

**MONTEREY PENINSULA  
WATER MANAGEMENT DISTRICT**

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POST OFFICE BOX 85  
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**Date:** August 5, 2009

**To:** Interested Parties

**Contact:** Henrietta Stern, Project Manager, phone 831/658-5621, fax 831-644-9560  
**Email:** [henri@mpwmd.dst.ca.us](mailto:henri@mpwmd.dst.ca.us)

**Subject:** INITIAL STUDY AND NOTICE OF INTENT TO ADOPT A MITIGATED  
NEGATIVE DECLARATION FOR APPLICATION TO AMEND RANCHO DEL  
ROBLEDO WATER DISTRIBUTION SYSTEM ; Application #20090709RAN; APN  
197-151-003 through -011, 197-151-016 and -017; Esquiline Road area, Carmel  
Valley, Monterey County

Attached is the Monterey Peninsula Water Management District (MPWMD or District) Notice of Intent to Adopt a Mitigated Negative Declaration, along with the Initial Study, for the proposed approval of the amendment of the pre-existing Rancho del Robledo Water Distribution System (RDRWDS). The RDRWDS presently primarily serves the irrigation needs of nine existing parcels from a separate well lot located in the Carmel Valley Alluvial Aquifer with no water production limit. If the application is approved, it will allow annexation of one new parcel into the RDRWDS and potable water service to two potential homes. The estimated new water use of 1.0 acre-foot per year (AFY) has been offset by extensive system infrastructure repairs, resulting in significantly reduced conveyance losses due to leaks. Also, permit conditions imposed on the amended WDS will include a production limit of 14.57 AFY, which is less than the 14.74 AFY metered average of the past five years. This MPWMD review is focused only for the proposed amendment and operation of the WDS. The County of Monterey is responsible for California Environmental Quality Act (CEQA) review for any construction project that may be contemplated on any property affected by this WDS amendment.

**The 30-day review period commences on August 7, 2009 and ends on September 8, 2009.** The contact person is Henrietta Stern, Project Manager (see contact information at top of this notice). Please refer to the attached documents for more detailed information.

The proposed Negative Declaration and approval of the WDS application is scheduled for consideration before the MPWMD Board of Directors at a **public hearing on September 21, 2009 at 7:00 PM at the MPWMD conference room, 5 Harris Court, Building G, Monterey (Ryan Ranch)**. For more information on CEQA review, please visit the MPWMD website at:  
<http://www.mpwmd.dst.ca.us/ceqa/ceqa.htm>

**Enclosures:** Notice of Intent to Adopt a Mitigated Negative Declaration  
Initial Study discussion and checklist



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### **NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR APPROVAL OF APPLICATION #20090709RAN TO AMEND THE RANCHO DEL ROBLEDO WATER DISTRIBUTION SYSTEM Public Hearing is September 21, 2009 at 7:00 PM, MPWMD Conference Room**

- 1. PROJECT TITLE:** Approve Application #20090709RAN to Amend Rancho del Robledo Water Distribution System
- 2. DESCRIPTION AND LOCATION OF PROJECT:** The project entails approval of an amendment of a pre-existing multiple-parcel Water Distribution System (WDS) that serves primarily irrigation needs of the Rancho del Robledo Subdivision near Esquiline Road in Carmel Valley, Monterey County. A well on APN 197-151-017, a small well lot adjacent to the Carmel River, has served nine other parcels since 1972, and there is no water production limit. Some of the homes in the Subdivision also are also served by California American Water (CAW), which is not affected by this application. The requested amendment is to: (a) allow potable water service for a potential new residence at APN 197-151-004, and (b) annex parcel APN 197-151-016 into the service area with potable water service for a potential new residence, resulting in 10 parcels to be served. The estimated water use associated with the two new homes would be 1.0 acre-foot per year (AFY), or 0.5 AFY each. This potential future amount has been recently offset by extensive repairs to the current WDS infrastructure, resulting in significantly reduced conveyance losses due to leaks. Permit conditions imposed on the amended WDS will include a production limit of 14.57 AFY, which is less than the 14.74 AFY metered average of the past five years. In addition, the combined future CAW and non-CAW water use in the Subdivision is expected to be less than in the past. This MPWMD review is focused only on the proposed operation of the WDS. The County of Monterey is responsible for California Environmental Quality Act (CEQA) review and permitting for any future construction project on the affected properties.
- 3. REVIEW PERIOD:** The 30-day review period is August 7 through September 8, 2009.
- 4. PUBLIC MEETINGS:** This application will be considered by the MPWMD Board of Directors on September 21, 2009 at 7:00 PM at the MPWMD conference room, 5 Harris Court, Building G, Monterey (Ryan Ranch).
- 5. LOCATION OF DOCUMENTS:** Any documents referred to in the Initial Study may be reviewed at the MPWMD offices at 5 Harris Court, Building G, Monterey, California.

- 6. PROPOSED FINDING SUPPORTING MITIGATED NEGATIVE DECLARATION:**  
Based on the Initial Study and the analysis, documents and record supporting the Initial Study, the Monterey Peninsula Water Management District finds that approval of Application #20090709RAN to amend the Rancho del Robledo Water Distribution System does not have a significant effect on the environment, due conditions of approval imposed by MPWMD that have been agreed to by the project proponent.

