

4 CEQA CONSIDERATIONS

This section of the Draft EIR discusses long-term growth implications of the proposed project as required by CEQA. The topics discussed include significant irreversible commitment of resources, growth-inducing impacts, significant and unavoidable environmental effects, and effects found not to be significant. Cumulative impacts to the proposed project are also discussed herein.

4.1 SIGNIFICANT AND UNAVOIDABLE ENVIRONMENTAL EFFECTS

For the purpose of this section, unavoidable adverse impacts are those effects of the proposed project that would significantly affect either natural systems or other community resources, and cannot be mitigated to a less than significant level. The proposed project, if implemented, would result in the following significant and unavoidable project impacts:

- **Climate Change:** The proposed project would generate a substantial volume of GHG emissions that, when combined with other sources of GHG emissions, exacerbate global warming. The proposed project's impact is cumulatively considerable. No mitigation measures are available to reduce the impact to a less than significant level. Therefore, the impact is significant and unavoidable.
- **Historic Resources:** The nine Victorian-era cottages that were demolished in 2003 were considered historic resources for the purposes of CEQA and were determined eligible for the California Register of Historical Resources.
Mitigation measures 3.5-1a through 3.5-1f incorporated herein, would reduce the impact, but not to a less than significant level. However, as these historic resources cannot be recreated elsewhere, this would be considered a significant and unavoidable impact.

4.2 SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Section 15126.2(c) of the State CEQA Guidelines requires an EIR to discuss the significant irreversible environmental changes that would be involved in the proposed project should it be implemented. Examples include the following: uses of nonrenewable resources during the initial and continued phases of the project, since a large commitment of such resources makes removal or nonuse thereafter unlikely; primary and secondary impacts of a project that would generally commit future generations to similar uses (e.g., highway improvements that provide access to a previously inaccessible area); and/or irreversible damage that could result from any potential environmental accidents associated with the project.

4.2.1 Analysis

The proposed project would result in an increased intensity of development at the project site over existing conditions as well as the former use. A variety of nonrenewable and limited resources would be irretrievably committed for construction and operation, including but not limited to oil, natural gas, gasoline, lumber, sand and gravel, asphalt,

steel, water, land, energy, and construction materials. In addition, the proposed project would result in an increase in demand on public services and utilities over existing conditions.

An increase in the intensity of land uses on the project site would result in an increase in regional electric energy consumption to satisfy additional electricity demands of the proposed project. These energy resource demands relate to initial proposed project construction, as well as operational transport of goods and people, and lighting, heating, and cooling of buildings and resort facilities.

Redevelopment of the planning area to support intensified urban uses including a hotel, spa and fitness center and timeshare units, is regarded as a permanent and irreversible change. Grading, utility extensions, new and improved roadways, and construction of additional structures at the project site would change the character of the project site to one that is significantly more urbanized than current site conditions. The proposed project would generally commit future generations to similar intensified urban uses within the project site.

4.3 GROWTH-INDUCING IMPACTS

CEQA requires that any growth-inducing aspect of a project be discussed in an EIR. According to CEQA, it must not be assumed that growth in any area is necessarily beneficial, detrimental or of little significance to the environment. A project would have growth-inducing effects if it would:

- Foster economic or population growth, or the construction of additional housing (either directly or indirectly) in the surrounding environment;
- Remove obstacles to population growth;
- Tax existing community services or facilities, requiring the construction of new facilities that could cause significant environmental effects; or
- Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

As such, this subsection of the EIR analyzes the potential environmental consequences of the foreseeable growth and development of the surrounding area that could be induced by implementation of the proposed project and all entitlement actions.

4.3.1 Methodology

In assessing the growth-inducing impacts of a project, the lead agency is not to assume that growth in an area is necessarily beneficial or of little significance environmentally (Title 14 CCR §15126.2(d)). Typically, growth-inducing impacts result from the provision of urban services and extension of infrastructure (including roadways, sewerage, or water service) into an undeveloped area. Growth-inducing impacts can also result from substantial population increase, if the new population may impose new burdens on existing community service facilities, such as increasing the demand for service and utilities infrastructure and creating the need to expand or extend services, which may induce further growth.

