Exhibit C

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Omni Resources LLC Project

General Plan Consistency Checklist Pursuant to CEQA Guidelines Section 15183

prepared by

County of Monterey
Housing and Community Development
1441 Schilling Place, 2nd Floor
Salinas, California 93901
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October 2025

RINCON CONSULTANTS

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1. Project Title

Omni Resources LLC Project

2. Lead Agency Name and Address

County of Monterey
Housing and Community Development
1441 Schilling Place, 2nd Floor
Salinas, California 93901

3. Contact Person and Phone Number

Fionna Jensen, Principal Planner
County of Monterey, Housing and Community Development Department
(831) 796-6407

4. Project Location

The 0.7-acre project site is located immediately south of State Route (SR) 68 and east of Corral de Tierra Road at 3 Corral de Tierra Road in the County of Monterey (Assessor Parcel Numbers 161-571-002-000 and 161-571-003-000). The project site has frontage on SR 68 and along Corral De Tierra Road. The project site can be regionally accessed via SR 68. Figure 1 shows the location of the site in the region and Figure 2 depicts the project site boundaries and the site's immediate context.

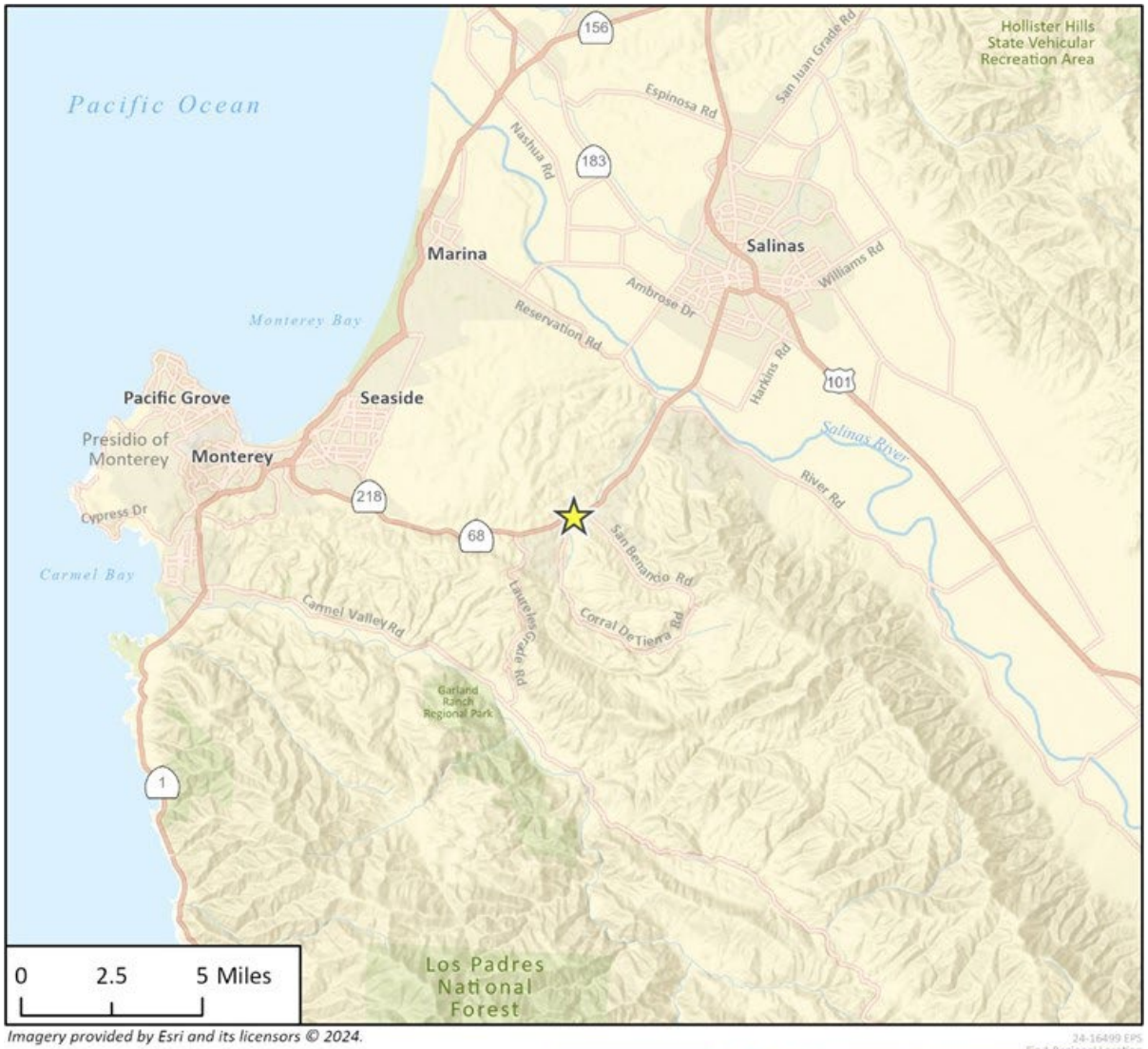
5. Project Sponsor's Name and Address

Omni Resources LLC
19545 Portola Drive, Suite F2
Salinas, California 93908

6. General Plan Designation

The project site is designated Commercial within the Toro Area Land Use Plan of the County of Monterey's 2010 General Plan (County of Monterey 2010).

Figure 1 Regional Location



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24-16499 EPS
Fig 1 Regional Location

Project Location

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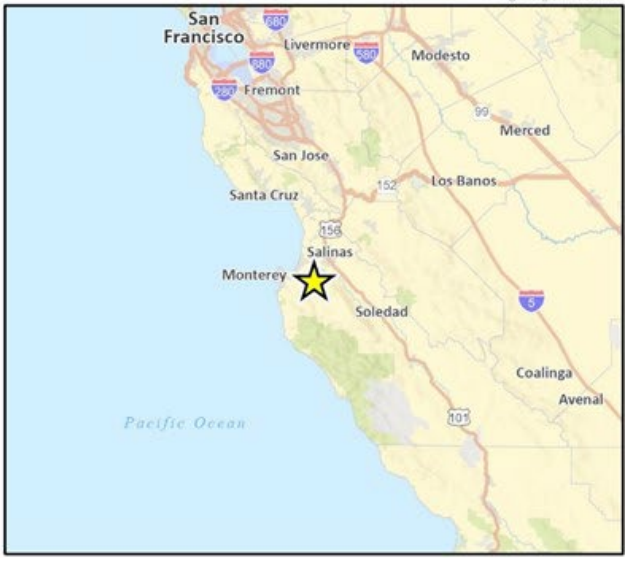


Figure 2 Project Site Location

7. Zoning

The project site is zoned Light Commercial. The project site is also within the B-8 (Building Site) Zoning District. Pursuant to Section 21.42.030 of Monterey County Code, the purpose of the B-8 District is to restrict development and/or intensification of land use in areas where, due to water supply, water quality, sewage disposal capabilities, traffic impacts or similar measurable public-facility type constraints, additional development and/or intensification of land use is found to be detrimental to the health, safety, and welfare of the residents of the area, or the County as a whole. The project site is also within a Design Control Zoning District, where design approval is required to assure protection of a public viewshed. Surrounding zoning districts include Public/Quasi-Public and Low Density Residential to the north; Medium Density Residential and Low Density Residential to the east and south; and Light Commercial and Low Density Residential to the west.

8. Surrounding Land Uses and Setting

The project site is in unincorporated Monterey County, immediately south of SR 68 and east of Corral de Tierra Road. Access to the project site is currently provided by a driveway along Corral de Tierra Road; existing driveways along SR 68 are currently blocked, and the other driveway along Corral de Tierra is also currently blocked. The project site was previously developed as a gas station, which ceased operation in 2002. The previous gas station's fuel pumps and underground storage tanks were removed, and contaminated soil remediation was undertaken with the regulatory oversight of the Central Coast Regional Water Quality Control Board (RWQCB). The Central Coast RWQCB issued a case closure on March 24, 2020, indicating remediation and corrective action have been completed (Central Coast RWQCB 2020). The project site is relatively flat. The northernmost portion of the project site is mostly paved and has some ornamental landscaping and trees, and the southernmost portion of the project site is vegetated with grass. El Toro Creek is located 100 feet north of the project site across SR 68.

Land uses surrounding the project site include undeveloped areas, single-family residences, and a church to the north; single-family residential neighborhoods to the west and south; and a convenience store and multi-family residences to the west. The nearest residences to the project site are the residences to the west, across Corral de Tierra Road, approximately 225 feet west of the site's western boundary. Surrounding land use designations include Public/Quasi-Public and Residential – Low Density to the north; Residential – Medium Density and Low Density to the east and south; and Commercial to the west (County of Monterey 2011).

9. Project Description

The proposed project includes a request for a Combined Development Permit consisting of: 1) a Use Permit and Design Approval to allow construction of a 12-pump gas service station, a 3,077 square-foot convenience store, and associated site improvements; 2) a Variance to reduce the side and rear setbacks to 1 foot 4 inches (east) and 1 foot 11 inches (south). The approximately 0.7-acre project site is located at 3 Corral de Tierra Road in unincorporated Monterey County, California. Associated site improvements of the proposed project (service station & convenience store) include a trash enclosure, parking, landscaping, fuel price sign, temporary stormwater retention pods, and three underground diesel and gasoline storage tanks [totaling 40,000 gallons of storage]. The trash enclosure and temporary retention ponds would be sited on the adjacent parcel (APN:161-571-003-

000), which is under common ownership with the project site (APN: 161-571-002-000). Finally, State Route 68 and Corral de Tierra Road improvements, limited to restriping of turn lanes, adding necessary medians, and repaving impacted asphalt and sidewalks, would occur within State and County Right of Ways, respectively. The proposed site plan is shown in Figure 3. Project components are described in greater detail below.

Service Station and Convenience Store

The proposed project would involve the construction and operation of a gas fueling station and convenience store. As shown in Figure 3, the fueling station would be located in the northwest portion of the project site at the intersection of State Route 68 and Corral de Tierra Road. A canopy, approximately 18.5 feet in height with a vehicle clearance of 15 feet, would be constructed over the fueling stations. The proposed 3,077 square-foot convenience store would be located in the southeastern portion of the project site (APN: 161-571-002-000). The convenience store would include a retail space, an electrical room, a trash enclosure, parking, and landscaping. The interior layout of the convenience store would be determined once a tenant has been assigned to the space. Interior tenant improvements and changes in tenants are assumed as part of the operation of the proposed project. The exterior of the convenience store would include white and beige stone and board and batten facades, aluminum roofs and awnings, and dark metal window trim. The convenience store would have a maximum height of 26 feet. A metal awning would be constructed on the exterior of the building with a height of approximately nine feet; windows and an aluminum roof would be constructed above the awning at a height of approximately 22 feet. The front and side elevations of the proposed convenience store are shown in Figure 4. The entrance to the convenience store would be located on the south side of the building. Twelve parking spaces, including two accessible spaces, and landscaping would abut the proposed convenience store to the south and west.

Three underground gasoline and diesel storage tanks would be installed in the northeastern corner of the project site. These tanks would have a capacity of 20,000 (regular unleaded), 10,000 (premium unleaded), and 10,000 (diesel) gallons. Observation wells would be installed on the other end of the tanks to allow for maintenance and monitoring efforts.

The electrical room would be located at the west side of the convenience store. The trash enclosure, approximately 265 square feet in area, would be located to the north of the convenience store. The trash enclosure would include two metal swing gates and would be housed within a trellis approximately 10 feet in height.

The proposed project would include a gas price sign. No other signage is proposed. Exterior lighting would be located along the north and west sides of the convenience store. Downlight, cut off, motion-activated from dusk to dawn, lighting would be installed in the canopy over the fueling station. The project would include construction of several light poles, including three located adjacent to the parking spaces in front of the convenience store and four along the property boundary with SR 68 and Corral de Tierra Road. Light poles would not exceed 25 feet in height.

Table 1 summarizes the proposed project components.

Table 1 Project Components Summary

Project Component	
Convenience Store	
Area	3,077 square feet
Height	26 feet maximum
Parking	12 spaces
Fueling Station	
Pumps	12
Canopy Height	18.5 feet
Canopy Vehicle Clearance	15 feet
Landscaping	
Trees removed	3
Trees planted	6
Total landscaped area	Approximately 3,970 square feet

Site Access and Parking

The project site currently has four driveways: two on the northern side of the project site with access from SR 68, and two on the western side of the project site with access from Corral de Tierra Road. Three of the four driveways are currently blocked off with barricades. The southernmost driveway on the western side (Corral del Tierra Road) remains functional; however, the site is vacant and thus has limited use. The four driveways providing access from SR 68 and Corral de Tierra Road would be permanently closed as part of the project, and vehicular access would be blocked with landscaping and a rock/boulder barricade.

All access to the project site would be provided by off-site driveways and internal access roads that were approved with HCD Planning File Nos. PLN020344 and PLN110077 (Board of Supervisors Resolution No. 12-040), which allowed construction of an approximately 99,970 retail shopping center and associated site improvements on the adjacent parcels, APN: 161-571-003-000 and APN: 161-581-007-000. The retail shopping center, driveways, and access improvements have yet to be constructed, but underwent prior environmental review as part of HCD Planning File Nos. PLN020344 and PLN110077. The Final Environmental Impact Report (EIR; SCH#20007091137) adopted through Board of Supervisors Resolution No. 12-039 contemplated and analyzed these driveway and access improvements, as well as the construction and operation of a 99,970 square foot retail shopping center, known as the Corral de Tierra Retail Village. Accordingly, the proposed project scope (convenience store, gas station, and on-site improvements) does not include these improvements. The scope of work analyzed in the Final EIR SCH#20007091137 has not changed, no substantial changes in circumstances have occurred, and no new information has become available; therefore, the analysis contained in the prior Final EIR remains stable and valid for construction of the off-site driveway and access road improvements (Public Resources Code Section 21166).

Accordingly, this environmental document does not re-analyze these improvements. The Applicant/Owner would comply with the applicant conditions of approval and mitigation measures of Board of Supervisors Resolution No. 12-040 and obtain necessary ministerial permits from HCD-Building Services to install these driveways and access improvements prior to the construction and operation of the proposed project.

For informational purposes, a 28-foot-wide driveway on APN: 161-571-003-000 ("first Corral de Tierra Road driveway") would provide ingress to the project site for vehicles traveling north on Corral de Tierra Road. Access would be limited to right-in, right-out vehicles (vehicles traveling north and turning right from Corral de Tierra Road into the property, and vehicles exiting right from the property onto Corral de Tierra Road, heading towards SR 68). A second 39-foot-wide driveway straddling APN: 161-571-003-000 and APN: 161-581-007-000 would be constructed along Corral de Tierra Road, approximately 150 feet south of the first Corral de Tierra Road driveway. This second driveway would provide ingress to northbound and southbound vehicles on Corral de Tierra Road and would have left and right turn lanes to provide northbound and southbound access to Corral de Tierra Road. An access road would connect the two driveways and would encircle the proposed convenience store (see Figure 5). This access road would have a minimum width of 25-28 feet and would provide a minimum curb-to-curb turning radius of approximately 35 feet. As described above, both Corral de Tierra Road driveway locations were previously approved with Board of Supervisors Resolution No. 12-040.

A third 28-foot-wide driveway on APN: 161-571-003-000 would be constructed along SR 68, approximately 195 feet east of the project site, APN: 161-571-002-000. This driveway would provide right-in, right-out access from SR 68 (vehicles traveling east and turning right from SR into the property, and vehicles exiting right from the property onto SR 68, heading east). An access road would connect this driveway to the proposed convenience store and service station (see Figure 5). This access road would have a minimum width of 25-28 feet. As described above, this SR 68 driveway location was previously approved with Board of Supervisors Resolution No. 12-040.

The project site would include 12 parking spaces, two of which would be accessible, adjacent to the proposed convenience store and south of the fueling station.

The vehicle travel lanes on Corral de Tierra Road west of the project site would be reconfigured as part of the proposed project. A median would be constructed on Corral de Tierra Road in front of the first driveway and within the driveway along SR 68 to prevent vehicles from making left turns to enter or exit the project site at these driveways (see Figure 5). South of the median along Corral de Tierra, a dual-turn lane would be added to the center of Corral de Tierra Road, which would provide a turn lane for southbound vehicles on Corral de Tierra Road to turn left into the project site (see Figure 5). The project would not require widening of Corral de Tierra Road. SR 68 modifications would involve elongating the west-bound left turn lane (left turn from SR 68 onto Corral de Tierra Road) by approximately 100-130 linear feet and reciprocally shortening the east-bound left turn lane (left turn from SR 68 onto a private driveway serving five residences north of SR 68, adjacent to Cypress Church Drive). Reconfiguring these back-to-back left turn pockets would involve re-striping and re-paving, where necessary. No other changes to SR 68 would occur.

Figure 3 Proposed Preliminary Development Plan

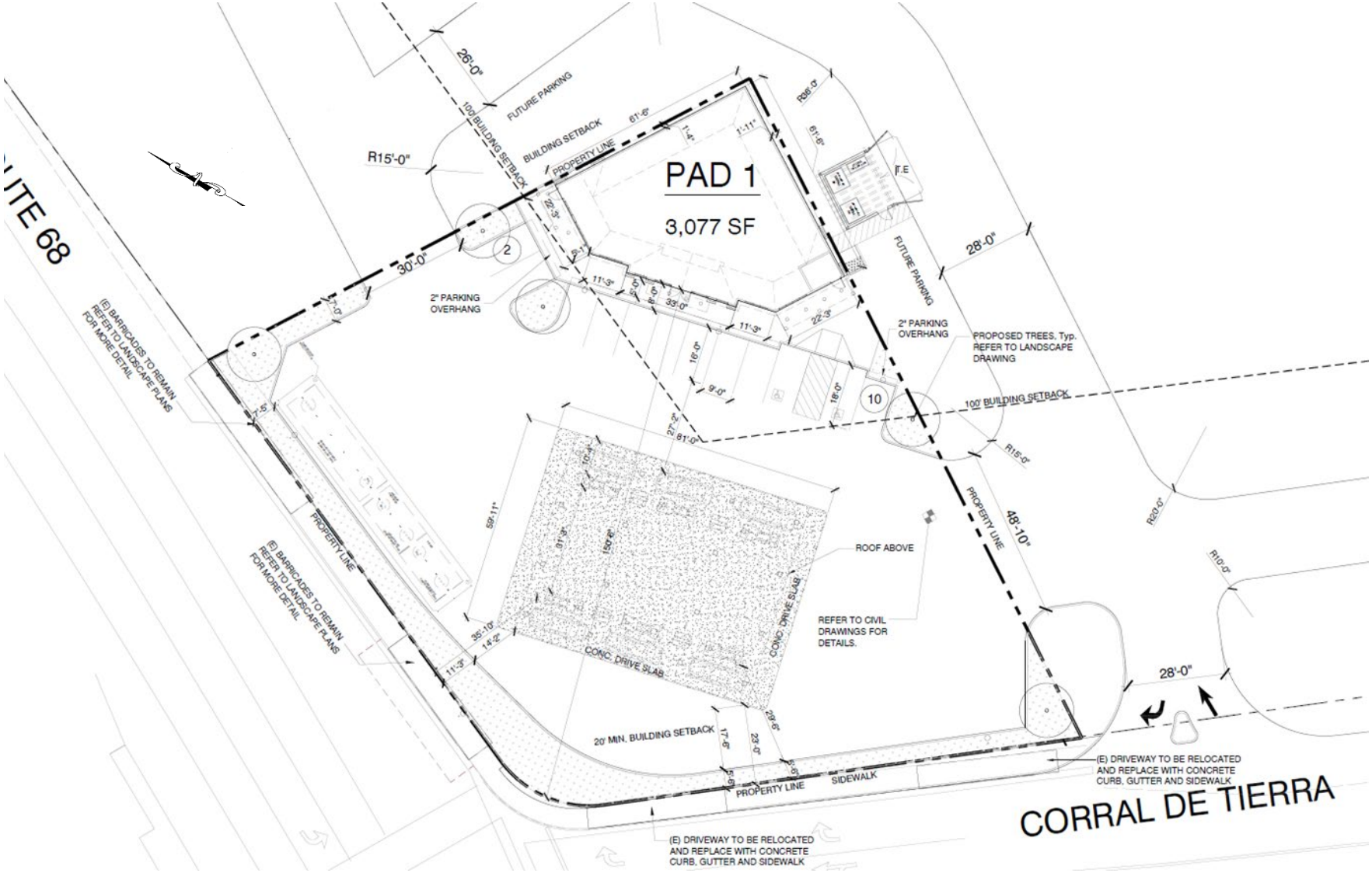


Figure 4 Proposed Elevations

TYPICAL SIDE ELEVATION

FRONT ELEVATION

KEY PLAN
N.T.S.

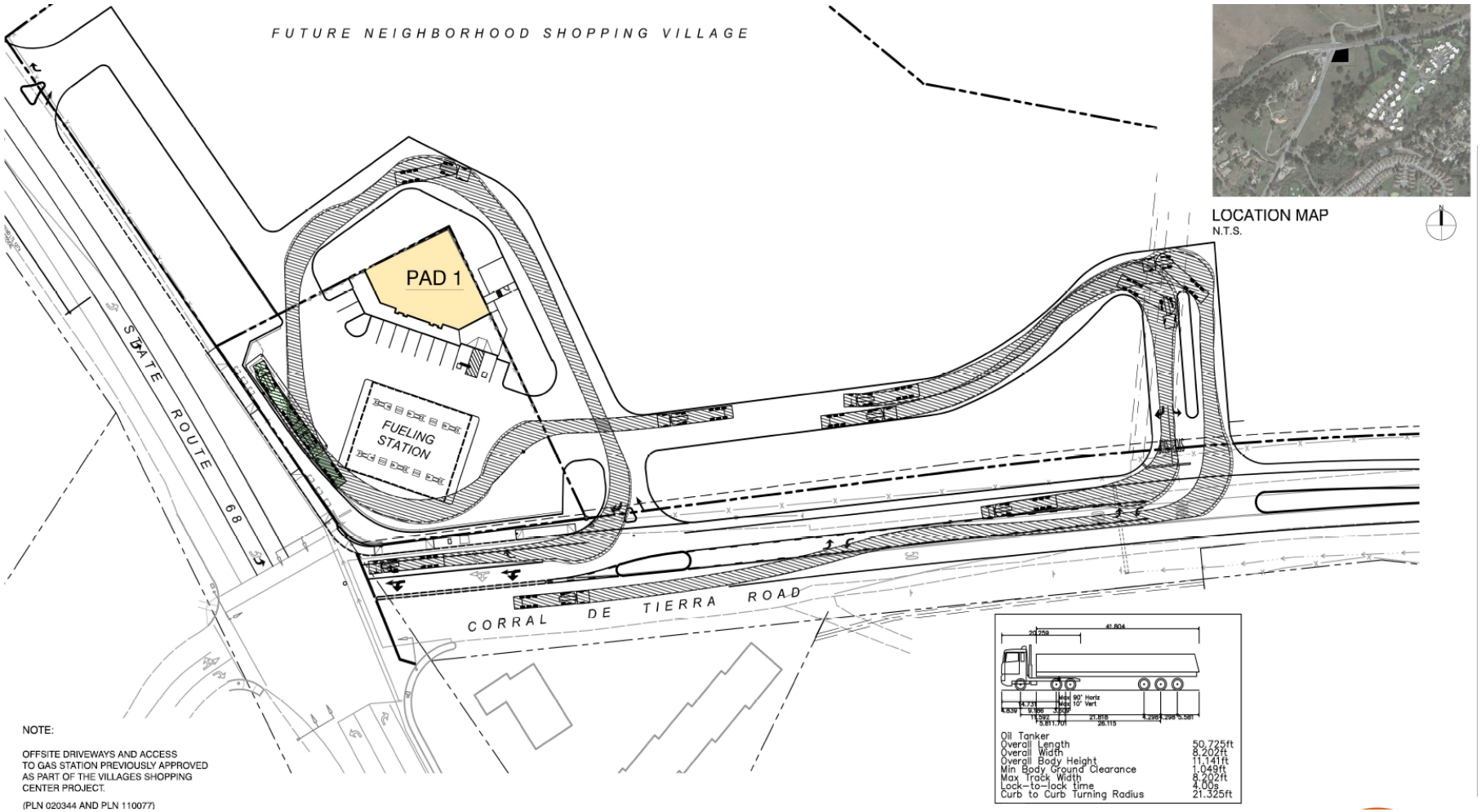
FINISHES:

1	BOARD & BATTEN
2	ASPHALT SHINGLE ROOF
3	ALUMINUM STOREFRONT
4	CANOPY/TRELIS
5	COMPOSITE WOOD SIDING
6	FASCIA & WOOD RAFTER
7	WALL SCONES
8	RTU
9	ACM PANELS

COLORS:

A	"SHELL WHITE"
B	"ADAPTIVE SHADE"
C	"CANADIAN MAPLE"
D	"BRAZILIAN IPE"
E	"WEATHERED GRAY ALGAE"
F	"DARK BRONZE"
G	"CLZ ALUMINUM"
H	"CPW WHITE"

Figure 5 Off-site Access and Circulation



Landscaping

The project would involve the removal of two olive trees and one walnut tree. Proposed landscaping would include planting trees: two Coast live oaks at the northeast and southwest corners of the project site, two marina strawberry trees on the north and west sides of the convenience store, and two hybrid crape myrtle trees adjacent to the proposed on-site parking spaces. Actual trees planted would be determined by the construction contractor and would be subject to the approval of the County. Groundcover, grasses, and ornamental landscaping would be planted adjacent to the convenience store to the north and west, and along the northern and western boundary of the project site. The project site would include a total landscaped area of approximately 3,970 square feet (approximately 13.4 percent of the project site) and landscaping is estimated to require approximately 25,744 gallons, or 0.079 acre-feet, of water per year.

