

# **ARMSTRONG RANCH PROPERTY ACQUISITION ADDENDUM TO THE CALIFORNIA AMERICAN WATER COMPANY COASTAL WATER PROJECT EIR (“CPUC EIR”)**

## **1.0 INTRODUCTION**

Pursuant to CEQA Guidelines Sections 15096, 15162, 15164 and 15063, and in consultation with other affected agencies and entities, the Marina Coast Water District (MCWD) has prepared this Addendum to the California American Water Company Coastal Water Project Final Environmental Impact Report, completed by the California Public Utilities Commission (“CPUC EIR”), certified in December 2009. As a responsible agency for the Monterey Regional Water Supply Program (Regional Project), MCWD has prepared this Addendum to the CPUC EIR for its proposed acquisition of ±224 acres of the Armstrong Ranch property and appurtenant easements (“Armstrong Ranch Property Acquisition”).

This Addendum is supported by the attached Initial Study for the Armstrong Property Acquisition, which concludes the following with regards to CEQA compliance:

- Acquisition of the ±224-acre Site, including the appurtenant easements, in and of itself, is merely a property transfer that would not directly have any significant effects on the environment,
- Acquisition of the Site may not be considered a “project approval” subject to CEQA, as defined by CEQA Guidelines Section 15004 (b)(2)(A), and the California Supreme Court’s decision in *Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116, at 134, that states that the Guidelines’ exception for land purchases is a reasonable interpretation of CEQA, and
- Future potential projects with components proposed at the Site have been described and previously evaluated in certified EIRs, most recently the CPUC EIR, and the significant environmental effects of alternative water supply projects have been identified in those EIRs.

Because of public interest in water supply and infrastructure issues, MCWD circulated a Notice of Preparation of an EIR to analyze the proposed property acquisition in September 2009. Certification by the CPUC of the CPUC EIR in December 2009, which includes discussion of the Regional Urban Water Augmentation Project EIR previously certified by MCWD<sup>1</sup>, obviated the need for an additional EIR by MCWD for the property acquisition. Preparation of the CPUC EIR offered numerous opportunities for public involvement in order to maximize agency and public input on the Coastal Water Project environmental review process.<sup>2</sup> This Addendum contains information responsive to comments received in response to the Notice of Preparation issued in September 2009. MCWD’s Board of Directors must consider this Addendum, along with the certified CPUC EIR, prior to making a decision on the proposed property acquisition; however, the Addendum does not need to be circulated for public review in accordance with CEQA Guidelines Section 15164(c).

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<sup>1</sup> See Chapter 5 of the CPUC EIR, especially Section 5.1.6.2 and Figure 5-2

<sup>2</sup>Details of this process are available for review at the following internet address:  
[http://docs.cpuc.ca.gov/PUBLISHED/FINAL\\_DECISION/111407.htm](http://docs.cpuc.ca.gov/PUBLISHED/FINAL_DECISION/111407.htm).

## **2.0 COMPARISON TO THE CONDITIONS LISTED IN CEQA GUIDELINES SECTION 15162**

This Addendum is prepared pursuant to CEQA Guidelines Section 15164, which states: “A lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.” CEQA Guidelines Section 15162 establishes the following criteria for the preparation of a Supplemental EIR:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
  - (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
  - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The following discussion summarizes the reasons why a subsequent or supplemental EIR, pursuant to CEQA Guidelines Section 15162, is not required to evaluate the environmental effects of the proposed property acquisition and why an addendum is appropriate.

### **2.1 Changes to the Project Considered Not Substantial**

The proposed action is property acquisition, with future use of the property conditioned on CEQA compliance. No specific project that would result in physical changes to the environment is being considered as part of the proposed action.

Although the amount of property on the Armstrong Ranch to be acquired by MCWD was not explicitly called out in the CPUC EIR, it was assumed in the CPUC EIR evaluation that MCWD would own the property and future facilities on the Site. The ±224-acre area is within the study area shown on Figure 3-20a, Revised Figure 5-3, Revised Figure 5-4, and Figure 5-5 of the CPUC EIR (and designated as

“MCWD Property at Armstrong Ranch” in Figures 5-3 and 5-5). The appurtenant easements likewise are shown on Figure 3-20a. Specification of the number of acres to be acquired within the study area does not in any way change the analysis made in the CPUC EIR.

Future development on the Site is addressed in the CPUC EIR under the North Marina and Monterey Regional Water Supply Project Alternatives (Phases I and II). As described in the analysis in the attached Initial Study, the project would not result in any significant environmental effects nor would it increase the severity of environmental impacts beyond those already identified in the certified CPUC EIR.

The proposed property acquisition is not considered a “substantial change” to the Coastal Water Project Alternatives or to the assumptions contained in the CPUC EIR.

## **2.2 Environmental Effects**

As detailed in the attached Initial Study, the proposed property acquisition would not result in significant environmental effects, since this action would not result in any physical changes to the environment and future use of the Site is conditioned on CEQA compliance. Future development on the Site has been evaluated in the CPUC EIR and mitigation identified for significant impacts.

## **2.3 Project Circumstances**

Since certification of the CPUC EIR in December 2009, conditions on the Site and area have not changed such that implementation of the proposed acquisition would result in new significant environmental effects or substantially increased environmental effects as compared to those identified in the certified CPUC EIR.

