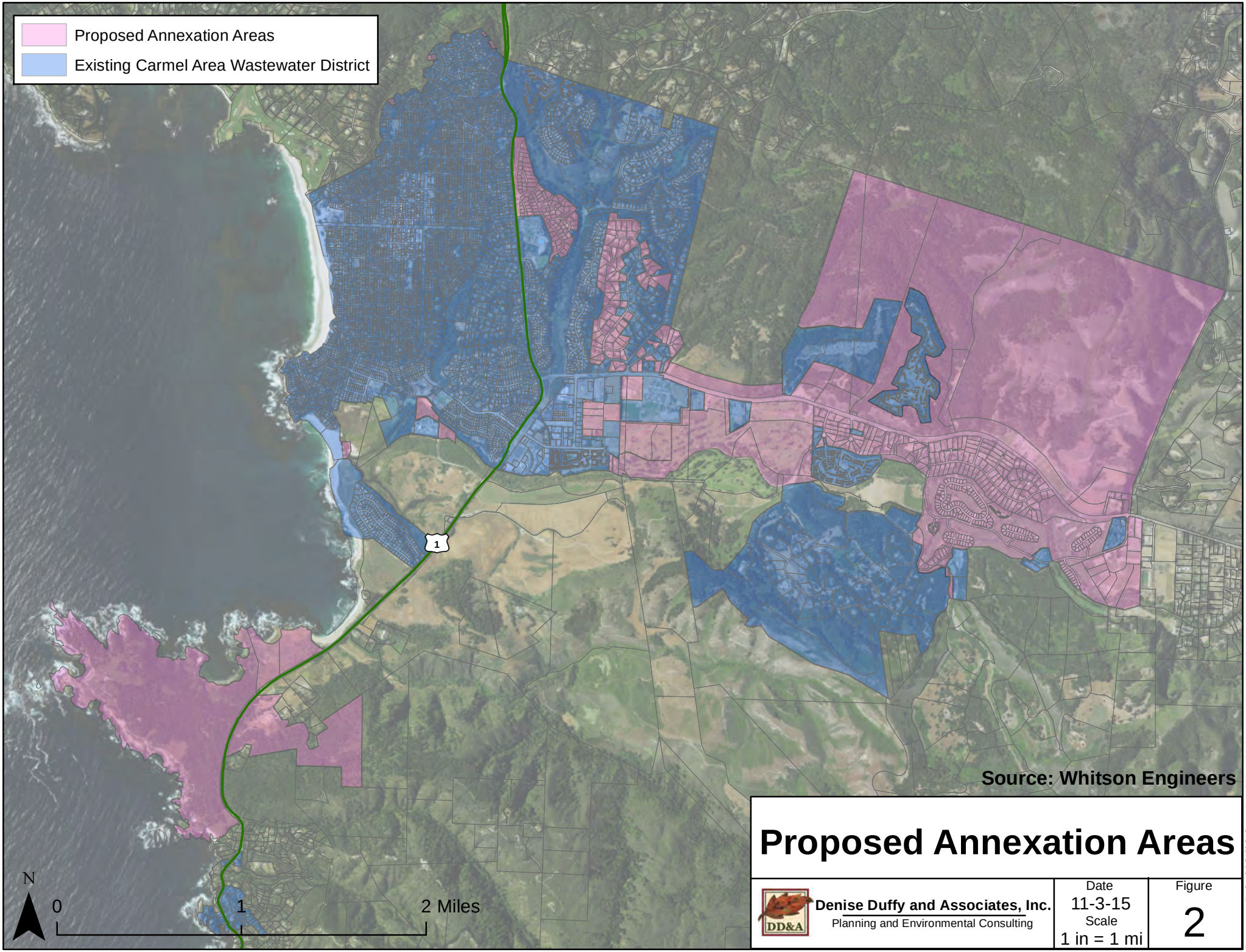

Proposed Annexation Areas

Denise Duffy and Associates, Inc.
Planning and Environmental Consulting

Date
11-3-15

Scale
1 in = 1 mi

Figure
2

Document Path: C:\GIS\GIS_Projects\2015-22 CAWD SOI and SA\Fig 2 Annexation Areas Map 1.mxd

APPLICATION to

MONTEREY COUNTY
LAFCO

Carmel Area Wastewater District
2016 Sphere of Influence & Annexation Proposal

Prepared By Denise Duffy & Associates
For Carmel Area Wastewater District

April 2016

Approved on December 10, 2015 by the Board of Directors of the Carmel Area Wastewater District for Application to LAFCO

Carmel Area Wastewater District

P.O. Box 221428 Carmel California 93922 ❖ (831) 624-1248 ❖ FAX (831) 624-0811

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Ken White

April 26, 2016

Ms. Kate McKenna
Executive Officer
Local Agency Formation Commission of Monterey County
132 W. Gabilan St., Suite 102
Salinas, CA 93901

Subject: Submission of Annexation Application for Carmel Area Wastewater District Sphere of Influence Amendment and Service Area Annexation

Dear Ms. McKenna:

On December 10, 2015 the Carmel Area Wastewater District's (CAWD) Board of Directors approved Resolution No. 2015-55 authorizing the submittal of the application to the Monterey County Local Agency Formation Commission (LAFCO) to annex certain properties described in the attached application documents into the LAFCO Service Area and amend the CAWD Sphere Of Influence (SOI) for the purpose of providing wastewater collection, treatment and disposal services. There are no plans to expand the existing uses.

The District's proposal includes the following components:

- Annexation of most of the area within its existing Sphere of Influence,
- Expansion of its Sphere of Influence to the east, to include those areas primarily accessible by gravity flow service lines,
- Partial annexation of the proposed Sphere expansion area, in locations where the District anticipates near-term sewer service connection requests,
- Inclusion of lands already served under LAFCO-approved "out-of-District" service agreements (State Parks-owned properties at Point Lobos) into District boundaries, and
- Designation of a "Future Study Area" in the Carmel Highlands. Under this designation, the Highlands area would be outside of the District's Sphere of Influence, but may warrant inclusion in the Sphere in future years. Further study would need to be completed prior to inclusion.

The annexation of the proposed area into the District's LAFCO Service Area and amendment of the SOI is proposed to allow for provision of wastewater collection service for the Service Area in an orderly manner. The annexation is proposed to meet the demands of existing service area and approved or planned development, as designated in approved and or adopted plans and local jurisdictions' General Plans, and Area Plans, and to provide wastewater service from the District into areas where there is a current or potential need.

As per your application instructions, please find three (3) copies plus a CD enclosed of each of the following documents:

- CAWD Board of Directors Resolution of Application to LAFCO
- Written Request for LAFCO Application including Completed Application Forms
- Mapping and Annexation and Amendment Areas Legal Description
- CEQA Documentation (Final Initial Study/Negative Declaration adopted by the District)
- Sphere of Influence Policies and Criteria" Attachment
- Request to Monterey County for Zero-Property Tax Transfer Agreement
- List of Assessor's Parcel Numbers

In addition, enclosed is one (1) check in the amount of $4,200 (annexation of area greater than 25 acres) payable to Monterey County LAFCO.

Please advise if you have any question or require anything else to process this application. We appreciate your cooperation in this matter.

Best regards,

Drew Lander
CAWD, Principal Engineer

cc: Barbara Buikema, General Manager, w/o attachments CAWD

LAFCO *of Monterey County*

LOCAL AGENCY FORMATION COMMISSION
P.O. Box 1369 132 W. Gabilan Street, Suite 102
Salinas, CA 93902 Salinas, CA 93901
Telephone (831) 754-5838 Fax (831) 754-5831
www.monterey.lafco.ca.gov

KATE McKENNA, AICP
Executive Officer

APPLICATION FORM / JUSTIFICATION OF PROPOSAL
Carmel Area Wastewater District
2016 Sphere of Influence & Annexation Proposal

Please provide the following information about your request. For those items that do not apply, indicate "not applicable" or "N.A." Please use additional sheets if necessary.

This information will be used by LAFCO to understand the proposal and determine its consistency with State law and local policies, including the Cortese-Knox-Hertzberg Local Government Reorganization Act and LAFCO of Monterey County's "Policies and Procedures Relating to Spheres of Influence and Changes of Organization and Reorganization."

1. GENERAL INFORMATION

a. **Describe the proposed action (Annexation, Detachment, Sphere of Influence Amendment, formation, etc.) affecting a city or special district**:

The Carmel Area Wastewater District (CAWD or the District) wants to annex areas into the LAFCO Service Area (SA) and amend the CAWD Sphere Of Influence (SOI) (hereinafter, "proposed project") to allow for provision of wastewater collection service for the SA in an orderly manner. The annexation and amendment is proposed to meet the demands of the existing SA and approved or planned development, as designated in approved and/or adopted plans and local jurisdictions' General Plans and Area Plans, and to provide wastewater service from the District into areas where there is a current or potential need. The proposed project includes:

1. Annexation of the areas within the District's existing SOI as well as annexation of areas within the proposed SOI area, in locations where the District anticipates near-term sewer service connection requests.

2. Annexation of lands already served under LAFCO-approved "out-of-District" service agreements (such as State Parks-owned properties at Point Lobos) into District boundaries.

The proposed project also includes a "Future Study Area" designation in the Carmel Highlands area. Under this designation, the Highlands area would be outside the District's SOI, but may warrant inclusion in the SOI in future years; however further study would need to be completed prior to inclusion.

The District's existing SOI and proposed boundary changes including proposed new SOI Amendment and SA Annexation Areas are shown on **Figures 1 and 2**.

Minor modifications were made by the CAWD Board during the voting of Resolution No. 2015-55 to adopt the Draft IS/ND. The CAWD board voted to adopt all components of the proposal described in the Draft IS/ND except the Board decided to keep the Odello Property within the District's Sphere. Therefore, the area described as "Existing Sphere of Influence to be Removed" would remain within the District SOI. These lands are described fully within the Draft and Final IS/ND. The Board considered their removal but opined that as this area is designated Open Space, there may be some need in the future to provide some wastewater services for open space or public park use, although it was not deemed to be necessary to include this area within areas proposed for annexation. Also, as there is no development planned per the County Land Use Plan, it was decided that keeping the area within the District would have no impact. Furthermore, keeping this area within the SOI and unchanged from current conditions would not impact or change circumstances when compared to the baseline analysis within this CEQA document. The only change therefore, necessary was to revise the project description of this Adopted Final IS/ND to indicate that this area will be kept within the Sphere of Influence and not be removed as originally proposed within the Draft IS/ND, this change is reflected in **Figures 1 and 4**.

Note: Also refer to the attached adopted Final IS/ND, **Appendix B**: Cortese-Knox-Hertzberg and LAFCO of Monterey County Consistency Analysis for CAWD. **Appendix B** of the adopted Final IS/ND presents the following:

Table B-1 presents Cortese-Knox-Hertzberg Local Government Reorganization Act Consistency.

Tables B-2 and B-3 present LAFCO Policy Analysis for CAWD's Proposed Sphere of Influence Amendment and Annexation.

Monterey County LAFCO has adopted guidelines for annexation review in its Policies and Procedures Relating to Spheres of Influence and Changes of Organization and Reorganization. An analysis of the proposed project's conformance with the LAFCO standards, consistent with the policies of the Cortese-Knox-Hertzberg Act, is provided in the tables in **Appendix B**. These tables discuss the primary applicable policies for LAFCO actions on the proposed project. The policies related to E) Preservation of Open-Space and Agricultural Lands are not fully addressed in **Appendix B** since sites designated as prime farmland were reviewed as described in Section D.IX of the adopted Final IS/ND. The policies related to F) Housing and Jobs were reviewed and determined not to be applicable to this proposed project. The proposed project is for inclusion of sites in a wastewater district to allow development to connect to sanitary; and are not for approval of development projects on those sites.

b. Applicant (chief petitioner/contact person):

Name, Title (if applicable): Drew Lander, Principal Engineer

Agency: Carmel Area Wastewater District

Address: 3945 Rio Road, Carmel-by-the-Sea, CA 93923

Phone Number: (831) 624-1248 ex. 203

Email Address: Lander@cawd.org

Describe the location of the subject territory, including Assessor Parcel Number(s):

Please see the Maps and Legal Description Section of this proposal.

Figure 3 shows the Monterey County LAFCO Map of the existing SOI and CAWD SA. The proposed project described above totals approximately 10.5 square miles, including five square miles of the existing service area, .25 square miles of the existing SOI, .3 square miles of future study area, and 4.35 square miles of proposed new area including the additional Annexation areas (new areas) and the area of the existing SOI to be annexed as shown on **Figures 1 and 2**. The area includes

portions of the City of Carmel-by-the-Sea, and the unincorporated Monterey County communities of Carmel Valley, and Point Lobos.

The proposed project covers many parcel numbers. The subareas within the District's proposal are more specifically described below and parcels can also be seen on **Figures 1 and 2**. Major properties and assessor parcels numbers are identified in **Figure 4** and a list of assessor parcel numbers (APNs) are also included in Public Notice Information Section of this proposal.

Carmel Hills: This area is located in unincorporated Monterey County, between Highway 1 and the Hatton Canyon State Park property:

- Carmel Hills includes medium density-zoned residences within unincorporated Monterey County. Approximately 75 lots in this area are within the SOI but currently outside the District's SA. These lots are served by septic tanks, while the majority of all surrounding parcels are served through the District. The vast majority of these lots are developed with single-family residences, with some less than one acre in size. This area is proposed to be annexed as shown on **Figures 1 and 2**.

Carmel Valley within the historic Rancho Cañada de la Segunda, north of Carmel Valley Road: This area is composed of four large tracts of land:

- Pacific Meadows Area Parcels and Del Mesa Parcels: Pacific Meadows is an affordable housing development which is currently included with the boundaries of the CAWD (Assessor's Parcel Numbers: 051-630-060 and 051-630-050). However, surrounding parcels are not in the District. This includes 235 acres of County owned easements/open space and six large single family parcels on the north side of Carmel Valley Road. Three of the single family parcels are improved and three unimproved; these parcels average seven acres in size. Only limited development is possible in this area. (Assessor's Parcel Numbers: various).

  While the Del Mesa Senior Citizen development is within the District, the northern portion of this property is maintained as open space. This open space land is currently not within the District boundaries, however, District service lines are located on these properties. Development of this area is not anticipated. (Assessor's Parcel Number: 051-630-060).

- September Ranch: On November 9, 2010, the County Board of Supervisors approved a subdivision of this land to allow 95 residential lots. The property is located 2.5 miles east of Highway 1 on the north side of Carmel Valley Road, between Canada Way and Valley Greens Drive. While construction has not yet begun, a condition of the development approval was connection to the District. (Assessor's Parcel Numbers: (Assessor's Parcel Numbers: 015-171-010-000; 015-171-012-000; 015-361-013- 000; 015-361-014-000).

  Portion of Land on North Side of Carmel Valley Road (Property Reserve, Inc.): A strip of land along Carmel Valley Road between the Pacific Meadows Area and the Carmel Hills area also is proposed for inclusion in the annexation area. (Refer to **Figure 1**). This strip of land near Carmel Valley Road is included in order to allow CAWD to place service lines adjacent to the right of way (placement of service lines traversing the edge of a public right of way sometimes require area to avoid obstacles). The entire property contains 571 undeveloped acres and is zoned by the County for low and rural residential use, with densities ranging between 2.5 and 10 acres per unit. This property was restricted through an agricultural preservation contract which expired in 2013. The entire property is not included in this annexation and sphere boundary proposal because there is no future development proposed or planned for the property and the property has no service extension needs in the foreseeable future. The only portion included is proposed for inclusion in the SOI and annexation area is the strip of land along Carmel Valley Road (**Figures 1 and 2**). The District includes this area along the roadway within the proposed project as it will facilitate orderly extension of District

boundaries and for service line provision as noted above. (Assessor's Parcel Number: 015-161-024)

Carmel Valley, within the historic Rancho Cañada de la Segunda, south of Carmel Valley Road:

- Rancho Cañada Golf and Country Club: This area contains developed uses as shown on **Figure 4**. On the western end, the area includes the Rancho Cañada Golf and Country Club. Part of this golf course is now within the District. The Sphere expansion is proposed for the remainder of the course, except for the area south of the Carmel River. The portion of the Rancho Canada property across the river is excluded because it would require a river crossing (which has not been identified) and therefore would not be considered accessible at this time. (Assessor's Parcel Numbers: various).
- Rancho Cañada Plan Area: An 81-acre development proposal for Rancho Cañada Village Specific Plan between the Carmel River and Rancho Canada Golf Course is also included in the Sphere Amendment and Annexation Area. In 2007, a plan was proposed to the County to develop this area of the golf course land with approximately 280 residential units. A Draft Environmental Impact Report (EIR) for the project was released. This development concept has been delayed and reduced density alternatives are being considered. The plan proposes wastewater service by the District and the District has issued a can and will serve letter for the project. Although the plans are currently in revision, this area is anticipated to need service by the District after obtaining County approvals and California Environmental Quality Act (CEQA) compliance. (Assessor's Parcel Numbers: 015-162-017, 015-162-025, 015-162-026, 015-162-040).
- Existing Homes in Carmel Valley Quail Lodge and Other Areas: This area is shown on **Figure 4**. Existing single-family homes cover most of the remaining areas south of Carmel Valley Road within the proposed Sphere expansion. This includes the Descanso Oak Estates, Rancho Cañada #l and Carmel Valley Golf and Country Club (Quail Lodge Homes) Subdivisions. The vast majority of these existing and developed residential lots are under one acre in size with many under .50 acre. The Quail Lodge development also includes lands used for golf and restricted open space. Quail Lodge and the Quail Lodge Golf and Country Club are within the District's SA. The extension of the SOI and annexation of these areas into the District will facilitate orderly extension of District boundaries, reduce the piecemeal annexation requests in this area and be more consistent with current Monterey County Environmental Health Division requirements for minimum lot sizes for use of septic systems on single-family residential properties. (Assessor's Parcel Numbers: various).
- Wolter Properties: This area also includes the Wolter Family Properties consisting of eight contiguous lots on the south side of Valley Greens Drive bordering the Quail Lodge Golf Course. The 48-acre site and individual parcels are all zoned as Low Density Residential and each lot could be developed as residential (single-family) as an allowed use under County zoning. One lot is currently developed with a single-family home. The site has historically been used for agricultural use. In recent years, it was the proposed site for a Canine Center, however the project was denied at the Board of Supervisors in November, 2015. (Assessor's Parcel Numbers: 169-431-001-3, 169-431-006-8 and 169-431-11 and 12.)

Point Lobos Area:

- In 2001, LAFCO approved the extension of wastewater service outside of the District's boundaries to the Point Lobos State Natural Reserve. Subsequently, wastewater lines were also extended into Point Lobos Ranch, an undeveloped site on the eastern side of Highway l which contains several State Parks-owned staff residences. The District proposes to include these properties within its SOI and to annex them as they are already serviced by existing wastewater lines.

c. Size (in acres) of the affected territory:

The proposed project includes amendment of the District's adopted SOI within Monterey County to add territory, including the proposed Annexation Areas, as shown on **Table 1** and **Figures 1 and 2**. The proposed SOI and Annexation would increase the total acreage within the District boundaries and SOI from the existing area of 3,200 acres to approximately 6,240 acres, excluding the Future Study area.

Table 1
Summary of Proposed Sphere of Influence Amendment, Annexation and Future Study Area Properties

Category	**Area (Acres)**
Existing Carmel Area Wastewater District	3,200
Existing Sphere of Influence (SOI)	170
Existing Sphere of Influence to be Annexed	40
Future Study Area	200
Proposed Addition SOI and Total Annexation Area[1]	**3,040**
Total Area (Existing plus Proposal for Annexation)	**6,240**
Source: County of Monterey GIS database, Whitson Engineers	

d. Population:

1) Estimated population in the subject area:

The District estimates its population is 11,000 people within the District boundaries and an additional 4,500 Pebble Beach residents contractually served for wastewater treatment (LAFCO 2015). No specific demographics exist for the District.

Extrapolations from census data for Zip Code 93923 indicate that the area is losing population. The US Postal Service defines Zip Code 93923 as "Carmel and Carmel Highlands." This zip code area, which is larger than the District, included 12,073 people in 2010; in 2000, 13,108 people lived in the zip code. The City of Carmel-by-the-Sea, which is within both Zip Code 93923 and the District, also lost population between 2000 and 2010, as it has for each decade since 1980. The City's 2010 population of 3,722 is fifteen percent less than it was in 1950 (LAFCO 2015).

2) Proximity to other populated areas:

The affected territory encompasses major transportation arterials (Highway 1), is entirely within Carmel-by-the-Sea city limits, and partially encompasses the Pebble Beach and Del Monte Forest. The District is in proximity to the cities of Pacific Grove and Monterey to the north and northeast as well as Carmel Valley to the east.

e. Why has the proposed action been requested?