Drainage

Three retention ponds, ranging from 1,200 square feet to 4,000 square feet, would be installed on the adjacent property (APN: 161-571-003-000) to capture stormwater runoff generated from the proposed project. These retention ponds would be utilized and maintained until such time as the adjacent retail shopping center development is constructed. At such time, the three retention ponds would be replaced with permanent retention ponds that are adequately sized to address the stormwater runoff generated from both the proposed project and the adjacent retail shopping center project.

Utilities

The project site is currently served by an individual water well (Exxon Station Water System, a transient-non-community water system, County of Monterey Environmental Health Bureau [EHB] Record ID No. WA000185), which would be used for the proposed project's water supply. Water for fire suppression would be provided by California-American Water. Wastewater service would be provided by California Utilities Services. Electricity would be provided by Central Coast Community Energy (3CE), the regional community choice energy provider, via existing Pacific Gas and Electric Company (PG&E) infrastructure.

Project Construction

Project construction would occur over approximately 12-18 months. Construction phases would include grubbing/land clearing, underground fuel tank installation, grading and excavation, building construction, and paving. Construction equipment staging and worker vehicle parking would occur on the project site. Construction would occur Monday through Friday between 7:00 a.m. and 7:00 p.m. and Saturdays between 8:00 a.m. and 6:00 p.m. The project would involve 2,170 cubic yards of cut and 1,005 cubic yards of fill, and 1.8 acres of ground disturbance (0.7 acres on-site for gas station and convenience store, and 1.1 acres off-site for drainage and other temporary work areas1). Per the project's draft Construction Management Plan, there would be no hauling between peak hours of 7:00 am to 9:00 am and 3:00 pm to 5:00 pm (Source: .44), and ground disturbing activities would be limited to no more than 2.2 acres per day.

1 The proposed project does not include the construction of off-site access improvements. Therefore, the proposed ground disturbance and grading calculations do not include construction of these off-site improvements on APN: 161-571-003-000, which were approved under Board of Supervisors Resolution No. 12-040.

Project Operation

The fueling station and convenience store are proposed to be open 24 hours a day, seven days a week, with up to three employees working at the project site at any given time. Delivery trucks and fuel trucks would only enter the project site via the second Corral de Tierra Road driveway; entrance by these larger vehicles from the first Corral de Tierra Road driveway or SR 68 driveway would not occur. Delivery trucks and fuel trucks would exit the project via any of the three driveways (two on Corral de Tierra Road and one on SR 68). Passenger vehicles would utilize all three of the driveways, as each driveway permits (right-in, right-out for the first Corral de Tierra Road driveway and SR 68 driveway, and all-turning movement for the second Corral de Tierra Road driveway). It is estimated that the convenience store and gas station would require approximately 247,646 gallons, or 0.76 acre-feet, of water per year. In combination with the estimated water demand of landscaping, the proposed project is anticipated to use approximately 273,714 gallons or 0.84 acre-feet of water per year.

10. Other Public Agencies Whose Approval is Required

The proposed project would require a Combined Development Permit consisting of:

1. A Use Permit and Design Approval to allow construction of a 12-pump gas service station and a 3,077 square-foot convenience store;
2. A Variance to reduce the side and rear setbacks.

Prior to issuance of construction permits, the project applicant would be required to 1) submit a Hazardous Materials Questionnaire and an application for a Food Facility Plan Check to the Monterey County Environmental Health Bureau, 2) obtain encroachment permits from Caltrans; and 3) obtain Authority to Construct and a Permit to Operate from the Monterey Bar Air Resources District.

Environmental Factors Potentially Affected

The project would potentially affect the environmental factors checked below with an impact that is "Potentially Significant" or "Less than Significant with Mitigation Incorporated" that was not studied in the prior EIR as indicated by the checklist on the following pages.

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

Determination

Based on this initial evaluation:

■ I find that the project WOULD NOT result in: 1) a peculiar impact that was not identified as a significant impact under the prior EIR; 2) a significant impact that was not analyzed as significant in the prior EIR; 3) a potentially significant offsite impact or cumulative impact not discussed in the prior EIR; or 4) a more severe impact due to substantial new information that was not known at the time of the prior EIR. Pursuant to CEQA Guidelines section 15183, the project is consistent with a Community Plan or Zoning. New effects would be substantially mitigated under uniformly applicable development policies or standards. NO FURTHER REVIEW is required.

☐ I find that the project WOULD result in: 1) a peculiar impact that was not identified as a significant impact under the prior EIR; 2) a significant impact that was not analyzed as significant in the prior EIR; 3) a potentially significant offsite impact or cumulative impact not discussed in the prior EIR; or 4) a more severe impact due to substantial new information that was not known at the time of the prior EIR. I find that FURTHER ENVIRONMENTAL REVIEW is necessary to analyze those effects that are subject to CEQA, and therefore, this project is not consistent with a Community Plan or Zoning pursuant to CEQA Guidelines Section 15183.

Signature	Date
Printed Name	Title

This report follows a checklist format that outlines performance standards for projects eligible for streamlined review under the California Environmental Quality Act (CEQA). A consistency checklist is prepared by a lead agency to streamline the environmental review process for eligible projects by limiting the topics subject to review at the project level where the effects of development have been addressed in a previous community plan. Pursuant to *CEQA Guidelines* Section 15183, if the project would result in new specific effects or more significant effects, and uniformly applicable development policies or standards would not substantially mitigate such effects, those effects are subject to CEQA. With respect to the effects that are subject to CEQA, the lead agency is to prepare an EIR if the written checklist shows that the effects of the project would be potentially significant.

To provide a thorough and conservative analysis of potential impacts associated with the modified project, this consistency checklist addresses all 20 environmental issue areas suggested by Append G of the *CEQA Guidelines*. This includes tribal cultural resources, an issue area added to the *CEQA Guidelines* in September 2016 pursuant to Assembly Bill 52, after certification of the County of Monterey's 2010 General Plan EIR. This also includes energy and wildfire, which were added to the *CEQA Guidelines* in December 2018.

The checklist concludes that the project would not have any significant effects on the environment that either have not already been analyzed in a prior EIR or are more significant than previously analyzed, or that uniformly applicable development policies would not substantially mitigate. Pursuant to Public Resources Code Section 21094.5, such effects are exempt from CEQA regulations.

California Public Resources Code Section 21083.3 also limits the application of CEQA to effects on the environment which are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior environmental impact report, or which substantial new information shows will be more significant than described in the prior EIR when projects are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified (*CEQA Guidelines*, Section 15183[a], also Public Resources Code, Section 21083.3[b]: Exemption applies to "a development project [that] is consistent with the general plan of a local agency [if] an environmental impact report was certified with respect to that general plan.)

This *CEQA Guidelines* Section 15183 Consistency Checklist has been prepared pursuant to Public Resources Code Section 21000 et seq. and the *CEQA Guidelines*, California Code of Regulations Section 15000 et seq.

Environmental Checklist

Pursuant to *CEQA Guidelines* Section 15183, CEQA mandates that projects that are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified may not require additional review unless there may be project-specific effects that are peculiar to the project or site that were not adequately addressed in the EIR for the 2010 General Plan. In approving a project meeting the requirements of Section 15183 of the *CEQA Guidelines*, a public agency shall limit its examination of environmental effects to those the agency determines, in an Initial Study or other analysis:

1. Are peculiar to the project or the parcel on which the project would be located
2. Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent
3. Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action
4. Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR

The purpose of this checklist is to assess consistency between the project and 2010 General Plan and to compare the project with the effects above to determine if additional environmental review is required under CEQA in accordance with *CEQA Guidelines* Section 15183.

Section 15183 Format

The table columns at the beginning of each resource section in the following analysis are used to document and categorize the environmental impacts of a proposed project in relation to prior environmental review and existing mitigation frameworks. The “Significant Impact” column identifies areas where the project may cause substantial adverse effects on the environment, potentially requiring additional analysis or mitigation. The “Less than Significant or Less than Significant with Mitigation Incorporated” column is used when impacts are either minor or can be reduced to a less than significant level through mitigation measures already identified and incorporated into the project design. The “No Impact” column confirms that the project would not affect the environmental resource in question.

The remaining columns support streamlined review pursuant to *CEQA Guidelines* Section 15183. The “Analyzed in the Prior EIR” column indicates that the impact was previously evaluated in a certified Environmental Impact Report, and no further analysis is needed unless new information or changed circumstances arise. The “Substantially Mitigated by Uniformly Applicable Development Policies” column is used when existing local policies or regulations, such as grading ordinances, California Building Code, or fire safety codes, are sufficient to reduce the impact to a less than significant level. These columns demonstrate that the project’s impacts would be consistent with previous environmental review.

Relationship of the Project to Previous EIR Analysis

The County of Monterey adopted the 2010 General Plan on October 26, 2010. The 2010 General Plan includes goals and policies that address the existing and future land use for the large rural areas that are used predominantly for agricultural purposes as well as for the diversity of unincorporated communities. The 2010 General Plan also includes geographically smaller plans to provide more specific policies unique to particular geographical areas, including the Toro Area Plan which the project is located within. The 2010 General Plan EIR was certified in 2010 and assessed impacts from implementation of the 2010 General Plan.

Consistency of the Project with Adopted County Plans and Ordinances

County of Monterey 2010 General Plan

The project would be located entirely in the County of Monterey. The 2010 General Plan is the fundamental document governing land use development and includes goals and policies relating to land use, circulation, conservation and open space, safety, public services, agriculture, and economic development. The project would be required to abide by all applicable goals and policies in the adopted 2010 General Plan. The 2010 General Plan land use designation for the project site is Commercial. This designation is intended for a broad range of light commercial uses such as stores, shops, restaurants, theaters, service stations and general office uses suitable for the convenience of nearby residential areas. The extent of use of land for this designation is limited to building coverage of 50 percent of the subject property. The project would be consistent with the Commercial designation as it would result in the development of a gas fueling station and associated convenience store. The project would be consistent with applicable land use policies, such as LU-4.6, which encourages commercially designated areas to include neighborhood-serving uses, and LU-4.8, which encourages commercial areas to be sited with convenient access. The proposed project includes a fueling station and convenience store, which would serve the surrounding neighborhood and would be conveniently located to travelers on SR 68.

Toro Area Plan

The Toro Area Plan is a component of the County of Monterey General Plan, specifically designed to guide land use and development within the Toro Planning Area, which spans approximately 74 square miles between Salinas and the Monterey Peninsula. The Toro Area Plan aims to protect natural resources like native trees, ridgelines, and open spaces, manage residential growth to maintain rural character, and address infrastructure and safety concerns such as erosion and fire hazards. The Toro Area Plan also designates Special Treatment Areas to allow for customized land use policies that balance development with conservation and community needs.

The project site is located within the Toro Area Plan, and its use is subject to conformity with the 2010 General Plan and the Toro Area Plan. The Toro Area Plan designates the property as visually sensitive (Source: IX.2). For areas with this designation, new development may be permitted if the development is located and designed (i.e., building design, exterior lighting, and siting) in a manner that will enhance the scenic value of the area, and architectural design consistent with the rural nature of the Toro Area shall be encouraged. The project consists of a fueling station and convenience store; the design of the convenience store includes white and beige stone and board and batten facades, aluminum roofs and awnings, and dark metal window trim to be consistent with the rural architecture in the project area. As discussed further in Section 1, *Aesthetics*, threshold (c),

the project would not substantially degrade the existing visual character of the site and would not conflict with the site's visual sensitivity designation. The Toro Area Plan also includes Policy T-1.7, which requires that the County conduct a review of infrastructure constraints such as wastewater capacity and water supply for development in the Toro Area. As discussed further in Section 10, *Hydrology and Water Quality*, and Section 19, *Utilities and Service Systems,* the project would not adversely affect the Toro's groundwater constraints, and the project would have adequate wastewater service and water supply. Therefore, the project would not conflict with Toro Area Plan Policy T-1.7.

County of Monterey Ordinance Code

The project site is zoned as Light Commercial. The project site is also within the B-8 Zoning District. Pursuant to Section 21.42.030 of Monterey County Code, the purpose of the B-8 District is to restrict development and/or intensification of land use in areas where, due to water supply, water quality, sewage disposal capabilities, traffic impacts or similar measurable public-facility type constraints, additional development and/or intensification of land use is found to be detrimental to the health, safety, and welfare of the residents of the area, or the County as a whole. The project site is also within a Design Control Zoning District, where design approval is required to assure protection of a public viewshed.

With approval of the project's Use Permit, Design Approval, and Variances, the project would be consistent with zoning requirements for height, setbacks, and site coverage established for the Light Commercial zoning districts. Pursuant to Section 21.72.040 of the County Code, to approve a Variance, the County must find that special circumstances applicable to subject property that would deprive the applicant of privileges enjoyed by other, similar properties, and that the proposed project is otherwise consistent with the uses allowed in the zone district, among other required findings.

The property's commercial land use designation dates back nearly 50 years and is reflected in both the 1982 County General Plan and the 2010 County General Plan. The property was purchased by the current owner's family in 1974. At that time, the property had an operational fueling station and was leased to a third-party operator. The fueling station was authorized pursuant to a Use Permit granted by the County Zoning Administrator on November 25, 1966 (HCD-Planning File No. ZA-74). The B-8 District was enacted in November 1992 (and amended in September 1993) due to concerns associated with groundwater supply in the Toro Area (Ordinance No. 03647, November 24, 1992; Ordinance No. 3704, September 7, 1993). The underground storage tanks and gas pump infrastructure were demolished in 2002 and the prior aboveground fueling station structure was demolished in 2018.

The B-8 District was adopted primarily to prevent new parcels from being created in the Toro Area (Board of Supervisors Resolution No. 12-040). The stated purpose of the B-8 District is to "restrict development and/or intensification of land use in areas where, due to water supply, water quality, sewage disposal capabilities, traffic impacts or similar measurable public-facility type constraints, additional development and/or intensification of land use if (sic) found to be detrimental to the health, safety, and welfare of the residents of the area, or the County as a whole" (Title 21 section 21.42.030.H). "Intensification" is defined in Chapter 21.42 as "the change in the use of a building site which increases the demand on the constraint(s) which caused the 'B-8' District to be applied over that use existing at that time the 'B-8' District is applied to the property." The B-8 District expressly allows "[c]onstruction or expansion of commercial uses where such construction or expansion can be found to not adversely affect the constraints which caused the 'B-8' District to be

applied to the property" (Title 21 section 21.42.030.H.2). As described above, the constraint which caused the B-8 zoning overlay to be applied to a portion of the Toro planning area, inclusive of the project site, was groundwater supply. The proposed project would be consistent with the B-8 overlay's limitations for two main reasons:

1. The proposed project would not change the historical use of the property and would be located on an existing lot of record. The property has historically been used as a fueling station since the 1960s to 1996. Although this prior fueling station was demolished in 2018, the proposed project would rebuild a fueling station and a convenience market.
2. As discussed in Section VI.10, the proposed project would not exceed the subject property's water demand at the time the B-8 District was applied to the Property (1992). Instead, the proposed project would reduce water demand from 1.2-acre feet per year (1974 fueling station and convenience store's water demand estimates) to 0.84 acre feet per year (proposed project demands), a reduction of 0.37 acre feet.

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1 Aesthetics

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Except as provided in Public Resources Code Section 21099, would the project:					
a. Have a substantial adverse effect on a scenic vista?	☐	■	☐	■	☐
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	■	☐	■	☐
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	■	☐	■	☐
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	☐	■	☐	■	☐

Analysis in Previous Environmental Documents

Impacts to aesthetics/visual resources were analyzed on pages 4.14-1 through 4.14-46 of the 2010 General Plan EIR. Impacts to scenic vistas and views from scenic highways from implementation of the 2010 General Plan were found to be less than significant. Impacts to existing visual character and new sources of light and glare were found to be significant and unavoidable. There were no feasible mitigation measures available beyond implementation of 2010 General Plan policies.

The following discussion provides a review to determine if project-specific impacts would occur that are 1) peculiar to the project or the parcel on which the project is located, 2) were not previously analyzed in a previous environmental documents as significant effects, 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents, and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

Project-specific Impacts

a. Would the project have a substantial adverse effect on a scenic vista?

The Monterey County 2010 General Plan identifies scenic resources within Monterey County. Scenic vistas in the County include the Santa Lucia and Gabilan mountain ranges, the Salinas Valley and Carmel Valley, Big Sur, and the County's coastline. These mountain ranges, valleys, and the coastline are not visible from the project site. Toro Area Plan Policy T-3.2b identifies a scenic vista located approximately 3.3 miles south of the project site along Laureles Grade, which overlooks the Toro area (Source 2). The project site is not visible from this scenic vista due to intervening topography. Therefore, the proposed project would not result in a substantial adverse effect on a scenic vista. The 2010 General Plan EIR finds that the impacts to scenic vistas from development would be minimal with the implementation of 2010 General Plan policies that include protecting scenic vistas from inappropriate development and preserving the viewsheds mentioned in the 2010 General Plan EIR.

No impact would occur. The project would not result in substantially more severe adverse impacts than discussed in the 2010 General Plan EIR.

b. Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Figure 16 of the Toro Area Plan designates certain areas and roads as visually sensitive and County-designated scenic highways and roads (Source 2). Areas designated as visually sensitive, ranging from "Sensitive" to "Critical", are generally those public views of lands, hillsides, and ridges visible from County designates scenic highways and corridors, including SR 68, Corral de Tierra, San Benancio, Laureles Grade, and River Road. SR 68 is also a state scenic highway (Source 1). The subject property is located at the intersection of SR 68 Corral de Tierra, and therefore entirely visible; however, only the southwestern corner of the project site (APN: 161-571-002-000) is identified as being "Sensitive" per Toro Area Plan Figure 16. The western portion of APN: 161-571-003-000, where the two driveways and internal access road are proposed, is designated as "Sensitive" and "Critical Viewshed" (Source 2).

The portion of SR 68 immediately north of the project site is designated as a Caltrans State scenic highway (Source 1). Pursuant to Toro Area Plan Policy T-3.3, a 100-foot setback is required on lots adjacent to County- and State-designated scenic routes, such SR 68 and Corral de Tierra Road.

Pursuant to this policy, this 100-foot setback may be reduced for existing lots of record that have no developable area outside the setback. The proposed convenience store would be located outside of this setback; however, the proposed fueling stations and canopy would be entirely within this setback. The project site (APN: 161-571-002-000) is 29,646 square feet, and the zoning allows approximately 14,823 square feet of building site coverage pursuant to Title 21 section 21.81.070. However, application of the required setbacks (front, sides, and rear) would only leave a building site area of 4,025 square feet. As such, the combined planning and zoning setbacks encumber more than 86 percent of the Property and do not leave enough developable land for a commercially viable development. The project would involve removal of three existing trees, including two olive trees and one walnut tree. The project site does not contain rock outcroppings, historic buildings, or other scenic resources.

As described further under threshold (c), the proposed convenience store would include off-board and batten exterior with natural beige stone, dark bronze aluminum roofs and awnings, and dark metal window trim. The proposed colors and materials would be consistent with the rural architecture in the project area. These materials and building facades would be visually similar to the convenience store west of the project site and other buildings in the project area. The three trees removed as part of the project would be replaced with six trees, including two Coast live oak trees, which would increase tree cover on the site and thus contribute to the rural nature of the project area populated with native trees. The project would also include a variance to reduce the side and rear setbacks of the project site; approval of the variance would not result in impacts to rock outcroppings and historic buildings within the viewshed of SR 68. While the project would involve removal of three trees, the project landscaping would include planting six trees. Accordingly, the project would not substantially damage scenic resources within a state scenic highway. Impacts would be less than significant.

Therefore, though the 2010 General Plan EIR concludes that new development could potentially result in adverse impacts to scenic highways, there would be no damage to scenic resources as a result of implementation of the project within view of a state scenic highway. The project would not result in substantially more severe adverse impacts than discussed in the 2010 General Plan EIR.

c. Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Public Resources Code 21071 defines urbanized and non-urbanized areas. An unincorporated area is considered urbanized if it completely surrounded by one or more incorporated cities, if it is located within an urban growth boundary, or if the area has an existing residential population of at least 5,000 people per square mile. The project site is not within an area that meets these criteria and is therefore considered non-urbanized.

The project site is located within the Toro Area Plan, which designates the site as visually sensitive (Source: .2). Pursuant to Toro Area Plan Policy T-3.1, new development in visually sensitive areas may be permitted if the development is located and designed (i.e., building design, exterior lighting, and siting) in such a manner that enhances the scenic value of the area, and architectural design is consistent with the rural nature of the Toro Area (Source: .12).

The project site is situated at the intersection of SR 68, a two-lane highway, and Corral de Tierra Road, a two to three-lane local roadway. From the project site, there are long-range views of

hillsides vegetated with grass and sparse trees to the east; densely clustered trees and distant hillsides to the south; a convenience store and single-story, attached residences with stone facades and wood-shingled roofs to the west; and gentle, sloping hillsides and grassland to the north. The project area is rural, and the only other development visible from the project site is the adjacent existing convenience store to the east and a church in the hills to the north. Although development immediately proximate to the project site is limited, the project site is located along the SR 68 corridor between the cities of Monterey and Salinas; along this corridor, other rural development including fences, driveways, residences, and agricultural support buildings associated with private properties along SR 68; paved roadways, parking lots, and small buildings at the entrance to Fort Ord National Monument; and single-story roadside shops and restaurants.

The project consists of a fueling station and a convenience store. The design of the convenience store would include off-white and beige stone and board and batten facades, dark bronze aluminum roofs and awnings, and dark metal window trim. The building materials and facades of the proposed project would be visually consistent with other development along SR 68. The existing convenience store west of the project site also incorporates beige stone, wooden awnings and facades, and metal window trim; accordingly, the proposed convenience store would be visually similar to the nearest existing building. Other existing development along SR 68, including residences, agricultural support buildings, and commercial restaurants and businesses, also incorporate stone facades and aluminum roofs. The proposed convenience store would be of similar height and massing as nearby residences and agricultural buildings, and would include similar facades and exterior features of other structures visible from SR 68. Finally, the varying height between the convenience store (26 feet) and the canopy (18 feet) would break up the perceived bulk and mass of the structures. The project's design would be visually consistent with the Toro Area.

The project would include exterior lighting along the north and west sides of the convenience store. The project would include the construction of several light poles, including three located adjacent to the parking spaces in front of the convenience store and four along the property boundary with SR 68 and Corral de Tierra Road. The proposed light poles would not exceed 25 feet in height. Additionally, the proposed canopy over the fueling station would also include lighting to illuminate the pumps and for customer access to the convenience store. The proposed lighting would be similar to the lighting at the nearby existing convenience store, which includes wall-mounted exterior lights, and the light poles attached to the traffic signals at the intersection of SR 68 and Corral de Tierra Road. As designed, and conditioned to ensure installation, the canopy lighting would have reduced lumens from dawn to dusk, with motion-activated sensors to increase lumens when vehicles enter the canopy area. As discussed further under threshold (d), the project would not introduce a substantial new source of light, and accordingly, lighting associated with the project would be visually consistent with the Toro Area. In terms of the project's siting, the proposed fueling station and convenience store would be generally located in the footprint of a former fueling station. By locating the proposed project within this footprint, the project avoids vegetation removal and paving in other undisturbed areas in the Toro Area. Therefore, the project's siting and design would be visually consistent with the Toro Area and would enhance the scenic value of the area.

