



**CITY OF PACIFIC GROVE**  
300 Forest Avenue, Pacific Grove, California 93950

**AGENDA REPORT**

**TO:** Honorable Mayor and Members of City Council

**FROM:** Daniel Gho, Public Works Superintendent, Jim Brezack, Brezack and Associates Planning

**MEETING DATE:** November 19, 2014

**SUBJECT:** Certification of Final Environmental Impact Report (FEIR) for the Pacific Grove Local Water Project (PGLWP)

**CEQA:** FEIR Prepared

**RECOMMENDATION**

1. Approve a resolution making appropriate findings and certify the FEIR;
2. Approve the City of Pacific Grove Local Water Project;
3. Adopt the Mitigation Monitoring & Reporting Program; and
4. Authorize the City Manager to take all necessary actions in support of these actions.

**BACKGROUND**

The City has made significant progress in the planning and engineering of a recycled water project, known as the City of Pacific Grove Local Water Project (PGLWP). The City Council has taken a series of actions, in support of the project, starting in early 2012. The PGLWP will replace approximately 125 acre-feet / year (0.25 million gallons per day) of irrigation demands with non-potable supplies for the Golf Links and the El Carmelo Cemetery. Currently, these demands have been met using potable water from the California American Water Company (Cal-Am).

Cal-Am, the franchise water purveyor to Pacific Grove and the Monterey Peninsula region, has actively pursued a new water supply project for many years to reduce its withdrawals from the Carmel River Aquifer and Seaside Groundwater Basin. In 2009, the State Water Resources Control Board (SWRCB) adopted Board Order WR 2009-0060, also known as the Cease and Desist Order (CDO). The CDO set a timeframe for Cal-Am to reduce its pumping from the Carmel River to their legal limit by the end of 2016. The Peninsula's other source of water, the Seaside Groundwater Basin, has been adjudicated and also contains a schedule for reduction of pumping.

On April 22, 2012, Cal-Am proposed the Monterey Peninsula Water Supply Project, which includes a desalination facility. Collaborating projects are the Monterey Regional Water Pollution Control Agency's groundwater replenishment project, and the Monterey Peninsula Water Management District's seasonal aquifer storage and recovery (ASR) project. Cal-Am's

application to the California Public Utilities Commission (CPUC) requires approval of a certificate of public convenience and necessity (CPCN) and the necessary environmental review, in accordance with state and federal standards (Proceeding A1204019). The CPUC schedule has been recently revised; the Draft Environmental Impact Report is now scheduled to be circulated in the winter of 2014, and the FEIR is set to be issued in spring of 2015, and CPUC action on the CPCN is anticipated in April 2015.

## **DISCUSSION**

The City obtained a grant from the SWRCB for the preparation of a Facilities Plan Report for the PGLWP. The Facilities Plan Report provided the planning and engineering development of the proposed Project including an analysis of project feasibility. The report has been reviewed and accepted by the SWRCB and will be used as a part of the application for both a low-interest construction loan and a construction grant from the state.

The Notice of Preparation for the environmental documentation was prepared, filed with the State, and circulated for public review on February 21, 2014. On March 4, 2014, a publicly noticed scoping meeting was held to receive comments on the issues and concerns associated with the proposed Project. At that time, public comments were received so that they could be addressed in the Draft EIR. The process of preparing the Draft EIR was then begun.

On September 16, 2014, the Draft EIR was completed, filed with the State Clearinghouse and assigned the SCH Number 2014021058. This began the 52-day public review period that concluded on November 5, 2014. On October 15, 2014, a presentation was made to City Council to provide an additional opportunity to obtain comments from the City Council and the public on the proposed Project. During the review period, the Draft EIR was circulated to state and local agencies, concerned stakeholders, and made available for public review and comment on the City's webpage and at City Hall. A Notice of Availability of the completed Draft EIR was also placed in the local newspaper.

Following the close of the public review period, the FEIR was prepared by the City pursuant to the SWRCB requirements for the preparation of a CEQA Plus document. CEQA requires analysis of the potential environmental effects of the proposed project and the development of mitigation measures, as necessary to reduce potential effects to a level that is less than significant.

Additionally, the FEIR address written comments received throughout the public review period, presents changes as needed to the Draft EIR and established the required mitigation measures and monitoring program to ensure that the potential environmental effects are reduced to a level of insignificance.

The Facilities Plan Report and the CEQA Plus documentation are required to receive low-interest loans from the State Revolving Fund (SRF) program for project construction. Typically, SRF loans are made at an interest rate equal to one-half of the rate of bonds sold by the State of California, or approximately 2.25%. On March 19, 2014, the SWRCB approved an interest rate of 1% for a maximum of 30-year term for wastewater recycling projects; one of several actions

called for by Governor Brown in the Drought State of Emergency. Additionally, the SWRCB may provide a construction grant for up to 25% of the cost of the project.

**CEQA.** The City of Pacific Grove is the Lead Agency for the proposed Project evaluated in the CEQA Document and independently reviewed and analyzed in the Draft EIR and FEIR for the Project. The Draft and FEIRs have been available at the City Library, Community Development Department and are posted on the City's website as follows: Homepage/City Hall/Public Works/Environmental Programs/ Pacific Grove Proposed Local Water Project:  
<http://www.ci.pg.ca.us/index.aspx?page=333>.

The CEQA Document provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the proposed Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit all comments made during the public review period. The Notice of Preparation of the Draft EIR was circulated for public review. It requested that responsible and trustee agencies respond as to the scope and content of the environmental information germane to that agency's specific responsibilities. The public review period for the Draft EIR was for 52 days between September 16, 2014 and November 5, 2014. The Draft EIR and appendices were available for public review during that time. A Notice of Completion and copies of the Draft EIR were sent to the State Clearinghouse, and Notices of Availability of the Draft EIR were published by the City.

Pursuant to CEQA, the environmental document evaluated the following impacts: (1) aesthetics; (2) air quality; (3) biological resources; (4) cultural resources; (5) geology/soils; (6) greenhouse gas emissions/climate change; (7) hazards and hazardous materials; (8) hydrology and water quality; (9) land use and planning; (10) noise; (11) public services and utilities; and (12) transportation/traffic. CEQA Plus requirements are additional requirements imposed by the SWRCB beyond those that are required by CEQA because the Federal Environmental Protection Agency provides funds to California and other states for the capitalization of SRF program. The SRF provides low-interest loans for the construction of wastewater, wastewater recycling, wastewater collection and other eligible projects.

The CEQA-Plus requirements were for the analysis of the following thirteen federal crosscutting regulations:

1. Section 7 of the federal Endangered Species Act
2. Section 106 of the National Historic Preservation Act (includes Archaeological and Historic Preservation Act)
3. Federal Clean Air Act
4. Protection of Wetlands, Executive Order No. 11990, amended by Executive Order No. 12608 (1997)
5. Migratory Bird Treaty Act
6. Magnuson-Stevens Fishery Conservation and Management Act
7. Flood Plain Management, Executive Order No. 11988, amended by Executive Order No. 12148 (1979)
8. Farmland Protection Policy Act
9. Coastal Zone Management Act

10. Wild and Scenic Rivers Act
11. Safe Drinking Water Act, Sole Source Aquifer Protection
12. Coastal Barriers Resources Act
13. Environmental Justice, Executive Order No. 12898 (February 11, 1994)

Additionally, the CEQA-Plus Document considered, in separate sections, significant irreversible environmental changes and growth inducing impacts of the proposed Project, as well as a reasonable range of project alternatives. All of the significant environmental impacts of the proposed Project were identified in the CEQA Plus Document; No significant impacts that are not able to be reduced to less-than-significant levels have been identified for the proposed Project. Therefore, there is no need for the City of Pacific Grove to adopt a statement of overriding conditions to consider certifying the FEIR and approving the project.

The City evaluated five comment letters on environmental issues received from persons and agencies who reviewed the Draft EIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The FEIR provides adequate, good faith and reasoned responses to the comments. These responses were provided to the commenters on November 7, 2014. The City reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information to the Draft EIR regarding adverse environmental impacts. The City has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings, concerning the environmental impacts identified and analyzed in the FEIR. The responses to the comments on the Draft EIR, which are contained in the FEIR, clarify and amplify the analysis in the Draft EIR

**Mitigation Monitoring and Reporting Program.** The Mitigation Monitoring and Reporting Program (MMRP) includes all of the mitigation measures identified in the CEQA Document and has been designed to ensure compliance during implementation of the Project. The MMRP provides the steps necessary to ensure that the mitigation measures are fully enforceable. The MMRP designates responsibility and anticipated timing for the implementation of mitigation; the City will serve as the MMRP Coordinator.

**Key Upcoming Steps.** In January, 2015 the Council will be asked to: adopt three resolutions required by the state in support of the City's application for the State loan and grant; and approve the Coastal Commission permit application. In February, the City will issue a request for qualifications and request for proposals for the design-build contractor. In April, the Planning Commission will be asked to approve the required City permits. In May, the Council will be asked to approve the design-build contractor as well as the contractor for the waste sewer line to connect the LWP to the sewer trunk line. And in August, the City will submit permit applications to the Air Pollution Control District, Regional Water Quality Control Board, and Monterey County Department of Health. Based on successful completion of these key steps, construction can begin, with the intent of achieving initial operation / testing of the facilities in Summer, 2016 and full operation by November, 2016.

## **FISCAL IMPACT**

There is no fiscal impact associated with certification of the FEIR. By certifying the FEIR, the City will be able to complete the Environmental Package necessary for the application to the SWRCB for a low-interest loan and potentially for grant funds to prepare additional studies, completed design engineering and construct the proposed Project.

Additional work on the project may be further considered in the FY 15/16 budget, pending the decision of City Council to peruse the application for construction funding.

## **ATTACHMENTS**

1. Local Water Project - Draft Facility Plan Report 2014 - full document on City website: <http://www.ci.pg.ca.us/modules/showdocument.aspx?documentid=9754Final EIR>
2. Final Environmental Impact Report <http://cityofpacificgrove.org/index.aspx?page=28&recordid=182&returnURL=%2findex.aspx>
3. Resolution
4. Exhibit A

RESPECTFULLY SUBMITTED:



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Daniel Gho  
Public Works Superintendent

REVIEWED BY:



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Thomas Frutchey  
City Manager

**RESOLUTION NO. 14-xxx**  
**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE**  
**CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (FEIR),**  
**ADOPTING THE MITIGATION MONITORING AND REPORTING PLAN, AND**  
**APPROVING THE PACIFIC GROVE LOCAL WATER PROJECT**

**FACTS**

1. The City of Pacific Grove has already made significant progress in planning of recycled water projects as an integral part of the peninsula's portfolio approach to solving the water crisis, in collaboration with the alternative desalination projects, the ground water recharge project, etc.
2. The City of Pacific Grove's commitment to developing recycled water is formally documented in the City's General Plan, Local Coastal Plan, and in City Council resolutions.
3. The Pacific Grove Local Water Project (PGLWP) is a non-potable recycled water supply project of 125 acre-feet per year (afy) to meet irrigation needs on the Pacific Grove Golf Links, El Carmelo Cemetery, and other uses, that will thereby reduce the potable water demands on the California American Water Company's system.

The PGLWP has contemplated the potential for the future expansion of the project but currently intends to pursue only the implementation of the 125 afy project. Analysis to date of the potential expansion of the PGLWP has contemplated serving additional demands up to 600 afy. Implementation of any expansion of the PGLWP above the 125 afy capacity will require additional environmental, planning, engineering analysis and approvals.

4. The City of Pacific Grove, in its support of the PGLWP, is consistent with the State of California's Recycled Water Policy to increase the use of recycled water. The City hereby recognizes that, pursuant to Water code section 13550 et seq., the use of potable domestic water for non-potable uses, including, but not limited to, cemeteries, golf courses, parks, highway landscaped areas, and industrial and irrigation uses, is a waste or an unreasonable use of the water within the meaning of Section 2 of Article X of the California Constitution if recycled water is available.
5. The City of Pacific Grove has committed matching funds to study the feasibility of the PGWLP. On January 16, 2013, the City adopted resolution 13-002 to pursue a Facilities Planning Grant from the State Water Resources Control Board. The Facility Plan Study analyzed the feasibility of a recycled water plan and an initial analysis of its potential environmental effects.
6. The City of Pacific Grove has managed a \$125,000 Facility Planning Grant from the State Water Resources Control Board and provided a 50 percent match to the grant (\$62,500) to fund the work.

7. In March 2013, Brezack & Associates Planning (B&AP) was retained by the City of Pacific Grove to complete the PGLWP Facility Plan Report. The scope of work in this study was to: (1) develop a range of project alternatives (2) select a preferred project alternative, (3) provide an Engineer's Estimate of Probable Costs for each alternative (4) identify specific regulatory and environmental issues; and collaboration with other parties (5) develop a construction financing plan; and (6) conduct a recycled water market assessment and means for market assurance. In June 2013, B&AP was retained by the City of Pacific Grove to complete CEQA compliance for the PGLWP.
8. The City received a \$100,000 grant from the Monterey Peninsula Water Management District to conduct initial planning and engineering analyses.
9. The City of Pacific Grove intends to apply for a State Revolving Fund (SRF) Loan administered by the State Water Resources Control Board, Division of Clean Water Programs. The SRF Loan Program is partially funded by the U.S. Environmental Protection Agency (EPA) and is therefore subject to federal environmental regulations. To comply with applicable federal statutes and authorities, the EPA established specific "CEQA-Plus" requirements in the Operating Agreement with the State Water Resources Control Board for administering the SRF Loan Program. The PGLWP Environmental Impact Report includes the CEQA-Plus requirements established by the EPA.

## FINDINGS

1. The California Environmental Quality Act (CEQA) requires the environmental impacts of a project be examined and disclosed prior to approval of a project. Exhibit A to this resolution contains these required findings regarding the CEQA Document for the Pacific Grove Local Water Project;
2. No significant impacts that are not able to be reduced to less-than-significant levels have been identified for the proposed project. Therefore, there is no need for the City of Pacific Grove to adopt a statement of overriding conditions in order to consider certifying the Final EIR and approving the project.
3. The City of Pacific Grove is the Lead Agency for the proposed Project evaluated in the CEQA-Plus Document and independently reviewed and analyzed in the Draft EIR and Final EIR for the proposed Project;
4. The Notice of Preparation of the Draft EIR was circulated for public review. It requested that responsible and trustee agencies respond as to the scope and content of the environmental information germane to that agency's specific responsibilities;
5. The public review period for the Draft EIR was for 51 days between September 16, 2014 and November 5, 2014. The Draft EIR and appendices were available for public review during that time. A Notice of Completion and copies of the Draft EIR were sent to the State Clearinghouse, and Notices of Availability of the Draft EIR were published by the City.