### **PROPOSED MITIGATED NEGATIVE DECLARATION**

Based on the finding that approval of Application #20090709RAN to amend the Rancho del Robledo Water Distribution System has no significant effect on the environment, the Monterey Peninsula Water Management District makes this Mitigated Negative Declaration under the California Environmental Quality Act.



## MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

### INITIAL STUDY

#### A. PROJECT SUMMARY

**Project Title:** Amend Rancho del Robledo Water Distribution System

**Lead Agency:** Monterey Peninsula Water Management District  
5 Harris Court, Bldg. G (street address)  
P.O. Box 85  
Monterey, CA 93942-0085

**Contact Person:** Henrietta Stern, Project Manager; 831/658-5621

**Assessor's Parcel No.** Refer to list below

**Project Sponsor:** George S. Lockwood

**Project Location:** near 285 Esquiline Road, Carmel Valley,  
Monterey County

**County Zoning Designation:** LDR/B-6-D-S

**Acreage/Lot Size:** 27.09 ac. total per County APN map

- 197-151-003 = 7.35 ac.
- 197-151-004 = 1.02 ac.<sup>1</sup>
- 197-151-005 = 1.25 ac.
- 197-151-006 = 1.23 ac.
- 197-151-007 = 1.13 ac.
- 197-151-008 = 1.07 ac.
- 197-151-009 = 1.00 ac.
- 197-151-010 = 1.39 ac.
- 197-151-011 = 8.87 ac.
- 197-151-016 = 2.00 ac.<sup>2</sup>
- 197-151-017 = 0.78 ac. (well lot)

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<sup>1</sup> Proposed new home on this lot.

<sup>2</sup> Proposed new home on this lot and parcel to be annexed to existing WDS.

## **B. INITIAL STUDY AND PROPOSED MITIGATED NEGATIVE DECLARATION**

Pursuant to California Environmental Quality (CEQA) Guidelines Section 15063, the Monterey Peninsula Water Management District (MPWMD or District), acting as the lead agency, prepares this Initial Study to determine if MPWMD approval of the proposed amendment to Rancho del Robledo Water Distribution System (RDRWDS) may result in significant adverse environmental effects, as defined in CEQA Guidelines Section 15064. Of particular concern is the effect of water diversions on the public trust resources of the Carmel River and the associated Carmel Valley Alluvial Aquifer (CVAA). The river is also habitat for two federally protected species.

This Initial Study focuses solely on the hydrologic and related effects of the proposed WDS expansion pursuant to MPWMD Rules 20-22. The applicant is proposing to amend the existing RDRWDS approved by the MPWMD on January 22, 2001 in order to provide potable water service to two existing legal lots of record (APN 197-151-004 and -016) for two potential new homes. Parcel APN 197-151-004 already receives water for irrigation only; parcel 197-151-016 will need to be annexed into the system service area. If approved, the amended RDRWDS will use slightly less water than is currently used because: (a) recent extensive system repairs to substantially reduce leaks will offset the potential increase in water use from the two new homes, and (b) the MPWMD permit will impose an enforceable production limit of 14.57 acre-feet per year (AFY) that is less than current average use of 14.74 AFY. Discussion of the project description and water use is provided below in Section C.

This Initial Study does not address land use decisions by the County of Monterey, which is responsible for the environmental review of any future residential construction project the property owner may propose. No specific construction proposal currently exists.

This document is intended to inform public decision-makers and their constituents of the potential environmental impacts of the proposed water system amendment/expansion to service the two new residences. CEQA Guidelines Section 15063(c) states that the purposes of an Initial Study are to:

- Provide the lead agency the information to decide whether to prepare an Environmental Impact Report (EIR) or a Negative Declaration;
- Enable the applicant or lead agency to modify a proposed project by mitigating adverse impacts before an EIR is prepared, thereby allowing the project to qualify for a Negative Declaration;
- Assist in the preparation of an EIR if one is required;
- Facilitate environmental review early in the design of a proposed project;
- Provide documentation of the factual basis for the finding in a Negative Declaration that a proposed project will not have a significant effect on the environment;

- Eliminate unnecessary EIRs; and
- Determine whether a previously prepared EIR could be used with the project.

CEQA Guidelines Section 15382 states that a significant impact on the environment means a substantial or potentially substantial adverse change in any of the physical conditions within the area affected by the proposed project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

Pursuant to California Public Resources Code (PRC) 21080(c), if a lead agency (i.e., MPWMD) determines that a proposed project, not otherwise exempt from this division, would not have a significant effect on the environment, the lead agency shall adopt a Negative Declaration to that effect. The Negative Declaration shall be prepared for the proposed project in either of the following circumstances:

- (1) There is no substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment.
- (2) An Initial Study identifies potentially significant effects on the environment, but (a) revisions in the project plans or proposals made by, or agreed to by, the applicant before the proposed Negative Declaration and Initial Study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (b) there is no substantial evidence, in light of the whole record before the lead agency, that the project, as revised, may have a significant effect on the environment. [Note: For this review, MPWMD terms this document as a "Mitigated Negative Declaration."]

Based on the results of this Initial Study, the MPWMD determines that the proposed project would not have a significant adverse effect on the environment, and so concludes, pursuant to CEQA Guidelines Sections 15070, that a Mitigated Negative Declaration shall be prepared.

