

**EXHIBIT 16-B**



**NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION  
AND  
PROPOSED NEGATIVE DECLARATION  
For MPWMD Board review on September 19, 2022**

1. **PROJECT TITLE:** Consideration of Adoption of Ordinance No. 192: "2022 Community Hospital Ordinance of the Monterey Peninsula Water Management District."
2. **DESCRIPTION AND LOCATION OF PROJECT:** Ordinance No. 192 adds a new definition to Rule 11 for "Community Hospital Site" and amends the definitions of "Parcel" and "Site" to include "Community Hospital Site" to facilitate use of the Montage Health's "water consumption cap" at specific properties on Holman Highway and in Ryan Ranch in the City of Monterey. This action will allow Montage Health ("Montage") to spread its under-utilized Water Use Capacity between its Monterey Holman Highway properties (aka "Main CHOMP Campus") and its Ryan Ranch campus. Similar combined Site definitions were adopted for the Department of Defense in Ordinance No. 187 in July 2021, primary and secondary public school district Sites with the adoption of Ordinance No. 162 in August 2014, and "Accredited Institution of Higher Education Site" and "Jurisdiction Site" by adoption of Ordinance No. 176 in February 2017.

The Project Site is located wholly in the City of Monterey, California, and is provided water by California-American Water Company. The proposed definition is: "*Community Hospital Site*" shall mean all facilities and properties owned by Montage Health (related subsidiaries or entities) that are used for hospital and health care and the associated landscaping located on the following Parcels: Assessor's Parcel Numbers 008-132-011, 008-132-006 (23625 Holman Highway, Monterey; APN 008-131-015 (23845 Holman Highway, Monterey); and APNs 259-221-003 (a Parcel with a building consisting of medical condominiums and common area), 259-221-001, 259-221-002, 259-221-004, 259-221-005, 259-031-055, and 259-031-056 located in the Ryan Ranch Business Park in Monterey.

3. **REVIEW PERIOD:** The Review Period is August 18, 2022, through September 8, 2022. CEQA allows a 20-day comment period for issues of local importance. Comments may be submitted by email to [gabby@mpwmd.net](mailto:gabby@mpwmd.net) or may be mailed to the District office: MPWMD, PO Box 85, Monterey, CA 93942-0085. Comments must be received before 4 p.m. on September 8, 2022.
4. **PUBLIC MEETINGS:** The first reading of Ordinance No. 192 was considered at the MPWMD Board meeting of August 15, 2022. The second reading and adoption is scheduled for public hearing on September 19, 2022 at 6:00 p.m. via Zoom. Information to join the Zoom meeting will be posted to the District's website the Friday before the meeting at <https://www.mpwmd.net/who-we-are/board-of-directors/bod-meeting-agendas-calendar/> or email [gabby@mpwmd.net](mailto:gabby@mpwmd.net) to receive meeting information via email.
5. **LOCATION OF DOCUMENTS:** The proposed Negative Declaration and Initial Study are available for review on the District's website at <https://www.mpwmd.net/regulations/public-notice/>. The staff contact is Gabriela Bravo at [Gabby@mpwmd.net](mailto:Gabby@mpwmd.net) or 831-58-5601.
6. **PROPOSED FINDING SUPPORTING NEGATIVE DECLARATION:** Based on the Initial Study and the analysis, documents and record supporting the Initial Study, the Monterey Peninsula Water Management District Board of Directors finds that adoption of Ordinance No. 187 does not have a significant effect on the environment.