Accordingly, the convenience store would be visually consistent with the rural nature of the Toro Area, and the fueling station would not conflict with the highway corridor setting of the project site. The project's proposed landscaping includes shrubs, groundcover, and native trees, which would introduce vegetation similar to the surrounding area to the project site. With these design features and its proposed design and massing, the project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings.

This impact would be less than significant. The project would not result in substantially more severe adverse impacts than discussed in the 2010 General Plan EIR.

d. Would the project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?

The project site is in an area that is primarily undeveloped open space, with intermittent commercial uses and residential areas adjacent to SR 68. Therefore, the surrounding area has low levels of existing lighting. Existing sources of light in the project area include lighting from nearby residences and the convenience store west of the project site, streetlights and light poles at the intersection of Corral de Tierra Road and SR 68, headlights of vehicles entering and existing the residences and convenience store, and the headlights of vehicles traveling on Corral de Tierra Road and SR 68. The primary sources of glare in the project area are the sun's reflection off light colored and reflective building materials and finishes of the nearby residences and convenience store, and metallic and glass surfaces of vehicles parked at the convenience store or traveling on Laureles Grade and SR 68.

The project would introduce new sources of light and glare to the project site, including interior lighting, light poles, reflective surfaces associated with the proposed convenience store and fueling station, and headlights and glare from vehicles that would be parked at the project site. These sources of light and glare would be consistent with existing sources of light and glare from the nearby residences, existing convenience store, and vehicles traveling on Laureles Grade and SR 68, and the project would not introduce a substantial amount of new light and glare to the project area. Additionally, the project would be required to comply with Monterey County Code Section 21.63.020, which establishes design guidelines for exterior lighting. The design guidelines require exterior lighting to be unobtrusive, reduce off-site glare, and light only the intended area. As conditioned, the project would also be required to comply with Toro Area Plan Policy T-3.1, which requires exterior lighting to be located and designed in a manner that enhances the scenic value of the area, and Policy T-3.5, which requires exterior lighting to be located, designed, and enforced to minimize light sources and preserve the quality of darkness (Source: 12). Accordingly, the project would not create a substantial source of light or glare that would adversely affect day or nighttime views in the area.

Since the project would be consistent with surrounding land uses in type and intensity of light and glare, and consistent with the type of development envisioned in the 2010 General Plan for the site, impacts would be less than significant and the project would result in no new or substantially more severe impacts concerning lighting and glare beyond those previously identified in the 2010 General Plan EIR.

Conclusion

The project is consistent with the 2010 General Plan land use designation and zoning district associated with the project site. Adherence with the applicable General Plan policies and zoning ordinance would ensure that the project would result in less-than-significant aesthetic impacts. The project would have no new significant or substantially more severe or peculiar site-specific impacts to aesthetics and visual resources, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental document. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental

review, are determined to have a more severe adverse impact than discussed in the 2010 General Plan EIR. Accordingly, no additional review is required.

2 Agriculture and Forestry Resources

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

Analysis in Previous Environmental Documents

Impacts to agricultural resources were analyzed on pages 4.2-1 through 4.2-28 of the 2010 General Plan EIR. Impacts related to the conversion of Important Farmland and farmland to non-agricultural uses were determined to be significant and unavoidable. Impacts related to conflicts with existing zoning for agricultural use and Williamson Act contracts as a result of implementation of the 2010 General Plan EIR were found to be less than significant.

The following describes the analysis included in the previous environmental documents (the 2010 General Plan EIR) and also provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located, 2) were not previously analyzed in a previous environmental documents as significant effects, 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents, and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

Project-specific Impacts

a. *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

b. *Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?*

c. *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*

d. *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

e. *Would the project 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?*

The project site has a land use designation of Commercial within the 2010 General Plan. The project site was previously developed as a gas station that was demolished in 2018. The project site is currently a paved lot. Its zoning district is Light Commercial. Therefore, the project would not convert farmland or change agricultural resources to a non-agricultural use. The site is not under a Williamson Act Contract or on land zoned or used for timberland nor is it located adjacent to agriculturally designated lands (.8). The project site is not currently used for forest land or timberland production and is not located on or near land that is considered forest or timberland, and the project would not conflict with any existing zoning for forest land, timberland, or timberland production.

There would be no impact, and the project would not result in substantially more severe adverse impacts than discussed in the 2010 General Plan EIR.

Conclusion

The project site is within the land defined and assessed by the General Plan as Urban and Built-Up Land and the project would have no effect on agricultural or forest lands. The project would have no new significant or substantially more severe or peculiar site-specific impacts to agricultural or forest resources, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact than discussed in the 2010 General Plan EIR. Accordingly, no additional review is required.

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3 Air Quality

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	■	☐	■	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	■	☐	■	■
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	■	☐	■	■
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	■	☐	■	☐

Analysis in Previous Environmental Documents

The 2010 General Plan EIR discusses air quality impacts on pages 4.7-1 through 4.7-42 and finds that impacts related to conflicts with air quality management plans and standards, increased carbon monoxide levels along County roadways, and objectionable odors would be less than significant. Impacts related to the generation of construction emissions were found to be less than significant with the incorporation of the following mitigation measures:

Mitigation Measure AQ-1

The County of Monterey will update General Plan policy OS-10.5 as follows: OS-10.5 The County of Monterey will require that future construction in accordance with the 2007 implement MBARD PM_{10} control measures.

Mitigation Measure AQ-2

Implement MBARD Mitigation Measures for Off-Road Mobile Source and Heavy Duty Equipment Emissions. General Plan Policy OS-10.6 will be revised as follows:

The County shall implement MBARD measures to address off-road mobile source and heavy duty equipment emissions as conditions of approval for future development.

Impacts related to criteria pollutants and volatile organic compounds would be significant and unavoidable even with the incorporation of the following mitigation measures:

Mitigation Measure AQ-3

The following measures will be added to General Plan Policy OS-10.10:

- Provide preferential carpool/vanpool parking spaces
- Implement a parking surcharge for single occupant vehicles
- Provide for shuttle/mini bus service
- Provide bicycle storage/parking facilities and shower/locker facilities
- Provide onsite child care centers
- Provide transit design features within the development
- Develop park-and-ride lots
- Employ a transportation/rideshare coordinator
- Implement a rideshare program
- Provide incentives to employees to rideshare or take public transportation
- Implement compressed work schedules
- Implement telecommuting program

Mitigation Measure AQ-4

General Plan Policy OS-10.10 will be revised to include the following measures to address residential land use:

- Provide bicycle paths within major subdivisions that link to an external network
- Provide pedestrian facilities within major subdivisions

Mitigation Measure AQ-5

The following measures will be added to General Plan Policy OS-10.2 to address alternative fuels:

- Utilize electric fleet vehicles
- Utilize Ultra Low-Emission fleet vehicles
- Utilize methanol fleet vehicles
- Utilize liquid propane gas fleet vehicles
- Utilize compressed natural gas fleet vehicles

Impacts related to sensitive receptor exposure to increased diesel exhaust would be less than significant with the incorporation of the following mitigation measures:

Mitigation Measure AQ-6

The County of Monterey shall require that construction contracts be given to those contractors who show evidence of the use of soot traps, ultra-low sulfur fuels, and other diesel engine emissions upgrades that reduce PM10 emissions to less than 50% of the statewide PM10 emissions average for comparable equipment.

Mitigation Measure AQ-7

Development of new sensitive land uses (schools, hospitals, facilities for the elderly) should not be located any closer than 500 feet of a freeway carrying more than 100,000 vehicles per day.

Mitigation Measures presented in the 2010 General Plan EIR would not be applicable to the project as they are either programmatic, are not applicable to the proposed project, or are applicable to the County as an agency.

The following describes the analysis included in the previous environmental document (the 2010 General Plan EIR) and also provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located, 2) were not previously analyzed in a previous environmental documents as significant effects, 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents, and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

Project-specific Impacts

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

The California Air Resources Board (CARB) coordinates and oversees both state and federal air quality control programs in California. CARB has established 14 air basins statewide, and the project site is in the North Central Coast Air Basin (NCCAB), which is under the jurisdiction of the Monterey Bay Air Resources District (MBARD). The NCCAB is currently designated as nonattainment for the State particulate matter that is 10 microns or less in diameter (PM_{10}) standards and nonattainment-transitional for the State one-hour and eight-hour ozone standards. The NCCAB is designated as attainment for all federal standards and other state standards (Source: .13). MBARD is responsible for enforcing the state and federal air quality standards and regulating stationary sources through the 2012-2015 Air Quality Management Plan (AQMP) for the Monterey Bay Region, adopted on March 15, 2017.

A project would conflict with or obstruct implementation of the 2015 AQMP if either it induced population such that the population of unincorporated Monterey County exceeds the population forecast for the appropriate five-year increment utilized in the 2015 AQMP or if construction and operational emissions of ozone precursors would exceed MBARD significance thresholds (Source: .14). As discussed in the 2010 General Plan EIR, buildout of the General Plan would be consistent with the MBARD AQMP (County of Monterey 2010). Development of the project would be consistent with the assumptions for buildout under the General Plan as analyzed in the 2010 General Plan EIR. Accordingly, impacts of the project would be similar to those identified in the 2010 General Plan EIR; therefore, no additional review is required.

The proposed project is not anticipated to induce substantial population growth, as the project entails construction of a 12-pump gas service station, access roads and driveways, and a 3,077 square-foot convenience store. Furthermore, construction workers would be primarily local rather than sourced from an area outside of the existing local or regional workforce. Additionally, as discussed below under thresholds (b-c), the project would not result in emissions that would exceed MBARD significance thresholds. Accordingly, the project would be consistent with the 2012-2015 AQMP because it would not cause an exceedance of the growth projections that underlie its air pollutant emission forecasts. Impacts would be less than significant.

Therefore, the project would not conflict with or obstruct the implementation of an applicable air quality plan. Additionally, the project would be within the type of use and density assumed for the site in the 2010 General Plan EIR. This impact would be less than significant. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR.

b. Would the project 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?

c. Would the project expose sensitive receptors to substantial pollutant concentrations?

The 2010 General Plan EIR assesses air quality impacts on a programmatic level and recognize that site-specific impacts would be assessed during project review. To determine if further review under CEQA is necessary, the project was compared to the MBARD CEQA Guidelines screening criteria. As discussed under threshold (a), the NCCAB is currently designated as nonattainment for the state PM_{10} standard and nonattainment-transitional for the state one-hour and eight-hour ozone standards.

The MBARD CEQA Guidelines set a screening threshold of 2.2 acres of construction earthmoving per day. If a project results in less than 2.2 acres of earthmoving, the project is assumed to be below the 82 pounds of PM_{10} per day threshold of significance. The proposed project would disturb approximately 3.3 acres of land. However, per the draft Construction Management Plan, grading and excavation-related activities would occur over several weeks and would not exceed MBARD's daily ground disturbing thresholds for excavation (2.2 acres per day) or grading (8.1 acres per day). Therefore, construction activities would not result in PM_{10} emissions that exceed MBARD thresholds (Source: .14).

Operational emissions would not be substantial, as emissions would only involve vehicle trips and energy usage associated with the gas station and convenience store. Project operation would attract 3,181 vehicle trips daily, including 193 vehicle trips (97 in and 96 out) in the AM peak hour and 221 vehicle trips (111 in and 110 out) in the PM peak hour. Additionally, emissions estimates from the CalEEMod model demonstrate that project operation would not release air pollutants above currently established significance thresholds (Source: .15). As shown within Table 2, emissions generated by project operation would not exceed MBARD regional thresholds for criteria pollutants. The project would also be required to comply with CARB Executive Orders that aim to control vapor emissions of retail service stations (see threshold (d)). Therefore, the project would not contribute substantially to an existing or projected air quality violation. In addition, because criteria air pollutant emissions and regional thresholds are cumulative, the project would not result in a cumulatively considerable net increase of criteria pollutants.

Table 2 Estimated Maximum Daily Operational Emissions (pounds per day)

Source	ROG	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Total	**13**	**9**	**69**	**<1**	**11**	3
MBARD Threshold	137	137	550	N/A	82	55
Threshold Exceeded?	**No**	**No**	**No**	**N/A**	**No**	**No**

ROG = reactive organic gases, NO_X = nitrogen oxides, CO = carbon monoxide, SO_2 = sulfur dioxide, PM_{10} = particulate matter 10 microns in diameter or less, $PM_{2.5}$ = particulate matter 2.5 microns or less in diameter, N/A = not applicable

Notes: All numbers have been rounded to the nearest whole number. Emissions presented are the highest of the winter and summer modeled emissions. Emissions data is pulled from mitigated results. Numbers may not add up due to rounding.

Source: See Source 15 for CalEEMod calculations and assumptions.

Vehicle trips and energy usage of the proposed gas station and convenience store would negligibly increase potential pollutant emissions in the NCCAB. Project emissions would also be below MBARD significance thresholds for both construction and operation. Therefore, the proposed project would result in less than significant impacts relating to a cumulatively considerable net increase of any criteria pollutant or expose sensitive receptors to substantial pollutant concentrations.

Consistent with the 2010 General Plan EIR, the proposed project would comply with Policies OS-10.5 and OS-10.6 as listed as Mitigation Measures AQ-1 and AQ-2 requiring compliance with MBARD construction emissions regulations and measures for off-road mobile sources and heavy equipment. The Applicant would be required to implement erosion control measures in accordance with the County's Grading and Erosion Control Ordinances, Chapters 16.08 and 16.12. Monterey County Code section 16.08.340 specifically requires that dust from grading activities be controlled. In addition, all grading activities associated with construction of the proposed project must comply with Monterey County Code section 16.12.80, Land Clearing. The County of Monterey HCD-Environmental Services would review and approve grading plans for the proposed project to ensure compliance with these requirements. Per the draft Construction Management Plan (Source: .44), the following BMPs would be incorporated into the construction operations to reduce dust and comply with the requirements of Chapter 16.08 and 16.12:

- Water all active construction sites at least twice daily. Frequency should be based on the type of operation, soil, and wind exposure.
- Prohibit all grading activities during periods of high wind (over 15 mph).
- Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).
- Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydro seed area.
- Haul trucks shall maintain at least 2'0" of freeboard.
- Cover all trucks hauling dirt, sand, or loose materials.
- Plant vegetative ground cover in disturbed areas as soon as possible.
- Cover inactive storage piles**.**
- Install wheel washers at the entrance to construction sites for all existing trucks
- Sweep streets if visible soil material is carried out from the construction site.
- Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action with 48 hours. The phone number of the Monterey Bay Unified Air Pollution Control District shall also be visible to ensure compliance with Rule 402.

A condition of approval would require that the above-mentioned standard BMPs be incorporated into the final construction management plan prior to issuance of construction or grading permits. Compliance with the final construction management plan would ensure the proposed project does not expose sensitive receptors to substantial pollutant concentrations.

Construction and operational emissions would not exceed MBARD thresholds for any criteria pollutant. The project would not result in individually or cumulatively significant impacts to air quality. This impact would be less than significant. Overall, impacts would be less than significant. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR.

d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

The 2010 General Plan EIR identifies uses such as landfills, agriculture, and grape waste storage that would result in objectionable odors and would require implementation of Mitigation Measure AQ-9 requiring proper storage and disposal of grape waste. The proposed project would not include the storage or disposal of grape waste and Mitigation Measure AQ-9 would not be applicable. Construction of the proposed project would generate temporary odors from gasoline vapors, vehicle exhaust, and construction equipment exhaust. However, construction-related odors would disperse and dissipate and would not cause substantial odors at the closest sensitive receptors (nearby residences). Contractors would be required to comply with the provisions of California Code of Regulations (CCR) Sections 2449 and 2485, which prohibit diesel-fueled commercial motor vehicles and off-road diesel vehicles from idling for more than five minutes to minimize unnecessary fuel consumption, which would limit exhaust fumes.

Pursuant to the project's draft Construction Management Plan (Source: .44), the following measures would be implemented to reduce diesel emissions during construction operations: (1) All diesel equipment shall comply with applicable State (Air Resources Board) regulations; and (2) All equipment shall comply with Title 13, California Code of Regulations, Section 2485(c)(l) regarding idling of commercial vehicles, as outlined below: California Code of Regulations Title 13. § 2485. Airborne Toxic Control Measure to Limit Diesel Fueled Commercial Motor Vehicle Idling

- Purpose. The purpose of this airborne toxic control measure is to reduce public exposure to diesel particulate matter and other air contaminants by limiting the idling of diesel-fueled commercial motor vehicles.
- Applicability. This section applies to diesel-fueled commercial motor vehicles that operate in the State of California with gross vehicular weight ratings of greater than 10,000 pounds that are or must be licensed for operation on highways. This specifically includes: (1) California-based vehicles; and (2) non-California-based vehicles.
- Requirements. On or after February 1, 2005, the driver of any vehicle subject to this section:
    - shall not idle the vehicle's primary diesel engine for greater than 5.0 minutes at any location, except as noted in Subsection (d); and
    - shall not operate a diesel-fueled auxiliary power system (APS) to power a heater, air conditioner, or any ancillary equipment on that vehicle during sleeping or resting in a sleeper berth for greater than 5.0 minutes at any location when within 100 feet of a restricted area, except as noted in Subsection (d).

Compliance with State (Air Resources Board) regulations and California Code of Regulations would ensure emissions generated during construction operations are less than significant. In addition, construction-related odors would be temporary and would cease upon completion of construction. During operation, the proposed project would not be expected to produce other emissions, including odors, to the point that it would adversely impact a substantial number of people.

Per AB 1807, once a Toxic Air Contaminant (TAC) is identified, CARB adopts an airborne toxics control measure for sources that emit designated TACs. If there is a safe threshold for a substance at which there is no toxic effect, the control measure must reduce exposure to below that threshold. Gasoline vapor consists of the TACs, benzene, ethylbenzene, n-hexane, naphthalene, propylene (or propene), xylenes, and toluene. However, of all the TACs in gasoline, benzene is the most toxic component of gas station emissions. Operation of the proposed project would result in the

development of sources of air toxins. Specifically, the proposed project would be a source of gasoline vapors, such as benzene. MBARD determined that a Health Risk Assessment was not required for the proposed project as it is required to meet CARB Executive Orders and ATMCs that aim to control vapor and benzene emissions (Source 42). The project would be required to meet - CARB Executive Orders for vapor control for Phase I (transfer of gasoline from delivery trucks to underground storage tanks) and Phase II (transfer of gasoline from the gas pump to vehicles) systems. CARB also establishes Airborne Toxic Control Measures for benzene from retail service stations. Compliance with CARB Executive Orders, such as VR-201-AE and VR-501-E, CARB Rule 1002 (Airborne Toxic Control Measure for Emissions of Benzene), would ensure that the systems are certified and effective in minimizing vapor emissions and benzene emissions during gasoline handling operations.

Therefore, the impacts of the project resulting in other emissions which would adversely affect a substantial number of people would be less than significant. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR.

Conclusion

Based on the air quality policies in the General Plan EIR along with the project-specific comparison to MBARD thresholds included above, there would be no significant impacts or peculiar circumstances associated with the project that would require additional review. The project would be required to comply with all applicable County and MBARD standards. Neither construction or operational emissions would exceed MBARD thresholds and as such, Mitigation Measure AQ-3 would not be applicable. The proposed project would not introduce a new residential use or sensitive receptor and as such, Mitigation Measures AQ-4, AQ-5, and AQ-7 would not be applicable to the project. Construction activities would not result in PM_{10} emissions that exceed MBARD thresholds and as such, Mitigation Measure AQ-6 would not be applicable. The project would not result in new significant or substantially more severe or peculiar site-specific impacts to air quality, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact than discussed in the 2010 General Plan EIR. Accordingly, no additional review is required.

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4 Biological Resources

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
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 Wildlife or U.S. Fish and Wildlife Service?	☐	■	☐	■	■
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	■	■	☐
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	■	■	☐
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?	☐	■	☐	■	☐

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	■	■	☐
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	■	■	☐

Analysis in Previous Environmental Documents

The General Plan EIR discusses biological resource impacts on pages 4.9-1 through 4.9-104. Both documents find that biological resource impacts related to the potential loss of protected trees and potential inconsistencies with adopted conservation plans would be less than significant. Impacts related to the potential to impact special-status species were found to be less than significant with the incorporation of the following mitigation measures:

Mitigation Measure BIO-1.1

The County shall expand the inventory of listed species suitable and critical habitat required by Policy OS 5.1 and OS-5.2 to include an updated vegetation land cover map, identification of suitable habitat for CEQA-defined special status species (as defined in this document), sensitive natural communities, and riparian habitat in Monterey County. The inventory shall include wetlands inventory as feasible based on existing data sources and aerial interpretation. This inventory should be updated at a minimum of ten-year intervals. The inventory can exclude areas that are not under the control of Monterey County (e.g., cities, state and federal lands).

Mitigation Measure BIO-1.2

The County shall, in concert with the USFWS, CDFG, cities in the Salinas Valley, and stakeholders develop a conservation plan for the Salinas Valley to provide for the preservation of adequate habitat to sustain the San Joaquin kit fox population. The general focus area of the plan shall be the Salinas Valley south of the community of Chualar. The Conservation Plan, at a minimum, shall be adopted by Monterey County and shall be applied to all discretionary approvals (and their associated CEQA documents) with potential to affect the San Joaquin kit fox within the conservation plan area. The County shall complete the conservation plan within 4 years of General Plan adoption. The conservation plan funding program shall be developed and shall include a mitigation fee program for which development projects will be assessed a fee based on a proportional basis of impact to the San Joaquin kit fox. The compensation plan shall be

developed and implemented in coordination with the appropriate state or federal agency and may provide mechanisms to mitigate impacts of an individual project through one or more of the following means: identifying an agency-approved mitigation bank or other compensation site (on- or off-site); and/or preserving habitat; monitoring the compensation site; and funding the management of the compensation site.

Mitigation Measure BIO-1.3

The County shall require that any development project that could potentially impact a CEQA-defined special status species or sensitive natural community shall be required to conduct a biological survey of the site. If CEQA-defined special-status species or sensitive natural communities are found on the site, the project biologist shall recommend measures necessary to avoid, minimize, and/or compensate for identified impacts to CEQA-defined special-status species and sensitive natural communities. An ordinance establishing minimum standards for a biological report shall be enacted. This policy shall only apply to the following:

- Development in Focused Growth Areas (Community Areas, Rural Centers and Housing Overlays
- Development requiring a discretionary permit
- Large scale wineries in the AWCP.

Mitigation Measure BIO-1.4

The County shall update the County General Plan by no later than January 1, 2030 and shall consider the potential to expand focused growth areas established by the 2007 General Plan and/or the designation of new focused growth areas. The purpose of such expanded/new focused growth areas would be to reduce the loss of CEQA-defined special status species and their habitat due to continued urban growth after 2030. The new/expanded growth areas shall be designed to accommodate at least 80% of the projected residential and commercial growth in the unincorporated County from 2030 to buildout. This update will also address expansion of agricultural operations and potential impacts to CEQA-defined special-status species.

Mitigation Measure BIO-1.5

The County shall complete the preparation of a NCCP for all incorporated areas in Monterey County by no later than January 1, 2030 to address all state and federal listed species and all CEQA-defined special-status species with potential to be listed up to buildout of the County. The County shall invite the participation of the incorporated cities, the federal land agencies, Caltrans and other stakeholders. The NCCP shall also cover preservation of sensitive natural communities, riparian habitat, and wetlands, and wildlife movement corridors and include mechanisms including on and off-site mitigation ratios and fee programs for mitigating impacts.

Impacts to natural communities including riparian habitats and wetlands were determined to be less than significant with mitigation:

Mitigation Measure BIO-2.1

The county shall develop and adopt a county-wide Stream Setback Ordinance to establish minimum standards for the avoidance and setbacks for new development relative to streams. The ordinance shall identify standardized inventory methodologies and mapping requirements. A stream classification system shall be identified to distinguish between different stream types

(based on hydrology, vegetation, and slope, etc.) and thus allow application of standard setbacks to different stream types. The ordinance shall identify specific setbacks relative to the following rivers and creeks so they can be implemented in the Area Plans: Salinas, Carmel River, Arroyo Seco, Pajaro River, Nacimiento, San Antonio, Gabilan Creek, and Toro Creek. The ordinance may identify specific setbacks for other creeks or may apply generic setbacks based on the stream classification developed for the ordinance. The purpose of the ordinance will be to preserve riparian habitat and reduce sediment and other water quality impacts of new development. The Stream Setback Ordinance shall apply to all discretionary development within the County and to conversion of previously uncultivated agricultural land (as defined in the General Policy Glossary) on normal soil slopes over 15% or on highly erodible soils on slopes over 10%.