Copies of the Draft EIR are available to the public at the City of Pacific Grove Community Development Department, 300 Forest Avenue and at the Pacific Grove Public Library, 550 Central Avenue and posted on the City's website  
<http://www.ci.pg.ca.us/index.aspx?page=28&recordid=182&returnURL=%2Findex.aspx>

6. The City evaluated the five comment letters on environmental issues received from persons who reviewed the Draft EIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The Final EIR provides adequate, good faith and reasoned responses to the comments, and these responses were provided to the commenters on November 7, 2014. The City reviewed the comments received and responses thereto and has determined that neither the comments received nor the responses to such comments add significant new information to the Draft EIR regarding the project's adverse environmental impacts.
7. The City has based its actions on full appraisal of all viewpoints, including all comments received up to the date of adoption of these Findings, concerning the environmental impacts identified and analyzed in the Final EIR;
8. The City finds that the CEQA Document provides objective information to assist the decision-makers and the public at large in their consideration of the environmental consequences of the proposed Project. The public review period provided all interested jurisdictions, agencies, private organizations, and individuals the opportunity to submit all comments made during the public review period;
9. The CEQA Document evaluated the following impacts: (1) aesthetics; (2) air quality; (3) biological resources; (4) cultural resources; (5) geology/soils; (6) greenhouse gas emissions/climate change; (7) hazards and hazardous materials; (8) hydrology and water quality; (9) land use and planning; (10) noise; (11) transportation and traffic; and (12) public services and utilities. Additionally, the CEQA Document considered, in separate sections, significant irreversible environmental changes and growth inducing impacts of the Project, as well as a reasonable range of project alternatives. The CEQA Document also evaluated the following federal requirements for compliance with CEQA-Plus: (1) Federal Endangered Species Act (ESA) Section 7 (2) Magnuson-Stevens Fishery Conservation and Management Act, Essential Fish Habitat (EFH); (3) National Historic Preservation Act (NHPA) Section 106; (4) Clean Air Act; (5) Coastal Zone Management Act; (6) Coastal Barriers Resources Act; (7) Farmland Protection Policy Act; (8) Floodplain Management- Executive Order 11988; (9) Migratory Bird Treaty Act (MBTA); (10) Protection of Wetlands Executive Order 11990; (11) Wild and Scenic Rivers Act; (12) Safe Drinking Water Act, Source Water Protection; (13) Environmental Justice – Executive Order No. 12898. All of the significant environmental impacts of the Project were identified in the CEQA-Plus Document;
10. The Mitigation Monitoring and Reporting Plan (MMRP) includes all of the mitigation measures identified in the CEQA-Plus Document and has been designed to ensure compliance during implementation of the proposed Project. The MMRP provides the steps necessary to ensure that the mitigation measures are fully enforceable;

11. The MMRP designates responsibility and anticipated timing for the implementation of mitigation; the City will serve as the MMRP Coordinator;
12. In determining whether the proposed Project may have a significant impact on the environment, and in adopting these Findings pursuant to Section 21081 of CEQA, the City has complied with CEQA Sections 21081.5 and 21082.2;
13. The impacts of the proposed Project have been analyzed to the extent feasible at the time of certification of the CEQA Document;
14. The City made no decisions related to approval of the proposed Project prior to the November 19, 2014 hearing. The City also did not commit to a definite course of action with respect to the proposed Project prior to the November 19, 2014 hearing;
15. Copies of all the documents incorporated by reference in the CEQA Document are and have been available upon request at all times during regular business hours at the City of Pacific Grove's offices, located at 300 Forest Avenue, Pacific Grove, California 93950; and at the Pacific Grove Public Library, 550 Central Avenue and posted on the City's website <http://www.ci.pg.ca.us/index.aspx?page=28&recordid=182&returnURL=%2Findex.aspx>. The City is the custodian of record for such documents and other materials;
16. The responses to the comments on the Draft EIR, which are contained in the Final EIR, clarify and amplify the analysis in the Draft EIR;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE:**

1. The Council determines that each of the Findings set forth above is true and correct, and by this reference incorporates those Findings as an integral part of this Resolution;
2. The CEQA-Plus Document was completed in compliance with CEQA and the requirements of the State Water Resources Control Board;
3. The CEQA-Plus Document reflects the City's independent judgment;
4. Having reviewed the information contained in the CEQA-Plus Document and in the administrative record, the City finds that there is no new significant information regarding adverse environmental impacts of the proposed Project in the Final EIR;
5. Having received, reviewed and considered all information and documents in the CEQA-Plus Document, as well as all other information in the record of proceedings on this matter, these Findings are hereby adopted by the City in its capacity as the CEQA Lead Agency;

6. The Mitigation Monitoring and Reporting Plan is hereby adopted to ensure implementation of feasible mitigation measures identified in the Final EIR. The City finds that these mitigation measures are fully enforceable conditions on the proposed Project.
7. The City hereby approves the Pacific Grove Local Water Project and certifies the Final EIR in accordance with the requirements of CEQA.
8. This Resolution shall take effect immediately following passage and adoption thereof.
9. A Notice of Determination will be filed immediately after final approval of the project.

**PASSED AND ADOPTED** BY THE COUNCIL OF THE CITY OF PACIFIC GROVE  
this 19<sup>th</sup> day of November, 2014, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

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BILL KAMPE, Mayor

ATTEST:

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SANDRA KANDELL, Deputy City Clerk

APPROVED AS TO FORM:

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DAVID C. LAREDO, City Attorney

## 1.0 INTRODUCTION

**1.1 Findings of Fact.** The California Environmental Quality Act (CEQA) requires that the environmental impacts of a project be examined and disclosed prior to approval of a project. CEQA Guidelines Section 15091 provides the following guidance regarding findings:

- “(a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
- (1) Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
  - (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
  - (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.”

Having received, reviewed and considered the Final Environmental Impact Report (FEIR) for the Pacific Grove Local Water Project (Project), SCH #201402158, dated November 2014 (“CEQA Document”), as well as all other information in the record of proceedings on this matter, the following Findings regarding the CEQA Document for the Pacific Grove Local Water Project are hereby adopted by the City of Pacific Grove (City).

**1.2 Document Format.** These Findings have been categorized into the following sections:

- 1) Section 1.0 provides an introduction to these Findings.
- 2) Section 2.0 provides a summary of the Project and overview of other discretionary actions required for the Project, and a statement of Project objectives.
- 3) Section 3.0 provides a summary of those activities that have preceded the consideration of the Findings for the Project as part of the environmental review process, and a summary of public participation in the environmental review for the Project.
- 4) Section 4.0 sets forth determinations regarding Effects Found Not to be Significant from the proposed Project.
- 5) Section 5.0 sets forth determinations regarding those potentially significant environmental impacts identified in the CEQA Document which the City has

determined to be Less Than Significant with the implementation of Project design features.

- 6) Section 6.0 sets forth findings regarding those significant or potentially significant environmental impacts identified in the CEQA Document which the City has determined can feasibly be Mitigated to a Less Than Significant level through the imposition of mitigation measures included in the EIR for the Project.
- 7) Section 7.0 sets forth findings regarding Significant and Unavoidable Impacts.
- 8) Section 9.0 sets forth findings regarding Growth Inducing Impacts.
- 9) Section 10.0 sets forth findings regarding Alternatives to the Project.

The Findings set forth in each section herein are supported by findings and facts identified in the administrative record of the Project.

**1.3 Custodian and Location of Records.** The documents and other materials which constitute the administrative record for the City's actions regarding the Project are located at the offices of the City of Pacific Grove, 2100 Sunset Drive, Pacific Grove, California 93950. The City of Pacific Grove is the custodian of the administrative record for the Project.

## **2.0 PROJECT SUMMARY**

**2.1 Project Location.** The project site is located in the City of Pacific Grove, Monterey County, California. The Satellite Recycled Water Treatment Plant is proposed to be located at the retired Point Pinos Wastewater Treatment Plant (PPWWTP), south of Ocean View Boulevard. The retired PPWWTP is located adjacent to the 15<sup>th</sup> and 17<sup>th</sup> Tees of the Pacific Grove Golf Links, west of the intersection of Asilomar Avenue and Ocean View Boulevard, within the City of Pacific Grove in Monterey County. The retired PPWWTP is fenced and is surrounded by open space, pedestrian trails, the Monterey Bay to the north, dune habitat restoration to the west, and the Pacific Grove Golf Links to the south and east.

**2.2 Project Description.** The PGLWP will produce and distribute high quality recycled water to replace potable water used for non-potable water demands. The PGLWP will recycle and reuse a portion of the wastewater generated within the City. Wastewater will be diverted from a gravity sewer in Asilomar Avenue that collects wastewater from the City's western-most sewershed<sup>1</sup>. Wastewater will be collected from existing sewer trunks and pipelines through a new diversion structure located in Asilomar Avenue. Diverted wastewater will be conveyed from this structure to the proposed SRWTP through a new 8-inch diameter, 1,300-foot long pipeline. The SRWTP will produce disinfected tertiary treated water, the highest grade of recycled water suitable for landscape irrigation described by the State of California in Title 22 Water Recycling Criteria, as defined in the California Code of Regulations (CCR) 60301.230 (California Department of Health Services, 2009). Following treatment at the proposed SRWTP, recycled water will be distributed through a new 8-inch diameter 2,800-foot long transmission pipelines to the Pacific Grove Golf Links and El Carmelo Cemetery.

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<sup>1</sup> "Sewershed" means, for the purposes of this EIR, all the land area drained by a network of municipal sewer system conveyances to a single identifiable point.

The proposed Project is intended to serve approximately 125 acre-feet per year of recycled water primarily to the City of Pacific Grove Golf Links and El Carmelo Cemetery (Demand Group I). Future expansion of the PGLWP could include Demand Groups II (other sites within Pacific Grove) and Demand Group III (sites outside of the City, including the City of Monterey and Pebble Beach).

The PGLWP includes construction and operation of the following proposed new facilities:

- **Wastewater Diversion:** wastewater diversion facilities, including the construction of a new diversion pipeline within an existing pipeline alignment to convey source water to the proposed new SRWTP.
- **Treatment Facilities:** a new SRWTP using membrane bioreactor (MBR) treatment technology, and associated facilities to filter, treat, and disinfect wastewater converting it to recycled water.
- **Recycled Water Storage and Distribution Facilities:** facilities consisting of the retrofit of two existing concrete tanks at Point Pinos, a new pump station, distribution pipelines, and appurtenant facilities to convey the recycled water to customers.
- **Waste Disposal Facilities:** facilities consisting of a new pump station and force main pipeline that will discharge waste activated sludge into the existing Monterey Regional Water Pollution Control Agency (MRWPCA) sewage collection facilities.
- **Replacement Potable Water Pipeline:** pipeline consisting of 1,100-feet of 1-inch diameter pipeline from Asilomar Avenue through the El Carmelo Cemetery to the cemetery maintenance building.
- **Future Facilities:** facilities consisting of expansion of both the SRWTP and the distribution system to provide recycled water to other non-potable demands throughout the City and other locations. These future facilities will be analyzed in greater detail at a later time when Demand Group II and III projects are developed and will require subsequent approvals by the City.

In conjunction with the primary goal of replacing potable water with high quality recycled water, additional key goals are:

1. To preserve available potable water supplies for domestic uses and to maximize the recycling and reuse of non-potable recycled municipal wastewater in a cost effective manner;
2. To substitute the City's use of CAW potable water with recycled water for non-potable water demands;
3. To reduce discharges to Monterey Bay and the Pacific Grove Area of Special Biological Significance (ASBS); and
4. To maximize the use of existing wastewater collection, treatment, recycling and recycled water distribution infrastructure for the development of irrigation water and other non-potable demands.

The following are the six primary benefits of the PGLWP:

1. The PGLWP conserves potable water for uses requiring potable water only, thereby helping to meet State requirements to conserve water and regional compliance for CAW's reduction of the use of water from the Carmel River;

2. It avoids all costs of producing an equivalent volume of potable water;
3. It requires less energy per unit of water produced, creates a smaller carbon footprint, and is otherwise resource-efficient as compared with other project alternatives;
4. It will provide a new supply of irrigation water, thereby reducing operational demands on CAW's planned desalination plant and other system components of the Monterey Peninsula Water Supply Project;
5. By using sewage, storm water, and dry weather flows as its sources of water, it helps achieves other State and local goals related to keeping the Pacific Grove Area of Special Biological Significance (ASBS) in particular and Monterey Bay in general, free of pollution; and
6. The PGLWP will be the first of the four primary Projects designed to prevent illegal diversions from the Carmel River and excessive pumping from the Seaside Aquifer to come on line. It is the only project that is scheduled to be operational prior to January 1, 2017, the State's designated date for imposing the full Cease and Desist Order (CDO). As such, it will reduce illegal diversions and create other significant environmental benefits in advance of the ability of any of the other projects to do so.

### **3.0 ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION**

On February 19, 2014, the City distributed a Notice of Preparation (NOP) for the Project. The State of California Clearinghouse issued a project number for the NOP, SCH #2014021058.

In accordance with CEQA Guidelines Section 15082, the NOP was circulated to interested agencies, groups, and individuals for a period of at least 30 days, during which comments were solicited and received, pertaining to environmental issues/topics that the Draft EIR should evaluate. The NOP comment period began on February 19, 2014 and ended on March 19, 2014 (30 days). The City held a public scoping meeting to receive input on the environmental analysis on March 5, 2014. NOP responses were considered in the preparation of the Draft EIR, which upon release, were made available to all Responsible/Trustee Agencies and interested groups and individuals, as required under CEQA Guidelines Sections 15105 and 15087.

The State-mandated public review of the Draft EIR began on September 16, 2014 and ended on November 6, 2014 (51 days). The City received comments between September 16, 2014 and November 5, 2014. The FEIR includes Response to Comments (Section 2.0 of the FEIR), which presents all written and oral comments received during the public review period of the Draft EIR, and includes responses to these comments and associated changes made to the Draft EIR.

The EIR is comprised of the following:

- FEIR dated November 2014
- DEIR dated September 2014
- Exhibits or appendices

- The list of persons, organizations and public agencies which commented on the Draft EIR
- The comments which were received by the City regarding the DEIR,
- City's written responses to significant environmental comments raised in the public review and comment process,

Pursuant to State CEQA Guidelines Section 15084, the EIR has been reviewed and analyzed by the City as the lead agency with respect to the proposed Project, and the EIR represents the independent judgment of the City as the lead agency with respect to the proposed Project. The following findings for the proposed Project and each fact in support of a finding are thus based upon substantial evidence in the record, including the FEIR.

#### 4.0 ENVIRONMENTAL EFFECTS DETERMINED TO NOT BE SIGNIFICANT IN THE EIR<sup>2</sup>

##### 4.1 Aesthetics

**a. Thresholds of Significance.** Pursuant to the *State CEQA Guidelines*, Appendix G checklist, potentially significant impacts will occur if the proposed project will result in any of the following:

1. *Have a substantial adverse effect on a scenic vista;*
2. *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;*
3. *Substantially degrade the existing visual character or quality of the site and its surroundings; and/or*
4. *Create a new source of substantial light or glare which will adversely affect day or nighttime views in the area.*

Items 1, 3, and 4 are discussed in Section 4.5 of the DEIR, *Aesthetics*. Item 2 is discussed below.

**b. Assessment of Impacts.** The PPWWTP site will continue to be surrounded by existing Monterey Cypress trees. These trees were planted to form a scenic visual barrier of the site from viewers such as golfers and residents. In addition, the two buildings (clarifier/administration and sludge digester) are visually pleasing. The proposed Project will not change the façade of the water tanks nor will the new skid-mounted recycled water appurtenances be located close enough to visually conflict with these two structures. The proposed Project (Demand Group I) will not adversely affect a scenic resource within a state scenic highway. According to the California Department of Transportation Scenic Highways Program, State Route 1 is an Officially Designated State Scenic Highway and All American Road within Pacific Grove<sup>3</sup>. However, the project area is not visible from State Route 1; therefore, no impact will occur.

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<sup>2</sup> Section 4.0 is based on analysis located in Sections 3 through 16, of the DEIR.

<sup>3</sup> Source: California Scenic Highway Mapping System. [http://www.dot.ca.gov/hq/LandArch/scenic\\_highways/](http://www.dot.ca.gov/hq/LandArch/scenic_highways/).