A project can remove infrastructure constraints, provide access, or eliminate other constraints on development, and thereby encourage growth that has already been approved and anticipated through the General Plan process. This planned growth would be reflected in land use plans that have been developed and approved with the underlying assumption that an adequate supporting infrastructure ultimately would be constructed. This can be described as accommodating or facilitating growth.

A project can remove infrastructure constraints, provide new access, or otherwise encourage growth, which is not assumed as planned growth in the general plans or growth projections for the affected local jurisdictions. This could include areas, which are currently designated for open space, agricultural uses, or other similar non-urban land uses. In such a case, the removal of infrastructure constraints or provision of access can trigger consideration of a change in land use designation to allow development at a higher level of intensity than originally anticipated. For this section, the terms “inducing” will be used for both types of growth.

Growth-inducing impacts may also be categorized as either direct or indirect. Direct growth-inducing impacts occur when a project directly fosters growth. This may occur in a variety of ways, including, but not limited to, the construction of new homes and businesses and the extension of urban services, such as utilities and improved roads, to previously undeveloped areas. Growth can also be induced directly due to the economic effect of a project whereby economic growth multiplier effects that can cause related growth in areas near the new project. Indirect growth is induced by the demand for housing, goods, and services associated with a project. There are many other factors that can affect the amount, location, and rate of growth in the region. These include the following:

- Market demand for housing, employment, and commercial services;
- Desirability of climate and living/working environment as reflected by market demand;
- Strength of the local employment and commercial economy;
- Availability of other roadway improvements (e.g. new and/or expanded arterial or highway capacity);
- Availability of other services/infrastructure (e.g. wastewater treatment, water, schools, etc.); and
- Land use and growth management policies of the counties and municipal jurisdictions.

To assess potential growth inducing impacts of the proposed project, the geographic range or extent of any possible growth inducing impacts was evaluated.

There would be little or no growth-inducement resulting from the proposed project. This statement is based on the following:

- The proposed project includes approximately 77 residential, timeshare housing units; however, they would function more as vacation homes rather than full-time residences.
- The proposed project would be “self contained,” in that it would not extend infrastructure or eliminate barriers to growth beyond the boundaries of the project site.
- The proposed project does not include expansion of infrastructure, including water, wastewater and roadways, beyond that needed to serve the project development.
- Due to the existing topography at the project site, a substantial portion of the project site would remain unchanged and scenic easements would be required for all property exceeding 30 percent slope outside of the approved development of the proposed project in accordance with Policy 26.1.10 of the *Monterey County General Plan*.
- The proposed project is not intended specifically to generate new growth, but rather to allow job growth to occur within Monterey County. Providing the hotel/resort spa and associated accessory uses could provide neighboring city residents with job opportunities.

4.4 EFFECTS FOUND NOT TO BE SIGNIFICANT

A significant effect on the environment is generally defined as a substantial or potentially substantial adverse change in the physical environment (CEQA Guidelines Section 15328). The term “environment,” as used in this definition, means the physical conditions that exist within the area that will be affected by a proposed project including land, air, water, minerals, flora, fauna, ambient noise and objects of historic or aesthetic significance. The area involved shall be the area in which significant effects would occur either directly or indirectly as a result of the proposed project. The “environment” includes both natural and man-made conditions (CEQA Guidelines Section 15360).

Detailed analyses and discussion of environmental topics found to be significant are provided within Section 3.0 of this EIR. Listed below are those environmental issues (broad topics) found to have no impact as a result of the proposed project. This determination is based on the standards of significance contained within the CEQA Guidelines and the Notice of Preparation process for the proposed project.

Energy

Energy demands for the proposed project would be serviced by PG&E. Extension of utility services within the project site would be in accordance with County policies. The demand on energy resources is not anticipated to impact the current utilities level of service.

PG&E has builder incentive programs to encourage energy efficient construction. There is limited funding for these programs and incentives are awarded on a first come, first

serve basis. However, energy efficient construction reduces the demand on energy sources and promotes a healthier environment. Some simple design features that can be incorporated in the specifications may include tight construction and sealed ducts, energy saving windows, improved insulation and super-efficient heating and air conditioning systems.