## **2.4 New Information**

No new information of substantial importance has been identified such that Acquisition of the Site by MCWD would result in: 1) significant environmental effects not identified in the CPUC EIR, or 2) more severe environmental effects than shown in the CPUC EIR, or 3) require mitigation measures which were previously determined not to be feasible, or mitigation measures that are considerably different from those recommended in the EIR. The proposed property acquisition would not have any environmental effects, since this action would not result in any physical changes to the environment. Future development on the Site has been evaluated in the CPUC EIR and mitigation identified for significant impacts.

## **3.0 CONCLUSION**

Based on the analysis in this Addendum and attached Initial Study, MCWD concludes that the CPUC EIR adequately addresses the environmental effects of the proposed property acquisition, and that the property acquisition constitutes a minor refinement of the CPUC EIR’s description of the Coastal Water Project or its alternatives. Although the CPUC EIR did not specifically identify the need for MCWD to acquire the property, the CPUC EIR clearly assumed that MCWD would own the property. Furthermore, MCWD finds that this minor refinement would not result in significant environmental effects not already identified in the CPUC EIR and would not increase the severity of any previously identified impacts.

No new information or evidence of substantial importance has been presented to MCWD from any other responsible agency or the general public that would indicate that the property acquisition (or future

facilities on the Site) has the potential for new significant environmental effects or that it would substantially increase the severity of previously identified significant effects on the environment beyond that previously analyzed and contemplated under the certified CPUC EIR.

Section 15164 of the CEQA Guidelines states that a lead or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. Based on the analysis in this Addendum, MCWD has determined that:

- No new significant environmental effects or a substantial increase in the severity of previously identified significant effects would occur as a result of the property acquisition;
- No substantial changes have occurred or will occur with respect to the circumstances under which the project was originally undertaken which would require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- No new information of substantial importance has been received or discovered, which was not known and could not have been known with the exercise of reasonable diligence at the time of the previous EIR was certified as complete which shows that:
  - The proposed property acquisition would have one or more impacts not discussed in the previous EIR (CPUC EIR);
  - Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponent declined the measure or alternative;
  - Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponent declined the measure or alternative.

**Initial Study  
for Acquisition of  
±224 Acres and Appurtenant Easements  
on the Armstrong Ranch**

**Prepared for:**

**Marina Coast Water District**

**February 2010**

Prepared by:

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**TABLE OF CONTENTS**

**I. Project Data** ..... 1

**II. Initial Study Requirement** ..... 1

**III. Project Location** ..... 1

**IV. Project Description**..... 1

**V. Project Objectives** ..... 3

**VI. Environmental Factors Potentially Affected** ..... 6

**VII. Evaluation of Environmental Impacts** ..... 6

    1. Aesthetics ..... 6

    2. Agricultural Resources ..... 7

    3. Air Quality..... 8

    4. Biological Resources ..... 9

    5. Cultural Resources ..... 10

    6. Geology and Soils ..... 11

    7. Hazards and Hazardous Materials ..... 12

    8. Hydrology and Water Quality ..... 13

    9. Land Use and Planning..... 15

    10. Mineral Resources ..... 16

    11. Noise..... 17

    12. Population and Housing ..... 18

    13. Public Services ..... 19

    14. Recreation..... 20

    15. Transportation and Traffic..... 20

    16. Utilities and Service Systems ..... 21

    17. Mandatory Findings of Significance ..... 23

**VIII. References** ..... 24

**FIGURES**

1. Vicinity Map ..... 4

2. Acquisition Area ..... 5

## **I. Project Data**

- 1. Project Title:** Marina Coast Water District (MCWD) - Armstrong Ranch Property Acquisition
- 2. Responsible Agency Name and Address:** MCWD, 11 Reservation Road, Marina, CA 93933
- 3. Contact Person and Phone Number:** Carl Niizawa, Deputy General Manager/District Engineer (831) 883-5925
- 4. Project Proponent:** MCWD
- 5. Project Location:** ±224 acres of the Armstrong Ranch property (northeast portion), located north of the City of Marina in Monterey County.
- 6. Project Description:** Acquisition by MCWD of ±224 acres and appurtenant easements, for water supply infrastructure development and future annexation. Only the property acquisition is proposed at this time; future use of the Site is conditioned on CEQA compliance.

## **II. Introduction**

This Initial Study evaluates the potential environmental effects from acquisition of ±224 acres of the Armstrong Ranch property and appurtenant easements (the Site) by the MCWD. The action of the property acquisition would not result in physical effects on the environment, since no physical changes to the environment are proposed at this time. For future facilities where physical impacts could occur, this Initial Study references the *Final Environmental Impact Report, California American Water Company Coastal Water Project*, prepared by the California Public Utilities Commission (CPUC), as described below.

## **III. Project Location**

The Site of the proposed property acquisition is shown in Figures 1 and 2. The Site consists of undeveloped land historically used for grazing livestock.

## **IV. Project Description**

The project consists of the acquisition of the Site by the MCWD, pursuant to an agreement between MCWD and the Armstrong Family entered into in 1996 and subsequently supplemented and amended (1996 Agreement). The 1996 Agreement limits use of the Site to the production, storage, or distribution of treated water (tertiary treatment or its equivalent) or potable water. On March 21, 2007, the District recorded a grant of easement from the owners of Armstrong Ranch land for construction, operation, and maintenance of one or more underground water pipelines and appurtenances, appurtenant to and transferable with MCWD's water and wastewater collection, supply, and distribution systems. MCWD received a Use Permit from the County of Monterey in January 2010 for a pipeline along the western boundary of the Site. The acquisition of the Site and additional easements are intended to potentially allow development of infrastructure for water production and treatment, storage and distribution in accordance with the 1996 Agreement, and for future annexation of the Site to MCWD. Only the property acquisition is proposed. Future projects at the Site proposed by MCWD for water supply and other public facility infrastructure may require CEQA compliance. (The Site is shown in Figure 2.)