**Reference** – DEIR pages 4-7 through 4-10.

## 4.2 Agriculture and Forestry Resources

**a. Thresholds of Significance.** Pursuant to the *State CEQA Guidelines*, Appendix G checklist, potentially significant impacts will occur if the proposed project will result in any of the following:

- 1) *Convert Prime Farmland, Unique Farmland, 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;*
- 2) *Conflict with existing zoning for agricultural use, or a Williamson Act contract;*
- 3) *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));*
- 4) *Result in the loss of forest land or conversion of forest land to non-forest use; and/or*
- 5) *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.*

Section 3.2 of the DEIR describes “Resource Areas Eliminated from Further Analysis”.

**b. Assessment of Impacts.** There are no lands in the project area zoned or designated as forest or agricultural resources. Implementation of the proposed Project will not result in impacts to forest or agricultural resources.

## 4.3 Air Quality

**a. Thresholds of Significance.** Pursuant to the *State CEQA Guidelines*, Appendix G checklist, potentially significant impacts will occur if the proposed project will result in any of the following:

1. *Conflict with or obstruct implementation of the applicable air quality plan;*
2. *Violate any air quality standard or contribute substantially to an existing or projected air quality violation;*
3. *Result in cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable Federal or State ambient air quality standard;*
4. *Expose sensitive receptors to substantial pollutant concentrations; and/or*
5. *Create objectionable odors affecting a substantial number of people.*

Items 1 through 5 are discussed in Section 5.4 of the DEIR, *Air Quality*.

**b. Assessment of Impacts.**

The proposed Project will not conflict or obstruct implementation of the applicable air quality management plan, which is implemented by the Monterey Bay Unified Air Pollution Control District (MBUAPCD), nor will it violate any air quality standard or contribute substantially to an existing or projected air quality violation. Both short-term construction-related emissions and long-term operational emissions of the proposed Project are expected to be well below MBUAPCD Thresholds of Significance. The air quality effect associated with operation of the SWRTP will consist of traffic generated by employees of the SRWTP, vendors and visitors, estimated to be no more than 16 round trips per day. The North Central Coast Air Basin is an attainment area for all federal criteria pollutant standards. While the local North Central Coast Air Basin exceeds the California Air Resources Board State standards for ozone and particulate matter smaller than 10 microns (PM<sup>10</sup>), the additional traffic generated by the proposed Project will not result in a significant net increase of, nor expose sensitive receptors to, any criteria pollutant or toxic air contaminant (TAC). Finally, the proposed Project will be constructed so that no significant odors affecting sensitive receptors will be generated.

**Reference** – DEIR pages 5-19 through 5-24.

**4.4 Biological Resources**

**a. Thresholds of Significance.** In accordance with Appendix G of the *State CEQA Guidelines*, impacts will be potentially significant if the proposed project will result in any of the following:

- 1) *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;*
- 2) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;*
- 3) *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; and/or*
- 4) *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;*
- 5) *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; and/or*
- 6) *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.*

Items 1, 4, and 5 are discussed in Section 6.4, *Biological Resources*, of the DEIR. Items 2, 3, and 6 are discussed below.

**b. Assessment of Impacts.**

Impacts to Riparian Habitat and Other Sensitive Natural Communities. No sensitive habits were observed on the Project site or the adjacent areas. As such, there will be no impact to riparian and other sensitive habitat.

Conflict with the Provisions of a Habitat Conservation Plan. The proposed Project is not located within the boundaries of any adopted Habitat Conservation Plans or Natural Community Conservation Plans. The proposed Project will therefore not conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional or state habitat conservation plan and no mitigation is required.

Degradation of Water Quality in Seasonal Creeks, Reservoirs, and Downstream Waters  
There are no seasonal creeks, reservoirs, or downstream waters located in the Project site. Construction of the proposed Project will therefore not contribute to the degradation of water quality. As such, the proposed Project will have a less-than-significant impact on federally protected wetlands as defined by Section 404 of the Clean Water Act.

**Reference** – DEIR pages 6-13 through 6-14.

**4.5 Cultural Resources**

- a. Thresholds of Significance.** Pursuant to Appendix G of the *State CEQA Guidelines*, potentially significant impacts will occur if the proposed project will result in any of the following:
- 1) *Cause a substantial adverse change in the significance of an historical resource as defined in Section 15064.5;*
  - 2) *Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5;*
  - 3) *Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature of paleontological or cultural value; and/or*
  - 4) *Disturb any human remains, including those interred outside of formal cemeteries.*

Items 1 through 4 are discussed in Section 7.4, *Cultural Resources*, of the DEIR.

**4.6 Geology and Soils**

- a. Thresholds of Significance.** Pursuant to Appendix G of the *State CEQA Guidelines*, potentially significant impacts will occur if the proposed project will result in any of the following:
- 1) *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;*
  - ii. Strong seismic shaking*
  - iii. Seismic-related ground failure, including liquefaction,*
  - iv. Landslides;*
- 2) Result in substantial soil erosion or the loss of topsoil;*
  - 3) Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse;*
  - 4) 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; and/or*
  - 5) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.*

Items 1 through 4 are discussed in Section 8.4, *Geology/Soils*, of the DEIR. Item 5 is discussed below.

**b. Assessment of Impacts.** The proposed Project (Demand Group I) does not include the use of septic tanks or alternative wastewater disposal systems that rely on soil. Therefore, there will be no impact.

**Reference** – DEIR pages 9-12.

#### **4.7 Greenhouse Gas Emissions**

**a. Thresholds of Significance.** Pursuant to Appendix G of the *State CEQA Guidelines*, potentially significant impacts will occur if the proposed project will result in any of the following:

- (1) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.*
- (2) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.*

Items 1 through 2 are discussed in Section 9.4, *Greenhouse Gas Emissions*, of the DEIR.

#### **4.8 Hazards and Hazardous Materials**

**a. Thresholds of Significance.** Pursuant to Appendix G of the *State CEQA Guidelines*, potentially significant impacts will occur if the proposed project will result in any of the following:

- 1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;*

- 2) *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;*
- 3) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school;*
- 4) *Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, will it create a significant hazard to the public or the environment;*
- 5) *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, will the project result in a safety hazard for people residing or working in the project area;*
- 6) *For a project within the vicinity of a private airstrip, will the project result in a safety hazard for people residing or working in the project area;*
- 7) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan; and/or*
- 8) *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.*

Items 1 through 8 are discussed in Section 10.4, *Hazards and Hazardous Materials*, of the DEIR.

**Reference** – DEIR pages 10-16 through 10-21

#### **4.9 Hydrology and Water Quality**

**a. Thresholds of Significance.** Pursuant to Appendix G of the *State CEQA Guidelines*, potentially significant impacts will occur if the proposed project will result in any of the following:

- 1) *Violate any water quality standards or waste discharge requirements;*
- 2) *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level;*
- 3) *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 will result in substantial erosion or siltation on- or off-site;*
- 4) *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 will result in flooding on- or off-site;*
- 5) *Create or contribute runoff water which will exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff;*
- 6) *Otherwise substantially degrade water quality;*
- 7) *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;*

- 8) *Place within a 100-year flood hazard area structures which will impede or redirect flood flows;*
- 9) *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; and/or*
- 10) *Be subject to inundation by seiche, tsunami, or mudflow.*

Items 1 through 6, and 10 are discussed in Section 11.4 of the DEIR. Items 7 through 9 are discussed below.

**b. Assessment of Impacts.**

The proposed Project will not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. Therefore, there will be no impact.

The proposed Project will not place within a 100-year flood hazard area structures that will impede or redirect flood flows. Therefore, there will be no impact.

The proposed Project will not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam. The Point Pinos site does not lie within a flood zone or floodplain. There will be no risk of flooding from the failure of any dam. Therefore, there will be no impact.

**Reference** – DEIR pages 11-15 through 11-25.

**4.10 Land Use and Planning**

**a. Thresholds of Significance.** Pursuant to Appendix G of the *State CEQA Guidelines*, potentially significant impacts will occur if the proposed project will result in any of the following:

- 1) *Physically divide an established community;*
- 2) *Conflict with any applicable land use plan, policy, or regulation of any agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; and/or*
- 3) *Conflict with any applicable habitat conservation plan or natural community conservation plan.*

Item 3 is addressed in Section 12.4 *Land Use and Planning*, of the DEIR. Items 1 and 2 are discussed below.

**b. Assessment of Impacts.** Due to the nature of the proposed Project (i.e., Demand Group I) components to reuse the existing PPWWTP facilities and locate improvements below grade wherever feasible, the proposed Project will not physically divide an established community. In addition, the purpose of the proposed Project is to provide recycled water to the large landscaped open spaces adjacent to the SRWTP (namely the Pacific Grove Municipal Golf Links and El

Carmelo Cemetery). Since there are no other land uses with Demand Group I, there is no possibility that the proposed Project, could divide any community. The proposed Project is not located within the boundaries of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved conservation agreement. There will be no impact.

**Reference** – DEIR page 12-18.

#### 4.11 Mineral Resources

**a. Thresholds of Significance.** Pursuant to Appendix G of the *State CEQA Guidelines*, potentially significant impacts will occur if the proposed project will result in either of the following:

- 1) *Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state; and/or*
- 2) *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.*

Items 1 and 2 are discussed below.

**b. Assessment of Impacts.** There is no land designated for mineral resources in the City (Pacific Grove General Plan, 1994). The proposed Project is not located on, adjacent to, or near any mineral resources or recovery sites. There are no known mineral resources known to exist on or in the vicinity of proposed Project component sites. There will be no impact to mineral resources.

**Reference** –DEIR page 3-2.

#### 4.12 Noise

**a. Thresholds of Significance.** Pursuant to Appendix G of the *State CEQA Guidelines*, potentially significant impacts will occur if the proposed project will result in either of the following:

- 1) *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;*
- 2) *Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels;*
- 3) *A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project;*
- 4) *A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project;*
- 5) *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, will the project expose people residing or working in the project area to excessive noise levels; and/or*

- 6) *For a project within the vicinity of a private airstrip, will the project expose people residing or working in the project area to excessive noise levels.*

Items 1 through 4 are discussed in Section 13.4 *Noise*, of the DEIR. Items 5 and 6 are discussed below.

**b. Assessment of Impacts.** There are no airports located within two miles of the proposed Project site. As a result, there will be no airport noise impact to people residing or working at the project site. The closest airport to the project site is the Monterey Regional Airport, which is over 5.0-miles southeast of the project site. There will be no impact.

**Reference** – DEIR pages 13-15.

#### 4.13 Population and Housing

**a. Thresholds of Significance.** Pursuant to Appendix G of the *State CEQA Guidelines*, potentially significant impacts will occur if the proposed project will result in any of the following:

- 1) *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);*
- 2) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; and/or*
- 3) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.*

Item 1 is discussed in Section 5.0, *Long-Term Impacts*, of the Final EIR. Items 2 and 3 are discussed below.

**Assessment of Impacts.** The proposed Project does not propose construction of any new residences and will therefore not directly induce population growth. The proposed Project will directly generate up to 31 short-term jobs during construction of proposed Project components over a 9-month construction period.

The proposed Project will generate short-term employment opportunities during construction of project components and a limited amount of long-term employment opportunities associated with the operation and maintenance of project components. However, both temporary and long-term employment opportunities will be expected to be filled from within the existing community and long-term employment will be limited to 1 to 3 people. Therefore, construction and operation of project components will not be considered growth inducing and impacts related to direct or indirect population growth will be less than significant.

**Reference** – DEIR pages 16-2 through 16-3.

#### 4.14 Recreation

**a. Thresholds of Significance.** Pursuant to Appendix G of the *State CEQA Guidelines*, potentially significant impacts will occur if the proposed project will result in any of the following:

- 1) *Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated; and/or*
- 2) *Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.*

Items 1 and 2 are discussed below.

**b. Assessment of Impacts.** The proposed Project will not create an increase in population or promote activities that will increase the use of existing parks and recreational facilities. The proposed Project does not propose any new homes and will therefore not directly induce substantial population growth and will only generate short-term employment during construction of project components. In addition, the proposed Project will not expand services so as to provide for additional opportunities for growth. Additionally, the proposed Project will not include any recreational facilities or promote any activities that will require the construction or expansion of recreational facilities. The proposed SRWTP at the former PPWWTP will be located adjacent to the Pacific Grove Municipal Golf Links. Construction of irrigation pipelines at the golf course will cause temporary impacts to course play; however, construction activities will be scheduled to avoid peak use time. Therefore, the impact to recreation is considered less than significant; these issues will not be further analyzed in the EIR.

**Reference** – DEIR 3-2

#### 4.15 Transportation/Traffic

**a. Thresholds of Significance.** Pursuant to Appendix G of the *State CEQA Guidelines*, potentially significant impacts will occur if the proposed Project will result in any of the following:

- 1) *Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit;*
- 2) *Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways;*
- 3) *Substantially increase hazards to a design feature (e.g., sharp curves or dangerous*

- intersections) or incompatible uses (e.g., farm equipment);*
- 4) *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;*
  - 5) *Result in inadequate emergency access; and/or*
  - 6) *Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks).*

Items 1, 2, 3, 5, and 6 are discussed in Section 14.4, *Transportation/Traffic*, of the DEIR. Item 4 is discussed below.

**Assessment of Impacts.** There are no airports located within two miles of the proposed project site. As a result, there will be no change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. The closest airport to the project site is the Monterey Regional Airport, which is over 5.0-miles to the southeast. There will be no impact.

**Reference** – DEIR pages 14-3.

#### **4.16 Utilities and Service Systems**

**a. Thresholds of Significance.** Pursuant to Appendix G of the *State CEQA Guidelines*, potentially significant impacts will occur if the proposed project will result in any of the following:

- 1) *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:*
  - i. *Fire protection;*
  - ii. *Police protection;*
  - iii. *Schools;*
  - iv. *Parks; and/or*
  - v. *Other public facilities.*
- 2) *Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board;*
- 3) *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;*
- 4) *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;*
- 5) *Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed;*

- 6) *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;*
- 7) *Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and/or*
- 8) *Comply with federal, state, and local statutes and regulations related to solid waste.*

Items 1, and 3, 4,5, 7, and 8 are discussed in Section 15.4, *Utilities and Service Systems*, of the DEIR. Items 2 and 6 are discussed below.

**Assessment of Impacts.** The City currently conveys approximately 1.327 mgd (average daily flow) of wastewater to the MRWPCA RTP (Wallace Group, 2013). This is equal to approximately 7.17% of the total regional influent to the RTP. More than 92% of the wastewater flows to the RTP are from sources other than the City of Pacific Grove.

The PGLWP will reduce the total flows to MRWPCA by 0.11 mgd. This is the annual average flow that will be used to irrigate the golf course and cemetery. This is equivalent to a reduced wastewater flow to the MRWPCA RTP of 0.59% (roughly less than six-tenths of one percent). The PGLWP will have no impact to exceeding the wastewater treatment capacity.

**Reference** – DEIR pages 15-14 through 15-15.

## **5.0 ENVIRONMENTAL IMPACTS DETERMINED TO BE LESS THAN SIGNIFICANT IN THE EIR<sup>4</sup>**

The City finds, based upon the analysis presented in Section 4.0 of the Draft EIR, dated September 2014, as amended by the Final EIR, dated November 2014, that the following environmental effects of the project are less than significant, and, therefore, no mitigation measures are required:

### **5.1 Aesthetics**

**5.1.1 Less Than Significant Impact Aesthetics-1.** Construction and operations of the proposed Project will not have a substantial effect on a scenic vista nor will it substantially degrade existing visual character or quality of the site and its surroundings. Impacts will be *less than significant*.

**Facts in Support of Determination** – Given the limited amount of new above-ground facilities proposed for the site, as well as the existing fence and vegetation that almost entirely shields the interior of the site from external views, the proposed improvements will not degrade views from surrounding viewpoints or scenic vistas during the operational phase. In addition, construction activities will be temporary and largely obscured from public viewpoints by existing vegetation.

