

Attachment H
Initial Study/Negative Declaration

Lewis & Katherine Richardson
PLN090087

County of Monterey
 State of California
NEGATIVE DECLARATION

FILED

JAN 06 2012

STEPHEN L. VAGNINI
 MONTEREY COUNTY CLERK
 DEPUTY

Project Title:	Lewis H. & Katherine Richardson (Cal-Am)
File Number:	PLN090087
Owner:	Lewis H. & Katherine Richardson
Project Location:	24522 Rimrock Canyon Road, Salinas
Primary APN:	416-601-011-000
Project Planner:	Valerie Negrete
Permit Type:	Use Permit, Tree Removal Permit and Design Approval
Project Description:	Combined Development Permit consisting of a: 1) a Use Permit to place one (1) 120,000 gallon California American Company Water tank at the "Upper Rim Rock" site replacing two (2) 25,000 gallon tanks and Design Approval; 2) a Use Permit pursuant to 21.62.030.B in order to exceed the 15 foot height limitation of the district to allow a water tank of 18 feet high; and a Tree Removal Permit for the removal of a protected tree (one 8" oak tree); and Design Approval. The property is located at 24522 Rimrock Canyon Road, Salinas (Assessor's Parcel Number 416-601-011-000), Toro Area Plan.

THIS PROPOSED PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS IT HAS BEEN FOUND:

- a) That said project **will not** have the potential to significantly degrade the quality of the environment.
- b) That said project **will have no** significant impact on long-term environmental goals.
- c) That said project **will have no** significant cumulative effect upon the environment.
- d) That said project **will not** cause substantial adverse effects on human beings, either directly or indirectly.

Decision Making Body:	Monterey County Board of Supervisors
Responsible Agency:	County of Monterey
Review Period Begins:	January 6, 2012
Review Period Ends:	February 6, 2012

Further information, including a copy of the application and Initial Study are available at the Monterey County Planning & Building Inspection Department, 168 West Alisal St, 2nd Floor, Salinas, CA 93901 (831) 755-5025

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY – PLANNING DEPARTMENT
168 WEST ALISAL, 2ND FLOOR, SALINAS, CA 93901
(831) 755-5025 FAX: (831) 757-9516



NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION MONTEREY COUNTY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that the Monterey County Resource Management Agency – Planning Department has prepared a draft Negative Declaration, pursuant to the requirements of CEQA, for a Combined Development Permit (Richardson (Cal Am), File Number PLN090087) at 24522 Rimrock Canyon Road, Salinas (APN 416-601-011-000) (see description below). The Negative Declaration and Initial Study, as well as referenced documents, are available for review at the Monterey County Resource Management Agency – Planning Department, 168 West Alisal, 2nd Floor, Salinas, California, Monterey Public Library and Salinas Public Library. The Planning Commission will consider this proposal at a meeting on February 9, 2012 in the Monterey County Board of Supervisors Chambers, 168 West Alisal, 2nd Floor, Salinas, California. Written comments on this Negative Declaration will be accepted from January 6, 2012 to February 6, 2012. Comments can also be made during the public hearing.

Project Description: Combined Development Permit consisting of a: 1) a Use Permit to place one (1) 120,000 gallon California American Company Water tank at the "Upper Rim Rock" site replacing two (2) 25,000 gallon tanks and Design Approval; 2) a Use Permit pursuant to 21.62.030.B in order to exceed the 15 foot height limitation of the district to allow a water tank of 18 feet high; and a Tree Removal Permit for the removal of a protected tree (one 8" oak tree); and Design Approval. The property is located at 24522 Rimrock Canyon Road, Salinas (Assessor's Parcel Number 416-601-011-000), Toro Area Plan.

We welcome your comments during the 30-day public review period. You may submit your comments in hard copy to the name and address above. The Department also accepts comments via e-mail or facsimile but requests that you follow these instructions to ensure that the Department has received your comments. To submit your comments by e-mail, please send a complete document including all attachments to:

CEQAcomments@co.monterey.ca.us

An e-mailed document should contain the name of the person or entity submitting the comments and contact information such as phone number, mailing address and/or e-mail address and include any and all attachments referenced in the e-mail. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please send a second e-mail requesting confirmation of receipt of comments with enough information to confirm that the entire document was received. If you do not receive e-mail confirmation of receipt of comments, then please submit a hard copy of your comments to ensure inclusion in the environmental record or contact the Department to ensure the Department has received your comments.

Facsimile (fax) copies will be accepted with a cover page describing the extent (e.g. number of pages) being transmitted. A faxed document must contain a signature and all attachments referenced therein. Faxed document should be sent to the contact noted above at (831) 757-9516. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do

not wish to send a follow-up hard copy, then please contact the Department to confirm that the entire document was received.

For reviewing agencies: The Resource Management Agency – Planning Department requests that you review the enclosed materials and provide any appropriate comments related to your agency's area of responsibility. The space below may be used to indicate that your agency has no comments or to state brief comments. In compliance with Section 15097 of the CEQA Guidelines, please provide a draft mitigation monitoring or reporting program for mitigation measures proposed by your agency. This program should include specific performance objectives for mitigation measures identified (CEQA Section 21081.6(c)). Also inform this Department if a fee needs to be collected in order to fund the mitigation monitoring or reporting by your agency and how that language should be incorporated into the mitigation measure.

All written comments on the Initial Study should be addressed to:

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

Re: Richardson (Cal-Am); File Number PLN090087

From: Agency Name: _____
Contact Person: _____
Phone Number: _____

- No Comments provided
- Comments noted below
- Comments provided in separate letter

COMMENTS: _____

DISTRIBUTION

1. State Clearinghouse (15 copies)—include Notice of Completion
2. U.S. Army Corps of Engineers (San Francisco District Office: Katerina Galacatos: galacatos@usace.army.mil; Paula Gill: paula.c.gill@@usace.army.mil; or Bryan Matsumoto: bryan.t.matsumoto@usace.army.mil)
3. County Clerk's Office
4. Association of Monterey Bay Area Governments
5. North Monterey County High School District
6. Monterey County School District
7. Monterey Peninsula Unified School District
8. Carmel Unified School District
9. Pacific Gas & Electric
10. Monterey Bay Unified Air Pollution Control District
11. Monterey County Regional Fire Protection District
12. Monterey County Water Resources Agency
13. Monterey County Public Works Department
14. Monterey County Parks Department
15. Monterey County Division of Environmental Health
16. Salinas Public Library
17. Monterey Public Library
18. Lewis and Katherine Richardson, Owner
19. Aman Gonzalez (Cal-Am), Agent
20. Property Owners within 300 feet (Notice of Intent only)
21. Michael Weaver
22. The Open Monterey Project
23. LandWatch
24. Front Counter Copy
25. Planners Copy, Valerie Negrete
26. Public Utilities Commission

