

This Draft Environmental Impact Report (Draft EIR; DEIR) has been prepared for the County of Monterey Resource Management Agency-Planning Department (hereinafter “County of Monterey” or “County”), as lead agency, pursuant to applicable provisions of the California Environmental Quality Act (CEQA) and its implementing guidelines (CEQA Guidelines). The purpose of this Draft EIR is to evaluate the potential environmental effects associated with development of the Ferrini Ranch Subdivision (hereinafter referred to as the “proposed project”), consisting of a proposed Combined Development Permit (PLN040758) for the construction of a 212-unit subdivision and all associated physical improvements, including removal of trees and grading on slopes greater than 30 percent within the Toro Planning Area. The project site is located along the State Route 68 corridor, between San Benancio Road and River Road.

This section of the Draft EIR summarizes the purpose and intended uses of the EIR, the environmental procedures that are to be followed according to state and local regulations, and the scope and organization of the EIR document.

1.1 BACKGROUND AND PURPOSE

The County of Monterey has prepared this Draft EIR to provide the public, responsible agencies, and trustee agencies with information about the potential environmental effects of the proposed project. As described in CEQA Guidelines Section 15121(a), an EIR is a public information document that assesses potential environmental effects of a proposed project and identifies mitigation measures and alternatives to the proposed project that could reduce or avoid adverse environmental impacts. Public agencies are charged with the duty to consider and minimize environmental impacts of proposed development where feasible, and have an obligation to balance a variety of public objectives, including environmental, economic, and social factors.

The project applicant, Domain Corporation, has submitted an application to the County of Monterey Resource Management Agency-Planning Department for entitlements to subdivide and develop 870 acres of land located south of State Route 68 between River Road and San Benancio Road. As portions of the property currently have no zoning, the County intends to reclassify the entire project site with Low Density Residential, 2.5 acres per dwelling unit with Visual Sensitivity, and Design Control overlays (LDR/2.5-VS-D zoning) consistent with the General Plan Land Use Map as a part of the 2010 General Plan Implementation.

The application for a Combined Development Permit (PLN040758) that consists of a Vesting Tentative Map for the subdivision of approximately 870 acres into 212 residential lots consisting of 169 market-rate single-family residential lots and 43 inclusionary housing units; three open space parcels totaling approximately 600 acres (Parcels A, B, and C); one 34.7-acre parcel for the future development of a winery and related uses (Parcel D); and four private roadway parcels totaling 43.1 acres. Three access points would be provided at the following locations: near the entrance of Toro County Park and the State Route 68/Portola interchange; River Road; and San Benancio Road. The application also includes

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the following: (1) a General Plan Amendment to amend the designation of the area of proposed Parcel D (34.7 acres) from Low Density Residential 1–5 Acres/Unit to Agricultural Industrial; (2) a zoning reclassification of proposed Parcel D (34.7 acres) from the LDR/2.5-VS (Low Density Residential, 2.5 Acres/Unit with Visual Sensitivity) zoning district to the AI-VS (Agricultural Industrial, with Visual Sensitivity) zoning district; (3) a Use Permit for removal of approximately 921 protected oak trees (approximately 14 acres of oak woodlands); and (4) a Use Permit for development of roadways and driveways in areas with slopes greater than 30 percent. The proposed project would also include the construction of on-site roadways, infrastructure, utility improvements, and hiking trails. A Development Agreement may also be executed between the County and the applicant.

CEQA requires the preparation of an EIR prior to approval of any “project” that may have a significant effect on the environment. For the purposes of CEQA, the term “project” refers to the whole of an action that has potential to result in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]).

1.2 TYPE OF DOCUMENT

The CEQA Guidelines identify several types of EIRs, each of which is applicable to different project circumstances. This EIR has been prepared as a “project EIR” pursuant to CEQA Guidelines Section 15161. A project EIR is the most common type of EIR and evaluates the environmental impacts of a specific development project. The EIR examines all phases of the project including planning, construction, and operation.