**Reference** – DEIR Page 4-7.

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<sup>4</sup> Section 5.0 is based on analysis located in Sections 4.1 through 4.12 of the FEIR.

**5.1.2 Less Than Significant Impact Aesthetics -2.** Construction and operation of the proposed Project will alter the existing visual character of the component sites. Considering the existing and historical uses of these sites and the nature of the proposed changes, the project will not substantially degrade the existing character or quality of the sites. Impacts will be *less than significant*.

**Facts in Support of Determination** – Given the limited amount of new above-ground facilities proposed for the site, as well as the existing fence and vegetation that almost entirely shields the interior of the site from external views, the proposed improvements will not degrade views from surrounding viewpoints or scenic vistas during the operational phase. In addition, construction activities will be temporary and largely obscured from public viewpoints by existing vegetation.

**Reference** – DEIR Page 4-7.

**5.1.3 Less Than Significant Impact Aesthetics-3.** The proposed Project will create a new source of substantial light or glare which will adversely affect day of nighttime views in the area. All new site lighting will be down-lit and directional in nature, consistent with City of Pacific Grove standards. Impacts will be *less than significant*.

**Facts in Support of Determination** Reuse of the retired PPWWTP as part of the proposed Project will introduce nighttime security lighting at the site. The site is currently used for storage and stockpiling of materials by the City and does not currently have nighttime security lighting. However, provision of new lighting will not result in a substantial increase in lighting. The SRWTP will continue to be largely concealed by the existing vegetation. In addition, all lighting will be directed downwards, consistent with City standards (i.e., City of Pacific Grove Architectural Review Guidelines). Therefore, Project lighting at the proposed site for the treatment facility will be installed so as not to interfere or cause confusion with the beam of light from the Federal Aid-to Navigation Lighthouse. Thus, the visual impact from nighttime lighting will be *less than significant*.

**Reference** – DEIR Page 4-9

## 5.2 Air Quality

**5.2.1 Less Than Significant Impact Air Quality-1.** Construction and implementation of the proposed Project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under the applicable Federal or State ambient air quality standard. This impact will be *less than significant*.

**Facts in Support of Determination** – Both short-term construction-related emissions and long-term operational emissions of the proposed Project are expected to be well below MBUAPCD Thresholds of Significance. The SRWTP will apply for any required MBUAPCD Permits to Construct and Operate to ensure the facility will be in full compliance with

MBUAPCD regulations and be consistent with the MBUAPCD Air Quality Management Plan. There will be a *less than significant impact*.

**5.2.2 Less Than Significant Impact Air Quality-2.** Construction and implementation of the proposed Project will not expose sensitive receptors to substantial pollutant concentrations. This impact will be *less than significant*.

**Facts in Support of Determination** – SRWTP operation will result in emissions of small amounts of TACs. For this analysis, project-specific operational information is not yet available to accurately estimate operational TAC emissions, however, they are expected to be quite small, and well below applicable Thresholds of Significance.

The proposed Project will apply for any required MBUAPCD Permits to Construct and Operate to ensure the facility will be in full compliance with MBUAPCD TAC regulations and screening procedures and will not result in exposing sensitive receptors to substantial pollutant concentrations. There will be a *less than significant impact*.

**5.2.3 Less Than Significant Impact Air Quality-3.** Construction and operation of the proposed Project will not result in the objectionable odors affecting a substantial number of people. Impacts will be *less than significant*.

**Facts in Support of Determination** – Under normal operating conditions, objectionable odors will not be detectable outside the fenced SRWTP facility. Normal operating conditions are when the SRWTP is processing the average daily amount of effluent as described in the proposed Project description. SRWTP odors are primarily comprised of reduced sulfur compounds formed in the breakdown of raw sewage under reducing anaerobic conditions. These reducing conditions primarily occur within the sewage collection system prior to sewage entering the SRWTP, and as such, the proposed SRWTP does little to facilitate the generation of odors, rather is merely a location for fugitive release. Therefore, the entrance point of raw sewage, anaerobic basin, and solid waste handling will be the primary potential odor sources at the proposed SRWTP. The raw sewage at the proposed SRWTP is primarily located in enclosed facilities that are not exposed to the air; thus, no odor from raw sewage will be emitted. The MBR process adds oxygen to the wastewater, and does not allow anaerobic conditions to occur; thereby reducing and in most instances eliminating offensive odors. The processing of solids handling at the SRWTP will be fully enclosed thereby reducing or eliminating odors.

The SRWTP will apply for any required MBUAPCD Permits to Construct and Operate to ensure the facility will be in full compliance with MBUAPCD regulations and will not result in the generation of objectionable odors. There will be a *less than significant impact*

**Reference** – DEIR Page 5-23

## **5.5 Geology/Soils**

**5.5.1 Less Than Significant Impact Geology/Soils-1.** Proposed Project construction and development could locate development of structures on a geologic unit or soil that is unstable as a

result of the project and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse, or locate development on expansive soils that may create substantial risks to life or property. *Impact is less than significant.*

**Facts in Support of Determination** – The Geotechnical Investigation prepared for this site indicates near surface soils are sands with a low percentage of fines and that these soils generally have a low potential for expansion (Pacific Geotechnical Engineering, August 2013). Therefore, the impact with respect to shrink-swell potential at the PPWWTP will be less than significant. In addition, the site has a low potential for on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse (Pacific Geotechnical Engineering, August 2013).

**5.5.4 Less Than Significant Geology/Soils-2.** Project construction and development could be located on expansive soil, creating substantial risks to life or property. *Impact is less than significant.*

**Facts in Support of Determination** – The Geotechnical Investigation prepared for this site indicates the near surface soils are sands with a low percentage of fines and that these soils generally have a low potential for expansion (Pacific Geotechnical Engineering, August 2013). Therefore, this is considered *less than significant.*

**Reference** – DEIR Pages 8-9 through 8-12.

## 5.6 Greenhouse Gas Emissions

**5.6.1 Less Than Significant Impact Greenhouse Gas Emissions-1.** The proposed Project will generate GHG emissions during construction and operation. However, GHG emissions generated by the proposed Project will not exceed the significance threshold. Impacts will be *less than significant.*

**Facts in Support of Determination** – Combined short-term construction related emissions and long-term operational emissions of the proposed Project will emit less than the “zero-equivalency” threshold of 230 metric tons of CO<sub>2</sub>e/year. These are also well below the most stringent thresholds of 1,100 metric tons CO<sub>2</sub>e per year, established by other California regional Air Quality Management Districts. There will be a *less than significant impact.*

**Reference** – DEIR page 9-14

**5.6.1 Less Than Significant Impact Greenhouse Gas Emissions -2.** The proposed Project will not conflict with applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emission of GHGs. Impacts will be less than significant.

**Facts in Support of Determination** – Because neither the MBUAPCD nor the County have developed an applicable plan for the purpose of reducing GHG emissions, AB 32 serves as the only GHG reduction plan that has relevance to the proposed Project. Implementation of the emissions reductions actions and programs identified in the Scoping Plan will enable California to meet AB 32 emissions reduction targets. Consequently, a qualitative assessment of project

consistency with applicable Scoping Plan actions and programs is the methodology used by the County to assess whether a proposed project will conflict with AB 32.

As identified above, once the County adopts a qualified GHG reduction plan as called for in 2010 General Plan Policy OS-10.11, compliance of future projects with that plan will be the basis for determining the significance of their impact on global climate change.

The quantity of GHG emissions that the proposed Project will emit will not conflict with any applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. Implementation of the proposed Project will result in a *less than significant impact* associated with conflicts with plans and regulations adopted for the purposes of reducing GHG emissions.

**Reference** – DEIR Page 9-14.

## **5.7 Hazards and Hazardous Materials**

**5.7.1 Less Than Significant Impact Hazards and Hazardous Materials-1.** Construction and operation of the proposed Project may include the use, storage, and/or transport of hazardous materials. Compliance with existing laws and regulations governing the use, transport and/or storage of hazardous materials will reduce impacts to *less than significant*.

**5.7.2 Less Than Significant Impact Hazards and Hazardous Materials -2.** Construction and operation of the proposed Project may create a significance hazard to the public or environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Compliance with existing laws and regulations will reduce impacts to *less than significant*.

**Facts in Support of Determination – Construction:** Construction equipment uses various hazardous materials (diesel fuel, oil, solvents, etc.) and these materials will be disposed of off-site in accordance with all applicable laws pertaining to the handling and disposal of hazardous waste. Hazardous or flammable materials used during construction will consist primarily of small volumes of petroleum hydrocarbons and their derivatives (e.g., fuels, oils, lubricants, and solvents) required for the operation of construction equipment. Materials will be those routinely associated with the operation and maintenance of heavy construction equipment or other support vehicles, including gasoline, diesel fuels, and hydraulic fluids. In addition, it is anticipated that small quantities of additional common hazardous materials will be used and produced on-site during construction, including antifreeze and used coolant, latex and oil-based paint, paint thinners and other solvents, cleaning products, and herbicides.

Soils, surface water, groundwater, or members of the public could be affected if a spill of motor vehicle fuel or transformer fluid were to occur as a result of transportation of these materials during project construction. However, such materials are routinely safely transported on public roadways. The transport of large quantities of hazardous materials is strictly regulated by the California Highway Patrol (CHP), and the transport of oversize/overweight loads is regulated by California Department of Transportation (Caltrans). Large quantities of hazardous materials used during project construction will be transported along regulated routes by a licensed transporter,

and will therefore not pose a substantial hazard to people or the environment.

**Operation:** The purpose of the proposed Project is to treat municipal sewage for use as recycled non-potable irrigation water. Operation and maintenance of some of the proposed Project components may involve periodic and routine transport, use, and disposal of minor amounts of hazardous materials, primarily petroleum products (fuels and lubricating oils).

The proposed treatment facility will implement a UV disinfection system to water treatment, which eliminates the need for permanent chemical storage on-site. In addition, the filters that are currently proposed for treatment do not use chemicals as part of their backwash process. It is expected that chemicals may be used as part of the regular quarterly or annual cleaning of the filters, but no chemicals will be stored on-site as part of the cleaning process. Backwash water will be carefully managed and taken off-site for disposal. The transportation of these chemicals will occur infrequently and is not a significant concern.

During the operation of the proposed SRWTP, primary screenings will be filtered out of the municipal sewage. A rotary screen will collect the pollutants and implement a helical screw system to lift and dewater the waste before conveying it to a dumpster. The waste will then be dried and stored on-site before being disposed of at the Monterey Regional Solid Waste Management Facility.

As required by OSHA Standard 1910.120, Hazardous Waste Operations and Health Standards, safety training will be conducted prior to construction to educate personnel of potential safety issues. Compliance with all applicable regulations, including OSHA and Cal/OSHA will ensure that all fuels, fluids, and components with hazardous materials or hazardous wastes will be handled properly and kept in segregated storage with secondary containment, as necessary. In compliance with RCRA regulations, the City will maintain all records of storage and inspection and provide for proper off-site disposal.

Compliance with existing laws and regulations governing the transport, use, and storage of hazardous materials and wastes as well as use of appropriately trained employees will reduce impacts related to exposure of the public or environment to hazardous materials to *less than significant*.

**Reference** – DEIR Pages 10-16 through 10-17

## **5.8 Hydrology and Water Quality**

**5.8.1 Less Than Significant Impact Hydrology and Water Quality-1.** Site preparation, grading and construction activities could degrade water quality due to the potential for erosion and sedimentation. However, compliance with existing federal, state, and local requirements will ensure that impacts remain Class III, *less than significant*.

**Facts in Support of Determination** – Earth-moving activities including grading, trenching, excavation, and soil hauling associated with the project components have the potential to degrade

water quality due to erosion and sedimentation. Regulations under the federal CWA require that an NPDES storm water permit be obtained for projects that will disturb greater than one acre during construction [refer to Section 10.3 (Regulatory Setting)]. Each of the five proposed Project components could be undertaken separately, and only those proposed Project components greater than one acre will be required to comply with the NPDES program through preparation of a SWPPP, which outlines BMPs that will address post construction runoff. BMPs typically specified within the SWPPP may include, but will not be limited to, the following:

- The use of sandbags, straw bales, and temporary de-silting basins during project grading and construction during the rainy season to prevent discharge of sediment-laden runoff into storm water facilities;
- Revegetation as soon as practicable after completion of grading to reduce sediment transport during storms;
- Installation of straw bales, wattles, or silt fencing at the base of bare slopes before the onset of the rainy season (October 15th through April 15th); and
- Installation of straw bales, wattles, or silt fencing at the project perimeter and in front of storm drains before the onset of the rainy season (October 15th through April 15th).

All proposed Project components (including those smaller than one acre) will be subject to the City of Pacific Grove Storm Water Management and Discharge Control Ordinance (Pacific Grove Municipal Code (PGMC) Section 9.30. This section of the Municipal Code permits the City Public Works Department to identify construction BMPs. These construction BMPs require that every construction project have an erosion and sediment control plan to prevent soil and materials from leaving the site. Construction activities must be scheduled so that soil is not exposed for long periods of time, and key sediment control practices must be installed.

These practices may include, but are not limited to: perimeter control (use of gravel bags, silt fences, and straw wattles); construction material storage (covered when not in use); dirt and grading measures (daily watering of dirt and travel mounds; covering during the rainy season [October 15 – April 15]); and storm drain measures (use of perimeter controls).

The disturbance associated with this proposed Project will be 0.77 acres, which is less than the one-acre threshold for preparation of a SWPPP; therefore, a SWPPP will not be required. However, construction BMPs established by the City Public Works Department will still be required, as described above. These BMPs will reduce the potential for storm water pollution associated with construction activities, including on- and off-site sedimentation, deposition, and erosion. These BMPs will be administered by the City Public Works Department prior to start of construction.

Site preparation, grading and construction activities could degrade water quality due to the potential for erosion and sedimentation. However, compliance with existing federal, state, and local requirements will ensure that impacts remain *less than significant*.

**Reference** – DEIR Page 11-15 through 11-16

**5.8.2 Less Than Significant Impact Hydrology and Water Quality-2:** The proposed Project will not substantially deplete groundwater supplies or interfere substantially with

groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level. Impacts will be *less than significant*.

**Facts in Support of Determination --** The proposed Project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level. The proposed Project will serve to improve regional groundwater quantities and qualities by providing recycled water as a potable water substitute. The proposed Project will benefit regional groundwater quantities and qualities.

There are no local groundwater supplies used for potable water within the proposed Project area. Some groundwater from wells located at the retired PPWWTP is used for construction, pipeline flushing, and street sweeping purposes. The PGLWP will replace recycled water to the groundwater currently used for construction, pipeline flushing, and street sweeping. Therefore, the proposed Project will benefit the local groundwater quantities and qualities.

The use of recycled water in close proximity to domestic groundwater wells may result in adverse water quality effects that could have health risks. However, there are no domestic groundwater wells within the Project area so no impacts from proposed Project implementation will occur. Any recycled water that infiltrates into the groundwater will not be expected to pose a health risk because there are no groundwater wells within the area. Compliance with Title 22 standards for tertiary treated water will ensure recycled water could not be used within 50 feet of any existing domestic groundwater well. Recycled water use is expected to have a *less than significant effect* within the Project area as potable water supply for customers within the Project area is from other sources in the region such as the Carmel Valley River basin, Salinas Valley Groundwater Basin, and the Seaside Groundwater Basin. Future sources may include seawater desalination from the Monterey Peninsula Water Supply Project.

