

## Chapter 1.0 INTRODUCTION

### 1.1 PURPOSE OF THE EIR

The County of Monterey (County), as Lead Agency, has prepared this Draft Environmental Impact Report (Draft EIR) for the Carmel Lagoon (Lagoon) Ecosystem Protective Barrier (EPB), Scenic Road Protection Structure (SRPS), and Interim Sandbar Management Plan (ISMP) Project (proposed project) to provide the public and, responsible and trustee agencies with information on the potential environmental effects of implementation of the proposed project on the local and regional environment. The proposed project would involve implementing three project components: 1) EPB; 2) SRPS; and 3) ISMP, with the primary objective of implementing a solution to improve the functions and values of the ecosystem in and around the Lagoon by restoring the Lagoon's historic hydrologic, pre-management conditions to the extent feasible to protect and improve habitat for fish and wildlife while maintaining flood protection. An overview of the project is provided below in **Section 1.2, Proposed Project Overview**, and a full description of the project is presented in **Chapter 3, Project Description** of this document.

This EIR has been prepared in accordance with the California Environmental Quality Act (CEQA) (Public Resource Code [PRC] Sections 21000 – 21189.3) and the State CEQA Guidelines, which are found in Title 14 of the California Code of Regulations (CCR), commencing with Section 15000. As stated in the State CEQA Guidelines Section 15002, the basic purposes of CEQA are to:

- Inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities.
- Identify the ways that environmental damage can be avoided or significantly reduced.
- Prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible.
- Disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

Pursuant to State CEQA Guidelines Section 15121, an EIR is an informational document which will inform public agency decision-makers and the public of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency shall consider the information in the EIR along with other information which may be presented to the agency. While the information in the EIR does not control the ultimate decision on the project, the public agency must consider the information in the EIR and respond to each significant effect identified in the EIR by making findings at the time of project approval as further explained below in **Section 1.4, Project Approval and Permitting Process**.

The focus of the environmental review process is upon significant environmental effects. As defined in the State CEQA Guidelines, a “significant effect on the environment” is:

...a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the

environment. A social or economic change related to a physical change may be considered in determining whether a physical change is significant.

State CEQA Guidelines Section 15064(e) further indicates that economic and social changes resulting from a project shall not be treated as significant effects on the environment, although they may be used to determine that a physical change shall be regarded as a significant effect on the environment. Where a physical change is caused by economic or social effects of a project, the physical change may be regarded as a significant effect in the same manner as any other physical change resulting from the project.

## 1.2 PROPOSED PROJECT OVERVIEW

The proposed project would involve implementing three project components: 1) EPB; 2) SRPS; and 3) ISMP. The proposed EPB project component would maintain existing flood protection to low-lying homes and public infrastructure along the northern edge of the Lagoon, while the frequency of mechanical management of the sandbar is reduced in compliance with regulatory requirements. The proposed SRPS project component would provide protection from erosion along the northern sand cliffs and from the undermining of Scenic Road, which may result from northerly river flows or large ocean swells. The proposed ISMP project component is intended to provide a short-term (i.e., until the design, environmental review, permitting, and construction of the proposed EPB and SRPS project components are completed) solution to potential flooding issues by implementing select sandbar management actions that allow additional natural function in the Lagoon while still protecting properties and infrastructure, with the understanding that the development of the EPB and SRPS would further reduce mechanical management of the sandbar and return the Lagoon, its sandbar, and associated riverine and ocean dynamics to more natural cycles. However, the proposed project recognizes that the need for management in the form of breaching activities may be necessary in emergency situations; annual actions do not qualify as an emergency according to the permitting agencies.

Recognizing the challenges associated with the existing development in the low-lying areas that has occurred over the past century adjacent to the Lagoon and the degradation caused by historic farming and breaching activities, the primary objective of the proposed project is to implement a solution to improve the functions and values of the ecosystem in and around the Lagoon by restoring the Lagoon's historic hydrologic, pre-management conditions to the extent feasible to protect and improve habitat for fish and wildlife while maintaining flood protection. In addition, a natural beach in the northerly direction is preferred by the resource agencies to facilitate a longer and more natural flow channel, improving conditions for fish and wildlife within the Lagoon.

## 1.3 CEQA PROCESS

### 1.3.1 Notice of Preparation and Scoping Meeting

In accordance with Sections 15063 and 15082 of the State CEQA Guidelines, the County, as Lead Agency, prepared a Notice of Preparation (NOP) for this EIR (see **Appendix A**). The NOP was circulated to local, State, and Federal agencies and other interested parties from July 14 to August 15, 2014, for a 30-day review period.

A public scoping meeting was held on Wednesday, August 6, 2014, from 2:00 to 4:00 PM at the Monterey County Government Center located at 168 West Alisal Street, Salinas, California, to present the proposed project to the public and agencies and to solicit input as to the scope and content of the

EIR. Public notices were placed in local newspapers informing the general public of the scoping meetings. **Appendix A** provides the NOP, all written comments received in response to the NOP, and oral comments received at the public Scoping Meeting.

### **1.3.2 Draft EIR**

The Draft EIR focuses on the potentially significant environmental effects of the proposed project. Significance criteria (indicating what constitutes a significant impact) have been developed for each environmental issue analyzed in this EIR consistent with previous environmental impact reports and updated agency guidance and professional standards, and are defined at the beginning of each impact analysis section. Impacts are categorized as follows:

1. Significant, unavoidable
2. Significant, but can be mitigated to a less-than-significant level
3. Less than significant (mitigation is not required under CEQA but may be recommended)
4. No impact

The Draft EIR will be published and circulated for review and comment by public agencies, members of the public, and other interested parties and organizations for a 60-day review period (above the required minimum 45-day review period). The public review period will begin on December 2, 2016, and end on January 31, 2017, at 5:00 PM. Written comments on the Draft EIR may be submitted to the Monterey County Resource Management Agency at: Monterey County RMA, ATTN: Melanie Beretti, Special Programs Manager, 168 West Alisal Street, 2<sup>nd</sup> Floor, Salinas, California, 93901, or emailed to [CEQAComments@co.monterey.ca.us](mailto:CEQAComments@co.monterey.ca.us).

