

1.0 INTRODUCTION

1.1 PURPOSE AND BACKGROUND

This *Draft Subsequent Environmental Impact Report* (DSEIR) is prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts associated with the implementation of the East Garrison Specific Plan (EGSP) project. The County of Monterey is the lead agency for the preparation of this DSEIR. This document is prepared in conformance with CEQA (California Public Resources Code, § 21000 et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, § 15000 et seq.), and Monterey County rules and regulations.

This DSEIR is a Draft Subsequent EIR to the *Fort Ord Reuse Authority Reuse Plan FEIR* certified by the Ford Ord Reuse Authority in 1997 (FORA FEIR). The DSEIR is intended to serve as an informational document for the public agency decision-makers and the public regarding the EGSP project. The EGSP project proposes the development on the Former Fort Ord military (FFO) base, that was decommissioned in 1991, of a 244-acre community composed of a mixture of uses including single- and multi-family residential, commercial, office/professional, institutional, and recreational uses. The EGSP proposes the construction of up to 1,470 residences, 75,000 square feet (sq ft) of commercial uses, 11,000 sq ft of public and institutional uses, 100,000 sq ft of artist/cultural/educational uses, approximately 50 acres of open space, and associated roadways, landscaping, and utility infrastructure. Actions to implement the project include approvals by the County of a specific plan, vesting tentative map, and development agreement and allocation of water to the project. Actions and approvals by other agencies will also be required, including the approval of a disposition and development agreement by the County Redevelopment Agency. Section 3, Project Description, provides a complete description of the project.

The purpose of this DSEIR is to present a project-level analysis of the environmental effects of the EGSP project. The environmental impacts of the EGSP project are analyzed in the EIR to the degree of specificity appropriate, in accordance with § 15146 and § 15180 of the State CEQA Guidelines. This document will address the potentially significant adverse environmental impacts that may be associated with the planning, construction, or operation of the project. It will also identify appropriate and feasible mitigation measures and alternatives that may be adopted to significantly reduce or avoid these impacts.

CEQA requires that an EIR contain, at a minimum, certain specific elements. These elements are contained in this subsequent EIR and include:

- Table of Contents
- Introduction
- Executive Summary
- Project Description
- Environmental Setting, Significant Environmental Impacts, and Mitigation Measures
- Cumulative Impacts
- Significant Unavoidable Adverse Impacts
- Alternatives to the Proposed Project
- Growth-Inducing Impacts

- Effects Found Not To Be Significant
- Areas of Known Controversy

1.2 DETERMINATION OF LEAD AGENCY

Both the County of Monterey and the Monterey County Redevelopment Agency will have responsibility for carrying out the project. State CEQA Guidelines § 15367 defines the lead agency as “. . . the public agency, which has the principal responsibility for carrying out or approving a project.” Criteria considered for identifying the lead agency where two or more public agencies are involved with a project include whether the agency: 1) has the greatest responsibility for supervising or approving the project as a whole; and 2) is an agency with the general governmental powers. If two or more agencies equally meet the first two criteria, the lead agency will be the agency that will act first on the project (CEQA Guidelines, § 15051). The lead agency for this DSEIR is the County of Monterey. The County of Monterey is the agency with general governmental powers and has the greatest responsibility for taking the actions necessary for approval of the project. Other public agencies may use this EIR in the decision-making or permit process and consider the information in this DSEIR along with other information that may be presented during the CEQA process.

This DSEIR was prepared by a consultant under contract to the County of Monterey. Prior to public review, it was extensively reviewed and evaluated by the County of Monterey. This DSEIR reflects the independent judgment and analysis of the County of Monterey as required by CEQA. Lists of organizations and persons consulted and the report preparation personnel are provided in Sections 7 and 8 of this DSEIR, respectively.