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

PLANNING DEPARTMENT

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

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



INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title: Lewis H. & Katherine Richardson

File No.: PLN090087

Project Location: 24522 Rimrock Canyon Road, Salinas

Name of Property Owner: Lewis H. & Katherine Richardson

Name of Applicant: California American Water C/O Aman Gonzalez

Assessor's Parcel Number(s): 416-601-011-000

Acreage of Property: 4.82 Acres

General Plan Designation: Residential - Low Density 1AC/U

Zoning District: LDR/B-6-D or "Low Density Residential with a Building Site and Design Review overlay"

Lead Agency: Monterey County Planning Department

Prepared By: Valerie Negrete, Assistant Planner

Date Prepared: December 19, 2011

Contact Person: Valerie Negrete

Phone Number: (831) 755-5227

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project:

The property is located at 24522 Rimrock Canyon Road, Salinas. The subject application is for the replacement of two (2) existing 25,000 gallon water tanks with one (1) 120,000 gallon water tank within an existing .40 acre water tank easement. The site is accessible through a dirt road located to the southwest of the existing single family dwelling. The tank replacement is needed to provide fire suppression to the existing 41 homes (Source IX. 10) the tanks serve. The replacement will involve the removal of two (2) coast live oak trees, one 8" in diameter and the other of 4" in diameter. Monterey County Code Section 21.64.260 requires a tree removal permit for any protected tree, in this case an oak tree which is 6" or more in diameter is a protected tree. Therefore, the project will include a tree removal permit for the removal of one (1) 8" oak tree. In order to support tree removal, the County must find that the removal is the minimum required in the circumstances of the case and that removal will not involve an adverse environmental impact. The replacement tanks are confined to the tank easement and tree removal is unavoidable. Ninety five percent (95%) of the tank easement area is disturbed and without vegetation. With a standard condition of approval for tree replacement, the removal of one (1) oak tree will be less than significant.

The 120,000 gallon replacement tank will be 18 feet high. The district height limit for a non-habitable accessory structure is 15 feet. However, Monterey County Zoning Code Title 21 height and setback exceptions Section 21.62.0202.B provides for "towers, poles, water tanks and similar structures to be erected to a greater height than the limit established for the district" with a Use Permit. With a standard condition of approval requiring landscaping and vegetation to be at least 18 feet high, the impacts to surrounding aesthetics will be less than significant (See VI for more discussion).

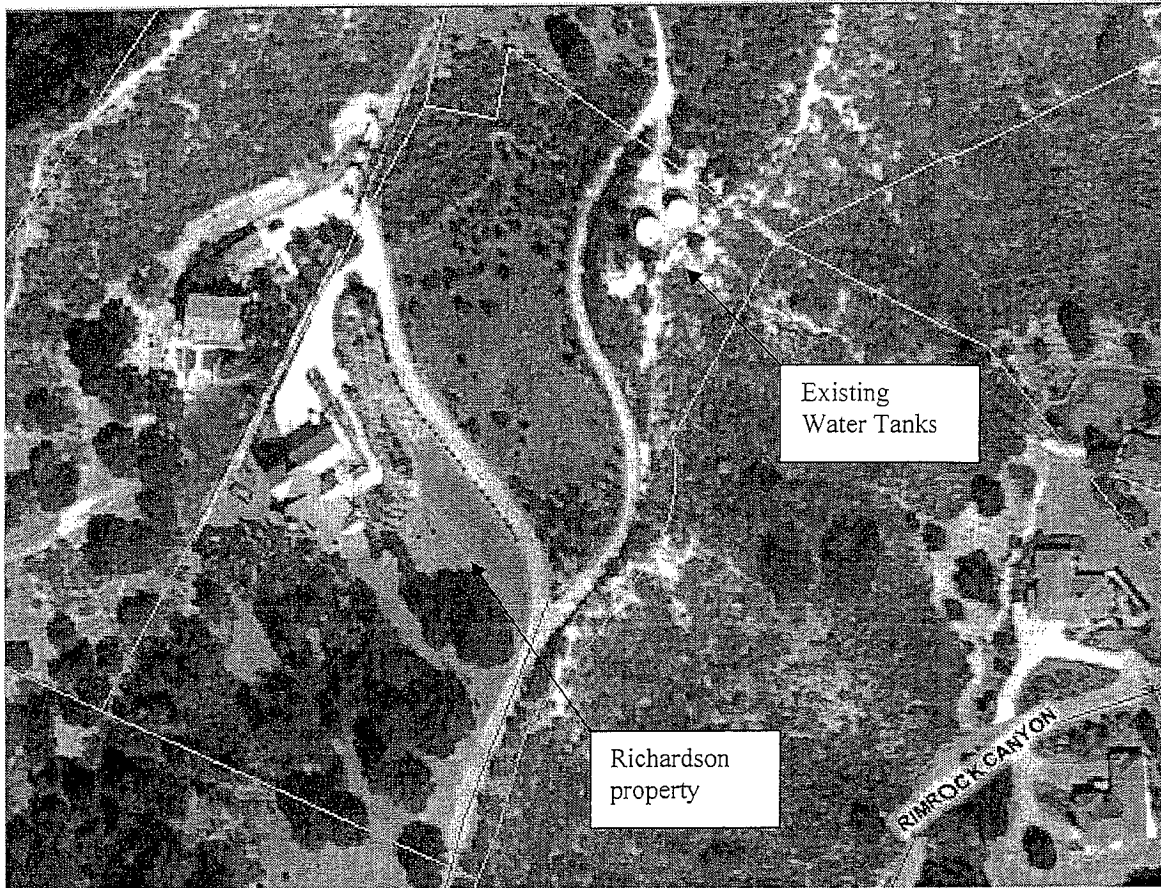
Because the existing tank easement is located on the knoll of an existing hill, there will be encroachment of 230 square feet on 25% slopes for the placement of the replacement 120,000 gallon tank (Source IX. 1). Monterey County General Plan, Section OS-3.5, states that where proposed development impacting slopes in excess of twenty five percent (25%) does not exceed ten percent (10%), or 500 square feet of the total development footprint (whichever is less), a discretionary permit shall not be required. In this case, the impact will cover a total area of 230 square feet thereby not requiring a discretionary permit.