### **1.3.3 Final EIR**

Written comments received in response to the Draft EIR will be addressed in a Response to Comments document that, together with the Draft EIR, will constitute the Final EIR. The Final EIR will include written responses to any significant environmental issues raised in comments received during the public review period in accordance with the State CEQA Guidelines Section 15088. The Final EIR will be distributed in accordance with requirements of the State CEQA Guidelines. Prior to approving the project, the County of Monterey Board of Supervisors must certify that it has reviewed and considered the information in the EIR, that the EIR has been completed in conformity with the requirements of CEQA, and that the document reflects the Lead Agency's independent judgment pursuant to the State CEQA Guidelines Section 15090. Following EIR certification, the County may proceed with consideration of project approval actions.

### **1.3.4 Mitigation Monitoring and Reporting**

CEQA requires lead agencies to adopt a Mitigation Monitoring and Reporting Program (MMRP) for mitigation measures the agency has adopted or made a condition of project approval in order to reduce or avoid significant effects on the environment. As part of approval of the project or one of the project alternatives, the County will adopt a MMRP pursuant to CEQA and the Board of Supervisor's adopted County of Monterey Condition of Approval and Mitigation Monitoring Program in order to monitor implementation of adopted mitigation measures and conditions of project approval.

## 1.4 PROJECT APPROVAL AND PERMITTING PROCESS

Subsequent to certification of the EIR, the County will act on the proposed project. It is anticipated that EIR certification and action on the project will be scheduled together. CEQA requires that a lead agency shall neither approve nor carry out a project as proposed unless the significant environmental effects have been reduced to an acceptable level (State CEQA Guidelines Sections 15091 and 15092) or the project objectives outweigh the unavoidable significant impacts (requiring the Lead Agency to make a Statement of Overriding Considerations) (State CEQA Guidelines Section 15093). An acceptable level is defined as eliminating, avoiding, or substantially lessening the significant effects.

Pursuant to PRC Sections 21002, 21002.1, and 21081 and Sections 15091 and 15093 of the State CEQA Guidelines, no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant effects unless one or more findings are made:

- 1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects on the environment.
- 2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been or can and should be, adopted by such other agency.
- 3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

Following the above actions, the County would proceed with implementation of the project. Implementation would require the County to secure permits and approvals from several local, regional, State, and Federal agencies. These potential permits and approvals are presented within **Chapter 3, Project Description**.

## 1.5 ORGANIZATION OF THE DRAFT EIR

This Draft EIR includes the following:

**Chapter 1 – Introduction.** This section describes the EIR process and organization of this document.

**Chapter 2 – Summary of the Environmental Impact Report.** This section summarizes the contents of the Draft EIR.

**Chapter 3 – Project Description.** This section provides an overview of the proposed project, describes the need for and objectives of the proposed project, and provides detail on the characteristics of the proposed project.

**Chapter 4 – Environmental Setting, Impacts, and Mitigation Measures.** This chapter presents a description of the physical and regulatory setting of the proposed project by environmental issue area (see issue topics below), the significance criteria, including thresholds of significance, an analysis of the significance of impacts, and recommended mitigation measures to reduce any significant impacts. The following resources topics are provided in the sections identified below:

- Aesthetics (**Section 4.1**)
- Air Quality (**Section 4.2**)
- Biological Resources (**Section 4.3**)

- Cultural Resources (**Section 4.4**)
- Greenhouse Gas Emissions (**Section 4.5**)
- Geology, Soils, and Seismicity (**Section 4.6**)
- Hazards and Hazardous Materials (**Section 4.7**)
- Hydrology/Water Quality (**Section 4.8**)
- Land Use/Planning (**Section 4.9**)
- Noise (**Section 4.10**)
- Public Services, Recreation, and Utilities (**Section 4.11**)
- Traffic and Circulation (**Section 4.12**)

Each environmental resource section includes a discussion of the environmental setting, applicable regulations pertaining to the resource area, impact assessment, and mitigation measures where applicable. Each section of **Chapter 4** contains the following elements:

- Introduction
- Environmental Setting
- Regulatory Framework
- Impacts and Mitigation Measures
- References

**Chapter 5 – Alternatives.** This chapter presents an overview of the alternatives to the proposed project, including alternatives screening and selection, and alternatives considered, but eliminated from further review. The section also provides a qualitative environmental impact analysis of the alternatives considered.

**Chapter 6 – CEQA Considerations.** This chapter presents the potential growth inducement and cumulative impacts that may result from the proposed project.

**Chapter 7 – List of Report Preparers.** This chapter identifies the preparers of the EIR and the persons consulted during the preparation of the EIR.

## APPENDICES

- Appendix A:** NOP and Public Comment Letters
- Appendix B:** Memorandum of Understanding
- Appendix C:** Applicable Land Use Plans, Policies, and Regulations Consistency Analysis for the Carmel Lagoon Project
- Appendix D:** Air Quality and Greenhouse Gas Impact Assessment
- Appendix E:** Biological Resources Report
- Appendix F:** Supporting Information for the Geology Section
- Appendix G:** Preliminary 30% Design Draft Report
- Appendix H:** Supporting Information for the Hydrology Section
- Appendix I:** Noise Impact Assessment

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