Mitigation Measure BIO-2.2

The County shall prepare, adopt and implement a program that allows project to mitigate the loss of oak woodlands. The program would include ratios for replacement, payment of fees to mitigate the loss or direct replacement for the loss of oak woodlands and monitoring for compliance. The program would identify criteria for suitable donor sites. Mitigation for the loss of oak tree woodlands may be either on-site or off-site. The program would allow payment to either a local fund established by the County. Until such time as the County program is implemented, payment of a fee may be made to the State Oak Woodlands Conservation Program. Replacement of oak woodlands shall be on a minimum 1:1 ratio.

Mitigation Measure BIO-2.3

Public Services Policies PS-3.3 and PS-3.4 establish the criteria for proof of a long-term water supply and for evaluation and approval of new wells. The following criteria shall be added to these policies:

- Policy PS-3.3.i—Effects on instream flows necessary to support riparian vegetation, wetlands, fish, and other aquatic life including migration potential for steelhead.
- Policy PS-3.4.g—Effects on instream flows necessary to support riparian vegetation, wetlands, fish, and other aquatic life including migration potential for steelhead.

Impacts related to wildlife movement and wildlife nursery sites were determined to be less than significant with mitigation:

Mitigation Measure BIO-3.1

The County shall require discretionary projects to retain movement corridors of adequate size and habitat quality to allow for continued wildlife use based on the needs of the species occupying the habitat. The County shall consider the need for wildlife movement in designing and expanding major roadways and public infrastructure projects to provide movement opportunities for terrestrial wildlife and to ensure that existing stream channels and riparian corridors continue to provide for wildlife movement and access.

Impacts related to potential loss or disturbance of nesting migratory birds and raptors would be less than significant with mitigation:

Mitigation Measure BIO-3.2

Vegetation removed in the course of development will be removed only during the nonbreeding season (generally September 16 to January 31). Occupied nests of migratory birds, including raptors, will be avoided during this period. The county shall consult, or require the developer to consult, with a qualified biologist prior to any site preparation or construction work in order to (1) determine whether work is proposed during nesting season for migratory birds, (2) determine whether site vegetation is suitable to nesting migratory birds, (3) identify any regulatory requirements for setbacks or other avoidance measures for migratory birds which could nest on the site, and (4) establish project specific requirements for setbacks, lock-out periods, or other methods of avoidance of nesting birds. The county shall require the development to follow the recommendations of the biologist.

Mitigation Measure BIO-1.3 has already been implemented by the project through the preparation of a project-specific biological resources analysis which includes site-specific recommendations including consistency with Mitigation Measure BIO-3.2. All other Mitigation Measures presented in the 2010 General Plan EIR would not be applicable to the project as they are either programmatic or are applicable to the County as an agency.

The following describes the analysis included in the previous environmental documents (the 2010 General Plan EIR) and also provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located, 2) were not previously analyzed in a previous environmental documents as significant effects, 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents, and/or 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

Project-specific Impacts

This discussion incorporates information from the Biological Resources Report prepared by Denise Duffy and Associates, Inc. dated October 2023, amended December 2024 (County of Monterey Library No. LIB230295) (Source: .16).

The site is situated within the Spreckels U.S. Geological Survey quadrangle and the Toro Area Plan. The site of the proposed fueling station and convenience store consists entirely of ruderal areas, which are areas that have been subject to historic and ongoing disturbance from human activities. Ruderal areas within the project site include existing asphalt pavement and areas of fill or barren areas along roadsides, and these areas are almost entirely devoid of vegetation. The footprint of the proposed access roads and driveways is dominated by grasses and non-native or invasive weed species (Source: .16). As discussed in Section 8, Surrounding Land Uses and Setting, there are three trees within the project site, including two olive trees and one walnut tree. No native trees exist within the proposed development footprint.

a. Would the project 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 Wildlife or U.S. Fish and Wildlife Service?

Special-status species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the United States Fish and Wildlife Service (USFWS) or

National Marine Fisheries Service under the federal Endangered Species Act; those listed or proposed for listing as rare, threatened, or endangered by the California Department of Wildlife (CDFW) under the California Endangered Species Act or Native Plant Protection Act; animals designated as "Species of Special Concern," "Fully Protected," or "Watch List" by the CDFW; and plants with a California Rare Plant Rank of 1 or 2, which are defined as:

- List 1A = Plants presumed extinct in California
- List 1B.1 = Rare or endangered in California and elsewhere; seriously endangered in California (over 80 percent of occurrences threatened/high degree and immediacy of threat)
- List 1B.2 = Rare or endangered in California and elsewhere; fairly endangered in California (20-80 percent occurrences threatened)
- List 1B.3 = Rare or endangered in California and elsewhere, not very endangered in California (<20 percent of occurrences are threatened or no current threats known)
- List 2 = Rare, threatened or endangered in California, but more common elsewhere

Special Status Plants

No special-status plants were determined to have the potential to occur within the project site (Source: .16).

Special Status Wildlife and Habitats

No special-status wildlife species were determined to have the potential to occur within the project site (Source: .16). Four special-status wildlife species have the potential to occur in habitat adjacent to the project site (Source: .16).

Raptors, their nests, and other nesting birds are protected under California Fish and Game Code. While the life histories of these species vary, overlapping nesting (approximately February through August) and foraging similarities allow for their concurrent discussion. Most raptors are breeding residents throughout most of the wooded portions of the state. Stands of live oak, riparian deciduous, or other forest habitats, as well as open grasslands, are used most frequently for nesting. Breeding occurs February through August, with peak activity May through July. Prey for these species includes small birds, small mammals, and some reptiles and amphibians. Many raptor species hunt in open woodland and habitat edges.

Denise Duffy & Associates, Inc. conducted a pedestrian survey on April 6,2023 and determined that there are no nesting opportunities for raptors within the project site; however large coast live oak and eucalyptus trees adjacent to the project site could be utilized as nest sites (Source: 16). Other birds could potentially nest in the same coast live oaks. At the time of the biological survey, no active raptor or other bird nests were observed within 500 feet of the project site, although red-tailed hawks (*Buteo jamaicensis*) were observed soaring above the project site and abundant passerine bird activity was noted. The County's standard condition of approval would be applied to the project, requiring that a raptor and bird nesting survey be obtained if construction is scheduled to occur between February and August. If raptors or other protected avian species nests are

identified during the pre-construction surveys, the qualified biologist shall notify the project applicant, and an appropriate no-disturbance buffer shall be imposed within which no construction activities or disturbance should take place as determined by the qualified biologist to ensure avoidance of impacts to the individuals. The buffer shall remain in place until the young of the year have fledged and are no longer reliant upon the nest or parental care for survival, as determined by a qualified biologist. This standard condition of approval would ensure compliance with the Migratory Bird Treaty Act.

As this is a project-level environmental analysis, Mitigation Measures BIO-1.1 and BIO-1.2, which require changes to policies within the General Plan, would be implemented at a programmatic level and would not be applicable to the proposed project. Therefore, the proposed project would not have a substantial adverse effect on any species identified as a candidate, sensitive, or special-status. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR.

b. Would the project 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 Wildlife or U.S. Fish and Wildlife Service?

No sensitive natural communities are present within or adjacent to the project site, nor are any riparian habitats or critical habitats (Source: .16). As no riparian habitat is present on the site, the 2010 General Plan EIR Mitigation Measures BIO-2.1, BIO-2.2, and BIO-2.3 would not apply to the project. The 2010 General Plan EIR Mitigation Measures BIO-1.4 and BIO-1.5 would not apply to the project as they are County level mitigation.

Therefore, the project would have no impact on riparian habitat or other sensitive natural communities. The project would not result in substantially more severe adverse impacts than discussed in the 2010 General Plan EIR.

c. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No wetlands or waters are present within or adjacent to the project site (Source: .16). As no wetlands are present on the site, the 2010 General Plan EIR Mitigation Measures BIO-2.1, BIO-2.2, and BIO-2.3 would not apply to the project.

Therefore, the project would have no impact on state or federally protected wetlands. The project would not result in substantially more severe adverse impacts than discussed in the 2010 General Plan EIR.

d. Would the project 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?

Wildlife movement corridors are generally linear and consist of coastlines, riverways, contiguous undeveloped and natural habitats, and riparian zones. Additionally, some wildlife species may move through certain corridors in response to topography, such as a canyon through rugged mountains, or in response to its prey. The project site is located within a corridor for wildlife movement; however, the project vicinity is largely surrounded by residential development south of SR 68 which itself serves as a partial barrier to wildlife movement (Source: .16). As such, the 2010 General Plan

EIR Mitigation Measure BIO-3.1 would not apply to the project. Development of the proposed project would not alter the existing barriers for wildlife movement.

Impacts to wildlife movement corridors would be less than significant. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR.

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The project would not significantly impact listed species or their habitat. The project would involve removal of three trees; however, these trees are not protected trees[2] and therefore, the project would not conflict with the Monterey County General Plan, Toro Land Use Plan, or the Monterey County Code, including the tree preservation ordinance (Title 21 section 21.64.260 – Preservation of Oak and Other Protected Trees).

There would be no impact, and the project would not result in substantially more severe adverse impacts than discussed in the 2010 General Plan EIR.

f. Would the project 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 site is not located within a Habitat Conservation Plan or Natural Community Conservation Plan area. Therefore, the proposed project would not conflict with any adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan.

The project would not result in substantially more severe adverse impacts than discussed in the 2010 General Plan EIR.

Conclusion

The project site was determined to have limited biological resources of concern. With incorporation of the required condition of approval listed in this section, the project would have no new significant or substantially more severe or peculiar site-specific impacts to biological resources, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental document. Additionally, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact than discussed in the 2010 General Plan EIR. Accordingly, no additional review is required.

2 Monterey County Code Section 21.64.260 defines “protected trees” as oak, madrone, redwood, or “native” trees. “Native” trees include Santa Lucia fir, black cottonwood, Fremont cottonwood, box elder, willows, California laurel, sycamores, oaks, and madrones.

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5 Cultural Resources

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	■	■	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	■	☐	■	■
c. Disturb any human remains, including those interred outside of formal cemeteries?	☐	■	☐	■	■

Analysis in Previous Environmental Documents

The General Plan EIR analyzes cultural resources on pages 4.10-1 through 4.10-27 and finds that impacts to paleontological resources, and burial sites would be less than significant. Impacts to historic resources and previously undiscovered archaeological resources would be less than significant with implementation of mitigation:

Mitigation Measure Cul-1

CSV-1.1 Special Treatment Area: Paraiso Hot Springs - The Paraiso Hot Springs properties shall be designated a Special Treatment Area. Recreation and visitor serving land uses for the Paraiso Hot Springs Special Treatment Area may be permitted in accordance with a general development plan and other discretionary approvals such as subdivision maps, use permits, and design approvals. The Special Treatment Area may include such uses as a lodge, individual cottages, a visitor center, recreational vehicle accommodations, restaurant, shops, stables, tennis courts, aquaculture, mineral water bottling, hiking trails, vineyards, and orchards. The plan shall address cultural resources protection, fire safety, access, sewage treatment, water quality, water quantity, drainage, and soil stability issues (APN: 418-361-004, 418-361-009, 418-361-021, 418-361-022).

The following describes the analysis included in the previous environmental document (the 2010 General Plan EIR) and also provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located, 2) were not previously analyzed in a previous environmental documents as significant

effects, 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents, and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

Project-specific Impacts

This analysis incorporates the results provided in the Phase I Archaeological Assessment prepared for the project by Achasta Archaeological Services dated September 2024 (County of Monterey Library No. LIB230303) (Source: .17). The Archaeological Assessment consisted of a cultural resources records search through the California Historic Resources Inventory System's Northwest Information Center, a Sacred Lands File Search through the Native American Heritage Commission, additional archival research, and a pedestrian field survey of the project site (conducted on August 16, 2024).

a. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

There are no existing buildings or structures within the project site and no demolition would be required. No known built environment historical resources were identified within the project site as a result of the Archaeological Assessment conducted in support of the project. Therefore, the project would not cause a substantial adverse change in the significance of a historical resource.

The project would have no impact to historical resources and the 2010 General Plan EIR Mitigation Measure CUL-1 would not apply. The project would not result in substantially more severe adverse impacts than discussed in the 2010 General Plan EIR.

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

According to the results of the Phase I Archaeological Assessment, no archaeological resources or archaeological deposits were identified within the project site (Source: .17). The project site has been heavily disturbed as a result of the development of the previous gas station that was operated in that location from 1968 to 1996, which included underground tanks. The underground storage tanks and gas pump infrastructure were demolished in 2002, and the remaining aboveground structure was demolished in 2018. However, the project site is identified as within an area of High Archaeological sensitivity (Source: .18). If previously unidentified archaeological resources are exposed during ground disturbance, the County's standard conditions of approval outline steps to take, including halting work within 50 meters of the radius of the find(s) until a qualified archaeologist evaluates it. These standard conditions of approval would protect unanticipated archaeological resources uncovered at the project site.

Implementation of the County standard conditions of approval would reduce potential impacts to previously unidentified archaeological resources to a less than significant level and implementation of Mitigation Measure CUL-1 would not apply. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR.

c. Would the project disturb any human remains, including those interred outside of formal cemeteries?

No human remains are known to exist within the project site. Because the project site was heavily disturbed as a result of the development and demolition of the previous gas station infrastructure, construction of the project is unlikely to uncover and impact human remains. However, if unanticipated human remains are discovered during project construction, the State of California requires that ground disturbing activities cease until the County Coroner has made the necessary findings as to the origin and disposition pursuant to State Health and Safety Code Section 7050.5 and PRC Section 5097.98. If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission, which would determine and notify a most likely descendant. The most likely descendant shall complete the inspection of the site and make recommendations to the landowner within 48 hours of being granted access. The find shall be treated in accordance with Public Resources Code Sections 5097.9 and 5097.933.

Compliance with the State requirements for the treatment of human remains would reduce impacts to human remains to a less than significant level. Compliance with existing regulations would ensure that no impacts would occur beyond those analyzed previously in the 2010 General Plan EIR.

Conclusion

Cultural and historic resource assessments of the project area were conducted, and their findings incorporated into the analysis above. In addition, the standard condition of approval mentioned above would be implemented to reduce impacts to archaeological resources and compliance with State requirements for human remains would reduce impacts to less-than-significant levels. Accordingly, the project would have no new significant or substantially more severe or peculiar site-specific impacts to cultural resources, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental document. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact that discussed in the 2010 General Plan EIR. Accordingly, no additional review is required.

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6 Energy

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	■	☐	■	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	■	☐	■	☐

CEQA Guidelines Append F (Energy Conservation) and the updated Append G guidelines published in December of 2018 require that environmental analysis include a discussion of the potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy.

Energy consumption accounts for energy consumed during construction and operation of the project, such as fuel consumed by vehicles, natural gas consumed for heating and/or power, and electricity consumed for power.

Analysis in Previous Environmental Documents

At the time of the 2010 General Plan EIR adoption, the Energy Resource discussion was captured under the Other CEQA section. However, this section was subsequently added as a standalone section to the *CEQA Guidelines* checklist.

The 2010 General Plan EIR discusses energy impacts on page 6-1 through 6-2 and finds that impacts would be significant and unavoidable.

The following describes the analysis included in the previous environmental documents (the 2010 General Plan EIR) and also provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located, 2) were not previously analyzed in a previous environmental documents as significant effects, 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents, and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

Project-specific Impacts

Pacific Gas & Electric (PG&E) is the primary electric and natural gas service provider in Monterey County. In 2018, all PG&E customers within Monterey County were enrolled in Central Coast Community Energy (3CE), formerly known as Monterey Bay Community Power. 3CE is a locally controlled public agency providing carbon-free electricity to residents and businesses. 3CE works through PG&E, which provides billing, power transmission and distribution, grid maintenance service, and natural gas to customers.

a. Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

b. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The General Plan EIR found that development could potentially increase demand for natural gas and electrical services and impacts would be significant and unavoidable.

The proposed project would not result in a potentially significant environmental effect due to the wasteful, inefficient, or unnecessary consumption of energy, or the wasteful use of energy resources, during construction. Project construction would require energy for the procurement and transportation of materials, and preparation of the site (e.g., minor grading, underground storage tank installation, materials hauling, access road paving, and building construction). Petroleum-based fuels such as diesel fuel and gasoline would be the primary sources of energy for these activities. Project construction energy use has not been quantified; however, construction would not cause inefficient, wasteful, or unnecessary consumption of energy because 1) the construction schedule and process are designed to be efficient to avoid excess monetary costs, and 2) energy use required to complete construction would be temporary in nature.

Operation of the project would result in energy demand from electricity consumption for lighting, convenience store operation, fuel dispenser operation, and energy demand from gasoline consumption attributed to the daily trips to the fuel facility. As described further in Section VI.17, Transportation, the project is a local-serving retail project, which are typically assumed to shorten existing vehicle trips by diverting existing trips to farther retail businesses to the new retail project. The project is assumed to attract a few vehicle trips greater than three miles in length, due to the proximity of existing gas stations and convenience stores on SR 68. In addition, the project is estimated to serve mostly “pass-by” trips, or vehicles already traveling on SR 68 that make a stop at the project site, and would attract 46 new vehicle trips during the morning peak hour and 55 new vehicle trips in the evening peak hour. Accordingly, the project would not result in the wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

The project would be consistent with applicable Monterey County General Plan policies regarding energy consumption and efficiency. The project would be consistent with Policy OS-10.10 of the Conservation and Open Space Element, which states that future development shall be designed to maximize energy efficiency to the extent feasible and accommodate energy infrastructure (i.e., transmission lines, powerplants and pipelines, and fueling stations). The project would also be consistent with Policy OS-10.7, which encourages the use of the best available technology for

reducing air pollution emissions. Furthermore, the project would be required to comply with California Building Energy Efficiency Standards, which require green building features such as energy-efficient lighting. Therefore, the proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Overall, the project would not result in wasteful, inefficient, or unnecessary energy consumption and this impact would be less than significant. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR.

Conclusion

The project would not involve development in areas not analyzed previously in the 2010 General Plan EIR, nor does it propose to have peculiar or substantial impacts not covered in the 2010 General Plan EIR. Compliance with applicable General Plan policies would reduce project impacts such that it would have no new significant or substantially more severe or peculiar site-specific impacts to energy resources, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact than discussed in the 2010 General Plan EIR. Accordingly, no additional review is required.

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7 Geology and Soils

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
1. 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?	☐	☐	☐	■	■
2. Strong seismic ground shaking?	☐	☐	☐	■	■
3. Seismic-related ground failure, including liquefaction?	☐	☐	☐	■	■
4. Landslides?	☐	☐	☐	■	■
b. Result in substantial soil erosion or the loss of topsoil?	☐	■	☐	■	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	■	☐	■	☐

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
d. Be located on expansive soil, as defined in Table 1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	■	☐	■	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	■	■	☐
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	■	■

Analysis in Previous Environmental Documents

The 2010 General Plan EIR discusses geology and soils impacts on pages 4.4-1 through 4.4-51 and concludes that impacts related to fault rupture, ground shaking, liquefaction, slope instability, landslides, expansive soils and unstable geologic units, septic systems, tsunami, seiche, and mudflow hazards would be less than significant.

Impacts related to soil erosion hazards would be less than significant with implementation of Mitigation Measure BIO-2.1.

The 2010 General Plan EIR discusses paleontological impacts within the Cultural Resources section on pages 4.10-21 through 4.10-24 and finds that impacts would be less than significant.

The following describes the analysis included in the previous environmental document (the 2010 General Plan EIR) and also provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located, 2) were not previously analyzed in a previous environmental documents as significant effects, 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents, and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

Project-specific Impacts

The nearest known potentially active fault line to the project site is the Chupines Fault, located approximately 1.6 mile to the southwest (Source: .19). This fault is a Type B fault and is not expected to produce earthquakes and ground shaking at the intensity that the Type A San Andreas Fault is capable of. The San Andreas Fault is the nearest Type A fault and is approximately 25 miles east of the project site (Source: .19). This analysis incorporates the results provided in the Geotechnical Report prepared for the project by Grice Engineering Inc. dated April 2023 (County of Monterey Library No. LIB230292) (Source: .20).

a.1. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving 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?

According to the Geotechnical Report, no known faults cross the site. Therefore, there is no risk of fault rupture onsite (Source: .20).

There would be no impact related to fault rupture. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR.

a.2. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

The 2010 General Plan EIR evaluated the potential for fault rupture and strong seismic ground shaking from seismic events. As noted in the 2010 General Plan EIR, ground shaking within the Monterey area could cause substantial damage, but with implementation of General Plan Policies and compliance with current California Building Code requirements, impacts would be less than significant. Although no known faults cross the site, there are active faults nearby, which could produce an earthquake that could impact the project site. The Geotechnical Report notes that strong seismic shaking typical of the region and California is possible within the area (Source: .20). However, Section 18.02.010 of Monterey County Code adopts the CBC as the building code of Monterey County.

Impacts related to strong fault rupture and seismic ground shaking would be less than significant. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR.

a.3. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

a.4. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

c. Would the project 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?

The 2010 General Plan EIR evaluated the potential for liquefaction from seismic events. As noted in the 2010 General Plan EIR, liquefaction potential within the Monterey area could cause substantial damage, but with implementation of General Plan Policies, Monterey County Grading Ordinance, and compliance with current California Building Code requirements, impacts would be less than

significant. The soil materials on the project site are either unsaturated or consist of coarse rock, and are not considered susceptible to liquefaction. Thus, the potential for impacts related to seismic shaking and seismic related ground failure such as liquefaction would be less than significant (Source: .20). In addition, the Geotechnical Report determined that areas located above or below the building area are not susceptible to landslide, and the project site is not susceptible to landslide as it is nearly level. Thus, the potential impacts related to landslides would be less than significant (Source: .20).

The project would not cause potential substantial adverse effects related to liquefaction or landslide, and impacts would be less than significant. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR.

b. Would the project result in substantial soil erosion or the loss of topsoil?

d. Would the project be located on expansive soil, as defined in Table 1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Because the project site is nearly level, the potential for erosion is low. The Geotechnical Report includes recommendations for material storage during project construction and roof and area drainage for project operation to control erosion. All recommendations of the Geotechnical report shall be incorporated into the final construction plans pursuant to Title 16 section 16.08.110. In addition, applicants and/or developers are required to prepare erosion control plans that detail appropriate methods to prevent and/or minimize erosion during all phases of a new project in accordance with Monterey County Code Chapter 16.12. Erosion control plans are also subject to review and approval by the Housing & Community Development Environmental Services prior to the issuance of building permits. Compliance with the recommendations made in the Geotechnical Report, as well as preparation of an erosion control plan, would ensure that impacts remain less than significant. In addition, the project site is not located in an area known to have expansive soils (Source: .20).

With adherence to the Monterey County Code, CBC, and inclusion of the recommendations made in the Geotechnical Report, impacts related to erosion and expansive soils would be less than significant. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR.

e. Would the project 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?

The project would not include a septic tank or other alternative wastewater disposal systems and would connect to existing wastewater utilities.

No impact would occur and the project would not result in substantially more severe adverse impacts than discussed in the 2010 General Plan EIR.

f. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The project site is underlain by Holocene-aged Quaternary alluvium per the geologic map of Dibblee and Minch (Source: .21). Holocene-aged geologic units are generally considered too young (i.e., 5,000 years old or younger) to preserve paleontological resources per the Society of Vertebrate

Paleontology (Source: .22). Therefore, Quaternary alluvium is considered to have low paleontological sensitivity per the SVP (2010) paleontological sensitivity scale. At some depth in the subsurface, Holocene-aged sediments become old enough to preserve paleontological resources, and per the Monterey County General Plan and online fossil databases, many paleontological resources have been discovered throughout Monterey County (Sources: .23, .24). However, this transition depth is likely deeper than the maximum excavation depths proposed for this project, so the likelihood of the project impacting paleontological resources is low.

Nonetheless, it is always possible to encounter buried or possibly redeposited paleontological resources during construction and grading activities, which could result in a significant impact (i.e., damage, destruction, or removal from their original context). In the event of unanticipated discovery of paleontological resources, impacts would be reduced to a less than significant level with implementation of the County's standard condition of approval regarding paleontological resources. In accordance with the standard condition, in the event that a potential paleontological resource is encountered during construction, work would immediately halt, and a qualified paleontologist would evaluate the find. If the find is determined to be significant by a qualified professional paleontologist, mitigation measures shall be required consistent with County standards.

With implementation of the County's standard condition of approval, impacts would be less than significant. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR.

Conclusion

The project would not involve development in areas not analyzed previously in the 2010 General Plan EIR, nor does it propose to have peculiar or substantial impacts not covered in the 2010 General Plan EIR. Implementation of General Plan Policies would reduce potential impacts to less-than-significant levels. The project would have no new significant or substantially more severe or peculiar site-specific impacts to geology and soil resources, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental document. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact than discussed in the 2010 General Plan EIR. Accordingly, no additional review is required.