**CEQA Environmental Checklist  
MPWMD ORDINANCE NO. 192**

**PROJECT DESCRIPTION AND BACKGROUND**

Project Title:	Consideration of Adoption of Ordinance No. 192: "2022 Community Hospital Ordinance of the Monterey Peninsula Water Management District."
Lead agency name and address:	Monterey Peninsula Water Management District (MPWMD), P.O. Box 85, Monterey, CA 93942-0085 [Street Address: 5 Harris Court, Bldg. G, Monterey, CA 93940]
Contact person and phone number:	Gabriela Bravo, 831/658-5601 and gabby@mpwmd.net
Project Location:	Assessor's Parcel Numbers 008-132-011, 008-132-006 (23625 Holman Highway, Monterey; APN 008-131-015 (23845 Holman Highway, Monterey); and APNs 259-221-003 (a Parcel with a building consisting of medical condominiums and common area), 259-221-001, 259-221-002, 259-221-004, 259-221-005, 259-031-055, and 259-031-056 located in the Ryan Ranch Business Park in Monterey.
Project sponsor's name and address:	Monterey Peninsula Water Management District, P.O. Box 85, Monterey, CA 93942-0085 (Street address: 5 Harris Court, Bldg. G, Monterey, CA 93940)
General plan description:	Varies
Zoning:	Planned Community, Commercial Office, and Industrial
Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation.)	Proposed Ordinance No. 192 ( <b>Attachment 1</b> ) adds a new definition to Rule 11 for "Community Hospital Site" and amends the definitions of "Parcel" and "Site" to include the "Community Hospital Site" to facilitate use of the Montage Health's "water consumption cap" at specific properties on Holman Highway and in Ryan Ranch in the City of Monterey.
Surrounding land uses and setting; briefly describe the project's surroundings:	The Project Site is located wholly in the City of Monterey, California, and is provided water by California-American Water Company.
Other public agencies whose approval is required (e.g. permits, financial approval, or participation agreements):	None
Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?	No.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

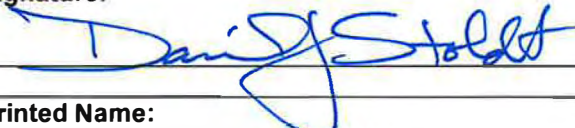
The environmental factors checked below would be potentially affected by this project. Please see the checklist beginning on page 3 for additional information.

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

**DETERMINATION:**

On the basis of this initial evaluation:

<input checked="" type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required

<b>Signature:</b> 	<b>Date:</b> 8-18-22
<b>Printed Name:</b> David J. Stoldt, General Manager	

## CEQA Environmental Checklist

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. In many cases, background studies performed in connection with the projects indicate no impacts. A NO IMPACT answer in the last column reflects this determination. Where there is a need for clarifying discussion, the discussion is included either following the applicable section of the checklist or is within the body of the environmental document itself. The words "significant" and "significance" used throughout the following checklist are related to CEQA, not NEPA, impacts. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

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

## II. AGRICULTURE AND FOREST RESOURCES:

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>III. AIR QUALITY:</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>IV. BIOLOGICAL RESOURCES:</b> Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**V. CULTURAL RESOURCES:** Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**VI. GEOLOGY AND SOILS:** Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**VII. GREENHOUSE GAS EMISSIONS:** Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**VIII. HAZARDS AND HAZARDOUS MATERIALS:** Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**IX. HYDROLOGY AND WATER QUALITY:** Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**X. LAND USE AND PLANNING:** Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XI. MINERAL RESOURCES:** Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XII. NOISE:** Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XIII. POPULATION AND HOUSING:** Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XIV. PUBLIC SERVICES:**

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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**XV. RECREATION:**

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

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

**XVI. TRANSPORTATION/TRAFFIC:** Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

e) Result in inadequate emergency access?

f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

**XVII. UTILITIES AND SERVICE SYSTEMS:** Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

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

**XVIII. MANDATORY FINDINGS OF SIGNIFICANCE**

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**DISCUSSION OF CHECKLIST ITEMS:**

For all items, no impact was identified. The project adds a definition to MPWMD Rule 11, *Definitions*, to add a definition for "Community Hospital Site." This action will allow Montage Health ("Montage") to spread its under-utilized Water Use Capacity between its Monterey Holman Highway properties (aka "Main CHOMP Campus") and its Ryan Ranch campus. Similar combined Sites were adopted for the Department of Defense in Ordinance No. 187 in July 2021, to primary and secondary public school district Sites with the adoption of Ordinance No. 162 in August 2014, and by adoption of Ordinance No. 176 in February 2017 which added definitions for "Accredited Institution of Higher Education Site" and "Jurisdiction Site."

