

## Purpose of the EIR

Monterey County (County) has revised the 2008 Draft Environmental Impact Report (2008 Draft EIR) for recirculation to provide the public, responsible agencies, and trustee agencies with new information about the potential environmental effects of the proposed Rancho Cañada Village Project (Project or Proposed Project) as well as a project-level analysis of a 130-Unit Stemple Property Avoidance Alternative (the 130-Unit Alternative).

Following circulation of the 2008 Draft EIR, the California Environmental Quality Act (CEQA) process for the Project was delayed, primarily because of the down economy and housing market in 2008 and the Project applicant's decision to develop a new project alternative for consideration at an equal level as the Proposed Project. The 2008 Draft EIR only presented project-level analysis for the Proposed Project; this recirculated Draft EIR analyzes the 130-Unit Alternative at the same project-level as the Proposed Project. After certification of the Final EIR, the County could approve either the Proposed Project or the 130-Unit Alternative.

As described in the State CEQA Guidelines, Section 15088.5, a lead agency is required to recirculate a Draft EIR when significant new information is added after public notice is given of the availability of the Draft EIR. New information added to the 2008 Draft EIR includes the analysis of a feasible project alternative at a project-level of detail, updates in the environmental setting taking into account current conditions (e.g., updated traffic analysis), and changes in the analysis of certain environmental impacts (e.g., construction-related air quality impacts). This recirculated Draft EIR has also been updated in consideration of comments on the 2008 Draft EIR and is, therefore, in compliance with CEQA (1970, as amended) and the State CEQA Guidelines (14 California Code of Regulations [CCR] 15000 et seq.).

As described in the State CEQA Guidelines, Section 15121(a), an EIR is a public information document that assesses potential environmental effects of a proposed project, as well as identifies mitigation measures and alternatives to the project that could reduce or avoid adverse environmental impacts (14 CCR 15121[a]). CEQA requires that state and local government agencies consider the environmental consequences of projects over which they have discretionary authority. The proposed Rancho Cañada Village development constitutes a project under CEQA. The EIR is an informational document used in the planning and decision-making process. It is not the purpose of an EIR to recommend either approval or denial of a project.

The procedures required by CEQA "...are intended to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which would avoid or substantially lessen such significant effects." (13 California Public Resources Code [PRC] 21002). As a general rule, CEQA policy states: "Public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects." However, "...in the event specific economic, social, or other conditions make

1 infeasible such project alternatives or such mitigation measures, individual projects may be  
2 approved in spite of one or more significant effects thereof” (13 PRC 21002). Stated differently,  
3 under CEQA, a lead agency must make certain determinations before it can approve or carry out a  
4 project if the EIR reveals that the project would result in one or more significant environmental  
5 impacts.

6 The lead agency must certify the final EIR. According to the State CEQA Guidelines, “certification”  
7 consists of three separate steps. The agency’s decision-making body must first conclude that the  
8 document “...has been completed in compliance with CEQA;” second, that the body has reviewed and  
9 considered the information within the EIR prior to approving the project; and third, that “...the final  
10 EIR reflects the lead agency’s independent judgment and analysis” (14 CCR 15090[a]; 13 PRC  
11 21082.1[c]).

12 Before approving a project for which a certified final EIR has identified significant environmental  
13 effects, the lead agency must make one or more of the following specific written findings for each of  
14 the identified significant impacts (14 CCR 15091[a]).

- 15 1. Changes or alternations have been required in, or incorporated into, the project, which avoid or  
16 substantially lessen the significant environmental effect as identified in the EIR.
- 17 2. Such changes or alternations are within the responsibility and jurisdiction of another public  
18 agency and not the agency making the finding. Such changes have been adopted by such other  
19 agency or can and should be adopted by such other agency.
- 20 3. Specific economic, legal, social, technological, or other considerations make infeasible the  
21 mitigation measures or project alternatives identified in the final EIR.