8 Greenhouse Gas Emissions

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	■	☐	■	☐
b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	■	☐	■	☐

Analysis in Previous Environmental Documents

The 2010 General Plan EIR analyzes greenhouse gas (GHG) emissions on pages 4.16-1 through 4.16-44 and concludes that impacts would be less than significant with the incorporation of Mitigation Measure BIO-1.9 and the following mitigation measures:

Mitigation Measure CC-1a

Revise Policy OS-10.11 as follows: OS-10.11 - Within 24 months of the adoption of the General Plan, Monterey County will develop a Greenhouse Gas Reduction Plan with a target to reduce emissions by 2020 by 28 percent relative to estimated "business as usual" 2020 emissions. At a minimum, the Plan shall:

a. establish an inventory of current (2006) GHG emissions in the County of Monterey including but not limited to residential, commercial, industrial and agricultural emissions;

b. forecast GHG emissions for 2020 for County operations;

c. forecast GHG emissions for areas within the jurisdictional control of the County for "business as usual" conditions;

d. identify methods to reduce GHG emissions;

e. quantify the reductions in GHG emissions from the identified methods;

f. requirements for monitoring and reporting of GHG emissions;

g. establish a schedule of actions for implementation;

h. identify funding sources for implementation; and

i. identify a reduction goal for the 2030 Planning Horizon.

During preparation of the Greenhouse Gas Reduction Plan, the County shall also evaluate potential options for changes in County policies regarding land use and circulation as necessary to further achieve the 2020 and 2030 reduction goals and measures to promote urban forestry and public awareness concerning climate change.

Mitigation Measure CC-2

OS-10.12 - Within 24 months of the adoption of the General Plan, the County shall adopt a Green Building Ordinance to require green building practices and materials for new civic buildings and new private residential, commercial, and industrial buildings that will include, but are not limited to, the following: County of Monterey Planning and Building Inspection Department Environmental Impacts Climate Change Draft Environmental Impact Report Monterey County 2007 General Plan Monterey County, California 4.16-31 September 2008 J&S 00982.07

- All new County government projects and major renovations shall meet, at a minimum, LEED-Silver standards or an equivalent rating system
- All new commercial buildings shall be certified under the LEED rating system for commercial buildings or an equivalent rating system.
- All new residential projects of 6 units or more shall meet the GreenPoint Rating System for residential buildings, or an equivalent alternate rating system.
- The County shall require consideration of solar building orientation, solar roofs, cool pavements, and planting of shade trees in development review of new commercial and industrial projects and new residential projects of 6 units or more.
- Prioritized parking within new commercial and retail areas for electric vehicles, hybrid vehicles, and alternative fuel vehicles shall be provided for new commercial and institutional developments.
- New commercial and industrial projects greater than 25,000 square feet shall be required to provide on-site renewable energy generation as part of their development proposal. This requirement can be met through a solar roof or other means.

Mitigation Measure CC-3

OS-10.13: The County shall use Geographic Information Systems (GIS) to map and assess local renewable resources, the electric and gas transmission and distribution system, community growth areas anticipated to require new energy services, and other data useful to deployment of renewable technologies. The County shall adopt an Alternative Energy Promotion ordinance that will:

- identify possible sites for production of energy using local renewable resources such as solar, wind, small hydro, and, biogas;
- consider the potential need for exemption from other General Plan policies concerning visual resources, ridgeline protection, biological resources;
- evaluate potential land use, environmental, economic, and other constraints affecting renewable energy development; and

- adopt measures to protect both renewable energy resources, such as utility easement, right-of-way, and land set-asides as well as visual and biological resources.

The County shall also complete the following:

- Evaluate the feasibility of Community Choice Aggregation (CCA) for the County. CCA allows cities and counties, or groups of them, to aggregate the electric loads of customers within their jurisdictions for purposes of procuring electrical services. CCA allows the community to choose what resources will serve their loads and can significantly increase renewable energy.
- If CCA is ultimately not pursued, the County shall evaluate the feasibility of purchasing renewable energy certificates to reduce the County's contribution to GHG emissions related to County electricity use.
- The County shall develop a ministerial permit process for approval of small-scale wind and solar energy systems for on-site home, small commercial, and farm use.

Mitigation Measure CC-4

PS-5.5: The County shall promote waste diversion and recycling and waste energy recovery as follows:

- The County shall adopt a 75% waste diversion goal.
- The County shall support the extension of the types of recycling services offered (e.g., to include food and green waste recycling).
- The County shall support waste conversion and methane recovery in local landfills to generate electricity.
- The County shall support and require the installation of anaerobic digesters for winery facilities and wastewater treatment facilities under County jurisdiction.

Mitigation Measure CC-5

Within 12 months of adoption of the General Plan, the County shall quantify the current and projected (2020) GHG emissions associated with County operations and adopt a GHG Reduction Plan for County Operations. The goal of the plan shall be to reduce GHG emissions associated with County Operations by at least 28% relative to BAU 2020 conditions. Potential elements of the County Operations GHG Reduction Plan shall include, but are not limited to, the following measures: an energy tracking and management system; energy-efficient lighting; lights-outat-night policy; occupancy sensors; heating, cooling and ventilation system retrofits; ENERGY STAR appliances; green or reflective roofing; improved water pumping energy efficiency; central irrigation control system; energy-efficient vending machines; preference for recycled materials in purchasing; use of low or zero-emission vehicles and equipment and recycling of construction materials in new county construction; conversion of fleets (as feasible) to electric and hybrid vehicles; and solar roofs.

Mitigation Measure CC-12

In parallel with the development and adoption of the 2030 General Plan, Monterey County will develop and adopt a Greenhouse Gas Reduction Plan with a target to reduce 2050 GHG emissions by 80 percent relative to 1990 emissions. At a minimum, the Plan shall establish an

inventory of current (2030) GHG emissions in the County of Monterey; forecast GHG emissions for 2050 for County operations and areas within the jurisdictional control of the County; identify methods to reduce GHG emissions; quantify the reductions in GHG emissions from the identified methods; identify requirements for monitoring and reporting of GHG emissions; establish a schedule of actions for implementation; and identify funding sources for implementation.

Mitigation Measure CC-13

Monterey County shall prepare and implement a Climate Change Preparedness Plan to prepare proactively for the impacts of climate change to the County's economy and natural ecosystems and to promote a climate resilient community. A useful guide to climate resiliency planning is Preparing for Climate Change: A Guidebook for Local, Regional, and State Governments. (The Climate Impacts Group, King County, Washington, and ICLEI – Local Governments for Sustainability 2007), which outlines the following steps:

- Scope the climate change impacts to major County sectors and building and maintain support among stakeholders to prepare for climate change.
- Establish a climate change preparedness team.
- Identify planning areas relevant to climate change impacts.
- Conduct a vulnerability assessment based on climate change projections for the region, the sensitivity of planning areas to climate change impacts, and the ability of communities to adapt to climate change impacts
- Conduct a risk assessment based on the consequences, magnitude, and probability of climate change impacts, as well as on an evaluation of risk tolerance and community values.
- Establish a vision and guiding principles for climate resilient communities and set preparedness goals in priority planning areas based on these guiding principles.
- Develop, select, and prioritize possible preparedness actions.
- Identify a list of important implementation tools
- Develop an understanding of how to manage risk and uncertainty in the planning effort.
- Develop measures of resilience, and use these to track the results of actions over time
- Review assumptions and other essential information to ensure that planning remains relevant to the most salient climate change impacts.
- Update plans regularly. Potential areas of emphasis for preparedness planning may include risk of wildfires, agricultural impacts, flooding and sea level rise, salt water intrusion; and health effects of increased heat and ozone, through appropriate policies and programs. Potential implementation steps could include adopting land use designations that restrict or prohibit development in areas that may be more severely impacted by climate change, e.g., areas that are at high risk of wildfire, sea level rise, or flooding; adoption of programs for the purchase or transfer of development rights in high risk areas to receiving areas of equal or greater value; and support for agricultural research on locally changing climate conditions. To be effective, preparedness planning needs to be an ongoing commitment of the County. The first plan shall be completed no

later than 5 years after the adoption of the General Plan and shall be updated at least every 5 years thereafter.

Mitigation Measures presented in the 2010 General Plan EIR would not be applicable to the project as they are either programmatic or are applicable to the County as an agency.

Project-specific Impacts

a. Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?

b. Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

The project involves the construction of a 12-pump gas service station, a 3,077 square-foot convenience store, access roads, driveways, and minor site improvements. Temporary construction-related emissions would result from the use of construction equipment. Monterey County does not currently have an adopted GHG reduction plan with numerical reduction targets for individual uses and developments. The County of Monterey is in the process of developing a Community Climate Action and Adaptation Plan (CCAAP) to reduce GHG emissions within the unincorporated county area. In October 2024, a Final Greenhouse Gas Emissions Inventory Report was prepared for the County's CCAAP (Source: .25). The CCAAP is intended to align with the requirements of the County's 2010 General Plan, as well as State mandates, and will serve to reduce GHG emissions for target years 2030 and 2045. The long-term target year of 2045 was chosen to align with the statewide carbon neutrality goal expressed in Executive Order B-55-18.

General Plan policies contain direction for the preparation of such a plan, with guidance on what goals or measures should be accomplished in the development of a plan. The 2010 General Plan includes policies associated with commercial development, including Policy LU-4.2, where the County is required to designate sufficient land for commercial activities to support and serve the projected population while minimizing conflicts between commercial and other uses. The placement of the gas station and convenience store at the project site is also consistent with nearby land uses – with a corner market located across the street – as well as consistent with Goal LU-4 and Policy LU-4.2, which encourages commercial development near major residential areas and transportation routes. The project is located approximately 1,000 feet from the nearest residence, to the southwest of the site; approximately 2.5 miles east of a residential and commercial area, including the Laguna Seca Raceway; and approximately 1.1 mile southwest of a residential area. Additionally, the project is located directly adjacent to SR 68, as well as Corral Del Tierra Road, a major arterial roadway.

The project would be consistent with Policy OS-10.10 in the Conservation and Open Space Element of the 2010 General Plan, which states that future development shall be designed to maximize energy efficiency to the extent feasible and accommodate energy infrastructure (i.e., transmission lines, power plants and pipelines, and fueling stations). Since the project is a fueling station, it supports the development of energy infrastructure. The project is also consistent with Policy OS-10.7, which encourages the use of the best available technology for reducing air pollution, and thus GHG emissions. As stated in MBARD's *CEQA Air Quality Guidelines*, Best Available Control Technology above-and-beyond District rules and requirements is encouraged to be applied to sources of air pollutant emissions. Furthermore, the project would comply with California Building Energy Efficiency Standards, which require green building features such as energy-efficient lighting

to be installed on-site. Therefore, the proposed project would not conflict with the policy direction contained in the General Plan. Therefore, impacts would be less than significant.

The project would not substantially increase population, as it is not a residential development but rather a commercial fueling station with a convenience store attached, and would therefore not increase the local permanent population. The project would result in a minimal increase in demand for electricity, heat, and other utilities that create GHG emissions in production. Additionally, the proposed project would comply with General Plan policies, as described above, which would reduce the GHG emissions associated with project energy demands. As discussed in Section VI.17, Transportation, the project would not substantially increase vehicle trips compared to existing conditions. Therefore, the proposed project would not result in a substantial increase in operational GHG emissions or conflict with the County's Final Greenhouse Gas Emissions Inventory Report or the Association of Monterey Bay Area Governments' 2045 Metropolitan Transportation Plan/Sustainable Communities Strategy (Source: .25, 26).

There is no established quantitative GHG threshold for this jurisdiction. Even so, GHG emissions estimates are summarized below in Table 3 for project construction and operation for informational purposes using CalEEMod. Construction emissions are amortized over a 30-year period.

Table 3 Estimated Maximum Daily Operational Emissions (tons per year)

Source	GHG Emissions
Construction	5
Operation	1,198
Total	1,203

Notes: All numbers have been rounded to the nearest whole number. Emissions presented are the highest of the winter and summer modeled emissions. Emissions data is pulled from mitigated results. Numbers may not add up due to rounding. Construction emissions are averaged over a period of 30 years.

Source: See Source 15 for CalEEMod calculations and assumptions.

The proposed project's short-term construction and long-term operational GHG emissions would be minimal and would not have a significant impact on the environment. Since the proposed project's GHG emissions would be minimal, the proposed project would not result in emissions that would conflict with an applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions.

Impacts would be less than significant. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR.

Conclusion

The project would comply with applicable state and County standards for green building and GHG emissions reductions. The project would have no new significant or substantially more severe or peculiar site-specific impacts to GHG, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior

environmental document. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact than discussed in the 2010 General Plan EIR. Accordingly, no additional review is required.

9 Hazards and Hazardous Materials

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	■	☐	■	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	■	☐	■	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	☐	☐	☐	■	■
d. Be located on a site that is included on a list of hazardous material 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?	☐	☐	■	■	☐

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
e. For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	■	■
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	■	■
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	■	☐	■	☐

Analysis in Previous Environmental Documents

The General Plan EIR discusses hazardous materials impacts on pages 4.13-1 through 4.13-31, and finds that impacts related to hazards and hazardous materials use in the County would be less than significant.

The following describes the analysis included in the previous environmental document (the 2010 General Plan EIR) and also provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located, 2) were not previously analyzed in a previous environmental documents as significant effects, 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents, and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

Project-specific Impacts

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

b. Would the project 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?

Project construction would require the use of heavy equipment and machinery, such as trucks and pavers, the operation of which could result in a spill or accidental release of hazardous materials, including fuels, engine oil, engine coolant, and lubricants. The transport, storage, labeling, use, and disposal of any hazardous materials would be subject to federal, state, and local regulations, which would minimize risks associated with hazardous materials used during construction. Therefore, the potential to create a significant hazard to the public or environment from the use of fuels, engine oil, engine coolant, and lubricants during construction would be less than significant.

Operation of the gas station would include the use, transport, and handling of hazardous materials. Specifically, operation would include the regular transportation of gasoline, refilling underground storage tanks, pumping gasoline to fuel dispensers, and the use of the fuel dispensers by motorists. As a result, the proposed project could result in potentially adverse impacts to people and the environment as a result of hazardous materials being accidentally released into the environment (e.g. operators or motorists could spill gasoline while refueling, underground storage tanks or pipes dispensing fuel from underground storage tanks could leak, automobiles could crash into fuel dispensers, or motorists could refuel while having engine running causing a fire hazard).

However, the proposed project would be required to operate in compliance with all applicable federal, state, and local requirements that reduce the potential for these impacts. Some of these regulations include:

- State Water Resources Control Board Health and Safety Code, Section 25280, underground storage tanks installed after 1988 are required to have a leak detection system consisting of at least one of the following detection methods: secondary containment with interstitial monitoring, automatic tank gauging systems (including continuous automatic tank gauging systems), vapor monitoring (including tracer compound analysis), groundwater monitoring, statistical inventory reconciliation, or other method meeting established performance standards.
- Efficacy requirements established by the United States Environmental Protection Agency (USEPA) require that leak detection methods be able to detect certain leak rates and that they also give the correct answer consistently. In general, methods must detect the specified leak rate with a probability of detection of at least 95 percent and a probability of false alarm of no more than 5 percent. USEPA found that, with effective leak detection, operators can respond quickly to signs of leaks and minimize the extent of environmental damage and the threat to human health and safety.
- Underground storage tanks and associated fuel delivery infrastructure (i.e., fuel dispensers) would be required to comply with applicable federal, state, and local regulations, including those provisions established by Section 2540.7, Gasoline Dispensing and Service Stations, of the California Division of Occupational Safety and Health Administration Regulations; Chapter 38, Liquefied Petroleum Gases, of the California Fire Code; and the Resource Conservation and Recovery Act.

- The proposed project would also be required to incorporate high-efficiency Phase I and Phase II enhanced vapor recovery (EVR) systems to capture and control gasoline fumes. EVR refers to a new generation of equipment to control emissions at gasoline dispensing facilities in California. EVR systems collect gasoline vapors that would otherwise escape into the atmosphere during bulk fuel delivery (Phase I) or fuel storage and vehicle refueling (Phase II). Since 2009, the installation of Phase I and Phase II EVR systems has been required for gasoline dispensing facilities.
- The fuel dispensers, underground storage tanks, and associated fuel delivery infrastructure would be subject to routine inspection by federal, state, and local regulatory agencies with jurisdiction over service station facilities.
- The handling, transport, use, and disposal of fuel and fuel additives must comply with applicable federal, state, and local agencies and regulations.

Compliance with applicable state and federal laws and regulations would reduce potential impacts associated with the routine transport, use, or disposal of hazardous materials or the release of hazardous materials into the environment. Additionally, no known oil or gas wells exist within the project site per California Department of Conservation, Division of Geologic Energy Management records.

Overall, impacts would be less than significant. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

The proposed project is not within 0.25 mile of a school. The nearest school to the project site is San Benancio Middle School, which is approximately 0.5 mile east of the project site. No new schools are proposed within 0.25 mile of the site. As discussed under thresholds a and b above, the project would not result in a hazard to the public or the environment, and the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials within 0.25 mile of an existing or proposed school.

There would be no impact. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR.

d. Would the project be located on a site that is included on a list of hazardous material 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?

A search of the Department of Toxic Substances Control EnviroStor Database and the State Water Resources Control Board GeoTracker Database was conducted in October 2024 (Source: .27, 28). The search identified the project site is located on a former hazardous materials site, and the convenience store property west of the project site across Corral de Tierra Road is also a former hazardous materials site (Source: .28). The project site was previously developed as a gas station, which ceased operation in 2002. In October 2002, the previous gas station's fuel pumps and underground storage tanks were removed, and contaminated soil remediation was undertaken with the regulatory oversight of the Central Coast RWQCB. The Central Coast RWQCB issued a case closure on March 24, 2020, indicating remediation and corrective action have been completed to the satisfaction of the Central Coast RWQCB and no further action is required (Source 4). Pursuant

to the Central Coast RWQCB's case closure, the project applicant is required to notify the Central Coast RWQCB and the Monterey County Environmental Health Bureau prior to grading, excavation, or dewatering activities at the project site, and obtain applicable hazardous materials permits from the Monterey County Environmental Health Bureau. Accordingly, the applicant would comply with these requirements to ensure all activities are conducted in accordance with regulatory standards. Furthermore, if excavated soils contain hazardous materials, they must be stored, transported, and disposed of in accordance with regulations established in California Health and Safety Code Division 20 Chapter 6.5. In addition, remediation and corrective action was completed on the adjacent convenience store property west of the project site, and the Central Coast RWQCB issued a case closure on October 30, 2017 (Source: .29). Accordingly, construction and operation of the project would not create a significant hazard to the public or the environment associated with a hazardous materials site.

Impacts would be less than significant. The project would not result in substantially more severe adverse impacts than discussed in the 2010 General Plan EIR.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

The nearest airport is the Monterey Regional Airport, which is approximately 5.8 miles west of the project site. The project site is not near an airport or within an airport land use plan. Therefore, the project would not result in a safety hazard or excessive noise for people in the project area.

There would be no impact. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR.

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

County of Monterey Office of Emergency Services has developed an Emergency Operations Plan, last updated in 2020, which contains response and recovery protocols for several types of natural, technical, and human-caused emergencies. The Emergency Operations Plan outlines the roles and responsibilities of the County and partnering entities during emergency responses (Source: .30). Construction of the proposed project would not result in lane closures on SR 68 and would not create new obstructions to the County's identified evacuation routes within the Emergency Operations Plan. In addition, the proposed project would not result in inadequate emergency access as project plans are subject to review and approval by Monterey County Regional Fire Protection District during the permit process. The grading and construction plans would require implementation of fire protection safety features, including emergency access. Therefore, the proposed project would not impair implementation of or physically interfere with an adopted emergency response or evacuation plan.

No impact would occur. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan.

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

The California Department of Forestry and Fire Protection (CAL FIRE) Fire Hazard Severity Zone (FHSZ) Map indicates the potential fire risk for areas within the state. The project site is located

within a Moderate FHSZ in an area designated as a State Responsibility Area (Source: .31). Refer to Section VI.20, Wildfire, for additional detail regarding wildfire risk at the project site. As discussed therein, the project would not expose people or structures to a significant risk involving wildland fires. Furthermore, the proposed project does not include residences, and would be required to comply with the applicable fire safety provisions of the CBC, thereby reducing the risk of damage from fire to the maximum extent practicable. Therefore, the project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Impacts would be less than significant. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR. Refer to Section 20, *Wildfire*, for additional discussion of potential impacts related to wildfire.

Conclusion

The project would not involve development in areas not analyzed previously in the 2010 General Plan EIR. The project would not have new significant or substantially more severe or peculiar site-specific impacts regarding hazards and hazardous materials with regulatory requirements and mitigation measures in place, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental document. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact than discussed in the 2010 General Plan EIR. Accordingly, no additional review is required.

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10 Hydrology and Water Quality

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	■	☐	■	■
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	■	☐	■	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					
(i) Result in substantial erosion or siltation on- or off-site;	☐	■	☐	■	☐

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	■	☐	■	☐
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	■	☐	■	☐
(iv) Impede or redirect flood flows?	☐	■	☐	■	☐
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	■	■	☐
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	■	☐	■	☐

Analysis in Previous Environmental Documents

The General Plan EIR discusses hydrology and water quality impacts on pages 4.3-1 through 4.3-196, and concludes that impacts related to degraded water quality, wastewater disposal, well interference, alteration of drainage patterns, increased flood risk, development within flood hazard areas, and failure of levees or dams would be less than significant.

Impacts related to potable water supply, water supply infrastructure, groundwater supplies, groundwater recharge would be significant and unavoidable after implementation of the following mitigation:

Mitigation Measure WR-1

The County will revise the draft 2007 General Plan to include the following new policy: PS-3.16. The County will participate in the Water for Monterey County Coalition, or similar regional group, for the purpose of identifying and supporting a variety of new water supply projects, water management programs, and multiple agency agreements that will provide additional domestic water supplies for the Monterey Peninsula and Seaside basin, while continuing to protect the Salinas and Pajaro River groundwater basins from saltwater intrusion. The County's general objective, while recognizing that timeframes will be dependent upon the dynamics of the regional group, will be to complete the cooperative planning of these water supply alternatives within five years of adoption of the General Plan and to implement the selected alternatives within five years after that time.

Mitigation Measure WR-2

The County will revise the draft 2007 General Plan to include the following new policies: PS-3.17. The County will pursue expansion of the SVWP by initiating investigations of the capacity for the Salinas River water storage and distribution system to be further expanded. This shall also include investigations of expanded conjunctive use, use of recycled water for groundwater recharge and seawater intrusion barrier, and changes in operations of the reservoirs. The County's overall objective is to have an expansion planned and in service by 2030. PS-3.18. The County will convene and coordinate a working group made up of the Salinas Valley cities, the MCWRA, and other affected entities for the purpose of identifying new water supply projects, water management programs, and multiple agency agreements that will provide additional domestic water supplies for the Salinas Valley. These may include, but not be limited to, expanded conjunctive use programs, further improvements to the upriver reservoirs, additional pipelines to provide more efficient distribution, and expanded use of recycled water to reinforce the hydraulic barrier against seawater intrusion. The County's objective will be to complete the cooperative planning of these water supply alternatives by 2020 and have projects online by 2030.

The following describes the analysis included in the previous environmental document (the 2010 General Plan EIR) and also provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located, 2) were not previously analyzed in a previous environmental documents as significant effects, 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents, and 4) are now determined to have

a more severe impact than discussed in the previous environmental documents due to substantial new information.

Project-specific Impacts

This discussion incorporates information from the Hydrogeological Report prepared by Luhdorff & Scalmanini Consulting Engineers dated August 2024 (County of Monterey Library No. LIB250095) (Source: .32) and the Preliminary Stormwater Control Plan prepared by Whitson Engineers dated September 2023 (County of Monterey Library No. LIB230294) (Source: .33).

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

The General Plan EIR concluded that with compliance with existing regulations, and General Plan policies, impacts related to water quality and waste discharge associated with General Plan implementation would be less than significant. Construction of the project would involve grubbing/land clearing, underground fuel tank installation, and grading and excavation within the 1.43-acre project site. Ground-disturbing activities have the potential to increase erosion and subsequent sediment transport downstream either overland or within watercourses. Disturbed sediment could enter nearby watercourses, such as El Toro Creek, and increase turbidity and alter of channel characteristics which could contribute to water quality impairments and reduce beneficial uses.

