

Letter of Transmittal



Date: January 22, 2016

To: Board of Directors

From: Stephanie Locke, Water Demand Manager

Dear Directors:

Attached are environmental documents extracted from the Pacific Grove Local Water Project's EIR and SEIR. You should review these documents prior to next week's Board meeting, as you will be considering adoption of Ordinance No. 168 to establish a Water Entitlement for the City of Pacific Grove. As part of the adoption, you may approve the ordinance relying on the CEQA documents completed by the City for this project.

If you have any questions, please call me. My direct number is 658-5630.

Kind regards,

Stephanie

S SUMMARY

This section summarizes the characteristics of the proposed Project as well as the environmental impacts, mitigation measures and residual impacts associated with the implementation of the proposed Project. This section also summarizes the Alternatives Section of this EIR, as well as the other environmental issues as mandated by California Environmental Quality Act (CEQA) Guidelines Section 15126. These issues include Significant Irreversible and Irretrievable Commitment of Resources, Growth Inducing Effects, Cumulative Effects, Effects Not Found to be Significant, and Unavoidable Adverse Impacts. Table S-1 at the end of this section summarizes the Impacts and Mitigation Measures proposed that would avoid or reduce all environmental effects to less than significant levels.

S.1 PROJECT DESCRIPTION

The proposed Project is the Pacific Grove Local Water Project (PGLWP). The Lead Agency is the City of Pacific Grove. The primary purpose of the Project is to produce and distribute high quality recycled water to replace potable water used for non-potable water demands such as landscaping. The Project service area is consistent with the water franchise agreement between the City and the California American Water Company (CAW).

Project Goals. 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.

There are 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;
4. It would provide a new supply of irrigation water, thereby reducing operational demands on Cal-Am's desalination plant and other system components;
5. By using sewage, stormwater, 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 LWP would 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 would reduce illegal diversions and create other significant environmental benefits in advance of the ability of any of the other projects to do so.

The PGLWP consists of the construction and operation of a new satellite recycled water treatment plant (SRWTP) to recycle a portion of Pacific Grove's municipal wastewater, 8-inch pipeline and related appurtenances. Recycled water produced at the SRWTP, located at the retired Point Pinos Wastewater Treatment Plant (WWTP), during the first phase, would be used primarily for landscape irrigation at the Pacific Grove Golf Links and El Carmelo Cemetery, owned by the City of Pacific Grove and located adjacent to the SRWTP. The initial Project consists of installing 2,800 linear feet (LF) of recycled water pipeline that would convey recycled water from the SRWTP to the Pacific Grove Golf Links and El Carmelo Cemetery's existing irrigation systems.

The proposed Project is intended to serve approximately 125 acre-feet per year (AFY) of recycled water, primarily to the City of Pacific Grove Golf Links and El Carmelo Cemetery (Demand Group I). The predominant use of recycled water would be for landscape irrigation. Irrigation would occur primarily at night to maximize water management efficiency and minimize public contact. The proposed Project is the first phase of a multi-phase, long-term PGLWP that could provide up to 600 AFY of recycled water at sites within the cities of Pacific Grove, Monterey, and unincorporated areas of Pebble Beach, CA. Thus, for purposes of CEQA analysis, it is hereinafter called Demand Group I in this document. Expansion would be to Demand Groups II and III. Demand Group II consists of other sites within the City of Pacific Grove, including other public landscaping areas within the city and open spaces and play fields at the City's schools. Demand Group III consists of sites and/or customers outside the City of Pacific Grove, including the City of Monterey, and includes unincorporated areas of Pebble Beach.

This EIR considers the effects of implementing Demand Group I Project at the Project EIR level and bases this analysis on the Project details as provided in the City of Pacific Grove Draft Facility Plan Report (Facility Plan Report) (Brezack & Associates May 23, 2014). This EIR also considers the proposed Demand Groups II and III Projects at a programmatic level. The exact components of these two Projects are not yet detailed; when more detail is known, Demand Groups II and III Projects would be subject to subsequent CEQA review.

The City would be applying for funding from the United States Environmental Protection Agency (EPA) through the EPA's State Revolving Funds (SRF) Program. In California, the SRF Program is administered by the SWRCB. Because this Program is sponsored by a federal agency, any environmental review must also contain certain environmental factors pursuant to the National Environmental Policy Act of 1972 (NEPA). These factors are called "CEQA-Plus", and are shown in Section 18 of this EIR. The CEQA-Plus requirements have been established by the EPA and are intended to supplement the CEQA Guidelines with specific requirements for environmental documents acceptable to the SWRCB when reviewing applications for SRF loans. They are not intended to supersede or replace CEQA Guidelines.

The EPA's CEQA-Plus requirements have been incorporated into the SWRCB's Environmental Review Process Guidelines for SRF Loan Applicants (SRF Guidelines) (September 2004). These requirements for compliance with CEQA-Plus are as follows:

- Copies of the CEQA document must be sent to the SWRCB, which then forwards the copies directly to federally designated agencies.
- The federal agencies must have at least fifty-one calendar days to review the CEQA document from the date it was mailed to the reviewing agency.
- Federal consultation must be completed before an SRF funding agreement can be approved by the SWRCB. The proposed Project must be in compliance with Section 7 of the Federal Endangered Species Act (FESA); must undergo a Clean Air Act conformity analysis (if in a nonattainment area or an attainment area subject to a maintenance plan); and
- The Project must be in compliance with Section 106 of the National Historic Preservation Act.

In addition, the CEQA document must also disclose all project-specific information listed in the outline provided by the SWRCB, as shown in Section 18.0. Section 18.0 can be used to support the required federal consultations as described below.

1. Federal Endangered Species Act

The SWRCB Division of Financial Assistance (Division) is the designated non-federal representative under FESA for water reclamation projects that involve an SRF loan. To ensure compliance with Section 7 of FESA, the Division reviews all SRF projects to determine the potential effects to federally listed species. This EIR includes the documentation required by the Division to disclose the proposed Project's effects on sensitive species (see Section 6.0). The Division staff uses this information to confer informally (and formally if necessary) with the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service, as appropriate.

2. Federal Clean Air Act

The Federal Clean Air Act (FCAA) requires the EPA to identify National Ambient Air Quality Standards (NAAQS) to protect public health and welfare. NAAQS have been established for ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, PM10, PM2.5, and lead. Pursuant to the 1990 FCAA Amendments, the EPA classifies air basins (or portions thereof) as "attainment" or "nonattainment" for these criteria air pollutants, based on whether or not the NAAQS had been achieved. The FCAA requires each state to prepare a State Implementation Plan (SIP), which is an air quality control plan that includes pollution control measures for states that violate the NAAQS. For SRF-funded projects, CEQA-Plus requirements include a FCAA general conformity analysis for projects in a federal nonattainment area or an attainment area subject to a SIP. The proposed Project is in a federal nonattainment area for ozone, PM10 and PM2.5, as explained in Section 5.0. If a FCAA general conformity analysis is required, the information provided in this EIR would be used to support the analysis.

SECTION 11.0 HYDROLOGY AND WATER QUALITY

11.1 INTRODUCTION

Information contained in this section is derived from a number of sources including the City of Pacific Grove General Plan, the Geotechnical Investigation for the Pacific Grove ASBS Stormwater Management Project, as well as websites from relevant regulatory agencies (e.g., State Water Resources Control Board, Regional Water Quality Control Board, and Federal Emergency Management Agency).

The proposed Project would not affect existing hydrologic patterns on the site. The Project consists of two types of activities: placement of new skid mounted appurtenances at the flat WWTP site and installation of 2,800 feet of new pipeline within existing pipe easements or rights-of-way. The Project involves the redevelopment of existing infrastructure of the retired Point Pinos WWTP site, Golf Links, and El Carmelo Cemetery and would not introduce substantial additional impervious surfaces. Finally, while the Point Pinos site is within a tsunami hazard zone, no new housing or other structures would be built in this location, thus the proposed SRWTP improvements would not exacerbate vulnerability to a tsunami hazard or the effects of sea level rise. No effects analyzed in this section were found to exceed significance criteria, thus no mitigation measures are contained within this Section.

11.2 ENVIRONMENTAL SETTING

11.2.1 Regional Hydrology

General Climate. The City is located on the tip of the Monterey Peninsula on the Central California Coast. The weather of the PGLWP study area is influenced by a marine climate that is pronounced due to the upwelling of cold water from the Monterey submarine canyon. The warmest month is September, with an average daily high of 70°F. The average daily low temperatures are 44°F in January and 53°F in September. Average rainfall is 19.7 inches per year, with approximately 90% falling during November through April (www.weather.com).

Surface Water. The prominent water feature adjacent to the Project site is the Monterey Bay and the Pacific Ocean coastline adjacent to the City. Along the Monterey Bay side of the City's coast, the near shore waters have been designated by the SWRCB as the Pacific Grove ASBS (Figure 10-1). The Pacific Grove ASBS lies entirely within the Monterey Bay National Marine Sanctuary (MBNMS), and overlaps with the Pacific Grove State Marine Conservation Area and Hopkins State Marine Reserve. ASBS areas are accorded special protection under the Marine Managed Areas Improvement Act and the California Ocean Plan (COP). The special protections defined in the COP prohibit waste discharges to the ASBS. Stormwater discharges into ASBS areas are allowed under a SWRCB adopted General Exception to the COP waste discharge prohibition, with Special Protections that require both structural and non-structural control to protect "natural water quality" within the ASBS.

The PGLWP study area also includes Crespi Pond, a brackish to fresh water pond located on the Golf Links between Point Pinos and the north end of Asilomar Avenue. Crespi Pond is habitat to a number of bird species and is managed by the City.

Groundwater. The Project site is situated entirely within the City and does not directly overlie a groundwater basin. The City is located between the Salinas Valley Seaside Groundwater Subbasin, which lies east of Pacific Grove in the vicinity of Seaside, Marina, and the former Fort Ord (IWRIS, 2013) and the Carmel Valley Groundwater Basin, which is located to the south, within the Carmel River Valley Watershed.

Groundwater was not encountered in borings collected at the PGLWP site as part of the geotechnical investigation for the Monterey and Pacific Grove ASBS Project (Pacific Geotechnical Engineering, 2013). Depths of borings were between 9 and 24 feet. The site geology is comprised of granite bedrock surface whose conditions reflect variable groundwater depths. Subsurface drainage is expected to occur relatively quickly and flow outwards toward the Point Pinos bluffs. Surface rainfall is expected to locally pond on the granite bedrock surface and drain outwards towards the Pacific Ocean.

The City collects and stores water from a cistern located on the site for construction water uses.