Ordinance No. 87, adopted in 1997, established an allocation of water specifically for Montage build-out at the Main Campus location. The Ordinance created a special community reserve allocation of 18.28 acre-feet ("AF") of water that was created exclusively for the benefit of Montage. This allocation was debited from the amount of water conserved to date at that time under the District's 1989 Water Conservation Plan.

Two later actions were taken by the District: (i) At the May 29, 2003 District Board meeting, Ordinance No. 87 was unanimously affirmed to remain in place, and (ii) at the July 21, 2003 meeting the Board approved Special Circumstances pursuant to MPWMD Rule 24-G and established an overall "water consumption cap" of 119.28 AF at the CHOMP Main Campus. Montage is required to annually provide water records to the District to ensure that usage remains below the "water consumption cap." If usage exceeds the cap, Montage will be required to take immediate measures to reduce water use to comply. This requirement is permanent.

District staff has examined the most recent eight years and five months of actual consumption records for the Montage hospital parcel, and average use has been 82.606 AF per year. This means that Montage has "unused" Capacity under its "water consumption cap" equal to 36.674 AF. Bringing both campuses under the existing cap would add the Ryan Ranch usage to the historical Montage usage. The Ryan Ranch Campus usage is estimated to be approximately 13.5 AF based on permits or 14.5 AF based on limited recent billing data. That would still leave at least 22.2 AF available to Montage across their whole newly defined "Community Hospital Site."

Montage has a present need to access some of the remaining Capacity from the "water consumption cap" to construct a building at the Ryan Ranch Campus. The new building will be used to relocate some of the services, such as the Cancer Center, from the Main Campus. By combining the campuses to create a "Site," the remaining Capacity will be available to meet the community's health care needs at both locations. The addition of a definition for "Community Hospital Site" and the amendment of the definition of "Parcel" and "Site" supports critical local hospital/health services and does not result in an increase in Water Use Capacity.

The proposed definition is:

*COMMUNITY HOSPITAL SITE - "Community Hospital Site" shall mean all facilities and properties owned by Montage Health (related subsidiaries or entities) that are used for hospital and health care and the associated landscaping located on the following Parcels: Assessor's Parcel Numbers 008-132-011, 008-132-006 (23625 Holman Highway, Monterey; APN 008-131-015 (23845 Holman Highway, Monterey); and APNs 259-221-003 (a Parcel with a building consisting of medical condominiums and common area), 259-221-001, 259-221-002, 259-221-004, 259-221-005, 259-031-055, and 259-031-056 located in the Ryan Ranch Business Park in Monterey.*

#### Conclusion

Based on this Initial Study, the MPWMD believes that there is an absence of substantial evidence from which a fair argument can be made that adoption of Ordinance No. 192 has meaningful actual or potential adverse environmental consequences. MPWMD believes that adoption of Ordinance No. 192 would have less than significant environmental impacts. MPWMD is aware that CEQA requires preparation of a negative declaration if

there is no substantial evidence that the project may cause a significant effect on the environment (CEQA Guidelines §15063(b)(2).) For these reasons, MPWMD intends to adopt a negative declaration regarding adoption of Ordinance No. 192.