1.3 INTENDED USES OF THIS EIR

This EIR provides the environmental information and an evaluation necessary for the planning, construction, and operation of the proposed project. This document will be used by the County of Monterey, and any other responsible or reviewing agency, to identify and evaluate the significant environmental issues at the project site. This includes evaluations necessary for approvals identified in this EIR, as well as any additional approvals necessary or useful to planning, construction, and maintenance (e.g., any final construction plans, design reviews, service extensions, and other development-related approvals). Likewise, this EIR provides the environmental information and evaluation needed by responsible agencies acting on permits relative to the proposed project and the project site. **Section 2.0, Project Description**, contains a detailed project description. Actions that would be taken relative to the proposed project evaluated in this EIR are listed under subheading **2.5, Requested Actions and Required Approvals**.

1.4 ENVIRONMENTAL REVIEW PROCESS

The California Environmental Quality Act and the County of Monterey encourage public participation in the planning and environmental review processes. Opportunities will be provided for the public to present comments and concerns regarding the CEQA and planning process through a CEQA public review and comment period and public hearings

and/or meetings before the County of Monterey Planning Commission and Board of Supervisors.

The review and certification process for the EIR will involve the following procedural steps:

NOTICE OF PREPARATION

In accordance with Section 15161 of the CEQA Guidelines, the County of Monterey determined that due to potential significant effects resulting from the project, an EIR would be necessary. In accordance with Section 15082(a) of the CEQA Guidelines, the County of Monterey prepared and distributed a Notice of Preparation (NOP) of an EIR on September 9, 2005. The NOP was circulated to local, regional, and state agencies for a 30-day public review period (State Clearinghouse No. 2005091055). The public review period ended on October 11, 2005. Seven comment letters were received during the review period. Comments letters were received from the State of California Department of Forestry and Fire Protection, State of California Department of Health Services, State of California Department of Transportation (Caltrans), Monterey Bay Unified Air Pollution Control District, Native American Heritage Commission, Transportation Agency for Monterey County (TAMC), and Monterey-Salinas Transit (MST). On December 18, 2006, a public scoping meeting was held at the Monterey County Government Center in Salinas, California. Concerns raised in response to the NOP and the scoping meeting were considered in the preparation of the Draft EIR. The NOP for the Draft EIR and the letters received by the County, in response to the notice and the scoping meeting, are included in **Appendix A**.

DRAFT EIR

This Draft EIR contains a description of the proposed project, a description of the environmental setting, identification of project impacts and effects found not to be significant, mitigation measures for impacts found to be significant, and an analysis of project alternatives. Upon completion of the DEIR, the County of Monterey will file a Notice of Completion (NOC) with the State Office of Planning and Research, in accordance with Section 15085 of the CEQA Guidelines. The filing of the NOC begins the public review period (Public Resources Code, Section 21161) for the Draft EIR.

PUBLIC NOTICE/PUBLIC REVIEW

Concurrent with the NOC, the County of Monterey provided public notice of the availability of the DEIR for public review in accordance with CEQA Guidelines Section 15087(a) and circulated the document to responsible agencies, organizations, and other interested parties inviting written comments on its contents. Written public comments may be submitted to the County of Monterey at any time during the 45-day public review and comment period for the DEIR, and written and oral comments may be presented at scheduled public hearing(s), as advertised.

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All comments or questions regarding the Draft EIR should be addressed to:

**David Mack, Associate Planner
County of Monterey Planning Department
168 West Alisal, 2nd Floor
Salinas, CA 93901
Tel: (831) 755-5096**

RESPONSE TO COMMENTS/FINAL EIR

Following the public review and comment period for the DEIR, the County of Monterey will prepare a Final EIR (FEIR). The FEIR will respond to written comments received during the public review and comment period and to oral comments made at any public hearings. The Planning Commission and Board of Supervisors will review and consider the FEIR prior to their decision to approve, revise, or reject the proposed project.

CERTIFICATION OF THE EIR

If the County of Monterey finds that the FEIR is “adequate and complete,” the County may certify the FEIR. The rule of adequacy generally holds that the EIR can be certified if it: (1) 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 environmental considerations.