**Reference** – DEIR Page 11-17

**5.8.2 Less Than Significant Impact Hydrology and Water Quality-3.** The proposed Project will not alter the existing drainage pattern of the site or area. The proposed project will not alter the course of a stream or river in a manner which will result in substantial erosion or siltation on or off site.

**Facts in Support of Determination** – The proposed Project does not include modification of the storm drainage pattern of the site. Therefore, the proposed Project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that will result in substantial erosion or siltation on- or off-site. In addition, the proposed Project is not expected to substantially alter the existing Asilomar Avenue 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 that will result in flooding on- or off-site. These findings are supported by the following documentation:

- The proposed Project component sites are already mostly developed with water conveyance or treatment infrastructure. The proposed Project will involve rehabilitation or refurbishment of already developed sites of the retired PPWWTP site, Golf Links, and

El Carmelo Cemetery. New sewer diversion pipelines, sewer pump station, sewer force mains, recycled water pipeline are located within existing street rights-of-way, or within City-owned property.

- *Recycled Water Distribution Pipeline.* This component of the proposed Project will be located primarily within the Pacific Grove Municipal Golf Course. The area is previously disturbed for golf recreation and landscape irrigation. The recycled water distribution pipeline will cross Asilomar Avenue south of the intersection with Del Monte Boulevard. The pipeline trenches as a result of proposed Project installation that are located within the Golf Course will be returned to their existing conditions for golf play. No increase impervious surface areas within the site will occur after pipeline installation is complete.
- *Point Pinos Satellite Recycled Water Treatment Plant.* The SRWTP components will result in a total of approximately 6,100 square-feet of new impervious surfaces at the site. These new impervious surfaces include a new concrete pad that is 6,000 square-feet for treatment components, a 64 square-foot concrete pad for the waste pump station, and another 64 square-foot pad for the recycled water pump station. This area represents about 10 percent of the overall former PPWWTP area. Given the relatively minor area of disturbance, impacts related to generating additional storm water runoff and subsequent increased downstream erosion due to this new amount of impervious surfaces will not result in significant impacts to existing drainage patterns or flows.

The proposed Project involves redevelopment of existing infrastructure within previously disturbed sites within the City. The proposed Project will not introduce substantial additional impervious surfaces, and will not, therefore, increase the potential for downstream increased erosion. Impacts will be *less than significant*.

**Reference** – DEIR pages 11-18 though 11-19

**5.8.3 Less Than Significant Impact Hydrology and Water Quality-4:** The proposed Project will not substantially alter the existing drainage pattern of the site or substantially increase the rate or amount of surface runoff in a manner which will result in flooding on-or off site. It will not alter the course of a stream or rive. Impacts will be *less than significant*.

**Facts in Support of Determination** – The proposed Project will not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which will result in flooding on- or off-site. The proposed Project component sites are already mostly developed with water conveyance or treatment infrastructure. The proposed Project will involve rehabilitation or refurbishment of already developed sites the retired PPWWTP site, Golf Links, and El Carmelo Cemetery. New sewer diversion pipelines, sewer pump station, sewer force mains, recycled water pipeline are locating within existing street rights-of-way, or within City owned property.

*Recycled Water Distribution.* This component of the proposed Project will be located primarily within the Pacific Grove Municipal Golf Course. The area is previously disturbed for golf

recreation and landscape irrigation. The recycled water distribution pipeline will cross Asilomar Avenue south of the intersection with Del Monte Boulevard. The new pipeline trenches located within the Golf Course will be returned to their existing conditions for golf play, and will not increase the impervious surfaces.

*Point Pinos Satellite Recycled Water Treatment Plant.* There will be some additional impervious surface added at the SRWTP site where treatment components will occupy ground that is currently permeable. The SRWTP components will result in a total of approximately 6,100 square-feet of new impervious surfaces at the site. These new impervious surfaces include a new concrete pad that is 6,000 square-feet for treatment components, a 64 square-foot concrete pad for the waste pump station, and another 64-square foot pad for the recycled water pump station. This area represents about 10 percent of the overall former PPWWTP area. Given the relatively minor area of disturbance, impacts related to generating additional storm water runoff and subsequent increased downstream erosion due to impervious surfaces will be *less than significant*.

The proposed Project involves redevelopment of existing infrastructure within previously disturbed sites within the City. The proposed Project will not introduce substantial additional impervious surfaces, and will not, therefore, increase the potential for downstream flooding. Impacts will be *less than significant*.

**Reference** – DEIR Pages 11-19 through 11-20

**5.8.4 Less Than Significant Impact Hydrology and Water Quality -5:** The proposed Project will not Create or contribute runoff water which will exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. Impacts will be *less than significant*.

**Facts in Support of Determination** – The proposed Project will not create or contribute runoff water that will exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. The proposed Project will involve rehabilitation or refurbishment of already developed sites at the retired PPWWTP site, Golf Links, and El Carmelo Cemetery. New sewer diversion pipelines, sewer pump station, sewer force mains, recycled water pipeline are locating within existing street rights-of-way, or within City owned property.

*Recycled Water Distribution.* This component of the proposed Project will be located primarily within the Pacific Grove Municipal Golf Course. The area is previously disturbed for golf recreation and landscape irrigation. The recycled water distribution pipeline will cross Asilomar Avenue south of the intersection with Del Monte Boulevard. The new pipelines located within the Golf Course will be returned to their existing conditions for golf play, and will not increase the impervious surfaces.

*Point Pinos Satellite Recycled Water Treatment Plant.* There will be some additional impervious surface added at the SRWTP site where treatment components will occupy ground that is

currently permeable. The SRWTP components will result in a total of approximately 6,100 square-feet of new impervious surfaces at the site. These new impervious surfaces include a new concrete pad that is 6,000 square-feet for treatment components, a 64 square foot concrete pad for the waste pump station, and another 64-square foot pad for the recycled water pump station. This area represents about 10 percent of the overall former PPWWTP area. Given the relatively minor area of disturbance, impacts related to generating additional storm water runoff and subsequent increased downstream erosion due to impervious surfaces will be *less than significant*.

The proposed Project involves the reuse of previously disturbed sites and the underground installation of pipelines, pumps, and related appurtenances related to recycled water conveyance. The Project will not introduce substantial additional impervious surfaces, and will not, therefore, increase the potential for polluted runoff. Impacts will be *less than significant*.

**5.8.5 Less Than Significant Impact Hydrology and Water Quality.** The proposed Project will not be subject to inundation by seiche, tsunami or mudflow. Impacts will be *less than significant*.

**Facts in Support of Determination** – The proposed Project will involve construction of wastewater treatment and recycled water distribution facilities in an area subject to inundation by a tsunami and may be subject to shoreline retreat associated with sea level rise. The coastline within the cities of Monterey and Pacific Grove is subject to flooding during large storm events and in the event of a tsunami, and may be subject to increased flooding and shoreline retreat associated with sea level rise. As described in Section 11.2.2 (Flood Hazards) of the DEIR, the California Climate Adaptation Strategy (December 2009) estimates a sea level rise of up to 55 inches by the end of this century; however, most proposed Project components will not be subject to substantial effects from sea level rise, according to maps generated by the Pacific Institute (2009).

A critical facility is defined by the Monterey County Multi-Jurisdictional Hazard Mitigation Plan as a facility in either the public or private sector that provides essential products and services to the general public, such as preserving the quality of life in Monterey County and fulfilling important public safety, emergency response, and disaster recovery functions (Monterey County, 2007). The Multi-Jurisdictional Hazard Mitigation Plan (Monterey County, 2007) does not identify any water conveyance, wastewater conveyance, recycled water conveyance, or storm water conveyance utilities as critical facilities. In addition, the proposed Project will not increase vulnerability to a tsunami hazard or the effects of sea level rise.

*Recycled Water Distribution.* As shown on Figure 11-2 of the DEIR, the recycled water distribution component of the proposed Project will be located within a moderate tsunami run-up area. In addition, this component may install improvements within the projected sea level rise coastal flood scenario (Pacific Institute, 2009). This component of the proposed Project will be mostly subterranean, buried beneath the Ocean View Boulevard right of way. However, the pump stations will have an above ground electrical component that will be more susceptible to damage in the event of a tsunami, or over time as the result of sea level rise.

In addition to flooding, sea level rise can create an increased potential for erosion and shoreline retreat as a result of beaches and coastal bluffs being exposed to increased and more frequent wave attacks. Such erosion, as a result of climate change-induced sea level rise, could adversely greenhouse gas (GHG) emissions. As such, the specific effects of climate change-induced sea level rise on the Pacific Grove shoreline are uncertain. However, as noted above, water conveyance, wastewater conveyance, recycled water conveyance, and storm water conveyance utilities are not identified as critical facilities (Monterey County, 2007).

*Point Pinos Satellite Recycled Water Treatment Plant.* As shown on Figure 11-2 of the DEIR, the SRWTP is located within a moderate tsunami run-up area. In addition, this component of the proposed Project may involve installation of improvements within the projected sea level rise coastal flood scenario (Pacific Institute, 2009). This portion of the proposed Project will involve the installation of above-ground MBR treatment infrastructure, which could be susceptible to damage in the event of a tsunami or increased flooding or erosion resulting from sea level rise. However, as noted above, water conveyance, wastewater conveyance, recycled water conveyance and storm water conveyance utilities are not identified as critical facilities (Monterey County, 2007).

In addition, the proposed SRWTP improvements will not exacerbate vulnerability to a tsunami hazard or the effects of sea level rise. Therefore, the impact is considered *less than significant*.

**Reference** – DEIR Pages 11-20 through 11-21

## 5.9 Noise

**5.9.1 Less Than Significant Impact Noise 1:** Project construction and operation will result exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels. This impact will be *less than significant*.

**Facts in Support of Determination** – With respect to groundborne vibration, the proposed Project will involve standard construction activities such as asphalt removal and excavation activities. Each of these is anticipated to result in some vibration that may be felt in the immediate vicinity of the Project component sites, as commonly occurs win construction projects.

The nearest sensitive receptor to the SRWTP site is a single-family residence approximately 950 feet east of the site. At this distance, this sensitive receptor will not be exposed to measurable vibration from construction. Impacts will therefore be *less than significant*.

The nearest sensitive receptors to the proposed Project facilities (i.e., diversion structure, recycled and potable water pipelines, and sanitary sewer force main) will be located over 50-feet from construction activities. During construction, receptors within 25-feet of the site may be exposed to maximum vibration levels of 77 VdB; the receptors located over 500-feet from the site will not be exposed to measurable vibration from construction. Therefore, potential temporary impacts related to vibration will be *less than significant* because the maximum vibration exposure will be less than 80 VdB.

As stated above, the operation of the recycled water pump station, located at the SRWTP site, will generate minimal vibration. This pump will be enclosed to minimize noise transmission and vibration. Sound minimizing acoustic treatments will be located within the pump room to contain noise and eliminate noise impacts. Treatments to reduce noise may include constructing enclosures around pumps and generators, locating equipment away from noise-sensitive uses, and employing exhaust-muffling devices. Vibration dampening treatments will be used, as needed. Treatments to reduce vibration may include: placing heavy equipment (e.g., pumps) on concrete housekeeping pads, as close as possible to stiff elements (beams and columns); placing flow carrying pipe and ducts near connected equipment supported using spring hangers; using flexible connectors to equipment, to accommodate relative motions and vibration isolation; equipping major pumps and fans with accelerometers; and when Variable Frequency Drives (VFD) are used, programming them to avoid resonance. Therefore, potential operational impacts related to vibration will be *less than significant* because the maximum vibration exposure will be less than 80 VdB.

**Reference** – DEIR Page 13-12 through 13-13

**5.9.2 Less Than Significant Impact Noise 2:** Construction and operation of the proposed Project could result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the proposed Project. This impact will be *less than significant*.

**Facts in Support of Determination** – The facility will be equipped with pumps and blowers, as well as portable emergency generator for the waste sewage pump station. The highest operational sound emitting from the SRWTP facility will be the emergency generator. The generator will be operated intermittently for maintenance or emergency situations at the SRWTP. The estimated sound emitted from the generator is estimated to be approximately 87 dB.

As stated above, SRWTP pump noise attenuates similar to construction equipment noise. Given the distance to the nearest sensitive receptor, operation of the SRWTP pumps will not result in a significant noise level increase at the nearest sensitive receptor location. Furthermore, treatments to reduce and contain noise impacts will include constructing enclosures around equipment, addition of exhaust and blower muffling devices, and acoustical design of structures that house pumps, blowers and generators.

SRWTP operational noise will be generated by employee vehicle trips and SRWTP pumps. The SRWTP is anticipated to employ three workers; therefore an increase of approximately six one-way trips per day will occur, with two additional trips assumed for vendors and visitors. In general, it takes an increase of 200 new trips per day to increase the ambient noise level 3 decibels (dBA) (3 dBA is the threshold of audible perception). Therefore, traffic will not increase the ambient noise level at the SRWTP site. Impacts from the operation of the plant are *less than significant*.

**Reference** – DEIR Page 13-13 through 13-14.

## 5.10 Utilities and Service Systems

**5.10.1 Less Than Significant Impact Utilities and Service Systems-1:** The proposed Project will result in the construction of new water or wastewater treatment or storm water drainage facilities or expansion of such existing facilities. Impacts will be *less than significant*.

**Facts in Support of Determination** – The proposed Project consist of the construction of a new wastewater recycling facility, new wastewater collection and conveyance facilities, and new potable water pipeline facilities.

Water, wastewater, and recycled water pipelines, treatment, and appurtenances will be designed consistent with applicable requirements and specifications of the City of Pacific Grove, the American Water Works Association (AWWA), and the CDPH. All pipelines will be placed underground and in the utilities right-of-way, located in City owned properties and right-of-way. Impacts will be *less than significant*.

The construction of the proposed Project could result in physical environmental impacts such as noise, traffic, air quality, hydrology, and potential biological impacts. Those impacts are discussed elsewhere and are not considered adverse.

**Reference** – DEIR Page 15-14

## 6.0 FINDINGS REGARDING POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS WHICH CAN BE MITIGATED TO A LEVEL OF LESS THAN SIGNIFICANT<sup>5</sup>

The City finds, based upon the threshold criteria for significance presented in the FEIR, that the following potentially significant environmental effects of the project can be avoided or reduced to insignificance with feasible mitigation measures identified in the FEIR and adopted by the City as conditions of project approval. No substantial evidence has been submitted to or identified by the City that indicates that the following impacts will, in fact, occur at levels that will necessitate a determination of significance.

### 6.1 Biological Resources

**6.1.1 Impact Biological Resources 1:** Construction-related activities associated with Demand Group I may adversely affect, either directly or through habitat modifications, on species identified as rare, threatened, endangered, candidate, sensitive, or other special status species in local or regional plans, policies or regulations by the California Department of Fish and Wildlife (CDFW). This impact is significant but mitigable.

**Finding** – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have

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<sup>5</sup> Section 6.0 is based on analysis located in Sections 4.1 through 4.12 of the FEIR.

been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

**Facts in Support of Finding** – Construction-related activities (e.g., trimming and removal of vegetation, and equipment noise, vibration, and lighting) could result in harm, injury, or death of individual birds, or abandonment of an active nest within the Monterey cypress trees surrounding the site. These trees provide nesting habitat for protected avian species. If a raptor or other migratory bird, regardless of its federal or state status, were to nest on or adjacent to the site prior to or during proposed construction activities, such activities may result in the abandonment of active nests or direct mortality to these birds. Construction activities that adversely affect the nesting success of raptors or result in mortality of individual birds constitute a violation of state and federal laws and thus are a potentially significant impact that could be mitigated to a less than significant level.