Mineral Resources

According to the *Monterey County General Plan*, there are no mineral resources in the within or in the project vicinity. Therefore, the proposed project would have no impact on mineral resources.

Agricultural Resources

The project site is not currently in agricultural production and is not designated as important farmland. Therefore, the proposed project would have no impact on agricultural resources.

Population and Housing

The proposed project would include construction of a resort hotel and residential time-share units. This would increase transient population at the site but would not result in a substantial increase in permanent residential population at the project site. The proposal would not induce substantial population growth (see discussion under section 4.3 Growth Inducing Impacts above).

4.5 CUMULATIVE IMPACTS

4.5.1 CEQA Requirements

CEQA defines cumulative impacts as two or more individual effects which, when considered together, are substantial or which compound or increase other environmental impacts. An evaluation of cumulative impacts is required by CEQA when they are significant, but need not be as detailed as the discussion of project impacts. Cumulative conditions are defined as conditions in the foreseeable future with all approved, pending, and known planned development in place. The *CEQA Guidelines* require that an EIR discuss the cumulative impacts of a project where the project's incremental effect is cumulatively considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

The criteria for determining significance of cumulative impacts are the same as those that apply to the project-level analysis unless otherwise noted in the section, where other agency standards regarding cumulative analyses may apply. Where the combined cumulative impact associated with the projects' incremental effect and the effects of other projects is not significant, the EIR indicates why the cumulative impact is not significant and is not discussed in further detail in the EIR. Where the EIR identifies a significant cumulative impact, but finds that the project's contribution to that impact would be less than considerable, an explanation for that conclusion is provided.

According to the California State CEQA Guidelines section 15130 (a)(1), there is no need to evaluate cumulative impacts to which the project does not contribute. Relevant potential cumulative impacts to which the proposed project could contribute include: aesthetics and visual resources, air quality, biological resources, climate change, cultural and historic resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services and utilities, and transportation and traffic. Each of these topics is addressed below.

4.5.2 Cumulative Impacts Assumptions and Analysis

An evaluation of the impacts generated from the implementation of the proposed project when considered in conjunction with development forecasts based on the buildout of *Monterey County General Plan*, is included in below. Thresholds of significance for impacts are those indicated in the relevant portions of Section 3.1 through 3.12 of this EIR. In addition, as outlined in Title 14 CCR § 15139(b) (3), the geographic scope of the proposed project varies depending on the type of impact discussed. For example, the cumulative impact area for long-term operational air quality emissions is the North Central Coast Air Basin and for aesthetics, cumulative impacts is the area within and adjacent to the project site.

Aesthetics

The most visually significant portions of the site are the steep slopes surrounding Paraiso Valley and Indian Valley. Approximately 66.7 percent of the project site is located on slopes greater than 30 percent. Some of the proposed development would be visible from the Paraiso Valley floor and potentially from the upper section of Paraiso Springs Road approaching the site. Protecting surrounding landforms and the dominant natural features will help to mitigate the impact of this development upon the visual character of the area. Mitigation measure 3.1-1 requires scenic easements for all property exceeding 30 percent slope outside of the approved development of the proposed project in accordance with Policy 26.1.10 of the *Monterey County General Plan*

The impact from that portion of the site which is potentially visible from off site will be minimized by implementation of a strategically designed landscape plan placing native oak trees around the buildings and development to integrate the development into the natural oak woodland environment (Mitigation Measure 3.1-2). With these mitigation measures and the standard condition associated with light and glare below the visual character of the site and surrounding area would be maintained and the impact associated with the proposed project and the surrounding area would be less than significant.

There are no other projects that are proposed in the vicinity of the project site that, when combined with the visual impacts of the project, would result in cumulative visual impacts.

Air Quality

Regional Emissions

The geographical area for overall cumulative air emission impacts is the North Central Coast Air Basin, which includes Monterey County, San Benito County, and Santa Cruz County, which is the extent of the jurisdiction of the MBUAPCD. The MBUAPCD updated the regional *Air Quality Management Plan* (AQMP) in 2008. The AQMP includes current air quality data, revises the emission inventory and emission forecasts, provides an analysis of emission reductions needed to meet and maintain State ozone standards, and includes adoption of five stationary source controls to achieve emission reductions. In developing the emission forecasts, the AQMP accounts for population growth for cities and counties located within the basin based on the population projections of the Association of Monterey Bay Area Governments (AMBAG).