B. Surrounding Land Uses and Environmental Setting:

The site is a 4.76 acre property located within a developed subdivision known as the Harper Canyon subdivision recorded February 5, 1991, Cities and Towns, Volume 17, Page 33 as Lot 11. The property is located on the side of sloping hill where the north portion of the property is largely in areas over 25% slopes and over half of the property is located within a scenic and conservation easement. The southern portion of the property is slightly sloped and contains an existing approximate 2,736 square foot single family dwelling. The north portion of the property contains a .40 acre water tank easement, which is located atop a narrow bedrock southward-descending ridge crest above very steep slopes to the east and moderately steep slopes to the west (Source IV. 7). The eastern slope of the ridge crest is raw and fluted with numerous erosion rills, gullies and debris flow scars (Source IV.7). The water tank easement contains two (2) existing

25,000 gallon water tanks which serve 41 homes below. Within the tank easement, immediately north of the existing tanks, is a 150 square foot parking area for utility and maintenance vehicles.

Figure 1: Aerial Site Plan of Richardson property



C. Other public agencies whose approval is required: The Public Utilities Commission approval is required for the replacement however no other agency, besides the Monterey County Planning Department, approval is required.

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

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

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

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

General Plan / Area Plan

The proposed expansion of an existing water tank is consistent with the Toro Area Plan, 2010 General Plan and Monterey County Zoning Ordinance. The property is located within a Low Density Residential district which allows for the proposed use. No potential impacts were identified during staff review. The project was found to be consistent with standards provided in the Toro Area Plan, 2010 General Plan and Monterey County Zoning Ordinance. (Source: IX. 1, 2, 3) CONSISTENT.

Air Quality Management Plan

Consistency with the Air Quality Management Plan is an indication of a project's cumulative adverse impact on regional air quality (ozone levels). It is not an indication of project-specific impacts, which are evaluated according to the Air District's adopted thresholds of significance. Inconsistency with the AQMP is considered a significant cumulative air quality impact. Consistency of a project is determined by comparing the project population at the year of project completion with the population forecast for the appropriate five year increment that is listed in the AQMP. If the population increase resulting from the project would not cause the estimated cumulative population to exceed the relevant forecast, the project would be consistent with the population forecasts in the AQMP (Source: IX. 5). In this case, the replacement of an existing water tank to serve existing customers will not cause an increase in population.

The Association of Monterey Bay Area Governments (AMBAG), the *2008 Population, Housing Unit, and Employment Forecasts* adopted by the AMBAG Board of Directors, are the forecasts used for this consistency determination. The proposed project includes the replacement of two (2) existing 25,000 gallon water tanks to one (1) 120,000 gallon water tank in order to provide adequate fire flow in the event of an emergency. The replacement will not contribute to an increase in the population forecasts of the 2008 AQMP and would not result in substantial population changes. The tanks currently serve 41 homes and after the project the tank will serve fire flow and domestic water needs of the existing 41 homes. Therefore, the project is consistent with the 2008 regional forecasts and the Air Quality Management Plan (Source: IX. 5). CONSISTENT

A. FACTORS

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

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology/Soils |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards/Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality |

- | | | |
|---|--|--|
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> 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.

Check here if this finding is not applicable

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

EVIDENCE: See discussion in Section VI for further analysis.

2. Agriculture and Forest Resources: The project is will not 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. The project is a developed lot located within a residential zoning designation, Low Density Residential with a Building Site and Design Control overlays. The property does not contain a Williamson Act contract or conflict with Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland. The proposed is a replacement of an existing water tank for residential use and therefore will not result in a conversion of farmland to a non-agricultural use. (Source IX 1, 2, 6) *Therefore, the proposed project would not result in impacts to agricultural or forest resources.*
8. Hazards/Hazardous Materials: The project does not involve the use of any hazards or hazardous materials. The site is a developed residential lot within an existing subdivision. The replacement of the water tank is needed to provide fire flow to the existing homes thereby reducing the risk of fire damage to each customer the tank serves. *Therefore, there will be no impact on hazards or hazardous materials.*
10. Land Use/Planning: The project will not physically divide a community, as it is a replacement of two existing 25,000 water tanks to one 120,000 gallon tank in order to provide fire suppression and domestic water for the existing connections it serves. The project is consistent with the Toro Area Plan the 2010 General Plan, and the Monterey County Zoning Ordinance Title 21. The project as proposed will not conflict with any

applicable conservation plan, natural community plan, or existing agricultural activities. The proposed water tank replacement will be situated within an existing water tank easement on a developed residential lot. Water system facilities including wells and storage tanks are an allowed use within the Low Density Residential zoning designation with a discretionary permit. In this case, the existing tanks serve 41 homes and after the tank replacement will serve 41 homes. (Source: IX. 1, 2, 3, 4, 6, 10) *Therefore, there will be no impact on land use.*

11. Mineral Resources: The replacement of an existing water tank will not impact mineral resources. No mineral resources or resource recovery sites have been identified on the site or in the area (Source: IX. 1, 3, 6). *Therefore, the proposed project would not result in impacts to mineral resources.*
12. Noise: Operation of the water tank will not violate any County noise standards. The closest sensitive receptor is approximately 305 feet (south) of the water tanks however the tanks do not make any noise. A standard condition of approval will be added to ensure that construction will take place between the hours of 8-5, Monday through Friday. The replacement of the tank will not expose persons to vibration or groundborne noise, noise levels in excess of standards established by the general plan or noise ordinance. The replacement tanks will not contribute a substantial permanent or periodic increase in ambient noise. The tanks face Rimrock Canyon (southwest), and will be surrounded by developed residential homes in which it will serve. The tanks are not located within an airport land use plan or airstrip. (Source IX. 1, 2, 6, 12) *Therefore, temporary construction activities and ongoing operational noise will have no impact on sensitive receptors.*
13. Population/Housing: The proposed project is located within a LDR/B-6 Zoning District and will not impact population or housing. The proposed tank replacement does not conflict with the 2010 General Plan and Zoning Ordinance. The tank replacement does not involve new connections and therefore is not viewed as growth inducing and does not displace existing housing or change land use that restricts the development of housing. The tank is located within an existing subdivision on a developed lot. There are no plans for additional housing. (Source: IX. 1, 2, 5, 13) *Therefore, the project will have no impact on population or housing.*
14. Public Services: The proposed project is a public utility project which is needed to provide fire flow for the existing residents the tank serves. The project will provide much needed fire protection for the surrounding homes (41 homes) it serves. The replacement will involve the removal of one protected tree (8" oak) and minor grading for the building pad of 57 cubic yards of cut, 3 cubic yards of fill with an export of 54 yards net exported fill soil. All replacement work will be under the supervision of a licensed registered engineer. The project will increase fire protection to an acceptable level. The project does not involve changes to police protection, service ratios to local schools will not be impacted, nor park service or other public facilities. (Source; IX. 1, 2, 7) *Therefore, there will be no impacts on public services.*
15. Recreation: The proposed project will not increase the use of existing neighborhood and regional parks or other recreational facilities, which would cause substantial physical deterioration of the facility or its acceleration. The project does not include recreational facilities, nor does it require the construction or expansion of recreational facilities, nor does it require the construction or expansion of recreational facilities that might have an

adverse effect on the environment. (Source: IX. 1, 2, 3, 6) *Therefore, there will be no impact on recreational resources.*