Hydrology. The Project site is located in the Central Coast Hydrologic Region. The Central Coast Hydrologic Region covers approximately 7.22 million square miles and includes all of Santa Cruz, Monterey, San Luis Obispo, and Santa Barbara counties, as well as parts of San Benito, San Mateo, Santa Clara, and Ventura counties. Major geographic features that define the region include the Pajaro, Salinas, Carmel, Santa Maria, Santa Ynez, and Cuyama valleys; the coastal plain of Santa Barbara; and the Coast Range. The northwest trending southern Coast Range largely defines the region (California Department of Water Resources, 2009).

The proposed Project encompasses a portion of the watershed that drains to the Pacific Grove Area of Special ASBS. This watershed area includes much of the City and a portion of the City of Monterey (New Monterey). The Cities of Pacific Grove and Monterey propose an ASBS Project to divert and treat dry weather and stormwater runoff to new stormwater diversion facilities and treatment plants. An EIR for the ASBS Project was issued in 2014.

Water Quality. Surrounding land uses largely affect surface water quality, with both point and nonpoint source discharges contributing contaminants to surface waters. The Project study area is comprised of residential, office and commercial land uses, golf courses, recreational parks, schools, military installments and open space reserves. Pollutant sources in urban areas include parking lots and streets, rooftops, exposed earth at construction sites, and landscaped areas. Erosion from construction activities can result in sedimentation that ultimately flows into surface waters. Other contaminants in urban runoff include sediment, hydrocarbons, metals, pesticides, bacteria, and trash.

Polluted runoff can result in adverse effects on aquatic ecosystems, public use, and human health from groundwater and surface water contamination, damage to or destruction of wildlife habitat, decline in fisheries, and loss of recreational opportunities. Suspended particulates can restrict light penetration into water and limit photosynthesis of aquatic biota. Metals and petroleum hydrocarbons washed from roadways and parking lots, as well as fertilizers, pesticides, and herbicides from landscaped areas, may cause toxic responses in aquatic life.

MPWMD maintains groundwater and surface water monitoring in the Carmel River Valley and the SGWB. Ambient conditions in surface waters are measured by dissolved oxygen, carbon dioxide, pH, temperature, turbidity, conductivity and salinity, while groundwater is monitored for specific conductance, total alkalinity, pH, chloride, sulfate, ammonia nitrogen, total organic

carbon, calcium, sodium, magnesium, potassium iron, manganese, orthophosphate, and boron.

Monitoring and analysis in both the near shore environment and coastal watersheds has pointed to urban runoff as the leading cause of water pollution affecting the MBNMS. Monitoring revealed high concentrations of nutrients, metals, pathogens, detergents and other contaminants in local creeks and rivers and urban outfalls that drain into the MBNMS. Cities participating in the Monterey Regional Storm Water Management Program and MBNMS Water Quality Protection Program (WQPP) seek to reduce non-point source urban runoff through end of pipe treatments and source control program. These programs use best management practices such as swales, filters, and retention basins, as well as addressing behaviors and activities that introduce pollution.

Discharges to the Pacific Grove ASBS have been monitored over the past decade by a variety of stakeholders and volunteers in a collaborative effort to educate, monitor and protect marine resources in the Monterey Bay.

First Flush Report. The Monterey Bay Sanctuary Citizen Watershed Monitoring Network (the Network) is a consortium of citizen monitoring groups that monitor the health of the eleven watersheds flowing into the MBNMS. The Network has monitored concentrations of nitrate (NO₃-NO₃), Orthophosphate (PO₄-P), total coliform, Escherichia coli. (E. coli), total dissolved solids (TDS), total suspended solids (TSS), oil and grease, zinc, copper, iron, and lead. In recent years, these efforts for the cities of Pacific Grove and Monterey have been folded into the larger Monterey Regional Storm Water Management Program (MRSWMP) Monitoring Program to assist with permit compliance regionally with shared resources while also continuing to engage local volunteers in water quality protection.

Urban Watch. The Urban Watch Water Quality Monitoring Program (Urban Watch) is a collaborative effort between the cities of Monterey, Pacific Grove, Capitola, the Coastal Watershed Council, and the MBNMS. The Coastal Watershed Council is a non-profit organization that advocates for the preservation and protection of coastal watersheds through the establishment of community-based watershed stewardship programs in cooperation with local agencies. Urban Watch volunteers collect water samples and conduct basic field analysis using an EPA approved LaMotte Storm Drain Pollution Detection Kit to detect detergents and chlorine, and a Hach photometer for ammonia and orthophosphate.

The City is implementing the Central Coast ASBS Regional Monitoring program to standardize water quality monitoring to meet the testing requirements of SWRCB pursuant to the requirements of SWRCB Resolution No. 2012-0012. The results of the Central Coast ASBS Regional Monitoring would establish the “natural water quality” objectives to be met by the ASBS Special Protections. The receiving water samples would be monitored for COP indicator bacteria, residual chlorine, copper, zinc, grease and oil, methylene blue active substances (MBAS), ammonia and nitrogen. Sediment samples would be analyzed for COP Table 1 metals (for marine aquatic life beneficial use), acute toxicity (using *Eohaustorius estuarius*), PAHs and tributyltin. The stormwater treatment process target pollutants and reduction levels would be determined based upon findings from this water quality monitoring effort. If receiving water monitoring determines the natural water quality is degraded, target pollutants and removal levels would be determined by the City following the monitoring period.

The ASBS Project is intended to satisfy the ASBS Special Protection requirements and protect

natural water quality if found degraded. If the Central Coast ASBS Regional Monitoring program determines that the cities are already in compliance with the ASBS Special Protections, the ASBS Project would not be required and would therefore not be pursued.

11.2.2 Flood Hazards

FEMA Flood Hazard Zones. The Federal Emergency Management Agency (FEMA) establishes base flood heights for the 100-year flood zone. The 100-year flood zone is defined as the area that could be inundated by the flood that has a one percent probability of occurring in any given year. The 500-year flood zone is defined as the area that could be inundated between the limits of the base flood and the 0.2-percent-annual-chance flood. No Project components are located in an area subject to flooding hazards. Figure 11-1 presents the FEMA flood zone map for the Project area.

Tsunami. A tsunami is a series of waves generated by an impulsive disturbance in the ocean or in a small, connected body of water. Tsunamis are produced when movement occurs on faults in the ocean floor, usually during very large earthquakes. Sudden vertical movement of the ocean floor by fault movement displaces the overlying water column, creating a wave that travels outward from the earthquake source. An earthquake anywhere in the Pacific can cause tsunamis around the entire Pacific basin. Since the Pacific Rim is highly seismically active, tsunamis are not uncommon (City of Santa Cruz, 2011). Tsunami hazards are mapped on Figure 11-2. The proposed SRWTP at Point Pinos and associated recycled water pipelines that comprise the PGLWP are located within a potential tsunami inundation zone as modeled by the University of Southern California (USC) model (County of Monterey, 2007).

Typical peak wave heights from large tsunamis in the Pacific Ocean over the past 80 years have ranged from 21 to 45 feet at the Monterey County shoreline (County of Monterey, 2007). However, a few waves have been higher and were up to 100 feet locally at the shoreline (ibid). The tsunami inundation zone is shown as outlined in green on Figure 11-2. The figure also shows a moderate tsunami run-up area and an extreme tsunami run-up area. The moderate tsunami run-up area is shown in a light purple color and includes those areas below 21 feet mean sea level (MSL). The extreme tsunami run-up area is shown in a darker purple color and covers areas that are situated between 21 feet and 50 feet MSL.

There have been eight observed tsunami-generated waves in Monterey County over the last 200 years (Monterey County, 2007). In addition, the March 11, 2011, magnitude 9.0 Honshu earthquake in Japan generated a tsunami observed over the Pacific region and caused tremendous devastation in Japan. This is the fourth largest earthquake in the world and the largest in Japan since instrumental recordings began in 1900 (NOAA, 2013). The tsunami affected numerous areas, but in the Monterey Bay area the maximum run-up wave height was 0.70 meters in the City of Monterey, 1.90 meters in Santa Cruz Harbor, and 2.0 meters in Moss Landing (NOAA, 2013). In Monterey County, the greatest amount of damage was sustained at Moss Landing, where there were 200 damaged pilings and 20,000 cubic yards of extra sediment deposited in the harbor. The damage was not at first apparent, but two months after the event, the Moss Landing Harbor District filed a claim with the California Emergency Management Agency for \$1.75 million in damages (Monterey County Weekly, May 26, 2011).