1.3 TIERING AND BASIS FOR SUBSEQUENT EIR

The purpose of this DSEIR is to provide project-level subsequent environmental impact analysis that accurately analyzes the EGSP project in light of current conditions, circumstances, and new information that was not available and not analyzed in previously certified environmental documentation. The DSEIR contains a description of the project, description of the environmental setting, identification of the project impacts and cumulative impacts, and mitigation measures to reduce project impacts, as well as an analysis of alternatives to the project. This project-level DSEIR, where applicable, tiers off of and incorporates by reference information and analysis contained in the *Fort Ord Disposal and Reuse Final Environmental Impact Statement* certified by the U.S. Army in 1993 (Army FEIS) and the FORA FEIR.

The primary focus of the Army FEIS was to evaluate the environmental impacts of disposing excess Fort Ord property after closure. Accordingly, the Army FEIS states that actual “reuse of the property, which is an action to be taken by others, is analyzed in this document (the Army FEIS) as an indirect and secondary effect of executing the proposed actions (base closure).” Thus, the Army FEIS was not directly intended to provide project-level information and analysis for subsequent development projects. Rather, for purposes of this DSEIR, the Army FEIS serves as a foundational document presenting the policies and programs associated with the closure of the Fort Ord military base. This project-level DSEIR is more closely related to the FORA FEIR, which presents the land use concepts and buildout projections that provide the primary basis for the subsequent analysis presented in this DSEIR.

The FORA FEIR is a program-level document for the *Fort Ord Reuse Plan* (Reuse Plan), a long-term, regionally-focused and comprehensive base reuse plan functioning at a general plan level. The

FORA FEIR analyzed policies and programs necessary to implement a land use concept supporting a project that would result in the development of approximately 22,232 dwelling units, creation of 45,457 jobs, and a buildout population of 51,773. However, the FORA FEIR recognized that additional CEQA analysis may be required at the project level to give decision-makers more information about site-specific issues which were not addressed in the program-level FORA FEIR.

While the EGSP project is furtherance of the Reuse Plan and is recognized under CEQA as part of the project analyzed in the FORA FEIR, a supplemental EIR is warranted. California Public Resource Code (PRC) § 21083.8.1 defines and describes “reuse plans” for military bases and states that all public and private activities taken pursuant to, or in furtherance of, a reuse plan shall be deemed to be a single project. Section 21083.8.1(c) provides that further environmental review shall be performed if any of the events specified in PRC § 211166 for subsequent or supplemental environmental review have occurred. CEQA Guidelines § 15162, implementing PRC § 21166, provides that a subsequent EIR is warranted if the lead agency determines, among other things, that substantial changes have occurred with respect to the project or with respect to the circumstances under which the project is undertaken which will require major revisions to the previous EIR due to new significant environmental effects or an increase in the severity of a previously identified effect; or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, becomes available and shows the currently proposed project will have one or more significant effects not discussed in the previous EIR. This DSEIR is appropriate under PRC § 21166 and Guidelines §15162 and is the environmental document anticipated by the FORA FEIR for project-level environmental review. In particular, this DSEIR provides substantial new information related to the implementation of a mixed-use development plan accommodating, but not limited to, approximately 1,470 residential units, 75,000 sq ft of commercial use, 11,000 sq ft of public use, 100,000 sq ft of cultural/educational space and approximately 50 acres of open space. The need to prepare this DSEIR is triggered not only by the emergence of project-level details stated above and other new information regarding potential project impacts, but also by substantial changes in the circumstances under which the project will be undertaken that may affect the previous analysis of environmental effects. This DSEIR utilizes new technical reports for traffic, air quality, noise, biology, geology and soils, and hydrology. The new information presented by these new technical reports reflects changes in circumstances or contains information that was not known and could not have been known with the exercise of reasonable diligence at the time the previous Army FEIS and FORA FEIR were certified.

