central Coast Region, Central Coast Regional Water Quality Control Board Resolution No. R3-2013-0032, and the guidance documents promulgated by the Monterey Regional Stormwater Management Plan (MRSWMP).

In compliance with these State and County laws, the project applicant caused a Preliminary Stormwater Control Plan to be prepared by Roper Engineering (October 15, 2021, Source: IX. 28) that evaluated stormwater runoff and made recommendations toward Site Design and Runoff Reduction, Water Quality Treatment and Runoff Retention. (See also Section VI.11.) Some of these measure are incorporated into the Preliminary Erosion Control Plan, sheet C.1 of the Project Plans (Source: X.1). They include several bioswales with gutters and storm drains. Measures to control dust, such as site watering and the covering of all trucks hauling soil, sand or other lose material, would also be implemented. These actions, taken in response to the regulatory environment, would reduce erosion hazards impacts related to the Project to a Less Than Significant level.

The near surface soil consists of silty sand, clayey sand and sandy lean clay. The potential for expansion of soils is low. (Source: IX. 28)

Standard HCD Conditions of Approval that reduce impacts to Geology and Soils as part of the regulatory environment:

Condition No. 8, Construction Management Plan. The applicant shall submit a Construction Management Plan (CMP) to HCD-Planning and HCD-Engineering Services for review and approval. The CMP shall include measures to minimize traffic impacts during the construction /grading phase of the project. CMP shall include, at a minimum, duration of the construction, hours of operation, truck routes, estimated number of truck trips that will be generated, number of construction workers, and on-site/off-site parking areas for 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. (HCD-Engineering Services)

Condition No. 15, Stormwater Control Plan. The applicant shall submit a Stormwater Control Report and a Stormwater Control Plan, prepared by a registered professional engineer, to HCD -

Environmental Services for review and approval. The report and plan shall address the Post - Construction Stormwater Management Requirements (PCRs) for Development Projects in the Central Coast Region. The plan shall include detention facilities designed to limit post-development runoff rates to pre-development rates for the 2, 5, 10, 25, 50, and 100-year 24-hour design storms. The plan shall include the location of the drainage facilities and construction details. The Stormwater Plan shall include the construction inspection schedule that identifies when the inspections will be completed, who will conduct the inspection (i.e., PG, PE, and/or Special Inspector), a description of the required inspection, inspector name, and the completion date.(HCD-Environmental Services)

Condition No. 20, California Construction General Permit. The applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) including the Waste Discharger Identification (WDID) number, to HCD-Environmental Services. In lieu of a SWPPP, a letter of exemption or erosivity waiver from the Central Coast Regional Water Quality Control Board may be provided. (HCD-Environmental Services)

Condition No. 17, Operation and Maintenance Plan (PR 2-4). The applicant shall submit an Operation and Maintenance Plan prepared by a registered Professional Engineer that includes, at a minimum, the following:

- A site map identifying all structural Stormwater Control Measures requiring O&M practices to function as designed.
- O&M procedures for each structural Stormwater Control Measure including, but not limited to, LID facilities, retention/detention basins, and proprietary devices.

The O&M Plan shall include short- and long-term maintenance requirements, recommended frequency of maintenance, and estimated cost for maintenance. (HCD – Environmental Services)

Condition No. 18, Maintenance Agreement (PR 2-4). The applicant shall enter into a Maintenance Agreement (Agreement) that clearly identifies the responsible party for ongoing maintenance of structural Stormwater Control Measures. The Agreement shall contain provisions for an annual drainage system report, prepared by a registered Professional Engineer, that includes the status of all structural stormwater control measures and maintenance recommendations. The annual report shall be submitted to HCD-Environmental Services, for review and approval, no later than August 15th. All recommended maintenance shall be completed by October 15th of the same year. If maintenance is required, certification shall be provided that all recommended maintenance has been completed before the start of the rainy season. (HCD – Environmental Services)

Condition No. 19, Field Verification of Post-Construction Stormwater Control Measures (PR 2-4). The applicant shall provide certification from a registered Professional Engineer that the stormwater control facilities have been constructed in accordance with the approved Stormwater Control Plan. (HCD – Environmental Services)

7(a.i, a.iv, e, f): No Impact

Landslides are caused by disturbances in the natural stability of a slope which usually occur when water saturates soils on a slope or during an earthquake. The project site is flat. The only slope near the site is the Pajaro Levee within one hundred feet to the north of the project site. The Pajaro

Levee is an engineered and maintained slope and is highly unlikely to experience land sliding. Therefore, there is no risk of injury or death from landslides. Septic tanks are not proposed as part of the project. Paleontological resources or unique geological features were not identified on the site.

Conclusion
With these mitigations incorporated, risks of loss, injury or death from ground-shaking, liquefaction and environmental impacts from erosion are reduced to a ***less-than-significant*** *level.*

8. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Sources: IX. 13, 16, 20, 31, 48, 49, 50)	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Sources: IX. 12, 21, 43, 46, 47, 48, 49, 50)	☐	☐	☒	☐

Discussion/Conclusion:
Climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period of time. The global climate is continuously changing, and the geological record demonstrates repeated episodes of substantial warming and cooling documented in the geologic record. The rate of change used to be incremental, with warming or cooling trends occurring over the course of thousands of years. However, scientists have observed the rate of warming during the past 150 years to be accelerated. That is due to a high accumulation of Greenhouse Gases (GHGs) in the atmosphere, which adds to the earth's temperature. As they have throughout geological time, GHGs absorb and re-emit infrared radiation in the atmosphere. Without the natural heat trapping effect of GHGs, Earth's surface would be approximately 34° Celsius (°C) cooler (Source: IX. 48). They are emitted by both natural processes and human activities. However, it is believed that emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations. From the work of United Nations Intergovernmental Panel on Climate Change (IPCC), scientists across the world have high confidence that the global average net effect of human activities has been the dominant cause of warming since the mid-20th century (Source: IX. 50).

The gases that are found to be the key contributors to human-induced climate change include carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), fluorinated gases such as perfluorocarbons (PFCs) and hydrofluorocarbons (HFCs), and sulfur hexafluoride (SF_6). Of these gases, CO_2 and CH_4 are emitted in the greatest quantities from human activities. Emissions of CO_2 are largely by-products of fossil fuel combustion, whereas CH_4 results from off-gassing associated with agricultural practices and landfills. Different types of GHGs have varying global warming potentials (GWPs). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, CO_2 is used to relate the amount of heat absorbed to the amount of the gas emissions. This is referred to as carbon dioxide equivalent (CO_2e) and is the amount of a GHG emitted multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, CH_4 has a GWP of 25, meaning its global warming effect is 25 times greater than CO_2 on a molecule per molecule basis (Source: IX. 49).

California produced 369.2 MMT of CO2e in 2020. The major source of GHGs in California is associated with transportation, contributing 38 percent of the state's total GHG emissions. The industrial sector is the second largest source, contributing 23 percent of the state's GHG emissions, and electric power accounted for approximately 16 percent. The magnitude of California emissions are due in part to its large size and large population compared to other states. However, a factor that reduces California's per capita fuel use and GHG emissions, as compared to other states, is its relatively mild climate. In 2016, the State of California achieved its 2020 GHG emission reduction targets as emissions fell below 431 MMT of CO_2e. With implementation of the 2017 Scoping Plan, regulated GHG emissions are projected to decline to 320 MMT of CO_2e per year by 2030. Per Executive Order (EO) B-55-18, the statewide goal for 2045 is to achieve carbon neutrality and maintain net negative emissions thereafter. (Source: IX. 46).

8(a, b): Less than Significant Impact.
A Greenhouse Gas Impact Assessment was not prepared in CalEEMod. However, a CalEEMod report was prepared for Greenhouse Gas impacts for the next-door project that is of greater size such that the construction phase involves roughly eleven times the grading (11,500 cubic yards of cut and 5,100 cubic yards of fill) and there will be four buildings (Source: IX. 19). During the operational phase of that project, up to 480 employees would be shuttled to and from agricultural work sites. The CalEEMod results for Greenhouse Gas Impact Assessment on that project were below threshold for significant. The measurements for operational GHG for that project were based on worst-case vehicle trip-generation rates obtained from the traffic analysis prepared for the project and does not include shuttle bus/vanpool use for the transport of agricultural employees. Like the proposed project, the use of shuttle buses and vans to transport workers at the project next door would result in overall reductions in regional vehicle miles traveled (VMT) and would, therefore, have a beneficial effect on VMT (Source: IX. 14). Therefore, County finds it unnecessary to execute a quantitative assessment of the subject project. Common sense provides that the smaller service, smaller building area, less grading will comparatively not result in greater Greenhouse Gas Impacts. Therefore, construction and operation of the proposed project will not exceed established thresholds for air quality emissions. The proposed project would not result in GHG emissions that would have a significant impact on the environment and would not conflict with applicable GHG-reduction plans, policies or regulations. This impact would be considered less than significant. No mitigation is required.

The proposed project would be consistent with the Monterey County General Plan, the AMBAG 2040 MTP/SCS, the 2017 Scoping Plan, and EO B-55-18, which are regulations adopted to implement a statewide, regional, or local plan to reduce or mitigate greenhouse gas emissions. *This results in a less-than-significant impact level.*

9. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Sources: IX. 1, 10, 15)	☐	☐	☒	☐
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? (Sources: IX. 1, 10, 27)	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: IX. 10)	☐	☐	☒	☐
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? (Sources: IX. 1, 10, 27)	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? (Sources: IX. 1, 10, 16)	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Sources: IX. 13, 38)	☐	☒	☐	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (Sources: IX. 1, 7, 10, 16)	☐	☐	☐	☒

Discussion/Conclusion: The subject property is located on Gonda Street, a small local residential street in Pajaro Community Area. The site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. County GIS was consulted and the presence of hazardous to toxic materials around the site was not indicated. Furthermore, a Phase 1 Environmental Site Assessment was prepared for the project site on the adjacent parcel to the east in September 2021 with the purpose of identifying onsite hazardous materials/waste and petroleum contamination as well as review of government documentation of hazards in the area. CapRock conducted a search of federal and State government databases and identified nine locations of potential concern, none of which were on the subject property. These sites were assessed based on their relative location and elevation to the subject property and their regulatory status. CapRock found that sites are not anticipated to pose a potential environmental concern (Source: IX.27).

Hazards and Hazardous Materials 9 (a, b, c): Less Than Significant Impact.
Construction activities would require the temporary use of hazardous substances such as fuel and other petroleum-based products for operation of construction equipment, as well as oil, solvents, or paints. As a result, the proposed project would have the potential to result in the exposure of persons and/or the environment to an adverse environmental impact due to the accidental release of a hazardous material. However, the handling transport, use, and disposal of hazardous materials must comply with all applicable federal, state, and local agencies and regulations, including the Department of Toxic Substances Control; Occupational Health and Safety Administration (OSHA); California Department of Transportation (Caltrans); and the Monterey County Health Department - Hazardous Materials Management Services. Any handling of hazardous materials would be limited to the quantities and concentrations set forth by the manufacturer and/or applicable regulations, and all hazardous materials would be securely stored in a construction staging area or similar designated location within the project site.

The Project would not involve the use or storage of hazardous materials (oil, fuels, solvents, compressed gases, acids, corrosives, paints) or acutely hazardous materials (ammonia, chlorine, pesticides) beyond very small quantities in appropriate storage and only accessed by the onsite manager. As a housing facility, it would not generate hazardous waste or hazardous air emissions. The proposed project site is located within ½ mile of several schools, including J.W. Linscott Elementary School, Pajaro Middle School, and Potters House Community Christian School. Transportation of hazardous materials during the construction phase of the project would potentially result temporary impacts to these schools. Adherence to federal and state requirements relative to the transport and handling of hazardous materials would alleviate significant hazard to the public or the environment with regulatory controls which would reduce any potential impacts associated with transporting, handling, and disposing these materials.

Hazards and Hazardous Materials 9 (f): Less Than Significant Impact with Mitigation.
Gonda Street is not identified as an Evacuation Route contained in the 2010 General Plan – Safety Element, Table S-1. While Gonda Street is not a designated evacuation route, San Juan Road, which abuts Gonda Street, is listed as an evacuation route in the County's General Plan. Monterey County Office of Emergency Services has prepared a draft North County Evacuation Guide which is to be utilized by this project in the preparation of a project-specific emergency action plan. Section VI.15 discusses the neighborhood concerns and the recommendation for Mitigation

Measure PUBLIC-1, Emergency Action Plan. With the Emergency Action Plan mitigation, the potential for the project to impact evacuations involving hazards are reduced to Less Than Significant.

Hazards and Hazardous Materials 9 (d, e, g): No Impact.
The subject property is not located within an airport land use plan or within 2 miles of a public airport or public use airport and would not result in a safety hazard to airport operations. The proposed project is not located within a State Responsibility Area Fire Hazard Zone or Very High Fire Hazard Severity Zone and would not expose people or structures to a significant risk of loss, injury or death involving wildland fires. Therefore, the project would result in no impact relative to known hazardous sites, airport hazards, or wildland fires.

10. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? (Sources: IX. 1, 9, 10, 16, 28)	☐	☒	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (Sources: IX. 1, 31, 55)	☐	☐	☒	☐
c) Substantially alter the exiting drainage pattern of the site or area including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
i) Result in substantial erosion or siltation on or off site.	☐	☐	☒	☐
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite.	☐	☐	☒	☐
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
iv) Impede or redirect flood flows? (Sources: IX. 1, 10, 16, 28, 30, 31)	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (Sources: IX. 1, 30, 31)	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Sources: IX. 1, 2, 9, 16, 19, 28, 30, 31, 55)	☐	☐	☒	☐

Discussion:

This section discusses water quality and supply, drainage patterns and stormwater runoff, flood flows and hazards, wastewater, and potential conflicts with the implementation of water quality control and sustainable groundwater management plans. The amount of time per year of occupancy of housing in the buildings relates to the impacts on water supply and wastewater. Density Bonus units need to be occupied year-round, although the RHNA requires only nine months occupancy. At face value, the agricultural employee project takes up the bulk of the apartments (32 units including manager unit) which would be occupied nine months maximum while three units would be deed-restricted for very low income families could be occupied year round. The hydrological water calculations made by consultants in reports prepared for the Project are eight months across the board for all the units and do not factor in the three deed-restricted units. Therefore, minor adjustments are made to complete the analysis in this Initial Study.

Stormwater and Drainage

There are potential changes to the water quality from post-development storm water runoff associated with the proposed project that the Post-Construction Stormwater Management Requirements (PCRs) for Development Projects in the Central Coast Region would regulate. The applicant provided a draft Stormwater Control Plan (SWCP) prepared by Roper Engineering to address stormwater drainage, water quality requirements, and erosion control for the Project (Source: IX.28). The SWCP summarizes the proposed project's stormwater management strategy pursuant to the Post Construction Stormwater Management Requirements for Development Projects in the Central Coast Region, Central Coast Regional Water Quality Control Board Resolution No. R3-2013-0032, and the guidance documents promulgated by the Monterey Regional Stormwater Management Plan (MRSWMP). The preliminary drainage analysis concluded that runoff capture in bioswales and use of gravity to convey runoff through the site could occur without adverse impacts to the existing and proposed infrastructure. The draft civil plans include a proposed culvert crossing under Gonda Street. An additional storm drain connection on the southeast corner of the subject parcel is one of the planned improvements in the area as part of the potential construction of the entitled development on the adjacent parcel to the

east, PLN210152 - Rio Vista Group LLC (Source: IX. 19). This storm drain may also be utilized for effective stormwater control.