Figure 11-1: FEMA Map

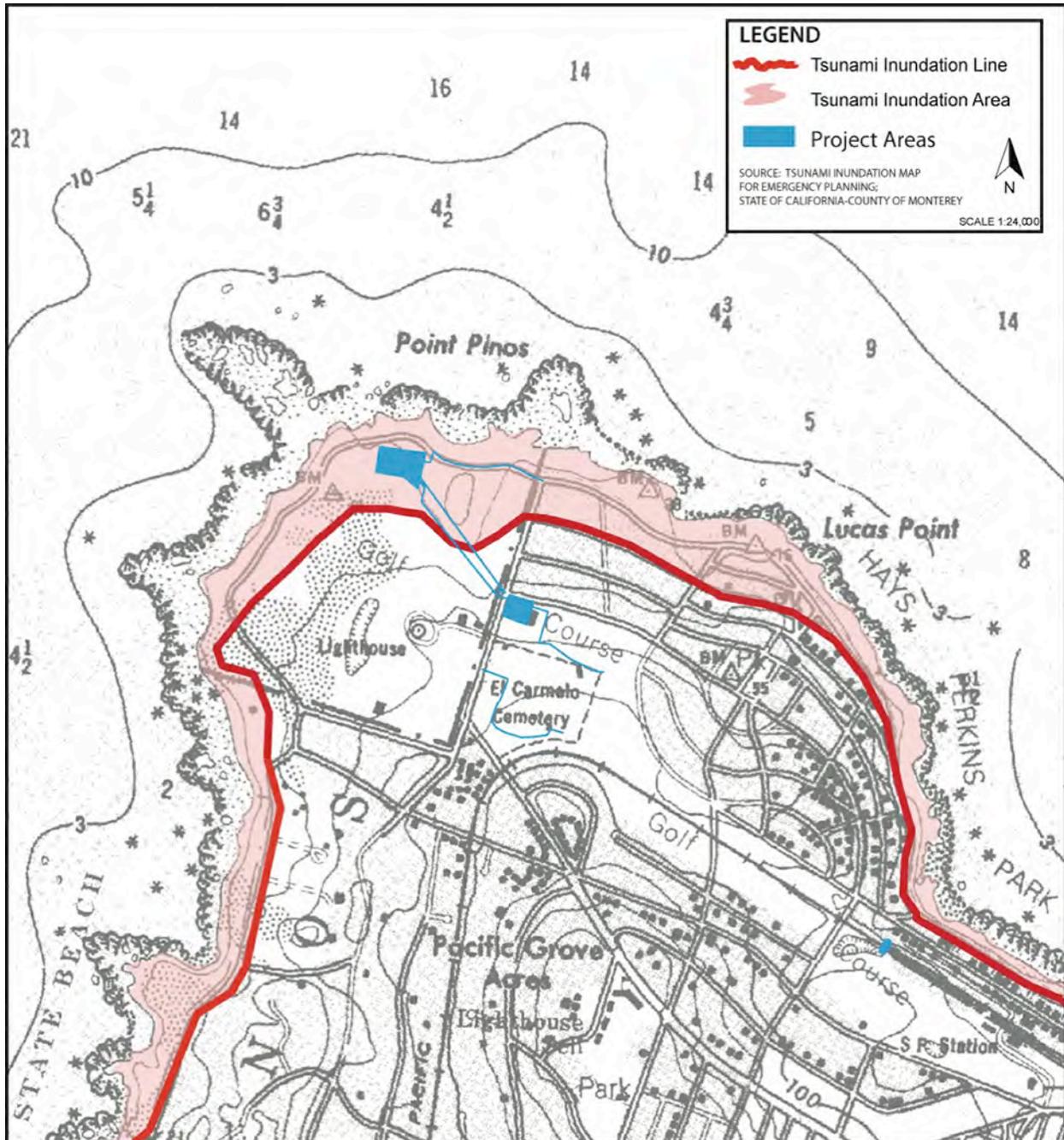


Figure 11-2: Tsunami Map

Almost all of the Pacific Ocean tsunamis were produced by earthquakes and resulted in wave run-ups of one meter or less. A tsunami in 1960 produced severe currents in Monterey, Moss Landing, and Pacific Grove and is blamed for one death. Monterey County has experienced nine tsunamis over the past 100 years and has been impacted significantly by two (Monterey County, 2007). Although these numbers could be averaged to generate an expected occurrence rate, there have been as few as three and as many as 45 years in between events, and an averaged recurrence interval would not be meaningful. According to the Multi-Jurisdictional Hazard Mitigation Plan (Monterey County, 2007), the probability that Monterey County would experience a tsunami is estimated to be high (one event in every three to 45 years, averaging a 1-foot to 11-foot run-up for all coastal and low-lying areas within the County).

Seiche. Seismic seiches, as defined by the USGS, are standing waves set up on rivers, reservoirs, ponds, and lakes when seismic waves from an earthquake pass through the area. This is in direct contrast to tsunamis, which are giant sea waves created by the sudden uplift of the sea floor. Seiches west of the Rockies are very rare and there is limited evidence of damage from seiches in California (USGS, December 2013). Therefore, the Project site components are not considered to be within a seiche hazard area.

Dam Failure. Dam failures can result in severe flood events. A dam failure is usually the result of neglect, poor design, or structural damage caused by a major event such as an earthquake. The closest dam site is the David Avenue Reservoir, located approximately 2 miles southeast from the proposed SRWTP site at Point Pinos. The proposed ASBS Project involves the rehabilitation of the David Avenue Reservoir and activation of the reservoir as a stormwater holding facility. It should be noted that the previous water storage capacity was 56 acre feet, while the proposed rehabilitation as part of the proposed Cities of Pacific Grove and Monterey ASBS Project would contain 49.15 acre feet of water (Rincon, 2014). There are no Project components within the projected dam inundation area.

Sea Level Rise. The California Climate Change Center (CCCC) study, the Impacts of Sea-Level Rise on the California Coast (May 2009), identifies a sea level rise on the California coast over the past century of approximately eight inches. This study indicates that climate change has the potential to induce substantial sea level rise in the coming century. Based on the results of various global climate change models, sea level rise is expected to continue. The California Climate Adaptation Strategy (December 2009) estimates a sea level rise of up to 55 inches by the end of this century.

In Monterey County, higher sea levels would allow waves and tides to travel farther inland, exposing beaches, cliffs, and coastal dunes to more persistent erosional forces. The southern portion of Monterey Bay is eroding more rapidly than other regions in the state, with coastal dunes between the Salinas River mouth and Wharf II in Monterey eroding at rates between one and six feet per year (Center for Ocean Solutions, 2013).

A total of approximately 4.4 square miles of Monterey County coastline is susceptible to erosion, and the maximum distances coastal dunes and sea cliffs are expected to retreat in this region are approximately 1,300 and 720 feet, respectively (ibid).

The Pacific Institute (2009) developed a series of coastal hazard maps for the entire coast of California. These maps illustrate the projected sea level rise and landward extent of erosion under a moderate sea level rise scenario. These maps show that the sea level rise scenario (coastal

100-year base flood plus 55 inches) would extend only a short distance further inland than existing conditions in the vicinity of Project components near the coastline. Figure 11-3 presents the projected sea level rise in the Project area. Most Project components would not be subject to substantial effects from sea level rise according to these maps; however, the 6-inch wastewater force main located on Ocean View Drive is located along the coastal area that could be subject to sea level rise.

11.2.3 Drainage

Figure 11-4 presents the existing City's existing storm drainage conveyance facilities. Storm drains within the City currently discharge storm water through 25 outfalls to the Pacific Grove ASBS. Under existing conditions, dry weather flows (nuisance flows that occur in the dry season between April 15 and October 15) between Lovers Point and eastward to Eardley Avenue, are diverted to the MRWPCA Regional Treatment Plant (RTP) prior to discharge into the Pacific Ocean. In areas west of Lovers Point to Point Pinos, stormwater is discharged untreated to the Pacific Ocean ASBS under both dry and wet weather conditions.

11.3 REGULATORY SETTING

11.3.1 Federal

Federal Clean Water Act. Congress passed the Federal Water Pollution Control Act, commonly known as the Clean Water Act (CWA), in 1972, with the goal of “restor[ing] and maintain[ing] the chemical, physical, and biological integrity of the Nation’s waters.” 33 U.S.C. § 1251(a). The CWA directs states to establish water quality standards for all “waters of the United States” and to review and update such standards on a triennial basis. Section 319 mandates specific actions for the control of pollution from non-point sources. The EPA delegated responsibility for implementation of portions of the CWA, including water quality control planning and control programs, such as the National Pollutant Discharge Elimination System (NPDES) Program, and in California to the SWRCB and the nine Regional Water Quality Control Boards (RWQCBs).

Section 303(c)(2)(b) of the CWA requires states to adopt water quality standards for all surface waters of the United States based on the water body’s designated beneficial use. Water quality standards are typically numeric, although narrative criteria based upon biomonitoring methods may be employed where numerical standards cannot be established. Water quality standards applicable to the Project are contained in the Water Quality Control Plan for the Central Coast Basin (Basin Plan). Section 303(d) of the CWA bridges the technology-based and water quality-based approaches for managing water quality. Section 303(d) requires that states make a list of waters that are not attaining standards after the technology-based limits are put into place. For waters on this list (and where the USEPA administrator deems they are appropriate), states are to develop “total maximum daily loads” (TMDL). TMDLs are established at the level necessary to implement the applicable water quality standards.



Figure 11-3: Sea Level Rise Map

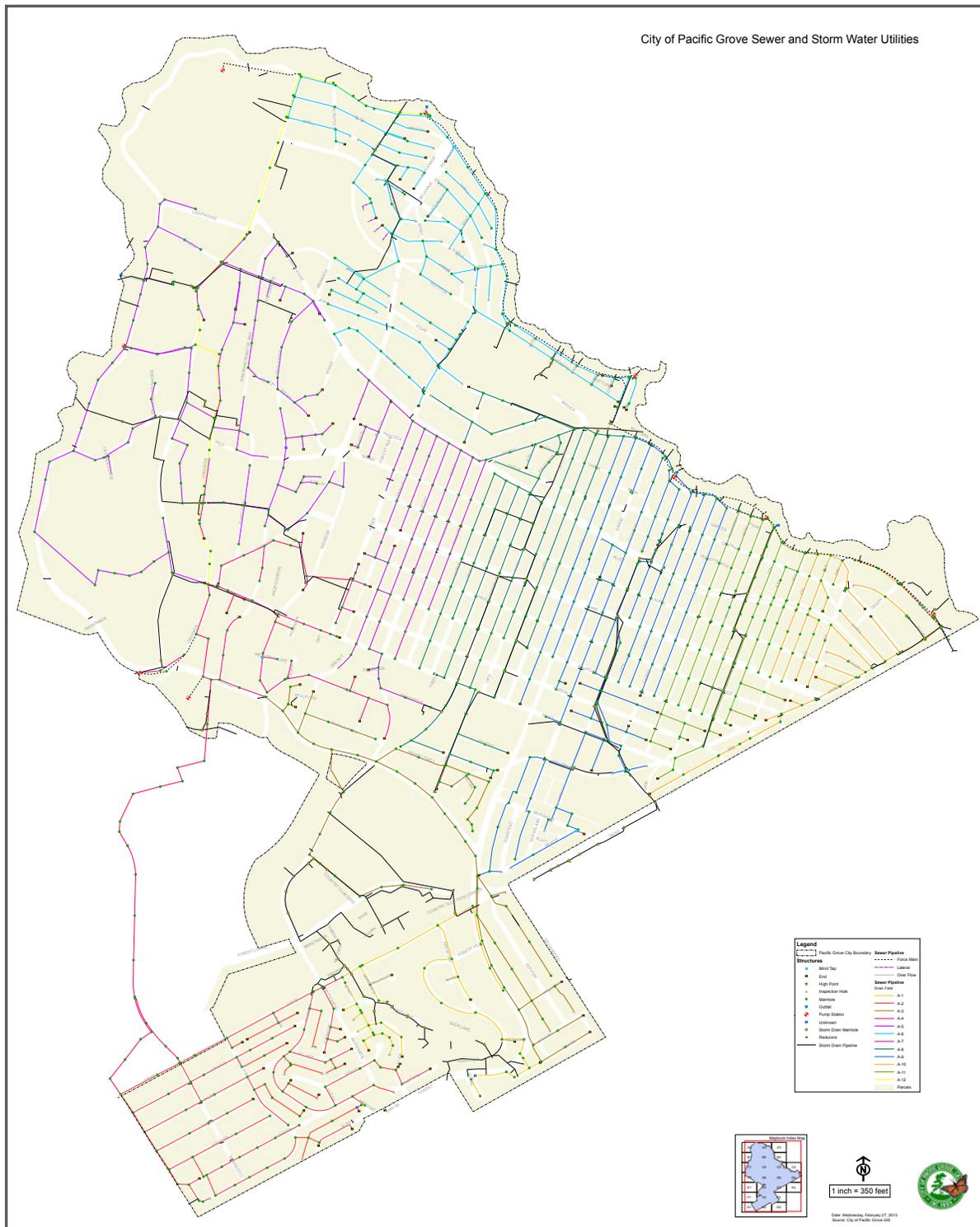


Figure 11-4: Existing Storm Drain Map

Section 401 of the CWA requires water quality certification for any activity, including the construction or operation of a facility, which may result in any discharge into navigable waters (Title 33 CFR §1341). Section 404 of the CWA prohibits the discharge of any pollutants into “waters of the United States,” except as allowed by permit. 33 C.F.R. § 328.3(a)(3). Section 404 of the CWA authorizes the U.S. Army Corps of Engineers (Corps) to issue permits for and regulate the discharge of dredged or fill materials into wetlands or other waters of the United States. Under the CWA and its implementing regulations, “waters of the United States” are broadly defined to consist of rivers, creeks, streams, and lakes extending to their headwaters, including adjacent wetlands.