As discussed in Section 7, *Geology and Soils*, applicants and/or developers are required to prepare erosion control plans that detail appropriate methods to prevent and/or minimize erosion during all phases of a new project in accordance with Monterey County Code Chapter 16.12. Monterey County Code Sections 16.12.080 and 16.12.090 outline construction erosion control measures, including but not limited to temporary planting to stabilize stockpiled soils and drainage filtration and protection. Section 16.12.090 also prohibits land clearing operations between October 15th and April 15th unless specific authorization is given, and requires runoff from sites to be detained or filtered by berms, vegetation filter strips, or catch basins to prevent the escape of sediment from the site. Monterey County Code Section 16.12.070 outlines required erosion control measures for project operation, which include but is not limited to, retaining runoff at pre-development levels or controlling runoff over non-erodible surfaces such that the rate of runoff does not exceed pre-development levels. As required by County code and a standard condition of approval, prior to issuance of a grading and/or construction permit, the applicant would be required to submit an erosion control plan, that identifies BMPs to be implemented onsite, to HCD-Environmental Services for review and approval. Measures that would be taken to reduce potential erosion and sedimentation include adherence to Chapter 16.08 Monterey County Code, which sets forth rules and regulations to control all grading, including excavations, earthwork, road construction, fills and embankments, establishes the administration procedure for issuance of permits; and provides for approval of plans and inspections of grading construction. These requirements would prevent and minimize potential erosion, sedimentation, and spills which could impact water quality on the project site.

Impacts would be less than significant. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR.

b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The project site overlies the Monterey Subbasin of the Salinas Valley Groundwater Basin, and was previously developed as a gas station that was demolished in 2002 and has since been vacant. The project site is within the region of the Central Coast RWQCB, which regulates sources of water quality-related issues resulting in actual or potential impairment or degradation of beneficial uses, or the overall degradation of water quality. As the proposed gas station portion of the site is already largely paved, the project would minimally increase impervious surface areas on the site through the introduction of the proposed access road; the site of the fueling station and convenience store is already paved. Precipitation falling onto the project's paved areas would run off to the pervious ground to the south and east of the site, or onto Corral de Tierra Road or SR 68, where it would follow existing drainage patterns to flow into storm drains or infiltrate into the groundwater basin. The water quality objectives in the Water Quality Control Plan for the Central Coast RWQCB are enforced through state and RWQCB policies, with which the project would be required to comply, such as the implementation of BMPs that would limit indirect discharges to groundwater. In addition, the Preliminary Stormwater Control Plan for the project includes several stormwater control measures, including but not limited to graded depressions in the project site, which would comply with County drainage requirements and would facilitate infiltration and retention of storm runoff in 95th percentile storm event (Source: .33). Consequently, the project would not conflict with or obstruct implementation of a water quality control plan.

As discussed in Section 19,*Utilities and Service Systems* and in *Project Description*, the project would require approximately 0.84 acre-feet per year of water for convenience store operation and landscaping, which would be provided by an existing on-site well (transient-non-community water system) that draws water from the Corral de Tierra and Monterey Subbasin. This well is located in the southwestern corner of the project site and would be protected in place during construction. The Salinas Valley Basin Groundwater Sustainability Agency and the Marina Coast Water District Groundwater Sustainability Agency adopted the Groundwater Sustainability Plan (GSP) for the Monterey Subbasin in January 2022. The GSP outlines historical and current groundwater conditions of the Monterey Subbasin and establishes a water budget and sustainability goals for the basin. The Monterey Subbasin has been affected by historic overdraft conditions. However, groundwater budgets and modeling presented in the GSP indicate the subbasin is recovering from overdraft, including with consideration to the effects of climate change (Source: .34). Overdraft recovery is being achieved through coordinated management of the Monterey Subbasin and hydrologically connected basins including the critically overdrafted 180/400-Foot Aquifer Subbasin and the adjudicated Seaside Subbasin (Source: .34).

The El Toro Planning Area includes five Subareas and is based on local topographic drainage divides which include: Calera Creek, Watson Creek, Corral de Tierra, San Benancio Gulch, and El Toro Creek. The water supply for the El Toro Planning Area is derived from groundwater for which the Subareas are hydrogeologically connected. The project site is within the Corral de Tierra Subbasin in the greater El Toro Planning Area, which also includes the El Toro Primary Aquifer System ("Primary Aquifer System"). This Corral de Tierra subbasin has been combined with part of Seaside Basin to create the Monterey Subbasin of the County of Monterey GSA. The Primary Aquifer System is considered to be in overdraft; however, previous technical studies have shown that current and

increasing rates of pumping could be sustained for decades in areas with suitable saturated thickness in the Primary Aquifer System (Source: .43). The Project site has a sufficient saturated thickness of the formation (401-600 feet deep [note: thicker saturated zones generally lead to greater groundwater storage capacity and higher potential for water extraction]) to support the proposed development, and is in an area known to have a "good" potential for groundwater production. Based on a previous El Toro Groundwater Study prepared by Geosyntec for the County of Monterey Water Resources Agency (MCWRA) (Source: .43)), groundwater levels beneath the Project site have not changed significantly in almost 50 years (1960-2006). Further, groundwater elevation data provided by MCWRA for the closest monitoring wells (Station ID Nos. 16S/02E-03A01 and 16S/02E-02D01) to the subject project site indicate that historical groundwater elevations have a slight negative trend (0 to 1 feet) in groundwater elevations from 1990 to 2006, with some oscillation in the groundwater elevation that somewhat correlates with drought periods (Source: .43) .

The Hydrogeological Report prepared for the project compares the water consumption of the site's former use (a fueling station with a convenience store and real estate office) to the projected water consumption associated with the project. The previous water demand of the site was identified to be 1.215 acre-feet per year. In comparison to historical water demand, the Hydrogeological Report concluded that the project would result in a net decrease in water usage, as only 0.84 acre feet of water is estimated to be demanded annually. When compared to baseline conditions (current conditions), there would be an increase in water demand by 0.84 acre feet per year. However, the Hydrogeological Report concluded the project would be a "de minimis extractor" as defined by California Water Code Section 10721(e), as it would involve extracting less than two acre-feet of water per year (Source: .32). Therefore, the proposed water demand would also have a de minimis impact on the Corral de Tierra Subbasin & Salinas Valley – Monterey Subbasin groundwater levels. Furthermore, the Monterey Subbasin GSP estimates historical annual well pumping in the Corral de Tierra Area at 1,296 AFY (Source 32). The additional net groundwater extraction proposed by the project would account for less than 0.064% of all pumping in the area and thus amounts to a negligible impact on surrounding groundwater users and operation of the subbasin as a whole (Source: .32). Therefore, the proposed project would not substantially decrease groundwater supplies and evidence has been submitted demonstrating a long-term sustainable water supply, as required by General Plan Policy PS-3.2.

Further, the proposed project would be consistent with the Monterey County 2010 General Plan policies related to water supply, including General Plan Policy PS-2.8, which requires projects be designed to maintain or increase the site's pre-development absorption of rainfall (minimize runoff), and to recharge groundwater where appropriate. The proposed project would not significantly alter the existing impervious surfaces of the site and would be designed to minimally alter existing drainage patterns and would be consistent with the Monterey County 2010 General Plan. Additionally, the proposed project would not alter population projections or demand rate assumptions used to create the groundwater budgets in the GSP. Therefore, the proposed project would not interfere with overdraft recovery projected in the GSP, or with sustainable management of the Monterey Subbasin through implementation of the GSP. Therefore, the project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project would impede sustainable groundwater management of the basin or conflict with a sustainable groundwater management plan.

Impacts would be less than significant. The project would have no impacts beyond those previously identified in the 2010 General Plan EIR.

c.(i) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site?

c.(ii) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

c.(iii) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would 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?

c.(iv) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?

As discussed under threshold (b), the project would result in a minimal alteration of drainage patterns at the project site by introducing a new access road. As discussed above and under Geology and Soils threshold (b), project construction would not result in substantial erosion as the project would be required to comply with Monterey County Code Chapter 16.12, *Erosion Control*. As the proposed gas station portion of the site is already largely paved, impervious surfaces would only be added to the site in the footprint of the access road. Precipitation falling onto the project's paved areas would run off to the pervious ground to the south and east of the site, or onto Corral de Tierra Road or SR 68, where it would follow existing drainage patterns to flow into storm drains or infiltrate into the groundwater basin. In addition, the Preliminary Stormwater Control Plan for the project includes several stormwater control measures, including but not limited to graded depressions in the project site, which would comply with County drainage requirements and would facilitate infiltration and retention of storm runoff in 95th percentile storm event (Source: .33).

Further, the project would not interfere with flooding patterns because the project site is not located with a floodplain or flood hazard area (Source: .35). As a result, the project would not alter existing drainage patterns of the project site in a manner which would result in substantial erosion, increase flooding on or off site, provide substantial additional sources of pollutant runoff, or impede or redirect flood flows.

Impacts related to existing drainage patterns would be less than significant. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR.

d. Would the project risk release of pollutants due to project inundation in a flood hazard, tsunami, or seiche zone?

According to the Federal Emergency Management Agency flood insurance maps, the project site is not located within an identified 100-year flood hazard area, and thus would not expose people or structures to a significant risk of loss, injury or death involving flooding (Source: .35). The project site is also not proximate to a body of water subject to seiche, and is several miles from the Pacific Ocean and is not at risk of tsunami.

There would be no impact. The project would not result in substantially more severe adverse impacts than discussed in the 2010 General Plan EIR.

Conclusion

The project would have no new significant or substantially more severe or peculiar site-specific impacts to hydrology and water quality, nor are there potentially significant off-site impacts, cumulative impacts, or previously identified significant effects that not discussed in the prior environmental document. Furthermore, there are no previously identified significant effects which as a result of substantial new information not known at the time of the previous environmental review have been determined to have a more severe adverse impact than those discussed in the 2010 General Plan EIR. Accordingly, no additional review is required.

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11 Land Use and Planning

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Physically divide an established community?	☐	☐	■	■	☐
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	■	☐	■	☐

Analysis in Previous Environmental Documents

The General Plan EIR addresses land use and planning impacts on pages 4.1-1 through 4.1-30. The analysis therein states that General Plan implementation would not create impacts on land use due to the division of an established community or potential conflicts with a land use plan. The General Plan is a comprehensive update to the existing 1982 General Plan. As a comprehensive planning document, it establishes land use concepts and sets forth goals and policies to guide future development and preserve natural and agricultural areas from urban encroachment. Inherently, the goals and policies of the General Plan must be internally consistent with each other as well as with the supplemental policies of each Area Plan.

The following describes the analysis included in the previous environmental document (the 2010 General Plan EIR) and also provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located, 2) were not previously analyzed in a previous environmental documents as significant effects, 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents, and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

Project-specific Impacts

a. Would the project physically divide an established community?

The project site is situated on a previously developed site, surrounded by open space, low density residential land uses, and commercial properties. Construction of the proposed fueling station and

convenience store would be consistent with the site's previous and adjacent land uses, and would not cut off connected neighborhoods or land uses from each other. No new roads, linear infrastructure, or other development features are proposed that would divide an established community or limit movement, travel or social interaction between established land uses. Project construction would not physically divide an established community. The project would not result in substantially more severe adverse impacts than discussed in the 2010 General Plan EIR.

b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The project site is zoned as Light Commercial/Building Site. The project site is also within the B-8 Zoning District. Pursuant to Section 21.42.030 of Monterey County Code, the purpose of the B-8 District is to restrict development and/or intensification of land use in areas where, due to water supply, water quality, sewage disposal capabilities, traffic impacts or similar measurable public-facility type constraints, additional development and/or intensification of land use is found to be detrimental to the health, safety, and welfare of the residents of the area, or the County as a whole. The project site is also within a Design Control Zoning District, where design approval is required to assure protection of a public viewshed. Additionally, as shown in Table 4, the proposed project would be consistent with land use policies as outlined the Monterey County 2010 General Plan.

Table 4 Project Consistency with Monterey County 2010 General Plan Policies

Policy	Consistency
Policy LU-1.13: All exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range visibility is reduced of the lighting source, and off-site glare is fully controlled. Criteria to guide the review and approval of exterior lighting shall be developed by the County in the form of enforceable design guidelines, which shall include but not be limited to guidelines for the direction of light, such as shields, where lighting is allowed.	**Consistent.** As conditioned, the project would be required to comply with Monterey County Code Section 21.63.020, which establishes design guidelines for exterior lighting. The design guidelines require exterior lighting to be unobtrusive, reduce off-site glare, and light only the intended area. The project would not introduce a substantial amount of new light and glare to the project area.
Policy LU-4.2: The County shall designate sufficient land for commercial activities to support and serve the projected population while minimizing conflicts between commercial and other uses.	**Consistent.** The project would support the existing population by providing a fueling station, serving the existing population and future population growth. Additionally, the project would be consistent with commercial uses to the west.
Policy LU-4.3: Commercial uses shall be developed in a compact manner.	**Consistent.** The project would involve development of a fueling station and convenience store on a 0.7-acre site.
Policy LU-4.8: Commercial areas shall be designated in locations that offer convenient access.	**Consistent.** The project is located directly adjacent to SR 68 with direct access from Corral de Tierra Road, ensuring convenient access for the Corral de Tierra neighborhood and greater Toro community.

As shown in Table 5, the proposed project would adhere to the Toro Area Plan policies related to land use, aesthetics, and transportation. The project would be consistent with the rural nature of the Toro Area and would not conflict with the Toro Area Plan (Source: .3).

Table 5 Project Consistency with Toro Area Plan Policies

Policy	Consistency
Policy T-1.2: Industrial land uses other than utilities shall not be permitted in the Toro area.	**Consistent.** The project would facilitate the development of a fueling station and convenience store. The project does not propose any industrial land uses.
Policy T-2.4: Improvement of Highway 68 intersections, construction of alternate passing lanes, public transit roadway improvements, and improved bicycle safety measures should be undertaken at the earliest time that funding becomes available.	**Consistent.** The project would extend the west bound left turn lane at the SR 68 and Corral de Tierra Road intersection, addressing known and project-related queuing delays. The proposed project would be consistent with future improvements to the SR 68 and Corral de Tierra Road intersection.
Policy T-3.1: Within areas designated as "visually sensitive" on the Toro Scenic Highway Corridors and Visual Sensitivity Map (Figure 16), landscaping or new development may be permitted if the development is located and designed (building design, exterior lighting, and siting) in such a manner that will enhance the scenic value of the area. Architectural design consistent with the rural nature of the Plan area shall be encouraged.	**Consistent.** The convenience store would be visually consistent with the rural nature of the Toro Area, and the fueling station would not conflict with the highway corridor setting of the project site. The project's proposed landscaping includes shrubs, groundcover, and native trees, which would introduce vegetation similar to the surrounding area to the project site. With these design features, the project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings.
Policy T-3.5: Exterior/outdoor lighting shall be located, designed, and enforced to minimize light sources and preserve the quality of darkness. Street lighting shall be as unobtrusive as practicable and shall be consistent in intensity throughout the Toro area.	**Consistent.** The project would introduce new sources of light and glare consistent with existing sources of light and glare from the nearby residences, existing convenience store, and vehicles traveling on Laureles Grade and SR 68, and the project would not introduce a substantial amount of new light and glare to the project area.

With approval of the project's Use Permit, Design Approval, and Variances, the project would be consistent with zoning requirements for height, setbacks, and site coverage established for the Light Commercial/Building Site zoning districts. Pursuant to Section 21.72.040 of the County Code, to approve a Variance, the County must find that special circumstances applicable to subject property that would deprive the applicant of privileges enjoyed by other, similar properties, and that the proposed project is otherwise consistent with the uses allowed in the zone district, among other required findings.

The property's commercial land use designation dates back nearly 50 years and is reflected in both the 1982 County General Plan and the 2010 County General Plan. The property was purchased by the current owner's family in 1974. At that time, the property had an operational fueling station and was leased to a third-party operator. The fueling station was authorized pursuant to a Use Permit granted by the County Zoning Administrator on November 25, 1966 (HCD-Planning File No. ZA-74). The B-8 District was enacted in November 1992 (and amended in September 1993) due to concerns associated with groundwater supply in the Toro Area (Ordinance No. 03647, November 24, 1992; Ordinance No. 3704, September 7, 1993). The prior fueling station was demolished in 2002.

The B-8 District was adopted primarily to prevent new parcels from being created in the Toro Area (Board of Supervisors Resolution No. 12-040). The stated purpose of the B-8 District is to "restrict development and/or intensification of land use in areas where, due to water supply, water quality, sewage disposal capabilities, traffic impacts or similar measurable public-facility type constraints, additional development and/or intensification of land use if (sic) found to be detrimental to the health, safety, and welfare of the residents of the area, or the County as a whole" (Title 21 section 21.42.030.H)."Intensification" is defined in Chapter 21.42 as "the change in the use of a building site

which increases the demand on the constraint(s) which caused the 'B-8' District to be applied over that use existing at that time the 'B-8' District is applied to the property." The B-8 District expressly allows "[c]onstruction or expansion of commercial uses where such construction or expansion can be found to not adversely affect the constraints which caused the 'B-8' District to be applied to the property" (Title 21 section 21.42.030.H.2). As described above, the constraint which caused the B-8 zoning overlay to be applied to a portion of the Toro planning area, inclusive of the project site, was groundwater supply. The proposed project would be consistent with the B-8 overlay's limitations for two main reasons:

1. The proposed project would not change the historical use of the property and will be located on an existing lot of record. The property has historically been used as a fueling station since the 1960s. Although this prior fueling station was demolished in 2002, the proposed project would rebuild a fueling station and a convenience market.
2. As discussed in Section VI.10, the proposed project would not exceed the subject property's water demand at the time the B-8 District was applied to the Property (1992). Instead, the proposed project would reduce water demand from 1.2-acre feet per year (1974 fueling station and convenience store's water demand estimates) to 0.84 acre feet per year (proposed project demands), a reduction of 0.37 acre feet.

As described in Section 10, *Hydrology and Water Quality*; Section 17, *Transportation*; and Section 19, *Utilities and Service Systems*, the project would not result in substantial impacts to water supply, water quality, sewage disposal capabilities, or traffic impacts. The proposed project would not conflict with the project site's B-8 District zoning.

Overall, impacts related to conflicts with a land use plan would be less than significant. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR.

Conclusion

The project is consistent with the land use policies of the General Plan and the Toro Area Plan. The project would have no new significant or substantially more severe or peculiar site-specific impacts to land use and planning, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant impacts, which were no discussed in the prior environmental document. There are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact than discussed in the 2010 General Plan EIR. Accordingly, no additional review is required.

12 Mineral Resources

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
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?	☐	☐	■	■	☐
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	■	■	☐

Analysis in Previous Environmental Documents

The General Plan EIR analyzes mineral resources on pages 4.5-1 through 4.5-19 and finds that impacts would be less than significant.

The following describes the analysis included in the previous environmental document (the 2010 General Plan EIR) and also provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located, 2) were not previously analyzed in a previous environmental documents as significant effects, 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents, and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

Project-specific Impacts

a. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

b. Would the project 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?

The project site is not currently used for mineral extraction, and construction of the project would not involve mineral resource extraction nor require the use of mineral resources during construction or operation. Further, the 2021 California Geological Survey Mineral Resource Zone Map for Construction Aggregate in the Monterey Bay Production-Consumption Region does not identify any

known mineral resources on the site (Source 9). Therefore, the project would not result in the loss of availability of a known mineral resource that would be of value to the region, nor result in the loss of availability of a locally important mineral resource recovery site delineated on an applicable land use plan.

The proposed project would have no impact to mineral resources. The project would not result in substantially more severe adverse impacts than discussed in the 2010 General Plan EIR.

Conclusion

The project would not develop areas not analyzed previously in the 2010 General Plan EIR, nor does it propose to have peculiar or substantial impacts not covered in the 2010 General Plan EIR. The project would have no new significant or substantially more severe or peculiar site-specific impacts to mineral resources, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact than discussed in the 2010 General Plan EIR. Accordingly, no additional review is required.

13 Noise

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project result in?					
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	■	☐	■	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	■	☐	■	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people be residing, or working in the project area, to excessive noise levels?	☐	☐	☐	■	■

Analysis in Previous Environmental Documents

The General Plan EIR analyzes noise on pages 4.8-1 through 4.8-33 and finds all impacts to be less than significant.

The following describes the analysis included in the previous environmental document (the 2010 General Plan EIR) and also provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located, 2) were not previously analyzed in a previous environmental documents as significant effects, 3) are potentially significant off-site impacts and cumulative impacts that were not

previously discussed in the previous environmental documents, and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

Project-specific Impacts

a. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Noise Standards

Monterey County Code Chapter 10.60 enforces construction and operational noise regulations. Monterey County Code Section 10.60.030 prohibits the operation of machinery that exceeds 70 dBA at 50 feet at any time of day. Monterey County Code Section 10.60.040 limits nighttime noise levels to 45 dBA L_{eq} and 65 dBA L_{max} at 50 feet between 9:00 p.m. and 7:00 a.m. Monterey County Code Section 10.60.040(C) provides exemptions to compliance with the exterior nighttime noise level standards, including for equipment used in an emergency, which is defined as a situation arising from fire, explosion, act of God, or act of public enemy which, if not corrected immediately, will potentially result in the loss of life, property or substantial environmental resources. However, there is no exemption provided for nighttime construction noise. The Monterey County Code does not include quantitative standards for groundborne vibration.

Construction

The 2010 General Plan EIR concluded that implementation of the plan could result in temporary, short-term noise impacts during construction activities. Construction equipment used in modeling was obtained from the default construction equipment created by the CalEEMod outputs for the project (Source: .15). Project construction would occur nearest to the residence to the west of the project site. Over the course of a typical construction day, construction equipment may be located as close as 100 feet to the residence but would typically be located at an average distance farther away due to the nature of construction and the lot size of the project, in which the main building and lot is located 300 feet from the residence. Therefore, it is assumed that over the course of a typical construction day the construction equipment would operate at an average distance of 200 feet from the nearest residence.

Construction noise estimates from each phase of construction are shown in Table 6. Construction noise would reach up to 69 dBA L_{eq} at the nearest residences, which would not exceed the County noise threshold of 70 dBA during the daytime hours of 7:00 a.m. to 9:00 p.m. In addition, construction would not occur during the nighttime hours when noise restrictions are stricter. Therefore, construction noise impacts would be less than significant.

Table 6 Estimated Construction Noise Levels

	Estimated Noise Levels (dBA L_{eq})		
Construction Phase	Residences to the West (250 feet)	Residences to the East (550 feet)	Residence to the Northeast (800 feet)
Site Preparation	68	61	58

Grading	69	63	59
Building Construction	67	60	57
Paving	69	62	59
Architectural Coating	60	53	50

Source: .32

Operation – Stationary Noise

On-site noise sources associated with the proposed project would primarily include mechanical equipment, specifically heating, ventilation, and air conditioning (HVAC) units. Distances were estimated using the possible location of the equipment on the convenience store building relative to nearby residences to the west, northeast, and east. The size and type of HVAC unit are currently unknown at this stage of planning. Potential HVAC units used on the project could include a 6-ton Carrier 50HCQA06, which generates a sound power level of 79 dBA (detailed specifications are included in Source 36). A typical assumption is that for every 600 square foot of building space, one ton of HVAC is needed. With a building size of 3,077 square foot, approximately 5 tons of HVAC would be needed. Therefore, one 6-ton Carrier 50HCQA06 was assumed.

Noise levels from the HVAC unit at nearby residences are shown in Table 7. As shown in the table, operational noise levels would reach up to approximately 29 dBA at the nearest residence, which would not exceed the County's nighttime threshold of 45 dBA L_{eq}. Therefore, the project would not result in a substantial permanent increase in noise and impacts would be less than significant.

Table 7 Estimated Operational Noise Levels

Noise Source	Distance to Receiver (feet)	Residence to the West (dBA L_{eq})	Distance to Receiver (feet)	Residences to the Northeast (dBA L_{eq})	Distance to Receiver (feet)	Residence to the East (dBA L_{eq})
HVAC Units	400	29	800	23	600	26

Source: .29

Operation – Traffic Noise

The project would attract new vehicle trips that would increase noise levels on nearby roadways. A Transportation Analysis Report was prepared by Hexagon Transportation Consultants, Inc. in February 2024 for the proposed project (Source: .37). According to the Transportation Analysis Report, a gas station with 12 fueling pumps would attract 3,181 daily trips (Source: .37). Therefore, this traffic noise analysis considers the addition of 3,181 daily trips to the nearest roadways, which is a conservative assumption as approximately 75 percent of the trips to the gas station are pass-by trips (i.e., trips that would occur without the gas station). According to the Transportation Analysis Report, Corral de Tierra Road and SR 68 intersection contains 24,040 daily trips. The addition of 3,181 trips to 24,040 trips would result in a relative noise increase of 0.5 dBA.[3] The project's traffic noise increase would not exceed 3 dBA or more, which is considered a barely perceptible increase in

3 0.5 dBA =10·log10 (24,040 trips + 3,181 trips/24,040 trips)

noise and typically used as a threshold for a substantial traffic noise increase. Therefore, traffic noise impacts would be less than significant.