The annexation of the proposed area into the District's LAFCO SA and amendment of the SOI is proposed to allow for provision of wastewater collection service for the SA in an orderly manner. See **Appendix B, Table B-1**, of the adopted Final IS/ND (page B-2). The annexation is proposed to meet the demands of existing SA and approved or planned development, as designated in approved and or adopted plans and local jurisdictions' General Plans and Area Plans, and to provide wastewater service from the District into areas where there is a current or potential need. Pursuant to 56425(h), the proposed annexation area is partially inhabited, and proposed and planned for limited additional

[1] Note: Annexation Area = Existing SOI + Proposed SOI/Annexation Area (does not include the existing SOI area of Odello which is not proposed for annexation per Board action on December 10, 2015).

development consistent with adopted land uses in the area. LAFCO of Monterey County adopted "Policies and Procedures Relating to Sphere of Influence and Changes of Organization and Reorganization" on April 25, 2011 (per 56375 (g)) and adopted a Municipal Services Review of the Carmel Valley Area (MSR) in 2006. These documents, in addition to CAWD's Capital Improvement Program (CIP) 15-Year Master Plan Report, 2013, CAWD Sewer System Management Plan (SSMP), Updated October 2013, the Administrative Draft MSR for CAWD (2016), and the adopted Final IS/ND for this proposed request establish the nature, location, and extent of the functions and classes of services provided by existing districts.

Over the years, many property owners within, or adjacent to, the District's existing SOI have expressed a need for wastewater service, often because of failing septic systems (LAFCO, 2016). Similarly, the District has annexed a number of subdivisions and properties needing wastewater service on a case by case basis. These annexations have frequently included areas that were not contiguous to the existing District boundaries. As a result, District boundary growth has not always been planned in a consistent manner with LAFCO policy or structured annexations with a known sphere boundary.

The adopted Final IS/ND explains that the District is interested in taking a more orderly, proactive and comprehensive approach to updating its SOI and SA boundaries to meet current and future needs. District goals for service provision have historically considered the potential to fully serve all areas within a short distance from existing service facilities including areas east into Carmel Valley, as proposed under this project application.

In addition, the District objectives including retaining capacity in order to provide services for the existing residential development located at the mouth of the Valley. The annexation areas as proposed will allow the District to reserve capacity for those developed and existing legal lots which are currently either served by septic systems or undeveloped legal lots of record. The District notes that capacity of the treatment plant is finite and this proposed project and annexation will reserve the sewer capacity and right to serve the existing developed lots. In this way, future new development proposed outside of the proposed SOI elsewhere in the valley would be constrained by the remaining availability of the treatment plant.

f. List any conditions proposed as a part of the proposal.

There are no conditions assigned to the SA annexation and SOI amendment under the request. The following existing regulations and requirements will be applied:

- The future development will be subject to all existing ordinances and requirements of the CAWD.
- Applicants will pay appropriate CAWD application, connection, user and other fees as designated by CAWD.

g. Do you request that the proposed area be taxed for existing bonded indebtedness or contractual obligations? Yes _X_ No ____

If yes, please explain:

After annexation the affected territories will not be taxed for any future bonded indebtedness of CAWD unless the property has paid all connection fees applicable at the time of connection, or the property has previously received or is receiving sewer service.

2. DETERMINATION OF BOUNDARIES

a. Do the proposal's boundaries follow existing political boundaries (such as property lines or jurisdictional lines) and/or physical features such as river, lakes, railroad tracks, and freeways? If not, please explain the reasons for nonconformance.

Yes, the proposal's boundaries primarily follow existing property and jurisdictional lines. Every effort was made to ensure that the boundaries are orderly and logical. Where appropriate, logical boundary adjustments were made due to the location of the Carmel River as a natural physical boundary. Please see application Item 2d below, and the Maps and Legal Description Section of this application.

b. **If the proposal's boundaries create an island, corridor, or strip either within the proposed territory or immediately adjacent to it, please explain why this is the case**.

As stated in **Appendix B, Table B-2**, of the adopted Final IS/ND (page B-5), the proposed project does not create islands or corridors; in fact, the proposal to include all of the proposed annexation area in CAWD's SOI is being pursued to comply with this LAFCO policies. The one area where the annexation area does not include property primarily surrounded by CAWD boundaries is within an area designated for agricultural lands and would not be served by public services.

c. **For annexations to a city or district, does the annexation include the adjacent streets and rights-of-way? Please describe how the proposal will conform to road right-of-way guidelines for proposals submitted to LAFCO. (LAFCO Policies and Procedures, Part D.II.7)**

The annexation of these properties is to the wastewater district and for provision of sewer pipelines and maintenance. In almost all cases, the annexation area includes areas within the road right-of-way and needed property to allow sewer line construction in these areas.

d. **Would the proposal divide any existing tax assessment parcels? If so, please explain why this is proposed.**

Please see the Maps and Legal Description Section of this application. The proposal will divide APNs 015-162-039, 015-162-045, 157-181-040, and 157-181-008 due to the location of the Carmel River, which is considered an appropriate geographic boundary. In addition, APN 243-011-001, which is the location of the Carmel River State Beach, will be divided; this section of the Carmel River State Beach was not included in the proposal because it was a logical boundary adjustment as there is no contemplation for service extensions to the beach.

e. **Would the proposal divide any existing identifiable community, commercial district, or any other area having social or economic homogeneity? If so, please explain why this is proposed.**

Not applicable, the action of changing the District's LAFCO boundaries and SA extensions will not divide an established community, commercial district, or any other area having social or economic homogeneity.

f. **Does the proposal include all territory that would reasonably benefit from agency services? If not, please explain why not.**

As stated in the adopted Final IS/ND (page 14), a long-term goal to expand sewer service into the Carmel Highlands has been identified by County Environmental Health and the Regional Water Quality Control Board. The District is interested in eventually serving this area, and there are no other existing or likely future sewer service providers. However, no foreseeable funding has been identified to support the very substantial infrastructure improvements that the expansion will require. For this reason, LAFCO staff has recommended designation of Carmel Highlands as a "Future Study Area." As defined by local LAFCO Policies and Procedures, a Future Study Area is "territory outside of an adopted Sphere of Influence that may warrant inclusion in the sphere in future years. Further study would have to be completed prior to inclusion."

3. DUPLICATION OF AUTHORITY TO PERFORM SIMILAR FUNCTIONS

a. **Would the proposal result in any duplication of authority? (i.e., two or more governmental agencies providing the same or similar types of services) If so, please justify the need for the duplication.**

As stated in **Appendix B, Table B-1**, of the adopted Final IS/ND (page B-5), duplication of authority to wastewater service will not occur. There are no other agencies providing the same or similar types of services in the area outside of the CAWD and including consideration of agreements with the Pebble Beach Community SA. All of the relevant general, specific, and master planning documents identify CAWD as the wastewater supply agency and wastewater collection service provider in the region. The proposed project does not create islands or corridors.

4. CONFORMANCE WITH CITY OR COUNTY GENERAL AND SPECIFIC PLANS

a. **Indicate the existing land use (including residential density):**

As stated in the adopted Final IS/ND, land use designations within the proposed SOI amendment and Annexation Area vary and each provide specified regulations and policies. City of Carmel and the County of Monterey General Plan, Carmel Area Land Use Plan and Carmel Valley Area Plan each have each adopted their own policies and regulations that govern the planning and development of the CAWD area and proposed project.

The changes to CAWD boundaries are consistent with the Monterey County General Plan, City of Carmel-by-the-Sea General Plan and land use designations and policies, in addition to environmental impact reports for proposals within the Carmel Area Land Use Plan and Carmel Valley Master Plan area. Future planned development of the annexation area has been assumed, and accounted for in the area planning and project EIRs. Additionally, the District's Capital Improvement Program 15-Year Master Plan Report 2013, and CAWD Sewer System Management Plan (SSMP), Updated October 2013, provides an overview of system management. The CIP Master Plan and District budgets provide documentation for securing the physical and financial mechanisms for providing improvements required to meet future wastewater supply demand.

In addition, the area is consistent with the Administrative Draft MSR for CAWD (2016) as well as the adopted Final IS/ND for this proposed request which establishes the nature, location, and extent of the functions and classes of services provided by existing districts.

Please see also **Figure 4** and Description of Location of the Subject Territory (Answer 1.b) above for more detailed information on the land uses within the District's subareas proposed for SOI annexation of SA amendment.

b. **What is the City's general plan designation and zoning for the subject territory, if applicable?**

No changes to land uses are proposed as CAWD has no authority over land uses. As stated in the adopted Final IS/ND, all of the relevant general, specific, and master planning documents identify CAWD as the wastewater supply agency and wastewater collection service provider. Therefore, CAWD's proposed annexation is consistent with these general, specific and master planning documents. The changes to CAWD boundaries are consistent with the Monterey County General Plan, City of Carmel-by-the-Sea General Plan and land use designations and policies, in addition to environmental impact reports for proposals within the Carmel Area Land Use Plan and Carmel Valley Master Plan area. Future planned development of the annexation area has been assumed, and accounted for in the area planning and project EIRs. In addition, the District's Capital Improvement Program 15-Year Master Plan Report 2013, and CAWD Sewer System Management Plan (SSMP), Updated October 2013, provides an overview of system management.

c. **What is Monterey County's general plan designation and zoning, if applicable?**

Monterey County's General Plan has multiple designations and zoning within the proposed project area, please refer to **Figure 5** to review all applicable land use designations and zoning by Monterey County. See response above.

d. **What is the proposed future land use?**

The land use pattern within the City of Carmel-by-the-Sea is well established and unlikely to change. According to the City's General Plan, the City of Carmel-by-the-Sea is virtually "built-out" with very little buildable vacant land. Data from the County Assessor indicates that, as of July 2010, 2,057 parcels in the Carmel-by-the-Sea Sphere are zoned for residential uses and only 55 of these parcels are unimproved vacant land. The City's land use policies focus on maintaining the predominance of the residential character in the City through appropriate zoning and land development regulations in all districts (LAFCO 2011). Most of the area within Monterey County proposed for annexation is either currently built out or proposed for approved development (see **Figures 4 and 5**). Areas proposed for development include the Rancho Canada golf course area and the approved September Ranch. Current developed areas are shown in the adopted Final IS/ND including the Quail area homes which are on septic systems. These homes would not be allowed to be on septic under current County regulations. Extending wastewater service to these suburban areas in need of wastewater service is consistent with LAFCO policy. This SOI and annexation would not induce growth.

In the future, the population served by the District will increase primarily through expansion of the area served. Expansion is likely to occur into existing developed areas of the Carmel Valley and Carmel Highlands and areas of anticipated or potential development, including approved subdivision in Carmel Valley (the September Ranch) and proposed development within the area of Rancho Canada. The District maintains a Capital Improvement Program 15-Year Master Plan to provide for its future service needs.

e. **Is the proposal consistent with the applicable City or County General Plan designation? (and any Specific Plan) If not, please specify the reasons for non-conformance.**

Yes, please see Figure 5 for Monterey County Major General Plan and Zoning Designation. Review of the policies conducted for the adopted Final IS/ND indicates that changes to CAWD boundaries are consistent with the Monterey County General Plan, City of Carmel-by-the-Sea General Plan and land use designations and policies, in addition to environmental impact reports for proposals within the Carmel Area Land Use Plan and Carmel Valley Master Plan area.

f. **Please describe the City or County's long-term planned direction of growth and comment on whether the proposed action is consistent with that plan.**

As described above, little growth is anticipated, through 2035, within the area that includes the District's proposed boundaries. The majority of City and County growth will occur through annexation of existing adjacent developed parcels and land proposed for development (LAFCO 2015).

g. **For annexation and other changes of organization: If the change of organization involves a city, has the city prezoned the area?**

Not applicable. The property is within either the City of Carmel-by-the-Sea or Monterey County. No change in jurisdiction is proposed. Existing zoning and general plan designation information is noted above.

h. **Amount and description of publicly owned land in the area:**

Please see the Maps and Legal Description Section of this application and Description of Location of the Subject Territory (Answer 1.b) above. The primary area of open space is the Point Lobos State Park currently served by the District. The District owns facilities at its District office location and treatment plant site. The Odello lands are included in the existing SOI of the District and are open space. In addition, there is a public trail between Rancho San Carlos Road and the Odello lands that is publicly owned.

i. **Could the proposal serve to encourage development of currently undeveloped areas or increase the intensity of development of already developed areas?**

The proposal would not be likely to encourage development or increase the intensity of development. However, as stated in the adopted Final IS/ND, the proposed project will result in inclusion of additional lands within the District's SOI and annexation of these areas into the CAWD, which could result in future service area extensions. However, no service area extension or development is proposed at this time as part of the proposed SOI amendment and annexation. If the SOI amendment and annexation boundary adjustments are approved, the properties located within the area could apply for service to the CAWD. Most of the area is developed or designated for low density residential uses with some limited areas designated resource conservation or open space areas. Furthermore, any development that may be proposed in the future would be subject to review and permit approvals from Monterey County at which time the appropriate level of environmental review would be conducted.

The project would expand the service area for the District, which is a boundary adjustment. Future applications to the District would require wastewater distribution upgrades to provide reliable service. Should future development be approved by the County this proposal is consistent with development being able to proceed, however the proposal does not encourage development

j. Describe any special land use concerns (airports, schools, industrial areas, etc.):

The proposed project includes an annexation and SOI amendment and therefore does not cause special land use concerns.

5. CONFORMANCE WITH SPHERES OF INFLUENCE

a. **Is the proposal consistent with the adopted Spheres of Influence of affected local agencies? If not, describe the inconsistency and any overriding considerations.**

Yes, the proposed annexation is concurrent with a SOI amendment. The changes to CAWD boundaries are consistent with the City of Carmel-by-the- Sea General Plan and land use designations and policies, in addition to environmental impact reports for proposals within the Carmel Area Land Use Plan and Carmel Valley Master Plan area. Future planned development of the annexation area has been assumed, and accounted for in the area planning and project EIRs. Additionally, the District's Capital Improvement Program 15-Year Master Plan Report 2013, and CAWD Sewer System Management Plan (SSMP), Updated October 2013, provides an overview of system management.

6. ENVIRONMENTAL IMPACT ASSESSMENT (Please submit final CEQA clearance documentation)

The District circulated a Draft IS/ND and adopted a Negative Declaration (ND) after required public review. The adopted Final IS/ND evaluates the environmental affects in accordance with the CEQA for the proposed amendments to the District SOI and SA annexations.

Based on the evaluation in the adopted Final IS/ND including, but not limited to, hydrology and water quality, environmental setting, population/housing, public services, and utilities and service systems, the evaluation concluded that the proposed SOI amendment and SA annexation "…that there is no substantial evidence that the project will have a significant negative effect on the environment" (CAWD, Resolution No. 2015-55, 2015).

Per the requirements above, Environmental Clearance Documents have been attached to this application and include: the Draft IS/ND, Notice of Availability, adopted Final IS/ND, and Notice of Determination for this proposed request.

7. ECONOMICS, SERVICE DELIVERY, AND DEVELOPMENT PATTERNS

a. Please describe how the proposal will impact the ability of affected local agencies (cities, special districts and the County) to continue to provide their services. Include any potential fiscal impacts from the proposal on the affected agencies' revenues or expenditures.

CAWD's adopted Capital Improvement Program 15-Year Master Plan Report 2013and Budgets demonstrate CAWD's financial capability and ongoing successful provision of wastewater service. No adverse service or financial impacts have been identified in those documents. The District's Capital Improvement Program 15-Year Master Plan Report 2013, and CAWD Sewer System Management Plan (SSMP), Updated October 2013, provides an overview of system management. The Capital Improvement Program 15-Year Master Plan Report 2013 and District Budgets provide documentation for securing the physical and financial mechanisms for providing improvements required to meet future wastewater supply demand. There will be fiscal impact from increased services. Capital costs of service extensions for any property will be the responsibility of the property (or properties) requesting service at time of installation.

b. Please describe any efforts to mitigate adverse effects of the proposal on any local agency's ability to continue to provide services to its residents.

An adopted Final IS/ND was prepared by the CAWD as the lead agency, pursuant to the CEQA and the CAWD Board adopted a ND. The purpose of the adopted Final IS/ND is to determine whether the proposed annexation and SOI amendment could significantly affect the environment, requiring the preparation and distribution of an EIR for public review. Based on the analysis provided in the adopted Final IS/ND, no significant environmental impacts were found. No mitigation is required as a result of the proposed project.

c. What is the demonstrated need for the proposed additional municipal services? (either now or in the near future)

The annexation is proposed to meet the demands of existing service area and approved or planned development, as designated in approved and or adopted plans and local jurisdictions' General Plans, and Area Plans, and to provide wastewater service from the District into areas where there is a current or potential need. CAWD currently provides services to various areas that are not contiguous to its existing SA boundary. Annexing the proposed annexation area implements policies related to orderly development and is considered administratively more efficient than requesting annexation on a project-by-project basis. The changes to CAWD boundaries are consistent with the Monterey County General Plan, City of Carmel-by-the-Sea General Plan and land use designations and policies, in addition to environmental impact reports for proposals within the Carmel Area Land Use Plan and Carmel Valley Master Plan area. Future planned development of the annexation area has been assumed, and accounted for in the area planning and project EIRs.

Additionally, the area is consistent with the Administrative Draft MSR for CAWD (2016) as well as the adopted Final IS/ND for this proposed request which establishes the nature, location and extent of the functions and classes of services provided by existing districts.

d. Please describe the capacity of the proposal's subject agency to provide such services.

As stated in the adopted Final IS/ND, there is documented sufficient capacity and authorization to serve the proposed expanded SOI and expansion. The CAWD's current permitted capacity is 3.0 million gallons per day (MGD) and the District General Manager has determined that the average daily dry weather flow is currently between l.2 and 1.4 MGD. In addition, the District's collection and treatment infrastructure is currently adequate and a detailed capital improvement program has been adopted and funded to ensure that the District provides adequate service. Expanded wastewater lines would be funded by property owners before service is extended.

e. Are there any factors (such as topography, isolation from existing developments, premature intrusion of urban-type developments into a predominantly agricultural area, or other

pertinent economic or social reason) that may reduce the proposal's ability to serve the public interest? Please comment.

Not applicable, as evaluated in the adopted Final IS/ND as well as the CAWD Adopted Municipal Services Review (LAFCO 2006); the 2016 Administrative Draft CAWD Municipal Services Review, Updated with CAWD comments, (LAFCO 2015) and the CAWD Master Capital Improvement Plan (LAFCO 2015) there are no other factors that may reduce the proposal's ability to serve the public interest.

f. List any related public approvals required for the proposal, including those of local, State, and Federal agencies.

The proposed project includes the following approvals and permits; the adopted Final IS/ND covers all project actions.

- Carmel Area Wastewater District: Board approval of Sphere of Influence Amendment, Annexation and Resolution to LAFCO for Application for the above. (COMPLETED)
- Local Agency Formation Commission of Monterey County: Processing a Sphere of Influence amendment and annexation to the CAWD. Approval of an amendment of the Sphere of Influence and approval of annexation proposed. (IN PROGRESS)

g. Have affected local agencies been notified? If so, what was the response?

The adopted Final IS/ND was circulated for a 30-day review period and was initiated on November 9 and ended on December 9, 2015. City of Carmel-by-the-Sea and Monterey County were on the distribution list. During the public review period a total of three (3) comment letters were received during the public review period. The County of Monterey Environmental Health Department wrote a letter of support for the proposed annexation.

h. Have the property owners and registered voters within the subject area been contacted? If so, what was the response?

The proposed Draft IS/ND was circulated for a 30-day review period and was initiated on November 9 and ended on December 9, 2015. The Notice of Intent (NOI) to adopt the Draft IS/ND was posted with the Monterey County Clerk and the State Clearinghouse, made available on CAWD's website, posted at CAWD offices, distributed to relevant public agencies, and emailed/mailed to a list of interested individuals and local groups. In addition, copies were made available for review at CAWD offices and the local libraries.

Over the years, many property owners within, or adjacent to, the District's existing SOI have expressed a need for wastewater service, often because of failing septic systems. Thus, the project is supported throughout the community.

h. Do residents within the proposal area use facilities or programs provided by the local agency? Indicate the source of this information.

Not applicable; other areas currently receive service but the proposal is for a Amendment and Annexation of property into the CAWD SOI and SA to consolidate wastewater services in the proposed annexation area into continuous areas with the CAWD SA.

i. Do residents within the proposal area travel to the city or boundaries of the special district for shopping, recreation, work, or other purposes? Indicate the source of this information.