## **C. PROJECT DESCRIPTION AND ENVIRONMENTAL SETTING**

### **Project Description**

Figure 1 shows the regional location of the Rancho del Robledo Water Distribution System. The existing RDRWDS, approved by MPWMD in 2001, consists of a well located on Assessor's Parcel Number (APN) 197-151-017 that serves the following parcels:<sup>3</sup>

<sup>3</sup> Though APN 197-151-016 is part of the Rancho del Robledo Subdivision approved in 1972, this vacant parcel is not currently served by the RDRWDS and only has a CAW "standby service" meter. "Standby" means that the lot has an inactive CAW meter that can conceptually be activated in the future if supplies are available. No water has ever been delivered through this connection, and no CAW water is presently allowed to be used through this meter. Thus, the applicant requests an amendment to the RDRWDS so it can serve the potable and landscape irrigation water needs of the parcel.

197-151-003 = 7.35 ac.  
197-151-004 = 1.02 ac.  
197-151-005 = 1.25 ac.  
197-151-006 = 1.23 ac.  
197-151-007 = 1.13 ac.  
197-151-008 = 1.07 ac.  
197-151-009 = 1.00 ac.  
197-151-010 = 1.39 ac.  
197-151-011 = 8.87 ac.  
197-151-017 = 0.78 ac. (well lot)

Hereinafter, the APNs will be referred to by their last three digits only (e.g., parcel -004). Seven parcels (-003 through -009) are permitted under the existing RDRWDS for landscape irrigation purposes only, while parcels -010 and -011 are provided water for irrigation and domestic (residential) water use. Simultaneously, the California American Water Company (CAW) provides water for domestic purposes to five parcels (-005 through -009). Parcel -011 also has a CAW “emergency supply”<sup>4</sup> connection for occasional use. Parcel -017 is the well site only (well lot). Parcel -016, which is not listed above, is part of the original subdivision, but has only CAW “standby service” (i.e., no water is provided unless a MPWMD permit is issued), and is not served by the RDRWDS.

The Monterey County Assessor’s Map for this subdivision (recorded in May 1972) is attached as Figure 2. This map has two number sequences with the circled numbers representing the APN parcel number referenced herein. The other single or double digit numbers shown on the map within each parcel are subdivision lot numbers associated with the 1972 subdivision, and are not referred to in this report. A schematic drawing of the existing WDS is also included in Figure 2. However, the water pipeline to the two residences on parcels -010 and -011 is not shown. These two parcels are connected to a main water line that traverses parcel -011 (these two parcels represent Zones 3 and 4 in Figure 2).

The key parcels for the amended RDRWDS are parcels -004 and -016. Parcel -004 is not developed and currently receives irrigation water for pasture. Parcel -016 is proposed to be annexed to the RDRWDS for potable and irrigation service. The purpose for this amendment is to enable construction of a new single-family residence on each of these two parcels with associated landscaping. Of note is parcel -003, which is currently dry-land pasture with no recent water use from the RDRWDS, though it is part of the system and has been irrigated in the past. This parcel is relevant as calculations of future water use include the possibility of renewed irrigation in the future.

Consistent with MPWMD protocol for wells within the CVAA, the applicant must demonstrate that water consumption associated with the existing RDRWDS must not increase. Also, the combined CAW and non-CAW use must not increase as compared

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<sup>4</sup> “Emergency” means there is a metered connection to the CAW system with a back-flow prevention device that is used only in the event of a pump failure or other cause of well water not being available.

to the metered average of the past 10 years, if data are available. It is projected that the addition of the two new residences on parcels -004 and -016 will result in an increase of 1.0 AFY (0.50 AFY per home) based on the topography and size of home that could likely be built. Therefore, a water savings of at least 1.0 AFY from the current system use was demonstrated by the applicant, as described below. Based on the following discussion, the total future water use will be limited to 14.57 AFY as compared to the most recent five-year metered average of 14.74 AFY. The water consumption history is described in more detail below.

### **Existing RDRWDS**

The Rancho del Robledo water system consists of a well on parcel -017 (adjacent to the river as shown in Figure 2), which currently produces 43 gallons per minute (gpm). A water meter and check valve are located at this well. This well has been in continuous operation since at least 1939. Water from this well is delivered to a 10,000-gallon concrete water tank (built in 1990) located at the southeastern corner of parcel -011 through approximately 1,000 feet of pipe. This section of pipe crosses parcels -011 and -014 through -017 and is referred to by the applicant as "Zone 1" (see Figure 2).

From the tank, water then flows through about 600 feet of pipe to the house located on parcel -011. This is the original pipe installed in 1939 or earlier. Between the tank and the house, there are two valves that are also part of the original 1939 plumbing. The pipe section between the tank and the valve closest to the house (farthest from the tank) is referred to by the applicant as "Zone 2."

The original house parcel -011, which was built in 1939, has been continuously served by the well and is currently served by the valve at the terminus of the Zone 2 section of pipe. The parcel includes the main house, a swimming pool, and a second pool house with kitchen. This is referred to by the applicant as "Zone 3". Parcel -011 also has an "emergency service" connection to the CAW water pipeline along the road on parcel -012, where there is a backflow preventer at this CAW service connection. This service is rarely used and is for "emergency" backup purposes.