***DRAFT FOR 2<sup>ND</sup> READING***  
**ORDINANCE NO. 192**

**AN ORDINANCE OF THE BOARD OF DIRECTORS  
OF  
THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT  
TO DEFINE MONTAGE HEALTH'S MAIN CAMPUS, CARMEL HILLS  
PROFESSIONAL CENTER, AND RYAN RANCH CAMPUS AS A "SITE" FOR  
PURPOSES OF THE "HOSPITAL WATER USE LIMIT"**

**FINDINGS**

1. The Monterey Peninsula Water Management District ("MPWMD" or "District") was created to address ground and surface water resources in the Monterey Peninsula area which the Legislature found required integrated management and was endowed with the powers set forth in the Monterey Peninsula Water Management District Law (Chapter 527 of the Statutes of 1977, found at West's Water Code, Appendix, Section 118-1, et seq.).
2. The MPWMD has found and determined that it is in the best interests of the MPWMD and its inhabitants to define, implement, and enforce water efficient plumbing standards and requirements for the conservation and management of Potable water supplies. As part of these efforts, all Non-Residential water Users in the MPWMD have been required to implement Best Management Practices to achieve maximum water savings.
3. MPWMD Regulations require a Water Permit before any Person connects to or modifies a Connection to a Water Distribution System regulated by the MPWMD. This process is described in MPWMD Rules 21, 23, and 24. The addition of any Connection and/or modification of an existing water Connection to any Water Distribution System regulated by the MPWMD requires a Water Permit.
4. This ordinance amends Rule 11, Definitions, to add a definition for "Community Hospital Site" and to amend the definitions for "Site" and "Parcel."
5. Montage Health (dba Community Hospital of the Monterey Peninsula, Community Hospital Properties, Montage Health Foundation, and Community Hospital Ryan Ranch)



owns Assessor's Parcel Numbers ("APN") 008-132-011, 008-132-006, and 008-131-015 (the "Main Campus" and the adjacent "Carmel Hills Medical Center" located at 23625 and 23845 Holman Highway in Monterey). Montage Health also owns APNs 259-221-003 (medical condominiums and common area), 259-221-001, 259-221-002, 259-221-004, 259-221-005, 259-031-055, and 259-031-056 at its "Ryan Ranch Campus" and provides hospital services at both locations. These APNs are located within the MPWMD, are served by California-American Water Company, and are located within the City of Monterey.

6. Ordinance No. 87 which was adopted in 1997 established an allocation of water specifically for Montage Health build-out at the Main Campus location. The Ordinance created a special community reserve allocation of 18.28 acre-feet ("AF") of water that was created exclusively for the benefit of Montage Health. This allocation was debited from the amount of water conserved to date at that time under the District's 1989 Conservation Plan.
7. Two later actions were taken by the District: (i) at the May 29, 2003 District Board meeting Ordinance No. 87 was unanimously affirmed to remain in place, and (ii) at the July 21, 2003 meeting the District Board approved Special Circumstances pursuant to MPWMD Rule 24-G and established an overall "water consumption cap" of 119.28 AF at the Main Campus.
8. Montage Health is required to annually provide water records to the District to ensure that usage remains below the "water consumption cap." If usage exceeds the cap, Montage Health will be required to take immediate measures to reduce water use to comply. This requirement is permanent.
9. District staff has examined the most recent eight years and five months of actual consumption records for the Main Campus, and average use has been 82.606 AF per year. This means that Montage Health has "unused" Capacity under its "water consumption cap" equal to 36.674 AF. Bringing both campuses under the existing cap would add the Ryan Ranch usage to the historical Montage Health usage, minus water permitted at the Ryan Ranch Site from the Cypress Investors, LLC and DBO Development No. 30 Water Entitlements. The Ryan Ranch Campus usage is estimated to be approximately 13.5 AF based on permits or 14.5 AF based on limited recent billing data. At least 22.2 AF would be available to Montage Health across their whole newly defined "Community Hospital Site."
10. Montage Health has a present need to access some of the remaining Capacity from the

Main Campus to construct a building at the Ryan Ranch Campus that will be used to relocate some of the services from the Main Campus.