Not applicable.

j. Do the city, or area served by the district, and proposal areas share the same mailing address and zip code?

The District and SOI cover a large area that services multiple zip codes.

k. Briefly describe any other factors demonstrating interdependence of the city/district and proposal area.

The proposed SOI amendment and annexation includes all areas within Monterey County, California with no competing wastewater service agencies available or able to provide this service.

8. PHASING

a. **Does this proposal include any multi-step, incremental phasing of annexation or other LAFCO approvals? If so, please describe the phasing component in relation to LAFCO of Monterey County's adopted policies for phasing (LAFCO Policies and Procedures, Part D.VIII).**

Phasing of annexation areas is not currently proposed by CAWD. The Future Study Area is an area not proposed for inclusion within the SOI or for annexation but planned for a potential future phase of study. A long-term goal to expand sewer service into the Carmel Highlands has been identified by County Environmental Health and the Regional Water Quality Control Board. The District is interested in eventually serving this area, and there are no other existing or likely future sewer service providers. However, no foreseeable funding has been identified to support the very substantial infrastructure improvements that the expansion will require.

9. OPEN SPACE AND AGRICULTURAL LAND

The annexation of the proposed area into the District's LAFCO SA and amendment of the SOI would not result in conversion of agricultural lands. The project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. Please see the adopted Final IS/ND, **Appendix B, Table B-3, Part IX.** Open Space and Agricultural Land, as well as several parts of the main text of the adopted Final IS/ND, such as **Section B. Agricultural Impacts**, **Figure 6. Important Farmlands**, and the "growth inducement" discussion under **Impact a) Section M. Population and Housing**.

The only property designated as Important Farmland and included in the SOI/Annexation area is the Wolter Properties site (Refer to **Figure 4**). The 48-acre site is shown as Important Farmlands on attached **Figure 6**. However, as discussed above, the project is already subdivided into eight parcels which are designated for residential uses. In this case, the farmland designation is not considered as relevant for LAFCO policy conformance purposes (LAFCO, Personal communication October 2015).

There is one vacant/undeveloped parcel that is not proposed for annexation due to the agricultural designation of the property. **Figure 6** identifies this area as Prime Farmland, also as shown on **Figure 5** this area is designated as Resource Conservation. The Odello property is currently within the CAWD SOI but is not proposed for annexation into the District's service area.

10. GROUNDWATER STANDARDS - (All proposals) - Please describe how the proposal conforms to each of the following adopted LAFCO policy statements regarding groundwater.

a. **LAFCO will encourage boundary change proposals involving projects that use reclaimed wastewater, minimize nitrate contamination, and provide beneficial use of storm waters.**

As stated in the adopted Final IS/ND, the District operates a treatment facility for wastewater collected by the District and the adjacent Pebble Beach Community Service District. Wastewater is treated to a "tertiary" level (Title 22) and used to irrigate golf courses and public open spaces. In addition to its wastewater collection and treatment services, the District partners with the adjacent Pebble Beach Community Services District to make reclaimed wastewater available for landscape irrigation, thereby reducing the need for local potable water resources. The changes to CAWD boundaries are consistent with the Monterey County General Plan, City of Carmel-by-the- Sea

General Plan and land use designations and policies to reduce nitrates and encourage use of reclaimed water.

b. **LAFCO will encourage proposals which have incorporated water conservation measures. Water conservation measures include drought tolerant landscaping, water-saving irrigation systems, installation of low-flow plumbing fixtures, retrofitting of plumbing fixtures with low-flow devices, and compliance with local ordinances.**

   Not applicable, there would be no water system improvements or capacity increases through this boundary adjustment.

c. **LAFCO will encourage those proposals which comply with adopted water allocation plans as established by applicable cities or water management agencies.**

   Not applicable, there will be no change in adopted water allocation plans under this proposal.

d. **LAFCO will encourage those proposals where the affected jurisdiction has achieved water savings or new water sources elsewhere that will off-set increases in water use in the project site that would be caused by the proposal.**

   Not applicable, there would be no water system improvements or capacity increases through this boundary adjustment.

e. **LAFCO will discourage those proposals which contribute to the cumulative adverse impact on the groundwater basin unless it can be found that the proposal promotes the planned and orderly development of the area.**

   As previously stated and discussed in the adopted Final IS/ND, there would be no water system improvements or capacity increases through this boundary adjustment. No change is proposed in existing or proposed area water system improvements. Therefore, the proposed project would have no effect on water systems. Further, the proposed project would not deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Recharge to the Carmel Valley area comes from a variety of sources including directly from precipitation on the valley floor, runoff from the bordering valley sides and tributaries, deep percolation from surface irrigation and individual septic systems, agriculture return flow, down-valley groundwater flow through the alluvium and in the river channel. Approximately 85 percent of the recharge in the aquifer occurs through the Carmel Riverbed, with additional water coming from tributary drainages, precipitation, inflow from surface bedrock, and return flow from irrigation systems and septic tanks. The Carmel Valley Aquifer system functions as a water supply source for a large portion of the local area. The primary consumptive use is from pumping of the aquifer for domestic use. The use of septic systems after future annexation of the properties within the SOI area could reduce the portion of the return flow from septic tanks of the existing single family homes with septic systems on the Valley floor. Groundwater quality has also been affected by seepage from septic systems in the Carmel Valley area. However, the contribution of recharge from infiltration of septic systems in these homes in comparison to the other sources is small and the timeframe for removal of septic systems by individual homeowners is likely to occur over time (and some homes may choose not to hook up to the CAWD system). Therefore, the contribution is small and the timing unknown. The potential future indirect impacts from reduction of septic systems on the water system will thus not result in the depletion of groundwater or the groundwater system[2].

[2] The use of septic systems have also been linked to increased pollutants in groundwater. Pollutants that are not removed by septic systems can migrate into groundwater by leaching through the soil resulting in potential contamination of ground water resources. This problem can be magnified as the number of older failing systems increases over time.

f. **LAFCO will discourage those boundary change proposals which, when considered individually and after taking into account all mitigation measures to be implemented with the project, still cause a significant adverse impact on the groundwater basin.**

The results of the adopted Final IS/ND found the proposal would not have an impact on hydrology and water quality. The proposed project would have a beneficial impact to the groundwater basin by the removal of septic systems in certain areas. The proposed project will allow for a boundary change and annexation of properties currently on septic systems into the CAWD SA. The CAWD recycled water project uses wastewater to treat and recycle for use on golf courses, thereby reducing reliance on groundwater. The CAWD wastewater system and reclaimed wastewater supplies will also reduce septic contaminants, including minimize nitrate contamination, and provide beneficial use of wastewaters.

11. INCORPORATION GUIDELINES - (not applicable)

12. REGIONAL TRAFFIC IMPACTS - (not applicable)

13. EFFICIENT URBAN DEVELOPMENT PATTERNS - (not applicable)

14. DISADVANTAGED UNINCORPORATED COMMUNITIES ADJACENT TO CITIES - (not applicable)

15. CONTRACT / SERVICE EXTENSION AGREEMENT - (not applicable)

16. ENVIRONMENTAL JUSTICE

LAFCOs are required to consider the extent to which a proposal will promote environmental justice. As defined by statute, environmental justice means "the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services."

a. **Please provide information on the demographics of the proposal area, including ethnicity and income.**

No specific demographics exist for the District. In 2014, the City of Carmel-by-the-Sea's population was 3,807 people, with the predominate ethnicity being white (88 percent of the population in 2014) (U.S. Census Bureau 2014). Monterey County has a population estimate of 433,898 in 2015 with 57.4 percent of the community being Hispanic or Latino in 2014 (U.S. Census Bureau 2015).

b. **Will all residents have access to the facilities or services requested by this application?**

If the SOI amendment and annexation boundary adjustments are approved, the properties located within the area could apply for service to the CAWD.

c. **Will the projected cost of such services be appropriate to the income levels of the area's population? If so, are the service costs likely to be held to this level for the long-term?**

District user fees are based on State rate models for sewage treatment works. Rate increases are projected for future years based on operating costs. Recent investment in the treatment plant facility has been undertaken to improve reliability and reduce operating costs to minimize any need rate increases. Current rates have been found to be on par with, or below, similar sized Districts.

d. **What measures have been taken to solicit public comment on the proposal?**

As previously stated, the proposed Draft IS/ND was circulated for a 30-day review period and was initiated on November 9 and ended on December 9, 2015. The Notice of Intent (NOI) to adopt the Draft IS/ND was posted with the Monterey County Clerk and the State Clearinghouse, made available on CAWD's website, posted at CAWD offices, distributed to relevant public agencies, and

emailed/mailed to a list of interested individuals and local groups. Additionally, copies were made available for review at CAWD offices and the local libraries.

e. **Would this proposal result in inferior public services being provided to an area where there is a concentration of low-income or ethnic groups?**

No.

f. **Are there any adjacent neighborhoods that might benefit from the agency's services that could be included in the proposal? If so, what are the demographics for this area and why were they excluded?**

As previously stated, a long-term goal to expand sewer service into the Carmel Highlands has been identified by County Environmental Health and the Regional Water Quality Control Board. The District is interested in eventually serving this area, and there are no other existing or likely future sewer service providers. However, no foreseeable funding has been identified to support the very substantial infrastructure improvements that the expansion will require. For this reason, the proposal includes the designation of Carmel Highlands as a "Future Study Area." In addition, the proposal to include all of the proposed annexation area in CAWD's SOI is being pursued to comply with LAFCO policies to ensure islands or corridors of underserved areas are not present.

g. **Please provide a listing of the members of the City Council or District Board of Directors for the subject agency, and include the gender and ethnicity of each member.**

The Carmel Area Wastewater District is governed by a five-member Board of Directors, four male and one female Directors. Ethnicity is Caucasian.

h. **Are members elected or appointed? If elected, please note whether elections are by district or at-large.**

CAWD Board of Directors members are elected at-large.

i. **How long is the term of office? _4_ years**

j. **How will the voting rights of persons in the affected territory be affected?**

Persons in the affected territory will become eligible to vote for, and serve on, the District's Board of Directors.

References/Literature Sources

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City of Carmel-by-the-Sea. June 3, 2003. Carmel-by-the-Sea General Plan/Coastal Land Use Plan.
County of Monterey. 2010. Monterey County 2010 General Plan.
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ADDITIONAL INFORMATION

Any further information, comments, or justification you wish to make that may be helpful in the Commission's review of the proposal:

Prepared by: Drew Lander

Title: Principal Engineer

Signed: _____

Date:

DRAFT INITIAL STUDY/NEGATIVE DECLARATION

for the

CARMEL AREA WASTEWATER DISTRICT SPHERE OF INFLUENCE AND ANNEXATION PROPOSAL

Prepared for:

Carmel Area Wastewater District
3945 Rio Road
Carmel-By-The-Sea, CA 93923

Prepared by:

Denise Duffy & Associates
947 Cass Street, Suite 5
Monterey, CA 93940

November 6, 2015

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Draft Initial Study/Negative Declaration
Carmel Area Wastewater District
Sphere of Influence and Annexation Proposal

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I. PROJECT DATA

1. Project Title

Sphere of Influence and Annexation Proposal

2. Lead Agency Name and Address

Carmel Area Wastewater District, 3945 Rio Road, Carmel-by-the-Sea, CA 93923

3. Contact Person and Phone Number

Drew Lander, Principal Engineer (831) 624-1248 ex. 203

4. Project Proponent

Carmel Area Wastewater District (CAWD or the District)

5. Project Location

The project location includes CAWD's service areas in Monterey County, California. This area totals approximately 10.5 square miles, including five square miles of the existing service area, .25 square miles of the existing Sphere of Influence, .15 square miles of the existing Sphere of Influence to be removed, .3 square miles of future study area, and 4.5 square miles of proposed additional Sphere of Influence. The area includes portions of the City of Carmel by the Sea, and the unincorporated Monterey County communities of Carmel Valley, and Point Lobos.

6. Project Description

The Proposed Project is the Carmel Area Wastewater District Sphere of Influence (SOI) amendment and Service Area (SA) annexation in accordance with relevant codes and ordinances of the District and local jurisdictions, and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. The Proposed Project includes:

1. Annexation of the areas area within District's existing Sphere of Influence as well as annexation of areas within the proposed Sphere of Influence area, in locations where the District anticipates near-term sewer service connection requests.
2. Annexation of lands already served under LAFCO-approved "out-of-District" service agreements (such as State Parks-owned properties at Point Lobos) into District boundaries, and
3. Removal of a previously designated property (Odello Ranch) from the District's Sphere of Influence.

The proposal also includes a proposed designation of a "Future Study Area" in the Carmel Highlands area. Under this designation, the Highlands area would be outside the District's Sphere of Influence, but may warrant inclusion in the Sphere in future years. Further study would need to be completed prior to inclusion and thus this area is identified in this Initial Study.

The District's existing SOI and proposed boundary changes including proposed new SOI Amendment and SA Annexation Areas are shown on **Figures 1 and 2.**

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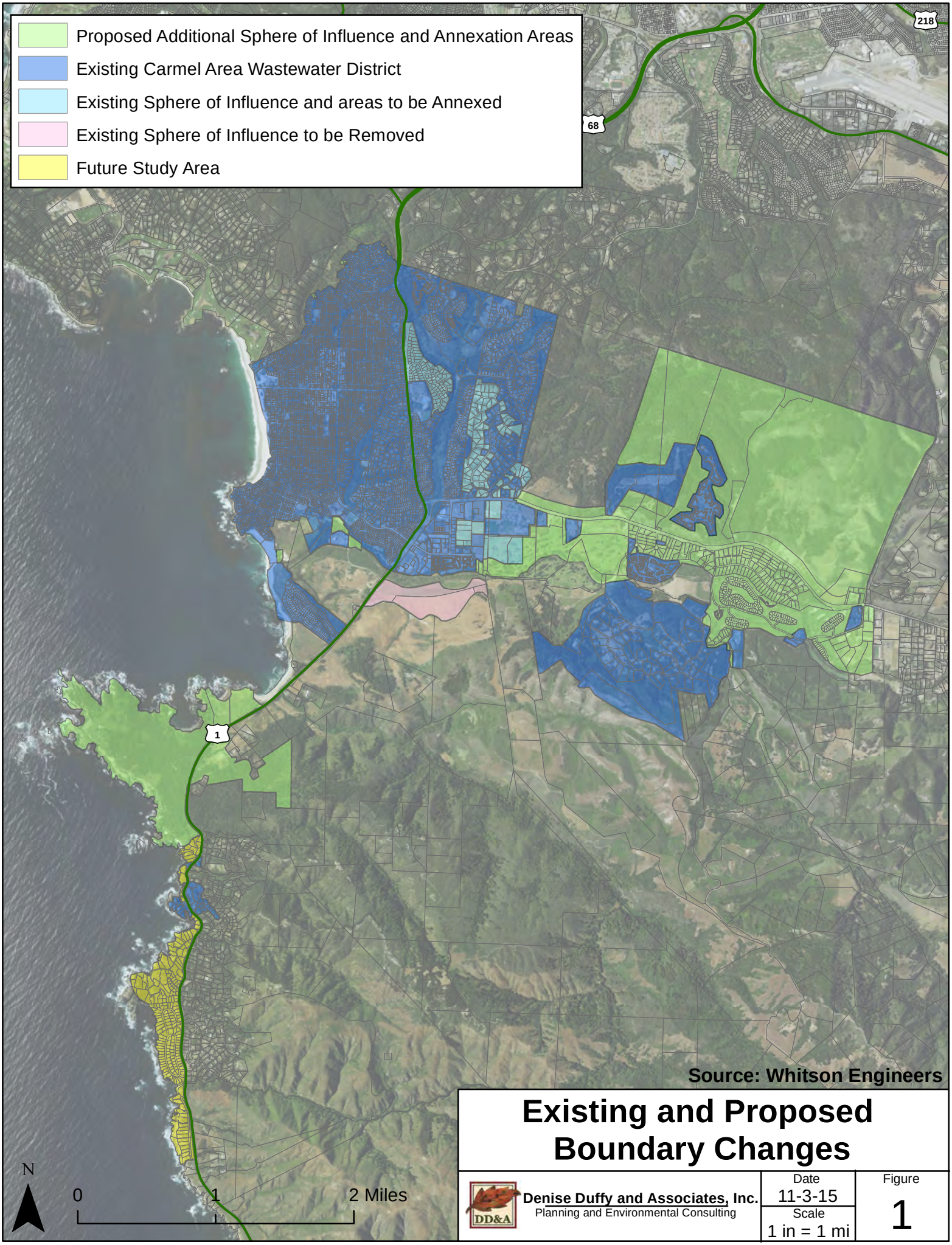

Source: Whitson Engineers

Existing and Proposed Boundary Changes

Denise Duffy and Associates, Inc.
Planning and Environmental Consulting

Date	Figure
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Scale	
1 in = 1 mi	

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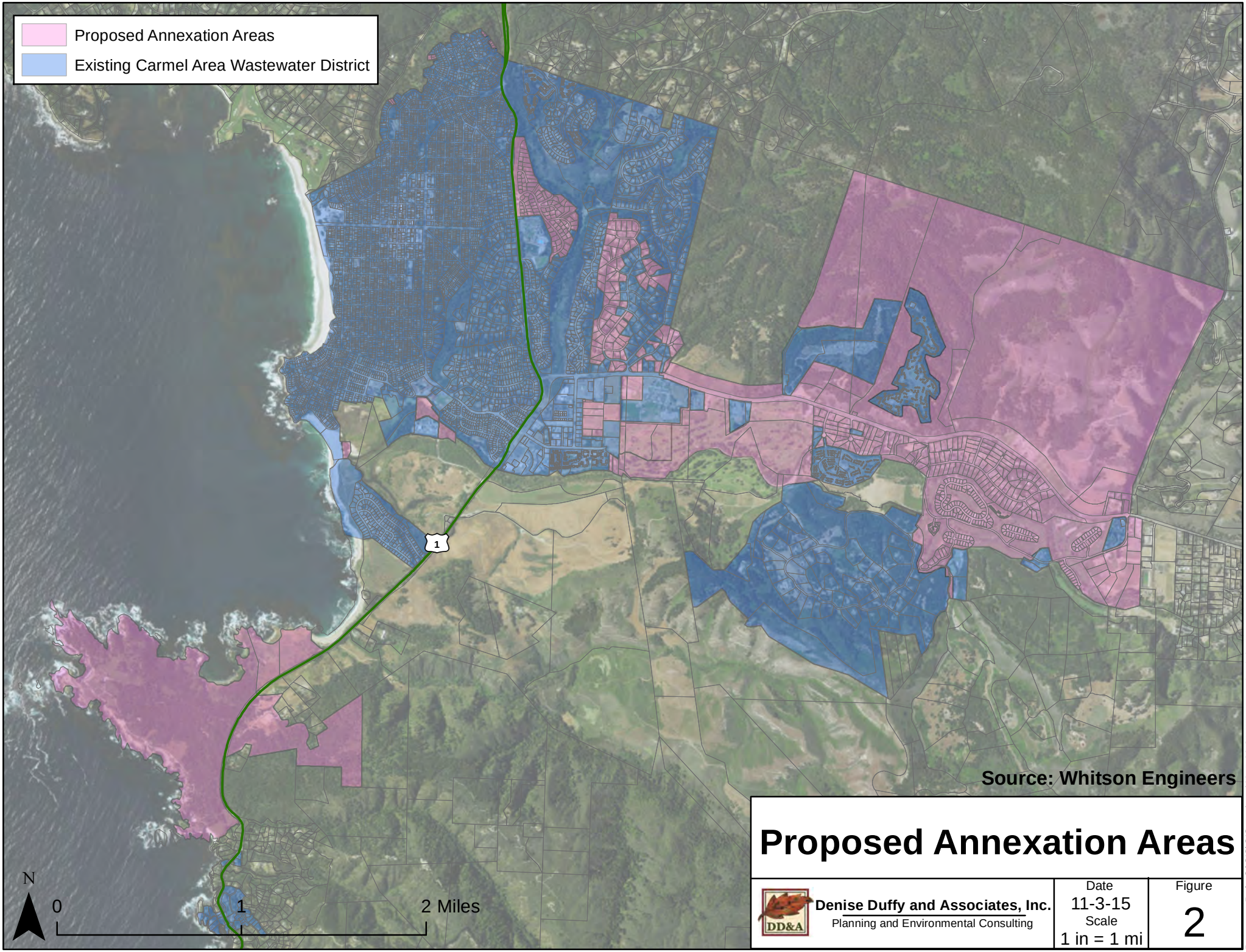

Proposed Annexation Areas

Denise Duffy and Associates, Inc.
Planning and Environmental Consulting

Date
11-3-15

Scale
1 in = 1 mi

Figure
2

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II. INTRODUCTION

This document has been prepared by the Carmel Area Wastewater District (CAWD) as the lead agency, pursuant to the California Environmental Quality Act (CEQA). This document describes the expansion of the District's existing Sphere of Influence and the annexation of additional lands into the District's existing service area. The Monterey County Local Agency Formation Commission will act as a Responsible Agency under CEQA for consideration of the approval of the actions identified above.