A pre-1900's house located on parcel -010 is served from a connection to the pool house on parcel -011. When the house on parcel -011 was built in 1939, the old house on parcel -010 was connected to the main RDRWDS water supply system via the house on parcel -011, and has been served in this manner ever since. The house on parcel -010 is referred to by the applicant as "Zone 4". There is a valve controlling Zone 4 at the pool house on parcel -011.

The existing irrigation water service to parcels -003 through -009 is delivered through a pipe beginning at the valve in parcel -011 to an intersection at roughly the corner of parcels -003, -007 and -008, as shown in Figure 2. From that point, a pipe runs along the westerly lines of parcels -006 through 010 for a total of approximately 750 feet. This is referred to by the applicant as "Zone 5". The corner valve referenced above controls water in Zone 5 (and is also the terminus of Zone 2).



The following tables express the existing and proposed conditions as conveyed by the applicant:

### Existing Conditions

APN	WDS Irrigation	WDS Domestic	CAW Domestic
197-151-003	x		
197-151-004	x		
197-151-005	x		x
197-151-006	x		x
197-151-007	x		x
197-151-008	x		x
197-151-009	x		x
197-151-010	x	x	
197-151-011	x	x	
197-151-016	None	None	None
197-151-017	Well lot	n/a	n/a

### Proposed Conditions

APN	WDS Irrigation	WDS Domestic	CAW Domestic
197-151-003	x		
197-151-004	x	<b>X</b>	
197-151-005	x		x
197-151-006	x		x
197-151-007	x		x
197-151-008	x		x
197-151-009	x		x
197-151-010	x	x	
197-151-011	x	x	
197-151-016	<b>X</b>	<b>X</b>	
197-151-017	Well lot	n/a	n/a

### Water Consumption History

According to District records for this WDS system the total annual amount of water pumped from the well lot on parcel -017 over the past five years is as follows:<sup>5</sup>

- October 1, 2007 through September 30, 2008: 16.19 acre-feet
- October 1, 2006 through September 30, 2007: 15.98 acre-feet
- October 1, 2005 through September 30, 2006: 14.19 acre-feet
- October 1, 2004 through September 30, 2005: 12.46 acre-feet

<sup>5</sup> There is no water reading for parcel -016 as this property is not developed or irrigated, and there is no water hook-up to this lot at this time.

October 1, 2003 through September 30, 2004: 14.89 acre-feet

Therefore the annual average production for the past five years is 14.74 acre-feet. Five years were used because there were either no metered data available before Water Year 2004, or the data were unreliable due to a malfunctioning meter, as explained in a December 2, 2008 letter from Tom Lindberg, MPWMD Associate Hydrologist.

For comparison purposes, the alternative "power consumption method," used by MPWMD to estimate water production when metered data are not available, indicates the following production over the past eight years:

October 1, 2007 through September 30, 2008: 15.21 acre-feet  
October 1, 2006 through September 30, 2007: 15.46 acre-feet  
October 1, 2005 through September 30, 2006: 13.65 acre-feet  
October 1, 2004 through September 30, 2005: 13.57 acre-feet  
October 1, 2003 through September 30, 2004: 15.67 acre-feet  
October 1, 2002 through September 30, 2003: 14.12 acre-feet  
October 1, 2001 through September 30, 2002: 15.43 acre-feet  
October 1, 2000 through September 30, 2001: 15.98 acre-feet

By this indirect method, the eight-year annual average is 14.89 AFY, which is very similar to the five-year average metered water production noted above.

In addition to WDS well water production, records have been acquired from CAW for annual consumption of water for parcels -005 through -009.<sup>6</sup> This is summarized below for the following calendar years:

2008	0.79	acre-feet
2007	0.85	acre-feet
2006	0.92	acre-feet
2005	1.03	acre-feet
2004	1.00	acre-feet
2003	1.19	acre-feet
2002	1.08	acre-feet
2001	1.00	acre-feet

Therefore, the eight-year annual average consumption of water provided by CAW to the subject parcels is 0.98 AFY.

Adding the average RDRWDS well water production of 14.74 AFY to the 0.98 AFY provided by CAW, the total annual existing water usage for the subject parcels averages 15.72 AFY.

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<sup>6</sup> CAW standby service only to parcel -011; no CAW service to parcel -016.

## **Leakage and Infrastructure Repairs in the Rancho del Robledo WDS**

Extensive testing was conducted and reported by the applicant to determine amounts of leakage from the existing RDRWDS. The well pump is controlled by a float switch in the water tank. As the tank fills and the water reaches a preset level, the switch at the tank opens and pumping at the well stops. Before each test was conducted, the tank was filled to the preset water level and the tank water level was allowed to drop through system leakage. The amount of water necessary to refill the water tank was then measured at the well meter. The various zones and combinations were tested in isolation. The leakage rate for the RDRWDS was measured to be 2.69 gpm (equivalent to 4.4 AFY). Extensive repairs to the WDS were conducted in April and May 2009 as documented by the applicant through a series of photographs and a written summary. These include replacement of deteriorated pipes, joints, valves, hose-bibs and indoor plumbing fixtures. Repairs of leaks in the WDS water distribution system have so far saved an estimated 2.42 AFY (29.9% savings) based on the applicant's calculations. This is corroborated by the June 2009 dedicated PG&E power bill for the well showing a 32.7% reduction from 51.7 Kwh/day in June 2008 to 34.8 Kwh/day in June 2009.