These forecasts are then accommodated within the AQMP. According to the *MBUAPCD CEQA Guidelines*, projects that are consistent with the AQMP would not result in cumulative impacts as related to regional emissions that have been factored into the AQMP. In a letter dated April 8, 2010, AMBAG determined that the proposed project would be consistent with the growth forecasts in the County of Monterey. Therefore, the proposed project is consistent with the regional forecasts and the AQMP and would not result in cumulative regional air quality impact. Since 2010, it has become evident that actual population growth, hindered by the economic downturn, is less than what had been forecast by AMBAG at the time the AQMP was adopted; therefore, the proposed project remains within the regional forecasts upon which the AQMP is based.

Localized Emissions

The geographic area for cumulative localized pollutant impacts would be those intersections anticipated that could be affected by significant volumes of traffic from the proposed project; i.e. those intersections studied in the traffic study prepared by Hatch Mott McDonald (2008, 2011). The *MBUAPCD CEQA Guidelines* indicate that projects that reduce intersection level of service to LOS E or LOS F may result in localized increases in CO concentrations at those intersections. The traffic study evaluated vehicular trips from all existing, existing plus project, and cumulative conditions. According to the traffic impact report, implementation of the proposed project would not result in unacceptable levels of service at study intersections under cumulative conditions and therefore would result in a less than significant impact with respect to cumulative CO emissions at all study intersections in accordance with the *MBUAPCD CEQA Guidelines*. In addition, the proposed project would not result in toxic air contaminant (TAC) emissions at buildout.

Conclusion

Cumulative impacts related to regional and local air emissions (CO) are considered less than significant. In accordance with the *MBUAPCD CEQA Guidelines*, project contributions to regional cumulative air emissions are not considered significant when a

project is consistent with the AQMP. Cumulative CO concentrations with project buildout would not exceed state CO concentration standards, therefore the proposed project would result in a less than significant cumulative impact on air quality.

Climate Change

The climate change analysis in Section 3.4 is a cumulative impacts analysis. This impact is cumulatively considerable and therefore, significant and unavoidable. See Section 3.4 for the discussion and analysis.

Biological Resources

The proposed project in conjunction with other reasonably foreseeable growth areas within south Monterey County would result in a permanent loss of habitat and would contribute to biological resource impacts including disturbance to special status plant and animal species. Development of the project site is anticipated to contribute to these impacts. However, implementation of mitigation measures incorporated herein would reduce the project's potential contribution to this cumulative impact to a less than significant level by requiring avoidance, biological assessments, pre-construction surveys, biological monitoring, tree replacement, habitat replacement/restoration, habitat creation, or purchase of wetland/riparian habitat credits from an approved mitigation bank.

Implementation of these mitigation measures would ensure that the proposed project would not have a significant contribution to the potential loss of special status plant and animal species, or sensitive habitat in the region. Therefore, the proposed project would result in a less than significant cumulative impact to special status species, critical habitat, and wildlife movement.

Cultural Resources

Ground disturbing activities associated with the proposed project may result in the disturbance or destruction of buried historic, archeological, paleontological, or burial site resources. Mitigation incorporated herein would require that the project applicant mark cultural resource sites located within the boundary of the project site as exclusion zones on construction drawings and on the ground and conduct periodic cultural resource monitoring during ground disturbing activities. This would mitigate the impacts to archaeological resources at the project site. Development within the County is required to comply with Section 18.25: Preservation of Historic Resources would ensure that cumulative development does not result in a cumulative impact to historic resources within the County. Damage or destruction of cultural resources in conjunction with other projects in the area is not expected to result in cumulative considerable impact due to the isolated nature of the project site, the limited nature of additional projects vicinity of the project site, and the mitigation requirements imposed on those projects. As such, the proposed project would not have a cumulatively considerable impact on cultural resources.

Geology and Soils

The proposed project would not combine with any other factors or project and thus would not be considered significant due to the localized site-specific nature of geotechnical and seismic impacts. Therefore, the proposed project would not have impacts that are cumulatively considerable.