A Sphere of Influence is the probable physical boundaries and service area of a local government that is developed by LAFCOs (Local Agency Formation Commission) in each county pursuant to state law. As indicated above, the CAWD is proposing that its Sphere of Influence be amended to include the proposed Annexation Areas and intervening areas, and the amended sphere would connect to existing discontiguous areas within CAWD's existing SOI and service area. Pursuant to state law, the LAFCO of Monterey County is responsible for reviewing and approving proposed jurisdictional boundary changes, including annexations and Sphere of Influence lines and amendments. LAFCO requirements under the Cortese-Knox-Hertzberg Act and LAFCO of Monterey County requirements are summarized in **Appendix B.**

III. PROJECT BACKGROUND

The Carmel Area Wastewater District was formed July 8, 1908 under the name Carmel Sanitary District. The District was originally formed to serve the community of Carmel-by-the-Sea some 10 years prior to its incorporation in 1916. The District was reorganized in 1934 under the name "Carmel Sanitation District". More recently (and to better describe the service provided by the District), the name was changed to the "Carmel Area Wastewater District". The District conforms to the provisions of the California Health and Safety Code (Sections 6400-6924).

Over the years, the District has annexed a number of subdivisions and properties needing wastewater service. The Sphere of Influence was first adopted in 1985, encompassing the then-existing District boundaries, a number of adjacent properties, and three specific areas anticipating urban development. In 2001 the District was allowed to extend service to the Point Lobos State Park in order to improve the restrooms in the park. In 2003 the District annexed portions of the Quail Lodge development, specifically to replace the septic systems for the higher intensity visitor-serving uses on the property. In 2003, the District annexed a portion of the Carmel Highlands to protect the health, safety and welfare of the public due to failing septic systems and again in 2012 the District annexed several homes west of the State Highway at the direction of Monterey County. This was done to facilitate that connection of those homes closest to the ocean to prevent septic failures from discharging directly to the water. The Sphere has not been expanded since 1985, except in tandem with the annexation of specific areas or parcels requesting service.

District boundaries include the City of Carmel-by-the-Sea and surrounding unincorporated areas of Carmel, Carmel Valley, Carmel Meadows, and Carmel Highlands. The District encompasses approximately four square miles of territory and serves over 18,000 people, including the City of Carmel-by-the-Sea.

The District owns, operates and maintains sewer collection lines within its boundaries. The District's existing Service Area and distribution system is also shown in detail in **Appendix A** and also available at the District's website: http://www.cawd.org/. The District operates a treatment facility for wastewater collected by the District and the adjacent Pebble Beach Community Service District. Wastewater is treated to a "tertiary" level (Title 22) and used to irrigate golf courses and public open spaces. In addition to its wastewater collection and treatment services, the District partners with the adjacent Pebble Beach Community Services District to make reclaimed wastewater available for landscape irrigation, thereby reducing the need for local potable water resources.

The District has developed a detailed Master Capital Improvement Plan (LAFCO, 2015) and has adequate capacity to meet existing and projected future wastewater treatment needs for its services in the Carmel and Del Monte Forest areas. The District is also actively maintaining the wastewater collection system within District boundaries. The District operates and maintains sewage collection, treatment, and disposal facilities, which are located off Highway 1 at the mouth of the Carmel River. The wastewater treatment plant capacity is 3.0 MGD (about 10.7 acre-feet per day) and current demand is 1.5 MGD (about 5.4 acre-feet per day) (Monterey County General Plan, 2010, updated by CAWD, October 2015).

Existing operations and future plans for additional infrastructure and water service to the District's service areas, including the proposed service area expansion areas, are described and considered in the following documents:

- 2006 CAWD Adopted Municipal Services Review, LAFCO
- 2014 Administrative Draft CAWD Municipal Services Review, LAFCO 2014, Updated with CAWD comments, 2015.
- CAWD Master Capital Improvement Plan.

IV. PROJECT OBJECTIVES

The annexation of the proposed area into the District's LAFCO Service Area and amendment of the SOI is proposed to allow for provision of wastewater collection service for the Service Area in an orderly manner. The annexation is proposed to meet the demands of existing service area and approved or planned development, as designated in approved and or adopted plans and local jurisdictions' General Plans, and Area Plans, and to provide wastewater service from the District into areas where there is a current or potential need.

The District is interested in taking a more proactive and comprehensive approach to updating its Sphere of Influence and Service Area boundaries to meet current and future needs. District goals for service provision have historically considered the potential to fully serve all areas within a short distance from existing service facilities located including areas east into Carmel Valley, as proposed under this Project. Over the years, many property owners within, or adjacent to, the District's existing Sphere of Influence have expressed a need for wastewater service, often because of failing septic systems (LAFCO, 2014). Similarly, the District has annexed a number of subdivisions and properties needing wastewater service on a case by case basis. These annexations have frequently included areas that were not contiguous to the existing District boundaries. As a result, District boundary growth has not always been planned in a consistent manner with LAFCO policy or structured annexations with a known sphere boundary. In addition, the District objectives including retaining capacity in order to provide services for the existing residential development located at the mouth of the Valley. The annexation areas as proposed will allow the District to reserve capacity for those developed and existing legal lots which are currently either served by septic systems or undeveloped legal lots of record. The District notes that capacity of the treatment plant is finite and this proposed project and annexation will reserve the sewer capacity and right to serve the existing developed lots. In this way, future new development proposed outside of the proposed sphere of influence elsewhere in the valley would be constrained by the remaining availability of the treatment plant.

V. PROJECT DESCRIPTION

The District has developed a proposed sphere amendment and annexation request that proposes a more proactive and comprehensive approach to updating its Sphere of Influence and boundaries to meet current and future needs. In July 2014, the District submitted a proposal for a Sphere of Influence amendment and

annexation of some areas within, or adjacent to, existing District boundaries. This proposed sphere amendment and annexation request embodies a comprehensive approach to updating its Sphere of Influence and boundaries to meet current and future needs and to address and avoid the individual annexations and historical boundary adjustments identified above.

The Proposed Project includes amendment of the District's adopted Sphere of Influence within Monterey County to add parcels that cover approximately 3,377 acres, including the proposed Annexation Areas, as shown on **Table 1.** The proposed SOI and Annexation would increase the total acreage within the District from the existing area of 3,200 acres to approximately 6,200 acres, counting the removal of the Odello property from the SOI and excluding the Future Study area.

Table 1
Summary of Proposed Sphere of Influence Amendment, Annexation and Future Study Area Properties

Category	**Area (Acres)**
Existing Carmel Area Wastewater District	3,200
Existing Sphere of Influence (SOI)	170
Existing Sphere of Influence to be Removed	130
Future Study Area	200
Proposed Addition SOI and Total Annexation Area[1]	**3,000**
Total Area (Existing plus Proposal for Annexation)	**6,200**
Source: County of Monterey GIS database, Whitson Engineers	

The District's existing SOI and proposed SOI Amendment and Annexation Area are shown on **Figures 1** and **2**. **Figure 3** shows the Monterey County LAFCO Map of the existing adopted SOI and CAWD Service area. **Figure 4** shows underlying zoning of the proposed SOI and Annexation. The District's proposal includes the following components:

- Annexation of most of the area within its existing Sphere of Influence,
- Expansion of its Sphere of Influence to the east, to include those areas primarily accessible by gravity flow service lines,
- Partial annexation of the proposed Sphere expansion area, in locations where the District anticipates near-term sewer service connection requests,
- Inclusion of lands already served under LAFCO-approved "out-of-District" service agreements (State Parks-owned properties at Point Lobos) into District boundaries,
- Removal of a previously designated property (Odello Ranch) from the District's Sphere of Influence, and
- Designation of a "Future Study Area" in the Carmel Highlands. Under this designation, the Highlands area would be outside of the District's Sphere of Influence, but may warrant inclusion in the Sphere in future years. Further study would need to be completed prior to inclusion.

[1] Note: Annexation Area = Existing SOI + Proposed SOI – Existing SOI to be Removed.

The subareas within the District's proposal are more specifically described below and major properties identified in **Figure 5.**

Carmel Hills: This area is located in unincorporated Monterey County, between Highway 1 and the Hatton Canyon State Park property:

- Carmel Hills includes medium density-zoned residences within the unincorporated Monterey County. Approximately 75 lots in this area are within the Sphere of Influence but currently outside the District's service area. These lots are served by septic tanks, while the majority of all surrounding parcels are served through the District. The vast majority of these lots are developed with single-family residences, with some less than one acre in size. This area is proposed to be annexed as shown on **Figures 1** and **2**.

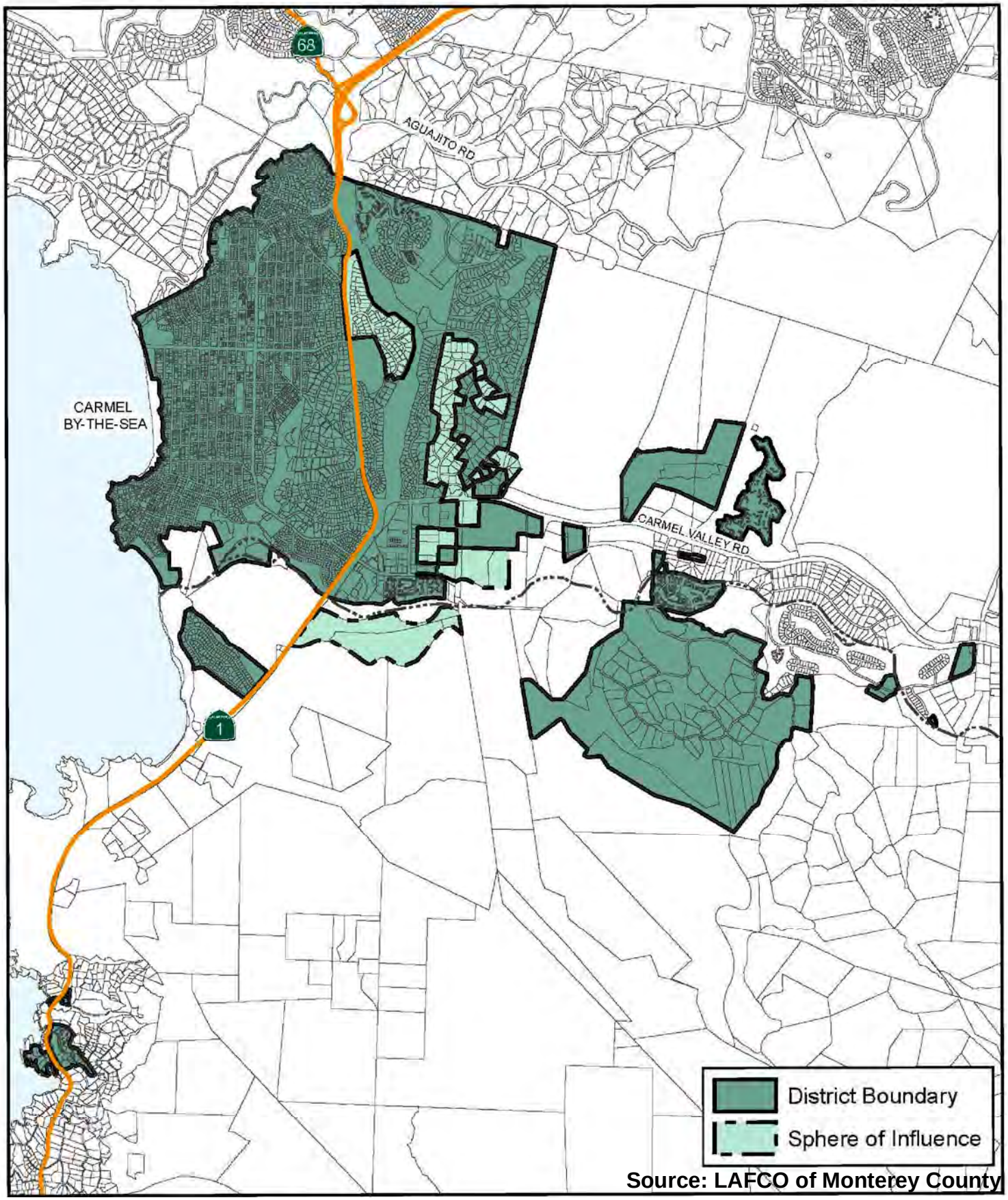
Carmel Valley within the historic Rancho Cañada de la Segunda, north of Carmel Valley Road: This area is composed of four large tracts of land:

- Pacific Meadows Area Parcels and Del Mesa Parcels: Pacific Meadows is an affordable housing development which is currently included with the boundaries of the Carmel Area Wastewater District (Assessor's Parcel Numbers: 051-630-060 and 051-630-050). However, surrounding parcels are not in the District. This includes 235 acres of County owned easements/open space and six large single family parcels on the north side of Carmel Valley Road. Three of the single family parcels are improved and three unimproved; these parcels average seven acres in size. Only limited development is possible in this area. (Assessor's Parcel Numbers: various).

  While the Del Mesa Senior Citizen development is within the District, the northern portion of this property is maintained as open space. This open space land is currently not within the District boundaries however District service lines are located on these properties. Development of this area is not anticipated. (Assessor's Parcel Number: 051-630-060).

- September Ranch: On November 9, 2010, the County Board of Supervisors approved a subdivision of this land to allow 95 residential lots. The property is located 2.5 miles east of Highway 1 on the north side of Carmel Valley Road, between Canada Way and Valley Greens Drive. While construction has not yet begun, a condition of the development approval was connection to the Carmel Area Wastewater District. (Assessor's Parcel Numbers: (Assessor's Parcel Numbers: 015-171-010-000; 015-171-012-000; 015-361-013- 000; 015-361-014-000).

  Portion of Land on North Side of Carmel Valley Road (Property Reserve, Inc.): A strip of land along Carmel Valley Road between the Pacific Meadows Area and the Carmel Hills area also is proposed for inclusion in the annexation area. (Refer to **Figure 1**). This strip of land near Carmel Valley Road is included in order to allow CAWD to place service lines adjacent to the right of way (placement of service lines traversing the edge of a public right of way sometimes require area to avoid obstacles). The entire property contains 571 undeveloped acres and is zoned by the County for low and rural residential use, with densities ranging between 2.5 and 10 acres per unit. This property was restricted through an agricultural preservation contract which expired in 2013. The entire property is not included in this annexation and sphere boundary proposal because there is no future development proposed or planned for the property and the property has no service extension needs in the foreseeable future. The only portion included is proposed for inclusion in the SOI and annexation area is the strip of land along Carmel Valley Road (**Figures 1 and 2)**. The District includes this area along the roadway within the Proposed Project as it will facilitate orderly extension of District boundaries and for service line provision as noted above. (Assessor's Parcel Number: 015-161-024)



Source: LAFCO of Monterey County

N

0 1 2 Miles

LAFCO Map - Existing CAWD

Denise Duffy and Associates, Inc.
Planning and Environmental Consulting

Date	Figure
11-3-15	3
Scale	
1 in = 1 mi	

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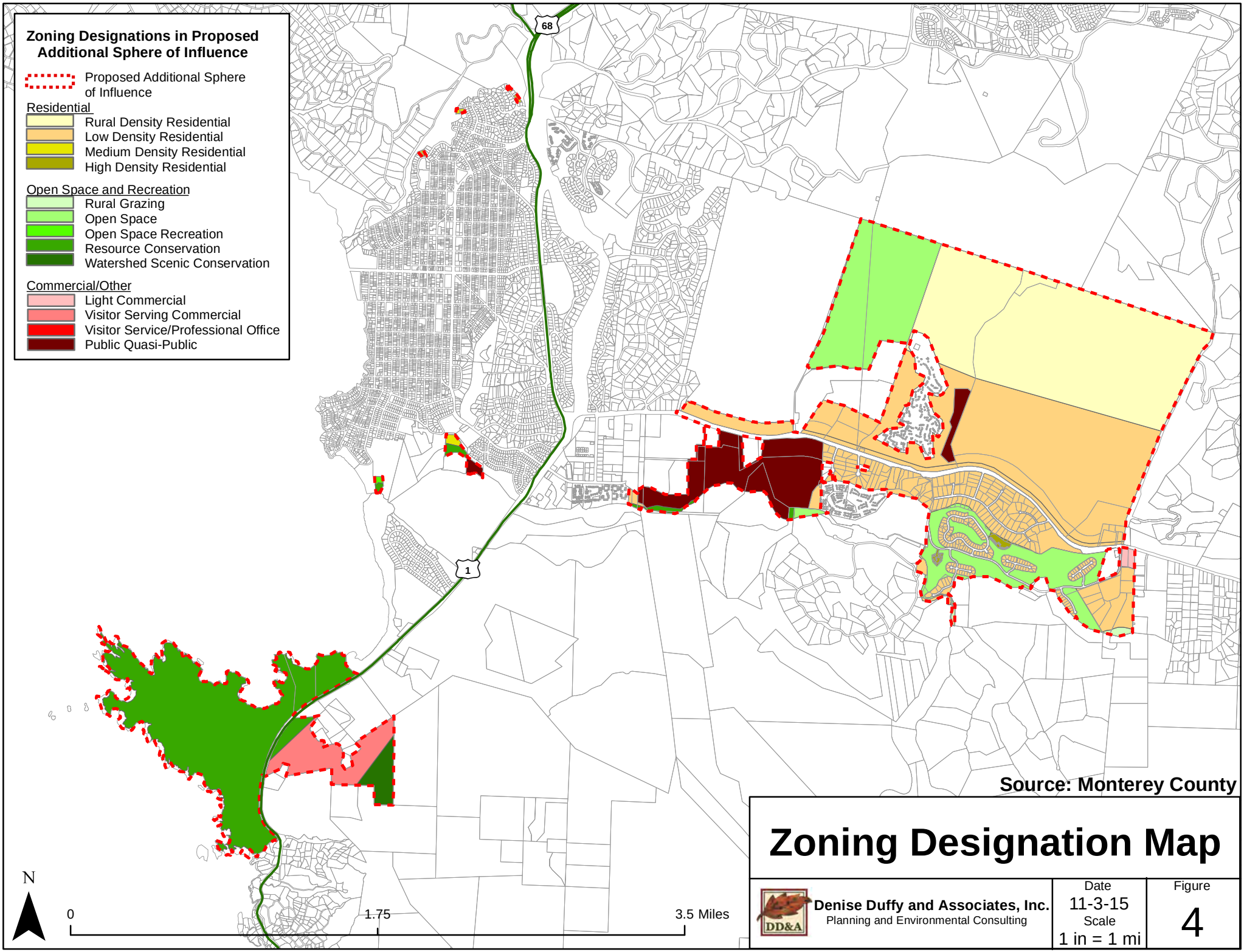

Zoning Designation Map

Denise Duffy and Associates, Inc.
Planning and Environmental Consulting

Date	Figure
11-3-15	4
Scale	
1 in = 1 mi	

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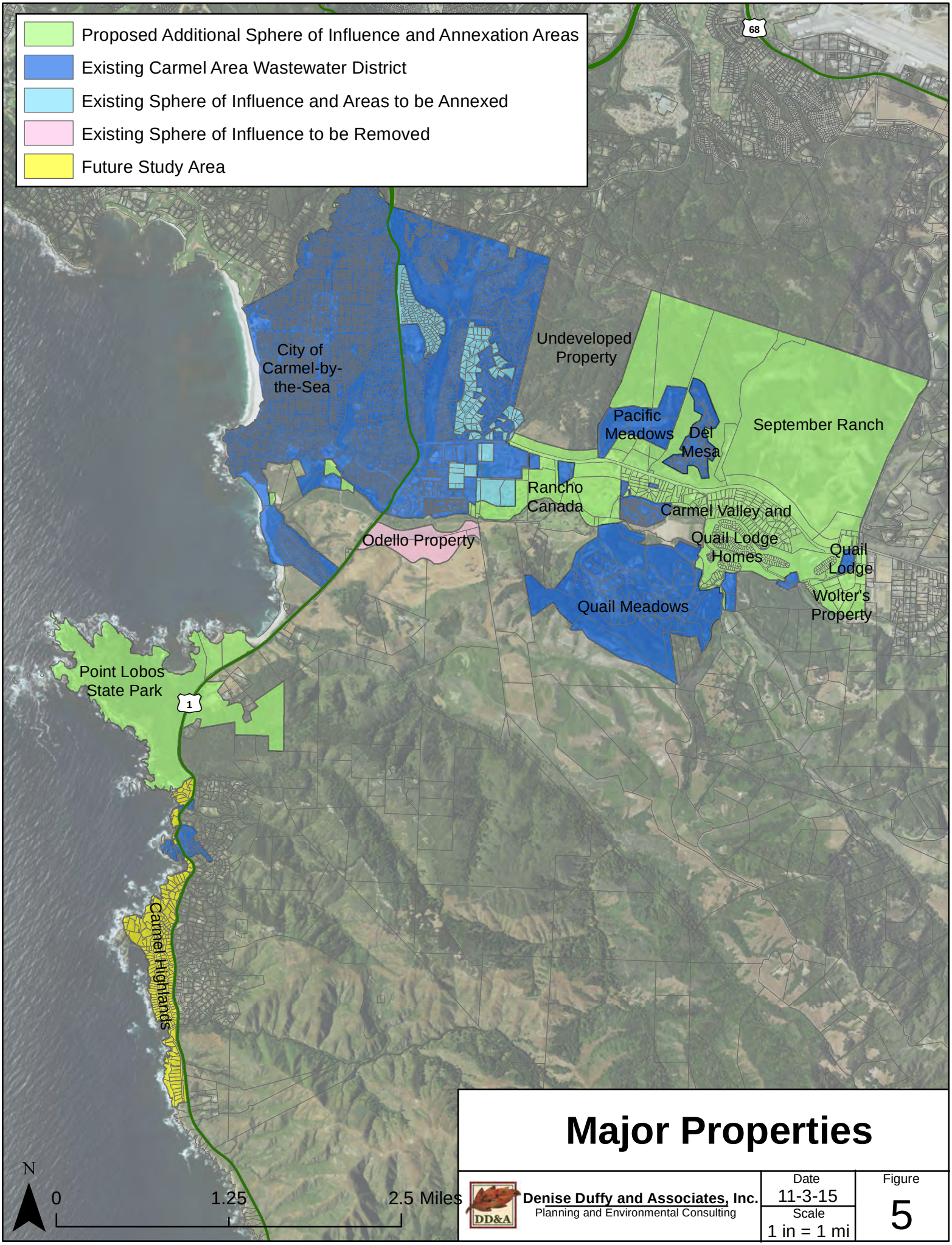

Major Properties

Denise Duffy and Associates, Inc.
Planning and Environmental Consulting

Date	Figure
11-3-15	5
Scale	
1 in = 1 mi	

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Carmel Valley, within the historic Rancho Cañada de la Segunda, south of Carmel Valley Road:

- Rancho Cañada Golf and Country Club: This area contains developed uses as shown on **Figure 5**. On the western end, the area includes the Rancho Cañada Golf and Country Club. Part of this golf course is now within the District. The Sphere expansion is proposed for the remainder of the course, except for the area south of the Carmel River. The portion of the Rancho Canada property across the river is excluded because it would require a river crossing (which has not been identified) and therefore would not be considered accessible at this time. (Assessor's Parcel Numbers: various).