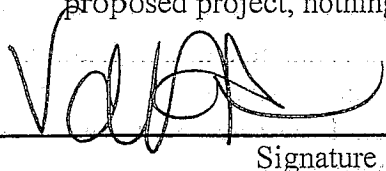
16. Transportation/Traffic: The project site is accessed from a dirt road private road immediately off of Rimrock Canyon Road. The project involves the replacement of an existing water tank and will not generate additional traffic to Rimrock Canyon Road. The project will not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, or result in a change in air traffic patterns, or substantially increase hazards due to a design feature. The dirt access road is not open to the public and is strictly for monitoring and/or maintenance of the water tank by California American Water personnel. The project will not result in inadequate emergency access as the project does not propose any new infrastructure. The tank replacement does not conflict with any policies on public transit, bicycle, or pedestrian facilities. There is an existing 150 square foot parking pad area for personnel within the water tank easement. (Source IX: 1, 2, 3) *Therefore, there will be no impact on transportation and traffic.*
17. Utilities/Service Systems: The proposed project will not generate wastewater and therefore would not be subject to wastewater treatment requirements. The project is a replacement of an existing water tank and will not require new expanded wastewater facilities. The water tank will provide storage for water. Cal-Am would use existing water sources to supply the tank. There will be no impact in obtaining a new water supply. The replacement will involve the demolition of the existing water tank for a larger tank (Source IX. 1, 2). *Therefore, there will be no impact on utilities or service systems.*

B. DETERMINATION

On the basis of this initial evaluation:

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

- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

Valerie Negrete



Date

Assistant Planner

V. EVALUATION OF ENVIRONMENTAL IMPACTS

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

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

VI. ENVIRONMENTAL CHECKLIST

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

Discussion/Conclusion/Mitigation:

Aesthetics 1(a) (b) (c): Less than Significant - The proposed project will sit at 18 feet high and will be visible from Rimrock Canyon, a private road, and at least a few homes to the south of the site on Rimrock Canyon within the Harper Canyon subdivision. The proposed is not considered ridgeline development, which by definition in the Monterey County Code Title 21, Section 21.06.950, as development which has the potential to create a silhouette on the crest of a hill when viewed from a common public viewing area. The site is accessed from Rimrock Road and Harper Canyon Road from San Benancio Road off of Highway 68. San Benancio Road, which is .43 miles from the site, is designated within the Toro Area Plan as a Scenic Highway and Highway 68, which is designated as a State Scenic Highway, is located over 1.07 miles west of the property. The tank is not visible from either of these segments (Source: IV 3, 6). Monterey County General Plan policy T-3.1 and T-3.2 require land use, architectural, and landscaping controls be applied, and sensitive site design encouraged, to preserve Toro's visually sensitive areas and scenic entrances of River Road and Highway 68 intersection. In this case, the site is not visible from Highway 68 and the zoning designation already requires design review of structures to ensure development matches the neighborhood character and visual integrity of the neighborhood. Design control has been implemented to ensure that the replacement tank match the colors and materials of the surrounding vegetation (Source IX. 1, 2, 3, 6). The replacement tank will match the existing colors of "TNEMEC Warm Sun" (tan beige). *Therefore, there will be a less than significant impact to a scenic vista or a scenic resource.*

Aesthetics 1 (c): Less than Significant - The project was staked for a visual assessment according to the Monterey County Staking criteria adopted by the Board of Supervisors, Resolution No. 09-360. The site is accessed from Rimrock Canyon Road, which is a steep windy road. The tank easement is located towards the upper northwest corner of the property. As you drive towards Rimrock Canyon, you can't see the staking of the proposed tank. The tank is visible however from the Richardson property, which is private property (see Figure 2 below). The easement is surrounded by a conservation and scenic easement and contains dense

vegetation which shields the view of the existing tank. In accordance with General Plan policy T- 3.1, within areas designated as “visually sensitive” on the Toro Scenic Highway Corridors and Visual Sensitivity Map, landscaping or new development may be permitted if the development is located and designed in such a manner that will enhance the scenic value of the area. Although the site is not located on a scenic highway (See VI.1 above), landscaping to reduce the view of the tank from Rimrock Canyon Road will be required. As a standard condition of approval, the replacement tank will be painted the same as the existing colors of beige to match the existing dense vegetation surrounding the tank. Vegetation will be required to grow taller than the 18 foot high tank. (Source IX. 1, 2, 6). *Therefore, there will be a less than significant impact to the existing visual character or quality of the site and its surroundings.*

Figure 2: View from Richardson property of staking



Aesthetics 1(d): No Impact – There is no new lighting planned for the replacement tank. A standard condition of approval will be placed requiring that any additional lighting be low glare, non-reflective and downward lit. General Plan policy T-3.5 requires that exterior/outdoor lighting shall be located, designed, and enforced to minimize light sources and preserve the quality of darkness. Because there are no new light sources proposed there will be no impact to lighting and aesthetics. (Source IX. 1, 2, 3, 6). *Therefore, there will be no impact as a result of a new source of substantial light or glare which would adversely affect day or nighttime views in the area.*

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.2.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in significant construction-related air quality impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

The Monterey Bay Unified Air Pollution Control District (MBUAPCD) prepared the Air Quality Management Plan (AQMP) for the Monterey Bay Region. The AQMP addresses the attainment and maintenance of State and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB). As of January 2009, Monterey County is in attainment for all federal air quality standards and state standards for Carbon Monoxide (CO), Nitrogen Dioxide (NO₂), and fine particulate matter (PM_{2.5}). Monterey County is in non-attainment for PM₁₀ and is designated as non-attainment-transitional for the state 1-hour ozone standard. Data is not available concerning the state 8-hour ozone standard. **Table 2** below depicts the attainment status for the NCCAB region. If a region is in non-attainment, the air quality in the area fails to meet standard and if there is attainment then the area meets standard.