22 If significant environmental effects remain following the adoption of all feasible mitigation measures  
23 or alternatives, the lead agency must adopt a “statement of overriding considerations” before it can  
24 proceed with the project. The statement of overriding consideration must be supported by  
25 substantial evidence in the record (14 CCR 15092-3).

26 These overriding considerations include the economic, legal, social, technological, or other benefits  
27 of the proposed project. The lead agency must balance these potential benefits against the project’s  
28 unavoidable environmental risks when determining whether to approve the project. If the specific  
29 economic, legal, social, technological, or other benefits of a proposed project outweigh the  
30 unavoidable adverse environmental effects, the lead agency may consider the adverse  
31 environmental impacts to be acceptable (14 CCR 15093[a]). These benefits should be set forth in the  
32 statement of overriding considerations, and may be based on the final EIR and/or other information  
33 in the record of proceedings (14 CCR 15093[b]).

## 34 Scope and Organization of the EIR

35 This Recirculated Draft EIR explains the Proposed Project and the 130-Unit Alternative, describes  
36 the environmental setting, analyzes impacts of the Project and the 130-Unit Alternative, identifies  
37 measures to mitigate impacts found to be significant, evaluates cumulative impacts, and analyzes  
38 other project alternatives.

39 In accordance with State CEQA Guidelines (14 CCR 15082[a], 15103, 15375), the County circulated a  
40 notice of preparation (NOP) of an EIR for the Proposed Project on August 30, 2006 (see **Appendix**

1       **A).** The NOP, in which the County was identified as lead agency for the Proposed Project, was  
2       circulated to the public; to local, state, and federal agencies; and to other interested parties. The  
3       purpose of the NOP was to inform responsible agencies and the public that the Proposed Project  
4       could have significant effects on the environment and to solicit their comments. Concerns raised in  
5       response to the NOP were considered during preparation of the 2008 Draft EIR. This Recirculated  
6       Draft EIR considers the 130-Unit Alternative at the same level of analysis as the Proposed Project,  
7       both of which are described in Chapter 2, *Project Description*.

8       This recirculated Draft EIR evaluates the potential impacts of the Proposed Project in relation to the  
9       following resource areas.

- 10       |    Geology and soils.
- 11       |    Hydrology and water quality.
- 12       |    Biological resources.
- 13       |    Aesthetics.
- 14       |    Land use.
- 15       |    Hazards and hazardous substances.
- 16       |    Transportation and circulation.
- 17       |    Air quality.
- 18       |    Noise.
- 19       |    Public services, utilities, and recreation.
- 20       |    Cultural resources.
- 21       |    Population and housing.
- 22       |    Greenhouse gas emissions.

23       This recirculated Draft EIR also analyzes the following aspects of the Project.

- 24       |    Significant unavoidable impacts.
- 25       |    Significant irreversible changes in the environment.
- 26       |    Growth-inducement.
- 27       |    Cumulative impacts.
- 28       |    Alternatives to the Proposed Project.

## 29    Impact Terminology

30       This Recirculated Draft EIR uses the following terminology to describe environmental effects of the  
31       Proposed Project.

- 32       |    **Significance Criteria:** A set of criteria used by the lead agency to determine at what level or  
33       |    *threshold* an impact would be considered significant. Significance criteria used in this EIR  
34       |    include some that are set forth in the State CEQA Guidelines (or can be discerned from the State  
35       |    CEQA Guidelines); criteria based on factual or scientific information; criteria based on

1 regulatory standards of local, state, and federal agencies; and criteria based on goals and policies  
 2 identified in the *2010 Monterey County General Plan*, the *2013 Carmel Valley Master Plan*.

3 | **Beneficial Impact:** A project impact is considered beneficial if it would result in the  
 4 improvement of an existing physical condition in the environment (no mitigation required).

5 | **No Impact:** A no impact response is provided if, based on the current environmental setting, the  
 6 stated impact does not apply in the context of the Proposed Project.