- Rancho Cañada Plan Area: An 81-acre development proposal for Rancho Cañada Village Specific Plan between the Carmel River and Rancho Canada Golf Course is also included in the Sphere Amendment and Annexation Area. In 2007, a plan was proposed to the County to develop this area of the golf course land with approximately 280 residential units. A Draft EIR for the project was released. This development concept has been delayed and reduced density alternatives are being considered. The plan proposes wastewater service by the District and the District has issued a can and will serve letter for the project. Although the plans are currently in revision, this area is anticipated to need service by the District after obtaining County approvals and CEQA compliance. (Assessor's Parcel Numbers: 015-162-017, 015-162-025, 015-162-026, 015-162-040).

- Existing Homes in Carmel Valley Quail Lodge and Other Areas: This area is shown on **Figure 5**. Existing single-family homes cover most of the remaining areas south of Carmel Valley Road within the proposed Sphere expansion. This includes the Descanso Oak Estates, Rancho Cañada #l and Carmel Valley Golf and Country Club (Quail Lodge Homes) Subdivisions. The vast majority of these existing and developed residential lots are under one acre in size with many under .50 acre. The Quail Lodge development also includes lands used for golf and restricted open space. Quail Lodge and the Quail Lodge Golf and Country Club are within the District's Service Area. The extension of the SOI and annexation of these areas into the District will facilitate orderly extension of District boundaries, reduce the piecemeal annexation requests in this area and be more consistent with current Monterey County Environmental Health Division requirements for minimum lot sizes for use of septic systems on single-family residential properties. (Assessor's Parcel Numbers: various).

- Wolter Properties: This area also includes the Wolter Family Properties consisting of eight contiguous lots on the south side of Valley Greens Drive bordering the Quail Lodge Golf Course. The 48-acre site and individual parcels are all zoned as Low Density Residential and each lot could be developed as residential (single-family) as an allowed use under County zoning. One lot is currently developed with a single-family home. The site has historically been used for agricultural use. In recent years, it was the proposed site for a Canine Center, however the project was denied at the Board of Supervisors in November, 2015. (Assessor's Parcel Numbers: 169-431-001-3, 169-431-006-8 and 169-431-11 and 12.)

Point Lobos Area:

- In 2001, LAFCO approved the extension of wastewater service outside of the District's boundaries to the Point Lobos State Natural Reserve. Subsequently, wastewater lines were also extended into Point Lobos Ranch, an undeveloped site on the eastern side of Highway l which contains several State Parks-owned staff residences. The District proposes to include these properties within its Sphere of Influence and to annex them as they are already serviced by existing wastewater lines.

Odello Ranch:

- The District proposes to remove an area known as the Odello Ranch from its Sphere of Influence. While this area was once proposed for development, parcel 243-07l-005 is now owned by the Big Sur Land Trust and the other two parcels are restricted by land trust easements. Row crops and undeveloped land make up the majority land use of these parcels. The property is currently accessed for trails in addition to the continued agricultural use. Plans for this property include a conservation plan for restoration, continued agriculture and floodway management as well as recreational trails. These parcels are not contiguous with the remainder of the existing or proposed Sphere of Influence and have no need for wastewater service. (Assessor's Parcel Numbers: 243-071-004, -005, and -006).

Over the years, many property owners within, or adjacent to, the District's existing Sphere of Influence have expressed a need for wastewater service, often because of failing septic systems. Proactive expansion of the District's Sphere and boundaries as proposed and described above will greatly reduce the need for inefficient, "parcel-by-parcel" Sphere of Influence amendments and annexations as service needs occur over time. In facilitating future sewer service connections, the proposal will also help gradually reduce the number of individual septic systems in the area. Reducing the number of septic systems in the Carmel River watershed is a public health benefit that has been a long-standing objective of the County Environmental Health Department.

The District General Manager has expressed long-term interest in expanding further into the Carmel Valley. However, such growth will require an expansion of the wastewater collection infrastructure. This would need to be paid for by property owners who are reluctant to initiate the process unless they have experienced septic system failure or are contemplating major construction projects.

The proposed SOI amendment will result in inclusion of additional lands within the District’s Sphere of Influence and annexation of these areas into the CAWD, which could result in future service area extensions. However, no service area extension or development is proposed at this time as part of the proposed SOI amendment and annexation. If the SOI amendment and annexation boundary adjustments are approved, the properties located within the area could apply for service to the CAWD. Most of the area is developed or designated for low density residential uses with some limited areas designated resource conservation or open space areas. An area currently used for agriculture and open space (Odello Lands) is proposed for removal under this SOI Amendment. Furthermore, any development that may be proposed in the future would be subject to review and permit approvals from Monterey County at which time the appropriate level of environmental review would be conducted. See also Section VI, Earlier Analysis, below, for a discussion of earlier environmental analysis conducted for the project area.

Future Study Area: A long-term goal to expand sewer service into the Carmel Highlands has been identified by County Environmental Health and the Regional Water Quality Control Board. The District is interested in eventually serving this area, and there are no other existing or likely future sewer service providers. However, no foreseeable funding has been identified to support the very substantial infrastructure improvements that the expansion will require. For this reason, LAFCO staff recommends designation of Carmel Highlands as a "Future Study Area." As defined by local LAFCO Policies and Procedures, a Future Study Area is "territory outside of an adopted Sphere of Influence that may warrant inclusion in the sphere in future years. Further study would have to be completed prior to inclusion."

VI. EARLIER ANALYSES

The proposed SOI amendment and SA annexation would not have any direct environmental impacts because it would only result in a reorganization of jurisdictional boundaries with no direct physical changes to the environment. The Monterey County General Plan describes and evaluates development of the proposed SOI and Annexation Area. The required CEQA analysis of future infrastructure for waste

water service will be provided in other environmental reviews of future development plans and projects, in addition to the EIRs already prepared for approved and pending developments and CEQA documents prepared for those required wastewater facilities. Specifically, whether or not the District amends its SOI and expands its Service Area to include the proposed Annexation Area, these projects may be built. For this reason, these future development, development, and infrastructure projects may independently cause future environmental impacts; however, they would occur with or without implementation of the Proposed Project described above. Additionally, the evaluation of significant impacts from development and buildout of the SOI and Annexation Areas have been considered through the analysis contained in previous the County of Monterey General Plan EIR and environmental documents on the planning documents for this area. The planning documents for the area including the Monterey County General Plan, Carmel Area Land Use Plan and the Carmel Valley Master Plan recognize the CAWD as the primary wastewater service provider for the area. Regardless of the ultimate decision for LAFCO boundaries, the following summarizes previous relevant environmental and planning documents governing development of the project area.

The Monterey County General Plan was updated in 2010. The County Board of Supervisors adopted the 2010 Monterey County General Plan and certified the accompanying EIR on October 26, 2010. The EIR provides a comprehensive analysis of impacts of public services demand from development supported by the General Plan areas of Monterey County, in which the project sites and CAWD facilities are located. This Initial Study utilizes the 2010 Monterey County General Plan EIR analysis for the impacts of future service provision and impacts of potential development of the CAWD service areas as summarized and discussed in this Initial Study. As such, this Initial Study "tiers" off the County General Plan EIR for addressing regional public service provision issues in accordance with State CEQA Guidelines section 15152, which encourages lead agencies to use an EIR prepared for a general plan or other program or ordinance, when the later project is pursuant to or consistent with the program or plan. The County's General Plan EIR, Section 4.11.2.6 Wastewater, addresses future development and service demand within the Proposed Project area, including the area served by the CAWD and proposed for future wastewater service upon annexation. While it does not specifically address the annexation and Sphere of Influence amendment currently proposed by the CAWD, it does address future indirect impacts of buildout of existing lots of record and regional development impacts.

This Initial Study therefore tiers from Monterey County's General Plan EIR analysis and provides additional analysis related to the indirect impacts of future annexation and the sphere amendment. The Monterey County General Plan EIR documents are also available on the County's website at: http://www.co.monterey.ca.us/planning/gpu/GPU_2007/gpu_2007.htm.

Additional individual EIRs for recent development proposed for properties within the SOI area can be found on the County of Monterey website at: http://www.co.monterey.ca.us/planning/major/default.htm.

Municipal Services Reviews (MSRs) Conducted for CAWD. California Government Code Section 56430 requires LAFCOs to conduct Municipal Services Reviews (MSRs) that describe the municipal services provided by the agencies that are subject to LAFCO authority. MSRs are comprehensive studies designed to collect and analyze information about service providers, to estimate their ability to meet current and future service needs, and to identify infrastructure needs or deficiencies, growth and population projections for the affected area, financing constraints and opportunities, opportunities for shared facilities, and government structure options. LAFCO's 2006 CAWD Adopted Municipal Services Review is available at http://www.co.monterey.ca.us/lafco; LAFCO also prepared an Administrative Draft CAWD Municipal Services Review, (LAFCO 2014, Updated with CAWD comments, 2015) which will be available (insert date). This background analysis provided early determination of LAFCO staff's consideration of the SOI and Annexation Area application.

The action of changing the District's Local Agency Formation Commission of Monterey County (LAFCO) boundaries, by itself, will not result in physical impacts on the environment, as described

herein. The sphere amendment and annexation involves no direct changes to the existing wastewater system or the associated system permits. In addition, the underlying local jurisdictions of the City of Carmel and the County of Monterey have each adopted their own General Plans and Land Use Plans that govern the planning and development of the CAWD area and Proposed Project area. Underlying zoning map of the proposed SOI and Annexation Areas is shown on **Figure 4**. CAWD's SOI Amendment and Service Area Annexation would not increase development potential beyond that envisioned in the adopted planning documents, and impacts related to such development would be anticipated to occur with or without the Proposed Project as outlined in this Initial Study.

VII. PROJECT ACTIONS

The Proposed Project includes the following approvals and permits; the Initial Study covers all project actions.

- Carmel Area Wastewater District: Board approval of Sphere of Influence Amendment, Annexation and Resolution to LAFCO for Application for the above.
- Local Agency Formation Commission of Monterey County: Processing a Sphere of Influence amendment and annexation to the CAWD. Approval of an amendment of the Sphere of Influence and approval of annexation proposed.

LAFCO is the agency empowered to incorporate, annex to, or dissolve cities and special districts. The objectives of LAFCO law (Government Code Section 56000 et seq.) require LAFCO to discourage urban sprawl, encourage the orderly formation and development of local government agencies, ensure the provision of adequate urban services, and preserve agricultural land resources on a countywide basis.

VIII. 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. None of the environmental factors would be potentially affected by this project as discussed within **Section IX. Evaluation of Environmental Impacts.** Sources used for analysis of environmental effects are listed in **Sections VII, Earlier Analyses** and **XI, References.** No impacts were identified as significant, as evidenced by the explanations, below.

☐ Aesthetics	■ Agricultural Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☐ Hazards/Hazardous Materials	■ Hydrology/Water Quality	■ Land Use/Planning
☐ Mineral Resources	☐ Noise	■ Population/Housing
■ Public Services	☐ Recreation	☐ Transportation/Traffic
■ Utilities/Service Systems	☐ Mandatory Findings of Significance	

IX. DETERMINATION

On the basis of this initial evaluation:

■ I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the Proposed Project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that 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.

☐ I find that although the Proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Proposed Project, nothing further is required.

Denise Duffy — 11/6/2015

Signature — date

Denise Duffy — CAWD, Drew Lander

Printed Name — for

X. EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
2. All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must 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.

4. "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 lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
5. Earlier analyses may be 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. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state 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," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
9. The explanation of each issue should identify:
   a) The significance criteria or threshold, if any, used to evaluate each question; and
   b) The mitigation measure identified, if any, to reduce the impact to less than significance.

XI. ENVIRONMENTAL CHECKLIST

This Initial Study is based on CEQA's Environmental Checklist Form (Appendix G of the CEQA Guidelines). As discussed in Section VII, each item on the checklist is answered as "no impact." depending on the anticipated level of impact. The checklist is followed by explanatory comments corresponding to each checklist item. The sources of information can be found in Section XII.

Removing the Odello Lands from the CAWD a service area will not result directly or indirectly to any physical changes to the environment, nor would it create any indirect or direct significant impacts in any of the following topical areas. This area already is undeveloped and the removal of this area will simply eliminate lands within the District Sphere of Influence, Annexation and future Service Area that are not proposed for wastewater service. Additionally, the designation of a Future Study Area for the Carmel Highlands area will not result directly or indirectly to any physical changes to the environment, nor would it create any indirect or direct significant impacts in any of the following topical areas.

A. Aesthetics

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	■
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	■
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	■
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a) – c) Views in and around the Proposed Project site area include the Highway 1 viewshed and the entrance to of the Big Sur coast along Highway 1 south, as well as the Carmel Valley Road viewshed. Views offered within the project area offer a variety of scenic vistas in nearly every direction.

The Proposed Project would revise boundaries of a Sphere of Influence and annex certain areas to expand the existing service areas for the CAWD or make current the existing service areas. Currently, the majority of the area proposed for boundary adjustments are developed with existing residential and commercial land uses.

Wastewater provision under CAWD would not necessarily promote or foster development of existing lots of record, expansion of existing uses, residential and commercial remodels, and similar purposes. No new infrastructure, construction activities, operational activities, or access routes are proposed. The Proposed Project does not propose to revise the land uses of the existing open space and rural agricultural land uses within the project area. The Proposed Project would not alter the existing character, aesthetics, and views of the area. Therefore, the Proposed Project would not result in a substantial adverse effect on a scenic vista, substantially damage scenic resources, or substantially degrade existing visual characteristics of the project site or its surroundings. Accordingly, the Proposed Project would have no impact on aesthetic resources.

There will be no placement of structures proposed due to the boundary adjustments and any future service area that will required placement of wastewater lines will be an indirect impact. By nature of the connections, future extension of pipelines will be placed underground and, therefore, will not permanently affect any scenic vistas or resources.

d) Since there are no new facilities or alterations to existing structures, no new glare or light sources would be produced. Therefore, there would be no impact to either day or night time visual aesthetics resulting from increased glare or light

Sources: (1, 2, 3, 4)

B. Agricultural Resources

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997)

prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

In California, agricultural land is given consideration under CEQA. According to Public Resources Code §21060.1, "agricultural land" is identified as prime farmland, farmland of statewide importance, or unique farmland as defined by the U.S. Department of Agriculture land inventory and monitoring criteria, as modified for California. CEQA also requires consideration of lands that are under Williamson Act contract.

CEQA requires the evaluation of forest and timber resources where they are present. The project site is located primarily in relatively low and medium density residential area sometimes surrounded by upland forested and open lands. The area does not contain any forest land as defined in Public Resources Code §12220(g)), timberland as defined by Public Resources Code §4526, or property zoned for Timberland Production as defined by Government Code §51104(g). The project site will not affect any forest or timber resources used for harvesting purposes.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 Resources Agency, to non-agricultural use?	☐	☐	☐	■
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	■
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 1220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	■
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	■
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

As shown in **Figure 4**, there is some grazing and coastal agricultural preserve land within the proposed additional Sphere of Influence. The project does not propose to change any land uses, including agricultural uses, and any future changes to land use resulting from the annexation of additional land would be addressed in subsequent environmental documents. No designated forest land or timberland is located within the project boundaries.

The removal of the Odello Ranch from the District's Sphere of Influence would support the continued agricultural use on this property. This property is under open space and conservation and planned for restoration, continued agriculture and floodway management. The property is currently accessed for trails in addition to continued agricultural use.

Figure 6 shows Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) within the SOI area. Appendix B provides a LAFCO Policy Consistency Analysis for sites designated as Prime Farmland or Important Farmlands within the area. The only property designated as Important Farmland and included in the SOI/Annexation area is the Wolter Properties site (Refer to **Figure 5**). The 48-acre site is shown as Important Farmlands on attached **Figure 6**. However, as discussed above, the project is already subdivided into eight parcels which are designated for residential uses. In this case, the farmland designation is not considered as relevant for LAFCO policy conformance purposes (LAFCO, Personal communication October 2015).

a) The project is a boundary adjustment for a SOI Amendment and annexation and would not 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 Resources Agency, to nonagricultural use. No development is proposed in the SOI area as part of the Proposed Project. The proposed Sphere of Influence amendment and annexation would expand the SOI boundaries for the District to join non-contiguous areas of the District and increase areas that could be provided wastewater service. Inclusion with the SOI could suggest that lands within this boundary may be suitable for receiving wastewater service in the future however, no service extensions are proposed by the District and no conversion of agricultural lands are proposed by this project. Thus, no conversion of designated lands would result from the project.