Where appropriate, this EIR tiers off analysis in the Army FEIS and FORA FEIR. Under § 15152 of the State CEQA Guidelines, tiering is appropriate when the sequence of analysis follows from an EIR prepared for a general plan, policy, or program to an EIR of lesser scope, or to a site-specific EIR. The Army FEIS and FORA FEIR, respectively, are policy and general plan level documents for future development on the land contained within the boundaries of the now closed Fort Ord. The EGSP is a site-specific development project of lesser scope than either the Army FEIS or FORA FEIR. Thus, where applicable and where potential impacts associated with the proposed EGSP project were adequately analyzed in either the Army FEIS or FORA FEIR, this DSEIR relies on and tiers off the analysis and findings presented in those previously certified environmental documents. (See Section 1.8 below for location where the Army FEIS and FORA FEIR are available for examination.)

1.3.1 Discretionary Actions

This DSEIR is intended to provide a review of the environmental consequences of a series of actions that are needed to achieve the development of the EGSP project. Among the discretionary entitlements the applicant is requesting as part of the project are County approval of a Specific Plan, vesting tentative map, and development agreement, and allocation to the project of 470-acre-feet per year of water. Additional County approvals (e.g., encroachment, grading, building, and demolition permits) may also be needed. The project also includes County Redevelopment Agency approval of a Disposition and Development Agreement governing conveyance of the project site from the Agency to the applicant. The lead agency, as well as other responsible agencies, can approve subsequent actions without additional environmental documentation unless otherwise required by Public Resources Code § 21166 and State CEQA Guidelines § 15162, § 15163, and § 15164.

The actions involved in the implementation of the EGSP project are described in DSEIR Section 3, Project Description. Other agencies that may have discretionary approval over the project, or components thereof, are also described in Section 3.

1.4 SCOPE OF THE DSEIR

This DSEIR addresses the potential environmental effects of the EGSP project. The scope of this DSEIR includes the areas of controversy identified by the NOP issued by the County, comments obtained during a public scoping meeting, as well as issues raised by agencies and the public in response to the NOP, as more completely described later in Section 1.6.

1.5 SCOPING AND ENVIRONMENTAL REVIEW PROCESS

This section describes the specific stages for the EGSP project's SEIR, which are:

- Notice of Preparation
- Draft SEIR
- Public Notice and Public Review
- Response to Comments
- Final SEIR
- Certification of the SEIR
- Project Consideration
- Mitigation Monitoring and Reporting Program

1.5.1 Notice of Preparation

In compliance with State CEQA Guidelines, the County of Monterey has taken steps to provide the public opportunity to participate in the environmental process. A Notice of Preparation (NOP) was distributed on August 12, 2003, via certified mail, to agencies and other interested parties to solicit comments and inform the public of the EGSP project. A public scoping meeting was held on September 4, 2003 to obtain further input from the public on the scope of the environmental document.

The NOP, the distribution list for the NOP, and comment letters received during and after the NOP period are attached to this DSEIR as Appendix A. Table 1-1 lists the persons and public agencies that provided written comments on the NOP. The letter date, letter author, and affiliation, if presented in the comment letter or if representing a public agency, are also listed.

Table 1-1: Public Agencies and Persons Commenting on the Notice of Preparation

Affiliation	Signature	Date
California State University Monterey Bay	Niraj Dangoria, Assistant Vice President, Campus Planning & Development	September 18, 2003
State of California Department of Transportation	Mike Galizio, District 5 Development Review Branch	September 15, 2003
State of California Governor's Office of Planning and Research, State Clearinghouse	Scott Morgan, Associate Planner	August 14, 2003
Association of Monterey Bay Area Governments	Nicolas Papadakis	September 25, 2003
Local Agency Formation Commission of Monterey County	Kristina Berry, AICP, LAFCO Senior Analyst	September 12, 2003
Monterey Bay Unified Air Pollution Control District	Janet Brennan, Supervising Planner, Planning and Air Monitoring Division	August 19, 2004
Marina Coast Water District	Michael D. Armstrong, General Manager	September 16, 2003
Monterey Peninsula Unified School District	Colette McLaughlin, Ph.D., Facilities Planner	September 10 and 12, 2003
Salinas Rural Fire District	Steven E. Negro, Fire Chief	September 2, 2003
City of Marina	Jeffrey P. Dack, AICP, Director for Planning	September 12, 2002
Sierra Club	Gudrun Beck, Conservation Co-Chair	September 9, 2003