### *Coastal Water Project and Alternatives*

The proposed project consists of property acquisition only, with no physical effects on the environment. The analysis in this Initial Study is limited to the property acquisition. However, the Site is anticipated for public facility uses in the future. The CPUC EIR evaluated alternatives to the Coastal Water Project with components that include water-related infrastructure on the Site. To provide full disclosure, these components are identified below. There is no plan or proposal to install wells on the Site to extract groundwater for distribution.

The North Marina Alternative would include the following components on the Site:

- portions of source water pipelines leading to the desalination plant,
- a desalination plant and appurtenance facilities to be located on 10 acres of the Site,
- portions of a return flow pipe to deliver concentrated brine byproduct to the MRWPCA's regional treatment plant site immediately north of the Site to enable discharge of the brine via the existing wastewater ocean outfall structure,
- electricity transmission facilities to connect to the existing PG&E grid, and
- portions of the product water distribution system, including pipelines, pump stations, storage, and appurtenances.

Phase I of the Monterey Regional Water Supply Program (MRWSP) Alternative would include the following components on the Site:

- portions of source water pipelines leading to the desalination plant,
- a desalination plant and appurtenance facilities,
- portions of a return flow pipe to deliver concentrated brine byproduct to the MRWPCA's regional treatment plant site immediately north of the Site to enable discharge of the brine via the existing wastewater ocean outfall structure,
- electricity transmission facilities to connect to the existing PG&E grid, and
- portions of the product water distribution system, including pipelines, pump stations, storage, and appurtenances, and
- recycled water distribution elements of MCWD's Regional Urban Water Augmentation Program (RUWAP).<sup>3</sup>

Phase II of the MRWSP Alternative may also include components on the Site. Potential facilities may include:

- underground (A-Aquifer) storage of recycled water,
- a surface water treatment plant,
- additional power supply options, including one or more of the following: biomass, gas-fired turbine generators, reciprocating engine generators, wind turbines, and solar, and
- pipelines and/or other appurtenant structures.

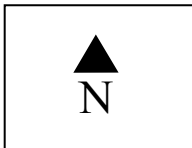
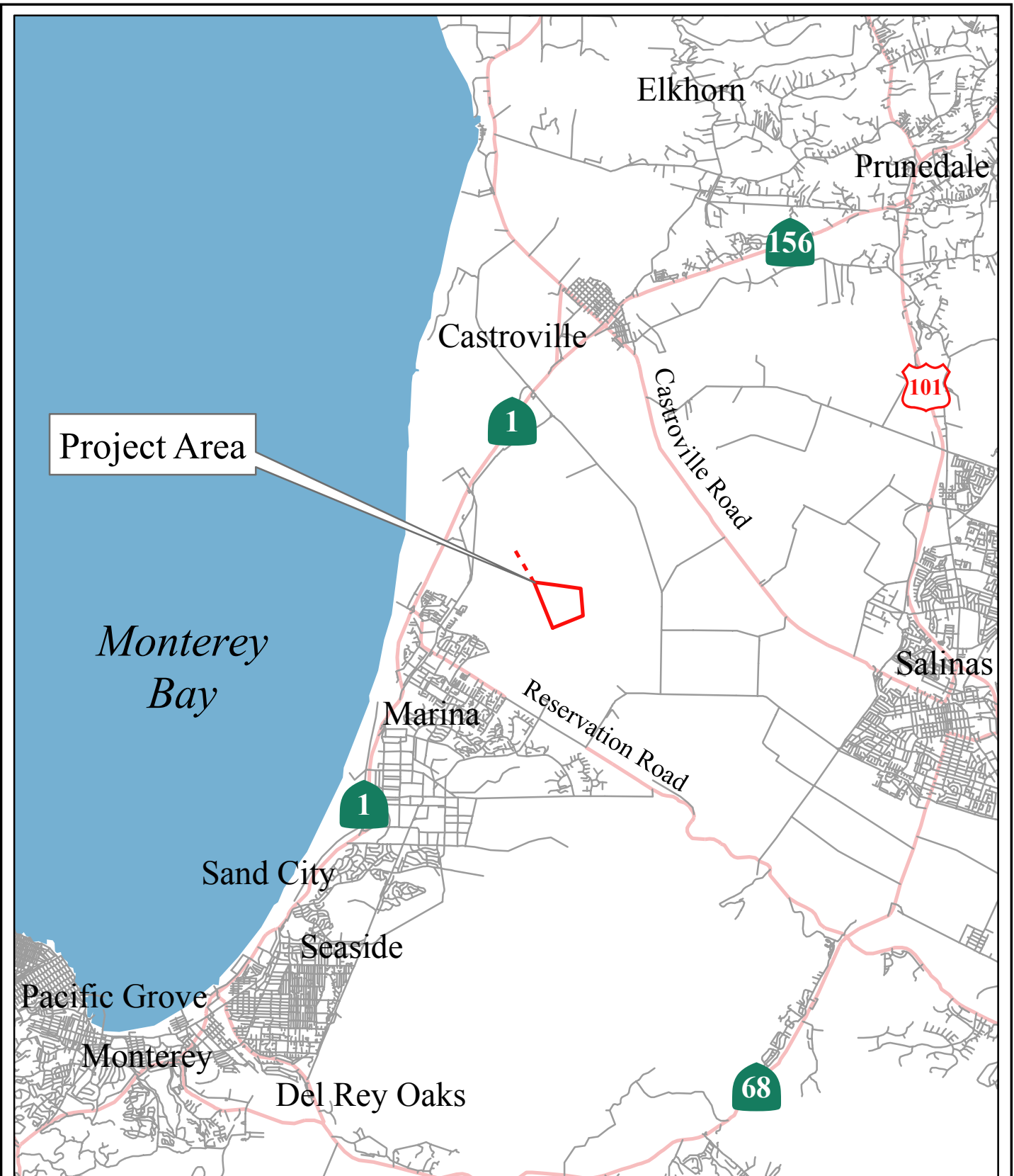
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<sup>3</sup> As described in the CPUC EIR on page 5-9, the elements of the RUWAP Recycled Water Project on the site may be constructed and operated pursuant to approvals by MCWD and Monterey County whether or not the MRWSP Alternative (Phase I of the Regional Project) or its components are approved.