National Pollution Discharge Elimination System (NPDES). The goal of the NPDES nonpoint source regulations is to improve the quality of discharges to receiving waters to the “maximum extent practicable” through the use of Best Management Practices (BMPs). The NPDES permit system was established in the CWA to regulate point source discharges (a municipal or industrial discharge at a specific location or pipe) and certain types of diffuse discharges, including urban stormwater and construction site runoff. The Project would be subject to the Monterey Regional Stormwater Pollution Prevention Program and the associated NPDES permit.

The SWRCB permits all regulated construction activities under NPDES General Permit for Storm Water Discharges Associated with Construction Activity (adopted September 2, 2009) (the “Construction General Permit”). Every construction project that disturbs one or more acres of land surface or that are part of a common plan of development or sale that disturbs more than one acre of land surface would require coverage under this Construction General Permit.

To obtain coverage under this Construction General Permit, the landowner or other applicable entity must file Permit Registration Documents (PRDs) prior to the commencement of construction activity, which include a Notice of Intent (NOI), Storm Water Pollution Prevention Plan (SWPPP), and other documents required by the Construction General Permit, and mail the appropriate permit fee to the SWRCB. Construction activities subject to the Construction General Permit include clearing, grading, and disturbances to the ground, such as stockpiling or excavation, that result in soil disturbances of at least one acre of total land area. The SWPPP has two major objectives: (1) to identify and evaluate sources of pollutants associated with industrial activities that may affect the quality of storm water discharges and authorized non-storm water discharges; and (2) to describe and ensure the implementation of BMPs to reduce or eliminate sediment and other pollutants in stormwater as well as non-stormwater discharges. BMPs are intended to reduce impacts to the Maximum Extent Practicable (MEP).

Since the proposed Project would not disturb more than one acre, construction of the Project would not be subject to this Construction General Permit requirements. The proposed Project would also be subject to City BMPs for construction stormwater requirements.

Monterey Bay National Marine Sanctuary. The MBNMS was officially designated by the federal government in September 1992 to protect an enormous variety of marine mammals, seabirds, fish, plants, and animals. This is the largest marine sanctuary in the country with an area of 4,024 square nautical miles. The law that created the sanctuary establishes a permanent ban on exploring for, developing, or producing oil, gas, and minerals throughout the sanctuary.

The proposed Project would decrease waste discharges to the MBNMS, and would not

negatively affect it.

11.3.2 State

Porter-Cologne Water Quality Act. The Porter-Cologne Water Quality Control Act establishes the SWRCB and each RWQCB as the principal State agencies for coordinating and controlling water quality in California. Specifically, the Porter-Cologne Act authorizes the SWRCB to adopt, review, and revise policies for all waters of the State (including both surface and groundwater) and directs the RWQCBs to develop regional Basin Plans.

The Central Coast RWQCB has authority to implement water quality protection standards through the issuance of permits for discharges to waters in its jurisdiction. Water quality objectives for receiving waters within Monterey County are specified in the Water Quality Control Plan for the Central Coast Basin (Basin Plan) prepared by the RWQCB in compliance with the federal CWA and the State Porter-Cologne Act. The principal elements of the Basin Plan are a statement of protected beneficial water uses; water quality objectives necessary to protect the designated beneficial water uses; and strategies and time schedules for achieving the water quality objectives. Together, narrative and numerical objectives define the level of water quality that shall be maintained in the region. The water quality objectives are achieved primarily through the establishment and enforcement of waste discharge requirements (WDRs).

The RWQCBs have primary responsibility for issuing WDRs. The RWQCBs may issue individual WDRs to cover individual discharges or general WDRs to cover a category of discharges. WDRs may include effluent limitations or other requirements that are designed to implement applicable water quality control plans, including designated beneficial uses and the water quality objectives established to protect those uses and prevent the creation of nuisance conditions. Cleanup and Abatement Orders (CAOs) or Cease and Desist Orders (CDOs), assessing administrative civil liability, or seeking imposition of judicial civil liability or judicial injunctive relief address violations of WDRs.

The Pacific Grove ASBS is one of 34 SWRCB-designated ASBS areas along the California Coast. These areas are defined as “ocean areas requiring protection of species or biological communities to the extent that alteration of natural water quality is undesirable” (SWRCB Resolution No. 2012-0012). The California Ocean Plan (Ocean Plan) originally adopted in 1972 and most recently revised in 2012, establishes water quality objectives for California’s ocean waters and provides the basis for regulation of point and non-point source discharges into the State’s coastal waters.

On March 20, 2012, the SWRCB adopted the “General Exception and Special Protections for the California Ocean Plan Waste Discharge Prohibition for Stormwater and Nonpoint Source Discharges” into the ASBS. The “Special Protections” have since been incorporated in the SWRCB’s Order No 2013-0001-DWQ, NPDES No CAS000004 [National Pollutant Discharge Elimination System (NPDES) General Permit For Waste Discharge Requirements (WDRs) For Storm Water Discharges From Small Municipal Separate Storm Sewer Systems (MS4s)]. The “Special Protections” are also part of a General Exception to the COP, which states, “Waste shall not be discharged to areas designated as being of special biological significance. Discharges shall be located a sufficient distance from such designated areas to assure maintenance of natural water quality conditions in these areas” (ibid).

Generally, the COP:

- Is the basis for regulation of wastes discharged in coastal waters and establishes water quality objectives for discharges as measured in the ocean receiving water; and
- Applies to point (typically outfall pipes) and non-point (typically overland flow) source waste discharges.

The principle requirements in the General Exception and Special Protections are:

- Elimination of non-stormwater urban runoff (e.g. dry weather discharges) into the ASBS;
- Ensuring that wet weather flows do not alter “natural water quality;” Ocean receiving water monitoring to ensure marine life and other beneficial uses are protected;
- If receiving water monitoring finds natural water quality is degraded by stormwater discharges, reducing pollutant loads by 90% during wet-weather;
- Eliminating all trash from outfalls and discharges;
- Structural BMPs to reduce pollutants, debris (e.g., street sweeping and storm drain inserts), and larger particles (e.g., detention basins and vortex units); and
- Non-structural BMPs such as construction site and commercial and industrial inspections, and public education and outreach.

The “Special Protections” and “General Exception” apply statewide in lieu of individual exceptions.

Regulations Governing Use of Recycled Water. The California Department of Public Health (CDPH) has produced “The Purple Book,” which contains California health laws related to reuse of disinfected tertiary recycled water (California Department of Health Services 2001). Disinfected tertiary recycled water is defined as filtered and subsequently disinfected wastewater that exhibits extremely low levels of coliform bacteria and turbidity. Allowable uses for disinfected tertiary recycled water include:

- Food crops, including all edible root crops, where the recycled water comes into contact with the edible portion of the crop;
- Parks and playgrounds, school yards, residential landscaping;
- Unrestricted access golf courses;
- Industrial cooling that involves the use of a cooling tower;
- Flushing toilets and urinals, priming drain traps, industrial process that that may come into contact with workers, structural firefighting, decorative fountains, commercial laundries, consolidation of backfill around potable water pipelines, and car washes; and
- Any other irrigation use not prohibited.

The following limitations and requirements apply.

- Irrigation within 50 feet of any domestic water supply well is prohibited unless certain conditions are met.
- Surface impoundments of tertiary treated disinfected effluent within 100 feet of any domestic water supply well are prohibited.
- All irrigation runoff shall be confined to the recycled water use area unless the runoff does not pose a public health threat and is authorized by the regulatory agency.

- Spray, mist, or runoff from reuse shall not contaminate dwellings, outdoor eating areas, food-handling facilities, and drinking-water fountains.
- No cross connections with domestic water systems are allowed. Proposed irrigation systems using wastewater must be entirely separate from irrigation systems using domestic supplies, and all pipes used for water recycling must be colored purple or use another marking system that clearly distinguishes recycled water from potable water.
- Disinfected tertiary recycled water shall be sampled at least once daily for total coliform and continuously for turbidity using a continuous turbidity meter.
- All use areas where recycled water is used and are accessible to the public shall be posted with signs indicating recycled water is in use.
- The supplier of reclaimed water must file an engineering report that indicates the means for compliance with regulations and a contingency plan to prevent untreated or inadequately treated wastewater from delivery to a use area.
- Training of personnel, system maintenance, and operating records and reports are required. The treatment system must be equipped with alarms in the event of a treatment system failure. The law also outlines standards for system reliability.

Backflow prevention devices are required such that effluent does not reach potable supplies or otherwise expose humans.

11.3.3 Local

City of Pacific Grove Subdivision Ordinance. PGMC Section 24.06.020, Pacific Grove's Subdivision Ordinance, is intended to control the erosion-inducing effects of development. PGMC Section 9.30 permits the City Public Works Department to identify and require construction BMPs. 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). Compliance with these existing requirements would reduce construction-related erosion impacts to a less than significant level.

The City also requires temporary cover or mulching be used to protect bare soil and slopes to mitigate erosion hazards during construction in rainy periods.

City of Pacific Grove General Plan. The City of Pacific Grove General Plan contains several policies related to hydrology and water quality. The General Plan designates the Monterey Bay as a significant marine resource and Crespi Pond as an important freshwater resource for migratory birds. Policy 16 of the Public Facilities Element directs the City to “Promote the recovery of usable water from the storm drain system.” Policy 8 of the Natural Resources Element directs the City to “cooperate with State and federal agencies in reducing impacts from urban runoff.” Consistency with specific hydrology and water quality policies that apply to the Project is provided in Section 4.9, Land Use and Planning.

11.4 STANDARDS OF SIGNIFICANCE

Consistent with Appendix G of the State CEQA Guidelines, project implementation may result in a significant impact related to hydrology and water quality if it would 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 would 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 would result in substantial erosion or siltation on- or off-site;
- 4) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
- 5) Create or contribute runoff water that would exceed the capacity of existing or planned stormwater 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 that would 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; or
- 10) Be subject to inundation by seiche, tsunami, or mudflow.