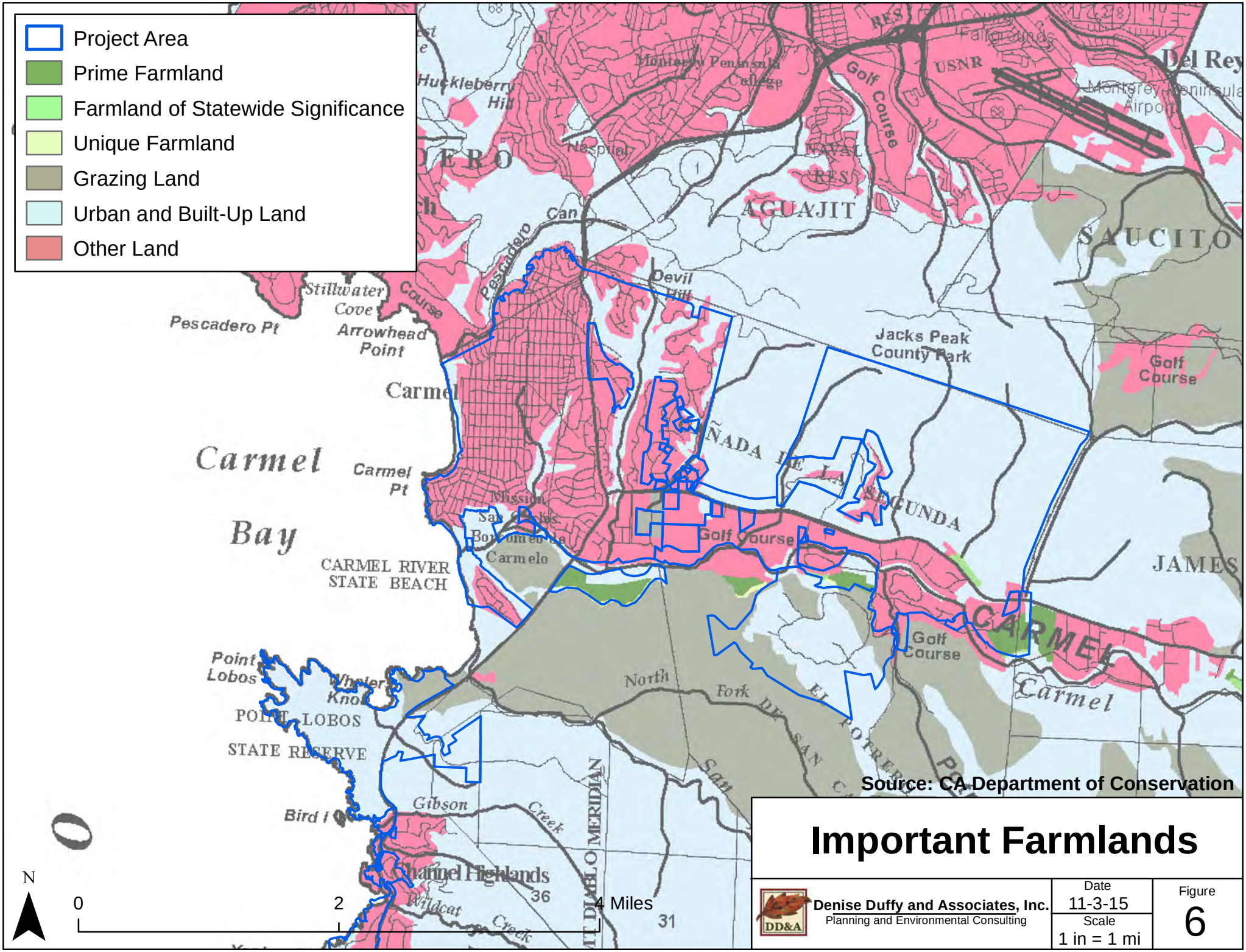
b) The proposed Sphere of Influence amendment and annexation will not conflict with existing zoning for agricultural use, or a Williamson Act contract. See above.

c) The proposed Sphere of Influence amendment and annexation will not conflict with existing zoning for, or cause rezoning of, forest or timber lands.

d) See c) above.

e) No other changes to the environment will occur from the proposed Project that will result in the conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. The proposed annexation and SOI amendment would not conflict with existing zoning to protect forest resources or result in forest land conversion. No trees are planned to be removed. Thus, neither the proposed annexation nor SOI amendment would conflict with zoning to protect forest resources, result in direct conversion of forest land or involve other changes that could indirectly lead to such conversion.

Sources (1, 2, 4 and 5)



Important Farmlands

Denise Duffy and Associates, Inc.
Planning and Environmental Consulting

Date 11-3-15

Scale 1 in = 1 mi

Figure 6

Document Path: C:\GIS\GIS_Projects\2015-22 CAWD SOI and SA\Fig 6 Farmlands Map.mxd

C. 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:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	■
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	■
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 precursors)?	☐	☐	☐	■
d) Result in significant construction-related air quality impacts?	☐	☐	☐	■
e) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	■
f) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

According to MBUAPCD, a project would result in a potentially significant air quality effect if it would:

- Emit 137 or more of volatile organic compounds (VOC) or oxides of nitrogen (NOx);
- Directly emit 550 lbs/day of Carbon Monoxide (CO);
- Generate traffic that significantly affects levels of service;
- Directly emit 82 lb/day or more of PM_{10} on site during operation of construction;
- Generate traffic on unpaved roads of 82 lb/day or more of PM_{10}; or
- Directly emit 150 lb/day or more of Oxides of Sulfur (SOx).

a) - f) The Proposed Project would provide for revised boundaries of a Sphere of Influence determination and service areas for the CAWD. As a result, the project would not result in indirect impacts associated with the development that could cause temporary increases in air quality emissions during construction in connection with ground-disturbing activities and the operation of heavy equipment. If additional residential or commercial development does occur, any indirect effects would be temporary in nature and would not exceed applicable MBUAPCD thresholds. Moreover, potential indirect effects would be addressed on a project-specific basis through standard construction best management practices, applicable conditions of approval, and project-specific mitigation (if applicable) identified during the development review process.

Greenhouse gas and climate change are addressed in **G Greenhouse Gases**, below.

Sources (1, 2, 3, and 4)

D. Biological Resources

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	■
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	■
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?	☐	☐	☐	■
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?	☐	☐	☐	■
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	■
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a)-c) No direct or indirect impact on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service are anticipated through the boundary adjustment of the SOI Amendment and Annexation. No impacts to riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service or wetlands are anticipated based upon the LAFCO designations and re-designations under the Proposed Project.

d) – e) The action of changing the District's boundaries, by itself, will not result in physical impacts on the environment, as described herein. The annexation involves no direct changes to the existing wastewater system or the associated system permits. As such, the project boundary change will not 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. The project does not conflict with relevant County policies or regulations protecting biological resources.

f.) Monterey County does not have an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state habitat conservation plan. Therefore, there is no impact.

Sources (1, 2, 3 and 4)

E. Cultural Resources

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	☐	☐	☐	■
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	☐	☐	☐	■
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	■
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a) – c) The project would not directly result in any physical development or construction of infrastructure improvements that would directly affect the environment. Since the Proposed Project would not entail the construction of physical improvements or otherwise result in ground-disturbing activities, the Proposed Project would not directly affect cultural resources. The Proposed Project would not cause any substantial adverse change in the significance of a historical resource or archaeological resource, adversely affect a unique paleontological resource or geologic feature, or disturb human remains. The Proposed Project would not directly affect any cultural resources. The project would not impact any paleontological resources, since no development or construction is proposed by the SOI Amendment and Annexation.

d) The project would not impact any human remains, since no development or construction is proposed by the SOI Amendment and annexation. If any human remains are encountered during future underground wastewater line construction, the following requirements are applicable:

Pursuant to §7050.5 of the Health and Safety Code and §5097.94 of the Public Resources Code of the State of California, in the event of the discovery of human remains during construction there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Monterey County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the coroner determines that the remains are not subject to his authority, the coroner shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

Sources (1, 2, 3, 4)

F. Geology and Soils

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) 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?	☐	☐	☐	■
ii) Strong seismic ground shaking?	☐	☐	☐	■
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	■
iv) Landslides?	☐	☐	☐	■
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	■
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?	☐	☐	☐	■
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?	☐	☐	☐	■
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?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a) – e) The project would not directly result in any physical development or construction of infrastructure improvements that would directly affect geology or soils. As a result, the proposed Project would not expose people or structures to potential seismically induced hazards (i.e., fault ruptures, ground failure, liquefactions, landslides, etc.), result in substantial soil erosion or the loss of topsoil, be located on a geologic unit that is unstable, or be located on expansive soils. The Proposed Project would not result in any potential adverse effects due to soils being incapable of supporting septic disposal since the Proposed Project would not involve the construction of any septic systems. The Proposed Project would not affect geology or soil resources.

Sources (1, 2, 3, 4, 6)

G. Greenhouse Gases

Various gases in the earth's atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the earth's surface temperature. Solar radiation enters the atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-

frequency infrared radiation. Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, the radiation that otherwise would have escaped back into space is retained, resulting in a warming of the atmosphere known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect, or climate change, are carbon dioxide (CO2), methane (CH4), ozone (O3), water vapor, nitrous oxide (N2O), and chlorofluorocarbons (CFCs). Human-caused emissions of these GHGs in excess of natural ambient concentrations are responsible for enhancing the greenhouse effect. In California, the transportation sector is the largest emitter of GHGs.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	■
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a) Because the project would not directly result in any construction or operation, and thus no emissions of greenhouse gases, and because indirect effects are addressed through the independently-required CEQA review of other development plans/projects, and future infrastructure improvements/facilities, the Proposed Project would have no impact due to greenhouse gas emissions. The proposed Sphere of Influence amendment and annexation will not affect GHG emissions, since boundary adjustments will not increase service population compared to existing conditions. The proposed wastewater system revisions in SOI and annexation will not increase or generate GHG emissions. Wastewater systems result in emissions of GHGs from wastewater treatment systems (e.g., in this case, individual septic systems). In the future, if all of the properties currently using septic systems are annexed to the District for public wastewater disposal, there will be a reduction of the GHG (methane gas emissions) from use of these septic systems.

b) The proposed Sphere of Influence amendment and will not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases as described above.

Sources (1, 2, 3)

H. Hazards and Hazardous Materials

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	■

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	■
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	■
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 it create a significant hazard to the public or the environment?	☐	☐	☐	■
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?	☐	☐	☐	■
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?	☐	☐	☐	■
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	■
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?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a) – c) The Proposed Project would not use, transport, or store hazardous materials, nor would it expose persons or the environment to risks associated with hazardous materials above current (i.e., baseline) uses. The proposed SOI and annexation consists of the extension of boundaries for wastewater service to existing developed residential area and proposed or planned areas. The project does not include infrastructure improvements. The project does not involve the transport, use, or disposal of hazardous materials or wastes and would not result in creation of a public health hazard. Therefore, the project would not result in impacts related to hazardous material use or hazardous emissions or wastes. Without any construction activity, no heavy equipment, worker vehicles, or construction-grade materials (e.g., sealants, dust abatement oils, etc.) would be necessary. Accordingly, the Proposed Project would have ***no impact*** regarding the use, storage, transport, or exposure to hazardous materials.

d) The project area is not included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.5[2]. From a hazardous materials site perspective, implementation of the Proposed Project would have ***no impact***.

e) – f) There are no public or private airports within two miles of the project site. Therefore, the project would impart ***no impact*** to any airport facility, their staff, or passengers.

g) The major evacuation route in the vicinity of the Proposed Project is State Highway 1. The Proposed Project would not alter the design or geometrics of State Highway 1 or, any public roads with ingress or egress to State Highway 1. The Proposed Project, from a vehicular traffic perspective, is benign; no new facilities, roads, or activities are proposed that would alter, impede, or otherwise impair vehicle movement. Therefore, implementation of the Proposed Project would not interfere with an adopted emergency response plan or emergency evacuation plan and would have ***no impact*** in this regard.

h) The Proposed Project would not develop new structures, change existing operations, nor would it result in attracting additional people to the area. No additional risks of or, exposure of people to wildland fire hazards would result from the project. Accordingly, the Proposed Project would have ***no impact*** on existing wildland fire risks or conditions.

The Proposed Project would not result in any direct effects due to hazards or hazardous materials. The Proposed Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, would not cause the accidental release of a hazardous material, emit hazardous emissions within one-quarter mile of an existing or proposed school, be located on a hazardous material site, create a safety hazard for people residing or working within the vicinity of a public or private airport, impair the implementation of an emergency response plan, or expose people or structures to a significant hazards due to wildland fires. The Proposed Project would rely would not require the construction of any new or expanded facilities.

Sources (1, 2, 3, 4, 6)

I. Hydrology and Water Quality

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	■
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the	☐	☐	☐	■

[2] California Department of Toxic Substances Control, Hazardous Materials Sites Database on website: http://www.geotracker.swrcb.ca.gov. California State Water Resources Control Board, Enforcement Order Document Search, on website at: http://www.swrcb.ca.gov/ enforcement/docs/ind/search_orders.html. California State Water Resources Control Board, Leaking Underground Storage Tanks, on website: http://www.swrcb.ca.gov/rwqcb5/available documents/ug_tanks/LUST.pdf. California State Water Resources Control Board, Solid Waste Information System (SWIS), on website: http://www.ciwmb.ca.gov/SWIS/. All websites were accessed on November 10, 2005.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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)?				
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?	☐	☐	☐	■
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 which would result in flooding on- or off-site?	☐	☐	☐	■
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?	☐	☐	☐	■
f) Otherwise substantially degrade water quality?	☐	☐	☐	■
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	■
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	■
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?	☐	☐	☐	■
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	■

The project area lies within the boundaries of the Carmel River Basin. The drainage basin consists of 164,000 acres. Almost all drainage within the basin is ultimately carried by the Carmel River, which flows naturally during the winter and spring months. The Carmel River Basin, flows into the Carmel Lagoon and Carmel Bay, which are part of the Monterey Bay National Marine Sanctuary. The lower Carmel Valley area, near the Carmel River, is within the historic floodplain. The first documented major Carmel River flood was in 1911. Flooding in 1958 resulted in estimated flow rates of 14,000 cfs at the Carmel River Bridge and caused extensive flooding.

Discussion/Conclusion/Mitigation

a) The Proposed Project would not result in discharges that would potentially violate water quality standards or waste discharge requirements. Therefore, no impacts are expected.

The existing Carmel Area Wastewater District collection system is composed of approximately 83 miles of gravity sewers ranging in size from 6-inches to 27-inches in diameter together with nearly 5 miles of force mains and seven pump stations. Treated secondary effluent is filtered using a submerged microfiltration system which produces filtrate under vacuum conditions by a

filtration pump. The system contains three cells with a total filtrate capacity of 1.9 MGD. The microfiltration system serves as a pretreatment to reverse osmosis; a portion of the microfiltration flow is not treated by reverse osmosis but instead blended with reverse osmosis permeate. Reverse osmosis treatment consists of three independent, 2-stage reverse osmosis treatment trains. Each treatment train has a dedicated high pressure feed pump.

Finished water is then conveyed to the Tertiary Facility for chlorination. The Tertiary Facilities include a flow equalization basin, four chlorine contact basins, a Lamella Thickener, and a reclamation wet well and conveyance pumps. The reclamation pumps convey the water to a storage facility at the Pebble Beach reservoir for the recycled water users.

Reverse osmosis reject water is chlorinated and dechlorinated before it is sent to the effluent station for ocean discharge. MR/RO waste is equalized and pumped from the MF/RO system to the Tertiary Facilities and eventually returned to the plant headworks.

Discharges to Carmel Bay consist of dechlorinated secondary treated wastewater, RO concentrate, or combinations thereof depending on seasonal demand for recycled water. Treated wastewater is discharged to Carmel Bay, an Area of Special Biological Significance, within the Monterey Bay National Marine Sanctuary pursuant to State Water Board Resolution No. 84-78, which grants an exception to the prohibition established by the California Ocean Plan regarding discharges to Areas of Special Biological Significance. [3]

The CAWD operates under Order No. R3-2014-0012, NPDES No. CA0047996 from the Regional Water Quality Control Board and meets all applicable standards. The Proposed Project consists of a proposed Sphere of Influence amendment and annexation extending service areas to areas either already with wastewater service or to planned CAWD Annexation Areas. There would be no wastewater system improvements through this boundary adjustment. No change is proposed in wastewater treatment in connection with the proposed water system improvements. Therefore, the project would have no effect on wastewater treatment requirements and would result in no impact.

b) There would be no water system improvements or capacity increases through this boundary adjustment. No change is proposed in existing or proposed area water system improvements. Therefore, the project would have no effect on water systems. Further, the project would not deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Recharge to the Carmel Valley area comes from a variety of sources including directly from precipitation on the valley floor, runoff from the bordering valley sides and tributaries, deep percolation from surface irrigation and individual septic systems, agriculture return flow, down-valley groundwater flow through the alluvium and in the river channel. Approximately 85 percent of the recharge in the aquifer occurs through the Carmel Riverbed, with additional water coming from tributary drainages, precipitation, inflow from surface bedrock, and return flow from irrigation systems and septic tanks[4]. The Carmel Valley Aquifer system functions as a water supply source for a large portion of the local area. The primary consumptive use is from pumping of the aquifer for domestic use. The use of septic systems after future annexation of the properties within the SOI area could reduce the portion of the return flow from septic tanks of the existing single family homes with septic systems on the Valley floor. Groundwater quality has also been affected by seepage from septic systems in the Carmel Valley area. However, the contribution of recharge from infiltration of septic systems in these homes in comparison to the other sources is

[3] RQCB CAWD ORDER NO. R3-2014-0012, NPDES NO. CA0047996; Attachment F " Fact Sheet F-5"

[4] http://www.co.monterey.ca.us/Planning/plan_info/PDFs/3-2_HydroWQ_final.pdf

small and the timeframe for removal of septic systems by individual homeowners is likely to occur over time (and some homes may choose not to hook up to the CAWD system). Therefore, the contribution is small and the timing unknown. The potential future indirect impacts from reduction of septic systems on the water system will thus not result in the depletion of groundwater or the groundwater system[5],[6].

c) The proposed annexation and Sphere of Influence project elements would not result in new development or impervious surfacing. The proposed wastewater boundary adjustments would have no effect on streams or watercourses in the vicinity. Therefore, the project would result in no impact regarding alteration of drainage patterns and watercourses and potential subsequent erosion.

d) - f) The proposed annexation and Sphere of Influence project elements would not result in new development or impervious surfacing or impacts to existing drainages in the vicinity of the project area. The proposed wastewater boundary adjustments would have no effect on or increase in runoff. The amendment to the SOI and annexation would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding and would not substantially alter the existing drainage pattern of the site.

g) - h) None of the project elements would result in construction of housing or other structures within a floodplain or expose people to flood hazards. Therefore, the project would have no impact related to placement of housing or structures within a flood hazard area.

i) - j) None of the project elements would result in construction of new facilities that would 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 or inundation by seiche, tsunami, or mudflow. Therefore, there is no impact.

Sources (1, 2, 3)

J. Land Use and Planning

The State Cortese-Knox Act, which was revised by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (AB 2838), grants the Local Agency Formation Commission (LAFCO) the power and duty to review proposals for changes of organization or reorganization, including adjustments and/or expansions to service district boundaries. Monterey County LAFCO would be responsible for approval of the proposed Sphere of Influence amendment and annexation to the CAWD service boundaries. Among the purposes of the LAFCO review are the organized and efficient extension of governmental services, protection of open space and prime agricultural lands, and consideration of adequate affordable housing.

Table 1 summarizes the areas of the Proposed Sphere of Influence Amendment and Annexation as well as the area of the SOI removal for the Odello Lands. The existing service area of the CAWD area is 3200 acres. Expansion of the SOI boundary and annexation area will provide for 6,200 acres within the CAWD area including lands to be removed. The Odello lands to be removed and the Point Lobos Area shown on

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[5] CEQA references an impact in this category as "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)".

[6] The use of septic systems have also been linked to increased pollutants in groundwater. Pollutants that are not removed by septic systems can migrate into groundwater by leaching through the soil resulting in potential contamination of ground water resources. This problem can be magnified as the number of older failing systems increases over time.

Figures 4 and 5 are located within the Carmel Area Land Use Planning area. The Carmel Area Land Use Plan is the adopted Local Coastal Program (LCP) for this portion of Monterey County. The additional SOI and Annexation Area lies predominantly in the Carmel Valley area and is governed by the Monterey County General Plan and the Carmel Valley Area Plan. The parcels within the proposed SOI and annexation sites areas and land use designations are shown on **Figure 4**. Primary properties and large parcels within the area are shown in **Figure 5**.

Additionally, the Monterey County General Plan (2010) contains supplemental policies for the Carmel Valley Master Plan area. These policies (Monterey County General Plan, Carmel Valley Master Plan as October 26, 2010 – Amended as of February 12, 2013 CVMP-1 are available on the Monterey County website. Policy CV-5.5 states that parts of the Carmel Valley aquifer are susceptible to contamination from development in areas not served by a regional wastewater treatment facility. Development projects must not be located where wastewater systems would pose a threat of contamination to the aquifer. Policies also state that new residential subdivision in Carmel Valley shall be limited to creation of 190 new units and further state at least 24 of these units are reserved for the Delfino Subdivision area and areas around the Carmel Valley Village area, outside the proposed project area of this Project. See Monterey County website located at: http://www.co.monterey.ca.us/planning/gpu/gpu_2007/2010_mo_co_general_plan_adopted_102610/Elements_Area-_Master_Plans/09B-CVMP_10-26-2010%20-%20Amended%20as%20of%2002-12-13.pdf.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	■
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?	☐	☐	☐	■
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a) The local jurisdictions of the City of Carmel and the County of Monterey have each adopted their own General Plans and Land Use Plans that govern the planning and development of the CAWD area and Proposed Project area. The action of changing the District's LAFCO boundaries and service area extensions will not divide an established community. Thus, no impact would result with implementation of the Proposed Project.

b) The proposed SOI amendment will result in inclusion of additional lands within the District's Sphere of Influence and service area, which would not conflict with an established land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect. There are various parcels located within the boundary adjustment and expanded SOI. Land use designations within the proposed SOI amendment and Annexation Area vary and each provide specified regulations and policies. City of Carmel and the County of Monterey General Plan and Carmel Area Land Use Plan and Carmel Valley Area Plan each have each adopted their own policies and regulations that govern the planning and development of the CAWD area and Proposed Project area. Review of the policies conducted for this Initial Study indicates that the

project does not conflict with relevant County policies or regulations adopted for the purpose of avoiding or mitigating an environmental impact.

c) Habitat Plans – No Impact. Monterey County does not have an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional or state habitat conservation plan. Therefore, there is no impact.