PROJECT CONSIDERATION

Upon review and consideration of the FEIR, the County of Monterey may act upon the proposed project. A decision to approve the proposed project would be accompanied by written findings in accordance with CEQA Guidelines Section 15091 and, if applicable, Section 15093 (Statement of Overriding Considerations).

MITIGATION MONITORING

The County of Monterey must also adopt a Mitigation Monitoring and Reporting Program (MMRP) for mitigation measures that have been incorporated into or required for the project to reduce or avoid significant effects on the environment (Public Resources Code Section 21081.6(a)). The MMRP will be designed to ensure that these mitigation measures are carried out during project implementation. The specific reporting or monitoring program required by CEQA is not required to be included in the EIR. Throughout the EIR, however, mitigation measures have been clearly identified and presented in language that will facilitate establishment of a monitoring and reporting program. Any mitigation measures adopted by the County of Monterey as part of the certified FEIR will be considered as conditions for approval of the project and will be included in the Mitigation Monitoring and Reporting Program to ensure and verify compliance.

1.5 SCOPE AND ORGANIZATION

Sections 15122 through 15132 of the CEQA Guidelines identify the content requirements for Draft and Final EIRs. An EIR must include a description of the environmental setting, an environmental impact analysis, mitigation measures, alternatives to the proposed project, significant irreversible environmental changes, growth-inducing impacts, and cumulative impacts.

The environmental issues addressed in the DEIR were established through environmental documentation and supporting technical reports developed for the proposed project, responses to the Notice of Preparation (NOP) for the DEIR and scoping meeting, and comments received. Based upon documentation, technical reports, NOP responses, agency consultation, and review of the project application, the County has determined the scope for this EIR. This Draft EIR is organized in the following manner:

SECTION 5 – EXECUTIVE SUMMARY

The Executive Summary provides a brief synopsis of the EIR findings. This summary includes a project overview, summary of significant environmental effects, and mitigation measures and alternatives that would reduce or avoid those effects. Impacts are organized in a matrix format that clearly identifies accompanying measures and level of significance after mitigation.

SECTION 1.0 – INTRODUCTION

The Introduction briefly describes the project background, the purpose and intended uses of the EIR, the environmental review process, and the scope and organization of the EIR.

SECTION 2.0 – PROJECT DESCRIPTION

This section provides a detailed account of the proposed project and forms the basis of the analysis, as required by CEQA. This section includes the project location and legal description, statement of project objectives, project characteristics, and other details of project construction and operation as identified from the project application. This section also identifies the requested approvals, permits, and responsible agencies.

SECTION 3.0 – ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

This section describes the existing project setting, discusses the environmental impacts of the proposed project, describes cumulative impacts, and identifies mitigation measures for the environmental impacts examined in this EIR.

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The following major environmental topics are addressed in this section:

- **3.1 Aesthetics and Visual Sensitivity:** The change of the project site from grazing land to low-density and high-density residential and agricultural industrial uses is evaluated within this subsection of the EIR. According to the *Toro Area Plan*, portions of the project site are located within an area of visual sensitivity and within areas defined as “critical viewshed.” Project visibility, scale, additional light and glare, and community character are evaluated relative to the existing character of the project area. Project visibility from State Route 68, San Benancio Road, River Road, the Bureau of Land Management (BLM) area (former Fort Ord), and Toro County Park is evaluated.
- **3.2 Air Quality:** This subsection addresses the requirements of the Monterey Bay Unified Air Pollution Control District (MBUAPCD) and analyzes local and regional air quality impacts associated with project implementation, including short-term construction impacts such as from grading operations and long-term operational emissions from increased vehicle traffic to and from the project site, as well as exposure of sensitive receptors to odorous and toxic air contaminants, including emissions of airborne diesel-exhaust particulate matter.
- **3.3 Biological Resources:** Potential impacts to biological resources at the project site are analyzed in this subsection. The biological resources subsection evaluates the potential degradation or elimination of important species and the impacts on listed, proposed, and candidate threatened and endangered species and/or their habitat.
- **3.4 Cultural Resources:** This subsection analyzes the presence or absence of potentially significant cultural resources and examines the results of a general sensitivity review based upon database searches, known resources in the area, and field surveys. Three previous archaeological and historical investigations have been prepared for the project site: *The Cultural Resources of Toro Vista* (Archaeological Consulting 1980); *Archaeological Evaluation of the Proposed Toro Vista Development* (Archaeological Consulting 1975); and *Archaeological Impact Evaluation* (Westec Services, Inc. 1975).
- **3.5 Geology and Soils:** This subsection examines potential geologic and seismic hazards, any engineering constraints, and the general soil suitability for the land uses proposed by the project applicant. These uses include residential, road improvements, open space, and agricultural industrial (winery visitor center). Impacts associated with the project setting, design, landscaping, drainage, grading, and construction practices will be analyzed with regard to geologic conditions influenced by ground/surface water hydrology, soil composition, slope, landslide potential, and seismic forces that could result in liquefaction, dynamic compaction, seismic-induced settlement, and near-source effects.