Overall, the project would not result in more severe adverse impacts to ambient noise levels that would conflict with County noise thresholds as a result of construction and operation of the project than discussed in the 2010 General Plan EIR.

b. Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

The 2010 General Plan EIR concluded that implementation of the General Plan would result in adverse groundborne vibration impacts. However, compliance with Safety Element Policy S-7.8 would avoid and minimize adverse groundborne vibration impacts from new development to acceptable levels. Construction activities known to generate excessive ground-borne vibration, such as pile driving, would not be used to construct the proposed fueling station and convenience store. The greatest anticipated source of vibration during general project construction activities would be from a vibratory roller that may be used as close as 100 feet during construction from the nearest buildings to the west. A vibratory roller would create a vibration level of approximately 0.21 PPV in/sec at a distance of 25 feet (Source: .38). This would equal a vibration level of approximately 0.0457 PPV in/sec at a distance of 100 feet. This vibration level would be well below the FTA's non-engineered timber and masonry building damage potential threshold of 0.2 PPV in/sec (Source: .38). Therefore, temporary impacts associated with the dozer (and other construction equipment with the potential to generate groundborne vibration) would be less than significant.

Operation of commercial land uses such as a gas station are not associated with ground borne vibration. Operational impacts would be less than significant.

Overall, the project would not result in more severe adverse impacts related to excessive groundborne vibration or groundborne noise levels than discussed in the 2010 General Plan EIR.

c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 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?

The nearest airport to the project site is the Monterey Regional Airport, located approximately 5.8 miles to the west. The site is not within two miles of a public or public use airport or within an airport land use plan and workers on the site would not be exposed to substantial airport noise.

No impact would occur. The project would not result in more severe adverse impacts than discussed in the 2010 General Plan EIR.

Conclusion

With the implementation of applicable General Plan Policies, the project would not increase substantially the permanent ambient noise levels or vibrations in the project vicinity above existing levels. The project would not involve development in areas not analyzed previously in the 2010 General Plan EIR, nor would it have peculiar site-specific or substantial noise impacts, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was

not known at the time of the previous environmental review, are determined to have a more severe adverse impact than discussed in the 2010 General Plan EIR. Accordingly, no additional review is required.

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14 Population and Housing

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	■	■	☐
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	■	■	☐

Analysis in Previous Environmental Documents

The 2010 General Plan EIR discusses population and housing on page 4.15-1 through 4.15-23. Impacts related to substantial population growth were determined to be significant and unavoidable and there was no mitigation that would avoid growth. Impacts related to displacement were determined to be less than significant.

The following describes the analysis included in the previous environmental document (the 2010 General Plan EIR) and also provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located, 2) were not previously analyzed in a previous environmental documents as significant effects, 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents, and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

Project-specific Impacts

a. Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The proposed project would involve the construction and operation of a fueling station and convenience store, and does not propose any habitable structures. It is assumed that the construction workforce and convenience store employees would be drawn from existing Monterey County residents, and the project would not result in an increase in population. Additionally, the proposed project would not include the extension of roads or other infrastructure, which would result in substantial unplanned growth. Therefore, the project would not induce substantial unplanned growth, directly or indirectly. The project site does not currently contain housing units. As such, the project would not displace people or housing and would not necessitate the construction of replacement housing elsewhere.

There would be no impacts related to population and housing. The project would not result in substantially more severe adverse impacts than discussed in the 2010 General Plan EIR.

Conclusion

The project would not involve the development of a growth inducing use. The project would not involve development in areas not analyzed previously in the 2010 General Plan EIR, nor would it result in impacts to population and housing not covered in the 2010 General Plan EIR. The project would have no new significant or substantially more severe or peculiar site-specific impacts concerning population and housing, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental document. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact than discussed in the 2010 General Plan EIR. Accordingly, no additional review is required.

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15 Public Services

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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:					
1 Fire protection?	☐	☐	■	■	☐
2 Police protection?	☐	☐	■	■	☐
3 Schools?	☐	☐	■	■	☐
4 Parks?	☐	☐	■	■	☐
5 Other public facilities?	☐	☐	■	■	☐

Analysis in Previous Environmental Documents

The General Plan EIR analyzes public services on pages 4.11-1 through 4.11-39 and concludes that impacts regarding fire protection facilities, Sheriff's facilities, library facilities, and public health facilities would be less than significant.

The 2010 General Plan EIR concludes that impacts to school facilities due to new or expanded facilities would be significant and unavoidable.

The following describes the analysis included in the previous environmental document (the 2010 General Plan EIR) and also provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located, 2) were not previously analyzed in a previous environmental documents as significant effects, 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents, and 4) are now determined to have a more severe impact than discussed in the 2010 General Plan EIR documents due to substantial new information.

Project-specific Impacts

a.1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

a.2. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

a.3. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

a.4. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

a.5. Would the project result in substantial adverse physical impacts associated with the provision of other new or physically altered public facilities, or the need for other new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

The project site is served by the Monterey County Regional Fire District. The nearest station is Laureles Station (Station 3), located approximately 1.7 miles southwest of the site (Source: .10). Police protection services are provided to the site by the Monterey County Sheriff's Office. The nearest station is the Monterey County Sheriff Monterey Substation, approximately 8.5 miles west of the site (Source: .11). The project site is within the Washington Union School District and Salinas Union High School District, and the nearest school is San Benancio Middle School, approximately 0.5 mile east of the project site. The nearest park to the project site is Fort Ord National Monument, which is located north of the project site. The nearest local park is Jack's Peak Park, located approximately 7 miles west of the project site.

The project would have little to no measurable effect on public services. The project would not result in a population increase, and is located within the service area of existing public services, and

would not require new or physically altered police, fire, school, park, or other public facilities. Therefore, the proposed project would have no impact to public services.

The project would have a less than significant impact that would not be greater than that analyzed in the 2010 General Plan EIR.

Conclusion

The project would not involve the development of a growth inducing use. The project would not involve development in areas not analyzed previously in the 2010 General Plan EIR, nor would it result in impacts to public services not covered in the 2010 General Plan EIR. The project would have no new significant or substantially more severe or peculiar site-specific impacts to public services, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental documents. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact than discussed in the 2010 General Plan EIR. Accordingly, no additional review is required.

16 Recreation

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	■	■	☐
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	■	■	☐

Analysis in Previous Environmental Documents

The 2010 General Plan EIR analyzes recreation on pages 4.12-1 through 4.12-36 and identifies a less-than-significant impact to recreation with incorporation of the following mitigation:

Mitigation Measure PAR-1

Proposed 2007 General Plan policy PS-11.10 will be amended to read: "Pursuant to the provisions of the State Subdivision Map Act, residential subdivision projects shall be conditioned to provide and maintain park and recreation land and facilities or pay in-lieu fees in proportion to the extent of need created by the development. The ratio of park and recreation facilities to residents will be at least three acres for each one thousand residents."

The following describes the analysis included in the previous environmental document (the 2010 General Plan EIR) and also provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located, 2) were not previously analyzed in a previous environmental documents as significant effects, 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents, and 4) are now determined to have

a more severe impact than discussed in the previous environmental documents due to substantial new information.

Project-specific Impacts

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

As described above under *Public Services*, the project would not increase population directly or indirectly. As such, it would not result in an increase in use of existing recreational facilities that would cause substantial physical deterioration or require the construction or expansion of recreation facilities in the vicinity of the project. No parks, trail easements, or other recreational facilities would be permanently impacted by the proposed project.

The project would have no impact on recreation. The project would not result in substantially more severe adverse impacts than discussed in the 2010 General Plan EIR.

Conclusion

Impacts of the project would be similar to those identified in the General Plan EIR and would be less than significant. The project would have no new significant or substantially more severe or peculiar site-specific impacts concerning recreational resources, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental document. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact than discussed in the 2010 General Plan EIR. Accordingly, no additional review is required.

17 Transportation

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	■	☐	■	■
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	■	☐	☐	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	☐	■	☐	■	■
d. Result in inadequate emergency access?	☐	■	☐	■	☐

Analysis in Previous Environmental Documents

The 2010 General Plan EIR evaluates transportation impacts on pages 4.6-1 through 4.6-120. Environmental documents prior to July 1, 2020 analyzed transportation impacts using level of service (LOS) thresholds. LOS measures traffic congestion by analyzing vehicle delay at intersections and roadways. Senate Bill 743, passed in 2013, mandated a shift from LOS to Vehicle Miles Traveled (VMT) as the primary metric for evaluating transportation impacts under CEQA. As of July 1, 2020, all California public agencies must use VMT instead of LOS for CEQA transportation impact analysis. As such, the 2010 General Plan EIR does not include an analysis of VMT impacts within the County. The following analysis includes an analysis of VMT in compliance with SB 743.

The 2010 General Plan EIR utilizes LOS to determine transportation impacts. Impacts were determined to be less than significant related to LOS standards, roadway hazards, and conflicts with applicable plans and policies.

Impacts were determined to be significant and unavoidable related to LOS impacts on County roads and regional roads regardless of implementation of feasible mitigation measures, of which none were presented in the 2010 General Plan EIR. Impacts were also determined to be significant and unavoidable related to inadequate emergency access. Mitigation for both LOS impacts on County roads and regional roads and inadequate emergency access would include development of emergency response route and connectivity plans, and requiring new development to implement these plans, but this mitigation would not reduce LOS impacts on County and Regional roads.

Impacts were determined to be less than significant with mitigation for county roadways within the Agricultural and Winery Corridor. Mitigation for county roadways within the Agriculture and Winery Corridor would be as follows:

Mitigation Measure TRAN-5A

The roadway segments exceeding LOS standards are two-lane rural roads that provide left turn lanes at some intersections. These segments include County Road G14 between US 101 and San Lucas Road, and Spreckels Boulevard between SR-68 and Harkins Road. Improvement of these segments would be funded through a combination of project-specific mitigation for individual developments, and through a Capital Improvement and Financing Plan fair-share funding mechanism established for the Corridor by the Public Works Department. These improvements would be implemented when:

1. A proposed development's project-specific assessment identifies a direct impact to the facility in terms of either LOS or safety.

2. A proposed development gains access from an intersection within the segment.

3. A corridor-wide nexus study prepared for the required Capital Improvement and Financing Plan identifies the level of development that can occur before triggering the improvements.

To maintain the rural character of the area, there are no plans to widen these roadways to four lane facilities. Therefore, the capacity of these segments will be increased by:

1. Providing left turn lanes at intersections without left turn lanes and where the frequency of turning vehicles affects through vehicle movement; and/or

2. Increasing the width of the roadway shoulder at intersections to allow vehicles to pass turning vehicles; and/or

3. Constructing passing lanes as determined in the Capital Improvement and Financing Plan.

Mitigation Measure TRAN-5A would not be applicable to the project as the roadways identified are not within the project vicinity.

The following describes the analysis included in the previous environmental document (the 2010 General Plan EIR) and also provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located, 2) were not previously analyzed in a previous environmental documents as significant effects, 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents, and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

Project-specific Impacts

A Transportation Analysis Report was prepared for the project by Hexagon Transportation Consultants, Inc. dated October 04, 2024 (Source: .37). The Transportation Analysis Report estimated vehicle trips generated by the project with trip rates from the Institute of Transportation Engineers *Trip Generation Manual, 11th Edition*. The project is estimated to generate approximately 3,181 vehicle trips per day, with 193 of these trips in the morning peak hour and 221 trips in the evening peak hour. Most vehicles traveling to and from the project site would be "pass-by" trips, or trips from motorists already traveling along SR 68 or Corral de Tierra Road who choose to make a stop at the project site on their trip. Therefore, a pass-by trip reduction of 62% to the Am peak hour trips and 56% to the PM Peak hour trips was applied to account for existing trips that make a stop at the project site. Pass-by reductions are based on the average rates for Gasoline / Service Station with Convenience Market (Land Use Code 945) published by the ITE Trip Generation Handbook, 3rd Edition. With the pass-by trip reduction applied, the project is estimated to generate 73 new vehicle trips during the morning peak hour and 97 new vehicle trips in the evening peak hour. In addition, these new trips generated by the project are assumed to be local-serving (nearby residential communities) and less than three miles in length, due to the proximity of other existing gas stations and convenience stores on SR 68.

a. Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Plans and policies addressing the circulation system include the California Department of Transportation (Caltrans) State Highway System Management Plan, the Transportation Agency for Monterey County Active Transportation Plan for Monterey County, the Monterey County General Plan Circulation Element, the Toro Area Plan, and the Association of Monterey Bay Area Governments Metropolitan Transportation Plan and Sustainable Communities Strategy. Access to the project site during construction and operation would be provided via Corral de Tierra Road and the proposed access road, once constructed. No vehicle access would be provided directly from SR 68 during construction. The nearest bus stop is located at the intersection of SR 68 and Foster Road, approximately 5.2 miles northeast of the project site. The project site has sidewalks along its frontages with SR 68 and Corral de Tierra Road. There are no designated bicycle lanes near the project site.

State Route 68

Construction traffic would be temporary and limited to the duration of the construction schedule. During the construction period, worker parking would be provided on the project site. While construction trucks and worker vehicles may travel to the project site via SR 68, all construction vehicular access to the project site would be provided by two proposed driveways along Corral de Tierra Road. Accordingly, construction trips would not conflict with programs or plans addressing SR 68.

Caltrans has proposed the SR 68 Corridor Improvement Project, which would modify the design of nine intersections along SR 68. The modified intersections, including the intersection of SR 68 and Corral de Tierra Road adjacent to the project site, would be converted into two-lane roundabouts or expanded signalized intersections with adaptive signal control technology. The County of Monterey has consulted with Caltrans, and the preliminary footprint of the SR 68/Corral de Tierra Road intersection is not anticipated to interfere with the project design. In March 2025, Caltrans commented on the project, stating, "Caltrans confirms that the proposed fueling station project on

Corral de Tierra is not expected to be impacted by future roundabout improvements on State Route 68. However, it's possible that elements of the project may change until we achieve the final design" (Source: .45) Although the proposed driveways, underground storage tanks, fueling station with overhead canopy, and convenience store would not be within the footprint of the proposed roundabout, sidewalk and perimeter improvements may need to be modified or obtained by Caltrans to accommodate the final SR 68 improvements. An encroachment permit from Caltrans is needed to allow improvements within SR 68 Right-of-Way. At such time, Caltrans would review the final construction plans for conformance with the roundabout improvement project. Accordingly, the proposed project would not conflict with this program for SR 68.

The Transportation Analysis Report estimated the anticipated LOS that intersections with SR 68 near the project site would experience with project implementation. Pursuant to Senate Bill 743, LOS is no longer used to determine environmental impacts under the California Environmental Quality Act. The following discussion is provided for informational purposes only and to demonstrate consistency with Caltrans guidance for preparation of traffic impact studies. Caltrans intends to maintain traffic conditions at LOS C or LOS D on state highway facilities; or, if a state highway facility is operating at less than the appropriate target LOS, the existing LOS should be maintained (Source: .37). The Transportation Analysis Report determined that the project would not significantly affect LOS operations at SR 68 intersections near the project site, and the project would not cause SR 68 intersections to degrade below acceptable LOS standards (Source: .37). The results of the intersection level of service analysis under existing plus project conditions show that the San Benancio Road/SR 68 intersection would continue to operate at LOS F during the AM peak hour with the project. All other intersections would operate at LOS D or better during both AM and PM peak hours with implementation of the proposed project. At the Corral de Tierra Road and SR 68 intersection, the existing LOS in the AM and PM peak hour is C and D respectively. With implementation of the project, the LOS levels would remain the same (C and D for AM and PM peak hours). Accordingly, the project would not conflict with programs or plans addressing SR 68 and would not require mitigation per General Plan Policy C-1.3, which requires projects that are found to result in reducing a County road below the acceptable LOS standard (D or better) to not proceed unless mitigating circulation improvements are constructed concurrently with the new development. As the project would not significantly affect LOS operations at SR 68 intersections, the project would not result in substantially more severe or new impacts to LOS than previously analyzed in the 2010 General Plan EIR.

County Roadways

As stated above, LOS is no longer used to determine environmental impacts under the California Environmental Quality Act. The following discussion is provided to demonstrate consistency with the Monterey County General Plan Circulation Element. With specified exceptions, Policy C-1.1 of the Monterey County General Plan Circulation Element establishes a LOS standard of D or better for signalized intersections. The Transportation Analysis Report determined that the project would not significantly affect LOS operations at County road intersections near the project site, and the project would not cause an intersection's LOS to degrade below acceptable LOS (Source: .37). Accordingly, the project would not conflict with the Monterey County General Plan.

Policy T-2.9 of the Toro Area Plan encourages new sites for office, employment, services, and local conveniences to incorporate designs to allow the use of alternate modes of transportation (Source: .12). As discussed further below, the project would not conflict with transit, bicycle, or pedestrian facilities and accordingly the project would not conflict with this policy. Therefore, the project would not conflict with programs or plans addressing County roadways.

Transit, Bicycle, and Pedestrian Facilities

There are no transit stops or bicycle routes proximate to the project site. The project would involve retaining the sidewalks along the project site's frontages on SR 68 and Corral de Tierra Road. Driveway and access improvements, including minor sidewalk improvements, were addressed in a previous EIR for the Corral de Tierra Retail Village (EIR; SCH#20007091137; HCD Planning File Nos. PLN020344 and PLN110077) (Board of Supervisors Resolution No. 12-040) Minor sidewalk improvements associated with the Corral de Tierra Retail Village would be constructed to accommodate bicyclists and pedestrians. Should the Caltrans SR 68/Corral de Tierra roundabout be constructed the project may require additional minor modifications to the associated sidewalk improvements for consistency with the proposed Caltrans roundabout project. Minor sidewalk improvements would ensure the project would not conflict with transit, bicycle, or pedestrian facilities.

Overall, the project would not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. Impacts would be less than significant. There would be no impact beyond that identified in the 2010 General Plan EIR.

b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

The County has not adopted VMT thresholds at this time; therefore, thresholds provided in the California Office of Planning and Research's (OPR; now the Office of Land Use and Climate Innovation [LCI]) Technical Advisory published December 2018 are appropriate. LCI establishes screening criteria for developments that are expected to cause a less-than-significant transportation impact under the California Environmental Quality Act with no further VMT analysis required. One screening criterion is local-serving retail projects, which are defined as retail projects less than 50,000 square feet in size. These projects tend to redistribute existing trips instead of creating new trips. Local-serving retail developments like the fueling station and associated convenience store typically shorten vehicle trips and reduce VMT by diverting existing trips from farther retail businesses to the new retail project, which reduces trip lengths (Source: .37).

Since the project would be a local-serving retail use with a size of less than 50,000 square feet, its VMT impact is considered less than significant according to State guidelines. As such, the project would result in a less than significant transportation impact pursuant to CEQA Guidelines Section 15064.3(b).

The project was not found to violate any of the County's criteria related to intersection levels of service. Though not previously analyzed in the 2010 General Plan EIR, the project would not result in impacts related to VMT. As such, the project would not introduce a new impact peculiar to the project, impacts that were not previously identified as significant effects, potentially significant off-site impacts and cumulative impacts, or a more severe impact than previously discussed in the 2010 General Plan EIR.

c. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?

The Transportation Analysis Report determined that the average queues for the westbound left-turn movement at the Corral de Tierra/SR 68 intersection are not adequate and would continue to be inadequate under existing plus project scenario.

As discussed under *Site Access and Parking* in *Project Description*, the project would include restriping the existing westbound left turn lane at the Corral de Tierra/SR 68/Cypress Church Driveway to allow the additional required storage. The existing eastbound left turn lane which provides access to a private driveway that serves five residences adjacent to the Cypress Church would be shortened to meet existing demand. Primary access to the Cypress Church would be diverted to the north leg of the SR 68/Corral de Tierra intersection. To the east of this intersection, access to the Church via the Cypress Church Drive is blocked. Based on the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, the estimated traffic from the existing five residences is four trips in the AM peak hour (one inbound and three outbound) and five trips during the PM peak hour (3 inbound and 2 outbound). The maximum queue for this eastbound left-turn pocket is one vehicle (25 feet) during both the AM and PM peak hours. This left-turn pocket is 285 feet long and oversized for the demand of the five residences. Accordingly, the project involves reducing the length of the existing left-turn pocket (285 feet) on SR 68 to the Cypress Church Driveway to meet Caltrans Minimum Standards to maximize the length of the westbound left-turn pocket at the Corral de Tierra Road intersection. To accomplish this, the proposed project would re-strip the back-to-back turn pockets to size them appropriately, increasing the storage capacity of the westbound left turn pocket by approximately 100-127 feet to accommodate the proposed project's additional two to four vehicles during the AM and PM peak hours. Caltrans reviewed these improvements and "concurs with the conclusions of the traffic analysis completed for Cypress Church Drive" and recommended that the applicant continue to work with Caltrans to determine the appropriate length of each turn lane (Source: .45). With implementation of the proposed project, the queuing issues would not worsen within the SR 68/Corral de Tierra left turn lane.

The project would also include constructing a driveway along SR 68, approximately 195 feet east of the project site within APN: 161-571-002-000. This driveway would provide right-in, right-out access from SR 68 (vehicles traveling east and turning right from SR 68 into the property, and vehicles exiting right from the property onto SR 68, heading east). A median would be constructed within the SR 68 driveway to prohibit left turns from entering or exiting the property. Prohibiting left turns at this driveway would ensure that the proposed project would not result in a dangerous intersection and would not create a hazard on SR 68. Caltrans has reviewed this design element and had no safety concern, but did note that future coordinating efforts would need to occur to ensure that the future roundabout's eastbound drop lane does not interfere with this driveway's movements.

In addition, the project would include two driveways along Corral de Tierra Road. The northernmost driveway would provide right-in and right-out access to vehicles traveling on Corral de Tierra Road north towards SR 68. Prohibiting left turns at this driveway would ensure that queues would not spill back to the Corral de Tierra/SR 68 intersection. The median would still allow left turns for the commercial property across the street. The second driveway, further south of SR 68 and Corral de Tierra Road intersection, would be full access, allowing left and right turns. These turn lanes and the proposed access road would also be designed to accommodate large fuel delivery vehicles. All proposed driveways would be required to be kept free and clear of any obstructions to optimize sight distance, thereby ensuring that exiting vehicles can see pedestrians and other vehicles. The project proposes no tall vegetation or objects that would block a driver's ability to see 250 feet looking southerly down the road. The County's landscaping condition of approval would require that landscaping plans be reviewed by HCD-Engineering Services to confirm unobstructed views for drivers entering and exiting the property.

Fuel delivery trucks would enter from the southern Corral de Tierra Road driveway, going through the internal drive aisle and around the fueling station, and exiting via the first driveway on Corral de Tierra Road or the driveway on SR 68. Fuel trucks would not enter via the SR 68 driveway. During fuel deliveries, the fuel tanker would park along the northern edge of the site, which would not block any of the fueling stations or drive aisles. Fuel deliveries would occur infrequently and are typically scheduled for off-peak hours. Fire trucks would travel a similar path to the fuel delivery truck, except on site. On site, fire trucks would go between the fueling stations and the parking spaces in front of the convenience store before exiting the site via the first Corral de Tierra Road driveway or the driveway on SR 68.

Accordingly, the project would not result in increased hazards due to geometric design features or incompatible uses, and impacts would be less than significant. Therefore, impacts would not be greater than those analyzed in the 2010 General Plan EIR.

d. Would the project result in inadequate emergency access?

As discussed in Section 9, *Hazards and Hazardous Materials,* the proposed project would not conflict with Monterey County's Emergency Operations Plan. The project would include re-striping Corral de Tierra Road to add turn lanes for the proposed access road, which would require temporary lane closures. Pursuant to Chapter 14.04 of Monterey County Code, preparation of a traffic control plan Code would be required. The traffic control plan would be required to include appropriate signage and directional signs to direct traffic around the construction work area. Preparation of a traffic control plan would reduce emergency access impacts during construction to a less than significant level.

The proposed project would be reviewed by the Monterey County Regional Fire Protection District to ensure that sufficient emergency access is provided in operation. The proposed access road to the convenience store and fueling station would have a minimum width of 24 feet and would provide a minimum curb-to-curb turning radius of approximately 35 feet, which would accommodate large emergency equipment (e.g., fire trucks and fire engines) access to the project site. This turning radius would comply with the requirements of Monterey County Code Section 18.09.030, which establishes required turning radii in accordance with the CBC, and Section 18.56.060, which establishes required emergency access requirements for properties within California Department of Forestry and Fire Protection State Responsibility areas.