The project is located within the Municipal General Permit Boundary as defined by the California State Water Quality Control Board Order No. 2013-0001-DWQ. The project creates or replaces approximately 38,260 square feet of impervious area; therefore, the Post-Construction Stormwater Management Requirements (PCRs) for Development Projects in the Central Coast Region apply, including the following Performance Requirements: PCR No. 1 – Site Design and Runoff Reduction; PCR No. 2 – Water Quality Treatment; and PCR No. 3 – Runoff Retention. The project plan conceptually shows that impervious stormwater runoff will be directed away from and below buildings and foundations, towards a series of on-site bioretention swales. Per the preliminary SWCP by Roper Engineers (Source: IX.28), minimum required storage volume is 1,419 cubic feet. Therefore, the design appears to be capable of meeting Performance Requirements No. 1, 2, and 3. A construction-level SWCP will be required for review prior to issuance of any grading or construction permits. The standard condition of approval for a construction-level SWCP has been applied to the project.

The drainage system would normally be designed and constructed to meet current regulations and requirements pursuant to the Monterey County flood control requirements pursuant to MCC section 19.10.050. However, a more current source of flood modelling data was brought forth by the Pajaro Regional Flood Management Agency (PRFMA) in relation to a neighboring project during public hearing review in 2022, and in response, the applicant opted to utilize the same source of data. The essential difference between the standard FEMA data source and the PRFMA data source is that PRFMA models a 100-year flood with additive levee overtopping scenarios. The subject property's current elevation is estimated at 30.0 feet NAVD88 and is within the 100-year floodplain, or "zone AO." To meet the FEMA Zone AO requirement, the minimum finished floor elevations of the buildings would need to be 32.0 feet NAVD88. The applicant voluntarily designed the proposed development to meet the PRFMA modelled data which estimates composite base flood elevations of 35.3 feet NAVD88. The proposed buildings will have a finish floor elevation of 36.5 feet NAVD88, 1.2 feet above the worst-case scenario.

Wastewater

The Pajaro County Sanitation District and has an agreement with the City of Watsonville (City) to utilize the Watsonville Treatment Center as the treatment site for sewage flows. Wastewaters in the City area, including the subject site, are transported to the Watsonville treatment plant which has a design capacity of 13.4 mgd. Collection, primary treatment, are provided for the City and the local sewering entities of Freedom County Sanitation District, Pajaro County Sanitation District, and Salsipuedes Sanitary District. The project Water Demand and Sewer Capacity Estimate estimated that 42 percent of the contracted capacity available for added development is available. Local sewering entities retain ownership and direct responsibility for wastewater collection and transport systems up to the point of discharge to interceptors owned and operated by the City. The City is implementing a pretreatment program and the Regional Board has approved a waiver permit. City Wastewater Treatment Facility (WDR Order R3-2003-0040, NPDES CA0048216), and Pajaro County Sanitation District (WDR Order R3-2003-0041) must continue to implement their Collection System Management Plans, as required by their Waste Discharge Requirements (WDRs) and NPDES permits. In addition, the sanitary collection system jurisdictions identified

above are required to improve maintenance of their sewage collection systems, including identification, correction, and prevention of sewage leaks in portions of the collection systems that run through or adjacent to, impaired surface waters within the Pajaro River Watershed.

Pajaro County Sanitation District (PCSD) has issued its letter that it has capacity to, and will serve, the proposed project. The proposed project would be connected to the existing wastewater system. The applicant caused a Water Demand and Sewer Capacity Estimate to be prepared by Schaaf & Wheeler for the proposed project (January 18, 2022, Source: IX.1). The study measured wastewater production worst case scenario on the assumption that all housing units would be occupied by agricultural employees for only eight months of the year. Using the current standard peaking factor of 4.5 to estimate Peak Wet Weather Flow (PWWF) rates, maximum flow of wastewater from the project site with 273 agricultural employees was estimated to be 38.4 gallons per day (gpd). This was found to be the constraining factor for capacity in the sewer system, as opposed to Biological Oxygen Demand or Total Suspended Solids. PWWF from the project was multiplied to a worst-case month-long PWWF of 0.06 million gallons per day (mgd). Because the rate of flow is set to worst-case-scenario, County finds the more accurate count of 250 agricultural employee/3 deed-restricted year-round inhabitants would still fall under the worst-case scenario. The report estimated that system's available capacity is 0.65 mgd and therefore there would be sufficient contracted treatment capacity available to support the project. The Schaaf & Wheeler report also found there to be sufficient grade between the new sewer connections at the project buildings and the upstream invert of the existing sewer in Gonda Street to capture flow without adding an on-site pump station. The report qualified these findings on their understanding of the pipe sizes and slopes were obtained from the 1949 plan set titled: PCSD Main Trunk Lines, Outfall Sewers and Collection System. The original sewers are vitrified clay pipe (VCP). Newer pipes near the pump station are asbestos cement (ACP). Available records did~~e~~ not reflect any upgrades or replacements made since 1982. Due to the age of the system, Schaaf & Wheeler recommended that a video (CCTV) inspection of the collection system be performed to look for damaged pipes, root intrusions and displaced joints. Public Works caused a study using CCTV inspection to be made on the Pajaro CSD system in 2022. The videos were reviewed by a third party company that in turn provided recommendations for capital improvements. The sections of the system from San Juan Road to the treatment plant were evaluated, but Gonda Street was not. Therefore, the section of the system that would support this development and requires further evaluation is on Gonda Street. (Source: IX.57)

Potable Water

Pajaro/Sunny Mesa Community Services District (PSMCSD), a public utility, serves the Pajaro Community and has the capacity to serve the proposed project. A "can and will serve" letter has been issued by PSMCSD. The proposed project would be connected to the existing water system. As discussed above, the applicant caused a Water Demand and Sewer Capacity Estimate to be prepared by Schaaf & Wheeler for the proposed project (January 18, 2022, Source: IX.1). The current single family home residential water use within PSMCSD is estimated to be 0.27-acre-feet per year (AFY). The worst-case scenario for the analysis of water demand was set at full occupancy year-round. At that level of use, the project would consume approximately 14.5 AFY. The proposed use evaluated in the Schaaf & Wheeler report was full occupancy for eight months of the year, totaling 10 AFY on average. A supplemental usage evaluation was prepared by Bierman

Hydrogeologic (Source: IX.51) which referred to lower annual water usage that was estimated by the applicant for the Project. County's independent analysis of the hydrologic impacts associated with the proposed project's capacity to interfere with groundwater recharge and potential to obstruct the implementation of a sustainable groundwater management plan refer to both memoranda where appropriate.

The Department of Water Resources (DWR) and the State Water Resources Control Board (State Water Board) submitted a report to the State Legislature in 2018 which recommended that urban water suppliers achieve an indoor water use efficiency standard of 55 gallons per capita per day by 2023. The Schaaf & Wheeler report for this project also estimated the per capita use of water to be 55 gpd (gallons per day). Year-round occupancy of three of the two-bedroom apartments can be estimated at just under 1 AFY, while the more densely occupied agricultural employee units, when occupied for 9 months, would use 10.8 AFY, for a total estimated 11.8 AFY by the project.

Pajaro Valley Water Management Agency (PVWMA) is a state-chartered special purpose district formed in 1984 under State Law pursuant to the Pajaro Valley Water Management Agency Act. PVWMA was formed to manage existing and supplemental water supplies in an efficient and economical manner to prevent further increase in, and to accomplish continuing reduction of, long-term overdraft. The goal of the PVWMA is to provide and ensure sufficient water supplies for present and anticipated needs within its boundaries. Currently, the Pajaro groundwater basin is designated by the state as being critically over drafted. Overdraft of the groundwater in the basin has led to sea water intrusion. The PVWMA service area is comprised of portions of three counties, which are Santa Cruz, Monterey, and San Benito Counties. PVWMA serves the project area as the sustainable groundwater management planning agency. Their management plans include immediate actions the PVWMA can take to help alleviate overdraft of the Corralitos/Pajaro Valley subbasin as well as measures to stop seawater intrusion from advancing as a long-term goal. The current guiding documents are the Water Quality Control Plan for the Central Coastal Basin June, 2019 and the 5-year update of the Pajaro Valley Groundwater Sustainability Plan Alternative (PV GSP, Source: IX.31). In its approval of the PV GSP Alternative, DWR provided 10 recommended actions for PVWMA to address in the 5-Year Update of the PV GSP Alternative. The PVWMA prepared a Pajaro Valley Basin Groundwater Sustainability Update in 2022 ("GSU22") to address the 10 recommended actions from DWR.

In 2014, California passed legislation known as the State Groundwater Management Act (SGMA) to help protect groundwater resources over the long-term. SGMA requires local agencies to form Groundwater Sustainability Agencies (GSAs). GSAs are charged with developing Groundwater Sustainability Plans (GSPs) to avoid undesirable results and mitigate overdraft in high and medium priority basins within 20 years. The project is located in a high priority basin and the GSA for the basin is PVWMA. PVWMA has conducted extensive studies of the basin and has adopted a GSP for the basin that contains programs, policies, and projects that help mitigate overdraft and avoid undesirable results within the basin. The state Water Resources Control Board reviews and approves GSPs and each GSA is required to report annually to the state and to update their plans regularly. If a GSA is not achieving their goal, they can be put on probation by the State and the State may take control of groundwater management in the area to ensure success.

As discussed in section III of this Initial Study, DWR approved the PV GSP Alternative because it found that the PV GSP Alternative is likely to achieve the sustainability goal for the Basin. Several projects and management actions identified in the PV GSP are operational, including a Conservation Program for domestic and agricultural users and the Recycled Water Facility Optimization Project, the Coastal Distribution System F-Pipeline Expansion Project as well as the Coastal Distribution System Expansion Project which increased recycled water deliveries. Other projects are in the process of being implemented, such as the College Lake Integrated Resources Management Project for coastal distribution of water, and the Watsonville Slough System Managed Aquifer Recharge and Recovery Projects which are expected to improve the Harkins Slough and Watsonville Slough groundwater recharge basins. A formal review and assessment of the projects and management actions will take place by 2025. DWR has designated the Basin as "subject to critical overdraft" so the Basin must achieve sustainability by 2040 and maintain sustainability through 2070, or risk state intervention in Basin groundwater management. However, section 7 of the PVWMA GSU22 evaluates the status of projects and management actions for achieving sustainability based on current information and such evaluation indicates that projects and management actions are having the intended effects of reducing groundwater extraction and raising groundwater elevations, increase groundwater in storage. (Sources: IX. 23, 28, 31).

Monterey County has consulted with PVWMA (the GSA for the area) on this project. The PV GSP does not regulate land use decisions and PVWMA has indicated that the proposed project will not conflict with the implementation of the PV GSP.

Conclusions:

10(a): *The project may have a significant effect on the environment if it would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.* **Less Than Significant Impact with Mitigation**

Water will be provided by PSMCSD, and sewage services will be provided by the PCSD, both of which are subject to MCC Chapter 19.10.050. Although a wastewater estimate was provided as part of the application, the actual capacity of the existing drainage pipes and system pumps to handle new large-scale drainage connections on Gonda Street is unknown. Furthermore, the projected wastewater production for the Project must reflect complete wastewater produced by the entitled Project, which may be somewhat higher than portrayed in the preliminary assessment, due to increased duration of three units for three months with a different type of use (residential). A mitigation measure (UTIL-1) is therefore applied, discussed specifically in Utilities and Service Systems (section VI.19), that requires the applicant to perform an evaluation of the impact of the proposed development on the PCSD sewer system and identify ~~any~~ Gonda Street system improvements necessary to accommodate increased sewer flows resulting from the proposed project and to make any improvements to the system that may be required to ensure that the system can accommodate the new connection. If the ~~study~~ evaluation finds that ~~a~~ the ~~sewer lift station or any impacted~~Gonda Street manholes or sewer line~~s are undersized~~require improvements to serve proposed development, the ~~study~~ evaluation shall include recommendations for necessary upgrades~~ and an analysis of the downstream sewer main's capacity for the increased flow~~, and these improvements must be done prior to construction of the project unless, during evaluation review, PCSD finds that the timing of the work will best be done concurrently with Project

construction. With this mitigation applied, the proposed project would not violate waste discharge requirements.

A condition of approval (No. 20) has been incorporated requiring the owner/applicant to either submit a Stormwater Pollution Prevention Plan (SWPPP) or in lieu of a SWPPP, a letter of exemption or erosivity waiver from the Central Coast Regional Water Quality Control Board. The SWPPP would incorporate Best Management Practices (BMPs), visual monitoring, Rain Event Action Plan (REAP), and Construction Site Monitoring Program (CSMP) requirements (as applicable) to comply with the General Permit. With the implementation of the BMPs outlined in the SWPPP, the potential for the degradation of water quality will be addressed. Application of the Post Construction Stormwater Management Requirements for Development Projects in the Central Coast Region, Central Coast Regional Water Quality Control Board Resolution No. R3-2013-0032 will further minimize impacts to surface and groundwater quality. (Condition Nos. 15, 17, 18, and 19, listed in section VI.7).

As discussed above, PVWMA serves the project area as the sustainable groundwater management planning agency. Their management plans include immediate actions the PVWMA can take to help alleviate seawater intrusion as well as measures to stop seawater intrusion from advancing as a long-term goal. The project is within the service area of the PVWMA and this GSA has a 2040 set-date for sustainable basin yields. Although the proposed Project will be completed years before the PVWMA anticipated basin sustainability, the project size is small such that it should not have adverse cumulative impact to the aquifer especially because storm water is retained with managed aquifer recharge and City of Watsonville continues recycled water reuse operations for agricultural demands and the Project application included data analysis which indicated that 50 percent of the wastewater produced by the employee housing facility during operation would enter the recycling system for re-use while all as much as 95 percent of stormwater will be retained onsite and recharge the Basin. (Sources: IX.1, 31, 51). For these reasons, the proposed project would not substantially degrade groundwater quality and is expected to have a Less Than Significant Impact. (See also the Geology and Soils Section).

10(b): *The project may have a significant effect on the environment if it would substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.* **Less Than Significant Impact**

The proposed project will be supplied municipal water from PSMCSD; this supply is sourced from groundwater extractions pumped from the Corralitos/Pajaro Valley Groundwater Basin. PSMCSD has issued the proposed project a "Can-and-Will-Serve" letter, indicating that the proposed project would have a reliable source of water supply however that source has the potential to cumulatively add to the overdraft conditions.

According to California's Groundwater Update 2020 (CalGW, formerly Bulletin 118) published by the Sustainable Groundwater Management Office of the DWR, Corralitos/Pajaro Valley subbasin groundwater levels have been in a decreasing trend due to pumping in excess of recharge. The total storage capacity of the basin is estimated to be 2,000,000 acre-feet from the Aromas Formation, which is above the Purisima Formation. If the storage from the upper Purisima Formation is included, then the estimate of total storage capacity of the basin is 7,770,000 acre-

feet. The Purisima Formation is only penetrated by a few deep wells with limited water production, so it was not included in this Project's analysis. Over time, there has been an estimated loss of freshwater storage from the basin. Some of the freshwater storage loss is due to seawater intrusion, while other loss is due to conditions of chronic overdraft and resultant falling groundwater levels (estimated overdraft was estimated at around 100,000 acre-feet. (Sources: IX. 23, 31.)