- **3.6 Groundwater Resources and Hydrogeology:** This subsection of the EIR will analyze the hydrogeologic setting at the project site, the regional water supply, existing and proposed water usage and water balance, known water-supply problems, cumulative impacts, anticipated water demand associated with the proposed project, and consistency with the Monterey County Water Conservation Ordinance.
- **3.7 Surface Water Hydrology and Water Quality:** The analysis for these topics identifies existing drainage patterns, proposed stormwater collection systems, flooding potential, surface water quality, and runoff generated by the conversion of the site from undeveloped grazing land to residential use.
- **3.8 Hazards and Hazardous Materials:** This section analyzes the potential existence of hazardous materials at the project site and possible significant hazards involving the use, transport, or storage of hazardous materials. This analysis will also evaluate potential exposure to airport hazards and wildfires.
- **3.9 Land Use, Population, and Housing:** This subsection evaluates the land use, population, and housing impacts associated with development of a new residential subdivision. This section will evaluate the impact of the project on the existing use and surrounding uses, the potential to induce growth, and the impact on housing in the area.
- **3.10 Public Services and Utilities:** This subsection addresses the availability of existing public facilities, calculates demand generated by the project for additional facilities such as schools, parks, and police and fire services, and examines the impacts and adequacy of proposed utility systems. It also provides a general assessment of additional system requirements and physical improvements needed to serve the buildout demands of the project.
- **3.11 Noise:** Potential noise impacts associated with the proposed project are discussed within this subsection. Long-term operational impacts are identified, including noise from traffic generation along roadways where residential or other noise-sensitive receptors are located, as are stationary noise sources from operation of the proposed project. Short-term construction noise impacts resulting from the proposed project are also identified.
- **3.12 Transportation and Circulation:** This subsection examines potential impacts on the area roadway network, including roadway segments and intersections along State Route 68. Existing roadway conditions, existing conditions plus the project conditions, and cumulative conditions are evaluated in this subsection.

- **3.13 Greenhouse Gas and Climate Change:** Pursuant to CEQA requirements and Assembly Bill (AB) 32, this section analyzes the project's contribution to greenhouse gas (GHG) emissions and global climate change, including CO emissions generated from stationary and mobile sources, and carbon sequestration.

SECTION 4.0 – ALTERNATIVES TO THE PROJECT

CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project, which could feasibly attain the basic objectives of the project and avoid and/or lessen the environmental effects of the project. The determinations of the County of Monterey concerning the feasibility, acceptance, or rejection of each and all alternatives considered in this EIR will be addressed and resolved in the County's findings, as required by CEQA. The alternatives considered in this EIR consist of the following:

