

ITEM: PUBLIC HEARING

15. CONSIDER APPROVAL OF A CEQA ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION FOR THE SLEEPY HOLLOW STEELHEAD REARING FACILITY UPGRADE (CEQA: Approve Addendum to the Mitigated Negative Declaration for the Sleepy Hollow Steelhead Rearing Facility Raw Water Intake and Water Supply System Upgrade Under CEQA Guideline Sections 15162 and 15164)

Meeting Date:	July 16, 2018	Budgeted:	N/A
From:	David J. Stoldt, General Manager	Program/ Line Item:	N/A N/A
Prepared By:	Larry Hampson and Thomas Christensen	Cost Estimate:	N/A

General Counsel Review: Yes

Committee Recommendation: N/A

CEQA Compliance: Addendum to EIR under CEQA Guidelines Sections 15162 and 15164

SUMMARY: The Board will consider Addendum No. 3 to the Mitigated Negative Declaration (MND) for the Sleepy Hollow Steelhead Rearing Facility Raw Water Intake and Water Supply System Upgrade (Facility Upgrade) in compliance with the California Environmental Quality Act (CEQA) to allow disposal of up to 2,000 cubic yards of excavated material from the Facility Upgrade. The original design for the project anticipated balancing cut and fill for facility improvements on site; however, after review by Monterey County, the project was re-designed which resulted in excess cut material that cannot be placed at the Sleepy Hollow Facility.

MPWMD and California American Water staff identified a suitable site to place the material on a parcel owned by Cal-Am adjacent to the Facility Upgrade parcel, approximately ¾ of a mile from the Facility Upgrade Project site (see **Figure 1**). Impacts due to construction activities and mitigation measures at the Facility Upgrade site were previously considered with the MND. Impacts from transport and disposal of excavated material are similar to impacts considered for construction activities at the Project site. There would be no new impacts or mitigation measures required for disposal of material generated by the Project; however, an Addendum should be prepared for the additional activity. Findings of Environmental Review are attached as **Exhibit 15-A**.

RECOMMENDATION: Staff recommends that the Board adopt Resolution No. 2018-16 (**Exhibit 15-B**) approving the Addendum to the Mitigated Negative Declaration (MND) for the Sleepy Hollow Steelhead Rearing Facility Raw Water Intake and Water Supply System Upgrade.

DISCUSSION: MPWMD, Cal-Am, the California Department of Fish and Wildlife (CDFW), the National Marine Fisheries Service (NMFS), and the California State Coastal Conservancy

(SCC) have been cooperating to upgrade the Sleepy Hollow Steelhead Rearing Facility (facility), which is situated in unincorporated Monterey County on the west bank of the Carmel River about 1 mile downstream of the former San Clemente Dam location. The project will allow for future changes in water supply, sediment, and debris flow that may affect the facility operations.

Up to approximately 2,000 cubic yards of excavated material could be generated from the facility upgrade project improvements. Based on geotechnical investigations and visual inspection of the Facility Upgrade site, excavated material will most likely consist of silty sand and sandy gravel. The proposed disposal sites are previously disturbed areas adjacent to the Carmel River where Cal-Am had located a surface water treatment plant (Filter Plant). The site was considered a non-contributing resource within the historical district established for the San Clemente Dam Reroute Project.

After completion of the San Clemente Dam Removal and Carmel River Reroute Project, the Filter Plant and residence (Site A in Figure 1 below) were removed, the site was regraded to a relatively flat profile, and reseeded with native grasses. Site A is about 10,400 square feet (< 0.25 acre) and contains disturbed soils comprised of silty sand, gravel, cobble, and some boulders characteristic of terrace areas adjacent to the Carmel River. Site B, where a water tank was removed, is about 2,900 square feet. Both sites are similar to the Facility Upgrade with upland grasses adjacent to oak habitat.

Potential impacts from the earthmoving activity will be similar to the impacts associated with other activities at the Facility Upgrade including impacts to air quality and sensitive species in upland habitats. Earthmoving activity that covers more than 2.2 acres per day and uses typical earthmoving equipment (scraper, loader, bulldozer, dump truck, etc.) would have potentially significant impacts; however, as described above, the disposal site is < 0.5 acre. All appropriate measures to reduce impacts to less than significant described in the adopted Mitigation and Monitoring Program would apply to the hauling and disposal of material at Sites A and B.

CEQA Action Required

CEQA Guidelines section 15162 “Subsequent EIRs and Negative Declarations” and 15164 “Addendum to an EIR or Negative Declaration” apply to this action. Under Section 15162, there are no new significant environmental effects or new mitigation measures necessary from the proposed earthmoving activity. The proposed earthmoving activity constitutes a technical change that under CEQA Section 15164 allows the Board to adopt an addendum to the existing MND, which has been amended by previous Addenda. The addendum for earthmoving activity consists of this staff note, Findings of Environmental Review (**Exhibit 15-B**), and Resolution 2018-16.