In order to approve this project, the 2010 Monterey County General Plan requires proof that a long-term, sustainable water supply, both in quality and quantity exist to serve the development. This site is located within the boundaries of the Pajaro Community Plan Area as identified in the 2010 General Plan. Community areas are considered primary areas for growth. The 2010 General Plan Environmental Impact Report identified that the community of Pajaro is in an over-drafted groundwater basin and found that the designation of this area as a "community plan" area would have significant and unavoidable impacts to groundwater in the area. However, without an actual Plan for the area, HCD does not have specific local remedy for groundwater overdraft in relation to the Community Area's sustainability. Therefore, the project requires a means of supporting the long-term sustainable water supply findings.

As the GSA for the over-drafted water basin supplying water to the subject site, PVWMA was consulted as part of the development of this Initial Study. While PVWMA is making progress in implementing projects and programs to address the long-term deficit in the groundwater budget, the Agency offered that the three capital projects outlined in the BMP 2014 have yet to be constructed and the actual realized benefits of those projects won't be known until they are in operation. Even then, year to year yields will be affected by climate conditions. Additionally, conservation which composed 40% of the targeted reduction in groundwater use has been on a downward trend in reduced water use based on the agency's broad indicator metric. The recent

three years of drought have resulted in an increase in agricultural groundwater use compared to the baseline reference. As noted in the Basin Management Plan: Groundwater Sustainability Update 2022 (GSU22), long-term threats to the Basin include sea level rise and climate change which are likely to pose increasing threats to sustainability in the decades ahead. As part of a sea level rise and climate change uncertainty analysis for the projected water budget, presented in the GSU22, the decades after 2040 appear bleak. The average annual overdraft for the past ten Water Years is 14,350 acre-feet. PVWMA is tasked with implementing projects and policies that will address this. Powers of PVWMA include the ability to mandate reductions in pumping if needed.

This project will increase demand for groundwater in an overdrafted groundwater basin. Total water use in the Basin during Water Year 2020 was 52,351 acre-feet, an increase of approximately 10% compared to Water Year 2019, with groundwater providing 87% of the supply. Were the worst case scenario of 14.5 AFY of water needed for the proposed development to have been drawn in Water Year 2020, it would represent less than 0.00027 of the overall water used within the basin. As noted, the local system is anticipated to recycle as much as 50 percent of the wastewater produced from the project for agricultural irrigation during the agricultural season, when the peak water use for the project will be ~~occuring~~occurring, as well.[3] These factors indicate to County that the Project's potential to interfere with groundwater recharge is a Less Than Significant impact (Sources IX. 2, 23, 31).

[3] Should the project increase year-round habitation of units to the full 35, the Project would require an amendment entitlement and new environmental analysis at that time.

10 (c) – *The project may have a significant effect on the environment if it would substantially alter the exiting drainage pattern of the site or area including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*

i) Result in substantial erosion or siltation on or off site. **Less Than Significant Impact**

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or offsite **Less Than Significant Impact**

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or **Less Than Significant Impact with Mitigation**

iv) Impede or redirect flood flows **Less Than Significant Impact**

Construction activities could potentially result in erosion impacts; new impervious surfaces are proposed that could increase runoff of stormwater however, the project application's Preliminary Stormwater Control Plan was reviewed by County hydrologists who found the design has the potential to adequately control stormwater runoff. Also, the project would place new structures in the flood zone. A redesign of the project using the most current flood modeling from the Pajaro Regional Flood Management Agency was reviewed by County staff, including the Floodplain Administrator.

The potential for erosion is addressed in the Geology and Soils section of this report. The applicant has submitted a geotechnical report and had a civil engineer prepare an erosion control plan for the project. With implementation of recommended best management practices and the application of standard local (MCC Chapter 16.12) and state erosion control requirements the proposed project would not result in substantial erosion or siltation off-site. In addition, a standard condition of approval (Condition No. 16) has been incorporated requiring a licensed practitioner certify that geotechnical recommendations have been incorporated into the approved grading plan and stormwater control plan (See Geology and Soils). Therefore, the project, as proposed and conditioned, would result in a Less Than Significant Impact relative to erosion.

A preliminary stormwater control plan has been prepared for this project by a licensed civil engineer and that plan has been reviewed by Monterey County staff (HCD-Environmental Services). The plan identifies how stormwater will be collected, how stormwater will be retained on-site so that runoff is equivalent to predevelopment rates, and it contains information on how storm water quality will be managed to meet mandatory water quality criteria. The proposed project would include drainage improvements such as a new on-site storm drain system and low impact development features, as well as bio-swales. These systems are collectively sized to provide on-site retention and management of runoff rates, per the Post-Construction Requirements (PCRs) and County requirements. To ensure final construction occurs in accordance with the preliminary plan, standard conditions of approval (Condition Nos. 15, 17, 18, and 19, listed in section IV.7) requiring the owner/applicant to submit a Stormwater Control Report and a Stormwater Control Plan, prepared by a registered professional engineer, to HCD-Environmental Services for review and approval prior to issuance of construction permits and prior to final of construction permits, the owner/applicant shall provide certification from a registered Professional Engineer that the

stormwater control facilities have been constructed in accordance with the approved Stormwater Control Plan.

This project has been reviewed by the Floodplain Administrator. By using the Pajaro Regional Flood Management Agency's spatial data, the Project proposed to construct the lowest finished floor elevations for the agricultural employee housing more than one foot above the FEMA 100-year flood level. The Floodplain Administrator found this sufficient and did not indicate that the construction and use of the Project would impede or redirect flood flows. The project is not located within a floodway so little to no impact will occur to flood elevations or velocity from placement of proposed structures at this site. Proper anchoring and floodproofing is required as part of the project structural design. As designed and with the application of mandatory floodplain standards, the project will have a Less Than Significant Impact on flooding.

10(d): *The project may have a significant effect on the environment if it would, in a flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.* **Less Than Significant Impact**

The proposed project is not located within an area subject to tsunami, or seiche zones, therefore, there is no impact related to the risk release of pollutants due to project inundation due to these areas. The proposed project's drainage system would be constructed to meet current regulations and flood control requirements and implementation of BMPs. As a result, the potential for risk of release of pollutants due to flood hazard is low. This represents a less than significant impact.

10(e): *The project may have a significant effect on the environment if it would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.* **Less Than Significant Impact**

As described in impact discussion a) above, the proposed project would not result in significant water quality impacts that would conflict or obstruct implementation of a water quality control plan. One of the efforts that might be affected is the site-specific water recharge potential because new structures and impervious surfaces are proposed on the property; however, the stormwater plan and applicable regulations require that the stormwater be retained on-site and that the system be designed to accommodate the 85th percentile of specified storm events. This means that the project contains drainage facilities that ensure that water continues to be retained on-site allowing for it to recharge at groundwater at the same rates as pre-development. The Project application proposed that stormwater could be retained to the 95th percentile of storm events.

There are no potential impacts for the normal annual use by the project to conflict with to the Basin Management Plans, as described above. At maximum possible impact, the potential contribution of the project to additional over-drafting of the Corralitos-Pajaro water basin is planned for within the GSU22, resulting in a **Less Than Significant** level of potential impact.

11. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (Sources: IX. 1, 2, 4, 10, 16)	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (Sources: IX. 1, 2, 4, 10, 16, 18, 20, 21, 30, 31, 35, 38, 42, 43)	☐	☐	☒	☐

Discussion:

As shown in the Figures 1 and 2 of this Initial Study, the subject parcel is located within the Pajaro Community Area. The Pajaro Community Plan is not yet adopted. The proposed project is development that precedes the Community Plan. Development that is entitled with the Community Area prior to the adoption of a Community Plan should align with the goals and general guidance for the Community Area that is outlined in the General Plan.

General Plan

The 2010 general plan goals for General Land Use include the following. After each goal or policy, a short statement in italics expresses the status of the proposed agricultural employee housing project in Pajaro Community Area in terms of conflict or consistency.

Goal LU-1 – promotes appropriate and orderly growth and development while protecting desirable existing land uses. *Consistent.*

Policy LU-1.1 and 1.2 – Type, location, timing and intensity of growth in the unincorporated area shall be managed; premature and scattered development shall be discouraged. *Consistent.*

Policy LU-1.3 – Balanced development of the County shall be assured by designating adequate land for a range of future land uses. *Consistent.*

Policy LU-1.4 – Growth areas shall be designated only where an adequate level of services and facilities such as water, sewerage, fire and police protection, transportation, and schools exists or can be assured concurrent with growth and development. Phasing of development shall be required as necessary in growth areas in order to provide a basis for long-range services and facilities planning. *Consistent.*

Policy LU-1.5 – Land uses shall be designated to achieve compatibility with adjacent uses. *No land use designation involved, not applicable.*

Policy LU-1.6 – Standards and procedures to assure proper levels of review of development siting, design, and landscaping shall be developed. *Standards and procedures that were previously developed were followed.*

Policy LU-1.7 – Clustering of residential development to those portions of the property which are most suitable for development and where appropriate infrastructure to support that development exists or can be provided shall be strongly encouraged (etc.) *Consistent.*

Policy LU-1.8 – Voluntary reduction or limitation of development potential in rural and agricultural areas through dedication of scenic or conservation easements, Transfer of

Development Rights and other appropriate techniques shall be encouraged. *Project is in a High Density Residential zoning district, therefore not applicable.*
Policy LU-1.9 – Infill of vacant non-agricultural lands in existing developed areas and new development within designated urban service areas are a priority. Infill development shall be compatible with surrounding land use and development. *This project qualifies as infill and is consistent.*
Policy LU-1.10 – Off-site advertising shall be discouraged to enhance public safter and to avoid visual clutter and scenic intrusion. (etc.) *No off-site advertising involved, not applicable.*
Policy LU-1.11 – Development proposals shall be consistent with the General Plan Land Use Map designation of the subject property and the policies of this plan. ~~h.~~ North County (NC) Figure LU8. *Consistent.*
Policy LU-1.12 – Structures in electrical transmission corridors or rights-of-way shall be prohibited. *No electrical transmission corridors or rights-of-way involved, not applicable.*
Policy LU-1.13 – Exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range visibility is reduced of the lighting source, and off-site glare is fully controlled. *Consistent.*
Policies LU-1.14 through LU-1.18 discuss lot line adjustments. *Development does not include a lot line adjustment, not applicable.*
Policy LU-1.19 – Community Areas, Rural Centers and Affordable Housing Overlay districts are the top priority for development in the unincorporated areas of the County. *Project is proposed within the Pajaro Community Area, so it is consistent with this policy.*
Goal LU-1.20 – Residential development within unincorporated Monterey County shall be limited to area build-out. Area build-out means specific land use/density designations as mapped in the area plans and adopted as part of this General Plan. *Consistent.*

Policy LU-2, the main goal for Residential Land Use in the 2010 General Plan, encourages residential development of various types and densities for all income levels in areas where such development would be accessible to major employment centers and where adequate public services and facilities exit or may be provided. *Consistent.*

Policy LU-2.1 – Sufficient sites for housing shall be designated, including rental housing, factory built housing and mobile homes, to make adequate provision for the existing and projected needs of all economic segments of the community. *The proposed project adds housing to the site designated for High Density Residential, so it is consistent with this policy.*

Policy LU-2.2 – Residential development shall be limited in areas that are unsuited for more intensive development due to physical hazards and development constraints, the need to protect natural resources, or the lack of public services and facilities. *As analyzed in Sections IV.5, IV.7, IV.8, IV.9, IV.10, IV.15 and IV.19, the proposed project not in an area unsuited for more intensive development. Physical hazards (erosion, liquefaction, flood zone) and development constraints (biological resource impacts, long-term water supply) are less-than-significant with the mitigation measures and conditions of approval.*

Policy LU-2.3 – High density residential areas shall be designated closest to urban areas, ~~in~~ community areas, rural centers or existing unincorporated communities. *Consistent.*

Policy LU-2.4 – Areas designated for residential use shall be located with convenient access to employment, shopping, recreation, and transportation. Higher density residential areas should be located with convenient access to public transit. *Consistent.*

Policy LU-2.5 – Adequate circulation rights-of-way shall be delineated within each residential area. *Consistent.*

Policy LU-2.6 – New land use activities or changes in land use designations that may potentially be nuisances and/or hazards shall be discouraged within and in close proximity to residential areas. *Consistent.*

Policy LU-2.7 – Open space may be provided in and/or on the fringes of residential areas. *Not applicable.*

Policy LU-2.8 – The County shall designate and establish regulations for an Agricultural Buffer/ conservation easement (AB) designation to protect the existing agricultural operation (see Policy AG-1.2 for buffer criteria). *The proposed project has the potential to be consistent with this policy, as explained below under Agricultural Element.*

Policy LU-2.9 – In areas designated for agricultural uses where development of legally subdivided land would promote incompatible residential development, the County shall solicit and encourage the voluntary donation of conservation easements or other development restrictions to the County or· to a qualified private nonprofit organization in order to preserve the agricultural use of the land. *Not applicable.*

Policy LU-2.10 – In areas where General Plan policy has not applied policy restrictions due to resource constraints, one accessory housing unit shall be allowed on a residentially designated lot if it meets the following criteria. . . In an area governed by a County-adopted Community Plan or Specific Plan, the Community Plan or Specific Plan shall govern the permissibility of accessory housing units. *Not applicable because there are no accessory housing units in the proposed project.*

Policy LU-2.11 – The County shall encourage the development of affordable and workforce housing projects through the establishment of an Affordable Housing Overlay Program, based on the following parameters. . . *(Not applicable.)*

f. Within Community Areas, affordable housing projects meeting the provisions of this policy may proceed prior to adoption of a Community Plan and needed regional infrastructure as long as all project related infrastructure improvements are made concurrent with the development. *The proposed project is conditionally adopting an Inclusionary Housing Agreement with HCD – Housing. This is different from an Affordable Housing Overlay. The proposed project is within the Pajaro Community Area and is preceding the adoption of the Community Plan. Infrastructure improvements may be required concurrent with the development. At the time of this writing, conditions of approval on the project from HCD – Engineering Services require roadway frontage and driveway improvements and improvements to the nearest intersection. When a Stormwater Control Plan is adopted prior to construction permits (MM GEO-2), the*

planning permit holder may be required to add stormwater drains to Gonda Street. Therefore, the proposed project is consistent with this policy.

Policy LU-2.12 – Monterey County shall establish a program for retaining affordable housing units. For-sale housing units with affordability restrictions developed within redevelopment project areas (Boronda, Castroville, Fort Ord, and Pajaro), Community Areas and Rural Centers prior to the adoption of their Plans, as well as any project developed under the Affordable Housing Overlay Program shall be consistent with term of affordability provisions in State Redevelopment law. *Consistent.*

Policy LU-2.13 – The County shall assure consistent application of an Affordable Housing Ordinance that requires 25% of new housing units be affordable to very low, low, moderate, and workforce income households. The Affordable Housing Ordinance shall include the following minimum requirements:
a) 6% of the units affordable to very low-income households
b) 6% of the units affordable to low-income households
c) 8% of the units affordable to moderate-income households
d) 5% of the units affordable Workforce I income households
Consistent per condition of approval.

Policies LU-2.14 through LU-2.19 concern cities in Monterey County and are not applicable to this project analysis.