Sources (1, 2, 3, 4, 6)

K. Mineral Resources

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	■
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	■

The California Mineral Land Classification System uses four major Mineral Resource Zone (MRZ) designations based on the degree of knowledge available about a site's mineral resources. According to the Monterey County General Plan, the Odello Lands has a MRZ-3 designation. MRZ-3 indicates areas of undetermined mineral resource significance. The Odello Lands are proposed for removal from the SOI area.

No known mineral resources are located within CAWD's existing service area in the City of Carmel-by-the-Sea or the Carmel Valley/Carmel River watershed. As a result, the Proposed Project would not result in any secondary effects to mineral resources.

Sources (1, 2, 3)

L. Noise

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	■
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	■
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	■
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	■

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	■
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?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a) – f) None of the project components (annexation or SOI amendment) will result in structural development that might subject people to excessive noise levels. Thus, the project would result in no impact related to noise exposure.

Future wastewater pipeline construction for undergrounding of wastewater line improvements would not result in a substantial increase in ambient noise level or expose people to noise in excess of standards identified in the County's General Plan. Thus, this is considered a less-than-significant impact.

Sources (1, 2, 3)

M. Population and Housing

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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)?	☐	☐	☐	■
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a) The Proposed Project would not involve any construction activities, such as new homes, businesses or, the modification of existing infrastructure at the project site. No new streets/roads would be constructed, widened or extended as a result of the Proposed Project. Furthermore, the Proposed Project would not result in the conversion of land use designations under the Monterey County General Plan or, be applicable to a zoning change.

Currently, the majority of the area proposed for boundary adjustments are developed with residential and commercial existing land uses. Wastewater provision under CAWD would not

necessarily promote or foster development of existing lots of record, expansion of existing uses, residential and commercial remodels, and similar purposes. There is currently a major constraint for water available for new residential or commercial subdivisions, new large-scale commercial development, or projects that are inconsistent with existing site zoning and general plan designations. Further, see the specific bullets below addressing indirect impacts of growth inducement.

- The project would not "extend infrastructure" (per the CEQA checklist criteria). The project would enlarge the area in which a boundary change would not be needed in order for future wastewater infrastructure extension to occur, if Rancho Canada, or development on the other sites, were to be approved by the County, pending its own CEQA clearance, permitting, and any other required approvals.
- The proposal, on its own, would not enable new development that is otherwise unable to proceed. Wastewater infrastructure already exists in the area and is not an existing constraint on new development being able to occur (availability of potable water is the primary physical constraint). The project would eventually reduce use of septic systems in the area which have been acknowledged as a potential source of pollutants in groundwater. Future development that does receive the necessary County approvals will be able to connect to wastewater treatment infrastructure rather than individual septic systems.
- Any development of the areas to be annexed would still require individual County and CEQA clearance, permitting, and any other required approvals.
- The Rancho Canada site is currently developed partially with the club house and ancillary uses. The proposal for annexation of this area will allow wastewater service to existing uses. The portions of the currently undeveloped areas of Pacific Meadows and Del Mesa are designated as residential in the County's General Plan, but do not have development potential due to conservation easements associated with their approvals as well as limiting terrain. The reason for inclusion of these areas in the proposal is to aid in a boundary definition (to simplify the engineered mapping and preparation of a legal description in this area, and is not to serve new development. No development is proposed or anticipated on these sites.

As a direct population growth or growth inducement project, this project has none of the traditional features or elements that would promote or encourage such urban development. There is no housing, development of buildings and no permanent jobs would be added to the area. Therefore, the project would not induce substantial population growth. The project would expand the service area for District which is a boundary adjustment. Future applications to the District would require wastewater distribution upgrades to provide reliable service, but does not represent a major expansion in use or services overall compared to existing conditions that would directly or indirectly facilitate growth.

b) – c) The Proposed Project would not displace existing people or housing, or require the construction of replacement housing elsewhere. The Proposed Project does not involve any new housing or infrastructure, nor does it propose any activities that would change, or otherwise affect regional communities, populations, or residences.

Sources (1, 2, 3, 7)

N. Public Services

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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:				
a) Fire protection?	☐	☐	☐	■
b) Police protection?	☐	☐	☐	■
c) Schools?	☐	☐	☐	■
d) Parks?	☐	☐	☐	■
e) Other public facilities?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a) – e) The project does not involve new development or habitable structures that would result in new population growth or demands for public services. The project does not involve new habitable structures and will bring no new students to the area, require no new school facilities, or impact parks/recreation facilities or other governmental services. The temporary construction activities and associated work crews will not have an impact on fire or police protection services.

Sources (1, 2, 3)

O. Recreation

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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?	☐	☐	☐	■
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a) – b) The project would not impact any recreational resources, since no development or construction is proposed by the SOI Amendment and annexation. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the

facility would not occur. There is no construction or expansion of recreational facilities as part of this project.

Sources (1, 2, 3)

P. Transportation/Traffic

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	■
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measure, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	■
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?	☐	☐	☐	■
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	■
e) Result in inadequate emergency access?	☐	☐	☐	■
f) Result in inadequate parking capacity?	☐	☐	☐	■
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a) – g) The project would not result in any significant transportation/traffic related impacts. The project does not involve the construction of any new facilities and no new uses would be associated with the implementation of the Proposed Project. No new facilities would be constructed as part of the Proposed Project. As a result, the Proposed Project would not conflict with applicable County of Monterey or City of Carmel-by-the-Sea traffic standards, conflict with applicable congestion management requirements, cause a change in air traffic patterns, substantially increase potential hazards due to a design feature (e.g., dangerous intersections), result in inadequate emergency access, result in an unacceptable level of service (LOS), or otherwise result in a traffic-related impact. The Proposed Project would result in indirect traffic-related impacts; these effects are evaluated within the context of the project's potential growth inducing effects. There would be no direct traffic-related effects in connection with the implementation of the Proposed Project.

Sources (1, 2, 3, 7)

Q. Utilities and Service Systems

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	■
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?	☐	☐	☐	■
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	■
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	■
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?	☐	☐	☐	■
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	■
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

The action of changing the District's Local Agency Formation Commission of Monterey County (LAFCO) boundaries, by itself, will not result in physical impacts on the environment, as described herein. The annexation involves no direct changes to the existing wastewater system or the associated system permits.

In addition, the underlying local jurisdictions of the City of Carmel and the County of Monterey have each adopted their own General Plans and Land Use Plans that govern the planning and development of the CAWD area and Proposed Project area. Underlying zoning map of the proposed SOI and Annexation Areas is shown on **Figure 4**. CAWD's SOI Amendment and Service Area Annexation would not increase development potential beyond that envisioned in the adopted planning documents, and impacts related to such development would be anticipated to occur with or without the Proposed Project as outlined in this Initial Study. Further, the Monterey County General Plan EIR did not identified potentially significant impacts related to services for wastewater generation in the District. Additional environmental documentation on specific development proposals also address District annexation and wastewater service to specific developments cited above, including the Draft EIR for the Rancho Cañada Village Specific Plan available at the County's website: http://www.co.monterey.ca.us/planning/major/Rancho%20Canada%20Village-JRO-091013/rcv_main.htm and the September Ranch EIR and approval materials http://www.co.monterey.ca.us/planning/major/default.htm. Both project level EIRs concluded that increased flows resulting from these proposed and approved projects would not exceed the CAWD treatment facility's permitted facility or substantially decrease the ability of the plant to treat existing

flows. Additionally, CAWD engineers indicated available capacity for service of the areas within the proposed SOI and annexation (Landers, 2015).

Carmel Valley Master Plan Policy CV-5.5 acknowledges that parts of the Carmel Valley aquifer are susceptible to contamination from development in areas not served by public wastewater systems. Development projects must prove they would not would not pose a threat of contamination to the aquifer. Any new development shall be carefully reviewed for proper siting and design of on-site sewage disposal systems in accordance with the standards of the Carmel Valley Wastewater Study.

Services including water and wastewater generation and treatment capacity have been or would be reviewed as part of subsequent development plans, and all development would be conditioned on verification of adequate wastewater treatment capacity at the time development plans are being processed. Thus, wastewater treatment capacity and overall service capacity would be reviewed as part of the environmental review process when specific projects are proposed.

Sources (1, 2, 3, 4, 5, 6, 7)

R. Mandatory Findings of Significance

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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 examples of the major periods of California history or prehistory?	☐	☐	☐	■
b) 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)?	☐	☐	☐	■
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	■

Discussion/Conclusion/Mitigation

a) - c) Less-than-Significant Impact. The project would not result in significant impacts associated with the CEQA mandatory findings of significance. Based on the analysis provided in this Initial Study, the proposed Sphere of Influence amendment and annexation will not substantially degrade or reduce wildlife species or habitat, impact historic or other cultural resources, result in significant cumulative impacts, or cause adverse effects on humans with incorporation of all standard and mitigation measures identified herein.

The proposed SOI and annexation does not change land uses or policies as previously analyzed in area plans or development approved through the County of Monterey entitlement process consistent with certified EIRs. The adoption of the proposed SOI and annexation will not result in direct development. Additionally, future development projects will be subject to site-specific environmental review as discussed above.

XII. DOCUMENT PREPARATION/REFERENCES

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2. 2006 CAWD Adopted Municipal Services Review, LAFCO and 2014 Administrative Draft CAWD Municipal Services Review, LAFCO 2014, Updated with CAWD comments, 2015.

3. CAWD Master Capital Improvement Plan. CAWD Municipal Services Review 2006 and 2014, Draft

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5. Monterey County Important Farmlands Map, 2006

6. Professional Expertise of Consultant and Personal Communication CAWD, LAFCO, Whitson Engineers

7. Monterey County General Plan, Carmel Valley Master Plan, October 26, 2010 – Amended as of February 12, 2013. Accessed at:

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Report Preparation

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References/Literature Sources

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http://www.waterboards.ca.gov/rwqcb3/board_decisions/adopted_orders/2014/2014_0012_npdes.pdf
- City of Carmel-by-the-Sea, Carmel-by-the-Sea General Plan/Coastal Land Use Plan, available at: http://ci.carmel.ca.us/carmel/index.cfm/government/staff-departments/community-planning-and-building/general-plan/
- City of Carmel-by-the-Sea, 2011 Municipal Service and Sphere of Influence Review, Monterey County LAFCO;

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- County of Monterey, Carmel Area Land Use Plan, available at: http://www.co.monterey.ca.us/planning/docs/plans/Carmel_Area_LUP_complete.PDF
- County of Monterey, Carmel Valley Master Plan, available at: http://www.co.monterey.ca.us/planning/docs/plans/Carmel_Valley_Master_Plan_complete.PDF
- County of Monterey, Zoning Ordinance, Title 21 available at: http://www.co.monterey.ca.us/planning/docs/ordinances/Title21/21_toc.htm.
- County of Monterey, Resource Management Agency Website for Major Projects and EIRs, available at: http://www.co.monterey.ca.us/planning/major/default.htm
- Kennedy/Jenks Consultants, Carmel Area Wastewater District Wastewater Treatment, Capital Improvement Program 15-Year Master Plan, April 2013 http://cawd.org/documents/financial/Capital%20Improvement%20Program%2015-Year%20Master%20Plan.pdf
- Monterey Bay Unified Air Pollution Control District (MBUAPCD), CEQA Air Quality Guidelines, February 2008
- MBUAPCD, 2008 Air Quality Management Plan, June 2008
- State of California Department of Conservation, Farmland Mapping & Monitoring Program available at: http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx
- Denise Duffy & Associates, Final Initial Study/Mitigated Negative Declaration for the Carmel River Floodplain Restoration and Environmental Enhancement Project, April 15, 2010.
- City of Carmel-by-the-Sea 2007-2014 Housing Element

APPENDICES

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Appendix A

CAWD Service Wastewater Service Areas Overview Map

http://www.cawd.org/documents/engineering/CAWD-Mapbook0509.pdf

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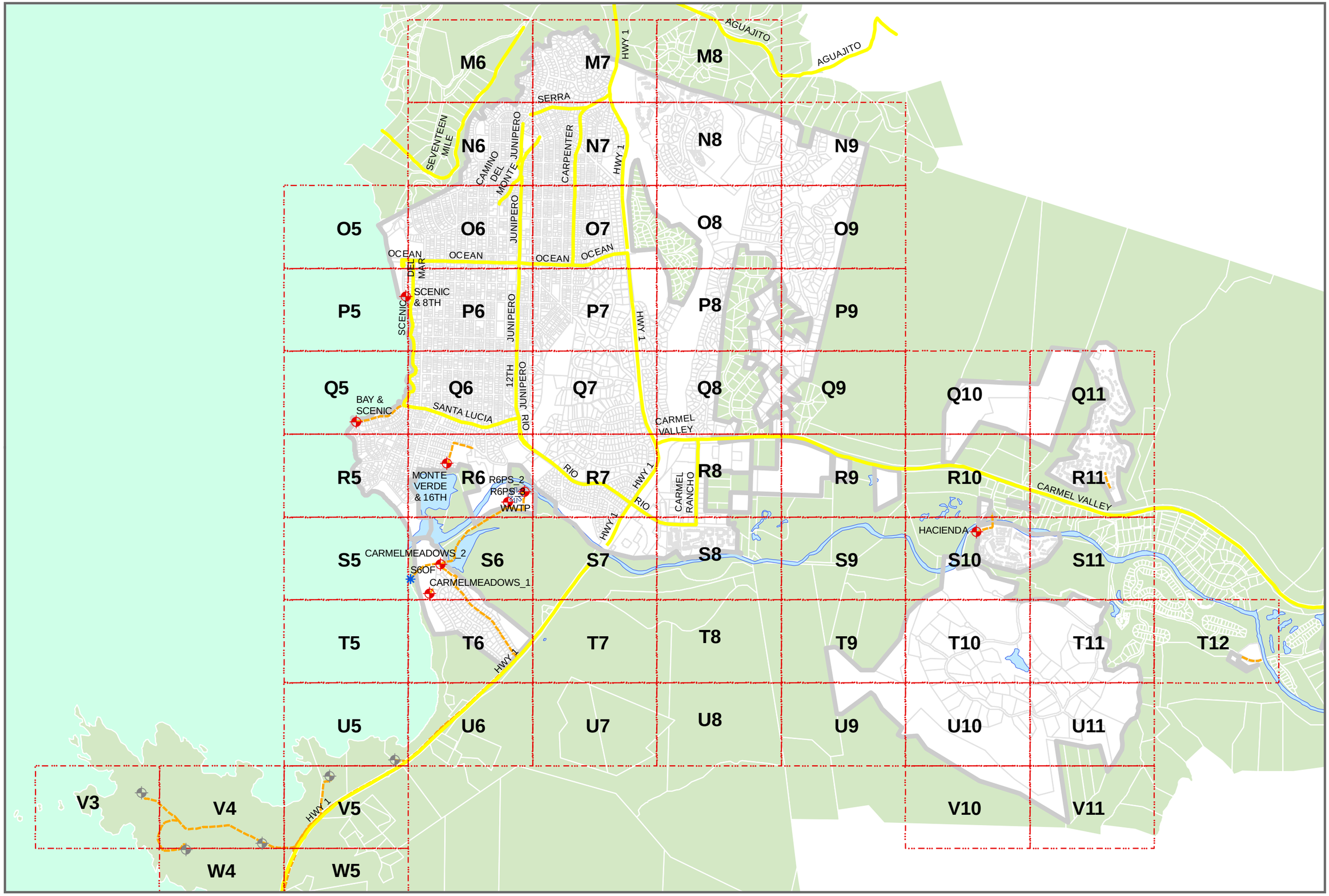


Legend

Major Roads

Sewer Structures

Structure

Outfall

Private Pump Station

Pump Station

Treatment Plant

LINETYPE

FM

ServiceArea

CAWD Parcels

County Parcels

Carmel Area Wastewater District

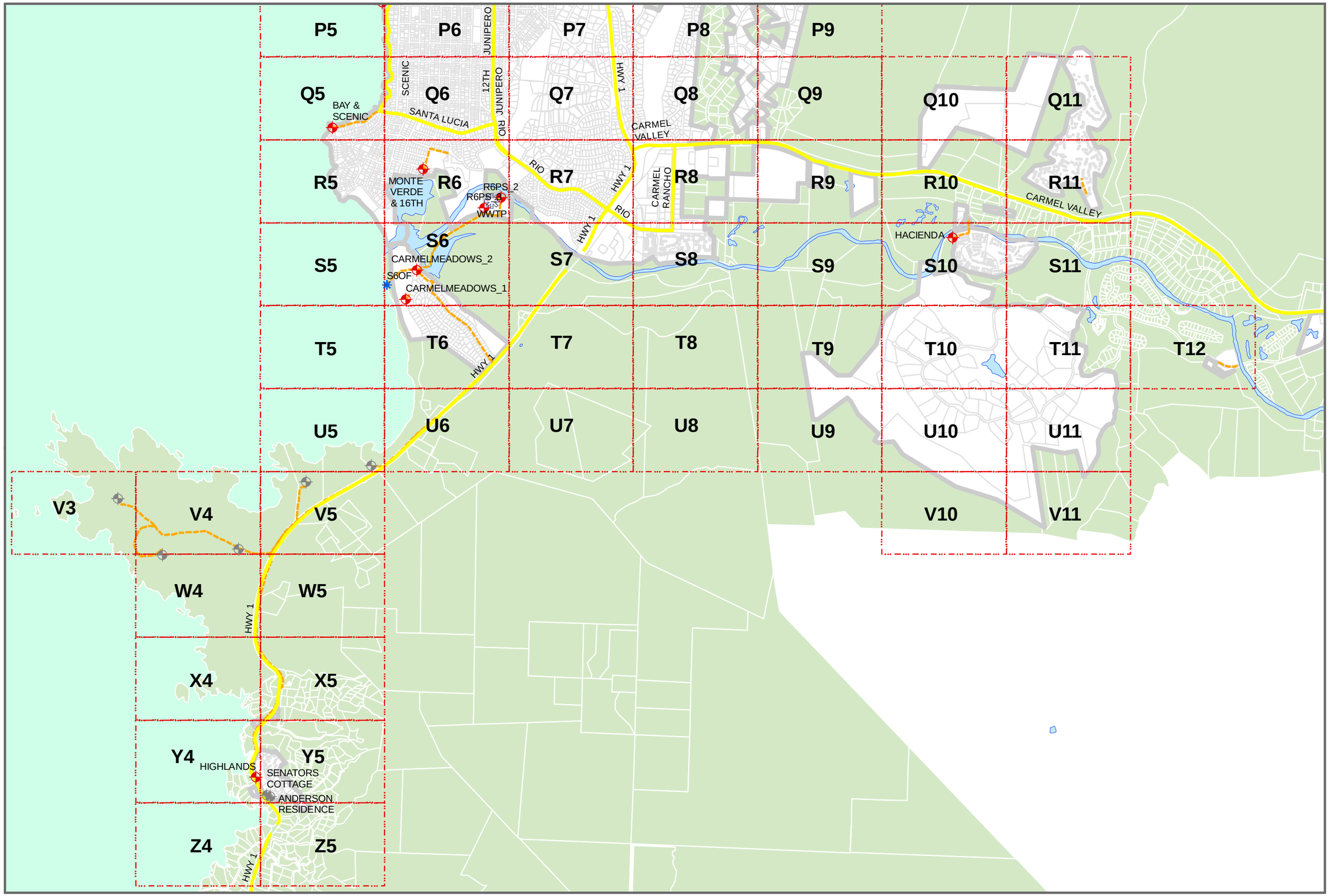
Sanitary Sewer System Inventory

N

W E

S

Created by ICOMMM, Inc.
Revised 05/2009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U10
U11
V3
V4
V5
V10
V11
W4
W5
X4
X5
Y4
Y5
Z4
Z5
SCENIC
12TH
JUNIPERO
RIO
HWY 1
SANTA LUCIA
BAY & SCENIC
CARMEL VALLEY
CARMEL RANCHO
MONTE VERDE & 16TH
R6PS_2
R6PS_1
WWTP
CARMELMEADOWS_2
S6OF
CARMELMEADOWS_1
HACIENDA
HIGHLANDS
SENATORS COTTAGE
ANDERSON RESIDENCE
Legend
Major Roads
Sewer Structures
Structure
Outfall
Private Pump Station
Pump Station
Treatment Plant
LINETYPE
FM
ServiceArea
CAWD Parcels
County Parcels
Carmel Area Wastewater District
Sanitary Sewer System Inventory
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Appendix B
Cortese-Knox-Hertzberg and LAFCO of Monterey County

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Appendix B

Cortese-Knox-Hertzberg and LAFCO of Monterey County Consistency Analysis for CAWD

Table B-1 presents Cortese-Knox-Hertzberg Local Government Reorganization Act Consistency. **Tables B-2 and B-3** present LAFCO Policy Analysis for CAWD's Proposed Sphere of Influence Amendment and annexation. Monterey County LAFCO has adopted guidelines for annexation review in its Policies and Procedures Relating to Spheres of Influence and Changes of Organization and Reorganization. An analysis of the project's conformance with the LAFCO standards, consistent with the policies of the Cortese-Knox-Hertzberg Act, is provided in the tables below. The following discusses the primary applicable policies that may be considered during LAFCO deliberations on the Project. The policies related to E) Preservation of Open-Space and Agricultural Lands are not fully addressed in Appendix B since sites designated as prime farmland were reviewed as described in Section D.IX of this Initial Study. The policies related to F) Housing and Jobs were reviewed and determined not to be applicable to his Project. The Project is for inclusion of sites in a wastewater district to allow development to connect to sanitary; not for approval of development projects on those sites.