## **Reduced Water Consumption by CAW Customers**

From the years 2005 through 2008, parcels -005 through -009 showed steady reductions in CAW domestic water consumption each year. Water use in 2008 was 0.24 AFY lower than use in 2005, representing an approximate 23% reduction. The 2008 use also represents a 0.40 AFY (34%) decrease from the peak use in 2003. The 2008 use is 0.19 (19%) less than the eight-year average use of 0.98 AFY. These savings are likely due to the installation of water-saving appliances and fixtures, coupled with other water conservation efforts by families in this subdivision in recent years.

## **Total Estimated Water Savings**

Based on the data above, a total of 2.61 AFY (2.42 + 0.19) of water savings have been realized in the combined RDRWDS and CAW systems in recent years. Note that the applicant estimates that 1.98 AFY (4.40 - 2.42) still leaks from the system after recent upgrades. This translates to a leakage rate of approximately 13.6% (1.98 / 14.57) for the RDRWDS with its requested production limit of 14.57 AFY. MPWMD permit conditions will require continued identification and repair of leaks, as feasible.

## **Summary of Estimated Future Water Use for RDRWDS**

The summary below reviews the RDRWDS application. The current system average production of 14.74 AFY is expected to be reduced by anticipated long-term savings due to recent repairs. These savings should more than offset the modest increase due to the two proposed new homes. It is noted that the table accounts for the possibility that some irrigation on parcel -003 could be re-activated if needed for pasture for horses or other stock. Most importantly, the future RDRWDS will be held to an enforceable production limit of 14.57 AFY as compared to the current situation, where there is no limit. CAW use on affected parcels is independent of MPWMD's action on the RDRWDS, and is expected to continue the trend toward water savings. It is notable

that all CAW water customers have more incentive to save water due to the increasing cost due to recent and near-term California Public Utilities Commission (CPUC) rate increases, as well as increased restrictions on CAW's Carmel River diversions through a proposed Cease and Desist Order promulgated by the State Water Resources Control Board (SWRCB) on July 27, 2009. Thus, the future combined CAW and non-CAW water use in the future should be less than in the past, as follows:

Past five-year historic water use:	14.74 AFY
Savings from recent system repairs:	- 2.42
Add water for homes on parcels -004 and -016:	+ 1.00
Add pasture irrigation on parcel -003:	+ 1.25
Requested future production limit:	<b>14.57 AFY</b>

### **Existing Conditions and Surrounding Land Uses**

The WDS is located on the south side of Carmel River in an area of rural low-density residential development, though a luxury visitor-serving facility (Stonepine Inn) is adjacent to the project to the south. The Carmel River and its associated riparian habitat are immediately north of the Rancho del Robledo Subdivision properties served by the RDRWDS. The Carmel River supports various fish resources, including the federally threatened steelhead fish and the California red-legged frog. The project area is in the river reach known as Carmel Valley Alluvial Aquifer Subunit #1 (AQ1), which benefits from limited upstream diversions and year-round flow in all types of water years. Depending on the water year, the AQ1 dry season flow is a combination of natural inflow from the upper Carmel River watershed, tributaries upstream from the project site, and releases from Los Padres Dam.

The existing well is on the "well lot" (APN 197-151-017), and has been in continuous use since approximately 1939. The current pump and motor were installed in 2004 with a current pumping capacity of 43 gpm. Prior to year 2004, the well reportedly had a pumping capacity of 75 gpm. The alluvial well location is within the jurisdiction of the SWRCB, but riparian right holders do not need a SWRCB appropriative permit. The applicant has demonstrated his riparian water rights to the satisfaction of MPWMD for the purposes of the WDS permit as verified by an April 2009 review by MPWMD General Counsel. However, the SWRCB is the final authority regarding water rights.

### **Other Public Agencies Whose Approval Is Required:**

MPWMD Rule 22 mandates WDS permit conditions include approval by the Monterey County Health Department, as applicable to multiple-connection systems for the MPWMD permit to remain valid. No other agency approval is needed for the RDRWDS amendment, but the Monterey County Planning Department would be the lead for any approval of a future residence or related residential structure in the affected parcels.

**D. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

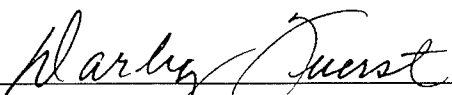
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                    | <input type="checkbox"/> Agriculture                        | <input type="checkbox"/> Air Quality            |
| <input type="checkbox"/> Biological Resources          | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology/Soils          |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality            | <input type="checkbox"/> Land Use/Planning      |
| <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population/Housing     |
| <input type="checkbox"/> Public Services               | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems     | <input type="checkbox"/> Mandatory Findings of Significance |   |

**E. DETERMINATION:**

On the basis of this initial evaluation:

- The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- \* The proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- The proposed project could have significant effect on the environment, because all potentially significant effect (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standard, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
\_\_\_\_\_  
Darby Fuerst, MPWMD General Manager