There is no adopted significance threshold for sea level rise. For the purposes of this assessment, impacts related to sea level rise would be considered potentially significant if projected sea level rise would expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death, consistent with thresholds used in Section 4.5, Geology/Soils.

11.5 IMPACTS AND MITIGATION MEASURES

This section identifies the potentially significant adverse project-level, program-level, and cumulative impacts and required mitigation measures for the proposed Project. Detailed evaluations of the impacts of the proposed Project (Demand Group I) are addressed in the project-level analysis below. The program-level analysis is prepared for Demand Groups II and III. The program-level analysis is not intended to describe or address the impacts in detail; detailed evaluations of the impacts of specific projects would be conducted as part of future site-specific CEQA review. Detailed evaluations of the impacts of the proposed Project are addressed in the project-level analysis.

Impact 11-1: Violate any water quality standards or waste discharge requirements?

Project-Level Impact Analysis

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 would disturb greater than one acre during construction [refer to Section 10.3 (Regulatory Setting)]. Each of the five Project components could be undertaken

separately, and only those Project components greater than one acre would be required to comply with the NPDES program through preparation of a SWPPP, which outlines BMPs that would address post construction runoff. BMPs typically specified within the SWPPP may include, but would 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).

As discussed in Section 7.0, Geology/Soils, all Project components (including those smaller than one acre) would be subject to the City of Pacific Grove Storm Water Management and Discharge Control Ordinance (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 Project would be 0.77 acres, which is less than the one-acre threshold for preparation of a SWPPP; therefore, a SWPPP would not be required. However, construction BMPs established by the City Public Works Department would still be required, as described above. These BMPs would reduce the potential for stormwater pollution associated with construction activities, including on- and off-site sedimentation, deposition, and erosion. These BMPs would 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 would ensure that impacts remain **less than significant**.

Project-Level Mitigation Measures

None required.

Significance after mitigation: N/A

Program-Level Impact Analysis

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 would ensure that impacts remain **less than significant**.

Program-Level Mitigation Measures

None required.

Significance after mitigation: N/As

Impact 11-2: Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level?

Project-Level Impact Analysis

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

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

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 Project implementation would occur. Any recycled water that infiltrates into the groundwater would 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 would 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.

Project-Level Mitigation Measures

None required.

Significance after mitigation: N/A

Program-Level Impact Analysis

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

As stated above, the use of recycled water in close proximity to domestic groundwater wells may result in adverse water quality effects that could have health risks. There are no domestic groundwater wells within the Project area. Any recycled water that infiltrates into the groundwater is not expected to pose a health risk. Compliance with Title 22 standards for tertiary treated water would 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.

Program-Level Mitigation Measures

None required.

Significance after mitigation: N/A

Impact 11-3 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 would result in substantial erosion or siltation on- or off-site?

Project-Level Impact Analysis

The proposed Project does not include modification of the storm drainage pattern of the site. Therefore, the proposed Project would 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 would result in substantial erosion or siltation on- or off-site. In addition, the proposed Project is not expected to 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 that would 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 would involve rehabilitation or refurbishment of already developed sites of the retired Point Pinos WWTP 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 Pipeline.* This component of the Project would 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 would cross Asilomar Road south of the intersection with Del Monte Boulevard. The pipeline trenches as a result of Project installation that are located within the Golf Course would be returned to their existing conditions for golf play. No increase impervious surface areas within the site would occur after pipeline installation is complete.
- *Point Pinos Satellite Recycled Water Treatment Plant.* The SRWTP components would 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 Point Pinos WWTP area. Given the relatively minor area of disturbance, impacts related to generating additional stormwater runoff and subsequent increased downstream erosion due to this new amount of impervious surfaces would 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 Project would not introduce substantial additional impervious surfaces, and would not, therefore, increase the potential for downstream increased erosion. Impacts would be **less than significant**.

Project-Level Mitigation Measures

None required.

Significance after mitigation: N/A

Program-Level Impact Analysis

The proposed Project would 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 would result in substantial erosion or siltation on- or off-site. 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 would not introduce substantial additional impervious surfaces, and would not, therefore, increase the potential for downstream increased erosion. Impacts would be **less than significant**.

Program-Level Mitigation Measures

None required.

Significance after mitigation: N/A

Impact 11-4: 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 would result in flooding on- or off-site?

Project-Level Impact Analysis

The proposed Project would 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 would 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 would involve rehabilitation or refurbishment of already developed sites the retired Point Pinos WWTP 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 Project would 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 would cross Asilomar Road south of the intersection with Del Monte Boulevard. The new pipeline trenches located within the Golf Course would be returned to their existing conditions for golf play, and would not increase the impervious surfaces.

Point Pinos Satellite Recycled Water Treatment Plant. There would be some additional impervious surface added at the SRWTP site where treatment components would occupy ground that is currently permeable. The SRWTP components would 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 Point Pinos WWTP area. Given the relatively minor area of disturbance, impacts related to generating additional stormwater runoff and subsequent increased downstream erosion due to impervious surfaces would be less than significant.

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

Project-Level Mitigation Measures

None required.

Significance after mitigation: N/A

Program-Level Impact Analysis

The proposed Project would 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 would result in substantial flooding on- or off-site. 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 would not introduce substantial additional impervious surfaces, and would not, therefore, increase the potential for downstream flooding. Impacts would be **less than significant**.

Program-Level Mitigation Measures

None required.

Significance after mitigation: N/A

Impact 11-5: Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Project-Level Impact Analysis

The proposed Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of

polluted runoff. The proposed Project would involve rehabilitation or refurbishment of already developed sites at the retired Point Pinos WWTP 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 Project would 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 would cross Asilomar Road south of the intersection with Del Monte Boulevard. The new pipelines located within the Golf Course would be returned to their existing conditions for golf play, and would not increase the impervious surfaces.

Point Pinos Satellite Recycled Water Treatment Plant. There would be some additional impervious surface added at the SRWTP site where treatment components would occupy ground that is currently permeable. The SRWTP components would 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 Point Pinos WWTP area. Given the relatively minor area of disturbance, impacts related to generating additional stormwater runoff and subsequent increased downstream erosion due to impervious surfaces would 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 would not introduce substantial additional impervious surfaces, and would not, therefore, increase the potential for polluted runoff. Impacts would be **less than significant**.

The effect of the Project on capacity of the existing MRWPCA RTP is discussed in Section 14, Public Services and Utilities.

Project-Level Mitigation Measures

None required.

Significance after mitigation: N/A

Program-Level Impact Analysis

The proposed Project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

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 would not introduce substantial additional impervious surfaces, and would not, therefore, increase the potential for downstream flooding. Impacts would be **less than significant**.

Program-Level Mitigation Measures

None required.

Significance after mitigation: N/A

Impact 11-6: Otherwise substantially degrade water quality?

Project-Level Impact Analysis

The proposed Project would not otherwise substantially degrade water quality.

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 would not introduce substantial additional impervious surfaces, and would not, therefore, increase the potential for degradation of water quality. Impacts would be **less than significant**.

Project-Level Mitigation Measures

None required.

Significance after mitigation: N/A

Program-Level Impact Analysis

The proposed Project would not otherwise substantially degrade water quality.

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 would not introduce substantial additional impervious surfaces, and would not, therefore, increase the potential for degradation of water quality. Impacts would be **less than significant**.

Program-Level Mitigation Measures

None required.

Significance after mitigation: N/A

Impact 11-7: 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?

Project-Level Impact Analysis

The proposed Project would 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 would be **No impact**.

Project-Level Mitigation Measures

None required.

Significance after mitigation: N/A

Program-Level Impact Analysis

The proposed Project would 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 would be **No impact**.

Program-Level Mitigation Measures

None required.

Significance after mitigation: N/A

Impact 11-8: Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

Project-Level Impact Analysis

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

Project-Level Mitigation Measures

None required.

Significance after mitigation: N/A

Program-Level Impact Analysis

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

Program-Level Mitigation Measures

None required.

Significance after mitigation: N/A

Impact 11-9: 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?

Project-Level Impact Analysis

The proposed Project would 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 would be no risk of flooding from the failure of (add name here) Dam. Therefore, there would be **No impact**.

Project-Level Mitigation Measures

None required.

Significance after mitigation: N/A

Program-Level Impact Analysis

The proposed Project would 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 would be no risk of flooding from the failure of (add name here) Dam. Therefore, there would be **No impact**.

Program-Level Mitigation Measures

None required.

Significance after mitigation: N/A

Impact 11-10: Be subject to inundation by seiche, tsunami, or mudflow?

Project-Level Impact Analysis

The proposed Project would 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. Figure 11-2 shows tsunami hazard areas. As described in Section 11.2.2 (Flood Hazards), 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 Project components would 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 stormwater conveyance utilities as critical facilities. In addition, the proposed Project would not increase vulnerability to a tsunami hazard or the effects of sea level rise.

Recycled Water Distribution. As shown on Figure 11-2, the recycled water distribution component of the Project would 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 Project would be mostly subterranean, buried beneath the Ocean Avenue right of way. However, the pump stations would have an above ground electrical component that would 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 affect 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 stormwater conveyance utilities are not identified as critical facilities (Monterey County, 2007).

Point Pinos Satellite Recycled Water Treatment Plant. As shown on Figure 11-2, the SRWTP is located within a moderate tsunami run-up area. In addition, this component may involve installation of improvements within the projected sea level rise coastal flood scenario (Pacific Institute, 2009). This portion of the Project would 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 stormwater conveyance utilities are not identified as critical facilities (Monterey County, 2007).

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

Project-Level Mitigation Measures

None required.

Significance after mitigation: N/A

Program-Level Impact Analysis

The proposed Project would involve construction of recycled water distribution facilities in an area that is subject to inundation by a tsunami and may be subject to shoreline retreat associated with sea level rise. Impacts would be **less than significant**.

Program-Level Mitigation Measures

None required.

Significance after mitigation: N/A



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 Director; Jim Brezack, Brezack and Associates Planning

MEETING DATE: October 7, 2015

SUBJECT: Certification of the Supplemental Environmental Impact Report (SEIR) for the Pacific Grove Local Water Project (PGLWP)

CEQA: SEIR Prepared

RECOMMENDATION

1. Approve a resolution making appropriate findings and certifying the SEIR.
2. Authorize the City Manager to take all necessary actions in support of these actions.

BACKGROUND

The City of Pacific Grove (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 (LWP or Project), and entered into an agreement with PERC Water on August 5, 2015, for the design and construction of the LWP. The City Council has taken a series of actions in support of the Project, starting in early 2012. The LWP will replace approximately 125 acre-feet a year (0.25 million gallons per day) of irrigation demands with non-potable supplies for the Golf Links, the El Carmelo Cemetery, and other nearby landscaped areas. 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 sets a timeframe for Cal-Am to reduce its pumping from the Carmel River to its legal limits by the end of 2016. The Seaside Groundwater Basin (SGWB) has been adjudicated and also contains a schedule for reduction of pumping from this water source.