Policy LU-2.20 – The County shall establish and emphasize Community Areas as the preferred location and the priority for additional development in the County to support a mix of land use types at an urban level. Community Areas are planned population centers where new development in the unincorporated area shall be actively supported as the County's primary planning priority. *Consistent.*

Policy LU-2.21 lists the Community Areas in Monterey County and is *not applicable* to this project analysis.

Policy LU-2.22 – Community Areas shall be designed to achieve a sustainable, balanced, and integrated community offering:
a) A vision for that community
b) Various types and nature of land use designations including:
    - A diverse range of residential densities and housing types.
    - A mix of retail commercial businesses and offices.
    - Industrial development where appropriate.
    - A variety of recreational opportunities and public amenities integrating enhancement of existing natural resources into the community where possible.

c) Adequate public facilities and services including public water and sewer, an extensive road network, public transit, safety and emergency response services, adequate flood control, parks, and schools.
d) Opportunities for workers to live near jobs.

This project is consistent with Policy LU-2.22 in that it diversifies the Community Area's residential housing types.

Policy LU-2.25 – Prior to the adoption of a Community Plan for a Community Area, interim development, limited in scale and in accordance with the following criteria, may be allowed:
a. Affordable housing consistent with the density criteria established for Community Areas in the Housing Element as long as such projects do not impede overall development of the Community Area according to the design goals listed in Policy LU-2.22;
b. One single family home on a lot of record;
c. Commercial use at a neighborhood serving scale consistent with the underlying land use designation;
d. Subdivision or lot line adjustment of agricultural parcels for agricultural uses.
e. Minor subdivisions as long as such projects do not impede overall development of the Community Area according to the design goals listed in Policy LU-2.23.
This project is affordable housing by design and is consistent with the density criteria established for Pajaro in the Housing Element. It is on a 1.3 acre parcel at the terminus of a street off of San Juan and therefore is not going to impede overall development of the Community Area. This Policy points to the design of Community Areas that achieve a sustainable, balanced, and integrated community offering "a diverse range of residential densities and housing types" and "opportunities for workers to live near jobs." The proposed project is consistent with both policies LU-2.22 and LU2.25.

Policies in the Land Use Chapter of the 2010 General Plan, LU-2.26 through LU-2.32, concern Rural Centers and are not applicable to this project analysis. The only policy in the remainder of the Land Use Chapter that relate to the proposed project is under Urban Residential, Policy LU-2.33, which requires the County to establish zoning regulations for the three categories of Urban Residential zoning. It states the following pertaining to this project:
"High Density Residential (HDR): High Density Residential areas are appropriate for a broad range of higher intensity (5-20 units/acre) residential uses and a blend of housing types, recreational, public and quasi-public, and other uses that are incidental and subordinate to the residential use and character of the area. The extent of use of land for this designation shall be limited to building coverage of 60% of the subject property." *The proposed project is less than 60% building coverage and has a higher intensity that the suggested range. There are Density Bonus exceptions to zoning requirements in Title 21. Should the Planning Commission accept the applicant's Density Bonus Application, a higher density than 20 units per acre would be applied to the parcel and the project would be in conformance with Title 21 and Policy LU-2.33.*

The Project ~~has the potential to be~~, if approved and conditioned as recommended, will be consistent with the County's Public Services Element of the 2010 Monterey County General Plan. Policy PS-2.3 requires new development to connect to existing water service providers where feasible. The Project shall connect to PSMCSD. Policy PS-2.8 requires that all projects be designed to maintain or increase the site's pre-development absorption of rainfall (minimize runoff), and to recharge groundwater where appropriate. As described in Hydrology and Water Quality, the Project will implement bioswales and other measures to increase runoff retention, protect water quality, and enhance groundwater recharge.

Policy PS-3.1 requires new development for which a discretionary permit is required, and that will use or require the use of water, shall be prohibited without proof, based on specific findings and supported by evidence, that there is a long-term, sustainable water supply, both in quality and quantity to serve the development. Based on evidence provided in reports from Schaaf & Wheeler and Bierman Hydrogeologic as well as staff-level discussions with the Pajaro Valley Water Management Agency, this Initial Study concludes that the Project is consistent with Policy PS-3.1 through the implementation of the Pajaro Valley Water Management Agency's groundwater sustainability planning efforts. The 2010 General Plan Environmental Impact Report identified that the community of Pajaro is in an over-drafted groundwater basin and found that the designation of this area as a "community plan" area would have significant and unavoidable impacts to groundwater in the area. However, without an actual Plan for the area, HCD does not have specific local remedy for groundwater overdraft in relation to the Community Area's sustainability. The Pajaro Valley Groundwater Sustainability Plan Alternative was found an acceptable Groundwater Sustainability Plan Alternative for the subbasin where the Project is located, and shows significant promise to provide long-term, sustainable water supply, both in quality and quantity to serve the development.

Policy PS-3.2 requires proof of a Long Term Sustainable Water Supply and an Adequate Water Supply System for new development requiring a discretionary permit, including but not limited to residential or commercial subdivisions. Criteria for proof include water quality, production capacity of a facility, technical, managerial, and financial capability of the water purveyor, sourcing and water rights, cumulative impacts of existing and projected future demand and the ability to reverse trends contributing to an overdraft condition, effects of additional extraction or diversion of water on the environment including on in-stream flows necessary to support riparian vegetation, wetlands, fish or other aquatic life, and the migration potential for steelhead, for the purpose of minimizing impacts on the environment and to those resources and species, and Completion and operation of new projects, or implementation of best practices, to renew or sustain aquifer or basin functions. When County adopted the 2010 General Plan, the impacts to groundwater in the project area were found to be significant as a result of anticipated buildout of North County. The buildout in the Pajaro area was not able to be mitigated to a level of Less Than Significant and the Board of Supervisors adopted a Policies PS-3.1 and 3.2 as mitigation, along with a Statement of Overriding Considerations. Since the adoption of the 2010 General Plan, residential buildout of the area has been slower than anticipated while agricultural draw on the Corralitos/Pajaro Valley subbasin has increased. Long-term sustainable water supply remains problematic for the region, as discussed in Hydrology and Water Quality and the proposed Project will be completed years before the PVWMA anticipated basin sustainability. However, the project size is small relative to the subbasin, City of Watsonville continues recycled water reuse operations for agricultural demands and the Project application included data analysis which indicated that 50 percent of the wastewater produced by the employee housing facility during operation would enter the recycling system for re-use. Also, as much as 95 percent of storm water is projected to be retained with managed aquifer recharge onsite. ~~Finally, the Project has the potential to be consistent with through~~ Through the implementation of the PVWMA's groundwater sustainability planning efforts, the Project, if approved and conditioned as recommended, will be consistent. Therefore, criteria for proof of a Long Term Sustainable Water Supply and an Adequate Water Supply System for the Project are presented in the GSU22 and the Project design. (Sources: IX.1, 2, 31, 51).

The project has the potential to be consistent with the Agricultural element of the Monterey County General Plan. General Plan Policy AG-1.2 requires a well-defined buffer area to be provided between new non-agricultural development proposals that are located adjacent to agricultural land uses on viable farmlands designated as Prime, of Statewide Importance, Unique, or of Local Importance. As introduced in section II., the neighboring parcel to the was used for agricultural operations. In accordance with General Plan Policy AG-1.2, the project was reviewed at the January 27, 2022 Agricultural Advisory Committee (AAC) meeting (Source: IX.18). See sections III and VI.2, Agricultural and Forest Resources for discussion. *Consistent through discretionary action.*

The project is consistent with the Housing element of the 2010 Monterey County General Plan. See section III for discussion. *Consistent*.

The project was reviewed for consistency with the North County Area Plan (NCAP). See section III for discussion. *Consistent, as the Project is within the Pajaro Community Area.*

Title 21. Density Bonus Application

The applicant has requested a 35 percent density bonus and two incentives (i.e., exceedance of the maximum allowable height for the district and parking reduction) from the County, which requires the project comply with California Government Code Section 65915 and Chapter 21.65 of the MCC. A density bonus of 35 percent of the base units (26 units) requires that 11 percent of the base units, or three units, be rent restricted for very low-income households. A housing development that restricts 10 percent of the base units for very low income households qualifies for two incentives. Restricting three units for very low income households makes the project eligible for the two incentives.

HCD Housing found the Density Bonus application complete and added a condition of approval (Condition No. 21) which requires the following:

The applicant has requested a 35 percent density bonus and two incentives (i.e., exceedance of zoning district maximum height and parking reduction) from the County, which requires the project comply with California Government Code Section 65915 and MCC Chapter 21.65. A density bonus of 35 percent of the base units (26 units) requires that 11 percent of the base units, or three units, be rent restricted for very low-income households. A housing development that restricts 10 percent of the base units for very low income households qualifies for two incentives. Restricting three units for very low income households makes the project eligible for the two incentives.

Prior to issuance of the first permit, the project applicant shall execute an Affordable Housing Agreement with the County, in a form acceptable to the County, which specifies at least three units for very low income households level in perpetuity. That Agreement shall address (but not be limited to) the type and size of the units, the location of the units, pricing, selection of tenants, and phasing of the affordable unit construction related to the construction and occupancy of the project. With the ~~acceptance~~ application of the Density Bonus ~~application~~law, ~~the Planning Commission will bring~~ the project ~~into conformance~~ is consistent with Title 21 HDR zoning district. *Consistent ~~through discretionary action~~*.

Title 18. Inclusionary Housing Ordinance

The Monterey County Housing Ordinance is contained in MCC Chapter 18.40. (Source: IX. 3). The project includes agricultural employee housing, so it is exempt from the need to provide income restricted units under the Inclusionary Housing Ordinance. However, in order to qualify for a density bonus and incentives, the project will set aside three apartments for very low income households. Provided the project is developed, it shall be and operated under an annual Employer Sponsored Housing Permit issued by the County Environmental Health Bureau, or a successor agency~~,~~. During that time, the project is exempt from the requirements of the Inclusionary Housing Ordinance per MCC section 18.40.050.B.3. If, at some time in the future, the development is operated as a market rate rental project, the project will be subject to the County 's Inclusionary Housing Ordinance, No. 5175 and 2010 General Plan Land Use Policy LU-2.13, which requires five percent of the total units be set aside for workforce I households, eight percent of the total units shall be set aside for moderate income households, six percent of the total units in the development shall be set aside for low income households and an additional six percent of the total units in the development shall be set aside for very low income households. As such, the project ~~shall~~ would contribute 6.25 Affordable Housing Units. This requirement ~~will~~ may be triggered at any time the Agricultural Employee Housing project changes use. If the project were to be converted to market rate housing and not employer sponsored housing, it would be subject to the rules that are in place at the time. For informational purposes, at this time, the rules require ~~required Employer Sponsored Housing permit is not issued by the Monterey County Department of Health's Environmental Health Bureau. T~~the project applicant ~~shall~~ to execute an Affordable Housing Agreement with the County, in a form acceptable to the County, which specifies upon conversion to a market rate project at least 6.25 Affordable Housing Units shall be provided on the project site with four at a very low -income level (includes the three units restricted under the density bonus provisions), two at a low-income level, two at a moderate-income level, and one at a Workforce I level. The fractional 0.25-unit may be paid as an in-lieu fee, based on the adopted Inclusionary In-Lieu Fee Schedule in place at the time the project is converted to a market rate project. That Agreement shall address, but not be limited to, the type and size of the units, the location of the units, pricing, selection of tenants, and phasing of the affordable unit construction related to the construction and occupancy of the project. (Condition of Approval No. 22). *Consistent ~~through discretionary action~~*.

Conclusion

11(a): No Impact.

The Project is located in a Community Area established in the General Plan. Therefore, as proposed, the project will not physically divide an established community.

11(b): Less than Significant Impact.

The project as proposed and conditioned will not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. All related General Plan policies are reviewed in the discussion section above. The Inclusionary Housing Ordinance and the Density Bonus ordinance are also discussed. The minor conflict that the project as conditioned presents to Land Use and Planning is with the Agricultural Element and, as analyzed, the project will either have no conflict once the neighboring agricultural employee housing project is constructed or, alternatively and less likely given that the neighboring project is

entitled, a second path for consistency is available through the application for a Variance and negotiation with the Agricultural Commissioner's Office.

12. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Sources: IX.1, 10, 25)	☐	☐	☐	☒
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? (Sources: IX.1, 2, 4, 10, 25)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation

See section IV for discussion of no impacts to Mineral Resources.

13. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Sources: IX. 1, 8, 16, 19, 6, 39, 53, 53, 55)	☐	☐	☒	☐
b) Generation of excessive ground borne vibration or groundborne noise levels? (Sources: IX. 1, 8, 16, 19, 26, 39)	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Sources: IX. 1, 10, 16)	☐	☐	☐	☒

Discussion/Conclusion:
The Occupational Health and Safety Act of 1970 covers all employers and their employees in the 50 states, the District of Columbia, Puerto Rico, and other U.S. territories. Administered by the Occupational Health and Safety Administration (OSHA), the act assigns OSHA two regulatory functions -- setting standards and conducting inspections to ensure that employers are providing safe and healthful workplaces. OSHA standards may require that employers adopt certain practices, means, methods, or processes reasonably necessary and appropriate to protect workers on the job. Employers must become familiar with the standards applicable to their establishments and eliminate hazards. Included in this act is a regulation for worker noise exposure at 90 dBA over an eight-hour work shift. Areas where exposure exceeds 85 dBA must be designated and labeled as high-noise-level areas and hearing protection is required.

The California Noise Control Act states that excessive noise is a serious hazard to public health and welfare and that exposure to certain levels of noise can result in physiological, psychological, and economic damage. It also recognizes that continuous and increasing bombardment of noise exists in urban, suburban, and rural areas. This act declares that the State of California has the responsibility to protect the health and welfare of its citizens by the control, prevention, and abatement of noise.

The California Noise Insulation Standards, adopted in 1974 by the California Commission on Housing and Community Development, established noise insulation standards for multi-family residential buildings. Now codified as Title 24, the State Code established standards for interior room noise attributable to outside noise sources. The regulations also specify that acoustical studies must be prepared whenever a residential building or structure is proposed to be located near an existing or adopted freeway route, expressway, parkway, major street, thoroughfare, rail line, rapid transit line, or industrial noise source, and where such noise source or sources create an exterior CNEL of 60 dB or greater. Such acoustical analysis must demonstrate that the residence has been designed to limit intruding noise to an interior CNEL of at least 45 dB.

The 2019 California Building Code (CBC) requires that interior noise levels attributable to exterior environmental noise sources be limited to a level not exceeding 45 dBA Day-Night Average Sound Level (DNL)/CNEL10 in any habitable room. DNL represents a 24-hour average noise level with a 10 dB penalty applied to noise occurring during 10 p.m. to 7 a.m. to account for the increased sensitivity of people during sleeping hours. (dB sound pressure levels are unweighted; dBA levels are "A" weighted according to the weighting curves to approximate the way the human ear hears.) The Monterey County General Plan Safety Element combines the state mandated safety and noise elements. The Safety Element identifies sources of noise and provides policies addressing existing and foreseeable noise problems. All proposed discretionary residential projects that are within roadway or railroad noise contours of 60 CNEL or greater must include a finding of consistency with the provisions of the Noise Hazards section of the Safety Element. If found that roadway noise exceeds the CNEL 60 dB within a project site, a project-specific noise analysis shall be required. If impacts are identified, the project applicant is required to conduct mitigation analysis using published Caltrans/Federal Highway Administration guidelines and implement mitigation measures as required.