8/5/2009  
\_\_\_\_\_  
Date

## F. EVALUATION OF ENVIRONMENTAL IMPACTS:

### Notes:

1. All answers take account of the whole action involved, including off-site, as well as on-site, cumulative, as well as project-level, indirect, as well as direct, and construction, as well as operational impacts.
2. Once it has been determined that a particular physical impact may occur, then the checklist answers indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
3. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The mitigation measures are described, and briefly explain how they reduce the effect to a less than significant level.
4. Earlier analyses are used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration/Finding of Significant Impact. Section 15063(c)(3)(D). In this case, a brief discussion would identify the following:
  - a) Earlier Analysis Used. Identifies and states where they are available for review.
  - b) Impact Adequately Addressed. Identifies which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and states whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," mitigation measures are described which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
5. Checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances) are incorporated. Reference to a previously prepared or outside document, where appropriate, includes a reference to the page or pages where the statement is substantiated. These "references" are found in Section 19 at the end of this environmental document.
6. The explanation of each issue identifies:
  - a) the significance criteria or threshold, if any, used to evaluate each question; and the mitigation measure identified, if any, to reduce the impact to less than significant;
  - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

**1. AESTHETICS:** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?                                  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion:** The nature of this project precludes any impacts.

**2. AGRICULTURE RESOURCES:** Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resource Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion:** The properties within the Rancho del Robledo Water Distribution System (RDRWDS) are in unincorporated Monterey County areas zoned LDR/B-6-D-S. The residential uses in the project area are consistent with County zoning. (*Source 7; see Section 19 for listing*)

**3. AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursor)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Generate greenhouse gas emissions, either directly   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

or indirectly, that may have a significant impact on the environment, based on any applicable threshold of significance?

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gasses? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** The nature of this project precludes any impacts.

**4. BIOLOGICAL RESOURCES:** Would the project:

- |   |                          |                          |                                     |                                     |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulation, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?   | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Discussion:**

"Less than significant" effects are anticipated for Parts (a) and (b), which address "substantial adverse effects" on any listed species, or riparian habitat or other identified sensitive natural community, respectively. **Part (a)** addresses special status species. Both the Carmel River steelhead fish and California red-legged frog, and/or their habitat, occur in or near the Carmel River in the vicinity of the proposed well, and are designated as "threatened" under the federal Endangered Species Act. The cumulative effects of water diversions have greatly impacted the steelhead and frog populations in the Carmel River watershed, especially in the Carmel River reaches designated as Carmel Valley Alluvial Aquifer (CVAA) Subunits 2, 3 and 4, located in the more densely populated lower 14 miles of the river. (*Sources 1-5*)

Notably, the project well is located immediately adjacent to the river in Aquifer Subunit 1 (AQ1, defined as San Clemente Dam to Esquiline Bridge), which benefits from limited development and year-round Carmel River flow in all types of water years. In water year 2008, seven wells diverted an estimated 144 AFY in AQ1. It is noted that most or all of the dry season flow in AQ1, depending on the water year, results from releases made by California American Water (CAW) from Los Padres Dam and passed through San Clemente Dam. Conservation Agreements



between CAW and the National Marine Fisheries Service (NMFS), direction in orders promulgated by the State Water Resources Control Board (SWRCB), quarterly agreements between CAW, MPWMD, NMFS and California Department of Fish and Game (CDFG), and MPWMD's ongoing conservation program help preserve year-round Carmel River flow as far downstream as possible, including the river reach in the project vicinity. Well pumping in downstream river reaches is maximized before moving to upstream wells, and wells in AQ1 are rarely used. (Sources 1-7)

As explained above in Section C (Project Description) of the Initial Study, the well that serves the RDRWDS has been in continuous operation since 1939, and since 2004 has had a lower pumping capacity than in the past. The applicant has demonstrated his riparian water rights to the satisfaction of MPWMD. The proposed WDS amendment would result in reduced water production due to MPWMD permit conditions that impose an enforceable annual water production limit that is less than historical use, which is considered an improvement over the current situation, where there is no production limit. In addition, the combined CAW and RDRWDS water production would be less in the future than in the past. (Sources 7 and 8)

Evidence submitted by the applicant supports the conclusion that future RDRWDS water use will remain within the lower production limit as a result of extensive leak repairs in Spring 2009, and by ongoing water conservation efforts by the subdivision residents. The RDRWDS application provides evidence to support the estimated previous losses due to leaks, and the water savings due to replacement of deteriorated pipes, joints, and water fixtures, and by replacement of water-using appliances and fixtures in the existing residences. Prior to replacement of deteriorated RDRWDS system components, the leak rate was calculated to be 4.4 acre-feet per year (AFY), or 29.9% of the metered average production of 14.74 AFY ( $4.4/14.74 = 0.2985$ ). After replacement of deteriorated pipes, joints, and water fixtures, an estimated savings of 2.42 AFY was realized, resulting in a net water production of 12.32 AFY. (Source 7)

The total anticipated future water production will be limited to a maximum of 14.57 AFY as compared to the average of 14.74 AFY for the past five years, or a reduction of 0.17 AFY. The 14.57 AFY value results from a potential increase of 2.25 AFY added to the 12.32 AFY net production described in the previous paragraph. The 2.25 AFY reflects two proposed new homes (0.5 AFY each or 1.0 AFY) and potential re-activation of irrigation on one seven-acre equestrian lot that is currently dry (1.25 AFY). The future leakage rate is estimated to be 13.6% ( $4.4 - 2.42 = 1.98$ ;  $1.98/14.57 = 0.1358$ ), or roughly one-half of the leakage rate before the repairs. Overall, the amended RDRWDS will result in a less-than-significant impact to special status species because there will be enforceable reduced water production as compared to current conditions. It is also noted that CAW demand within the subdivision is expected to continue to decrease due to the higher cost of water approved by the California Public Utilities Commission (CPUC) in recent years and greater restrictions on CAW's diversions from the river imposed by the SWRCB. (Sources 5, 7, 9 and 10).