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 (MPWMD) 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 Final EIR is set to be issued in spring of 2015. CPUC action on the CPCN is anticipated in April 2015.

DISCUSSION

The City directed preparation of this Draft Supplemental Environmental Impact Report (SEIR) for the Pacific Grove Local Water Project (PGLWP). This SEIR supplements the previously Certified Final EIR (2014 Certified EIR, State Clearinghouse Number 2014021058) dated November 19, 2014. The City is the lead agency under the California Environmental Quality Act (CEQA).

The SEIR evaluates a proposed modification to the PGLWP: recognition and use of water entitlements for portions of the saved potable water that will be freed for potable uses by reason of the replacement non-potable water supply produced by the PGLWP. Entitlements will be used by the City after they are recognized for use by MPWMD.

The SEIR has been made available at the City Library, Community Development Department, and posted on the City's Website as follows: Homepage/City Hall/Public Works/Environmental Programs/ Pacific Grove Proposed Local Water Project:

<http://www.cityofpacificgrove.org/sites/default/files/general-documents/local-water-project/pglwp-sdeir-20150707.pdf>

Currently, the City irrigates the Golf Links, El Carmelo Cemetery, and other public landscaping areas with potable water purchased from Cal-Am. The FEIR identified irrigation of the Pacific Grove Golf Links, El Carmelo Cemetery, and other minor uses of recycled water that would be used as a substitute for potable water. This new supply of recycled water to be produced by the PGLWP would therefore free up an equivalent volume of potable water for alternate uses.

The City is seeking water entitlements from the MPWMD for up to 90 AFY of the saved potable water (in lieu pool) created by the proposed Project, to serve a portion of the anticipated build-out water demand of the City, consistent with state requirements and MPWMD ordinances. The 90 AFY includes a dedication by the City of up to 30 acre-feet per year to the environment to assist Cal-Am in meeting its obligations until it secures a replacement water supply to offset its use of water from the Carmel River without legal right, and to reduce pumping in the SGWB. This environmental dedication of potable water would directly reduce the amount of water Cal-Am extracts from the Carmel River. Pursuant to the provisions of SWRCB Board Order 95-10, this volume of Carmel River Replacement Water would revert to the City upon completion of the Monterey Peninsula Water Supply Project by Cal-Am. Finally, up to 35 AFY of potable water would be retained for use by the MPWMD. This SEIR therefore evaluates potential environmental effects of the City obtaining water entitlements from the MPWMD, use of water dedicated to the environment, and use of up to 35 AFY water retained by MPWMD.

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 SEIR 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 SEIR was for 30 days between July 7, 2015 and August 6, 2015. The Draft SEIR and appendices were available for public review during that time. A Notice of Completion and copies of the Draft SEIR were sent to the State Clearinghouse, and Notices of Availability of the Draft SEIR were published by the City.

Pursuant to CEQA, the environmental analysis addressed the following impact areas: (1) aesthetics; (2) Agriculture and Forest Resources; (3) air quality; (4) biological resources; (5) cultural resources; (6) geology/soils; (7) greenhouse gas emissions/climate change; (8) hazards and hazardous materials; (9) hydrology and water quality; (10) land use and planning; (11) Mineral Resources; (12) noise; (13) public services and utilities; (14) Recreation and (15) transportation/traffic.

The City evaluated seven comment letters on environmental issues received from persons and agencies who reviewed the Draft SEIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The Final SEIR provides adequate, good faith and reasoned responses to the comments. These responses were provided to the commenters on September 4, 2015. 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 SEIR 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 Final SEIR. The responses to the comments on the Draft SEIR, which are contained in the Final SEIR, clarify and amplify the analysis in the Draft SEIR.

FISCAL IMPACT

There is no fiscal impact associated with certification of the SEIR.

ATTACHMENTS

1. Local Water Project Final Environmental Impact Report:
<http://www.cityofpg.org/sites/default/files/general-documents/local-water-project/feir-reduced-file-size.pdf>
2. Final Supplemental Environmental Impact Report:
<http://www.cityofpacificgrove.org/sites/default/files/general-documents/local-water-project/final-seir20150909compress.pdf>
3. Resolution

RESPECTFULLY SUBMITTED:



Daniel Gho
Public Works Director

REVIEWED BY:



Thomas Frutchey
City Manager

RESOLUTION NO. 15-xxx
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE
CERTIFYING THE FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT
(FSEIR), ADOPTING THE MITIGATION MONITORING AND REPORTING PLAN,
AND APPROVAL OF THE PACIFIC GROVE LOCAL WATER PROJECT

FACTS

1. The City of Pacific Grove (City) has already made significant progress in planning of recycled water projects for the collaborative benefit with the California-American Water Company's Monterey Peninsula Water Management Project.
2. The City'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 or Project) 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 contemplates 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, 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. This SEIR supplements the previously Certified Final EIR (2014 Certified EIR, State Clearinghouse Number 2014021058) dated November 19, 2014. The City is the lead agency under the California Environmental Quality Act (CEQA).
6. The City entered into an agreement with PERC Water on August 5, 2015, for the design and construction of the PGLWP.
7. The City has applied for a State Revolving Fund (SRF) Loan administered by the State Water Resources Control Board, Division of Clean Water Programs to fund the project.
8. The proposed modification that is the subject of this SEIR is as follows:

- a. Recognition and use of water entitlements for portions of the saved potable water that will be freed for potable uses by reason of the replacement non-potable water supply produced by the PGLWP. Entitlements will be used by the City after they are recognized for use by the Monterey Peninsula Water Management District (MPWMD)

FINDINGS

1. The California Environmental Quality Act (CEQA) requires that 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 PGLWP;
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 to adopt a statement of overriding conditions in order to consider certifying the Final SEIR and approving the project;
3. The City is the Lead Agency for the proposed Project evaluated in the CEQA Document and independently reviewed and analyzed in the Draft SEIR and Final SEIR for the proposed Project;
4. The Notice of Preparation of the Draft SEIR was circulated for public review. It requested responsible and trustee agencies to 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 SEIR was for 30 days between July 7, 2015 and August 6, 2015. The Draft SEIR and appendices were available for public review during that time. A Notice of Completion and copies of the Draft SEIR were sent to the State Clearinghouse, and Notices of Availability of the Draft SEIR were published by the City. Copies of the Draft SEIR 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.cityofpacificgrove.org/index.aspx?page=534>;
6. The City evaluated the seven comment letters on environmental issues received from agency staff and private persons who reviewed the Draft SEIR. In accordance with CEQA, the City prepared written responses describing the disposition of significant environmental issues raised. The Final SEIR provides adequate, good faith and reasoned responses to the comments, and these responses were provided to the commenters of State responsible agencies by September 4, 2015. 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 SEIR 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 SEIR;
8. The City finds 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) Agriculture and Forest Resources; (3) air quality; (4) biological resources; (5) cultural resources; (6) geology/soils; (7) greenhouse gas emissions/climate change; (8) hazards and hazardous materials; (9) hydrology and water quality; (10) land use and planning; (11) Mineral Resources; (12) noise; (13) public services and utilities; (14) Recreation and (15) transportation/traffic.
10. The Mitigation Monitoring and Reporting Plan (MMRP) includes all of the mitigation measures identified in the CEQA 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 October 7, 2015 hearing. The City did not commit to a definite course of action with respect to the proposed Project prior to the October 7, 2015 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. The City is the custodian of record for such documents and other materials; and
16. The responses to the comments on the Draft SEIR, which are contained in the Final SEIR, clarify and amplify the analysis in the Draft SEIR.

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 Document was completed in compliance with CEQA;
3. The CEQA Document reflects the City's independent judgment;
4. Having reviewed the information contained in the CEQA Documents 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 SEIR;
5. Having received, reviewed and considered all information and documents in the CEQA 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 City hereby certifies the Final SEIR in accordance with the requirements of CEQA;
7. This Resolution shall take effect immediately following passage and adoption thereof; and
8. 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 7th day of October, 2015, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

BILL KAMPE, Mayor

ATTEST:

SANDRA KANDALL, Deputy City Clerk

APPROVED AS TO FORM:

DAVID C. LAREDO, City Attorney

Resolution 15-XXX Exhibit A

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Acronyms and Abbreviations

AFY	Acre Feet Per Year
ASBS	Area Of Special Biological Significance
Cal-Am	California American Water Company
CCC	California Coastal Commission

CDFW	California Department of Fish and Wildlife
CDO	Cease and Desist Order
CEQA	California Environmental Quality Act
City	The City of Pacific Grove
City Entitlement	Pacific Grove Water Entitlement
CWC	California Water Code
Division	SWRCB Division of Financial Assistance
EIR	Environmental Impact Report
Final SEIR	Final Supplemental Environmental Impact Report
In-Lieu Pool	Saved Potable Water
MPWMD	Monterey Peninsula Water Management District
MPWSP	Monterey Peninsula Water Supply Project
MRWPCA	Monterey Regional Water Pollution Control Agency
NOD	Notice of Determination
NOP	Notice of Preparation
OPR	Office of Planning & Research
PGLWP	Pacific Grove Local Water Project
SCH	State Clearinghouse
SEIR	Supplemental Environmental Impact Report
SGWB	Seaside Groundwater Basin
SRWTP	Satellite Recycled Water Treatment Plant
SWRCB	State Water Resources Control Board
TDS	Total Dissolved Solids
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey

SECTION 1.0 INTRODUCTION AND BACKGROUND

1.1 Introduction

The City of Pacific Grove (City), as the California Environmental Quality Act (CEQA) Lead Agency, has prepared this Final Supplemental Environmental Impact Report (Final SEIR) for the Pacific Grove Local Water Project modification (PGLWP modification) in compliance with CEQA. The PGLWP was previously addressed in an Environmental Impact Report (EIR) that was certified on November 24, 2014 (State Clearinghouse No. 2014021058) (2014 Certified EIR). The SEIR is a public document for use by the City, other governmental agencies, and the public in identifying and evaluating the potential environmental consequences of the PGLWP modification, identifying measures to avoid or reduce adverse impacts, providing mitigation if necessary, and examining feasible alternatives to the PGLWP modification.

The PGLWP Supplemental Draft Environmental Impact Report (Draft SEIR), published on July 7, 2015, assessed the potential impacts of the PGLWP modification and alternatives. The 30-day review period of the Draft SEIR began on July 7, 2015, and ended on August 6, 2015. Comments on environmental issues evaluated in the Draft SEIR were received from the public and state and local agencies during the review period.