The project is a planned residential facility to be located within a High Density Residential neighborhood and not near a railroad or major roadway, with comparable uses to the subject use on two sides and an entitled comparable use on a third side and no sensitive receptors to the north (the Pajaro River). Therefore, pursuant to the General Plan and the California Noise Insulation Standards, this project did not require a noise generation study. However, such a study was made by 45dB Acoustics for the neighboring parcel on December 21, 2021. The noise assessment involved 24-hour sound level measurements at two locations and made predictive modeling based on the sound level measurements. The model results indicated that the proposed residential buildings would not be exposed to a CNEL above 55 dBA. The study indicated that the proposed two-story residential buildings on the parcel immediately adjacent to the east will be exposed to Community Noise Equivalent Levels as high as CNEL 52 dBA at the boundary of the proposed development. With a maximum exterior noise level of CNEL 52 dBA, ordinary design details for wall and window assemblies and best construction practices are expected to provide sufficient mitigation for all buildings on that site, and, it can be inferred, those on this site as well.

13(a and b): Less than Significant

The proposed project would increase temporary ambient noise levels in the vicinity of the proposed project. The State of California and County of Monterey have established plans and policies that are designed to limit noise exposure at noise sensitive land uses. Construction would only occur during daytime, and several standard regulations for construction requirements to reduce and limit noise (e.g., use of quiet-design construction equipment, mufflers, and enclosures; eliminating unnecessary idling; requiring equipment maintenance and lubrication) would be implemented to mitigate these impacts. With standard construction controls for noise, the project would not result in a significant temporary or permanent increase in ambient noise levels in the project vicinity in excess of the 2010 Monterey County General Plan and other applicable standards.

Construction

Short-term construction activities for a project of this scope can generate moderate noise levels, especially during the construction of project infrastructure when limited heavy equipment is used. The highest maximum instantaneous noise levels generated by project construction would typically range from about 90 to 95 dBA Lmax at a distance of 50 feet from the noise source. However, typical hourly average construction generated noise levels range from about 75 dBA to 89 dBA Leq, measured at a distance of 50 feet from the center of the site during construction periods, such as earth moving equipment or impact tools. Construction-generated noise levels drop off at a rate of about 6 dBA per doubling of distance between the source and receptor. Shielding by buildings, noise walls, or terrain would result in lower construction noise levels at distant receptors. Construction noise impacts primarily occur when construction activities are conducted during noise-sensitive times of the day (early morning, evening, or nighttime hours). The nearest homes are approximately 70 feet away from the nearest project buildings; noise levels are expected to be in the 60-75dBa range at those receptors. To ensure exposure to noise is limited, Engineering Services requires a Construction Management Plan as part of the construction permit submittal. The standard requirements include the hours of construction be stated for County review to ensure noise-generating construction operations occur between the least noise-sensitive periods of the daytime hours. Construction equipment engine intake and exhaust mufflers must be appropriate for the equipment and properly maintained. Stationary noise generating equipment and equipment staging areas must be located as far as possible from adjacent residential structures. The

Construction Management Plan must include a construction point of contact who is responsible for responding to complaints about construction noise in addition to other complaints. Therefore, the regulatory environment would ensure that construction noise generation would remain Less Than Significant.

Use
Operationally, this project is not expected to be a stronger a noise creator than the neighboring project. Predictive modeling of sound level measurements for the adjacent parcel's proposed two-story residential buildings would be exposed to a CNEL as high as 52 dBA at the boundary of the proposed development. Ordinary design details for wall and window assemblies and best construction practices will provide sufficient noise insulation for all buildings. In the opinion of the technical acoustic consultants at 45dB Acoustics, significant ground-borne vibration is not expected to be a significant impact on the residential area. Minimal ground drilling will be required and the impact of moving trucks on ground vibration will be minimal.

13(c): No Impact
The project is not located within the vicinity of a private airstrip or an airport land use plan, or where such a plan has been adopted, within two miles of a public airport or public use airport, or within two miles of a public airport or public use airport.

14. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Sources: IX. 1, 2, 4, 10, 12, 16, 51a, 52)	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (Sources: IX. 1, 2, 12, 16, 17, 18, 44)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

Population and Housing 4(a, b). Less than Significant.
The project would increase population in the Pajaro Community by providing for 3 very low income rental units (year-round), 1 manager unit, and 31 units for agricultural employees (seasonal). The 31 units are capable of supporting up to 248 employees. Year-round residence would increase population by approximately 12 individuals (3 families) and seasonally (March

through November) an additional 250 individuals could occupy the site. According to census data, the Community of Pajaro has a population of 3,066.

The 2010 General Plan Land Use Policy LU-2.20 specifically designates community areas as planned population centers, where new development shall be supported as the County's planning priority. The intensity of new population on Gonda Street is mitigated by design by the limited stay of the agricultural workers (up to nine months per year) and the use of shuttles to facilitate their movement. Three units may be occupied year-round. There is not a substantial impact of population that would lessen the capacity for the community to retain its current level of services. As discussed in Sections VI.15 Public Services, VI.16 Recreation, VI.17 Transportation, and VI.19 Utilities & Service Systems, necessary public facilities and infrastructure are available which can serve the project. The Project does not propose to provide additional infrastructure beyond the needs of the development that could indirectly induce population growth. As General Plan policies LU-1.4, LU-1.11, LU-1.19.3 and LU-2.4 directs development toward high density residential zoning districts and the community areas, the Project is appropriate for County planning of population growth. Also, the proposed residential development is allowable under the density bonus section of Title 21 zoning. Population growth is contemplated in the pre-cursors to a Pajaro Community Area Plan, including the 2010 General Plan Housing Element and the Redevelopment Implementation Plan related to Pajaro (Sources: IX. 2, 51a).

As previously discussed, the site is currently used for a single-family dwelling. One family of people would be displaced and one housing unit would be demolished as part of this project. This is not a substantial number of people displaced by the project. Plans are in review at HCD to build more housing in the Pajaro Community Area. The Pajaro Community Plan is expected to be developed in the next five years, and there is no reason to expect planning for population growth would be directed away from Pajaro in the planning process because there are adequate transit, jobs and public services, and there is demand for housing in the area. (Sources: IX. 10, 12, 16, 17, 18, 44, 51a).

15. 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? (Sources: IX. 1, 10, 16, 17, 38)	☐	☒	☐	☐

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Police protection? (Sources: IX. 1, 10, 13, 16, 17, 38)	☐	☒	☐	☐
c) Schools? (Sources: IX. 1, 10, 16)	☐	☐	☐	☒
d) Parks? (Sources: IX. 1, 10, 16)	☐	☐	☒	☐
e) Other public facilities? (Sources: IX. 1, 10, 16)	☐	☐	☐	☒

Discussion: The project has been reviewed by the fire, public works, parks, and facilities, and other service providers. Some revisions were made to the plans to better illustrate the ability of the project to meet Public Services requirements. Figure 3 is a sheet from the plans that shows two-way arrows in the parking lot area of the site to demonstrate sufficient widths and turning radii for emergencies. The switch at the electrically controlled entry gate will be configured to allow the Fire Department and Police Department emergency entry. Two fire hydrants are proposed on the property, pursuant to Fire recommendation in the project application review stage. As proposed, each building would include a fire sprinkler system. The construction-level plans will continue to incorporate fire safety measures required by the North County Fire Protection District prior to issuance of the construction permit.

Conclusion/Mitigation:

Public Services 15(a, b). Less than Significant with Mitigation.
The project has some potential to have adverse impacts to service ratios, response times or other performance objectives for fire and police during the limited duration of occupation per year. This is mitigable by preparing the occupants for emergencies and conformance with local plans and regulations.

The North County Fire Protection District (NCFPD) currently serves the proposed project site. The NCFPD's closest station is Station #3 which is located approximately 2.8 miles from the proposed project site, at 301 Elkhorn Road. Police protection services are provided to the proposed project site by the Monterey County Sheriff Department. The Sheriff has an agreement with Watsonville for calls to meet arrival times. Thus, the closest police station is located approximately 3/4 mile from the project site, only 4 minutes driving time away.

On June 1, 2022, a publicly noticed hearing was held on the project before the North County Land Use Advisory Committee (Source: IX.17). At the hearing, some residents of the neighborhood expressed concern that the location of the project at the dead-end of Gonda Street and the number of inhabitants without cars could be of concern in the event of an emergency. The project application did not include an emergency evacuation or action plan. The LUAC did not support the project as proposed, citing safety issues. Although the NCFPD found the application submittal complete, review by the Sheriff and other agencies will be made as part of this environmental

review. The Office of Emergency Services has a draft North County Evacuation Guide, but no specific evacuation plan is in place with this project considered. Therefore, County proposes to reduce impacts to emergency-related public services in the time of an emergency with the application of Mitigation Measure PUBLIC-1.

Mitigation Measure PUBLIC-1: Emergency Action Plan.
The owner shall provide an Emergency Action Plan for the project site. The Plan shall be prepared by a professional with expertise in the field. The Plan shall include to-scale diagrams of the site and a plan of response involving transportation arrangements and areas of refuge. The Plan shall identify all pertinent emergency contact information, for before, during, and after evacuation procedures, state the specific duties of tenants, and designate locations for key information to be displayed for the tenants to access/view. The Plan shall include a training module with a schedule for drills. The Plan shall align with the draft North County Evacuation Guide prepared by the Monterey County Office of Emergency Services.

Mitigation Monitoring Action PUBLIC-1.1
Prior to issuance of building permit, the owner/applicant shall submit to HCD – Planning and the Office of Emergency Services an Emergency Action Plan for review and approval. The Plan shall incorporate the requirements of this condition.

Mitigation Monitoring Action PUBLIC-1.2
Prior to final inspection, the owner/applicant shall submit evidence demonstrating that the approved Emergency Action Plan is incorporated into the onsite manager's manual and instructions are clearly displayed within designated areas of the project.

Public Services 15(d). Less than Significant.
The closest school to the proposed project is Pajaro Middle School which is located approximately 0.5 miles south of the proposed project site. The agricultural employee housing units would not be occupied year-round. The units have a fixed maximum amount of people that can be housed at once and would also is not likely to house children/ dependents. In addition, one residential manager unit is proposed on site and three units are reserved for full time occupancy. There is adequate access and entry at the project site with one point of entry and ingress and egress along Gonda Road connecting to San Juan Road.

There are 11 parks within a mile from the project site, including Berlanga Park (0.3 miles away), Pajaro Park (0.4 miles away), Rodriguez Park (0.4 miles away), and Pajaro River Park (0.2 miles away). In addition, the proposed project would include a recreation room, open space areas, and an informal recreation area within the proposed project boundaries. These facilities are discussed in section VI.16. Parks are available and there is no anticipated need for additional park services due to the project. Therefore, potential impact is considered Less Than Significant.

Public Services 15(c, e). No Impact.
The proposed project would not substantially impact schools or other public services because it is designed for 250 adults without children, and only three units would have the potential to house families with children. No other public services are anticipated due to the H-2A Visa system that will be utilized.

Conclusion
Implementation of the recommended mitigation as stated above will lead the project to a less than significant impact related to a substantial potential adverse effect on emergency services response to emergencies. Impacts are ***Less than Significant with Mitigation Incorporated****.*

16. 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? (Sources: IX. 1, 16)	☐	☐	☒	☐
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? (Sources: IX. 1, 16)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:
The proposed project will offer recreational facilities for residents. The Project would include a recreation room, open space areas, and an informal recreation area within the proposed project boundaries. These areas would provide onsite recreational opportunities that are immediately available for the employees housed at the site. Proposed recreational facilities include one (1) recreation room that is approximately 976 square feet in area. A total of approximately 18,111 square feet of outdoor open space area is proposed. The Site Plans as shown on sheet L-1.0 provide a summary for the proposed open space. It includes recreational turf, one striped half-court for basketball within the parking lot, outdoor seating, and a shaded picnic areas. In addition, the recreational facilities proposed as part of this project will solely be dedicated to the residents of the subject property, thereby reducing the usage and limiting the physical deterioration or acceleration of deterioration of the community facilities and parks.

16 (a, b): Less Than Significant Impact. Recreational facilities are proposed within the project site, inclusive of a recreation room, open space with recreational turf, and one striped half-court for basketball within the parking lot, outdoor seating and shaded picnic areas which will allow residents to partake in sports, physical activity, and leisure. The onsite amenities will minimize demand on public recreational facilities and parks located throughout the immediate region.

There is frequent bus service on San Juan Road to various neighboring community's recreational facilities including Berlanga Park, Pajaro Park, Rodriguez Park, and Pajaro River Park. Residents

can also walk to the facilities that are located within a mile of the proposed project. When the working hours of the agricultural employees is taken into consideration it is unlikely that the proposed project will result in a substantial increase in the day-use of Monterey County recreational facilities. Based on the discussion above, the proposed project would have a less than significant impact on neighborhood and regional recreational facilities and therefore would not require the construction or expansion of additional recreational facilities.

17. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? (Sources: IX. 1, 10, 12, 13, 16, 20)	☐	☐	☒	☐
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? (Sources: IX. 1, 10, 12, 13, 16, 38)	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Sources: IX. 1, 10, 13, 16)	☐	☐	☒	☐
d) Result in inadequate emergency access? (Sources: IX. 1, 10, 13, 16, 17, 38)	☐	☒	☐	☐

Discussion/Conclusion/Mitigation:
According to CEQA Guidelines, a project may have a significant effect on the environment if it would cause a substantial increase in traffic in relation to the existing traffic load and capacity of the street system, conflict with a program, plan, ordinance or policy addressing the circulation system, or result in inadequate emergency access. Two different significance criteria are used to assess the impacts of the Project – one for environmental impacts with qualitative Vehicle Miles Traveled (VMT) analysis and one for local adverse effects based on County's adopted Level of Service (LOS) standards. The environmental impacts refer to impacts assessed per the California Environmental Quality Act (CEQA) guidelines (VMT), while consistency with General Plan level of service standards (LOS) are addressed seperately. Chapter 2 of the 2010 General Plan, the Circulation Element, provides policy direction for the transportation system that serves the unincorporated lands of County of Monterey and describes how the County intends to serve the transportation needs and the population grows. Specific impact criteria have been applied to the study intersections and road segments to determine if the project specific increase in traffic is substantial in relation to the existing traffic load and capacity of the street system.

County of Monterey Significance Criteria
A significant impact at a study intersection is defined to occur under the following conditions:
Signalized Intersection (Intersection 1):

a. A significant impact would occur if an intersection operating at LOS A, B, C, or D pre-project degrades to E or F with the addition of proposed project traffic.
b. For intersections already operating at unacceptable level E or F, any increase (one vehicle) in traffic is considered significant.

One- or Two-Way Stop-Controlled Intersection (Intersections 2-4) defined as significant under the following conditions:

a. A significant impact would occur if the side-street at an intersection operating at LOS A, B, C, D or E pre-proposed project degrades to LOS F with the addition of proposed project traffic; or
b. If any traffic signal warrant is met with the addition of the proposed project traffic; or
c. For side-streets already operating at LOS F, any increase in traffic during the deficient peak hour would be considered significant, regardless of its effects on delay.