Table 3: Air Resources Board Attainment Status

Current Attainment Status of the North Central Coast Air Basin

Pollutant	Federal	State
Ozone (O ₃)	Attainment*	Non-attainment **
Carbon Monoxide (CO)	Attainment	Monterey County - Attainment
Nitrogen Dioxide (NO ₂)	Attainment	Attainment
Inhalable Particulates (PM ₁₀)	Attainment	Non-attainment

Fine Particulates (PM _{2.5})	Unclassified/Attainment***	Attainment
Nitrogen Dioxide (NO ₂)	Attainment	Attainment
Sulfur Dioxide (SO ₂)	Attainment	Attainment
Lead	Attainment	Attainment

* The Federal 1 hour standard was revoked in the NCCAB on June 15, 2005. The standard provided is for an 8-hour period.

** Effective July 26, 2007, the ARB designated the NCCAB a non-attainment area for the State ozone standard.

*** In 2006, the Federal 24-hour standard for PM_{2.5} was revised from 65 to 35 µg/m³. Although new designations have not been made as of August 2008, at the date of MBAQMP 2008 publication, it is expected that the NCCAB will be designated attainment.

Source: MBUAPCD Website (MBUAPCD 2008)

Air Quality: 3 (a), (b), (e), (f) No Impact – Consistency with the AQMP is an indication of a project's cumulative adverse impact on regional air quality (ozone levels). A project's consistency with AQMP district population is an indication of a project's cumulative impact on air quality. It is not an indication of project-specific impacts, which are evaluated according to the Air District's adopted thresholds of significance. Generally, in the long-term, the primary source of air emissions is vehicular traffic. The project will not conflict with or obstruct implementation of the applicable air quality plan or violate any air quality standard or contribute substantially to an existing or projected air quality violation. (Source IX. 1, 2, 5). *Therefore, there will be no impacts to applicable air quality plans, air quality standard or an existing or projected air quality violation, sensitive receptors, or result in the exposure of creating objectionable odors affecting a substantial number of people.*

Air Quality: 3 (c), (d) Less than Significant – During construction of the replacement water tank dust would be generated from exposed soils during grading of the tank site. Best management practices for construction and grading activities include watering exposed soil to minimize the potential for dirt to become airborne through wind erosion and re-plantation of graded areas as soon as possible to stabilize grading. For construction vehicles, adherence to state-required idle restrictions and use of properly maintained and tuned equipment with diesel particulate matter filters would minimize vehicle exhaust related emissions during construction. The tank replacement will take approximately three (3) months to complete. The replacement of a water tank will not effect the regional traffic planning efforts and will not cause significant increases in traffic congestion in the area. A standard condition of approval requiring Best Management Practices will be implemented. (Source IX. 1, 2, 5). *Therefore, there would be a less than significant impact to pollutants for which the project region is non-attainment under an applicable federal or state ambient air quality standard, or construction-related air quality.*

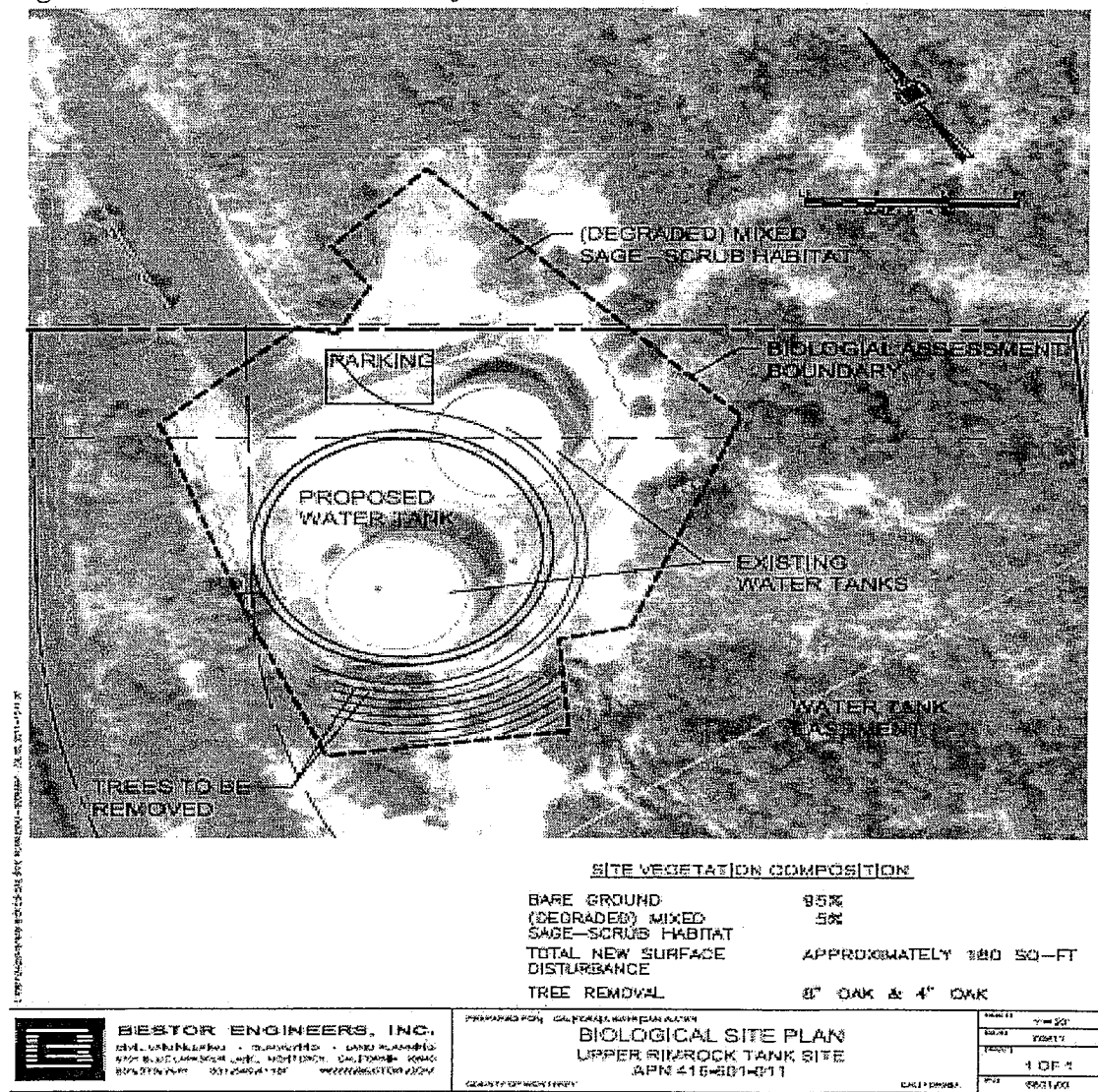
4. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Biological Resources: 4 (a), (b), (c), (d) Less than Significant - A biological assessment was conducted on October 19, 2010 by EMC in order to determine any impacts the proposed development may have on any biological resources. The majority of the proposed building area for the replacement tank is compacted and bare with no vegetation, approximately 95% of the building area (See Figure 4 below), the remaining 5% of the project area is degraded. The degraded area was comprised of chamise, coyote brush, sticky monkey flower, Coast live oak and poison oak. No state and or federally listed plant communities, wildlife migration corridors, protected plant communities or wetlands were observed on site. (Source IX. 6, 9). *Therefore, there will be a less than significant impact to species identified as a candidate, sensitive, or special status species, on any riparian habitat or other sensitive natural community, federally protected wetlands as defined by Section 404 of the Clean Water Act.*