This section summarizes the project background, need, and objectives of the proposed modification. It summarizes the current status of the PGLWP, and describes the proposed PGLWP modification that has been proposed since adoption of the 2014 Certified EIR.

1.2 Project Background

The City irrigates its Municipal Golf Course, El Carmelo Cemetery, and other public landscaped areas with potable water purchased from California American Water (Cal-Am). The 2014 Certified EIR identified irrigation of the Pacific Grove Municipal Golf Links, El Carmelo Cemetery, and other uses of recycled water that would substitute for potable water. This new supply of recycled water to be produced by the PGLWP would therefore free up an equivalent volume of potable water for alternate uses.

The City is seeking a water entitlement from the Monterey Peninsula Water Management District (MPWMD) for up to 90 Acre-Feet per Year (AFY) of the saved potable water (In-Lieu Pool) created by the PGLWP consistent with state requirements and MPWMD ordinances. The 90 AFY includes a dedication by the City of up to 30 AFY to the environment that would assist Cal-Am in meeting its obligations until it secures a replacement water supply to offset its use of water from the Carmel River without legal right, and would reduce pumping in the Seaside Groundwater Basin (SGWB). This environmental dedication of potable water would directly reduce the amount of water Cal-Am extracts from the Carmel River. Pursuant to the provisions of State Water Resources Control Board (SWRCB Board Order 95-10), this volume of Carmel River replacement water would revert to the City upon completion of the Monterey Peninsula Water Supply Project (MPWSP) by Cal-Am. Up to 35 AFY of potable water would be retained for use by the MPWMD in a manner to be determined by the MPWMD. This Final SEIR therefore evaluates potential environmental effects of the City obtaining water entitlements from the MPWMD and use of water dedicated to the environment. Analysis of the 35 AFY water retained by MPWMD is not included in this analysis as it is not a part of the City Entitlement.

The MPWMD has collaborated with the City and the City has decided to prepare this Final SEIR to evaluate potable water entitlements related to the In-Lieu Pool (potable water supply) created by the PGLWP.

1.3 Project Needs and Objectives

As stated in the 2014 Certified EIR, the purpose of the PGLWP is to produce and distribute high quality recycled water to replace potable water used for non-potable water demands such as landscape irrigation.

The PGLWP would create a new potable water supply offset, the In-Lieu Pool. Recycled water produced by the PGLWP would be used in-lieu of up to 125 AFY (average annual demand) of potable water. The PGLWP would

also reduce the operational production of Cal-Am's proposed MPWSP by decreasing the operational requirements of the proposed seawater desalination plant by this same amount, 125 AFY.

The project goals listed in the 2014 Certified EIR for the proposed Project were as follows:

- 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 Cal-Am 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.

The PGLWP and proposed modification are integral to helping the City comply with several key policies of the Public Facilities Element of the City's General Plan. This includes meeting the following policies related to Goal 1.0 Maintain an adequate level of service in the City's water system to meet the needs of existing and future development:

- Policy #1: Endeavor to ensure an adequate water supply for the City's future needs.
- Policy #2: Prioritize available water allocation to best serve the City's needs, and to accommodate coastal priority uses designated in the Local Coastal Program Land Use Plan.
- Policy #8: Promote the reclamation of waste water for irrigation purposes (specifically the golf course and cemetery).

1.4 Documents Incorporated by Reference

CEQA Guideline Section 15150 encourages incorporation by reference of previously analyzed and publicly circulated information. Incorporation by reference involves a brief summary or description of the referenced document. Documents incorporated by reference must be made available to the public for inspection.

This Final SEIR incorporates by reference the documents listed below.

- Pacific Grove Local Water Project Draft Environmental Impact Report, Volumes 1 & 2, September 16, 2014, SCH 2014021058.
- Pacific Grove Local Water Project Final Environmental Impact Report, November 2014, SCH 2014021058.
- Pacific Grove Local Water Project Draft Supplemental Environmental Impact Report, July 2015, SCH 2014021058.
- City of Pacific Grove Local Water Project Facility Plan Report WRF No. 3316-010, June 23, 2014
- California State Water Resources Control Board Eastwood/Odello Water Right Change Petition Draft Environmental Impact Report, October 2014.

Printed copies of these documents are available for public inspection at the City of Pacific Grove, Public Works Division, 2100 Sunset Drive, Pacific Grove, CA 93950, during normal business hours and they are also available on the City's web site at: <http://www.ci.pg.ca.us/index.aspx?page=534> and at the website of other CEQA Lead Agencies.

1.5 Organization of the Final Supplemental Environmental Impact Report

This Final SEIR contains:

- Copies of all comments and recommendations received by the lead agency during the Draft SEIR public comment period (Section 2.0 of this Final SEIR);
- A list of persons, organizations, or individuals commenting on the Draft SEIR (Section 2.0 of this Final SEIR);
- Responses of the lead agency to "all significant environmental points" identified during the review process (Section 2.0 of this Final SEIR); and

- Any changes to the project description, environmental setting, impact analysis, mitigation measures and monitoring program presented in the Draft SEIR (Section 3.0 of this Final SEIR).

1.6 Summary of Public Review

California Code Section 21091 allows for shortened review periods for EIRs under certain circumstances. The City requested from the SCH a shortened review from 45 to 30 days pursuant to (CEQA, Section 15205(d)). This SDEIR meets "exceptional circumstances" Criteria 3 as presented in Appendix K of CEQA Guidelines; the document is a supplement to an existing 2014 Certified EIR (SCH 2014021058), November 2014.

The public review period for the Draft SEIR was for 30 days between July 7, 2015, and August 6, 2015. The Draft SEIR and appendices were available for public review during that time. A Notice of Completion (NOC) and copies of the Draft SEIR were sent to the State Clearinghouse and the City published the Notice of Availability (NOA) of the Draft SEIR. Copies of the Draft SEIR were made 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.cityofpacificgrove.org/index.aspx?page=534>.

1.7 Subsequent Steps in CEQA Review

1.7.1 Certification of the Final Supplemental EIR

Upon completion of the Final SEIR and prior to approving a project the lead agency shall certify that:

1. The Final SEIR has been completed in compliance with CEQA;
2. The Final SEIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the Final SEIR prior to approving the project; and
3. The Final SEIR reflects the lead agency's independent judgment and analysis.

When an SEIR is certified by a non-elected decision-making body within a local lead agency, that certification may be appealed to the local lead agency's elected decision-making body, if one exists. For example, certification of an SEIR for a tentative subdivision map by a city's planning commission may be appealed to the city council. Each local lead agency shall provide for such appeals. The Pacific Grove City Council is an elected decision-making body; therefore, there is no appeal process related to the proposed project modification.

1.7.2 Findings

1. No public agency shall approve or carry out a project for which an SEIR has been certified if it 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:

- a) Changes or alterations have been required in, or incorporated into the project that avoid or substantially lessen the significant environmental effect as identified in the Final SEIR.
 - b) 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.
 - c) 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 SEIR.
2. The findings required by the subdivision (1) above shall be supported by substantial evidence in the record.
 3. The finding in subdivision (1)(b) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subdivision (1)(c) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.

4. When making the findings required in subdivision (1)(a), the agency shall also adopt a program for reporting on or monitoring the changes that it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.
5. The public agency shall specify the location and custodian of the documents or other material that constitute the record of the proceedings upon which its decision is based.
6. A statement made pursuant to CEQA Guidelines Section 15093 does not substitute for the findings required by this section.

1.7.3 Approval

1. After considering the Final SEIR and in conjunction with making findings under CEQA Guidelines Section 15091 (above), the lead agency may decide whether or how to approve or carry out the project.
2. A public agency shall not decide to approve or carry out a project for which an SEIR was prepared unless either:
 - a) The project as approved will not have a significant effect on the environment, or
 - b) The agency has:
 - i) Eliminated or substantially lessened all significant effects on the environment where feasible as shown in findings under CEQA Guidelines Section 15091, and
 - ii) Determined that any remaining significant effects on the environment found to be unavoidable under CEQA Guidelines Section 15091 are acceptable due to overriding concerns as described in CEQA Guidelines Section 15093.

1.7.4 Notice of Determination

1. The lead agency shall file a notice of determination (NOD) within five working days after deciding to carry out or approve the project.
2. The NOD shall include:
 - a) An identification of the project including the project title as identified in the Draft SEIR, and the location of the project (either by street address and cross street for a project in an urbanized area or by attaching a specific map, preferably a copy of a United States Geological Survey (USGS) 15 or 7.5-minute topographical map identified by quadrangle name) (If the NOD is filed with the State Clearinghouse, the State Clearinghouse identification number for the Draft SEIR shall be provided.)
 - b) A brief description of the project
 - c) The lead agency's name and the date on which the agency approved the project (If a responsible agency files the NOD pursuant to CEQA Guidelines Section 15096(i), the responsible agency's name and date of approval shall also be identified.)
 - d) The determination of the agency whether the project in its approved form will have a significant effect on the environment
 - e) A statement that an SEIR was prepared and certified pursuant to the provisions of CEQA
 - f) Whether mitigation measures were made a condition of the approval of the project, and whether a mitigation monitoring plan/program was adopted
 - g) Whether findings were made pursuant to CEQA Guidelines Section 15091
 - h) Whether a statement of overriding considerations was adopted for the project
 - i) The address where a copy of the Final SEIR and the record of project approval may be examined
3. If the lead agency is a state agency, the lead agency shall file the NOD with the Office of Planning and Research (OPR) within five working days after approval of the project by the lead agency.
4. If the lead agency is a local agency, the local lead agency shall file the NOD with the county clerk of the county or counties in which the project will be located, within five working days after approval of the project by the lead agency. If the project requires discretionary approval from any state agency, the local lead agency shall also, within five working days of this approval, file a copy of the NOD with the OPR.
5. An NOD filed with the county clerk shall be available for public inspection and shall be posted within 24 hours of receipt for a period of at least 30 days. Thereafter, the clerk shall return the notice to the local lead agency with a notification of the period during which it was posted. The local lead agency shall retain the notice for not less than 12 months.

6. An NOD filed with the OPR shall be available for public inspection and shall be posted for a period of at least 30 days. The OPR shall retain each notice for not less than 12 months.
7. The filing of the NOD pursuant to subdivision (3) above for state agencies and the filing and posting of the NOD pursuant to subdivisions (4) and (5) above for local agencies, start a 30-day statute of limitations on court challenges to the approval under CEQA.
8. A sample NOD is provided in Appendix D of the CEQA Guidelines. Each public agency may devise its own form, but any such form shall include, at a minimum, the information required by subdivision (2). Public agencies are encouraged to make copies of all notices filed pursuant to this section available in electronic format on the internet. Such electronic notices are in addition to the posting requirements of the CEQA Guidelines and the Public Resources Code.