**Biological Resources Mitigation Measure 1:** Construction activities that may directly (e.g., vegetation removal) or indirectly affect (e.g., noise/ground disturbance) protected nesting avian species will be timed to avoid the breeding and nesting seasons. Specifically, vegetation and/or tree removal can be scheduled after September 16 and before January 31.

If construction must occur during the breeding and nesting season (February 1 through September 15), a qualified biologist shall conduct pre-construction surveys for nesting raptors and other protected avian species within 300-feet of proposed construction activities. Pre-construction surveys will be conducted no more than 14-days prior to the start of construction activities during the early part of the breeding season (February through April) and no more than 30-days prior to the initiation of these activities during the late part of the breeding season (May through August). Because some bird species nest early in spring and others nest later in summer, surveys for nesting birds may be required to continue during construction to address new arrivals, and because some species breed multiple times in a season. The necessity and timing of these continued surveys will be determined by the qualified biologist based on review of the final construction plans and in coordination with the U.S. Fish and Wildlife Service (Service) and CDFW, as needed.

If raptors or other protected avian species nests are identified during the pre-construction surveys, the qualified biologist will notify the City and an appropriate no-disturbance buffer will be imposed within which no construction activities or disturbance should take place (generally 300-feet in all directions for raptors; other avian species may have species-specific requirements) 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.

**Reference** – DEIR Pages 6-11 through 6-12

**6.1.2 Impact Biological Resources 2:** Construction-related activities associated with Demand Group I may impede the use of native wildlife nursery sites or directly harm nesting species protected under the provisions of the Migratory Bird Treaty Act. This impact is significant but mitigable.

**Finding** – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

**Facts in Support of Finding** – According to the Arborist’s report (Cypress Tree Assessment 2014), “pruning is recommended to clear away overgrown limbs to find and make a determination for trees that present a clear and present danger for surrounding areas. Type of pruning of each tree shall be determined on a case-by-case basis and supervised by a certified arborist. Overall pruning will consist of lower limb removal, dead wooding, and some crown thinning. It is important to get tree limb weight over center and to minimize thick heavy and tall crown sails. Many of the trees viewed on site are in need of intense crown reduction and deadwood removal. There was also a case of the tallest tree appearing to have root plate movement that will need drastic crown reduction and thinning. Should the health and vigor of any tree decline, it will be treated as appropriately recommended by a certified arborist or qualified forester.”

With implementation of the below mitigation measures, potential impacts to the nesting species will be reduced to a less than significant level.

**Mitigation Measure Biology-1** Same as above

**Reference** – DEIR Pages 6-11 through 6-12

**6.1.3 Impact Biological Resources 3:** Construction of the new facilities associated with the proposed Project may conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. This impact is significant but mitigable.

**Finding** – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

**Facts in Support of Finding** – The Monterey cypress trees that surround the proposed Project site are “protected trees”, as defined by the PGMC Chapter 12.20. Therefore, any large trimming affecting any one tree by more than 25%, or any removal of any cypress tree could result in a potentially significant impact. A permit is not required for pruning of less than 25% of the live branches of the entire tree within a 12-month period; and/or cutting or removal of any live limb with a diameter less than six inches or a circumference less than 19 inches at any point on such limb, or cutting or removal of roots less than four inches in diameter.

**Biological Resources Mitigation Measure 2:** The arborist hired by the City will adhere to the permitting procedures detailed in Chapter 12.20. The arborist will apply for a tree removal/pruning permit from the City. All actions associated with “protected trees” will be conducted under the supervision of the City arborist, as stated in the PGMC.

The City will select a competent arborist who is well versed in Monterey cypress growth characteristics. Pruning will be focused on the larger canopied trees and those trees that have either deadwood or are exhibiting some structural defect or minor disease that must be compensated. Those trees that require the most pruning are closest to the compound entrance (north east property corner), compound work areas, and adjacent parking and restroom structure located along the western property line). Trees shall be monitored on occasion for health and vigor after pruning. Should the health and vigor of any tree decline it will be treated as appropriately recommended by a certified arborist or qualified forester (Cypress Tree Assessment 2014).

**Reference** – DEIR Page 6-13.

## **6.2 Cultural Resources**

**6.2.1 Potentially Significant Impact Cultural Resources-1.** Construction of the proposed Project could cause substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5 Impacts will be potentially significant but mitigable.

**Potentially Significant Impact Cultural Resources -2.** Construction of the proposed project could cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5 Impacts will be potentially significant but mitigable.

**Potentially Significant Impact Cultural Resources -3.** Construction of the proposed project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. Impacts will be potentially significant but mitigable.

**Finding** – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

**Facts in Support of Finding** – Portions of the proposed Project APE, which lie along the recorded southern boundaries of archaeological sites CA-MNT-125 and CA-MNT-127 and near the recorded northern boundary of site CA-MNT-128, contain sparse surface evidence of those cultural resources in largely disturbed contexts. Previous radiocarbon dating has placed two of these sites, CA-MNT-125 and CA-MNT-127, within the Late Period of Prehistoric Occupation. Site CA-MNT-128 has been subject to no testing or data recovery mitigation previously. The remainder of the APE does not contain surface evidence of significant historic resources. Excavations within those portions of the APE will have no effect on significant historic/cultural resources.

The current paved environment precludes further examination of the APE under Ocean View Boulevard and the portions of the sewer treatment facility that will be subject to direct Project

impacts. Previous sewer trenching, sewer facility development, road grading and golf course development has caused significant previous disturbance in portions of the Project APE nearest to the identified archaeological sites. Nevertheless, remnants of undisturbed archaeological soil associated with the archaeological sites may remain in and/or near the Project APE. Therefore, installation of the SRWTP and appurtenances within the APE could result in a potentially significant impact.

As a result, potential impacts to prehistoric or archaeological cultural resources will be potentially significant and mitigation is required to reduce impacts to a less than significant level.

Mitigation Measure Cultural Resources-1. The proposed Project will conduct a design development process for ground disturbing activities that avoids effects to significant buried cultural resources. At approximately the 50% level of engineering design, the design team will coordinate with a qualified archeological monitor. The monitor will conduct sampling of project areas that will produce ground disturbances. Sampling will determine the presence of potentially significant cultural materials or features. Sampling results will be coordinated with the design team who will develop modifications to the design of the proposed Project features to ensure avoidance of impacts to cultural resources.

Mitigation Measure Cultural Resources-2. A qualified archaeological monitor will be present during all Project excavations in the SRWTP, for the Ocean View Boulevard sanitary sewer pipeline, for the sewer pipeline and recycled water pipes between the SRWTP and Asilomar Avenue, and in El Carmelo Cemetery. The monitor will document and recover any potentially significant cultural materials that may be found in the excavated soil. If it is determined by the archaeological monitor, excavated soil may be screened to assist in such data recovery.

Mitigation Measure Cultural Resources-3. If, at any time, previously undisturbed midden containing potentially significant cultural materials or features is encountered, work shall be halted until the monitor and/or the principal archaeologist have evaluated the discovery. If the find is determined to be significant, an appropriate data recovery mitigation shall be developed and implemented with the concurrence of the Lead Agency.

**Reference** – DEIR Page 7-8

**6.2.2 Potentially Significant Impact CR-4.** Construction of the proposed Project will involve surface excavation and could disturb any human remains, including those interred outside of formal cemeteries. Impacts will be significant but mitigable.

**Finding** – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

**Facts in Support of Finding** – Portions of the Project APE, which lie along the recorded southern boundaries of archaeological sites CA-MNT-125 and CA-MNT-127 and near the recorded northern boundary of site CA-MNT-128, contain sparse surface evidence of those

cultural resources in largely disturbed contexts. Previous radiocarbon dating has placed two of these sites, CA-MNT-125 and CA-MNT-127, within the Late Period of Prehistoric Occupation. Site CA-MNT-128 has been subject to no testing or data recovery mitigation previously. The remainder of the APE does not contain surface evidence of significant historic resources. Excavations within those portions of the APE will have no effect on significant historic/cultural resources.

The current paved environment precludes further examination of the APE under Ocean View Boulevard and the portions of the sewer treatment facility that will be subject to direct impacts from the proposed Project. Previous sewer trenching, sewer facility development, road grading and golf course development has caused significant previous disturbance in portions of the Project APE nearest to the identified archaeological sites. Nevertheless, remnants of undisturbed archaeological soil associated with the archaeological sites may remain in and/or near the Project APE. Therefore, installation of the SRWTP and appurtenances within the APE could result in a potentially significant impact.

Mitigation Measure CR-4. Because of the possibility of unidentified (e.g., buried) cultural resources being found during any ground-breaking or construction activity, the following standard language shall be included in any permits issued for the Project area:

If archaeological resources or human remains are unexpectedly discovered during construction, work shall be halted on the Project parcel until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated, with the approval of the lead agency, and implemented.

**Reference** – DEIR Page 7-9

## **6.3 Geology/Soils**

**6.3.1 Potentially Significant Direct Impact Geology/Soils-1:** The proposed Project could Will the proposed project expose people to injury or structures to damage from potential rupture of a known earthquake fault, strong groundshaking, seismic-related ground failure including liquefaction, or landslides. Impacts will be significant but mitigable.

**Finding** – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

**Facts in Support of Finding** – Ground shaking covers a wide area and is greatly influenced by the distance of the site to the seismic source, soil conditions, and depth to groundwater. Surface rupture is limited to close proximity to the fault. While the proposed Project is located in a seismically active region and a number of potentially active and active faults are located within proximity, no active faults are known to transect the individual Project components. The San

Andreas Fault is located approximate 28-miles east of Pacific Grove. The Palo Colorado-San Gregorio Fault Zone is located east and west of the Project area respectively.

Strong Groundshaking. The Project area is located in a seismically active region that could be subject to seismic shaking impacts during earthquakes generated from surrounding active faults in the region.

Seismic-Related Ground Failure Including Liquefaction. The Geotechnical Report prepared for this component site (Pacific Geotechnical Engineering August 2013) indicates that the PPWWTP Site has low potential for seismic-related ground failure including liquefaction because water does not accumulate above the bedrock, but rather drains away rapidly.

Landslides. The California Geologic Survey Seismic Hazard Zone Map for the proposed Project area indicates the Project site is not located within landslide hazard zone. In addition, pursuant to the City's General Plan, most areas of Pacific Grove have an extremely low potential for landslides.

As a mitigation measure, the construction contractor will follow all recommendations contained within the Geotechnical Report. In addition, the Project will comply with the seismic standards as set forth in the current CBC 2010 and the National Electrical Safety Code (American National Standards Institute [ANSI] C.2). Adherence to these standards will ensure that structures will be able to withstand anticipated seismic events, and that expected seismic activity will not result in significant damage or harm to the public. Therefore, impacts related to rupture of a known earthquake fault, strong groundshaking, seismic-related ground failure including liquefaction, or landslides are expected to be potentially significant.

However, mitigation measures will reduce impacts to less than significant.

Geology and Soils Mitigation Measure 1: The construction contractor will follow and implement all recommendations for the retrofit of the existing PGLWP tanks and for construction of utility trenches as contained in the Geotechnical Report (Appendix G of this EIR). These recommendations include earthwork, water tank foundations, concrete slabs on grade, and surface drainage. Earthwork recommendations include clearing and grubbing; excavations, shoring and dewatering; subgrade preparation; material for engineered fill; engineered fill placement and compaction; cut and fill slopes; utility trench excavation and backfill; and wet weather construction. Water tank foundation recommendations include load bearing capacity; settlement; soil resistance to lateral loads; frictional resistance; and side walls of tanks. Recommendations for concrete slabs on grade are also made in this Geotechnical Report, although the Report notes that "none are presently proposed". Because the site is composed of highly erodible dune sand deposits, surface drainage recommendations include establishing positive drainage away from building foundations; concrete slabs on grade and pavements; directing water flow towards suitable collection and discharge facilities; and planting and mulching all disturbed surfaces prior to winter rains.

**Reference** – DEIR Page 8-8

**6.3.2 Potentially Significant Direct Impact Geology/Soils-2.** Construction of the new facilities associated with the proposed Project will involve grading and movement of earth, which could expose soils to erosion and result in the loss of topsoil. Impacts will significant but mitigable.

**Finding** – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

**Facts in Support of Finding** – Construction of the proposed Project could result in surface disturbances and removal of vegetation along the pipeline corridor leading to increased soil erosion. Sedimentation into streams and water bodies will likely increase if disturbed soils were left exposed during winter, early spring, and summer storm events (periods of high precipitation, runoff, and winds). Erosion potential is generally more severe on steep, sparsely vegetated slopes; fine sandy or silty soils; and in loose sandy soils where strong winds occur. Erosion potential is also elevated in recently burned areas if such areas remain largely unvegetated, especially in areas with previously existing high erosion potential. Soil erosion is expected to be minimal because a SWPPP and construction BMPs established by the City Public Works Department will be required.

Geology and Soils Mitigation Measure 2: Construction Best Management Practices (BMPs) established by the City Public Works Department will be required. These construction BMPs require that every construction project have an erosion and sediment control plan to prevent soil and materials from leaving the site. Construction activities must be scheduled so that soil is not exposed for long periods of time, and key sediment control practices must be installed. These practices may include, but are not limited to: perimeter control (use of gravel bags, silt fences, and straw wattles); construction material storage (covered when not in use); dirt and grading measures (daily watering of dirt and travel mounds; covering during the rainy season [October 15 – April 15]); and storm drain measures (use of perimeter controls).

**Reference** – DEIR Page 8-9

## **6.3 Hazards and Hazardous Materials**

**6.3.1 Potentially Significant Impact Hazards and Hazardous Materials-1:** The proposed new facilities associated with the proposed Project will be located on a site which is included on a list off hazardous material sites compiled pursuant to Government Code Section 65962.5 and as a result will create a significant hazard to the public or the environment. Impacts will be significant but mitigable.

**Finding** – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

**Facts in Support of Finding** – The environmental site assessment identified no evidence of hazardous material contamination in the PGLWP study area. As identified in the environmental setting, the retired PPWWTP was constructed when asbestos and lead-based paints were used in building construction (prior to 1978). Therefore, the possibility exists that the existing structures contain asbestos or lead-based paint. However, without samples and test results from the buildings, this assumption cannot be confirmed. This is a potentially significant impact.

Hazards and Hazardous Materials Mitigation Measure 1 – CCR Title 8 Section 5208 requires that a State-certified risk assessor conduct a risk assessment and/or paint inspection of all structures constructed prior to 1978 for the presence of asbestos or lead-based paint prior to demolition. If such hazards are determined to exist onsite, the risk assessor will then prepare a site-specific hazard control plan detailing asbestos and/or paint removal methods and specific instructions for providing protective clothing and gear for abatement personnel. If necessary, a State-certified lead-based paint and an asbestos removal contractor (independent of the risk assessor) will be retained to conduct the appropriate abatement measures as required by the plan. Wastes from abatement and demolition activities will be disposed of at a landfill(s) licensed to accept such waste. Once all abatement measures have been implemented, the risk assessor will conduct a clearance examination and provide written documentation to the City that testing and abatement have been completed in accordance with all federal, state, and local laws and regulations.

**Reference** – DEIR Page 10-18.

## 6.6 Land Use and Planning

**6.6.1 Potentially Significant Impact Land Use-1.** Based on the design of project components and following implementation of the mitigation measures identified throughout this EIR, the proposed Project will be consistent with applicable policies of the City of Pacific Grove's General Plan, including its Local Coastal Program. Impacts will be significant but mitigable.

**Finding** – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

**Facts in Support of Finding** – The proposed project will be generally consistent with policies included in the City of Pacific Grove General Plan, Zoning Ordinance, and LCP. Though minor inconsistencies with aspects of some policies could occur, all feasible mitigation measures to address these impacts have been required and are detailed in Sections 4 to 15 of the DEIR.

