

**FINDINGS OF ENVIRONMENTAL REVIEW
SLEEPY HOLLOW STEELHEAD REARING FACILITY
RAW WATER INTAKE AND WATER SUPPLY SYSTEM UPGRADE**

- 1) **FINDING:** The Monterey Peninsula Water Management District (District) Board certified the Environmental Impact Report (EIR) for the Water Allocation Program on November 5, 1990.

EVIDENCE: The EIR is on file in the District office.

- 2) **FINDING:** On November 5, 1990 the District Board adopted findings which included the mitigation measures described in planning document titled, Five-Year Mitigation Program for Option V -- 16,700 acre-feet (af) Cal-Am Production.

EVIDENCE: The Mitigation Plan is on file in the District office.

- 3) **FINDING:** As part of the Mitigation Program the District adopted a program to rescue and rear juvenile steelhead during summer months when streamflow cannot be maintained below the Narrows. This program is described as Fisheries Mitigation #3 in the Five-Year Mitigation Plan.

EVIDENCE: The Mitigation Plan is on file in the District office.

- 4) **FINDING:** The District built and operates the Sleepy Hollow Steelhead Rearing Facility (Facility) downstream of the site of the former San Clemente Dam for the purpose of rearing juvenile steelhead.

EVIDENCE: The Facility exists at 45 San Clemente Drive, Carmel Valley and is currently operational.

- 5) **FINDING:** Changes in water supply, sediment and debris flows negatively affect the Facility operations.

EVIDENCE: The District was unable to divert flow to operate the facility in 2014 and 2015 due to extreme low flows resulting from drought conditions; removal of San Clemente Dam in 2015 allows sediment and debris to flow through the Carmel River at the Facility location that damages intake pumps and associated equipment and degrades water quality in the rearing channel. The foregoing evidence is on file at the District Office, 5 Harris Court, Bldg. G, Monterey, CA.

- 6) **FINDING:** The District followed the Negative Declaration Process outlined in Article 6 of the California Environmental Quality Act (CEQA) Guidelines. The District Board judges that an EIR for the project is unnecessary.

EVIDENCE: a) The District published a Public Notice of the Initial Study and Intent to Adopt a Mitigated Negative Declaration on September 30, 2016 in the Monterey Herald;

b) Following receipt of the Initial Study and a Notice of Completion for the Initial Study, the State Clearinghouse in the Governors' Office of Planning and Research and the State Clearinghouse posted SCH Number 2016091071 and set a review and comment period from September 29, 2016 through October 28, 2016. The notice can be downloaded at:

<http://www.ceqanet.ca.gov/ProjDocList.asp?ProjectPK=649195>

c) The District received comment letters on the proposed Mitigated Negative Declaration from the National Marine Fisheries Service and the California Regional Water Quality Control Board--Central Coast Region.

d) The District prepared written Responses to Comments for incorporation into a Final Initial Study/Mitigated Negative Declaration;

e) The Draft Findings, Draft Initial Study/Mitigated Negative Declaration, Responses to Comments, and Mitigation Monitoring and Reporting Program were reviewed by the District Board of Directors in a Public Hearing on November 14, 2016.

The foregoing evidence is on the District web site at:

<http://www.mpwmd.net/environmental-stewardship/carmel-river-steelhead-resources/steelhead-rescue/sleepy-hollow-facility/>

and is on file at the District Office, 5 Harris Court, Bldg. G, Monterey, CA.

7) **FINDING:** Based on results of surveys carried out on site and reviews of previous surveys other information available for the site, an initial environmental study, and consideration of comments received to date, the District finds that the proposed project could result in several environmental impacts.

EVIDENCE: The District has prepared an Initial Study/Mitigated Negative Declaration (IS/MND) that includes identification of potential impacts. This information is available on the District web site and at the District Office 5 Harris Court, Bldg. G, Monterey, CA.

8) **FINDING:** The District reviewed options to minimize construction impacts through a design process that included on site visits, review of facility operations, and by soliciting comments on proposed design alternatives.

EVIDENCE: 1) May 5, 2014 Memo from David White to Joyce Ambrosius, National Marine Fisheries Service, Sleepy Hollow SRF Water Intake Recommendations;

2) Sleepy Hollow Steelhead Rearing Facility Raw Water Intake and Water Supply System Upgrade Basis of Design Report, TetraTech, October 2015;

3) Sleepy Hollow Steelhead Rearing Facility River Intake Structure Solutions, TetraTech, March 8, 2016.

This information is available on the District web site and at the District Office 5 Harris Court, Bldg. G, Monterey, CA.

9) **FINDING:** The District finds that although the proposed project may affect the environment, specific measures will be included to mitigate the effects to a less than significant level.

EVIDENCE: Potential impacts from the project are described in the IS/MND and mitigation measures are specified in Appendix D.

10) **FINDING:** The Mitigated Negative Declaration has been prepared in compliance with the provisions of the CEQA and State CEQA Guidelines.

EVIDENCE: The preparation, circulation, and public review of the initial study outlining the environmental impacts and proposed mitigation measures included in the Mitigated Negative Declaration.

11) **FINDING:** The Mitigated Negative Declaration reflects the independent judgement of the District Board and each participating Director has reviewed and considered the information contained in the Draft Initial Study/Mitigated Negative Declaration and subsequent related documents prior to making the decision on the Sleepy Hollow Steelhead Rearing Facility Upgrade project.

EVIDENCE: As evidenced by the November 14, 2016 Board meeting Packet, each member of the Board received a copy of the Draft Initial Study/Mitigated Negative Declaration, a copy of the District response letters to comments received, and a copy of the revised Mitigation Monitoring and Reporting Program.

12) **FINDING:** The District finds that the Mitigated Negative Declaration is substantively adequate. The District finds that there is no substantial evidence that the proposed Sleepy Hollow Steelhead Rearing Facility Upgrade will cause a significant effect for the reason that the project shall be constructed together with the specified mitigation measures, and these measures shall avoid any significant environmental effect.

EVIDENCE: The above stated facts.