In the context of SWRCB Order 95-10, the 0.17 AFY permanent reduction in RDRWDS water production would not result in a measurable benefit to the Carmel River, but would cumulatively help in a small way. The applicant has no control over the actions of other users who divert Carmel River water. However, in the cumulative context, it is reasonable to assume that CAW diversions from the Carmel River will be significantly reduced over time, based on: (a) the July 27, 2009 Draft Cease and Desist Order (CDO) scheduled for an additional public hearing before the SWRCB on September 2, 2009; (b) near-term approved projects such as the City of Sand City's 300 Desalination Project, or MPWMD's Phase 1 Aquifer Storage and Recovery Project (ASR); and (c) larger long-term water supply projects proposed by CAW, MPWMD and other entities for the Monterey Peninsula and northern Monterey County. (Source 10)

**Part (b)** addresses riparian habitat, a natural riverine community adjacent to the project area that

serves as habitat for a variety of bird and wildlife species, as well as cover and a source of food for aquatic species. As explained in the previous paragraphs for Part (a), the proposed RDRWDS amendment would result in an enforceable small decrease in water extractions from AQ1, and would help reduce cumulative effects on riparian habitat in a minor way. It is noted that riparian habitat in AQ1 is considered to be healthy due to the year-round flow. Thus, the proposed well's effect would be considered to be less-than-significant to riparian resources. (Sources 1-10)

"No impact" was identified for the remaining topics as follows:

Category Topic	Rationale for No Impact
(c)	No federally protected wetlands are in the vicinity of the amended WDS. (Source 6)
(d)	Movement by migratory fish, which occurs primarily between January and March, depending on river conditions, would not be impacted by the amended water system. In all winters, adequate streamflow naturally occurs in the river reach adjacent to the project area. (Sources 1-6)
(e)	No Habitat Conservation Plan exists for the project area; the District is not aware of other management plans for which an amendment to the subject water system would be in conflict. (Sources 4 and 6)

**5. CULTURAL RESOURCES:** Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5?    | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?              | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries.                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion:** The nature of this project precludes any impacts.

**6. GEOLOGY AND SOILS:** Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. |                          |                          |                          |                                     |
| 2) Strong seismic ground shaking?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** The nature of this project precludes any impacts.

**7. HAZARDS AND HAZARDOUS MATERIALS:** Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:** The nature of this project precludes any impacts.

**8. HYDROLOGY AND WATER QUALITY:** Would the project:

a) Violate any water quality standards or waste discharge requirements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with ground water recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise, substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

A "less than significant" effect is anticipated for **Part (b)**, which addresses "substantial" depletion or interference with groundwater recharge, affecting aquifer volume, water table level to a degree that other existing or planned land uses could not be supported. The existing RDRWDS well is located immediately adjacent to the river and within the CVAA, which is characterized by a rapid recharge rate. The well has been in existence since 1939, and has pumped at a higher capacity prior to 2004, with no adverse effect to the groundwater or nearby wells. There are no other active wells within 300 feet, the distance used by MPWMD for impact assessments in an alluvial setting. As noted in the Biological Resources discussion above (Subject 4), the hydrologic regime, including impacts to groundwater supplies and recharge, is most affected by natural inflow and CAW system storage, releases and diversions as well as diversions by other non-CAW upstream users. MPWMD Rules 22-B, C and D include mandatory findings, minimum standards for approval, and mandatory conditions of approval, respectively, including an enforceable production limit that is less than historical water use. (Sources 1-7, and 9)

"No impact" was identified for the remaining topics as follows:

Category Topic	Rationale for No Impact
(a)	The well has been in existence since 1939 and so predates any requirement for a Well Construction Permit from the Monterey County Health Department. Regardless, the RDRWDS application, if approved, would result in a multiple-connection potable system, and thus must meet all water quality and waste discharge standards set by the Health Department or other agencies as part of the County of Monterey approval process for the two new homes. (Sources 7 and 8)
(c)	The slight reduction in water production resulting from approval of the RDRWDS application would not cause or result in stream alteration leading to erosion and siltation. (Sources 1-7 and 9)
(d)	The slight reduction in water production resulting from approval of the RDRWDS application would not cause or result in stream alteration leading to flooding. (Sources 1-7 and 9)
(e)	The slight reduction in water production resulting from approval of the RDRWDS application would not create or contribute runoff water that exceeds storm drain capacity. (Sources 1-7 and 9)
(f)	The slight reduction in water production resulting from approval of the RDRWDS application would not result in degraded water quality. (Sources 7 and 9)
(g)	It is unknown whether the potential new residences on parcels 197-151-004 and -016 are out of the 100-year flood zone as no specific proposal exists; the County of Monterey will address this issue in its CEQA review associated with a use permit or building permit for the residences, when they are proposed. This MPWMD action solely enables water service for two future homes that may or may not be built. (Sources 7 and 9)
(h)	It is unknown whether the potential new residences on parcels 197-151-004