Existing Traffic Network
Key roadways in the study area include San Juan Road, Salinas Road, and Porter Drive. San Juan Road is a 2-lane roadway that connects Pajaro with Highway 101, southeast of Aromas. The roadway speed limit in the vicinity of Gonda Street is 35 mph. Salinas Road is a 2- to 4-lane roadway that connects Pajaro with State Route 1, north of Moss Landing and allows travel between Watsonville and Prunedale by connecting Porter Drive and Elkhorn Road. South of Porter Drive, the roadway speed limit is 25mph. Porter Road is a 2- to 4-lane roadway that provides through-access in Pajaro and a connection to Watsonville with a speed limit of 25mph. Gonda Street a 2-lane local street that provides access to approximately 16 single family dwellings and a 20-unit multi-family dwelling north of San Juan Road. The roadway width is 26 feet from curb to curb and parking is prohibited on both sides of the street. Even though it is prohibited, there has been parking observed on the curb along Gonda Street. This is an enforcement issue, rather than a CEQA issue, that the County is looking into.

There is an existing pedestrian and bicycle network in the area of the Project. Gonda Street has continuous sidewalks along the east side where the Project is proposed. The sidewalks continue on both sides of San Juan Road, connecting roads of Porter Drive and Salinas Road have continuous sidewalks through Pajaro, as well. There are Class II bicycle lanes on Porter Drive in both directions. The shoulders present on Salinas Road south of Porter Drive are wide enough to accommodate bicycle traffic, as well. The "Monterey County Bicycle and Pedestrian Master Plan" was consulted by Higgins in preparation of the Traffic Report.

Funding for Transportation Improvements
Transportation improvements in the study area are funded through Transportation Agency for Monterey County (TAMC) fees, County Traffic Impact fees and additional funding provided by Measure X - a Transportation Sales Tax measure. These local funding sources are anticipated to leverage State and federal funding sources to fully fund the improvements.
TAMC and its member jurisdictions have adopted a county-wide regional impact fee to cover the costs for studies and construction of transportation improvements throughout County. This impact fee is applied to all new development within Monterey County and is governed by the Regional

Impact Fee Nexus Study Update (March 26, 2008, Kimley-Horn Associates, Inc and updated in 2018 by Wood Rodgers Source: IX. 20).

TAMC, Monterey County, and Caltrans have agreed that payment of the TAMC fee satisfies the proposed project's fair share contribution to cumulative impact mitigation throughout the regional highway system. This includes highways that will operate deficiently but no capital improvement project is programmed to correct the deficiency. Projects partially funded by the TAMC fee in North Monterey County and the vicinity of Salinas include the following:

- TAMC Improvement 11 – County Road G12 San Miguel Canyon Improvements
- TAMC Improvement 12 – Salinas Road Improvements.

County has a traffic impact fee which is described the "Monterey Countywide Traffic Impact Fee Nexus Study," Kimley Horn, August 1, 2014. The only project in North Monterey County is Project Number 2 – Crazy Horse Canyon Road Improvements. This project includes adding passing lanes and Class II bike lanes from San Juan Grade Road to US 101.

Intersection Operations

In May 2020, the County Health Department instituted a shelter-in-place order for all of County, restricting operations and travel to/from offices, commercial businesses, and recreational activities. This order was in response to the COVID-19 pandemic occurring within the County during the year 2020. As a result, traffic activity throughout the county was significantly reduced from typical conditions, precluding the usual collection of peak period traffic volumes at the four study intersections.

Existing peak hour traffic volumes at the study intersections were determined using a combination of the following resources:

- AM and PM peak hour volumes from G12: Prunedale to Pajaro Corridor Study – Existing Conditions Report ("Existing Corridor Report"), Omni-Means, August 2018.
- Historical traffic growth in the study network was estimated using segment volumes in Monterey County Public Works Annual Average 2019, Monterey County Public Works Department, 2020.
- Traffic counts conducted at the San Juan Road and Gonda Street intersection on August 28, 2021.

The Traffic Report, "Traffic Impacts Analysis" by Keith Higgins (November, 2021, Source: IX. 13), identified that the study intersections currently operate at, or better than, their respective level of service standards on all identified intersections in the study network – Porter Street at Salinas Road, Porter Street at San Juan Road, Salinas Road at San Juan Road, and Gonda Street at San Juan Road.

In accordance with California Senate Bill 743, transportation impacts are determined by VMT, rather than level of service (LOS). The project is sited in an area that is below the County-wide average VMT. Residential development in the entire Pajaro area, including the project site, has been determined to generate VMT below the County threshold. The Traffic Report also notes that. . . "In areas where existing jobs-housing match is closer to optimal, low-income housing

nevertheless generates less VMT than market-rate housing. Therefore, a project consisting of a high percentage of affordable housing may be a basis for the lead agency to find a *less-than-significant* impact on VMT. Evidence supports a presumption of less than significant impact for a 100 percent affordable residential development (or the residential component of a mixed-use development) in infill locations." (Source: IX.13) It is also exempt from further analysis based on available transit service. Therefore, the project would have Less Than Significant impact.

17 (a, b, c) Less Than Significant Impact
The Project is anticipated to generate pedestrian trips to and from commercial areas on Porter Drive as well as downtown Watsonville. There are existing and continuous sidewalks between the project site and these locations that provide adequate capacity for the additional pedestrian traffic. Therefore, the Project would not represent a significant impact to pedestrian circulation. The Project is anticipated to generate a small amount of bicycle traffic. The existing bike lanes and shoulders on the study street network will be adequate to accommodate this additional bicycle traffic. Therefore, the Project would not represent a significant impact to bicycle circulation. No conflicts with TAMC's bicycle and pedestrian plans for the area of the Project have been identified. The Project would be subject to the TAMC Regional Development Impact Fee and the Monterey County transportation impact fee. The project's fees would serve to mitigate for impacts to traffic through normal regulatory environment.

The Traffic Report for the proposed project, "Traffic Impacts Analysis" by Keith Higgins (Source: IX. 13) identified that the study intersections would continue to operate at their respective level of service standards on all identified intersections in the study network under Existing Plus Project conditions. Higgins found that no improvements are required. There are no conflicts with circulation policies in the General Plan or the North County Area Plan. Qualitative analysis of Level of Service for the Project was performed. The analysis was based on "worst-case scenario" for 34 standard apartments and one manager unit. The project was estimated to generate a net 246 weekday daily trips, with 15 trips (4 in, 11 out) during the AM peak hour and 19 trips (12 in, 7 out) during the PM peak hour. This trip activity was then used to evaluate potential project traffic impacts on the surrounding street system. All four of the study intersections would continue to operate at or better than their respective level of service standards under Existing Plus Project conditions. The traffic engineer found that there is no reasonable traffic impact to VMT in the Project as proposed because the majority of residents will not be driving their own cars, as H2-A temporary visa holders. Shuttle service will serve to move the majority of the residents to and from the Project site during peak hours. There are no conflicts with the qualitative VMT analysis under CEQA, as the project generally fits the generic criteria per CEQA Guideline Section 15064.3(b)(1): because it is within ½ mile of existing major transit stop on a high-quality transit corridor, and the project is adding affordable housing to the infill location. See Cumulative Impact Analysis in section VII of this study.

The site plan, which was reviewed by the North County Fire Marshal and Engineering Services on behalf of Public Works, demonstrates adequate access to the site via Gonda Street and no additional roads or design features are required. Implementation of the project requires driveway improvements to the access point at Gonda Street (Condition Nos. 9 and 10). Implementation also requires the owner/applicant cause the stop stencil and bar at the intersection of Gonda Street and San Juan Road to be refreshed for safety (Condition No. 11). During the construction permit

review, these offices shall ensure that the driveway and the site's internal circulation would be designed in accordance with all applicable standards to ensure safe and efficient ingress and egress of emergency vehicles. During application review, these offices did not find an area of the Project as proposed that would result in inadequate emergency access.

17 (d) Less Than Significant Impact with Mitigation.
The project is located within one mile of the police station and within three miles of the closest North County Fire Protection District's closest station (Station #3). Emergency services are available in the area, and, as discussed in section VI.15, the project will be mitigated to a less-than-significant level of impact by the implementation of Mitigation Measure PUBLIC-1.

In sum, through adherence with the recommended Mitigation Measure PUBLIC-1, the County regulatory environment and standard conditions of approval, the impacts of the Project to the existing Traffic and Circulation impacts are Less Than Significant.

18. TRIBAL CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or (Sources: IX. 1, 10, 16, 35)	☐	☐	☐	☒
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (Sources: IX. 1, 10, 16, 37)	☐	☒	☐	☐

Discussion/Conclusion/Mitigation:
Due to the project site's location in or near known and recorded archaeological/prehistoric resource sites, and because the project includes excavation and grading, there is a potential for human remains or tribal cultural artifacts to be accidentally discovered. Pursuant to Public Resources Code Section 21080.3.1, Monterey County HCD-Planning held consultation with local Native Americans on April 16, 2021. The Esselen Tribe of Monterey County as well as the Ohlone Costanoan Esselen Nation requested tribal consultation and a Native American monitor be present to observe all excavation activities associated with development of the site and to provide cultural resources training for crew members. Both tribal groups are concerned because the project site is located within the homelands of aboriginal people.

Tribal Cultural Resources 18(a.ii) – Less than Significant with Mitigation
The project area is known to be sensitive for subsurface resources and the potential impacts to unknown tribal cultural resources are significant. Implementation of the mitigation measure described below would ensure that, if artifacts or human remains are discovered, these resources are treated with appropriate dignity and respect. Implementation of the following mitigation measure would reduce impacts to Tribal Cultural Resources to a less than significant level.

Mitigation Measure TCR-1: Tribal Monitor.
To ensure that Tribal Cultural Resources incur less than significant impacts, a Tribal Monitor approved by the appropriate tribe traditionally and culturally affiliated with the vicinity of the subject parcel and that has consulted with the County and designated one lead contact person in accordance with AB 52 requirements, or other appropriately NAHC-recognized representative, shall be on-site during project-related grading and excavation to identify findings with tribal cultural significance. This Tribal Monitor shall have the authority to temporarily halt work in order to examine any potentially significant cultural materials or features. If resources are discovered, the owner/applicant/contractor shall refer to and comply with CULT-1 and Condition No. 3 as applicable. This mitigation is not intended to alleviate responsibility of the owner or its agents from contacting the County Coroner and complying with State law if human remains are discovered.

Mitigation Monitoring Actions TCR-1:
2a. Prior to issuance of construction permits for grading or building, the owner/applicant shall include a note on the construction plans encompassing the language contained in Mitigation Measure CULT-1 and Condition No. ~~2~~3, including all compliance actions. The owner/applicant shall submit said plans to HCD-Planning for review and approval.
2b. Prior to issuance of a construction permit for grading and/or building, the Applicant/Owner shall submit evidence to the satisfaction of the Chief of HCD-Planning that a monitor approved by the appropriate tribe traditionally and culturally affiliated with the vicinity of the subject parcel and that has consulted with the County and designated one lead contact person in accordance with AB 52 requirements, or other appropriately NAHC-recognized representative, has been retained to monitor the appropriate construction activities. This Tribal Monitor shall be retained for the duration of any project-related grading and excavation.
2c. Any artifacts found that are not associated with a finding of human remains shall be cataloged by both the Tribal Monitor and the qualified archaeological monitor. Once cataloged, the qualified archaeological monitor will take temporary possession of the artifacts for testing and reporting

purposes. Upon completion of these testing and reporting activities, all artifacts, at the discretion of the property owner, shall be returned within one (1) year to a representative of the appropriate local tribe as recognized by the Native American Heritage Commission, or the Monterey County Historical Society. A final technical report containing the results of all analyses shall be completed within one year following completion of the field work. This report shall be submitted to HCD-Planning and the Northwest Regional Information Center at Sonoma State University. Artifacts associated with a finding of human remains shall be reburied in accordance with State Law and penalty for violation pursuant to PRC section 5097.994.
2d. Prior to final building inspection, the Tribal Monitor or other appropriately NAHC-recognized representative shall submit a letter to HCD-Planning confirming participation in the monitoring and provide a summary of archaeological and/or cultural finds or no finds, as applicable.

Tribal Cultural Resources 18(a.i): No Impact
Although the Pajaro River area was inhabited by earlier communities, its south bank is not viewed as so crucial a prehistoric site as to be included in the California Register of Historical Resources or similar listings.

Conclusion:
With implementation of mitigation measures CULT-1 and TCR-1, the project would have a less than significant impact on Tribal Cultural Resources.

19. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? (Sources: IX. 1, 2, 4, 10, 16, 28)	☐	☒	☐	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple years? (Sources: IX. 1, 2, 16, 30, 31)	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Sources: IX. 1, 2, 16, 30, 31)	☐	☒	☐	☐

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (Sources: IX. 1, 15, 16)	☐	☐	☒	☐
e) Comply with federal, state, and local statutes and regulations related to solid waste? (Sources: IX. 1, 15, 16)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:
The Pajaro County Sanitation District (PCSD) oversees sewer connections in the Community of Pajaro. PCSD has agreements in place to transport wastewater to the City of Watsonville treatment plant in Santa Cruz County. The Project application included a "can and will serve" letter from Pajaro County Sanitation District (PCSD) as part of their application. The letter specified that any system improvements or upgrades necessary to accommodate increase sewer flows resulting from the proposed project shall be paid for by the developer. The applicant caused a Water Demand and Sewer Capacity Estimate to be prepared by Schaaf & Wheeler for the proposed project (January 18, 2022, Source: IX.1). The results are described in section VI.10. The capacity of the existing drainage pipes and system pumps to handle new large-scale drainage connections on Gonda Street was found to be unknown. Due to the age of the system, Schaaf & Wheeler recommended that a video (CCTV) inspection of the collection system be performed to look for damaged pipes, root intrusions and displaced joints. Public Works caused a study using CCTV inspection to be made on the Pajaro CSD system in 2022. The videos were reviewed by a third party company that in turn provided recommendations for capital improvements. The sections of the system from San Juan Road to the treatment plant were evaluated, but Gonda Street was not. (Source: IX.57)

Water will be provided by the Pajaro/Sunny Mesa Community Services District (PSMCD).
The solid waste collection service, Waste Management of Castroville, reviewed the disposal needs for the proposed project and recommended service level of four yard trash bins, four yard recycle bins, and two 96-gallon organics carts to be collected twice per week. The recommended service level will ensure compliance with state mandates AB 341 and AB 1826.