Hazards and Hazardous Materials

Hazardous impacts would be site specific and would not be affected or amplified by cumulative development in the area. As described in Section 3.7 of this EIR (Hazards and Hazardous Materials), with implementation of the proposed mitigation measures, the project would not contribute to an increase in the potential for soil or groundwater contamination or the potential risk of upset as a result of current or past land uses.

The proposed project would not combine with any planned growth in the area to form a hazards impact greater or more significant than the proposed project impact alone. Therefore, the proposed project would not have impacts that are cumulatively considerable.

Hydrology and Water Quality

The proposed project would contribute to cumulative drainage flows and surface water quality impacts when combined with other growth and development under buildout of the General Plan. However, mitigation measures incorporated herein would require that prior to recording the Final Subdivision Map, the project applicant prepare a final drainage plan that includes low impact design features and best management practices in order to detain the difference between the 100-year post-development runoff rate and the 10-year pre-development runoff rate in accordance with Section 16.16.040.B.5 of the Monterey County Code and MCWRA standards. With implementation of mitigation measures, the proposed project's contribution to cumulative stormwater runoff and contamination impacts would be considered less than significant.

Land Use and Planning

The proposed project would be generally consistent with policies in the *County of Monterey General Plan* and the *Central Salinas Valley Area Plan* with implementation of the mitigation measures identified within this EIR. In addition, the proposed project would not divide an established community or conflict with any other applicable land use plan or policy. Therefore, the proposed project as mitigated would not result in a cumulative considerable impact associated with land use and planning issues.

Noise

The proposed project along with reasonably foreseeable cumulative projects would result in increased traffic volumes along study roadway segments within the Central Salinas Valley Area Plan. This would expose residents living along the road segments to additional transportation noise. However, resulting noise levels would be within County noise standards for single-family residential uses and are considered to be less than significant.

Several policies in the Monterey County General Plan would ensure that foreseeable future development under the General Plan evaluate noise attenuation measures as part of the project design in order to attenuate noise levels under cumulative conditions. Therefore, the proposed project would not have impacts that are cumulatively considerable.

Public Services and Utilities

No significant increases in demand on public services and utilities have been identified for the proposed project. Implementation of proposed mitigation measures would ensure that storm water drainage facilities, potable water distribution and treatment facilities, and wastewater collection and treatment facilities are adequate to accommodate the increased demand associated with the proposed project.

Since the proposed project will not generate a significant increase in demand for public services and utilities it will have minimal affect on the cumulative impact to public services and utilities. The increased demand for public services associated with the proposed project and other future development would be accommodated by increased property tax revenue and development impact fees assessed for new construction in the planning area of the General Plan. As a result, impacts associated with providing public service facilities and utilities for cumulative development would be considered to be less than significant.

Transportation and Traffic

General Plan forecast volumes were obtained from the AMBAG Transcad Model Year 2030 forecasts to establish a growth factor of 69 percent. Arroyo Seco Road is expected to carry a total of 71,000 trips on an average day between Fort Romie Road and the U.S. Highway 101 Ramps. This number was used to estimate the approximate General Plan volumes on Fort Romie, Foothill, Arroyo Seco Road, Paraiso Springs Road, and Clark Road. There are no specific plans for development along Paraiso Springs Road and estimates of future traffic growth are not likely to be experienced. The existing plus project volumes along Paraiso Springs Road are expected to remain unchanged through the General Plan buildout. All study intersections and roadway segments will operate at LOS A with the exception of Arroyo Seco Road between Fort Romie Road and U.S. Highway 101, which will operate at LOS B. No mitigation measures would be necessary to alleviate a level of service deficiency under cumulative conditions (Hatch Mott McDonald 2008, page 9).

However, the project applicant would be required contribute their fair share towards the regional traffic impact fee as required by Chapter 21.90: Regional Development Impact Fee to help fund regional improvements in the County and reduce the project's cumulative impact to regional intersections and roadway segments (e.g. U.S. Highway 101). Payment of the regional traffic impact fees would reduce the cumulative impacts on the regional roadway system to a less than significant impact.