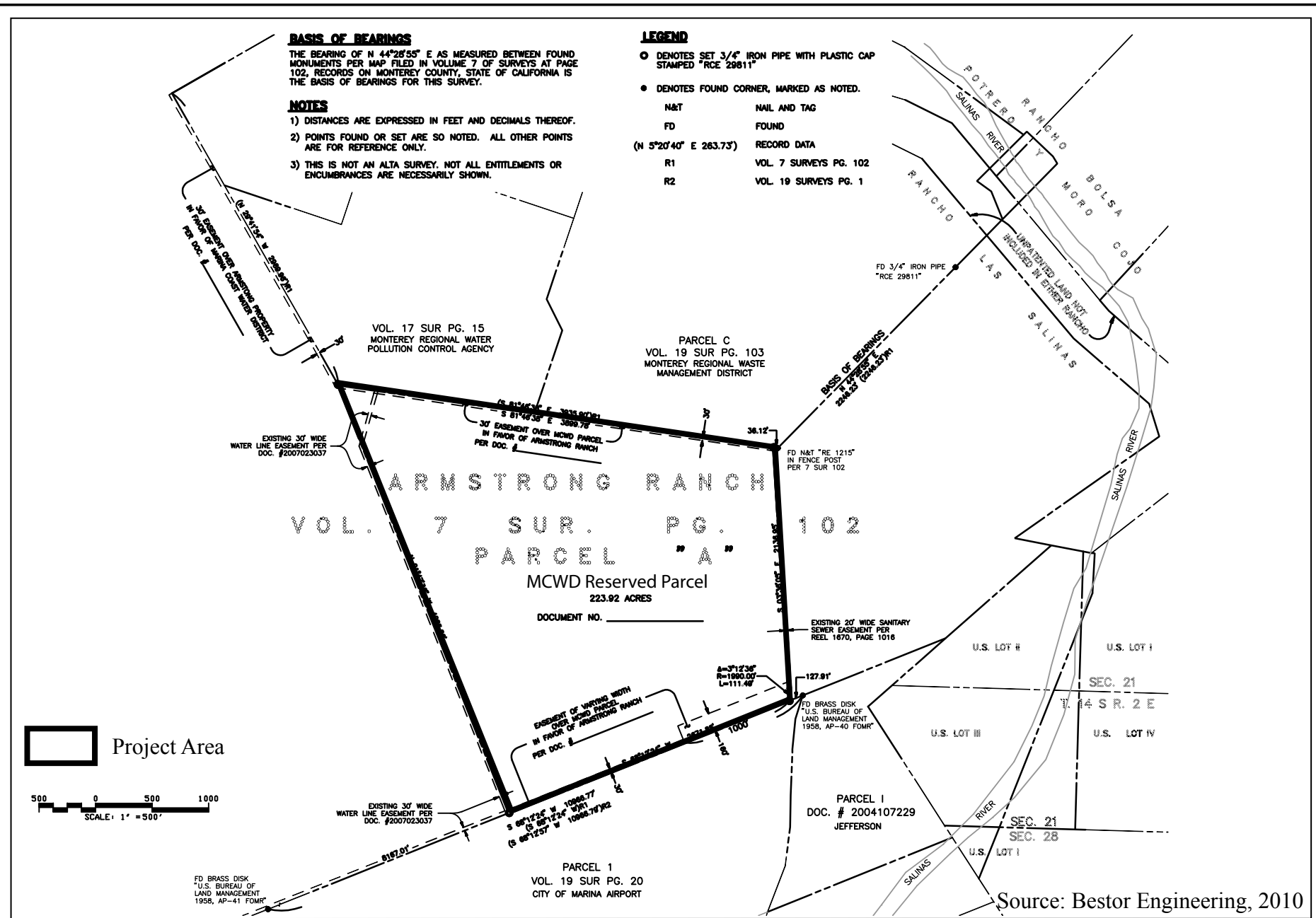
## **V. Project Objectives**

The property acquisition is proposed to meet the terms of the 1996 Agreement in anticipation of future annexation and provision of water supply infrastructure facilities on the site. The proposed action at this time is exclusively the acquisition of the ±224 acre Site and appurtenant easements. The MCWD's goal is to acquire the land by June 2010.



Vicinity Map

Figure  
1



Acquisition Area Map

Figure  
2

## VI. Environmental Factors Potentially Affected

The environmental factors identified below are discussed within Section VII. Evaluation of Environmental Impacts. Sources used for analysis of environmental effects are cited in parenthesis after each discussion, and are listed in Section VIII. References.