1.5.2 Public Notice and Public Review

Upon completion of the DSEIR, the County files a Notice of Completion (NOC) with the State Office of Planning and Research to begin the public review period (Public Resources Code, § 21161). Concurrent with the NOC, this DSEIR has been distributed to responsible and trustee agencies, other affected agencies, surrounding cities, and interested parties, as well as all parties requesting a copy of the DSEIR in accordance with Public Resources Code 21092(b)(3). During the public review period, the DSEIR, including the technical appendices, is available for review at the Monterey County Planning and Building Inspection Department (MCPBID) located at 2620 First Avenue, Marina, CA, on the County's website, and in other locations as identified in the Notice of Availability. Agencies, organizations, and interested parties not previously contacted, or who did not respond to the NOP, currently have the opportunity to comment on the DSEIR during the public review period on the DSEIR.

Written comments on this DSEIR should be addressed to:

Monterey County
Planning and Building Inspection Department
Mike Novo, AICP
2620 First Avenue
Marina, CA 93933

Upon completion of the public review period, written responses to all significant environmental issues raised will be prepared and made available for review at least 10 days prior to the public hearing before the County of Monterey Board of Supervisors on the project, at which the certification of the FEIR will be considered. Comments received and the responses to comments will be included as part of the record for consideration by decision-makers for the project.

1.5.3 Response to Comments and Final SEIR

Following the public review period, the FSEIR will be prepared. The FSEIR will contain responses to the written comments received during the public review period and to oral comments made at public hearings related to the EIR process.

1.5.4 Certification of the SEIR and Project Consideration

The County of Monterey will review and consider the FSEIR in accordance with State of California CEQA Guidelines Section 15090. If the FSEIR is adequate and completed in compliance with CEQA, presented to and considered by the Board of Supervisors of the County of Monterey, and the FSEIR reflects the County's independent judgment and analysis, the County may certify the FSEIR. The project is analyzed using the criteria outlined in Appendix G of the State CEQA Guidelines. The rule of adequacy as described in the State of California CEQA Guidelines Section 15151 provides that an EIR is sufficient if: 1) it shows a good faith effort at full disclosure of environmental information; and 2) provides sufficient analysis to allow decisions to be made regarding the project in contemplation of its environmental consequences.

Upon review and consideration of the FSEIR, the County may take action to approve, revise, or reject the project. A decision to approve the project will be accompanied by written findings in accordance with CEQA Guidelines § 15091 and, if applicable, § 15093. A Mitigation Monitoring and Reporting Program (MMRP), as described below, will also be adopted for mitigation measures that have been incorporated into or imposed upon the project to reduce or avoid significant effects on the environment. The MMRP will be designed to ensure that these measures are carried out during project implementation.

1.5.5 Mitigation Monitoring and Reporting Program

CEQA, under § 21081.6(a), requires lead agencies to adopt a mitigation monitoring and reporting program to describe measures that have been adopted or made a condition of approval in order to mitigate or avoid significant effects on the environment. The specific reporting or monitoring program required by CEQA is not required to be included in the DSEIR; however, it will be presented to the County for adoption. Throughout the DSEIR, mitigation measures have been clearly identified and presented in language that will facilitate establishment of a mitigation monitoring and reporting program (MMRP). Any mitigation measures adopted by the County as conditions for approval of the project will be included in the MMRP to verify compliance.

1.6 DSEIR FOCUS

An EIR is required to address the potentially significant environmental effects of the EGSP project. The scope of this DSEIR includes issues identified by the County of Monterey during the preparation of the NOP for the EGSP project, as well as other available information and environmental issues raised by agencies and the public in response to the NOP.