The project will require the removal of several manzanita, coyote brush and sage plants located on the corridor of the new replacement tank area. Impacts to these removed plants are considered less than significant and would not require any mitigations (Source IX. 6, 9). The project area contained a nest of dusky-footed woodrats; however this species is not listed as special status or afforded any protection under state or federal laws. Even though, as a condition of approval the applicant will be required to conduct a pre-construction survey for raptors or nesting birds prior to construction or tree removal. Any tree removal or construction activity that occurs during the typical bird nesting season (February 22-August 1), the project shall retain a County qualified biologist to perform a nest survey in order to determine if any active raptor or migratory bird nests occur within the project site or within 300 feet of proposed tree removal activity. During the typical nesting season, the survey shall be conducted no more than 30 days prior to ground disturbance or tree removal. If nesting birds or raptors are found on the project site, an appropriate buffer plan or appropriate replacement shall be established by the project biologist. (Source IX. 6, 9). *Therefore, there will be a less than significant impact to any native resident or migratory fish or wildlife species.*

Figure 4: Habitat within the Project Area



Source: Denise Duffy Biological Assessment

Biological Resources: 4 (e) Less than Significant- The proposed project will require the removal of 2 oak trees of 4" and 8" in diameter. Monterey County Code Section 21.64.260 requires a tree removal permit for any protected tree, in this case an oak tree 6" or more in diameter is protected. Therefore, the project will include a tree removal permit for the removal of one (1) 8" oak tree. Due to the small size of the 8" oak tree, it is unlikely that the trees would support nesting. Typically, trees 15 feet in height or larger would be considered suitable habitat for nesting raptor habitat. In order to avoid any potential impact to potentially nesting migratory birds, the applicant will be required to schedule tree removal outside of the breeding migratory bird nesting season (September through January 31st). If tree removal is schedule during breeding season (February 1st to August 31st), the applicant will be required to have a qualified biologist conduct a pre-construction survey within 48 hours of commencement of ground disturbance. If nesting birds or raptors are found on the project site, an appropriate buffer plan or appropriate replacement shall be established by the project biologist. The General Plan policy T-3.7, states that removal of healthy, native oak trees in the Toro Planning Area shall be discouraged. An ordinance shall be developed to identify required procedures for removal of these trees. To date, an ordinance has not been adopted specifically addressing the Toro Planning Area trees, therefore absent the ordinance, permit requirements and replacement criteria, regulations for tree removal continue to be followed under Monterey County Code Title 21 (Source IX. 12, 6, 9). *Therefore, there will be a less than significant impact to local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.*

Biological Resources: 4 (f) No Impact – The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The project is not located within an area with an existing plan (Source IX. 1, 6, 9). *Therefore, there will be no impact to any adopted Habitat Conservation Plan, Natural Community Conservation Plan.*

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

Discussion/Conclusion/Mitigation:

Cultural Resources: 5 (a), (b), No Impact - The project does not involve substantial adverse change in the significance of a historical resource as defined in 15064.5. The site is not a

designated historic resource or eligible for listing in the California Register of Historical Resources. The project does not involve a structure, building or object which is historically significant. The project involves the replacement of an existing water tank. (Source IX. 1, 8). *Therefore, the project will have no impact on culture resources as defined by 15064.5.*

Cultural Resources: 5 (c), (d) Less than Significant – The property is listed in the Monterey County Geographic System website (GIS) as high for the potential of cultural resources occurring on site. An archaeological reconnaissance was conducted for the site and concluded that no resources were present in the project area. No resources have been identified at or near the project site. The site is not located in a cemetery or near any place where human remains were buried. Therefore, the project will not cause a substantial adverse change in the significance of a historical structure or archeological resource. As it is always a possibility that a resource may exist, a standard condition of approval will be added to the project stating that if, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. (Source IX. 1, 8). *Therefore, the project will have a less than significant impact on any unique paleontological resources or any human remains.*

6. GEOLOGY AND SOILS	Less Than Significant			
	Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Conclusion/Mitigation: Geology and Soils 6 (a) (i) - (iv) Less than Significant – A geotechnical and geological report was prepared by Pacific Crest Engineering dated March 18, 2009, in order to assess the proposed project. Within Monterey County, project sites may experience ground shaking, ground surface rupture, liquefaction and lateral spreading and seismically induced slope instabilities. There was no presence of water below the tank site, therefore, the likelihood of lateral spreading and liquefaction is not possible. The project is located 20 miles from the San Andreas Fault which could experience the most amount of ground shaking during an earthquake event. The nearest known active or potentially active fault is mapped at 2.9 miles from the site, the Rinconada, so the potential for ground surface rupture at the site is low. It is not expected that the site would experience liquefaction or landslides due to the presence of cohesive soils, significant fine content and lack of clean cohesionless sands in the project area. The site did not contain groundwater, therefore lateral spreading and liquefaction factors were not present. The tank will be built in accordance with the latest edition of the California Building Code which will decrease the probability that the tank will experience major damage during a seismic event. (Source IX. 1, 2, 7, 12). *Therefore, the project will have a less than significant impact of loss, injury, or death from the rupture of a known earthquake fault, strong seismic ground shaking occurrence, seismic-related ground failure or landslides.*

Geology and Soils 6 (b), (c) Less than Significant – The north portion of the property contains a .40 acre water tank easement, which is located atop a narrow bedrock southward-descending ridge crest above very steep slopes to the east and moderately steep slopes to the west (Source IV. 7). The eastern slope of the ridge crest is raw and fluted with numerous erosion rills, gullies and debris scars, which have likely contributed sediment to the area below the tank site as the top of the ridge and the slope retreat through the process of erosion and landsliding (Source IV.7). The replacement of the water tank will involve 57 cubic yards of cut and 3 cubic yards of fill with an export of 54 cubic yards. (Source IX. 1, 2, 7, 12).