- |   |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Aesthetics                  | <input checked="" type="checkbox"/> Agricultural Resources             | <input checked="" type="checkbox"/> Air Quality            |
| <input checked="" type="checkbox"/> Biological Resources        | <input checked="" type="checkbox"/> Cultural Resources                 | <input checked="" type="checkbox"/> Geology/Soils          |
| <input checked="" type="checkbox"/> Hazards/Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality            | <input checked="" type="checkbox"/> Land Use/Planning      |
| <input checked="" type="checkbox"/> Mineral Resources           | <input checked="" type="checkbox"/> Noise                              | <input checked="" type="checkbox"/> Population/Housing     |
| <input checked="" type="checkbox"/> Public Services             | <input checked="" type="checkbox"/> Recreation                         | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input checked="" type="checkbox"/> Utilities/Service Systems   | <input checked="" type="checkbox"/> Mandatory Findings of Significance |  |

## VII. Evaluation of Environmental Impacts

### 1. AESTHETICS

#### Checklist

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

#### Explanation

- a)-d) **No Impact.** The proposed property acquisition would not result in physical impacts that would adversely affect aesthetic or visual resources, including scenic vistas, scenic resources, degradation of visual character, or introduction of light/glare, since this action would not result in any physical changes to the environment. (1, 2)

Potential aesthetic impacts from future development on the Site have been evaluated in the certified CPUC EIR, and future development would be required to mitigate its impacts based upon the conclusions

in the certified EIR. The project would not result in significant new or increased aesthetic impacts beyond those identified in the certified CPUC EIR. (1, 4)

## 2. Agricultural Resources

### Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Explanation

- a) **No Impact.** The Site is identified in the Monterey County Important Farmlands Map (2006) as grazing land and does not contain any important or prime farmland; therefore, it would have no impact on these resources. (1, 5)
- b) **No Impact.** The Site is not under Williamson Act contract. The Site is zoned PG (Permanent Grazing) in Monterey County’s Zoning Ordinance, with an Urban Reserve (UR) overlay, which allows some public utilities facilities with a use permit. The City of Marina General Plan designates the Site for public uses. The proposed acquisition would not conflict with existing zoning of the Site or Williamson Act contracts. (1, 6, 7)
- c) **No Impact** No other changes would occur from the property acquisition that would result in conversion of farmland to non-agricultural uses. (1)

Potential impacts to agricultural resources from future development on the Site have been evaluated in the certified CPUC EIR, and future development would be required to mitigate its impacts based upon the conclusions in the certified EIR. The project would not result in significant new or increased agricultural resource impacts beyond those identified in the certified CPUC EIR. (1, 4)

### 3. AIR QUALITY

#### Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in significant construction-related air quality impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Explanation

- a)-c) **No Impact.** The proposed property acquisition would not obstruct implementation of an air quality plan, nor would it generate air pollution emissions that would impact local or regional air quality, since this action would not result in any physical changes to the environment. (1, 2)
- d) **No Impact.** The property acquisition does not include construction of any facilities at this time. In addition, the Site is not located in the vicinity of any sensitive receptors. (1)
- e) **No Impact.** See above.
- f) **No Impact.** The proposed property acquisition would not result in odor issues. (1, 2)

Potential air quality impacts from future development on the Site have been evaluated in the certified CPUC EIR, and future development would be required to mitigate its impacts to the extent feasible, based upon the conclusions in the certified EIR. The project would not result in significant new or increased air quality impacts beyond those identified in the certified CPUC EIR. (1, 4)

## 4. BIOLOGICAL RESOURCES

### Checklist

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

### Explanation

- a)-d) **No Impact.** The proposed property acquisition would not impact biological resources, since this action would not result in any physical changes to the environment. (1, 2)
- e)-f) **No Impact.** The proposed property acquisition would not conflict with any local policies protecting biological resources. The Site is not located within the boundaries of any adopted habitat management or conservation plan areas. (1, 2)

Potential impacts to biological resources from future development on the Site have been evaluated in the certified CPUC EIR, and future development would be required to mitigate its impacts based upon the conclusions in the certified EIR. The project would not result in significant new or increased biological resource impacts beyond those identified in the certified CPUC EIR. (1, 4)

## 5. CULTURAL RESOURCES

### Checklist

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

### Explanation

- a)-b) **No Impact.** The proposed property acquisition would not impact historic or archaeological resources, since this action would not result in any physical changes to the environment. (1, 2)
- c) **No Impact.** The proposed property acquisition would not impact paleontological resources, since this action would not result in any physical changes to the environment and no paleontological resources are documented in the project area. (1, 2)
- d) **No Impact.** The proposed property acquisition would not impact human remains, since this action would not result in any physical changes to the environment. (1, 2)

Potential impacts to cultural resources from future development on the Site have been evaluated in the certified CPUC EIR, and future development would be required to mitigate its impacts based upon the conclusions in the certified EIR. The project would not result in significant new or increased cultural resource impacts beyond those identified in the certified CPUC EIR. (1, 4)



## 6. GEOLOGY AND SOILS

### Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Explanation

- a)–d) **No Impact.** The proposed acquisition would not subject any persons or property to geologic or soil hazards, since this action would not result in physical changes to the environment. (1)
- e) **No Impact.** The proposed property acquisition does not involve any septic or alternative wastewater disposal systems. (1)