	and -016 are out of the 100-year flood zone as no specific proposal exists; the County of Monterey will address this issue in its CEQA review associated with a use permit or building permit for the residences, when they are proposed. This MPWMD action solely enables water service for two future homes that may or may not be built. (Sources 7 and 9)
(i)	The RDRWDS application does not include dams or levees. The property is located downstream of San Clemente Dam owned by CAW and regulated by the State Department of Water Resources, Division of Safety of Dams. This MPWMD action solely enables water service for two future homes that may or may not be built. (Sources 7 and 9)
(j)	Inundation by seiche, tsunami or mudflow is beyond the scope of review for the proposed RDRWDS. (Sources 7 and 9)

**9. LAND USE AND PLANNING:** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion:** The nature of this project precludes any impacts.

**10. MINERAL RESOURCES:** Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                 | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion:** The nature of this project precludes any impacts.

**11. NOISE:** Would the project result in:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion:** The nature of this project precludes any impacts.

**12. POPULATION AND HOUSING:** Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion:** The nature of this project precludes any impacts.

**13. PUBLIC SERVICES:**

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: |                          |                          |                          |                                     |
| 1) Fire protection?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2) Police protection?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
4) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
5) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

**Discussion:** The nature of this project precludes any impacts.

**14. RECREATION:**

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b) Does the project include recreational facilities or require the construction of expansion of recreational facilities, which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

**Discussion:** The nature of this project precludes any impacts.

**15. TRANSPORTATION/TRAFFIC:** Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b) Exceed, either individually or cumulatively, a level or service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓



**Discussion:** The nature of this project precludes any impacts.

**16. UTILITIES AND SERVICE SYSTEMS:** Would the project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                             | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                                      | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

**Discussion:** The only new construction associated with the amended RDRWDS will be a spur line off the main distribution pipeline for a new home on parcels 197-151-004 and -016. This does not rise to a level of significance as the distance is 50 to 200 feet, and the pipe dimension is three-quarter inch. The subdivision approval by Monterey County entailed adequate septic systems to serve a residence on each parcel. Water production will be slightly reduced as a result of approval of the RDRWDS application. (*Sources 7 and 9*)

**17. MANDATORY FINDINGS OF SIGNIFICANCE**

- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

examples of the major periods of California history or prehistory?

- |  |                          |                          |                                     |                                     |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Discussion:**

A "less than significant" effect is anticipated for **Parts (a) and (b)**, which address overall environmental degradation and cumulative impacts, respectively, with focus on the Carmel River and associated riparian habitat. This determination is based on the evaluations for the previous categories, particularly Biological Resources (Section 4), Hydrology/Water Quality (Section 8), and Utilities/Service Systems (Section 16) in light of the detailed information provided in Part C (Project Description) of this Initial Study. (*Sources 1-10*)

"No impact" was identified for **Part (c)**, which addresses "substantial adverse effects" on human beings. The proposed well should provide adequate water supply to the 10 lots and is not expected to adversely affect existing well owners or the community water resources system, based on an MPWMD staff analysis. (*Sources 1-10*)

**18. CONCLUSION**

From a CEQA perspective, there are no significant adverse environmental impacts associated with approval of the application to amend the RDRWDS. Based on this Initial Study, the MPWMD believes that approval of the amended WDS would have no actual or potential significant adverse environmental impacts. Furthermore, the MPWMD determines that there is an absence of substantial evidence from which a fair argument can be made that amending the existing WDS would result in measurable and meaningful actual or potential significant adverse environmental consequences.

## 19. REFERENCES

- Source 1: MPWMD hydrologic data on Carmel River streamflow, aquifer storage and water levels.
- Source 2: MPWMD well production database and annual reports.
- Source 3: Quarterly Water Supply Strategy and Budget adopted by MPWMD as a public hearing item typically in December, March, June and September of each year.
- Source 4: Cal-Am Conservation Agreements with NOAA/NMFS (as provided by CAW).
- Source 5: SWRCB Order WR 95-10, July 1995, as amended by subsequent Orders.
- Source 6: MPWMD Mitigation Program Annual Reports, years 1991 through 2008.
- Source 7: Application #20090709RAN to amend Rancho del Robledo WDS (Lockwood), accepted July 7, 2009 with subsequent submittals, including project description and documentation of water use, system repairs, and water rights.
- Source 8: MPWMD letter to George Lockwood, dated April 22, 2009, acknowledging adequate water rights documentation, based on De Lay & Laredo (District Counsel) letter to Henrietta Stern of MPWMD, April 14, 2009.
- Source 9: MPWMD Rules & Regulations (ref: Rules 20, 21 and 22).
- Source 10: Draft Cease and Desist Order (version 2), issued by SWRCB on July 27, 2009.

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 Prepared by H. Stern on 8/4/09, revised 8/5/09 per DF edits



Potentially Significant Impact      Less Than Significant With Mitigation Incorporated      Less Than Significant Impact      No Impact

Figure 2, PROJECT LOCATION AND PARCELS