**Reference** – DEIR Sections 4.0 through 15.0

## 6.7 Noise

**6.7.1 Potentially Significant Impact Noise-1.** Construction of the proposed new facilities associated with the proposed Project will result in 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, or will result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

**Finding** – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

**Facts in Support of Finding** – Other sensitive receptors to the proposed Project facilities (i.e., diversion structure, recycled and potable water pipelines, and sanitary sewer force main) are golf course users other recreationalists. Because of the site features, these receptors will be at least over 50-feet from construction activities. During construction, these receptors could be exposed to maximum noise levels of 85 dB (refer to Table 13-5). During the construction of these facilities temporary noise levels will likely exceed the threshold of 70 dB for these sensitive receptors, impacts will be potentially significant and mitigation is required.

Noise Mitigation Measure 1: The construction contractor shall limit construction hours for the PGLWP to between 8:00 AM and 7:00 PM on weekdays and 9:00 AM to 4:00 PM on Saturdays. No construction work will be allowed to occur on Sundays or other federal, state or local holidays.

Noise Mitigation Measure 2: Stationary construction equipment that generates noise that exceeds 70 dB at the boundaries of adjacent sensitive receptors will be baffled to reduce noise and vibration levels. All construction equipment powered by internal combustion engines will be properly muffled and maintained. Unnecessary idling of internal combustion engines will be prohibited.

Noise Mitigation Measure 3: The City shall provide a Noise Mitigation and Monitoring Program that consists of the following:

- Construction contracts that specify that all construction equipment, fixed or mobile, be equipped with properly operating and maintained mufflers and other state required noise attenuation devices.
- All property owners and occupants located within 300-feet of the proposed Project will be notified within 15 days of start of construction regarding the schedule of the Project. All notices will be reviewed and approved by the City Planning Division prior to the mailing or posting and will indicate the dates and duration of construction activities, as well as provide a contact name and telephone number where residents can inquire about the construction process and register complaints.
- Prior to issuance of any grading or building permit, the construction contractor shall demonstrate to the satisfaction of the City Planning Division how construction noise reduction methods such as shutting off idling equipment and vehicles, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging and parking areas and occupied

residential areas, and electric air compressors and similar power tools, rather than diesel equipment, be used where feasible.

- During construction, stationary equipment will be placed such that emitted noise is directed away from sensitive noise receptors.
- For all noise-generating construction activity on each component site, additional noise attenuation techniques will be employed to reduce noise levels to the maximum extent feasible. Such techniques may include, but are not limited to: the use of sound blankets on noise generating equipment and the construction of temporary sound barriers between the construction site and nearby sensitive receptors.

Noise Mitigation Measure 4: The construction contractor shall provide staging areas on-site to minimize off-site transportation of heavy construction equipment. These areas will be located to maximize the distance between activity and sensitive receptors (neighboring residences). This will reduce noise levels associated with most types of idling construction equipment.

Noise Mitigation Measure 5: The construction contractor shall use electrical power to run air compressors and similar power tools and to power any temporary structures, such as construction trailers.

**Reference** – DEIR Pages 13-11 through 13-12

## **6.8 Transportation/Traffic**

**6.8.1 Potentially Significant Impact Transportation/Traffic-1**: Construction of the proposed Project will conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit, or could potentially conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.

**Finding** – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

**Facts in Support of Finding** – Construction of the proposed Project facilities (e.g., recycled, potable water and WAS pipelines, and upgrades to the treatment plant and pump stations) could result in increased traffic levels on roadways used to transport equipment, materials, and personnel to construction areas. During facility construction, traffic increases will result from worker commute trips, delivery trucks, and haul trucks. The number of workers at any one site could vary substantially, from 5 to 31, depending upon the type of construction activity and project. In addition, the volume of excavated soil and import backfill, and the number of haul

trucks spread over the construction workday will also vary. However, new daily trips will not exceed 62 (31 one way, with both ways counted). This amount assumes every worker is driving his or her own vehicle. While these numbers are not high, this area of Point Pinos is a major tourist attraction and thus any new traffic, especially large vehicles, could result in a significant impact.

With imposition of the following mitigation measures, impacts are less than significant.

Traffic Mitigation Measure 1: Temporary Traffic Handling Plans. Temporary Traffic Handling Plans will be prepared for proposed lane reductions on Ocean View Boulevard and Asilomar Avenue. The plans will be prepared in accordance with the latest California Manual on Uniform Traffic Control Devices (CA MUTCD) and Work Area Traffic Control Handbook (WATCH) manual requirements (where appropriate) and contain provisions for handling bike and pedestrian traffic, as well as ensuring access to neighboring facilities and residences during construction and ensuring emergency access to fire hydrants along all roadways. During construction, the City will use detour signage for vehicles, bicycles, and pedestrians on alternate access streets when temporary full street closure is required. The plans will be reviewed and approved by the City Public Works Department prior to construction. At each of the lane closure locations and at the intersection of Asilomar Avenue and Ocean View Boulevard, a traffic flagger will be utilized to ensure that traffic can be safely accommodated through the closures during construction.

Traffic Mitigation Measure 2: Coordination with City. Coordinate with City staff regarding the duration and locations of short-term traffic diversions. Temporary traffic handling plans will be prepared when necessary to detour traffic to appropriate locations. In addition, the daytime hours of traffic diversion will be restricted to allow for adequate traffic flow at high traffic volume locations during peak commute hours.

Traffic Mitigation Measure 3: During construction, the City will use detour signing for vehicles, bicycles, and pedestrians on alternate access streets when temporary full street closure is required.

Traffic Mitigation Measure 4: Return Roads to Pre-construction Condition. Following construction, the City will ensure that road surfaces damaged during construction are returned to their pre-construction condition or better.

**Reference** – DEIR Pages 14-4 through 14-5.

**6.8.2 Potentially Significant Impact Transportation/Traffic-2:** Construction of the proposed new facilities associated with the PGLWP will substantially increase hazards due to a design feature or incompatible uses.

**Finding** – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have

been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

**Facts in Support of Finding** – The proposed Project will not change the configuration (alignment) of Ocean View Boulevard and Asilomar Avenue, and will not introduce vehicle types that are not already traveling on these roads. However, heavy equipment operating adjacent to or within road right-of-way will increase the risk of accidents, as could the increased congestion resulting from lane and/or road closures. Potential conflicts could occur between construction traffic and bicyclists and pedestrians and there is also potential for an increase in accidents resulting from limited lines of sight due to construction.

The contractor will prepare and implement a traffic control plan in accordance with professional engineering standards prior to construction, including compliance with roadside safety protocols, so as to reduce the risk of accident (Traffic Mitigation Measure 1). Implementation of the traffic control plan will ensure temporary increases in the potential for accidents will be less than significant. Traffic Mitigation Measure 4 ensures that roads are returned to their pre-construction condition or better. These potentially significant effects could be mitigated to less than significant through implementation of traffic control measures.

With imposition of the following mitigation measures, impacts are less than significant.

Traffic Mitigation Measures 1 and 4: See above

**Reference** – DEIR Pages 14-4 through 14-5.

**6.8.3 Potentially Significant Impact Transportation/Traffic-3:** Construction of the proposed new facilities associated with the PGLWP will result in inadequate emergency access.

**Finding** – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

**Facts in Support of Finding** – During construction of the proposed Project (i.e., Demand Group I), portions or lanes of Ocean View Boulevard and Asilomar Avenue could be closed to traffic on a temporary basis for the installation of the new sanitary sewer force main on Ocean View Boulevard and potable and recycled water pipelines on Asilomar Avenue. These closures could impede access by emergency response vehicles, including access to fire hydrants on Asilomar Avenue and Ocean View Boulevard. In addition, construction near the City of Pacific Grove Municipal Golf Course could temporarily obstruct the driveway to this facility. However, it is expected that just one lane in these two-lane roads will be closed at any one time, and construction within the roads is not expected to last more than 5 days. While these numbers are not high, this area of Point Pinos is a major tourist attraction and thus any new traffic, especially large vehicles, could result in a significant impact.

Implementation of Mitigation Measures Traffic 1 through Traffic 4 will avoid or reduce impacts to less than significant levels. The City-required traffic management plan will require traffic, parking, bicyclist, and pedestrian management techniques to mitigate anticipated disruptions resulting from project construction. This will include ensuring access to neighboring facilities and residences during construction and ensuring access to fire hydrants.

With imposition of the following mitigation measures, impacts are less than significant.

Traffic Mitigation Measures 1 through 4: See above

**Reference** – DEIR Pages 14-4 through 14-5.

**6.8.4 6.8.3 Potentially Significant Impact Transportation/Traffic-4:** Construction of the proposed new facilities associated with the PGLWP conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

**Finding** – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

**Facts in Support of Finding** – During construction of the proposed Project, portions of Ocean View Boulevard and Asilomar Avenue, there is a potential for short-term increases in safety hazards to bicyclists, and pedestrians, and restriction of access to adjacent uses because of the nature of pipeline construction and operation of construction equipment. Pipeline construction could also disrupt or delay transit service if construction occurs along bus routes. Designated bikeways could also be affected if pipeline alignments cross these routes. These potentially significant effects could be mitigated to less than significant levels through implementation of traffic control measures as listed in Traffic Mitigation Measures 1 through 4.

With imposition of the following mitigation measures, impacts are less than significant.

Traffic Mitigation Measures 1 through 4: See above

**Reference** – DEIR Pages 14-4 through 14-5.

## **6.9 Utilities and Service Systems**

**6.9.1 Potentially Significant Impact Utilities and Service Systems 1:** Construction of the proposed new facilities associated with the PGLWP could substantially interfere with or change the demand for utilities or public services.

**Finding** – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have

been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

**Facts in Support of Finding** – Implementation of the PGLWP will reduce the demand for potable water service to the Pacific Grove Golf Links and El Carmelo Cemetery. Irrigation will be supplied by new recycled water produced at the SRWTP.

The PGLWP will reduce the total flows to MRWPCA and SVRP by 0.11 mgd. This is the annual average flow that will be used to irrigate the golf course and cemetery. This is equivalent to a reduced wastewater flow to the MRWPCA RTP of 0.59% (roughly less than six-tenths of one percent). Therefore the PGLWP will have no impact to recycled water supplies to CSIP.

When the ASBS Project is implemented; the ASBS Project will divert an average of 0.13 mgd to the MRWPCA RTP and SVRP. The RTP and CSIP will therefore receive an increase of wastewater flow and recycled water supply from the combined implementation of the ASBS and the PGLWP of 2%.

The proposed use of the retired wastewater treatment plant at Point Pinos will use electricity and gas service, but these services are currently provided onsite and no additional entitlements will be needed.

Construction activities for the proposed Project could result in damage to or interference with existing water, sewer, storm drain, natural gas, electric, and/or communication lines and, in some cases could require that existing lines be permanently relocated, potentially causing interruption of service. Utility lines of various sizes are likely to be located along or across proposed pipeline alignments. Trench construction is the activity most likely to cause service disruption. Streets and roads typically serve as utility corridors, increasing the potential for interference with other existing utilities. If specific locations of underground utilities are not located prior to construction, the utility lines could be damaged and the associated services interrupted. In most cases of pipeline construction, service disruptions are temporary and typically do not exceed one day. All utility lines and cables that will be disrupted during pipeline installation will be identified during final design. Existing utilities will be avoided to the greatest extent practical. As a condition of approval for either a utility excavation permit or an encroachment permit, the City will prepare a detailed engineering and construction plan that thoroughly describes construction techniques and protective measures for minimizing impacts to utilities. The potentially significant impact associated with potential damage to or interference with public utilities will be less than significant with the implementation of Mitigation Measures Utilities and Service Systems through 15-1 through 15-9.

Utilities and Service Systems Mitigation Measure-1: Prior to excavation, the City or its contractor will locate overhead and underground utility lines, such as natural gas, electricity, sewage, telephone, fuel, and water lines, that may reasonably be expected to be encountered during excavation work.

Utilities and Service Systems Mitigation Measure-2: The City or its contractors will find the exact locations of underground utilities by safe and acceptable means, including the use of hand

excavation and modern potholing techniques as well as customary types of excavation equipment. Pursuant to state law the City or its contractor will notify USAN. Information regarding the size, color, and location of existing utilities must be confirmed before construction activities begin. Detailed plans and specifications will be prepared as part of the design plans to include procedures for the excavation, support, and fill of areas around utility cables and pipes. All affected utility service providers will be notified of construction plans and schedule. Arrangements will be made with these entities regarding protection, relocation, or temporary disconnection of services.

Utilities and Service Systems Mitigation Measure -3: The City will comply with all conditions of its utility excavation or encroachment permits and will include such conditions in construction contract specifications.

Utilities and Service Systems Mitigation Measure -4: The City or its contractors will confirm the specific location of all high priority utilities (i.e. pipelines carrying petroleum products, oxygen, chlorine, toxic or flammable gases; natural gas in pipelines greater than 6-inches in diameter, or with normal operating measures, greater than 60 pounds-per-square inch gauge; and underground electric supply lines, conductors, or cables that have a potential to ground more than 300 volts that do not have effectively grounded sheaths) and such locations will be highlighted on all construction drawings. In the contract specifications, the City will require that the contractor provide weekly updates on planned excavation for the upcoming week and identify when construction will occur near a high priority utility. On days when this work will occur, the City's construction managers will attend tailgate meetings with contractor staff to review all measures regarding such excavations. The contractor's designated health and safety officer will specify a safe distance to work near high-pressure gas lines, and excavation closer to the pipeline will not be authorized until the designated health and safety officer confirms and documents in the construction records that: (1) the line was appropriately located in the field by the utility owner using as-built drawings and a pipeline-locating device, and (2) the location was verified by hand by the construction contractor. The designated health and safety officer will provide written confirmation to the City that the line has been adequately located, and excavation will not start until this confirmation has been received by the City.

Utilities and Service Systems Mitigation Measure 5: While any excavation is open, the City or its contractors will protect, support, or remove underground utilities as necessary to safeguard employees.

Utilities and Service Systems Mitigation Measure -6: The City or its contractors will notify local fire departments any time damage to a gas utility results in a leak or suspected leak, or whenever damage to any utility results in a threat to public safety.

Utilities and Service Systems Mitigation Measure -7: The City or its contractors will contact the utility owner if any damage occurs as a result of the proposed Project and promptly reconnect disconnected cables and lines with approval of owner.

Utilities and Service Systems Mitigation Measure -8: The City will observe California Department of Public Health (CDPH) standards, which require: (1) a 10-foot horizontal

separation between parallel sewage and water mains (gravity or force mains); (2) a 1-foot vertical separation between perpendicular water and sewage line crossings; and (3) encasement of sewage mains in protective sleeves where a new water line crosses under or over an existing wastewater main; unless permitted mitigation measures are used per the latest CDPH Guidance Memo.

Utilities and Service Systems Mitigation Measure -9: The City or its contractors will coordinate final construction plans and specifications with affected utilities, such as PG&E. If any interruption of service is required, the City or its contractors will notify residents and businesses in the project corridor of any planned utility service disruption two to four days in advance, in conformance with county and State standards

**Reference:** DEIR Pages 15-10 through 15-11

**6.9.2 Potentially Significant Impact Utilities and Service Systems 2:** Construction of the proposed new facilities associated with the proposed Project could interfere with or substantially change the demand for government services such as schools, hospitals, or police and fire protection, or require alteration of these services.