Potential geology and soils impacts associated with future development on the Site have been evaluated in the certified CPUC EIR, and future development would be required to mitigate its impacts based upon the conclusions in the certified EIR. The project would not result in significant new or increased geology and soils impacts beyond those identified in the certified CPUC EIR. (1, 4)

## 7. HAZARDS AND HAZARDOUS MATERIALS

### Checklist

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Explanation**

- a)-b) **No Impact.** The proposed property acquisition would not subject any populations to hazards associated with the use, storage, or release of hazardous materials. (1, 2)
- c) **No Impact.** The Site is not located within ¼ mile of an existing or proposed school. (1, 2)
- d) **No Impact.** The Site is not included in the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (1)
- e)-f) **No Impact.** The Site is located within two miles of the Marina Municipal Airport; however, the proposed property acquisition would not create a safety hazard for people residing or working in the project area since this action would not result in physical changes to the environment. There are no private airstrips near the Site. (1, 2)
- g) **No Impact.** The proposed property acquisition would not interfere with any evacuation plans, since this action would not result in physical changes to the environment. (1)
- h) **No Impact.** The proposed property acquisition would not expose people or structures to a significant risk from wildland fires. (1)

Potential impacts associated with hazards and hazardous materials from future development on the Site have been evaluated in the certified CPUC EIR, and future development would be required to mitigate its impacts based upon the conclusions in the certified EIR. The project would not result in significant new or increased hazards impacts beyond those identified in the certified CPUC EIR. (1, 4)

**8. HYDROLOGY AND WATER QUALITY**

**Checklist**

<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

### Explanation

- a) **No Impact.** The proposed property acquisition would not violate any water quality standards or waste discharge requirements, since this action would not result in physical changes to the environment. (1)
- b) **No Impact.** The 1996 Agreement was developed with the purpose of managing and protecting groundwater resources in the Salinas River groundwater basin. No actions are proposed at this time that would require additional water supplies or otherwise deplete the groundwater table. There is no plan or proposal to install wells on the Site to extract groundwater for distribution. Further information about groundwater supply and rights is included in Section 16. Utilities and Services Systems. (1, 3)
- c) **No Impact.** The proposed property acquisition would not alter the drainage scheme on the site or substantially increase runoff or erosion, since this action would not result in physical changes to the environment. (1, 2)

- d) **No Impact.** The Site does not contain any drainages that would be affected since the action would not result in physical changes to the environment and the property acquisition would have no effect on runoff. (1)
- e) **No Impact.** See responses to c) and d) above.
- f) **No Impact.** See responses to a) and c) above.
- g) **No Impact.** The property acquisition does not include any housing. (1)
- h) **No Impact.** A small Zone A flood hazard area is shown on the applicable Flood Insurance Rate Map for the area (Federal Emergency Management Agency, April 2009). The applicable flood hazard zones would not be affected by the property acquisition, nor would the property acquisition affect flood conditions at the site and in the surrounding area since the action would not result in physical changes to the environment. (1, 6, 10)
- i) **No Impact.** The Site is not located near any dam or levee structures. (1, 2)
- j) **No Impact.** The Site is not located in an area subject to significant seiche, tsunami, or mudflow risk. (1)

Potential hydrology and water quality impacts associated with future development on the Site have been evaluated in the certified CPUC EIR, and future development would be required to mitigate its impacts based upon the conclusions in the certified EIR. The project would not result in significant new or increased hydrology or water quality impacts beyond those identified in the certified CPUC EIR. Further information about groundwater supply and rights is included in Section 16. Utilities and Services Systems (1, 4)

## 9. LAND USE AND PLANNING

### Checklist

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

### Explanation

- a) **No Impact.** The proposed property acquisition would not physically divide an established community, since this action would not result in physical changes to the environment. (1, 2)
- b) **No Impact.** The proposed property acquisition is consistent with the City of Marina and Monterey County land use policies, as described below.

*Monterey County General Plan/Zoning Ordinance.* The Monterey County Zoning Ordinance is the primary implementation tool for the land use policies identified in the County's General Plan. The Site is zoned PG (Permanent Grazing) with an Urban Reserve (UR) overlay in the County's Zoning Ordinance. The UR overlay applies to lands that the County has determined should be annexed by a city. The proposed property acquisition is consistent with Monterey County land use policies, since it would support future annexation and any future public uses would be allowed with a use permit.

*Marina General Plan.* The Site is located within the adopted Sphere of Influence for the City of Marina, indicating potential future incorporation into the City. The City adopted an updated General Plan in October 2000 (Draft Urban Growth Boundary Edition), which changed the intended use of the ±224 acre portion of Armstrong Ranch from residential/commercial development to public uses. The proposed acquisition is consistent with City of Marina land use policies.

- c) **No Impact.** The Site is not located within an area subject to conservation plans. (1)

Potential land use impacts associated with future development on the Site have been evaluated in the certified CPUC EIR, and future development would be required to mitigate its impacts based upon the conclusions in the certified EIR. The project would not result in significant new or increased land use impacts beyond those identified in the certified CPUC EIR. (1, 4)

## 10. MINERAL RESOURCES

### Checklist

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

### Explanation

- a)-b) **No Impact.** The Site is located in an area of potential mineral resources. The proposed property acquisition would not impact mineral resources, since this action does not include physical changes to the environment. (1)

## 11. NOISE

### Checklist

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project result in:</b>				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Explanation**