Based on the written and oral comments received in response to the NOP, the environmental issues, which could result in potentially significant impacts that are addressed in this DSEIR, consist of the following:

- Land Use and Related Planning Programs
- Geology and Soils
- Hydrology and Water Quality
- Transportation and Circulation
- Air Quality
- Noise
- Biological Resources
- Cultural Resources
- Aesthetics
- Population, Housing, and Employment
- Public Services and Utilities (including Recreation)
- Hazardous Materials

The environmental issues that are determined not to be significantly affected by the EGSP project and, therefore, do not require further analysis in this DSEIR, pursuant to § 15063(c) of the State CEQA Guidelines (as amended), are as follows:

Agricultural Resources. The project site is located on the FFO. The project site contains no land that is considered suitable farmland. No agricultural activities occur on the project site. Agricultural land located directly north of the project site across Reservation Road is protected from development under the General Plan. Agricultural land to the east and south is buffered from the EGSP site by a 100-foot tall bluff, Reservation Road, and proposed open space areas along the bluff top. Therefore, no significant agricultural resource impacts will occur under the EGSP project.

Mineral Resources. The project site is located on the FFO and is not used for the extraction of mineral resources. According to the California Department of Conservation, Division of Mines and Geology, the site is not located within a significant mineral resource zone. Therefore, no significant mineral resource impacts will occur with the implementation of the EGSP project.

1.7 ORGANIZATION OF THIS DSEIR

This DSEIR is organized into the following main sections:

- **SECTION 1: INTRODUCTION.** This section provides an introduction and overview describing the purpose of this DSEIR, its scope and components, and its review and certification process.

- **SECTION 2: EXECUTIVE SUMMARY.** This section includes a summary of the EGSP project and alternatives to be addressed in the DSEIR. A brief description of the areas of controversy and issues to be resolved and overview of the MMRP, in addition to a table which summarizes the impacts, mitigation measures, and level of significance after mitigation are also included in this section.
- **SECTION 3: PROJECT DESCRIPTION.** This section includes a detailed description of the proposed EGSP project, including its location, site, and project characteristics. A discussion of the project objectives, intended uses of the DSEIR, responsible agencies, and approvals that are needed for the EGSP project are also provided.
- **SECTION 4: ENVIRONMENTAL IMPACT ANALYSIS.** This section analyzes the environmental impacts of the proposed EGSP project. Impacts are organized into major topic areas. Each topic area includes a description of the environmental setting, methodology, significance criteria, impacts, mitigation measures, and significance after mitigation. The specific environmental topics that are addressed within Section 4 are as follows:
 - **Section 4.1 - Land Use and Related Planning Programs:** Addresses the related land use impacts associated with implementation of the project including project compatibility with surrounding land uses, consistency with County land use goals, objectives and/or policies, analysis of land use patterns, potential land use conflicts, and impacts to adjacent uses.
 - **Section 4.2 - Geology and Soils:** Addresses the potential impacts the project may have on soils, and assesses the effects of project development in relation to geologic conditions.
 - **Section 4.3 - Hydrology and Water Quality:** Addresses the impacts of the project on local and subregional hydrological conditions, including drainage areas, groundwater, and changes in the flow rates.
 - **Section 4.4 - Transportation and Circulation:** Addresses the impacts on the local and regional roadway system.
 - **Section 4.5 - Air Quality:** Addresses the local and regional air quality impacts associated with project implementation.
 - **Section 4.6 - Noise:** Addresses the noise impacts during construction and at project buildout from mobile and stationary sources. The section also addresses the impact of noise generation on neighboring uses.
 - **Section 4.7 - Biological Resources:** Addresses the project's impacts on habitat, vegetation, and wildlife; the potential degradation or elimination of important habitat; and impacts on listed, proposed, and candidate threatened and endangered species.
 - **Section 4.8 - Cultural Resources:** Addresses the impacts of project development on known historical resources and potential archeological resources.
 - **Section 4.9 - Aesthetics:** Addresses the impacts of development intensification and the overall increase in illumination produced by the project.