These are the previous actions that constitute the CEQA record:

November 14, 2016 – the District Board approved the Sleepy Hollow Steelhead Rearing Facility Raw Water Intake and Water Supply System Upgrade Project (Project) Initial Study/Mitigated Negative Declaration. Documents for this action are available at the District office or on the web at: <http://www.mpwmd.net/asd/board/boardpacket/2016/20161114/12/Item-12.htm>

January 25, 2017 – the District Board approved Addendum No. 1 to correct the description of the distinct population segment (DPS) of steelhead in the Carmel River. Documents for this action are available at the District office or on the web at:

<http://www.mpwmd.net/asd/board/boardpacket/2017/20170125/13/Item-13.htm>

November 30, 2017 – the State Coastal Conservancy, as a Responsible Agency, adopted Addendum No. 2 to revise Mitigation Measure BIO-MM-1 for potential impacts to aquatic habitat from the placement of a concrete base and cone screen at the river intake for the SHSRF. Documents for this action are available at the District office or on the web at:

<http://www.mpwmd.net/wp-content/uploads/SHSRF-Addendum-No-2-all.pdf>



Figure 1 – Sleepy Hollow Facility Upgrade site and disposal sites A and B

EXHIBITS

15-A Draft Findings of Environmental Review for Addendum No. 3

15-B Draft Resolution 2018-16 Certifying Addendum No. 3

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FINDINGS OF ENVIRONMENTAL REVIEW
ADDENDUM NO. 3 TO SLEEPY HOLLOW STEELHEAD REARING FACILITY
RAW WATER INTAKE AND WATER SUPPLY SYSTEM UPGRADE

- 1) **FINDING:** The Monterey Peninsula Water Management District (District) Board certified the Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation and Monitoring Program for the Sleepy Hollow Steelhead Rearing Facility (SHSRF) Raw Water Intake and Water Supply System Upgrade Project (Project) on November 14, 2016.

EVIDENCE: The IS/MND and Mitigation and Monitoring Program and related documents are on file in the District office.

- 2) **FINDING:** The District followed the California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15164 to correct the description of the distinct population segment (DPS) of steelhead in the Carmel River on January 25, 2017.

EVIDENCE: The Addendum No. 1 is on file in the District office.

- 3) **FINDING:** The State Coastal Conservancy, as a Responsible Agency, on November 30, 2017 followed the California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15164 to determine that an Addendum to modify the approved Project by revising Mitigation Measure BIO-MM-1, which addresses potential impacts to aquatic habitat from the placement of a concrete base and cone screen at the river intake for the SHSRF.

EVIDENCE: The Addendum No. 2 is on file in the District office.

- 4) **FINDING:** The District followed the California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15164 to determine that an Addendum to allow earthmoving from the Project site to an adjacent parcel is appropriate as no new mitigation measures would be required from potential impacts and this modification would not result in a measurable increase in environmental impacts over what was previously analyzed in the November 14, 2016, IS/MND. The Addendum No. 3 was reviewed by the District Board of Directors at their July 16, 2018 meeting.

EVIDENCE: The Agenda, Addendum, and supporting documents for the July 16, 2018 Board Meeting are on file in the District office.

- 5) **FINDING:** The Addendum reflects the independent judgement of the District Board and each participating Director has reviewed and considered the information contained in the Addendum and related documents prior to making the decision on the Addendum.

EVIDENCE: Each Director on the Board received a copy of the Mitigated Negative Declaration as evidenced by the July 16, 2018 Board meeting packet.

- 6) **FINDING:** The District finds that the proposed modifications to the approved Project would not result in a measurable increase in environmental impacts over what was previously

analyzed in the November 14, 2016, IS/MND and subsequent Addenda, and no new mitigation measures would be required.

EVIDENCE: The above stated facts.



FINAL

RESOLUTION 2018-16

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
MONTEREY PENINSULA WATER MANAGEMENT DISTRICT
CERTIFYING ADDENDUM NO. 3 TO THE MITIGATED
NEGATIVE DECLARATION FOR THE SLEEPY
HOLLOW STEELHEAD REARING FACILITY RAW
WATER INTAKE AND WATER SUPPLY SYSTEM UPGRADE**

WHEREAS, The Monterey Peninsula Water Management District (MPWMD) is committed to mitigating the environmental impact of diversions from the Carmel River Basin; and

WHEREAS, The MPWMD certified an Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation and Monitoring Program for the Sleepy Hollow Steelhead Rearing Facility (SHSRF) Raw Water Intake and Water Supply System Upgrade Project (Project) and approved the Project on November 14, 2016; and

WHEREAS, The MPWMD approved Addendum No. 1 to correct the description of the distinct population segment (DPS) of steelhead in the Carmel River on January 25, 2017; and

WHEREAS, The State Coastal Conservancy, as a Responsible Agency, on November 30, 2017 approved Addendum No. 2 to modify the approved Project by revising Mitigation Measure BIO-MM-1, which addresses potential impacts to aquatic habitat from the placement of a concrete base and cone screen at the river intake for the SHSRF; and

WHEREAS, The District has followed guidelines of the California Environmental Quality Act (CEQA) and prepared Addendum No. 3 to modify the approved Project by allowing the movement and disposal of 2,000 cubic yards of earth onto a parcel adjacent to the Project; and

WHEREAS, The District has prepared Findings of Environmental Review;

NOW THEREFORE, BE IT RESOLVED:

We, the Board of Directors of the Monterey Peninsula Water Management District, certify the Addendum as a true and accurate statement of the environmental impacts of the construction of the Sleepy Hollow Steelhead Rearing Facility Raw Water Intake and Water Supply System Upgrade; and

Adopt an Addendum for the Project which found that the proposed modifications to the approved Project would not result in a measurable increase in environmental impacts over what was previously analyzed in the November 14, 2016, IS/MND, Addendum No. 1, and Addendum No. 2 and no new mitigation measures would be required.

On motion of Director Rubio and second by Director Adams the foregoing resolution is duly adopted this 16th day of July, 2018 by the following votes:

AYES: Directors Rubio, Adams, Byrne, Clarke, Evans and Lewis

NAYS: None

ABSENT: Director Brower

I, David J. Stoldt, Secretary to the Board of Directors on the Monterey Peninsula Water Management District, hereby certify that the foregoing is a resolution duly adopted on the 16th day of July, 2018.

Witness my hand and seal of the Board of Directors this 19th day of July 2018.


David J. Stoldt, Secretary to the Board