- a)-d) **No Impact.** The proposed property acquisition would not generate, nor subject any populations to noise or vibration from air or groundborne sources, since this action would not result in physical changes to the environment. In addition, the Site is not located within the vicinity of any sensitive receptors. (1, 2)
- e) **No Impact.** The Site is located within two miles of the Marina Municipal Airport; however, the proposed acquisition would not expose people to aircraft noise. (1, 2)
- f) **No Impact.** The Site is not located near a private airstrip. (1, 2)

Potential noise impacts associated with future development on the Site have been evaluated in the certified CPUC EIR, and future development would be required to mitigate its impacts based upon the conclusions in the certified EIR. The project would not result in significant new or increased noise impacts beyond those identified in the certified CPUC EIR. (1, 4)

**12. POPULATION AND HOUSING**

**Checklist**

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



<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Explanation**

- a) **No Impact.** The proposed property acquisition would not induce substantial population growth, since this action would not result in physical changes to the environment that would facilitate growth. (1)
- b)–c) **No Impact.** The proposed property acquisition would not displace any housing or people, since this action would not result in physical changes to the environment. (1)

Potential growth impacts associated with future development on the Site have been evaluated in the certified CPUC EIR, and future development would be required to mitigate its impacts based upon the conclusions in the certified EIR. The project would not result in significant new or increased growth impacts beyond those identified in the certified CPUC EIR. (1, 4)

**13. PUBLIC SERVICES**

**Checklist**

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

**Explanation**

a)–e) **No Impact.** The proposed property acquisition would not impact fire, police, school, park, or other public facilities, since this action would not result in physical changes to the environment. (1)

Potential impacts on public services associated with future development on the Site have been evaluated in the certified CPUC EIR, and future development would be required to mitigate its impacts based upon the conclusions in the certified EIR. The project would not result in significant new or increased public services impacts beyond those identified in the certified CPUC EIR. (1, 4)

**14. RECREATION**

**Checklist**

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

**Explanation**

a)–b) **No Impact.** The proposed property acquisition would not increase demands on or otherwise impact recreational facilities, since this action will not result in physical changes to the environment. (1)

Potential recreation (public service) impacts associated with future development on the Site have been evaluated in the certified CPUC EIR, and future development would be required to mitigate its impacts based upon the conclusions in the certified EIR. The project would not result in significant new or increased recreation impacts beyond those identified in the certified CPUC EIR. (1, 4)

## 15. TRANSPORTATION AND TRAFFIC

### Checklist

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

### Explanation

- a)-f) **No Impact.** The proposed property acquisition would not generate additional traffic, interfere with or impact any ground or air traffic operations, increase hazards, or affect emergency access or parking capacity, since this action would not result in physical changes to the environment. (1)
- g) **No Impact.** The proposed property acquisition would not conflict with any alternative transportation plans. (1)

Potential transportation impacts associated with future development on the Site have been evaluated in the certified CPUC EIR, and future development would be required to mitigate its impacts based upon the conclusions in the certified EIR. The project would not result in significant new or increased transportation impacts beyond those identified in the certified CPUC EIR. (1, 4)

## 16. UTILITIES AND SERVICE SYSTEMS

### Checklist

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

### Explanation

- a) **No Impact.** The proposed acquisition would not exceed wastewater treatment requirements of the Regional Water Quality Control Board since this action would not result in physical changes to the environment. (1)
- b) **No Impact.** The proposed property acquisition would not transfer or extinguish any existing water supplies for MCWD, private landowners, or others in the vicinity or region. MCWD's water supplies available for MCWD's service areas are described in MCWD's 2005 Urban Water Management Plan. (1)
- c) **No Impact.** The proposed acquisition would not result in the requirement for new storm drains, since this action would not result in physical changes to the environment. (1)

- d) **No Impact.** The proposed property acquisition was anticipated in the 1996 agreement with WRA. The acquisition would not affect water supplies since it would not result in any physical changes to the environment. (1,3) Additional discussion is provided below.

**Water Supply Overview:** MCWD is the water purveyor for the former Fort Ord (under contract) and a service area that includes the portion of the City of Marina outside the former Fort Ord. MCWD's 2005 UWMP addresses the provision of water services through 2025 and assumes use of the Site for water supply facilities. The 2005 UWMP identifies infrastructure and supply requirements for the service area, timelines, and capital improvement costs. Funding sources to accommodate future water supply infrastructure on the Site would be added to MCWD's annual budget as needed.

The 1996 Agreement and a 1993 Annexation Agreement between the United States and Monterey County Water Resources Agency (MCWRA) limit the pumping of potable groundwater for use on Marina Area Lands and the former Fort Ord to 11,040 acre feet per year (AFY), with 4,440 AFY designated for Marina Area Lands and 6,600 AFY for the former Fort Ord, except as otherwise provided in the Agreements. MCWD's 2005 UWMP, based on the Marina General Plan and the Fort Ord Reuse Plan, estimates the long-term water needs in MCWD's service area, particularly on the former Fort Ord, will exceed 11,040 AFY, requiring a supplemental or augmented water supply as an alternate to pumping potable groundwater from the Salinas Valley Groundwater Basin. The 1996 Agreement reserves the Site, including appurtenant easements, for acquisition by MCWD for the production, treatment, storage, and distribution of treated or potable water. Certain facilities for recycled water are discussed in the RUWAP EIR. Certain other facilities for desalinated and surface water are discussed in the CPUC EIR. Such supplemental facilities would have the capacity to meet the needs of MCWD's service area and also to supply needed supplemental water to other areas on the Monterey Peninsula, as discussed in the RUWAP EIR and the CPUC EIR.