**Finding** – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

**Facts in Support of Finding:** Project construction will generate truck and employee traffic along haul routes and at the proposed Project component sites, temporarily increasing the potential for accidents in these areas. This increased accident potential will result in a limited, short-term demand for additional police or fire services on an as-needed and emergency basis. Existing resources within the proposed Project areas could accommodate this short-term increase in demand. In addition, construction of pipelines in or adjacent to roadways could result in partial or complete road closure and will impair local fire, police, or other emergency access during this period. Disruption of roadway access and increased accident potential could also occur in the event of a pipeline rupture or other emergency upset condition. Such an event could also temporarily increase demand for police and fire services as well as impair emergency access. With implementation of the traffic safety and access measures identified in the Traffic section, the potential impact on the demand for police and fire services will be less than significant. To provide further protection, the City will implement Utilities and Service Systems Mitigation Measure 15-1 through 15-9.

Utilities and Service Systems Mitigation Measure 1-9: See Above.

**6.9.3 Potentially Significant Impact Utilities and Service Systems 3:** Construction of the proposed new facilities associated with the proposed Project could exceed the capacity of local landfills or violate federal, state, or local statutes and regulations related to solid waste.

**Finding** – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

**Facts in Support of Finding:** Construction of the proposed Project facilities will generate construction and demolition (C&D) waste over the construction period. The C&D wastes will be delivered to the MRWMD MRF in Marina, for recycling and it is expected that most of the generated construction waste will be diverted for recycling and reuse, with only a small portion of the construction waste (which has not been quantified) being disposed at the landfill.

Residuals wastes will be generated from operation of the SRWTP. The MRWMD landfill is permitted to accept 3,500 tons per day and has an expected site live life of approximately 100 years. According to facility information posted at the CIWMB website (CIWMB, 2014), for the years 2005 through 2007, the MRWMD landfill accepted an average of approximately 231,880 tons per year. Assuming the landfill operates 306 days per year, this is about 760 tons per day. Based on these estimates the landfill could accept substantial loads for disposal without exceeding its permitted daily tonnage or depleting substantial long-term capacity. The proposed Project is estimated to generate 0.3 tons per day of solid waste to be disposed of at the MRWMP landfill.

The MRWMD landfill that will serve the site accepts construction waste. The Monterey Peninsula Landfill and Recycling Facility has a remaining capacity of 48.56 million cubic yards, or 98 percent (CalRecycle, December 2013). Approximately 2,000 cubic yards of construction waste is expected from the proposed Project construction.

Implementation of Utilities and Service Systems Mitigation Measure 10 and 11 will reduce this impact to a less than significant level.

Utilities and Service Systems Mitigation Measure 10: The City will encourage proposed Project facility design and construction methods that produce less waste, or that produce waste that could more readily be recycled or reused.

Utilities and Service Systems Mitigation Measure-11: The City will include in its construction specifications a requirement for the contractor to describe plans for recovering, reusing, and recycling wastes produced through construction, demolition, and excavation activities.

**6.9.4 Potentially Significant Impact Utilities and Service Systems 4:** Construction of the proposed new facilities associated with the proposed Project could impair or prevent a city or county from complying with the waste diversion mandates of the California Integrated Waste Management Act of 1989.

**Finding** – Pursuant to Public Resources Code Section 20181(a) and State CEQA Guidelines Section 15091(a), the City hereby finds that changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant effect on the environment to below a level of significance.

**Facts in Support of Finding:** Construction of the proposed Project facilities will generate C&D waste over the construction period. The C&D wastes will be delivered to the MRWMD MRF in Marina, for recycling and it is expected that most of the generated construction waste will be diverted for recycling and reuse, with only a small portion of the construction waste (which has not been quantified) being disposed at the landfill.

The MRWMD landfill that will serve the site accepts construction waste. The Monterey Peninsula Landfill and Recycling Facility has a remaining capacity of 48.56 million cubic yards, or 98 percent (CalRecycle, December 2013).

Implementation of Utilities and Service Systems Mitigation Measures 15-10 and 15-11 will reduce this impact to a less than significant level.

Utilities and Service Systems Mitigation Measure 10-11 : See Above

## 6.0 FINDINGS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS<sup>6</sup>

Based on the analysis in the FEIR, the City finds that the project will not result in any significant and unavoidable impacts.

## 7.0 FINDINGS REGARDING GROWTH INDUCING IMPACTS<sup>7</sup>

CEQA Guidelines Section 15126.2(d) requires that an EIR:

“Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.”

**Finding** - The City hereby finds that the proposed Pacific Grove Local Water Project does not result in any significant growth inducing impacts.

### **Facts in Support of Finding –**

*Economic and Population Growth.* The proposed Project does not propose any new homes and will therefore not directly induce substantial population growth. the proposed Project will generate short-term employment opportunities during construction of Project components and a limited amount of long-term employment opportunities associated with the operation and maintenance of Project components. However, both temporary and long-term employment opportunities will be expected to be filled from within the existing community and long-term

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<sup>6</sup> Section 6.0 is based on analysis located in Sections 16 of the FEIR.

<sup>7</sup> Section 7.0 is based on analysis located in Section 16 of the FEIR.

employment will be limited to 1 to 3 people. Therefore, construction and operation of Project components will not be considered growth inducing and impacts related to direct or indirect population growth will be less than significant.

*Removal of Obstacles to Growth.* The proposed Project components will be located in an urbanized area, served by existing infrastructure. The proposed Project will not provide any capacity-increasing transportation and circulation improvements. No new roadways are proposed. The Project essentially constitutes refurbishment and upgrades to existing infrastructure at the retired PPWWTP, which is within an urbanized area. The proposed Project will not expand services to provide additional opportunities for growth.

The proposed Project does not include changes in land use or zoning designations, nor does it include changes in housing density limits. Therefore, the proposed Project will not facilitate growth in the surrounding area by removing any land use, zoning, or density restrictions, which could currently be considered obstacles to such growth.

**Reference:** DEIR Page 16-2 through 16-3

## 8.0 FINDINGS REGARDING PROJECT ALTERNATIVES<sup>8</sup>

The City must consider the feasibility of any environmentally superior alternatives to the proposed Project, evaluating whether these alternatives could avoid or substantially lessen environmental effects while achieving most of the project objectives.

In evaluating and subsequently rejecting the alternatives, the City has examined the objectives of the proposed Project and weighed the ability of the various alternatives to meet those objectives. The decision-makers believe that the proposed Project best meets these objectives with the least environmental impact. The goals of the proposed Project are:

- To preserve available potable water supplies for domestic uses and to maximize the recycling and reuse of non-potable recycled municipal wastewater in a cost effective manner.
- To substitute the City's use of California American Water Company (CAW) potable water with recycled water for non-potable water demands.
- To reduce discharges to Monterey Bay and the Pacific Grove Area of Special Biological Significance (ASBS).
- To maximize the use of existing wastewater collection, treatment, recycling and recycled water distribution infrastructure for the development of irrigation water and other non-potable demands.

Four alternatives to the proposed Project were evaluated in the alternatives screening process. The alternatives were identified based on: 1) the Draft Facility Plan Report; 2) comments from the PGLWP public scoping meeting; and 3) written comments received on the PGLWP Notice of Preparation (NOP). These alternatives are:

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<sup>8</sup> Section 8.0 is based on analysis located in Section 17, *Alternatives*, of the DEIR.

- Alternative 1: No Project Alternative
- Alternative 2: Wastewater Reclamation and Storage at an Alternative Site
- Alternative 3: Alternative Treatment Technology
- Alternative 4: Regional Urban Recycled Water Project Extension

**Alternative 1: No Project**

**Description:** Under the No Project Alternative, construction and operation of the proposed Project will not occur, and current uses of project sites will continue. Specifically, no improvements to the PPWWTP will occur, and the site will continue to be used as a City maintenance facility for the Golf Links, secondary corporation yard, water storage area, and materials storage area. Similarly, recycled water conveyance facilities, pump stations, and equalization/storage facilities will not be constructed at the PPWWTP and through the City of Pacific Grove Golf Links. It should be noted however, that the Monterey-Pacific Grove ASBS Stormwater Management Project might still move forward under this alternative; thus, some improvements to the PGLWP site, outside of those proposed as part of this alternative, might still occur. The City will continue to purchase potable water from CAW.

**Finding:** The City finds that specific economic, legal, social, technological, or other considerations make this alternative infeasible. [Public Resources Code Section 21081(a)(3), CEQA Guidelines Section 15091(a)(3)].

**Facts in Support of Finding:** Discussion of the No-Project Alternative must examine the existing conditions and reasonably foreseeable future conditions that will exist if the project were not approved (CEQA §15126.6(e)). Under the No Project Alternative, construction and operation of the proposed PGLWP will not occur, and current uses of project sites will continue. The No Project Alternative will not meet the basic goals and objectives, stated above in Section 16.2 and is, therefore, not considered a reasonable or feasible alternative.

**Reference:** DEIR Page 17-7

**Alternative 2: Wastewater Reclamation and Storage at an Alternative Site**

**Description:** This alternative will divert wastewater flows from the existing City sanitary sewer manhole (MH801) located near the intersection of Asilomar Avenue and Del Monte Boulevard to a site outside of the designated Coastal Zone on the eastside of Asilomar Avenue. These wastewater flows will instead flow to an alternative Satellite Recycled Water Treatment Plant (SRWTP) site at the existing City of Pacific Grove Golf Links parking lot on the east side of Asilomar Avenue. To maintain use of the parking lot and to minimize visual and aesthetic impacts, the SRWTP will be constructed as an underground facility. The area of the Alternative 2 site is approximately 0.5 acres.

In addition to the components analyzed in the proposed Project description at the PP WWTP, this alternative will involve construction of a new recycled water storage tank located to the east of the existing parking on the existing golf course. This proposed storage tank will have a total tank depth of 36-feet and a diameter of 55-feet. To minimize aesthetic impacts, the proposed storage

tank will be partially buried 18-feet. A recycled water distribution pump station and pipelines will be required to convey water from the storage tank to the reuse locations.

**Finding:** The City finds that specific economic, legal, social, technological, or other considerations make this alternative infeasible. [Public Resources Code Section 21081(a)(3), CEQA Guidelines Section 15091(a)(3)].

**Facts in Support of Finding:** This alternative is not evaluated in the EIR because it fails to meet Criterion 1. It will not avoid or substantially lessen an identified potentially significant effect of the proposed Project. This project alternative will result in several significant impacts as compared to the proposed Project. Alternative 2 will be located in close proximity to several sensitive receptors for aesthetics, visual, noise, vibration, and odors. Alternative 2 will require construction and siting of new facilities for recycled water storage. Alternative 2 will have greater construction and operational impacts than the proposed Project. It may not be feasible to implement Alternative 2 because of the need to construct additional features to mitigate the above impacts. Additionally, Alternative 2 will have greater impacts to the recreational community and require loss of play area at the Pacific Grove Golf Links for the siting and operation of the SRWTP.

**Reference:** DEIR Page 17-7

### **Alternative 3:** Alternative Treatment Technology

**Description:** This alternative will use Sequencing Batch Reactor (SBR) treatment technology for the treatment and recycling of wastewater. While a Membrane Batch Reactor (MBR) uses membrane separation, an SBR combines the multi-step processing of wastewater in a set sequence within a common reactor vessel. The use of SBR technology is posited as an alternative to MBR because of its potential to adequately recycle wastewater for reuse within the available space at the PPWWTP. As with Alternative 2, this alternative will divert sewage flows from the existing City of Pacific Grove sanitary sewer manhole (MH801) located near the intersection of Asilomar Avenue and Del Monte Boulevard, and, as with the proposed Project, will use the retired PPWWTP. Wastewater will be screened through a new headworks system for removal of solids and then will be conveyed through an SBR process.

The SBR process is an activated sludge process that minimizes space requirements by performing multiple steps within a single vessel. The SBR operation encompasses four processing steps (and one idle state):

1. Fill
2. React
3. Settle
4. Decant

To achieve Title 22 compliance, the SBR treatment process will require the addition of a chemical polymer prior to tertiary filtration. To ensure effective removal of bacteria, increased operation of a disinfection system will also be required. Sludge from the SBR basins will be transferred to a holding tank and conveyed to the sanitary sewer system for processing and disposal. In addition to the components analyzed in the proposed Project description at the

PPWWTP, this alternative will involve disturbance to the existing golf course for recycled water pipeline construction.

Additional pipelines will be required to convey recycled water from the treatment plant to storage at the existing tanks at the PPWWTP. The amount (length in lineal feet), type and size (e.g., 8-inch) of recycled water distribution pipelines will be the same as for the proposed Project.

**Finding:** The City finds that specific economic, legal, social, technological, or other considerations make this alternative environmentally inferior to the proposed Project. [Public Resources Code Section 21081(a)(3), CEQA Guidelines Section 15091(a)(3)].

**Facts in Support of Finding:** This alternative is not evaluated in the EIR because it fails to meet Criterion 1. It will not avoid or substantially lessen an identified potentially significant effect of the Proposed Project. Construction of Alternative 3 will have greater impacts than the proposed Project. The additional site development will create additional construction related impacts to air, noise, and vibration. Also, operations will potentially interfere with the proposed ASBS Stormwater Management project. Additionally, the greater technical complexity could require additional site supervision, increasing the number of operational impacts to traffic and transportation.

**Reference:** DEIR Page 17-7

#### **Alternative 4:** Alternative Treatment Technology

**Description:** Marina Coast Water District (MCWD), in cooperation with the Monterey Regional Water Pollution Control Agency (MRWPCA), proposed the Regional Urban Recycled Water Project (RURWP), which entailed the construction of a distribution system to provide up to 1,727 AFY of recycled water from the existing MRWPCA's Reclamation Plant to urban users. Recycled water will be delivered initially to the former Fort Ord (Ord Community), which includes lands within the jurisdictions of the Cities of Marina, Seaside, and Del Rey Oaks; California State University, Monterey Bay (CSUMB); University of California, Monterey Bay Education, Science, and Technology Center; and the County of Monterey. Of the total 1,727 AFY, 300 AFY of recycled water will be provided to the Monterey Peninsula (outside of the former Fort Ord) once that portion of the distribution system is operational. An Environmental Assessment for the RURWP was completed in 2006 (BOR, 2006

The RURWP will include the following facility components:

- Connection to the Reclamation Plant facility, including one pump station and pipelines at that site;
- A new distribution system consisting of approximately 127,000 linear feet of 4- to 20- inch diameter main and lateral pipelines, as well as pressure reducing valves and appurtenances throughout the region;
- One storage tank located at an existing MCWD water storage tank site near the intersection of Eucalyptus Road and Parker Flats Cutoff in the Ord Community; and
- One pump station located at 3rd Street and 5th Avenue in the City of Marina.

Although approved for over nine years, only minor portions of the RURWP pipeline distribution system have been constructed and the project is not operational.

This alternative will extend the proposed RURWP distribution pipeline to the Pacific Grove Golf Links and El Carmelo Cemetery. Approximately 3.25 miles of additional 8-inch pipeline will need to be constructed. Additional agreements with MCWD and MRWPCA will be required.

**Finding:** The City finds that specific economic, legal, social, technological, or other considerations make this alternative infeasible. [Public Resources Code Section 21081(a)(3), CEQA Guidelines Section 15091(a)(3)].

**Facts in Support of Finding:** This alternative is not evaluated in the EIR because it fails to meet Criterion 1. It will not avoid or substantially lessen an identified potentially significant effect of the Proposed Project. Construction of Alternative 4 will have significantly greater construction related environmental effects than the proposed Project for the additional pipelines, storage and pumping facilities. The RURWP will result in increased construction schedule, noise, vibration, air quality, traffic and transportation, and impacts to biological resources. While this alternative will result in the increased use of recycled water, it will not meet any of the other objectives of the proposed Project.