- **Section 4.10 - Population, Housing, and Employment:** Addresses the impact of residential development in terms of population growth, employment opportunities, housing affordability, and the jobs-to-housing balance.
 - **Section 4.11 - Public Services and Utilities:** Addresses the impacts upon service providers including fire, sheriff, water supply, wastewater, schools, library, parks, electrical and natural gas, and communications purveyors.
 - **Section 4.12 - Hazardous Materials:** Addresses the likelihood of the presence of hazardous materials or conditions on the project site and in the project area, and of clean-up/remediation activities, that may have the potential to impact human health.
- **SECTION 5: OTHER CEQA CONSIDERATIONS.** This section provides a summary of significant environmental impacts, including unavoidable and growth-inducing impacts, and the project's irreversible and irretrievable commitment of resources. This section discusses the cumulative impacts associated with the proposed project, including the impacts of past, present, and probable future projects.
 - **SECTION 6: ALTERNATIVES TO THE PROPOSED PROJECT.** This section compares the impacts of the proposed EGSP project with five land use project alternatives including the No Project Alternative. An environmentally superior alternative is identified.
 - **SECTION 7: ORGANIZATIONS AND PERSONS CONSULTED.** This section contains the names of the organizations and persons consulted and/or who assisted in preparation of the DSEIR.
 - **SECTION 8: REPORT PREPARATION PERSONNEL.** This section lists the authors that assisted in the preparation of the DSEIR, by name and company/agency affiliation.
 - **SECTION 9: REFERENCES.** This section contains a full list of references that were used in the preparation of this DSEIR.
 - **SECTION 10: LIST OF ACRONYMS.** This section contains a full list of acronyms used in the preparation of this DSEIR.
 - **APPENDICES:** This section includes all notices and other procedural documents pertinent to the DSEIR, as well as all technical material prepared to support the analysis.

1.8 INCORPORATION BY REFERENCE

As permitted by § 15150 of the State CEQA Guidelines, this DSEIR has referenced several technical studies, analyses, and previously certified environmental documentation. Information from the documents, which have been incorporated by reference, has been briefly summarized in the appropriate section(s). The relationship between the incorporated part of the referenced document and the DSEIR has also been described. The documents and other sources that have been used in the preparation of this DSEIR include a number of environmental planning documents that were prepared for military base closures, establishment of land use concepts, and in anticipation of subsequent development projects. These documents include, but are not limited to:

- *Final Environmental Impact Statement Fort Ord Disposal and Reuse* (June 1993)
- *Record of Decision (ROD) for Fort Ord, California, Disposal and Reuse Final Environmental Impact Statement (FEIS)* (December 1993)
- *Supplemental Environmental Impact Statement Fort Ord Disposal and Reuse* (June 1996)
- *Record of Decision (ROD) for Fort Ord, California, Disposal and Reuse Final Supplemental Environmental Impact Statement (SFEIS)* (July 14, 1997)
- *Fort Ord Reuse Plan Environmental Impact Report* (June 13, 1997)

These documents are specifically identified in Section 9, References, of this DSEIR. In accordance with § 15150(b) of the State CEQA Guidelines, these referenced documents, the East Garrison Specific Plan (July 12, 2004), and other sources used in the preparation of the DSEIR are available for review at the MCPBID at the address shown in Section 1.9 below.

1.9 PROJECT SPONSORS AND CONTACT PERSONS

The County of Monterey is the lead agency in the preparation of the DSEIR. Michael Brandman Associates (MBA) is the environmental consultant to the County for the project.

Preparers of this DSEIR are identified in Section 8, Report Preparation Personnel. Key contact persons are:

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