The project would have no impacts on existing plans, policies, and agreements concerning limitations on groundwater pumping or use of groundwater. MCWD will continue to comply with agreements limiting groundwater extraction and use. Upon acquisition of the Site, MCWD's future use of the Site would be conditioned on CEQA compliance. In addition, the project is consistent with relevant land use plans and zoning ordinances that indicate that the Site can be used for water supply infrastructure as described further in the Land Use and Planning section of this Initial Study.

The proposed acquisition of the Site would not transfer or extinguish any existing water supplies for MCWD, private landowners, or others in the vicinity or region. MCWD's water supplies available for MCWD's service areas are described in MCWD's 2005 UWMP. Water supplies, existing and future demands, and existing water rights issues are also discussed in Chapter 2 of the CPUC EIR. The proposed acquisition would facilitate, but not require, the construction and operation of facilities to increase water supply for urban use.

**Water Rights:** The proposed acquisition of the Site would have a less-than-significant effect on water rights. As discussed earlier in this Initial Study, agreements with MCWRA provide limits, in accordance with the terms of the agreements, on the amount of potable groundwater that

MCWD may pump from the Salinas Valley Groundwater Basin<sup>4</sup> and also on the amount of potable groundwater that may be pumped from the Basin for non-agricultural use on the Armstrong Ranch. The proposed acquisition of the Site would not change those limits. Ownership of the Site and subsequent, potential, future annexation of the Site into MCWRA Zones 2 and 2A, would provide MCWD with overlying rights to pump native and developed groundwater for use on the Site and, thus, would transfer the overlying right for the Site from the Armstrong Family to MCWD. However, under the 1996 Agreement, MCWD's use of the Site is limited to water supply activities which would consume, at most, an insignificant amount of water on the Site. Ownership of the Site would also give MCWD a potential location for future well sites, although none are proposed for the Site in any existing plan or environmental document. The acquisition itself would not result in any significant impacts; however, this Initial Study acknowledges that acquisition of the Site could enable activities discussed in MCWD's 2005 UWMP, the RUWAP EIR and the CPUC EIR some of which would have significant impacts as discussed within the CPUC EIR, that describes the RUWAP EIR as amended. This statement is repeated in each relevant topical section of this Initial Study (pursuant to the decision in *Riverwatch v. Olvenhain*, 2009).<sup>5</sup>

MCWD could use the Site for the activities discussed in the CPUC EIR, involving the production, treatment, storage, and/or distribution of recycled and/or desalinated and/or surface water. MCWD's purchase of a portion of the Armstrong property and use of the site for recycled water storage and distribution would be consistent with the project analyzed in the RUWAP EIR, as discussed in the CPUC EIR. The Site is not proposed to be used as the location for desalination source water wells, which are proposed to be owned and operated by the MCWRA at another location.

MCWD's rights to recycled water are set forth in agreements with MCWRA and MRWPCA.<sup>6</sup> Acquisition of the Site will facilitate MCWD's exercise of its contractual rights, but will not change MCWD's rights or the rights to recycled water of any other person or entity.

As to surface water, MCWD has no riparian rights and would not obtain any riparian rights by acquiring the Site. The Site's physical location makes it a suitable location, but not the only possible location, for facilities to treat, store and distribute, but not to divert surface water. MCWD's acquisition of the Site would, therefore, have no foreseeable impact on surface water rights.

- e) **No Impact.** The proposed property acquisition would not adversely impact any wastewater facilities, since this action would not require wastewater treatment capacity. (1)
- f) – g) **No Impact.** The proposed acquisition would not impact solid waste services. (1)

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<sup>4</sup>Referred to in the MCWRA Act codified at Chapter 52 of West's Water Code Appendix as the Salinas River Groundwater Basin.

<sup>5</sup> *Riverwatch v. Olvenhain* (2009) 170 Cal.App.4<sup>th</sup> 1186

<sup>6</sup> "Annexation Agreement Between the Marina County Water District and the Monterey Regional Water Pollution Control Agency," dated April 26, 1989; "Annexation Agreement and Groundwater Mitigation Framework for Marina Area Lands," dated March 1996; "Monterey Regional Water Supply Program Recycled Water Three-Way Memorandum of Understanding," dated July 10, 2009.

Potential utilities impacts associated with future development on the Site have been evaluated in the certified CPUC EIR, and future development would be required to mitigate its impacts based upon the conclusions in the certified EIR. The project would not result in significant new or increased utilities impacts beyond those identified in the certified CPUC EIR. If the site is owned by MCWD, there is an increased potential for non-groundwater supply projects to be constructed that would benefit groundwater resources. (1, 4)

## 17. MANDATORY FINDINGS OF SIGNIFICANCE

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

### Explanation

- a) **No Impact.** The proposed acquisition would not substantially degrade or reduce wildlife species or habitat or impact historic resources, since this action does not involve any physical changes to the environment. (1)
- b) **No Impact.** The proposed acquisition would not result in cumulative impacts, since this action does not involve any physical changes to the environment. (1)
- c) **No Impact.** The proposed acquisition would not result in adverse impacts on human beings. (1)

Potential environmental impacts associated with future development on the Site have been evaluated in the certified CPUC EIR, and future development would be required to mitigate its impacts based upon the conclusions in the certified EIR. The project would not result in significant new or increased environmental impacts beyond those identified in the certified CPUC EIR. (1, 4)

## **VIII. References**

### **RESPONSIBLE AGENCY**

#### **Marina Coast Water District (MCWD)**

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