19(a, & c): Less than Significant Impact with Mitigation Incorporated

Electric and Natural Gas
The proposed project will be provided natural gas and electrical service with Pacific Gas & Electric Company (PG&E) and the Central coast Community Energy (3CE). 3CE is a joint powers authority formed to provide billing, power transmission and distribution services, gird maintenance and natural gas services to Monterey County. For more information on energy breakdown, please see section IV.6, above. *Impacts to electricity and natural gas service would be Less than Significant.*

Telecommunications
The project does not propose nor require the construction or relocation of telecommunications equipment or utilities. *Impacts to telecommunications would be Less than Significant*

The Water Demand and Sewer Capacity Estimate prepared by Schaaf & Wheeler for the proposed project recommended additional study of the storm drain system. Also, a comment letter from City of Watsonville on the Initial Study for the neighboring project, Rio Vista Group (PLN210152, Source: IX. 19) stated that the agreement between PCSD and the City of Watsonville was entered into on May 1, 2001 and outlines the District's capacity rights in Wastewater Facilities are as follows:

- 1.57 mgd (million gallons per day) of Flow
- 7,372 pounds per day of Biochemical Oxygen Demand (BOD)
- 6,000 pounds per day of Suspended Solids

The comment letter further suggested that their records show there is an upward trend in suspended solids coming from PCSD approaching the District's capacity limit. Sewer capacity studies must inform and coincide with negotiations for a new agreement between PCSD and the City. Public Works caused a study using CCTV inspection to be made on the Pajaro CSD system in 2022. The videos were reviewed by a third party company that in turn provided recommendations for capital improvements. The sections of the system from San Juan Road to the treatment plant were evaluated, but Gonda Street was not. Therefore, the section of the system that would support this development that requires further evaluation is on Gonda Street. (Source: IX.57)

Mitigation Measure UTIL-1: Sewer System Assessment
The employee housing facility is proposed to receive sewer service from Pajaro County Sanitation District which directs flows to the wastewater treatment plant operated by City of Watsonville. ~~The wastewater assessment for the Project found the need for a video inspection of the collection system to look for damaged pipes, root intrusions and displaced joints.~~ The applicant shall perform an evaluation of the ~~Pajaro County Sanitation District~~Gonda Street sewer ~~system~~ line and manhole and identify ~~any~~ system improvements necessary to accommodate increased sewer flows resulting from the proposed project and to make any improvements to the system that may be required to ensure that the system can accommodate the new connection. If the ~~study~~ evaluation finds that improvements are required, the ~~study~~ evaluation shall include recommendations for necessary upgrades ~~and an analysis of the downstream sewer main's capacity for the increased flow~~. The ~~study~~ evaluation shall be submitted to the HCD and PCSD for review and approval. If the ~~study~~ evaluation finds that ~~a sewer lift station or any impacted~~ sewer line~~s~~ or manhole improvements are needed on Gonda Street~~are undersized to serve proposed development~~, the ~~study~~ evaluation shall include recommendations for necessary upgrades ~~and an analysis of the downstream sewer main's capacity for the increased flow~~, and these improvements must be done prior to or concurrent with construction of the project pursuant to PCSD direction after review of the evaluation. With this mitigation applied, the proposed project would not violate waste discharge requirements.

Mitigation Monitoring Action UTIL-1.1
Prior to issuance of construction or sewer connection permits, the applicant/owner shall cause an ~~study~~ evaluation to be made of the Pajaro County Sanitation District sewer system by a qualified professional engineer. The ~~study~~ evaluation shall include recommendations for necessary upgrades and an analysis of the ~~downstream sewer main's capacity for the increased flow~~Gonda Street sewer

system and identify any system improvements necessary to accommodate increased sewer flows resulting from the proposed project. The applicant/owner shall submit the study to HCD and PCSD for review and approval.

Mitigation Monitoring Action UTIL-1.2
Prior to issuance of building permit or concurrent with construction of the Project, the improvements to the existing sewer system shall be completed to the satisfaction of and the timing specified by the PCSD ~~and City of Watsonville~~. After improvements are completed, a letter shall be provided to the HCD confirming that the specified improvements have been completed to the satisfaction of the PCSD ~~and City of Watsonville~~. ~~Larger scale improvements that are recommended by the Sewer System Assessment can be made through an agreement with neighboring developers and County for fair cost share~~(Source IX.1, 57).

Standard HCD Conditions of Approval that reduce impacts to Utilities and Service Systems as part of the regulatory environment:
Condition No. 13, Sewer Connection. Submit utility improvement plans and construct sewer connection ~~–~~(s). The design and construction are subject to the approval of the PWFP/HCD-Encroachment Inspection. Owner/Applicant shall pay all applicable connection fees. Sewer connection permits are required, and Encroachment Permits are required for all work within the public right-of-way. Owner/Applicant shall submit the design for review and approval of the PWFP/HCD-Encroachment Inspection; obtain a connection permit and encroachment permit, if applicable, from the HCD prior to issuance of building or grading permits; and construct and complete improvements prior to occupancy or commencement of use. Sewer improvements to be constructed in compliance with approved plans. Applicant is responsible to obtain all permits and environmental clearances, any to pay all applicable fees. (HCD-Engineering Services)

Condition No. 15, Stormwater Control Plan. The applicant shall submit a Stormwater Control Report and a Stormwater Control Plan, prepared by a registered professional engineer, to HCD - Environmental Services for review and approval. The report and plan shall address the Post - Construction Stormwater Management Requirements (PCRs) for Development Projects in the Central Coast Region. The plan shall include detention facilities designed to limit post-development runoff rates to pre-development rates for the 2, 5, 10, 25, 50, and 100-year 24-hour design storms. The plan shall include the location of the drainage facilities and construction details. The Stormwater Plan shall include the construction inspection schedule that identifies when the inspections will be completed, who will conduct the inspection (i.e., PG, PE, and/or Special Inspector), a description of the required inspection, inspector name, and the completion date. (HCD-Environmental Services)

With the above-mentioned mitigations and standard condition of approval, any impacts on existing drainage systems would be less than significant. *Impacts are Less than Significant with Mitigation.*

19(b, d & e): Less than Significant
The proposed project has available infrastructure to accommodate the waste impacts. The project received a "Will-serve" letter from Waste Management to provide weekly collection services of trash, recyclables and organic waste. Monterey County is served by two active solid waste landfills, Johnson Canyon Sanitary Landfill, located at 31400 Johnson Canyon Road in Gonzales,

and Monterey Peninsula Landfill, located at 14201 Del Monte Boulevard in Marina. Both facilities may serve the project. Johnson Canyon Sanitary Landfill has an estimated six million cubic yards of remaining capacity until the year 2055. Monterey Peninsula Landfill has an estimated 48 million cubic yard of remaining capacity and is expected to reach full capacity in 2107 (Source: IX.36). Solid waste generated by the proposed project would include food and other waste from on-site residents and employees. Trash separation, including food wastes separated into the green waste bins for composting pursuant to SB1383, shall be enforced by the onsite manager. The project would not generate solid waste in excess of the capacity of local landfills and would comply with applicable regulations pertaining to solid waste. As such, impacts would be less than significant. *Impacts to Solid Waste are Less than Significant.*

20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan? (Sources: IX. 1, 9, 10, 16, 17, 28, 42)	☐	☒	☐	☐
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (Sources: IX. 1, 2, 16, 24, 26, 29, 30, 38, 41, 44, 53)	☐	☐	☒	☐
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (Sources: IX. 1, 2, 16, 24, 26, 29, 30, 38, 41, 44, 53)	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (Sources: IX. 1, 2, 16, 28, 29, 30, 38, 41, 44, 53)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:
The project site and is surrounded by agricultural, open space, and residential land uses, is not located in a State Responsibility Area, and is not designated as a Very High Fire Hazard Severity Zone (VHFHZ) for wildland fires. The nearest VHFHZ is approximately 1.5 miles southeast. The

proposed project would not incur a risk of fire beyond what is typical of a project of similar nature along the Pajaro River levee. The proposed project is served by the North County Fire Protection District (FPD) and will be required to meet all current fire codes, and no conditions have been imposed on the project by the North County FPD. The project site is within the long-term planning area of the Office of the State Fire Marshal, with a wildfire plan as one of the goals in the 2022 planning document for this area is to encourage development and distribution of wildland emergency plan to identify access routes, water resources, helibases/helispots, command posts, staging areas, and other wildland fire strategy for the target area (Sources: IX. 10, 16, 42).

20 (b, c, & d): Less Than Significant Impact.
The project would not exacerbate wildfire risks due to slope, prevailing winds, or other factors due to the relatively level area that the project lies on, the lack of surrounding susceptible areas, and the lack of fire hazard area. The Pajaro River riparian corridor is considered a wildfire area by North County Fire Protection District. However, the Army Corps of Engineers and the JPA, including County of Monterey Water Resources Agency, are the lead for installation or maintenance of infrastructure on the levee. As long as the setback of 15 feet from the toe of the levee is maintained, as proposed in the project plans, the proposed infrastructure is not expected to increase wildfire risk. Furthermore, with adherence to existing regulations and fire codes, there is a Less Than Significant impact of the Project on, downstream flooding or landslides as a result of runoff or post-fire slope instability.

20 (a): Less Than Significant Impact with Mitigation.
The proposed project would not create any barriers that would impair emergency or other vehicle movement since it is not part of a transportation network that is frequently used by emergency vehicles. While Gonda Street is not a designated evacuation route, San Juan Road, which abuts Gonda Street, is listed as an evacuation route in the County's General Plan. As proposed, the majority of the residents of the proposed project will not own their own vehicles. In the event of a wildfire related emergency, transportation needs and the potential for H-2A employees lack preparedness during an emergency event has the potential to impact the implementation of an evacuation plan. However, the application did not include an Emergency Evacuation/Action Plan for the project. As discussed in section VI.15, Mitigation Measure PUBLIC-1, a project-specific Emergency Action Plan will help the project integrate with the regional emergency plans.

Through adherence with the recommended Mitigation Measure PUBLIC-1, County regulatory environment, the impacts of the Project to the existing Wildfire impacts are Less Than Significant.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially 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 a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Sources: IX. 32, 33, 35, 36, 37, 40, 44)	☐	☒	☐	☐
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)? (Sources: IX. 1, 10, 12, 13, 14, 15, 16, 18, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 40, 46, 47, 48, 49, 50, 51, 56)	☐	☐	☒	☐
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Sources: IX. 1, 10, 12, 13, 14, 15, 16, 18, 20, 21, 22, 27, 28, 29, 30, 31, 34, 46, 47, 48, 49, 50, 51, 56)	☐	☐	☒	☐

Discussion:
County staff reviewed the potential for significant impacts of the Project and the cumulative effects of the project and other projects in the preparation of this Initial Study. With the analysis presented herein, County staff found that there are no potentially significant environmental impacts which cannot be mitigated and no considerable cumulative effects.

Conclusion/Mitigation:
VII(a) Less Than Significant with Mitigation -- *Biological Resources and Cultural Resources*
When considering the Nicola project in terms of the potential to substantially 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 a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory,

the finding is Less Than Significant. The potential for wildlife to be impacted by the project is reduced to less-than-significant by the mitigation measures to survey, training construction crew members, biological monitoring, and to installation of restrictive fencing as well as use Best Management Practices to avoid any potential impacts. The subject parcel is not known habitat and is developed as a single family dwelling with a garden and otherwise ruderal vegetation. There is some potential for special status plants (Monterey spineflower) to be found in the pre-construction survey of the parcel. Mitigation measures BIO-1 through BIO-6 and their respective mitigation monitoring actions are recommended that would reduce direct impacts by transplanting and avoidance. See section VI.4, Biological Resources for detailed mitigation measures and monitoring actions. The potential for the project to eliminate important examples of the major periods of California history was investigated by a County-listed archaeologist. In "Phase 1 Inventory of Archaeological Resources for 124 Gonda Street, Royal Oaks, CA 95076" by Ruben Mendoza, no examples of any California history were found on the subject parcel. As part of the CEQA process, County initiated tribal consultations. The two local tribal groups who requested consultation stated that there is a potential for prehistory examples of resources to be found on the parcel during the ground disturbance associated with construction. Two mitigation measures are recommended to reduce the potential impact to less-than-significant: CULT-1 and TCR-1. With implementation of mitigation measures CULT-1 and TCR-1, cultural sensitivity training, archaeologist and tribal cultural monitoring of the ground-disturbing phase of the project would be performed. Therefore, the project would have a less than significant impact on Cultural and Tribal Cultural Resources.

VII(b & c) Less-Than-Cumulatively Considerable, no substantial effects on human beings
The following projects are approved or have been applied for in the Pajaro area:

PLN200234 Berlanga Family of Partners – This project consists of a General Development Plan to partially clear Code Enforcement violation (21CE00402) to allow a rebuild of 5,246 square foot existing fire damaged commercial building and addition of a 5,246 square foot four (4) apartment units for residential use to the second floor and expansion of parking and landscaping. The property is located at 8 Porter Drive Units 1, 2, 3, 4, 5 & 6 and 10 Porter Drive.

PLN220098 Roman Catholic Bishop of Monterey County – An amendment to Use Permit ZA-3189 to allow a remodel and addition to an existing church (Building "B") consisting of a 5,945 square foot interior remodel on the first floor, a 531 square foot addition to the first floor and a 6,620 square foot addition to the second floor; Installation of a 44 square foot onsite sign; and a modification to parking standards by: allowing off-street parking to be shared across two properties; and reducing the total parking requirement from 199 spaces to 110 spaces. The property is located at 100 Salinas Road.

PLN220144 Francisco Moran – Use Permit for mixed use development consisting of 5,544 square foot office (eight [8] offices) and 4,945 square feet residential (seven [7] one-bedroom units) and 742 square feet of office storage on second floor and a Voluntary Lot Merger. The project includes a remodel of the first and second floor of an existing 2,584 square feet commercial structure and construction of two (2) new two-story buildings. The properties are located at 33 Porter Drive, Royal Oaks and 22 San Juan Road, Pajaro.

PLN210152 Rio Vista Group LLC – This project consists of a Combined Development Permit consisting of 1) a Use Permit to allow the construction of four (4) 16,286 square foot apartment

buildings totaling 60 units for agricultural workforce housing and 1 manager unit; and 2) a Variance to allow building site coverage exceeding 5%. The property is located at 51 , 53, 55 & 57 Susan Street and is the adjacent parcel east of the subject property.

Pajaro River Flood Risk Management Project

As discussed in section III, a Joint Powers Authority called the Pajaro Regional Flood Management Agency (PRFMA) was formed to coordinate the Pajaro River Flood Risk Management Project. The goal is to improve levees protecting the City of Watsonville, the town of Pajaro and surrounding agricultural areas which are critically deficient. When the project is completed, these levees shall provide 100-year flood protection for the communities and comply with federal regulations. PRFMA is analyzing potential adverse impacts to hydrology, geology and soils, agriculture and other areas with an Environmental Impact Statement/Environmental Impact Report on the Pajaro River Flood Risk Management Project and the documents are due for public release in 2023. The project should bring an overall benefit to the region in the form of flood protection. The construction of the project is not anticipated to occur at the same time as construction of the Nicola project, so impacts are not considered cumulative. The PRFMA is also working with the USACE to repair the levee in three sites that were damaged in a recent flooding event when the levee was breached in 2022. Repairs are soon to be done at three rupture sites: on the levee upstream of Pajaro, near the Highway 1 bridge, and a third site on the levee close to the shore. The three locations are distant from the Nicola project such that any overlap of timing of the construction is not expected to have cumulative effects. (Source: IX. 30.)

Agriculture

The Rio Vista Group project utilizes prime farmland for agricultural employee housing. None of the sites planned for development in the Pajaro area are subject to a Williamson Act Contract. The Rio Vista project is allowed under policies AG-1.6 and AG-1.7 and was found consistent with the agricultural element of the 2010 Monterey County General Plan prior to permitting. The project Initial Study only found impacts to Agriculture in the area of conversion of agricultural land to other uses, and that was less-than-significant (Source: IX. 19). In its decision to support the project, the County decision makers found the agricultural housing project will be occupied during the Salinas Valley harvest season from April through November of each year when there is a shortage of agricultural labor, and the zoning district allows agricultural employee housing, therefore the project avoided adverse impacts to agriculture.