Removal of native vegetation, including trees and the proposed cut and fill for the building pads, will leave exposed loose soils at the site. Loose, exposed top soils can erode rapidly when mixed with water. (Source IX. 1, 2, 7, 12). The site drainage and erosion control plans are essential to reducing the impact of erosion on the site. Recommendations in the soils report echo Monterey County standard practices for drainage control. Standard erosion control practices include the use of covering or vegetating exposed soils, using silt fences or straw bales to contain surface runoff, and, where possible, to complete soil disturbing activities out side of the rainy season from October 15 through April 15. The Monterey County RMA-Building Department, Grading Division reviews all request for winter grading and must make an exception to allow grading during this time. *Therefore, there would be a less than significant impact to soil erosion or the loss of topsoil, 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.

Geology and Soils 6 (d), (e) Less than Significant – Soil at the site is highly variable within the marine and fluvial terrace deposit materials, not considered expansive. Slope stability analysis, which looked at the cross sections and critical failure planes determined that the safety factor conditions rated at a 2.2 which is greater than the minimum safety factor of 1.5. In general the soils at the site were found to be acceptable provided that the geotechnical report recommendations are followed. Standard conditions of approval will be added to the project to include final grading and foundation designs be reviewed by the geotechnical engineer prior to work being performed. Compliance with the Uniform Building Code’s current edition for the additions foundation design and construction was recommended in the report. The condition will require, measures itemized in the geotechnical and geological report prepared by Pacific Crest Engineering dated March 18, 2009, which included surface vegetation, tree roots and organically-contained topsoil be removed from the area to be graded and depths of removal be observed by a licensed geotechnical engineer. Cut and fill slopes shall be engineered meeting minimum density requirements of the geotechnical report recommendations. The condition will require that prior to finaling of any work performed on site, the applicant submit evidence from a geotechnical engineer stating that work was performed in accordance with the geotechnical report recommendations. (Source IX. 1, 2, 7, 12). *Therefore, the project will have a less than significant impact on expansive soils, as defined in Chapter 18A of the 2007 California Building Code Have or soils incapable of adequately supporting the use proposed.*

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

Discussion/Conclusion/Mitigation:

Greenhouse gases such as Carbon Dioxide and Methane contribute to the “ozone” effect that leads to global warming. The replacement of an existing water tank in an existing water tank easement is not a significant contributor to the global problem. Construction activities associated with the project will generate minor amounts of greenhouse gas emissions generated from tree removal, grading and construction equipment. (Source 1, 2, 3, 5)

Greenhouse Gases 7 (a): Less-than-Significant Impact - The proposed development would generate greenhouse gas emission through removal of a tree (one 8” oak) and vegetation (See VI.4) which not only processes carbon dioxide and releases oxygen back into the air, but also releases CO₂ once removed and composted, or burned. Tree removal is less than significant. Greenhouse gases may also be created through use of construction equipment, vehicle trips, and

existing stationary operations within the developed lot from uses such as furnaces, fireplaces, and hot water heaters. However, the replacement project will take no more than 3 months to complete. Use of construction equipment is anticipated to be intermittent and limited to site preparation and some construction activities. Pollutant emissions resulting from heavy equipment use during construction are not anticipated to exceed any significance thresholds or significantly contribute to greenhouse gas effects on the environment. The same applies to the minor addition of vehicle traffic associated with replacement of the water tank. (Source 1, 2, 3, 5) *Therefore, the project will have a less than significant impact on greenhouse gas emissions, either directly or indirectly.*

Greenhouse Gases 7 (b): No Impact - Monterey County does not have an adopted plan for the reduction of greenhouse gases. Preparation of such a plan has begun, but is not yet applicable. Instead, the project is considered in terms of the multiple State and Federal laws passed regarding this subject. It is difficult to implement the goals of the various legislations on a small project-level basis such as this project. Rather climate action plans are being developed, and the Office of Planning and Research (OPR) recommend that each jurisdiction establish their own thresholds of significance. Monterey County has not adopted either a climate action plan or thresholds of significance, but it can be inferred from other agencies, including the California Air Resources Board (CARB) whose thresholds have been established. The project is a replacement of an existing water tank and will not generate an additional residential unit. GHG sources targeted in such plans generally involve vehicle miles traveled reductions, waste diversions, and technologies such as electric vehicles, and renewable energy sources, not projects such as this. (Source 1, 2, 3, 5) *Therefore, the project will have no impact on an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.*

8. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.8.

9. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial <u>erosion or siltation</u> on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in <u>flooding</u> on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

9. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Hydrology and Water Quality 9 (a): No Impact – Construction of the replacement tank would be subject to the Monterey County Grading and Erosion Control Ordinance Compliance with ordinance requirements would be expected to avoid violation of water quality standards. There are no waste discharge requirements applicable to the proposed tank replacement. Because less than an acre of land would be disturbed during construction, the project would not require preparation of a Storm Water Pollution Prevention Plan and would not need to obtain coverage under the Statewide Construction Storm Water Permit. (Source 1, 2, 7) *Therefore, the project will have no impact on any water quality standards or waste discharge requirements.*

Hydrology and Water Quality 9 (b): Less Than Significant – The project would not deplete groundwater supplies or interfere substantially with groundwater recharge. The tank replacement will serve 41 existing residential homes and will use existing water sources thereby not using additional groundwater sources. (Source 1, 2, 7, 10) *Therefore, the project will have a less than significant impact on groundwater supplies or interfere substantially with groundwater recharge.*

Hydrology and Water Quality 9 (c), (d): Less Than Significant The project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site. The project will require grading of 57 cubic yards of cut and 3 cubic yards of fill with an export of 54 cubic yards, and erosion control would be necessary during construction. A geotechnical report was prepared by Pacific Coast Engineers and will require erosion control measures and slope stability analysis prior to any construction activity. As a

condition of approval, prior to the issuance of grading or building permits, the applicant will be required to submit an erosion control plan prepared by a registered civil engineer detailing specifications to prevent runoff from leaving the construction site. After grading for the replacement tank and construction of the replacement tank, the disturbed areas will be landscaped which will include vegetative cover to prevent erosion and sedimentation during tank operation. (Source 1, 2, 7) *Therefore, there will be a less than significant impact on the existing drainage patterns of the site or rate or amount of surface runoff in a manner which would result in flooding on- or off-site.*

Hydrology and Water Quality 9 (e), (f): No Impact –The project will not 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. The project will not otherwise substantially degrade water quality. The proposed is a replacement of two (2) existing 25,000 gallon water tanks for one (1) 120,000 gallon water tank for fire suppression and domestic water for existing connections. (Source 1, 2, 7) *Therefore, there will be no impact on runoff water which would exceed the capacity of existing or planned stormwater drainage systems or degrade water quality.*

Hydrology and Water Quality 9 (g), (h), (i), (j): No Impact - The project site is not located within a flood zone and will not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map or place within a 100-year flood hazard area structures which would impede or redirect flood flows. The replacement tank will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam or expose persons to inundation by seiche, tsunami, or mudflow. If the tank had a leak, Cal Am personnel would notice erosion gullies or channels forming which would carry silt down below. In addition, in order for the tank to be impacted by flooding, there would need to be long periods of prolonged rainfall to saturate the soil, or a major flood event saturating the soil which is not likely. Cal Am personnel inspect the tanks regularly for leaks or any potential issues with the tank functions (Source 1, 2, 7, 12). *Therefore, the project will not place housing within a 100-year flood hazard area, Place within a 100-year flood hazard area structures which would impede or redirect flood flows, Expose people or structures to a significant risk of loss or Inundation by seiche, tsunami, or mudflow.*

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

10. LAND USE AND PLANNING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.10.

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

Discussion/Conclusion/Mitigation: See Section IV.11.

12. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

12. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.12.

13. POPULATION AND HOUSING

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

Discussion/Conclusion/Mitigation: See Section IV.13.

14. PUBLIC SERVICES

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

Discussion/Conclusion/Mitigation: See Section IV.14.

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

Discussion/Conclusion/Mitigation: See Section IV.15.

16. TRANSPORTATION/TRAFFIC	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with the goals, objectives, and policies of the 2010 Regional Transportation Plan for Monterey County, including, but not limited to level of service standards and travel demand measures, or other standards established by the Transportation Agency for Monterey County (TAMC) for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

16. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Section IV.16.

17. UTILITIES AND SERVICE SYSTEMS

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

Discussion/Conclusion/Mitigation: See Section IV. 17

VII. MANDATORY FINDINGS OF SIGNIFICANCE

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

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Mandatory Findings of Significance (a): Less than Significant – The majority of the proposed building area for the replacement tank is compacted and bare with no vegetation, approximately 95% of the building area, the remaining 5% of the project area is degraded. The project was found not to have the potential to degrade the quality of the environment. The project is not located near any fish or wildlife species, therefore the project would have a less than significant impact on fish and wildlife populations. The project would involve the removal of one protected 8" oak tree however a tree of this size is not considered appropriate habitat to sustain any nesting or avian species. The applicant will be required, as a condition of approval, to conduct a pre-construction survey for removal between February 22nd - August 1st to ensure that no impacts to nesting birds occur. If nests are discovered, the applicant shall work with a biologist to establish an appropriate buffer or replacement (See Section VI. 4 for further discussion). *Therefore, the project was found to have a less than significant impact to wildlife species or plant communities.*

The project site is located in an area that is high in probability for cultural resources however, an Archeological Report was prepared and concluded that no resources were found to exist on the site. Even so, the likelihood of resources being found on the site is always a possibility therefore the applicant will be required to stop work immediately and contact the County if resources are discovered during the course of construction. The site did not contain any historical structures,

objects or buildings, rather the site is a developed lot (See Section VI.5 for further discussion). *With a standard condition of approval for the protection of any unanticipated cultural resources, the project will have a less than significant impact on cultural resources or California history or prehistory.*

Mandatory Findings of Significance (b): No Impact – The proposed tank replacement is needed for fire safety for the existing connections the current tanks serve. There will be no cumulative impacts as a result of the replacement as the tanks will use existing water and no expansion is proposed. *Therefore, the project was found to have no cumulative impact on projects in the area.*

Mandatory Findings of Significance (c): Less than Significant Impact – The tank replacement will be visible from Rimrock Canyon Road, a private road and not visible from any State Scenic Highway or any of Toro's visually sensitive areas. Currently, dense vegetation shield the majority of the tank from view from below. The applicant will be required, as a condition of approval, to continue to landscape the area surrounding the tank (within their easement) with native plants that will grow higher than the 18 foot tank (See Section VI.1 for further discussion).

Construction and grading for the replacement tank will omit temporary airborne dirt, however the applicant will be required to use Best Management Practices of watering exposed areas and re-vegetating exposed soils (See Section VI.3 for further discussion). Removal of an oak tree for the project would generate a small amount of greenhouse gases, however the emission is less than significant. (See Section VI.7 for further discussion). The site (as with any in Monterey County) may experience some ground shaking, ground surface rupture, liquefaction and lateral spreading and slope instability at some point however, the applicant will replacement the tank in accordance with the latest edition of the California Building Code and under the direction of the soils engineer which will decrease the probability that the tank will experience major damage during a seismic event. Any top soil exposed during grading will be immediately covered and seeded to control runoff. The tank will not be located on expansive soil and soils in the project area were found to be adequate to support the tank replacement (See Section VI.6 for further discussion).

The replacement tank will use existing ground water supplies to serve its connections therefore there will not be an impact to groundwater supplies. The tank will not be situated to alter the existing drainage patterns of the site or the area. The current tanks sit on the farthest part of the hill above an existing dwelling and will not result in erosion or siltation on or off site (See Section VI.9 for further discussion). *Therefore, the project as a whole will have a less than significant impact on environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.*

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

VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

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

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

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

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

Evidence: Based on the record as a whole as embodied in the Planning Department files pertaining to PLN090087 and the attached Initial Study / Proposed Negative Declaration.

IX. REFERENCES

1. Project Application/Plans
2. 2010 Monterey County General Plan
3. Toro Area Plan
4. Title 21 of the Monterey County Code (Zoning Ordinance)
5. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised February 2008
6. Site Visit conducted by the project planner on November 5, 2010
7. “Geotechnical and Geological Investigation for Upper Rim Rock Canyon Tank Site”, prepared by Pacific West Engineering, dated March 2009 (LIB100154)
8. “Preliminary Archeological Reconnaissance of Assessors Parcel Number 416-601-011-000”, prepared by Archeological Consulting, dated march 10, 2010 (LIB100190)

9. "Letter of Findings for a Reconnaissance Level Biological Site Assessment, Upper Rimrock Site", prepared by EMC, dated November 5, 2010 (LIB110081)
10. Letter from Dorothy Priolo regarding fire flow dated September 22, 2010
11. Environmental Health and Safety online. "Where Is Asbestos Commonly Found In the Home, When and How Should It be Removed?"
<http://www.ehso.com/cssasbestos/asbestosfoundwhere.htm>, December 19, 2011
12. Monterey County Geographic Information Systems, GIS, accessed December 20, 2011
13. Forest Resource Evaluation letter from Bill Ruskin dated August 19, 2011

List of Figures

Figure 1: Aerial Site Plan of Richardson property

Figure 2: View from Richardson property of staking

Figure 3: Air Resources Board Attainment Status

Figure 4: Habitat within the Project Area