7 | **Less-Than-Significant Impact:** A project impact is considered less than significant when it does  
 8 not reach the standard of significance and would therefore cause no substantial change in the  
 9 environmental (no mitigation required).

10 | **Potentially Significant Impact:** A potentially significant impact is an environmental effect that  
 11 may cause a substantial adverse change in the environment; however, additional information is  
 12 needed regarding the extent of the impact to make the determination of significance. For CEQA  
 13 purposes, a potentially significant impact is treated as if it were a significant impact.

14 | **Significant Impact:** A project impact is considered significant if it results in a substantial  
 15 adverse change in the physical conditions of the environment. Significant impacts are identified  
 16 by the evaluation of project effects in the context of specified significance criteria. Mitigation  
 17 measures and/or project alternatives are identified to reduce these effects to the environment.

18 | **Significant Unavoidable Impact:** A project impact is considered significant and unavoidable if  
 19 it would result in a substantial adverse change in the environment that cannot be avoided or  
 20 mitigated to a less-than-significant level if the project is implemented.

21 | **Cumulative Significant Impact:** A cumulative impact can result when a change in the  
 22 environment results from the incremental impact of a project when added to other related past,  
 23 present, or reasonably foreseeable future projects. Significant cumulative impacts may result  
 24 from individually minor but collectively significant projects.

25 The EIR also identifies particular mitigation measures that are intended to lessen project impacts.  
 26 The State CEQA Guidelines (14 CCR 15370) define mitigation as:

- 27 a. avoiding the impact altogether by not taking a certain action or parts of an action;
- 28 b. minimizing impacts by limiting the degree or magnitude of the action and its implementation;
- 29 c. rectifying the impact by repairing, rehabilitating, or restoring the impacted environment;
- 30 d. reducing or eliminating the impact over time by preservation and maintenance operations  
 31 during the life of the action; and
- 32 e. compensating for the impact by replacing or providing substitute resources or environments.

## 33 Approval Process for the Proposed Project

34 This document will be recirculated to local, state, and federal agencies and to interested  
 35 organizations and individuals who may wish to review and comment on the report. Its publication  
 36 marks the beginning of a 45-day public review period. Written comments or questions concerning  
 37 this Recirculated Draft EIR should be directed to the name and address listed below.

1 Submittal of written comments via email (Microsoft Word format) would be greatly appreciated.

2 Luke Connolly  
3 Management Specialist  
4 Monterey County Resource Management Agency  
5 Planning Department  
6 168 West Alisal Street, 2<sup>nd</sup> Floor  
7 Salinas, CA 93901-2487  
8 (831) 755-5173  
9 (831) 757-9516 (fax)  
10 email: connollylt@co.monterey.ca.us

11 All documents mentioned herein or related to this project can be reviewed any Monterey County  
12 business day between the hours of 8:00 A.M. and 4:00 P.M. Monday through Friday at the Monterey  
13 County Resource Management Agency, Salinas Permit Center, located at the following address:

14 168 West Alisal Street at Capitol, 2<sup>nd</sup> Floor  
15 Salinas, CA 93901-2487

16 Written comments received in response to the Recirculated Draft EIR will be addressed in a  
17 Response to Comments addendum document, which, together with the Recirculated Draft EIR, will  
18 constitute the Final EIR. After review of the project and the Final EIR, County staff will recommend  
19 to the Planning Commission and Monterey County Board of Supervisors whether to approve or deny  
20 the Project or the 130-unit alternative. This governing body will then review the Project, the Final  
21 EIR, staff recommendations, and public testimony and decide whether to certify the Final EIR and  
22 whether to approve or deny the Project.

23 If the Board of Supervisors or other agency approves the Proposed Project or 130-Unit Alternative  
24 in spite of significant impacts identified in the EIR that cannot be mitigated, the Board of Supervisors  
25 or other agency must state in writing the reasons for its actions. A statement of overriding  
26 considerations must be included in the record of the project approval and mentioned in the notice of  
27 determination (14 CCR 15093[c]).