- **Alternative 1 – No Project/No Development:** CEQA Guidelines Section 15126.6(e)(3) requires that a No Project/No Development Alternative be evaluated as part of an EIR, proceeding along one of two lines: the project site remaining in its existing undeveloped state or development of the project site under existing underlying land use designations. The No Project/No Development Alternative considers the comparative environmental effects of not approving the proposed project, with the site remaining in its current use (grazing).
- **Alternative 2 – “Flatland” Subdivision Design:** Representing a significant departure from the proposed project, Alternative 2 relocates all development in the western parcel to the flatland areas and meadows of the project site. Development would occur in six general areas that are bounded by State Route 68 on the northwest and the slope toes to the southeast. Relocating development to the flatland would allow development of approximately 33 to 162 residential units on approximately 162 acres. This alternative would reduce housing opportunities on the project site by approximately 51 to 179 residential units compared to the proposed project.
- **Alternative 3 – “Reduced Impact” Subdivision Design:** This alternative is an applicant-generated site plan concept that provides specific modifications to the 2005 Vesting Tentative Map (VTM). The intent of this alternative is to avoid certain archaeological, biological, geological, and aesthetic impacts. This alternative includes two versions of an alternate site plan (“ASP” Versions A and B) that reconfigures lots and area of potential development, reduces the size of Parcel D, and adjusts the density and lot pattern across the project site. This modified subdivision would result in the potential development of 212 residential units with a total of 170 market-rate lots and 42 inclusionary (affordable housing) units, consisting of 17 moderate-income units (paired single-

family homes and small-lot detached homes with three or four bedrooms), as well as 25 attached rental units.

- **Alternative 4 – Compact Footprint Subdivision Design:** The intent of this alternative is to reduce the total development footprint of the project by transferring development density to more compact “development nodes” and minimizing impacts to cultural and riparian resources. This alternative would provide the same number of units but in a more compact development footprint than the proposed project and provide an alternative primary access point in the form of an overpass.

SECTION 5.0 – CUMULATIVE IMPACT SUMMARY

This section evaluates the cumulative impacts generated by a list of past, present, and reasonably foreseeable future projects in proximity to the project site, as identified by the County of Monterey and in various technical analyses.

SECTION 6.0 – OTHER SECTIONS REQUIRED BY CEQA

This section contains required discussions and analyses of various topical issues mandated by CEQA Guidelines Section 15126.2, including significant and unavoidable environmental effects, irreversible environmental changes, and effects found not to be significant (Section 15128).

SECTION 7.0 – PREPARERS AND REFERENCES

The purpose of this section is to provide a list of all authors and agencies that assisted in the preparation of the report by name, title, and company or agency affiliation. It also itemizes supporting and reference data used in the preparation of the Draft EIR and lists all governmental agencies, organizations, and other individuals consulted during Draft EIR preparation.

APPENDICES

This section includes all notices and other procedural documents pertinent to the EIR, as well as all technical reports prepared in support of the analysis.

1.6 IMPACT TERMINOLOGY

This Draft EIR uses the following terminology to describe environmental effects of the proposed project:

- **Standards of Significance:** A set of criteria used by the lead agency to determine at what level, or “threshold,” an impact would be considered significant. Significance criteria used in this EIR include the CEQA Guidelines and Statutes; factual or scientific information; regulatory performance standards of local, state, and federal

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agencies; and the Goals, Objectives, and Policies of the *Monterey County General Plan*, including the *Toro Area Plan*. Based on the project application being deemed complete on April 24, 2005, the proposed project is subject to the 1982 *Monterey County General Plan*, which was the adopted policy document at that time. However, as of October 2010, Monterey County adopted the 2010 *Monterey County General Plan*, under which the proposed project will be implemented.

- **Less than Significant Impact:** A less than significant impact would cause no substantial change in the environment, and no mitigation is required.
- **Significant or Potentially Significant Impact:** A significant or potentially significant impact may cause a substantial adverse change in the physical conditions of the environment. Significant impacts are identified by the evaluation of project effects using specified standards of significance. Mitigation measures and/or project alternatives are identified to reduce project effects to the environment.
- **Significant or Potentially Significant Unavoidable Impact:** A significant (or potentially significant) and unavoidable impact would result in a substantial adverse change in the environment for which no feasible mitigation is available to reduce the impact to a less than significant level, although mitigation may be available to lessen the degree of the impact.
- **Cumulative Impact:** Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.