11. By combining the Montage Health campuses to create a “Site,” the remaining Capacity will be available to meet the community’s health care needs at both the Main Campus, the Ryan Ranch campus, and the Carmel Hills Medical Center.
12. The addition of a definition for “Community Hospital Site” and the amendment of the definition of “Parcel” and “Site” supports critical local hospital/health services and does not result in an increase in Water Use Capacity.
13. An Initial Study was prepared in compliance with the California Environmental Quality Act (“CEQA”) and a Negative Declaration will be considered prior to adoption following second reading.

**NOW THEREFORE** be it ordained as follows:

## **ORDINANCE**

### **Section One: Short Title**

This ordinance shall be known as the 2022 Community Hospital Ordinance of the Monterey Peninsula Water Management District.

### **Section Two: Purpose**

The Monterey Peninsula Water Management District enacts this ordinance to amend the definition of “Parcel” and “Site” to include the added definition for “Community Hospital Site” to facilitate use of the Montage Health water consumption cap at the Holman Highway and the Ryan Ranch properties.

### **Section Three: Amendment of Rule 11, Definitions**

The following definitions in Rule 11 shall be amended as shown in bold italics (*new language*) and strikeout (~~deletions~~). Numbering is provided for reference only.

1. ***COMMUNITY HOSPITAL SITE*** - “*Community Hospital Site*” shall mean all facilities and properties owned by Montage Health (related subsidiaries or entities) that are used for hospital and health care and the associated landscaping located on the following Parcels: Assessor’s Parcel Numbers 008-132-011, 008-132-006 (23625 Holman Highway, Monterey; APN 008-131-015 (23845 Holman Highway, Monterey); and APNs 259-221-003 (a Parcel with a building consisting of medical condominiums and common area), 259-221-001, 259-221-002, 259-221-004, 259-221-005, 259-031-055, and 259-031-056 located in the Ryan Ranch Business Park in Monterey.
  
2. **SITE** -- “Site” shall mean any unit of land which qualifies as a Parcel under the Subdivision Map Act, and shall include all units of land: (1) which are contiguous to any other Parcel (or are separated only by a road or easement), and (2) which have identical owners, or (3) are an Accredited Institution of Higher Education Site, a Department of Defense Site, a Jurisdiction Site, or a Public School District Site, *or the Community Hospital Site*. The term “Site” shall be given the same meaning as the term “Parcel.”
  
3. **PARCEL** -- “Parcel” shall mean any unit of land which qualifies as a Parcel under the Subdivision Map Act, and shall include all units of land: (1) which are contiguous to any other Parcel (or are separated only by a road or easement), and (2) which have identical owners, or (3) are an Accredited Institution of Higher Education Site, a Department of Defense Site, a Jurisdiction Site, or a Public School District Site, *or the Community Hospital Site*. The term “Parcel” shall be given the same meaning as the term “Site.”

**Section Four: Publication and Application**

The provisions of this ordinance shall cause the amendment and republication of Rule 11 of the permanent Rules and Regulations of the Monterey Peninsula Water Management District.

**Section Five: Effective Date and Sunset**

This ordinance shall take effect at 12:01 a.m. 30 days after second reading.

This Ordinance shall not have a sunset date.

**Section Six: Severability**

If any subdivision, sentence, clause, or phrase of this ordinance is, for any reason, held to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the validity or enforcement of the remaining portions of this ordinance, or of any other provisions of the Monterey Peninsula Water Management District Rules and Regulations. It is the District's express intent that each remaining portion would have been adopted irrespective of the fact that one or more subdivisions, paragraphs, sentences, clauses, or phrases be declared invalid or unenforceable.

On motion of Director \_\_\_\_\_, and second by Director \_\_\_\_\_, the foregoing ordinance is adopted upon this \_\_\_ day of \_\_\_\_\_ 2022, by the following vote:

AYES:

NAYS:

ABSENT:

I, David J. Stoldt, Secretary to the Board of Directors of the Monterey Peninsula Water Management District, hereby certify the foregoing ordinance was duly adopted on the \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
David J. Stoldt, Secretary to the Board