The project's impacts to emergency access would be less than significant. Therefore, the project would have no impacts beyond those previously analyzed and identified in the 2010 General Plan EIR.

Conclusion

The project is located within the areas defined and addressed in the General Plan. Adherence to and implementation of General Plan policies would ensure that the project would not result in significant transportation impacts. The project would have no new significant or substantially more severe or peculiar site-specific impacts concerning transportation and traffic, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental document. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact than discussed in the 2010 General Plan EIR. Accordingly, no additional review is required.

18 Tribal Cultural Resources

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	☐	☐	☐	■	■
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	■	■

Assembly Bill (AB) 52, which took effect on July 1, 2015, amends PRC Section 5097.94 by adding eight new sections that relate to Native Americans and expands CEQA by establishing a formal consultation process for California Tribes that must be completed before a CEQA document can be certified. Any project that may affect or cause a substantial adverse change in the significance of a tribal cultural resource would require a lead agency to consult with a California Native American

Tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. Consultation is beneficial because Tribes may have knowledge about the land and cultural resources that should be included in the environmental analysis for projects. The NAHC identifies Native American Tribes to be included in the process. PRC Section 21080.3.1 identifies timing and other protocols for the consultation process.

Section 21074 of AB 52 also defines tribal cultural resources as a new category of resources under CEQA. According to PRC Section 21074(a)(1), tribal cultural resources are either defined as sites, features, places, cultural landscapes, sacred places, or objects with cultural value to a California Native American Tribe, or are listed in or eligible for the CRHR or a local historic register, or have been determined by the lead agency to be a tribal cultural resource. PRC Section 21084.2 establishes that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource may have a significant effect on the environment. PRC Section 21084.3(a) states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. Under AB 52, lead agencies are required to "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the project." Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

As the Notice of Preparation for the 2010 General Plan EIR was published before July 1, 2015, AB 52 consultation is not required, and changes under this checklist do not result in a need for AB 52 consultation. A Notice of Preparation was not prepared for this consistency checklist as it tiers from the 2010 General Plan EIR, for which a Notice of Preparation was published. Though not required of the project, the County conducted AB 52 consultation, the results of which are detailed in Project-Specific Impacts.

Analysis in Previous Environmental Documents

At the time of the General Plan and 2010 General Plan EIR adoption, Tribal Cultural Resource discussion was captured under the Cultural Resources section. However, this section was subsequently added as a standalone section to the *CEQA Guidelines* checklist.

The General Plan EIR analyzes Cultural Resource impacts on page 4.10-1 through 4.10-27 which included discussion relevant to Tribal Cultural Resources regarding potentially significant cultural resources and procedural compliance if human remains of Native American origin are found. The 2010 General Plan EIR finds that compliance with existing national, state, and local laws as well as policies in the General Plan would reduce potential impacts to less-than-significant levels.

Project-specific Impacts

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

b. Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code 21074 that is a resource determined by the lead

agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?

On October 18, 2024, the following Native American tribal groups were formally notified that the County initiated environmental review of the proposed project and were invited to participate in AB 52 consultation:

- Esalen Tribe of Monterey County
- KaKoon Ta Ruk Band of Ohlone-Costanoan
- Oholone/Coastonan- Esselen Nation

As of the date of this document, the County has not received requests for consultation. The 30-day consultation period closed on November 18, 2024. As of this date, no requests were received for consultation and consultation has concluded.

The subject parcel has undergone moderate to high development resulting in moderate to high ground disturbance from at least 1968 to the present. The subject parcel was initially developed in 1968 as an Enco gas and service station, becoming an Exxon gas station by 1973. Substantial ground disturbance occurred during initial development of the parcel, including the underground gas storage tanks and fuel pump infrastructure. Additional disturbance occurred during the 2002 demolition of the subsurface storage tanks and gas pump infrastructure. A Phase I Archaeological Assessment was prepared for the project (County of Monterey Document No. LIB230308) in September 2024. The Phase I Archaeological Assessment included a search of the CHRIS at the NWIC, a NAHC SLF search, and an archaeological survey and sensitivity assessment of the project site. The Phase I Archaeological Assessment did not identify cultural resources of Native American origin within the project site, and it concluded the project site has a low degree of sensitivity for buried archaeological resources. With the implementation of the County's condition of approval for cultural resources (PD003A), the potential impact to Tribal Cultural Resources would be less than significant. Per the County's condition of approval for cultural resources (PD003A), any inadvertent discovery of artifacts or remains shall be treated in accordance with state law and with dignity and respect.

The project would not result in more severe adverse impacts related to the inadvertent discovery of tribal cultural resources than discussed in the 2010 General Plan EIR.

Conclusion

Neither the Phase I Archaeological Assessment nor tribal consultation identified tribal cultural resources within the project site. Incorporation of the Standard Condition of Approval (PD003A) would be implemented to reduce impacts to tribal cultural resources to less-than-significant levels. Accordingly, the project would have no new significant or substantially more severe or peculiar site-specific impacts to tribal cultural resources, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects as discussed in the 2010 General Plan EIR. Therefore, no additional review is required.

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19 Utilities and Service Systems

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Would the project:					
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	■	☐	■	■
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	■	☐	■	☐
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	■	■	☐

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	■	☐	■	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	■	☐	■	☐

Analysis in Previous Environmental Documents

The 2010 General Plan EIR analyzes impacts on utilities and service systems on pages 4.11-5 through 4.11-39. Water supply impacts were evaluated in Section 4.3, *Water Resources,* pages 4.3-1 through 4.3-196, and impacts were determined to be significant and unavoidable. As discussed in Section 10, *Hydrology and Water Quality,* of this document, Mitigation Measures WR-1 and WR-2 would reduce impacts of the 2010 General Plan, but impacts would remain significant and unavoidable. The 2010 General Plan EIR identifies impacts to wastewater treatment, stormwater drainage, electricity, and natural gas as less than significant.

Mitigation Measure PS-1

Policy S-3.9: require all future developments to implement the most feasible number of Low Impact Development (LID) techniques into their stormwater management plan. The LID techniques may include, but are not limited to, grassy swales, rain gardens, bioretention cells, tree box filters, and preserve as much native vegetation as feasible possible on the project site.

Impacts related to solid waste would be significant and unavoidable even after implementation of the following mitigation:

Mitigation Measure PS-2

Policy PS-5.5. The County will review its Solid Waste Management Plan on a 5-year basis and institute policies and programs as necessary to exceed the wastestream reduction requirements of the California Integrated Waste Management Act. The County will adopt requirements for wineries to undertake individual or joint composting programs to reduce the volume of their wastestream.

The following describes the analysis included in the previous environmental document (the 2010 General Plan EIR) and also provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located, 2) were not previously analyzed in a previous environmental documents as significant effects, 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents, and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

Project-specific Impacts

This discussion incorporates the results provided in Hydrogeological Report prepared by Luhdorff & Scalmanini Consulting Engineers dated August 2024 (Source: .32) and the Preliminary Stormwater Control Plan prepared by Whitson Engineers dated September 2023 (Source: .33).

a. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

As discussed under *Utilities* in Project Description, the project would require approximately 0.84 acre-feet per year of water for convenience store operation and landscaping, which would be provided by an existing water well (transient-non-community water system). County of Monterey EHB determined that the property's transient-non-community water system does not require treatment, is currently in good standing, and produces water in excess of what would be required by the proposed project. Water for fire suppression would be provided by California-American Water. As discussed under Section 10, *Hydrology and Water Quality*, the proposed project would not result in substantial groundwater depletion or supplies. Accordingly, the proposed project would not require additional water supply infrastructure and would be adequately served by the existing water well infrastructure.

Wastewater service would be provided by California Utilities Services. California Utility Services has prepared a "can and will serve letter" for the proposed project, which states that adequate capacity at their wastewater treatment plant has been reserved to accommodate wastewater treatment flows from the proposed project. This can and will serve letter determined that the proposed design consisted of 42 Future Units, which represents 2.1 Equivalent Dwelling Units. California Utilities Service's letter specified that the proposed project's wastewater discharge shall not exceed 420 gallons in any 24-hour period. A Condition of Approval would be added to require that a plumbing plan with waste future units be submitted to the County of Monterey EHB prior to issuance of a construction permit to evaluate for consistency with the wastewater discharge limit specified in the California Utilities Services letter. If the plumbing plan exceeds the specified limit, the applicant shall either obtain additional capacity from CUS or the plumbing shall be revised to be consistent with the CUS letter. Accordingly, as conditioned, the project has been issued a determination by the wastewater treatment provider that serves the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

Electricity would be provided by 3CE via existing PG&E infrastructure. In addition, the project would not involve new telecommunication facilities. Accordingly, the project would not require or result in the relocation or construction of new or expanded water, wastewater, electric power, natural gas, or telecommunications facilities.

As detailed in the Preliminary Stormwater Control Plan prepared for the project, the project would include several stormwater management areas to which stormwater from the project site's impervious surfaces would flow. These stormwater management areas would consist of graded depressions in the project site to capture and infiltrate stormwater from a storm event in the 95th percentile (Source: .33). These stormwater management areas would be consistent with County drainage requirements outlined in Chapter 16.14 of Monterey County Code. The grading required to create the stormwater management areas is analyzed throughout this Initial Study, and the construction of the stormwater management area would not result in significant environmental effects.

Accordingly, impacts related to the relocation or construction of new or expanded water, wastewater, stormwater drainage, electric power, natural gas, and telecommunications facilities would be less than significant. Therefore, no impacts beyond those analyzed in the 2010 General Plan EIR would occur because of the project.

b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

The project site is located within the Corral de Tierra Area of the Monterey Subbasin, which has a historical annual pumping amount of approximately 1,296 acre-feet of water per year (Source: .32). According to the Hydrogeological Report, the project would have a projected net water use of 0.84 acre-feet per year, which would account for less than 0.06 percent of all groundwater pumping anticipated in the Corral de Tierra Area (Source: .32). In addition, because the project would involve extracting less than two acre-feet of water per year, the project is considered a "de minimis extractor" consistent with California Water Code Section 10721(e). As a "de minimis" user, the project would have a negligible impact on surrounding water users and extraction from the Monterey Subbasin as a whole, and the project would have an adequate and long-term sustainable water supply (Source: .32). Additionally, as discussed within Section 10, Hydrology and Water Quality, the proposed project would be consistent with the Monterey County 2010 General Plan policies related to water supply and would not alter population projections or demand rate assumptions used to create the groundwater budgets in the GSP. Therefore, the proposed project would not interfere with overdraft recovery projected in the GSP, or with sustainable management of the Monterey Subbasin through implementation of the GSP. Accordingly, the project and reasonably foreseeable future development in the Corral de Tierra Area would have sufficient water supplies available during normal, dry, and multiple dry years and impacts would be less than significant.

No impacts beyond those analyzed in the 2010 General Plan EIR would occur because of the project.

c. Would the project 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?

The project would receive wastewater services from California Utility Services. California Utilities Services is a public utility wastewater treatment company that exists and operates under the jurisdiction of the SWRCB. California Utilities Services' current SWRCB issued Discharge Permit Number R3-2022-0019 authorizes California Utilities Services to accept into its wastewater treatment plant an Average Monthly Flow of 300,000 gallons of wastewater per day. California Utilities Services' average daily flow into the treatment plant for 2022 was approximately 145,000

gallons and the average daily flow into the treatment plant for the last 5 years was approximately 151,000 gallons (Source: .37). The proposed project would result in a maximum discharge of residential type wastewater of 420 gallons per day which would be well within the allowed 300,000 gallons per day that California Utilities Services is allowed (Source: .37). As discussed under threshold 19(a), California Utility Services prepared a "can and will serve letter" for the proposed project, which states that there is adequate capacity to serve the project's projected demand.

No impact would occur and no impacts beyond those analyzed in the 2010 General Plan EIR would occur because of the project.

d. Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

The 2010 General Plan EIR determined impacts related to solid waste would be significant and unavoidable due to potential for future landfill expansion or the permitting of new landfills. The proposed project would not require either. The California Green Building Standards Code requires a minimum of 65 percent of non-hazardous construction and demolition debris or be recycled or salvaged (Source: .39). The minimal amount of remaining construction waste and solid waste produced during operation would be disposed of at the Monterey Peninsula Landfill. The California Department of Resources Recycling and Recovery (CalRecycle) estimates that commercial uses generate five pounds of solid waste per 1,000 square feet per day; using this estimate, the proposed project would be anticipated to generate approximately 15 pounds of trash per day, or 2.7 tons per year.[4] The Monterey Peninsula Landfill has a maximum permitted capacity of 49,700,000 cubic yards, and has a remaining capacity of 48,560,000 cubic yards (i.e., 97 percent of the landfill's capacity is remaining) (Source: .40). In addition, the project would not result in a population increase. Therefore, construction and operation of the project would not result in a substantial increase of solid waste and would not generate solid waste in excess of the capacity of local infrastructure. The project would not otherwise impair the attainment of solid waste reduction goals, or conflict with federal, state, and local management of solid waste.

Impacts would be less than significant. There would be no impacts from the project beyond those analyzed in the 2010 General Plan EIR.

Conclusion

The project would have no new significant or substantially more severe or peculiar site-specific impacts to utilities and service systems, nor are there potentially significant off-site impacts, cumulative impacts, or previously identified significant effects that not discussed in the prior environmental document. Furthermore, there are no previously identified significant effects which as a result of substantial new information not known at the time of the previous environmental review have been determined to have a more severe adverse impact than those discussed in the 2010 General Plan EIR. Accordingly, no additional review is required.

4 Five pounds of solid waste per 1,000 square feet, multiplied by the area of the proposed convenience store (3,077 square feet) equals approximately 15 pounds of solid waste per day. 15 pounds multiplied by 365 days a year equals 5,475 pounds of solid waste per year. One ton equals 2,000 pounds; 5,475 pounds divided by 2,000 pounds equals 2.7 tons of solid waste per year.

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20 Wildfire

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	■	☐	■	☐
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	■	☐	■	☐
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	■	☐	■	☐

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
d. Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	■	☐	■	☐

Analysis in Previous Environmental Documents

At the time of the General Plan and 2010 General Plan EIR adoption, Wildfire discussion was captured under the Hazards and Hazardous Materials section. However, this section was subsequently added as a standalone section to the *CEQA Guidelines* checklist.

The General Plan EIR discusses wildfire hazards on pages 4.13-3 through 4.13-31. Impacts were determined to be less than significant with compliance with General Plan policies and implementation of development impact fees.

The following describes the analysis included in the previous environmental document (the 2010 General Plan EIR) and also provides a streamlined review to determine whether there would be project-specific impacts that are either 1) peculiar to the project or the parcel on which the project is located, 2) were not previously analyzed in a previous environmental documents as significant effects, 3) are potentially significant off-site impacts and cumulative impacts that were not previously discussed in the previous environmental documents, and 4) are now determined to have a more severe impact than discussed in the previous environmental documents due to substantial new information.

Project-specific Impacts

The project site is located within a Very High FHSZ in an area designated as a State Responsibility Area (Source: .27).

a. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

The Monterey County Emergency Operations Plan contains response and recovery protocols for several types of natural, technical, and human-caused emergencies that may occur in the county. The Emergency Operations Plan identifies SR 68 as the nearest major evacuation route (Source: .30). The project would not require lane closures along SR 68 and would not inhibit use of the roadway during construction. In operation, the project would not interfere with access to SR 68 and would not substantially impair the County's and/or the Monterey County Regional Fire Protection District's ability to implement the Emergency Operations Plan. The project would include design features

such as an emergency vehicle turnaround incorporated into the driveway design to allow adequate emergency access on the project site. Furthermore, due to the size and nature of the project, the project would not introduce new residents to the area that could add substantial congestion to an evacuation route in the event of an emergency. Therefore, the project would not substantially impair an adopted emergency response plan or emergency evacuation plan.

Impacts would be less than significant. Accordingly, there would be no impacts beyond those identified in the 2010 General Plan EIR.

b. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

The project site is within a State Responsibility Area and a Very High FHSZ. During construction, the project would involve the use of construction equipment which may produce sparks that could ignite on-site vegetation. The project would be required to comply with regulations related to construction equipment and fire suppressants, including but not limited to California Public Resources Code Section 4442, which requires spark arrestors on potentially-spark inducing equipment.

During operation, the project could expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire due to the fire-prone landscape in which the project site is located. The project would be required to comply with the CBC to ensure all building materials and standards related to wildfire safety are met, and with applicable hazardous materials regulations (see Section 9, *Hazards and Hazardous Materials*) related to the storage of gasoline and other hazardous materials. Compliance with these regulations would ensure that the project would not substantially exacerbate existing wildfire risk and would not substantially increase the risk of exposing project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

Impacts would be less than significant. Accordingly, there would be no impacts beyond those identified in the 2010 General Plan EIR.

c. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

The project would involve installation of a new access road and underground storage tanks for fuel. As discussed in Section 9, *Hazards and Hazardous Materials,* the project would be required to comply with laws and regulations related to the transport and storage of hazardous materials, which would minimize the project's potential to increase existing fire risk. The project would connect to existing underground utilities and overhead power lines, and would not introduce new utilities which would increase fire risk. Accordingly, the proposed project would not substantially increase existing fire risk associated with infrastructure.

Impacts would be less than significant. Accordingly, there would be no impacts beyond those identified in the 2010 General Plan EIR.

d. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslopes

or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

The project site is nearly level and is not subject to landslides. Additionally, as discussed in Section 10, *Hydrology and Water Quality,* the project would not result in substantial changes to stormwater runoff and drainage patterns. Furthermore, the project would be required to comply with existing regulations such as Monterey County Code Chapters 16.08 and 16.12, which set requirements for grading and erosion control. Therefore, the project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Impacts would be less than significant. Accordingly, there would be no impacts beyond those identified in the 2010 General Plan EIR.

Conclusion

With incorporation of appropriate General Plan policies and compliance with Monterey County Code, the project would have no new significant or substantially more severe or peculiar site-specific impacts to wildfire resources, nor would there be potentially significant off-site impacts, cumulative impacts, or previously identified significant effects, which were not discussed in the prior environmental document. Also, there are no previously identified significant effects which, as a result of substantial new information that was not known at the time of the previous environmental review, are determined to have a more severe adverse impact than discussed in the 2010 General Plan EIR. Accordingly, no additional review is required.

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21 Mandatory Findings of Significance

	Significant Impact	Less than Significant or Less than Significant with Mitigation Incorporated	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies
Does the project:					
a. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	■	☐	■	■
b. Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	■	☐	■	☐
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	■	☐	■	☐

Project-specific Impacts

a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

As discussed in this Section 15183 CEQA Checklist, the proposed project involves construction of a convenience store and fueling station and a new access driveway. While the proposed project could impact biological resources, mitigation measures described in Section 4, *Biological Resources*, would reduce impacts to a less than significant level. The project would not cause a fish or wildlife population to drop below self-sustaining levels, eliminate a plant or animal community, or restrict the range of plant or animal species. As described in Section 5, *Cultural Resources*, there are no historic resources within the site. In the event of an unanticipated discovery of cultural resources, the project would be required to comply with the County's standard condition of approval to halt construction work immediately. Therefore, the proposed project would not eliminate an important example of major periods of California history or prehistory. Impacts would be less than significant. As such, the project would not result in impacts peculiar to the project beyond those identified in the 2010 General Plan EIR.

b. Does the project 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)?

As described in the discussions under environmental checklist Sections 1 through 20, with respect to all environmental issues, the proposed project would not result in significant and unmitigable impacts to the environment. All anticipated impacts associated with project construction and operation would be either no impact or less than significant. This is largely due to the fact that project construction activities would be temporary, and project operation would involve operation of a fueling station and convenience store on a previously developed site.

Cumulatively considerable impacts could occur if the construction of other projects occurs at the same time as the proposed project and in the same vicinity, such that the effects of similar impacts of multiple projects combine to expose adjacent sensitive receptors to greater levels of impact than would occur under the proposed project. For example, if the construction of other projects in the area occurs at the same time as construction of the proposed project, potential impacts associated with noise and traffic to residents in the project area may be more substantial. There are three major development projects along SR 68:

- The SR 68 Corridor Improvement Project, which would modify the design of nine intersections along SR 68. The modified intersections, including the intersection SR 68 and Corral de Tierra Road adjacent to the project site, would be converted into two-lane roundabouts or expanded signalized intersections with adaptive signal control technology.
- The Ferrini Ranch Subdivision, which would include the subdivision of an 866-acre property into 212 residential lots. The nearest portion of the property is located south of SR 68 and approximately 0.5 mile east of the project site.

- The Harper Canyon Subdivision, which would include the subdivision of a 344-acre property into 17 residential lots and one 180-acre remaining parcel. The nearest portion of the property is located approximately 1.2 miles east of the project site.

The proposed project would not create substantial unplanned population growth and would not contribute to cumulative impacts related to population growth, such as population and housing, public services, and recreation. Impacts related to cultural resources, geology and soils, mineral resources, and tribal cultural resources are generally limited to the project site and would not contribute to cumulative impacts associated with existing and future developments.

Impacts to land use and planning are inherently restricted to the project site. As discussed within Section 11, *Land Use and Planning*, the proposed project would not conflict with existing land use plans or programs. Accordingly, the proposed development on the project site would be consistent and would not contribute to cumulative impacts associated with existing and future developments. Similarly, impacts to hazards and hazardous materials are generally limited to the site. As discussed in Section 9, *Hazards and Hazardous Materials*, the project site is located on a former hazardous materials site which was issued a case closure on March 24, 2020, indicating remediation and corrective action have been completed to the satisfaction of the Central Coast RWQCB. Accordingly, the project would not result in cumulative impacts related to hazards and hazardous materials.

In addition, air quality and GHG impacts are cumulative by nature, and as discussed in Section 3, *Air Quality*, and Section 8, *Greenhouse Gas Emissions*, the project would not generate substantial air pollutant emissions or GHG emissions; therefore, it would not contribute to the existing significant cumulative air quality impacts related to the NCCAB's nonattainment status for ozone and PM_{10} or the existing significant cumulative climate change impact. All projects would be required to adhere to the County's standard conditions of approval and construction hours limitations, which would result in less than significant cumulative noise impacts.

The project's operational impacts to aesthetic resources would not result in a substantial adverse effect on a scenic vista and would be visually consistent with the rural nature of the Toro Area Plan development and the highway corridor setting of the project site. When considering existing and future development, the proposed project would not result in cumulatively considerable impacts to aesthetics.

The project's operational impacts to resources such as agriculture and forestry resources, biological resources, hydrology and water quality, noise, transportation, and utilities and service systems would be minimal and would not have the potential to constitute a cumulatively considerable contribution to cumulative impacts that may occur due to existing and future development in the region. Therefore, the proposed project would not result in a cumulatively considerable contribution to a significant impact. Impacts would be less than significant. The project's consistency with the General Plan and the Toro Area Plan and subsequent analysis above in Section 1 through 20 indicate that the project would not result in significant cumulative impacts that were not addressed in the 2010 General Plan EIR.

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

In general, impacts to human beings are associated with such issues as air quality, hazards and hazardous materials, noise, and wildfire. The project would have no impact or result in a less than significant impact to air quality, noise, and transportation as discussed in the Initial Study. As discussed in Section 3, *Air Quality*, the project would not result in a cumulatively considerable net increase in the emission of criteria pollutants and would not expose sensitive receptors to substantial pollutant concentrations. As discussed in Section 9, *Hazards and Hazardous Materials*, the project would not create a significant hazard to the public or the environment associated with hazardous materials and would not be located on a site listed as a hazardous materials site. Finally, as discussed in Section 20, *Wildfire*, the project would not result in significant risks related to wildfire due to slope, prevailing winds, and other factors.

Impacts to human beings would be less than significant. Therefore, the project would not have substantial direct or indirect adverse effects on human beings.

Conclusion

The Omni Resources LLC Project is consistent with the development density established by existing zoning and General Plan policies for which an EIR was certified. Accordingly, based on the assessments presented in the environmental checklist, the project does not require additional environmental review as the impacts:

1. Are not peculiar to the project or the parcel on which the project would be located
2. Were analyzed as significant effects in a prior EIR on the zoning action, general plan, and specific plan, with which the project is consistent where applicable
3. Are not potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan and specific plan
4. Are not previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR

Furthermore, impacts would be mitigated by the imposition of uniformly applied development policies or standards. Accordingly, implementation of the project complies with Section 15183 of the CEQA Guidelines, and no further environmental review is required.

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