The Nicola project will not have any impacts converting any type of farmland and is not within a Williamson act contract. The Nicola project and the Rio Vista Group project have a cumulative effect on Agriculture that has the potential to be adverse such that the Nicola project is designed with the Rio Vista Group project understood to be entitled with potential to be built. Once the Rio Vista Group project is built, agricultural operations would cease on the adjacent land, then Nicola would be able to construct as planned without adding buffer area for protection of agriculture and workers from conflicting uses (pesticide drift, dust). The Rio Vista Group project is entitled but engaged in a legal challenge at the time of this writing, so the build out is not definite. However, as discussed in section IV.2, In the case that the Rio Vista Group project does not get constructed and that parcel continues to have active farming operations, the applicant for the Nicola project shall be required to work with the Agricultural Commissioner's Office and HCD to implement agricultural buffering that would achieve equivalent buffering benefits of a well-defined area on

the property. Through County oversight and policing powers through the permitting process, the cumulative impact of these projects on Agriculture is less-than-considerable.

Geology and Soils

The Rio Vista Group project includes over an acre of land disturbance and 16,600 cubic yards of grading (11,500 cubic yards of cut and 5,100 cubic yards of fill). Most of that grading work has already occurred at the site. Much of Pajaro is in Seismic Zone VI and is underlain by Alluvium. The soil in the Rio Vista project site consists of several soil types, including silty sand, sandy silt, clayey sand, sandy lean clay, and fat clay within the depths explored. All Development is required to be built in conformance with the latest version of the Uniform Building Code. This ensures that provisions are in place to reduce geological impacts to a less-than-significant impact. The Nicola project includes 1.3 acre parcel on what the Geotechnical Report called "liquifiable soil." Like the neighboring parcel (Rio Vista Group LLC), the soil is Alluvium and includes silty sand, sandy silt, clayey sand, sandy lean clay and fat clay within the maximum depth explored of 51 ½ feet. Unlike the neighboring project, the Nicola project is on a small flat parcel and will not require as intensive grading (approximately 1,000 cubic yards). Three geotechnical hazards that could potentially affect the proposed project are 1) Intense seismic shaking, 2) Collateral seismic hazards, and 3) Liquefaction and Lateral Spreading. By adhering to the requirement to prepare a construction-level Geotechnical Report for the construction permit application and design the foundation to meet all the recommendation of the geotechnical engineer, the Nicola project is capable of less-than-significant impacts to Geology and Soils. Between the two agricultural employee housing projects, there is very low potential for cumulatively considerable impacts to surface water because both are designed to overcome the alluvial substrate in a manner that is consistent with County regulations. Both these projects and those listed above are inspected as part of construction permitting to verify that the designs will meet codes adequately. Geology and Soils impacts tend to be site specific as soils conditions can vary from site to site. Additionally, each project must provide engineers solutions to soils conditions on the property and there is little or no overlap in the effects.

Hydrology/Water Quality

The Rio Vista Group project integrates a large area of new impervious surface with the onsite controls for stormwater and offsite improvements, such as deepening the County stormwater drainage basin that is adjacent to the parcel on Assessor Parcel Number 117-381-031-000 and connecting storm drainage system to the drainage basin. Between the two agricultural employee housing projects, there is low potential for cumulatively considerable impacts to surface water because both are designed to capture stormwater in a manner that is consistent with State regulations. Both projects are conditioned to have inspections to verify that the favorable designs will function adequately. Other projects in the vicinity will similarly control stormwater runoff in accordance with adopted State and local policies and regulations, with the exception of the PRFMA projects, which are Federally regulated.

The Rio Vista Group project development application included a "can and will serve" letter from Pajaro/Sunny Mesa that confirmed drinking water service for the proposed 61 units. A letter from Lakeside Organic Gardens dated November 17, 2021 provided a crop history from what was grown on the blocks proposed to be considered for development of the Rio Vista Group agricultural

employee project. According to Lakeside Organic Gardens, the average total water consumption on an annual basis, based on historical crop data) used 5.25 acre feet per acre, per year (on 3.66 acres, that is 19.22 [AFY]). However, during the public review of the Initial Study for the project, it came to light that a Monterey County Water Resources Agency annual Groundwater Extraction Summary Report showed an average of 2.645 AFY for the prior agricultural use. For evaluation of the projected water use of Rio Vista Group project, the applicant provided empirical data from 2 previously completed employee housing projects that are similar in use, design and implementation of water conservation devices to support a water use estimate of 45 gallons of water per person, per day. Based on the empirical data received, Rio Vista Group set their expected water usage value at 45 gallons per day per person for 8 month-occupancy which equals approximately 16.2 AFY of water demand. With demonstrated water balance as part of the requirements of the project's entitlement, the Rio Vista Group project is not expected to incur a substantial net use of water.

Other projects in the vicinity do not have a permit at this time and the additional demand from those project on water is unknown. Each project will be subject to separate review and analysis of water impacts as they are considered.

Potable water use at Nicola project site is estimated to increase from 0.27 AFY to approximately 11.8 AFY. The worst-case scenario for the analysis of water demand was set at full occupancy year-round. At that level of use, the project would consume approximately 14.5 AFY. The project is anticipated to house agricultural employees for 9 months per year, and the three units included for Inclusionary Housing would likely be occupied 12 months of the year. 11.8 AFY is within the spectrum of normal usage of groundwater for a multifamily residential development in the Community Area. PVWMA serves the project area as the sustainable groundwater management planning agency. Their management plans include immediate actions the PVWMA can take to help alleviate overdraft of the Corralitos/Pajaro Valley subbasin as well as measures to stop seawater intrusion from advancing as a long-term goal. The current guiding documents are the Water Quality Control Plan for the Central Coastal Basin June, 2019 and the 5-year update of the Pajaro Valley Groundwater Sustainability Plan Alternative (PV GSP, Source: IX.31). PVWMA is charged with evaluation the status of projects and management actions for achieving sustainability based on current information and making any changes to the plans necessary to achieve the intended effects of reducing groundwater extraction and raising groundwater elevations, increase groundwater in storage. The GSP adopted by PVWMA is the adopted plan to address cumulative water conditions in the area.

Although the Nicola project and the above references projects will be completed years before the PVWMA achieves anticipated basin sustainability, the projects' net impact on the aquifer is small. Both projects are designed to retain with managed aquifer recharge. City of Watsonville continues recycled water reuse from operations for agricultural demands. For these reasons, the projects will not have adverse cumulative impacts that would not substantially degrade surface and groundwater quality and is expected to have a Less-Than-Considerable Impact. (Sources: IX. 1, 2, 19, 23, 28, 31, 51).

Population/Housing

The Rio Vista Group project consists of the construction of four (4) 16,286 sq. ft. two-story apartment style buildings on a 3.41-acre property, consisting of 60 apartment units, two (2) laundry

facilities, one (1) manager's unit, and one (1) recreation room, open space and informal recreation fields. The project also includes a fire access aisle, on-site parking, bicycle racks, and landscaping. The agricultural housing project will be occupied primarily during the Salinas Valley harvest season from April through November of each year. One other planned project for the Pajaro area includes seven new one-bedroom units. The application is being reviewed; the project is PLN220144, Moran. The other projects do not involve residential use. The Rio Vista project has been designed to accommodate up to 480 employees without dependents. Each apartment unit would be suitable to house up to eight individuals. The Nicola project would house up to 250 agricultural employees, inhabitants of the three affordable housing two-bedroom units are expected to equal approximately 12 additional persons. Together, up to 742 adults would be temporary occupants in the project area, living in Pajaro for nine months, although another three households would be permanent residents in the Nicola buildings.

AMBAG regional growth model shows unincorporated County to increase from 415,060 in 2010 to an expected 467,068 in 2030. The 2010 General Plan EIR forecast for population in the Pajaro area estimated that in 2030, new population would be 645 from the baseline of 2004 at 3,384 with the understanding that there would potentially be 222 new units within the Community Area. The current census reports 3,066 residents in Pajaro. (The Rio Vista Group project is outside of the Pajaro Community Planning Area.)

A 2018 Farmworker Housing Study and Action Plan for Salinas Valley and Pajaro Valley by the California Institute for Rural Studies found that most agricultural employees working in the Pajaro-Salinas Valley "laborshed" live year-round in the region and need a permanent, year-round housing solution, and that the current demand for temporary housing for seasonal migrant workers is also severe. The report found that an additional 45,500 units of farmworker housing are needed to address farmworker household overcrowding across the Pajaro and Salinas Valley. The study did not indicate that H-2A housing was a specific remedy but neither did it demonstrate the use of H-2A in Pajaro and Salinas Valley to be detrimental to housing needs. The study showed that only 24 employers brought H-2A workers to the Salinas-Pajaro during 2017.

Temporary residents without dependents would not greatly impact the local population housing balance because of the limited time in Pajaro when not working or riding shuttles. The cumulative impact of the two projects on affordable housing in the area is positive, in that three very-low income units would be available. Altogether, due to the temporary status and self-sufficiency of the projects for the agricultural employees on H-2A visas, there would not be cumulatively considerable impact to population and housing. (Sources: IX. 1, 2, 12, 19, 56.)

Public Services

The Nicola project has some potential to have adverse impacts to service ratios, response times or other performance objectives for fire and police during the limited duration of occupation per year. This is mitigable by preparing the occupants for emergencies and conformance with local plans and regulations. Therefore, County proposes to reduce impacts to emergency-related public services in the time of an emergency with the application of Mitigation Measure PUBLIC-1, which requires the owner to provide an Emergency Action Plan for the project site. The Rio Vista Group project site is also at the end of a dead-end street in the neighborhood. The project was conditioned to prepare an emergency action plan, as well. During project review, a condition of approval was added to the Rio Vista Group project to make a series of funding contributions for the improvement of Pajaro Park located at 29 Bishop Street. The cumulative effect of the two projects on Public Services is therefore not considerable. Other projects proposed for the area are not located on San

Juan Road and are not of similar uses such that they would add to the cumulative effect on Public Services. (Sources: IX. 1, 10, 16, 17, 19, 38.)

Transportation/Traffic

Direct pedestrian and vehicular access to the Rio Vista Group project site is proposed via Susan Street. As shown in the site plan (Source: IX.19), vehicular ingress and egress is proposed at the southern-most border of the project site connecting the project to Susan Street. The project analysis presumes that a majority of the seasonal employees would not have personal vehicles and proposes transportation to and from work sites via outbound bus and/or vanpool trips. Outbound vanpool and/or bus transportation occurs by 5:00 A.M. and inbound bus and/or vanpool trips would occur by 4:00 PM. Both bus and vans are proposed in employee bussing and vanpools. Buses are proposed to be stored offsite and driven to and from the site each day and vans will be parked onsite. During weekday evenings and weekends, bus service into Pajaro and Watsonville would be provided to employees to transport employees to shopping, recreation, and religious services. The Rio Vista Group Initial Study found the project, as conditioned, would have the potential to result in a less-than-significant impact on transportation and traffic (Source: IX. 19).

The other projects planned for the area are located on Porter Drive, excepting the development that is proposed at Our Lady of the Assumption Catholic Church, on Salinas Road. These projects are all connected by San Juan Road. With only 11 new units and eight offices if all were to be entitled, the impacts are not anticipated to change the VMT of the Pajaro area, which is currently lower than the County average.

The Traffic Impact Analysis prepared by Keith Higgins for the Nicola project (Source: IX. 13) included a study of the same intersections, except for San Juan Road and Susan Street. Assuming trips generation rates assumed for traditional apartments, Higgins estimated that the Nicola project would generate a net of 246 daily trips with 15 trips during the A.M. peak hour and 19 trips during the P.M. peak hour. Considering both projects as traditional apartments, the cumulative trip generation would total in 700 daily trips, with 44 trips during the A.M. peak hour and 54 trips during the P.M. peak hour. Assuming the worst-case apartment use of both projects (which is not the proposed use and would require a discretionary permit), the project would generate a greater amount of daily trips than the default threshold of 110 daily trips over which a VMT analysis is recommended according to the Technical Advisory on Evaluating Transportation Impacts in CEQA, State of California Governor's Office of Planning and Research, December 2018. The Traffic Report found that the project generally fits the criteria per Proposed CEQA Guideline Section 15064.3, subdivision (b)(1) as a exempt from VMT analysis. The requirements are that the housing be for affordable housing and infill housing and within 0.5 mile of a major transit stop. Higgins suggested that the Watsonville Transit Center that is approximately .75 mile away would suffice, and because it is infill housing that includes affordable housing units as well as the classification of low income workers who would not be driving cars. Staff concurred with this conclusion. Therefore, the impact on VMT of the two projects which have shuttle services for all transportation associated with the projects is less-than-considerable. All projects are required to pay for traffic impacts pursuant to the Regional Development Impact Fee Program and the County Impact Fee Program, which mitigates for impacts to the transportation system through the

regulatory environment. Therefore, the impact of the projects on the transportation system is also Less Than Considerable.

Utilities and Service Systems
Necessary public facilities and infrastructure are available which can serve the projects. Like the Nicola project, Pajaro County Sanitation District (PCSD) sewer service is conditioned upon a professionally prepared sanitary sewer capacity study and water will be provided by the Pajaro/Sunny Mesa Community Services District (PSMCD), which provided a "can and will serve" letter for the Nicola project the Rio Vista project. The other projects listed are still under review and the demands for utilities and services systems for those projects will be analyzed prior to any action on those applications. The Utilities and Service System section of the Rio Vista Group project Initial Study discussed that, as designed, and with mitigation measures incorporated, the project will have a less than significant impact resulting from stormwater drainage. The mitigation measures include a final Stormwater Control Plan and Drainage Study (Source: IX.19).

The Nicola project "Water Demand and Sewer Capacity Estimate," prepared by Schaaf & Wheeler for the proposed project (January 18, 2022, Source: IX.1), recommended the sewer system be investigated. The recommendation was built into a mitigation measure with the inter-departmental review input from PCSD (UTIL-1), which, when applied to the project, results in a less-than-significant impact to the utility. Because both projects will improve the sewer system and no other impacts to utilities were identified that would require mitigation, the combined impact is less-than-considerable. Water service is also less-than-cumulatively considerable because both projects include stormwater capture and retention for percolation into the aquifer (85 percentile or better by design) and the net amount of new water use from the Corralitos/Pajaro Valley subbasin is not considerable at the scale of the Pajaro Valley water basin (Source: IX. 31).

In sum, the impact of the Nicola project on humans is not substantially adverse largely because the cumulative effects of the environmental impact areas which are known to impact human beings discussed above (*Agriculture, Geology and Soils, Hydrology and Water Quality, Population and Housing, Public Services, Transportation and Traffic, and Utilities and Service Systems)* are less-than-considerable as mitigated and with the application of adopted regulations that govern development in the area. Other environmental impact areas such as air quality, hazardous materials, noise, and recreation required no mitigation and are not expected to have an adverse effect on human beings through the low level of project-related impact by design (such as not storing or transporting hazardous materials) or through constraints on the project by the current regulatory environment such as the Uniform Building Code, state and local Noise regulations, recreation requirements in the HDR zoning district, and the County codes regulating grading and fire safety (Chapters 16 and 18, respectively) and MBARD requirement applied at the time of construction permitting.

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors* (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at

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VIII. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

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

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

To be considered for determination of "no effect" on fish and wildlife resources, development applicants must submit a form requesting such determination to the California Department of Fish and Wildlife. A No Effect Determination form may be obtained by contacting the Department by telephone at (916) 653-4875 or through the Department's website at www.wildlife.ca.gov.

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

Evidence: Based on the record as a whole as embodied in the HCD-Planning files pertaining to PLN200203 and the attached Initial Study / Proposed Mitigated Negative Declaration.

IX. SOURCES

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