1.7.5 Disposition of the Final SEIR

Upon certifying the Final SEIR, the lead agency shall:

1. File a copy of the Final SEIR with the appropriate planning agency of any city, county, or city and county where significant effects on the environment may occur.
2. Include the Final SEIR as part of the regular project report that is used in the existing project review and budgetary process if such a report is used.
3. Retain one or more copies of the Final SEIR as public records for a reasonable period of time.
4. Require the applicant to provide a copy of the certified Final SEIR to each responsible agency.

SECTION 3.0 REVISIONS TO THE DRAFT SEIR

The following section provides revisions to the text, figures, or tables of the Draft SEIR, in an amendment form. All additions to the text are presented in underline, and all deletions are in strikethrough.

3.1 Revisions to Introduction

Page 1-6, Section 1.7.4 Biological Resources, the end of the first sentence is revised as follows:
The proposed modification would not directly affect, either directly or through habitat modifications, any species identified as a candidate, sensitive, or special status species or any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service or the National Marine Fisheries Service.

3.1 Revisions to Project Description

No change is proposed to the project description presented in the Draft SEIR.

3.2 Revisions to Regional Setting

No change is proposed to the regional setting presented in the Draft SEIR.

3.3 Revisions to Environmental Impact Analysis

No change is proposed to the environmental impact analysis section presented in the Draft SEIR.

3.4 Revisions to Alternatives

Page 4-1, Section 4.1.2 of the Draft SEIR is revised as follows:

4.1.2 SDEIR Alternatives Analysis

The scope of this Draft SEIR does not include a re-analysis of alternatives to the 2014 Certified EIR. CEQA Guidelines require a supplement to an EIR to “contain only the information necessary to make the previous EIR adequate for the project as revised.” (CEQA Guideline Section 15163(b)).

Alternatives to the proposed modification are:

- Alt 1: No Water Entitlements: MPWMD does not grant the water entitlement to the City.
- Alt 2: Reduced Water Entitlements: MPWMD would suspend, for a period of time, use of a greater portion of the In-Lieu Pool and thereby reduce or delay the water entitlement sought by the project modification.
- Alt 3: Dedicate a Portion of the Entitlements to the Carmel River: MPWMD would permanently dedicate a portion of the entitlement water (up to 20% of the 125 AFY) to the environment.
- Alt 4: Dedicate Entitlements to the Carmel River: MPWMD would permanently dedicate all water freed by the project to the environment.

An alternative must meet both of the above criteria described in Section 4.1.1 to be considered in the SEIR evaluation. The results of the evaluation are presented below. The alternatives that did not meet both criteria were not evaluated in this SEIR, and the rationale for removing them from consideration is provided. However, these alternatives would not meet the basic goals and objectives, stated above in

~~Section 16.2 of the 2014 Certified EIR, therefore, they were not considered as reasonable or feasible alternatives to the project modification.~~

Results of Alternative Evaluation

Alternative 1: No Water Entitlements

This alternative is not evaluated in the Final SEIR because it fails to meet Criterion 2. This alternative does not meet the primary goal of the 2014 Certified EIR, which is “To preserve available potable water for domestic uses and to maximize the recycling and reuse of non-potable municipal wastewater in a cost effective manner.”

Alternative 2: Reduced Water Entitlements

This alternative is feasible and may ultimately result depending on the discretionary actions that will be taken by the MPWMD. The reduction of the entitlement by the MPWMD to the City may result because MPWMD relies upon the use of metered water use records upon which to base the establishment of new entitlements. The estimated annual volume of recycled water use for the proposed truck-fill station has no metered use records. The City has operated the irrigation of the Municipal Golf Links and El Carmelo Cemetery at sub-optimal volumes because of the high cost of potable water purchased from Cal-Am. Additionally, the MPWMD might determine that the water entitlement be granted to the City, in whole or in part, only after the terms of the CDO have been satisfied or at some other future point in time.

While this alternative may produce environmental benefits, it should be noted that CEQA does not obligate or otherwise require a project applicant to conduct an analysis of any such environmental benefits. The City’s project objective in its 2014 Certified EIR is to preserve potable water for domestic uses. Further, the City is not obligated to mitigate for environmental effects of its water purveyor, Cal-Am.

However, this alternative was not evaluated in detail in the SEIR because it is subject to the discretionary actions of the MPWMD and therefore the environmental effects of any such analysis would be speculative. Additionally, this alternative would not have any potentially significant effects to the environment. This alternative would only produce potential benefits. Otherwise, the environmental effects would be the same as the Alternative 1, No Water Entitlements Alternative.

Alternative 3: Dedicate a Portion of the Entitlements to the Carmel River

This alternative is feasible and may ultimately result depending on the discretionary actions that will be taken by the MPWMD. Currently, the MPWMD has collaborated with the City in identification of the amount of water that would go to each party (90 AFY to the City; 30 AFY to the environment until such time as the conditions of the CDO are met; and, 35 AFY to the discretion of the MPWMD). The relative quantities for the assignment of each portion of the entitlement will result from the discretionary actions of the MPWMD.

While this alternative may produce environmental benefits, it should be noted that CEQA does not obligate or otherwise require a project applicant to conduct an analysis of any such environmental benefits. The City’s project objective in its 2014 Certified EIR is to preserve potable water for domestic uses. Further, the City is not obligated to mitigate for environmental effects of its water purveyor, Cal-Am.

However, this alternative was not evaluated in detail in the SEIR because it is subject to the discretionary actions of the MPWMD and therefore the environmental effects of any such analysis would be speculative. Additionally, this alternative would not have any potentially significant effects to the environment. This alternative would only produce potential benefits. Otherwise, the environmental effects would be the same as the No Water Entitlements Alternative.

Alternative 4: Dedicate Entitlements to the Carmel River

This alternative is not evaluated in the SEIR because it does not meet the primary goal of the 2014 Certified EIR, which is “To preserve available potable water for domestic uses and to maximize the recycling and reuse of non-potable municipal wastewater in a cost effective manner.”

This project alternative considers that the MPWMD would not provide any water entitlements created by the In-Lieu Pool to the City or for use by its own allocation. Instead, the maximum amount of 125 AFY of water freed by the proposed project would be permanently dedicated to the environment.

While this alternative may produce environmental benefits, it should be noted that CEQA does not obligate or otherwise require a project applicant to conduct an analysis of any such environmental benefits. The City's project objective in its 2014 Certified EIR is to preserve potable water for domestic uses. Further, the City is not obligated to mitigate for environmental effects of its water purveyor, Cal-Am.

The proposed "environmental dedication" could be considered by the MPWMD in an entitlement proceeding. Such a dedication is without precedent of the MPWMD, therefore the environmental effects of any such analysis would be speculative to estimate whether MPWMD could, or should, make such an environmental dedication, or to examine the process to do so or guarantee it would have the desired effects.

While Cal-Am water production varies year to year, it diverts an average of 10,730 AFY from the Carmel River. Based on this amount, a comparison can be made to the maximum increment of In-Lieu water that would be created. The project's 125 AFY In-Lieu water represents 1.16% of Cal-Am's average annual diversion. A reduction in Cal-Am's diversion of 1.16% of Cal-Am's annual average diversion would result in only speculative environmental benefits to the river.

CEQA does not require a project applicant to analyze environmental benefits of its proposed project. The purpose of the proposed modification is to enable re-use of potable water formerly used for irrigation purposes, and to preserve that potable water for domestic use. Additionally, the City has no obligation to contribute to or conduct a project to offset adverse environmental impacts caused by Cal-Am.

The In-Lieu Pool created by the proposed modification has a future maximum annual volume of 125 AF, of which the City seeks entitlements for 90 AFY (60 AFY initially and 30 AFY after the conditions of the CDO have been met). Separately, 35 AFY would remain with the MPWMD for allocation at its discretion.

Cal-Am manages and derives its water supply from the following sources: diversion and pumping of the Carmel River; pumping from the Seaside Groundwater Basin; operation of an Aquifer Storage and Retrieval (ASR) project; and, the Sand City Desalination Plant. Cal-Am is obligated to reduce its diversions from the Carmel River pursuant to Board Orders 95-010 and 2009-00060. However, resource and system constraints do not always allow it to do so. Water supplies may be derived from Seaside, Sand City or ASR due to many factors. Discussion and conclusion as to what source will supply any specific water demand is speculative, and beyond our ability to know. It is therefore also speculative to conclude how reductions in Cal-Am production may directly produce positive effects on the environment.

As discussed in section 5.2.4 of the Draft SEIR, specific projects seeking water allocations from the City's requested full entitlement (90 AFY) cannot be known at this time, with the exception of the few projects identified on the City's Water Waiting List. Infill and other development projects that could result if the City receives its requested water entitlement would need to conform to the City's then-current General Plan, Land Use Plan and Housing Plan Element of the General Plan. Infill development has already received an evaluation of its potential environmental effects throughout the City (City of Pacific Grove, 1994). Other projects similarly require individual analysis of potential environmental effects by the City as a part of its review proceedings.

A similar environmental review and approval process would be completed for each proposed development project within the MPWMD service area for projects outside the City of Pacific Grove. Discussion and conclusion as to types of projects, their location and timing is speculative.

The City of Pacific Grove has instituted a "Water Waiting List" (Municipal Code Chapter 11.68) that established procedures for allocation of water by the City to its review and processing of building permit applications. To facilitate that process, the City established the following four water allocation categories: (1) Residential; (2) Commercial; (3) Governmental; (4) City-Administered Community Reserve.

Effective August 1, 1995, all remaining water allocated to the City of Pacific Grove by the MPWMD and all water becoming available after that date must be allocated, in amounts and percentages determined by the City Council, to the four allocation categories. Allocations are made by Council resolution. Building permit applications for projects for which there is no available water will not be accepted or processed. However, the Municipal Code establishes a prioritized water waiting list for each allocation category.

Projects are placed on a waiting list according to order of receipt of proof of readiness to apply for a building permit.

The current Water Waiting List is available on the Internet at the following URL: <http://www.iworq.net/iworq/PermitWeb/permitWebSearch.asp?cityid=986&fid=605>). Currently, the Water Waiting List identifies a total request of 1.9320 AFY of water for thirteen waitlisted projects. These projects have permit dates going back to January of 2009. Eleven of the projects are residential, one is commercial and one is community reserve. Eight other projects on the Waiting List have been allocated a total of 2.4495 AFY. Those projects have permit dates as old as April of 2011 and consist of six commercial and two government projects.

Should the City receive a water entitlement from MPWMD, it is unknown which or when un-allocated projects on the Water Waiting List would be implemented. Potential environmental effects from these projects will be separately determined during planning review, zoning plan check and building department reviews.

3.5 Revisions to Other Environmental Considerations Section

No change is proposed to the other environmental considerations section presented in the Draft SEIR.