Sphere of Influence Policies and Criteria

- I. Legislative Authority
- II. Policy Guidelines for Spheres of Influence
- III. Procedural Guidelines
- IV. Sphere of Influence Update, Amendment and Service Review
- V. Minor Sphere of Influence Amendment
- VI. Additional Policies Relating to the Former Fort Ord Area

D) Standards for the evaluation of Proposals for a Change of Organization or Reorganization

- I. Introduction
- II. Determination of Boundaries
- III. Duplication of Authority to Perform Similar Functions
- IV. Conformance with City of County General and Specific Plan
- V. Conformance with Sphere of Influence
- VI. Environmental Impact Assessment
- VII. Economics, Service Delivery and Development Patterns
- VIII. Phasing
- IX. Open-Space and Agricultural Land
- X. Groundwater Standards
- XI. Incorporation Guidelines
- XII. Regional Traffic Impacts
- XIII. Efficient Urban Development Patterns
- XIV. Disadvantaged Unincorporated Communities
- XV. Contract/Agreement Service Extension

E) Preservation of Open-Space and Agricultural Lands

- I. Introduction
- II. Policy

F) Housing and Jobs

- I. Introduction
- *II.* Policy

Cortese-Knox-Hertzberg Act Policies: The following presents the relevant sections of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 as amended, codified in the California Government Code, which reflect the duties and powers of LAFCO regarding CAWD's proposed Service Area (SA) annexation and Sphere of Influence (SOI) amendment, and describes the project's consistency with such requirements.

Appendix B; Table B-1 Cortese-Knox-Hertzberg Local Government Reorganization Act Consistency		
Gov't Code	**Criteria**	**Analysis**
56375	The commission shall have all of the following powers and duties subject to any limitations upon its jurisdiction set forth in this part: (a) To review and approve or disapprove with or without amendment, wholly, partially, or conditionally, proposals for changes of organization or reorganization, consistent with written policies, procedures, and guidelines adopted by the commission. (b) …to determine if the territory is inhabited or uninhabited. …. (g) To adopt written procedures for the evaluation of proposals. The commission may adopt standards for any of the factors enumerated in Section 56668, Any standards adopted by the commission shall be written.	*Consistent.* CAWD proposes to seek LAFCO approval to annex territory into CAWD's LAFCO SA and to amend its SOI to allow for provision wastewater collection service for the annexed area. Pursuant to 56425(h), the Proposed annexation area is partially inhabited, and proposed and planned for limited additional development to increase the use of the area. LAFCO of Monterey County adopted "Policies and Procedures Relating to Sphere of Influence and Changes of Organization and Reorganization" on April 25, 2011 (per 56375 (g)) and it adopted its Municipal Services Review of the Carmel Valley Area (MSR) in 2006. That document, in addition to CAWD's Capital Improvement Program (CIP) 15-Year Master Plan Report, 2013, CAWD Sewer System Management Plan (SSMP), Updated October 2013, and Administrative Draft MSR for CAWD (2014) as well as the Draft Initial Study for this proposed request establish the nature location and extent of the functions and classes of services provided by existing districts.
56425	(a) In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies to advantageously provide for the present and future needs of the county and its communities, the commission shall develop and determine the sphere of influence of each local governmental agency within the county and enact policies designed to promote the logical and orderly development of areas within the sphere. …. (h) When adopting, amending, or updating a sphere of influence for a special district, the commission shall do all of the following: (1) Require existing districts to file written statements with the commission specifying the functions or classes of services provided by those districts. (2) Establish the nature, location, and extent of any functions or classes of services provided by existing districts. (3) Determine that, except as otherwise authorized by the regulations, no new or different function or class of service shall be provided by any existing district, except upon approval by the commission.	
56668	Factors to be considered in the review of a proposal shall include, but not be limited to, all of the following: Population, population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years. (b) Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. ''Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the	*Consistent.* In reviewing the proposed annexation, LAFCO would consider the items required to be reviewed by the government code, including evaluation of the financial and physical ability of CAWD to provide services to the proposed annexation areas proposed. The changes to CAWD boundaries are consistent with the Monterey County General Plan, City of Carmel-by-the-Sea General Plan and land use designations and policies, in addition to environmental impact reports for proposals within the Carmel Area Land Use Plan and Carmel Valley Master Plan area. Future planned development of the annexation area has been assumed, and accounted for in the area

	public facilities necessary to provide those services. (c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county. (d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377. (e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016. (f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries. (g) Consistency with city or county general and specific plans. (h) The sphere of influence of any local agency which may be applicable to the proposal being reviewed. (i) The comments of any affected local agency. (j) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change. (k) Timely availability of wastewater/water supplies adequate for projected needs as specified in Section 65352.5. (l) The extent to which the proposal will assist the receiving entity in achieving its fair share of the regional housing needs as determined by the appropriate council of governments. (m) Any information or comments from the landowner or owners. (n) Any information relating to existing land use designations.	planning and project EIRs. Additionally, the District's Capital Improvement Program 15-Year Master Plan Report 2013, and CAWD Sewer System Management Plan (SSMP), Updated October 2013, provides an overview of system management. The CIP/Master Plan and District budgets provide documentation for securing the physical and financial mechanisms for providing improvements required to meet future wastewater supply demand. Additionally, the area is consistent with the Administrative Draft MSR for CAWD (2014) as well as the Draft Initial Study for this proposed request which establishes the nature location and extent of the functions and classes of services provided by existing districts.
56668.3	District annexation; factors to consider and adoption of resolution. (a) If the proposed change of organization or reorganization includes a city detachment or district annexation, except a special reorganization, and the proceeding has not been terminated based upon receipt of a resolution requesting termination pursuant to either Section 56751 or Section 56857, factors to be considered by the commission shall include all of the following: (1) In the case of district annexation, whether the proposed annexation will be for the interest of landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district. (2) In the case of a city detachment, whether the proposed detachment will be for the interest of the landowners or present or future inhabitants within the city and within the territory proposed to be detached from the city. (3) Any factors which may be considered by the commission as provided in Section 56668. (4) Any resolution raising objections to the action that may be filed by an affected agency. (5) Any other matters which the commission deems material. (b) The commission shall give great weight to any resolution raising objections to the action that is filed by a city or a district. The commission's consideration shall be based only on financial or service related concerns expressed in the protest. Except for findings regarding the value of written protests, the commission is not required to make any express findings concerning.	

56377	In reviewing and approving or disapproving proposals that could reasonably be expected to induce, facilitate, or lead to the conversion of existing open-space lands to uses other than open- space uses, the commission shall consider all of the following policies and priorities: (a) Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area. (b) Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the existing jurisdiction of the local agency or outside of the existing sphere of influence of the local agency.	*Consistent.* CAWD currently serves a portion of the Proposed annexation area (under previous approvals of LAFCO for service to the Point Lobos State Park and Quail Lodge area). The proposed annexation is intended to add other continuous areas into the Proposed annexation area to enable CAWD to continue to supply wastewater service to the Proposed annexation area. The majority of the Proposed annexation area is rural residential or developed and has no prime agricultural land or other special, sensitive or protected farmland that is proposed for development. An area is proposed for removal from the SOI that contains designated prime agricultural land (Odello Lands). Other properties with designated prime agricultural lands (Wolter Properties) have been previous subdivided into individual lots for future residential development. Annexation of these properties could lead to the development of open space lands; the Wolter Property was previously approved for individual lots for estate planning purposes. This area was until recently proposed for a canine center. Recent uses include agriculture. The land is shown as Prime Farmland on Figure 6. Plans for this property include continued septic system service. The property is already subdivided and the annexation of these lands will not promote development. The eight lots can be served by septic system or wastewater from CAWD.
56064	"Prime agricultural land" means an area of land, whether a single parcel or contiguous parcels, that has not been developed for a use other than an agricultural use and that meets any of the following qualifications: (a) Land that qualifies, if irrigated, for rating as class I or class II in the USDA Natural Resources Conservation Service land use capability classification, whether or not land is actually irrigated, provided that irrigation is feasible. (b) Land that qualifies for rating 80 through 100 Stories Index Rating. (c) Land that supports livestock used for the production of food and fiber and that has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture in the National Handbook on Range and Related Grazing Lands, July, 1967, developed pursuant to Public Law 46, December 1935. (d) Land planted with fruit or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and that will return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than four hundred dollars ($400) per acre.(e) Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than four hundred dollars ($400) per acre for three of the previous five calendar years.	*Consistent.* See above. The Initial Study includes mapping of prime agricultural lands as part of Appendix B.

LAFCO of Monterey County Standards: Monterey County LAFCO has adopted guidelines for annexation review in its *Policies and Procedures Relating to Spheres of Influence and Changes of Organization and Reorganization*. An analysis of the project's conformance with the LAFCO standards, consistent with the policies of the Cortese-Knox-Hertzberg Act, is provided in Table B-2 below.

Appendix B; Table B-2 **LAFCO Policy Analysis for CAWD's Proposed Sphere of Influence Amendment** ***SPHERE OF INFLUENCE POLICIES AND CRITERIA***	
Criteria	**Analysis**
II. POLICY GUIDELINES FOR SPHERES OF INFLUENCE	
1. LAFCO intends that its Sphere of Influence determination will serve as a master plan for the future organization of local government within the County. The spheres shall be used to discourage urban sprawl; limit proliferation of local governmental agencies; encourage efficiency, economy and orderly changes in local government; promote compact, community centered urban development; and minimize adverse impacts on lands classified as prime agriculture.	*Consistent.* CAWD proposes to seek LAFCO approval to amend its SOI and annex the Proposed annexation area into CAWD's LAFCO SA to allow for provision of wastewater collection service for the Proposed annexation area and SA. These factors are addressed within the other policy analyses herein.
2. The Sphere of Influence lines shall be a declaration of policy which shall be a primary guide to LAFCO in the decision on any proposal under its jurisdiction. Every determination made by LAFCO shall be consistent with the Spheres of Influence of the agencies affected by those determinations.	*Consistent.* Pursuant to Cortese-Knox-Hertzberg, Section 56668h, an annexation application for land outside an adopted Sphere of Influence may be considered concurrently with a request for an amendment to the Sphere of Influence.
3. Any proposal which is inconsistent with an agency's adopted Sphere of Influence shall not be approved until LAFCO, at a noticed public hearing, has considered an amendment or revision to that agency's Sphere of Influence.	
4. Inclusion within an agency's Sphere of Influence does not assure annexation to that agency. LAFCO shall evaluate boundary change proposals as they relate to all of the relevant factors listed in the Act.	
5. When possible, a single larger general purpose agency, rather than a number of adjacent smaller ones, established for a given service in the same general area will be preferred. Where an area could be assigned to the Sphere of Influence of more than one agency providing a particular needed service, the following hierarchy shall apply dependent upon ability to serve: a. Inclusion within a city Sphere of Influence. b. Inclusion within a multi-purpose district Sphere of Influence. c. Inclusion within a single-purpose district Sphere of Influence. In deciding which of two or more equally ranked agencies shall include an area within its Sphere of Influence, LAFCO shall consider the agencies' service and financial capabilities, social and economic interdependence, topographic factors, and the effect that eventual service extension will have on adjacent agencies.	*Consistent.* The proposed SOI amendment and annexation includes all areas within Monterey County, California with no competing wastewater service agencies available or able to provide this service. Areas proposed for development have received Can and Will serve letters from CAWD and have completed Draft EIRs or certified EIRs with County approvals for development. Other areas currently receive service but the SOI Amendment and Annexation will consolidate wastewater services in the Proposed annexation area into continuous areas with the CAWD SA.
6. Duplication of authority to perform similar functions in the same territory will be avoided. Sphere of Influence boundaries shall not create islands or corridors unless it can be demonstrated that the irregular boundaries represent the most logical and orderly service area of an agency.	*Consistent.* Duplication of authority to waste water service will not occur in the Proposed annexation area. The proposed project does not create islands or corridors; in fact, the proposal to include all of the Proposed annexation area in CAWD's Sphere of Influence is being pursued to comply with this policy.

7. The adopted Sphere of Influence shall reflect city and County General Plans, plans of regional agencies, growth management policies, annexation policies, resource management policies, and any other policies related to ultimate boundary or service area of an affected agency unless those plans or policies conflict with the legislative intent of the Act. Where inconsistencies between plans exist, LAFCO shall rely upon that plan which most closely follows the Legislature's directive to discourage urban sprawl, direct development away from prime agricultural land and open-space lands, and encourage the orderly formation and development of local governmental agencies based upon local conditions and circumstances.	*Consistent.* The relevant City and County general plans set forth land use designations and development intensity for ultimate buildout. Each land use jurisdiction within the SOI boundaries have prepared and adopted appropriate policies to ensure consistency with the adopted plans. Plans encourage conservation of prime agricultural land consistent with LAFCO policies.
8. Extension of urban type services promotes urban development and such development belongs in cities or areas of development concentration in the unincorporated area of Monterey County. In evaluating proposals involving urban development requiring an urban level of governmental services, LAFCO will discourage the formation of new special districts or premature annexation of territory within existing city Spheres of Influence or logical expansion area. LAFCO will discourage boundary change proposals involving urban development outside adopted city Spheres of Influence that have the potential to negatively impact prime agriculture or open space lands, public service capacity, existing local agencies, or generally represents illogical growth patterns.	*Consistent.* As discussed previously, the majority of the proposed project areas that may be subject to new or expanded development do not contain any prime agricultural land. Open space land is included in the proposed project but will not be impacted because existing planning and conveyance documents restrict development. Capacities of existing utilities and services have been assessed in plan- and project-level CEQA environmental review processes. Current developed areas are shown in the Initial Study including the Quail area homes which are on septic systems. These homes would not be allowed to be on septic under current County regulations. Extending wastewater service to these suburban areas in need of wastewater service is consistent with LAFCO policy. This SOI and annexation would not impact identified prime agriculture or designated open space lands, consistent with policy.
9. LAFCO, in recognition of the mandated requirements for considering impacts on open space lands and agricultural lands, will develop and determine Spheres of Influence for Cities and urban service districts in such a manner as to promote the long-term preservation and protection of this County's "Resources." LAFCO believes the public interest will be best served by considering "Resources" in a broad sense to include open space, recreational opportunities, wildlife, and agricultural land. Sphere of Influence determinations must conform with LAFCO's Policy on Preservation of Open-Space and Agricultural Lands adopted on January 25, 2010 (Section E of LAFCO's Policy Document).	*Consistent.* The majority of the proposed project areas do not include any prime agricultural land and based upon the planning documents, adequate mitigation exists to comply with wildlife protection policies. Open space and existing recreational land will not be impacted due to existing planning documents and land use restrictions in policy and conveyance documents.
10. LAFCO recognizes the many inter-relationships and impacts which one agency's land use, planning, and governmental decisions may have on other agencies even though they may be outside of the Sphere of Influence of the secondary agency. Consequently, LAFCO, when necessary, will seek to establish and identify Areas of Planning Concern for each city within the County. The "Planning Concern Area" will seek to identify those areas which in a broad sense affect the city in terms of planning and land use decisions. Such "Planning Concern Areas" will be established with the assistance and guidance of the affected cities and the County. The "Planning Concern Area" normally will extend beyond the adopted Sphere of Influence of the city. Once established, LAFCO will solicit the cooperation and involvement of the affected cities and the County to jointly involve one another in planning decisions for these areas.	*Consistent.* This policy relates to Spheres of Influence for cities, and is therefore, not applicable to this proposed project.
III. PROCEDURAL GUIDELINES	
2. LAFCO may establish an urban service area within an adopted	*Consistent.* Adoption or extension of a City urban service area

Sphere of Influence to discourage urban sprawl and to promote compact growth patterns. Urban service areas consist of territory now served by urban facilities, utilities and services or proposed to be served within the next five years, and may include the following: a. Urbanized Areas. This includes all existing areas, either incorporated or unincorporated, developed to urban densities. b. Urban Expansion Areas. This consists of vacant land, either incorporated or unincorporated, which is capable of holding urban growth expected within the next five years. The territory included within urban service areas will be considered by LAFCO to be eligible for annexation within five years. Consideration will be given to the capability of a city and special district to provide needed services with related time schedules for planned expansion of services. Cities and special districts are encouraged to develop Capital Improvement Programs and other plans for the phased extension of services to assist LAFCO in determining logical urban service area boundaries.	is not necessary for the proposed project. CAWD intends to submit the identified information to demonstrate CAWD capability and ongoing successful provision of wastewater service. No adverse service or financial impacts have been identified.
3. LAFCO may establish urban transition areas within adopted Spheres of Influence to discourage premature pressure for development. Transition areas consist of the residual lands between designated urban service areas and the ultimate Sphere of Influence boundary. This land will most likely be used for urban expansion within approximately five (5) to twenty (20) years. Territory included within urban transition areas, but not within urban service areas, generally will not be considered eligible for annexation to receive urban services within five years.	*Consistent*. CAWD currently provides services to various areas that are not contiguous to its existing SA boundary. Annexing all of Proposed annexation area implements policies related to orderly development and is considered administratively more efficient than requesting annexation on a project-by-project basis.
4. LAFCO may adopt a zero Sphere of Influence encompassing no territory for an agency. This occurs where LAFCO determines that the public service functions of the agency are either non-existent, no longer needed, or should be reallocated to some other agency of government. The local agency which has been assigned a zero Sphere of Influence should ultimately be dissolved. Special districts that lie substantially within the boundary or Sphere of Influence of a general purpose government which is capable of assuming the public service responsibilities and functions of that special district may be allocated a zero Sphere of Influence designation.	*Consistent.* Not applicable as CAWD currently serves the City of Carmel-by-the Sea and urbanized areas of Monterey County. There are no entities that lie substantially within the boundary or Sphere of Influence of CAWD, nor any general purpose governments which are capable of or will assume the wastewater public service responsibilities and functions of CAWD.
5. Territory not in need of urban services, including open space, agriculture, recreational, rural lands or residential rural areas, shall not be assigned to an agency's Sphere of Influence unless the area's exclusion would impede the planned, orderly and efficient development of an area.	*Consistent.* The proposed annexation is intended to provide for improved governance mechanisms needed by CAWD to continue to supply wastewater services needed to the area, including the existing homes within Carmel Valley currently in need of wastewater service to replace failing septic systems. The only area of prime agricultural lands included in the proposed sphere of influence or annexation areas is the Wolter property which is already subdivided into eight residential lots; one of these lots has an existing home on it. Some areas designated as open space, rural residential, rural in the area are included to comply with the mandate to prevent formation of islands and corridors within the Sphere of Influence and annexation areas. In particular, CAWD is proposing to annex the areas shown in Carmel Valley developed or planned to develop and State Parks lands because the sites are within their currently contracted services area and/or because some uses within those areas currently, and/or will in the future, require wastewater service.

6. LAFCO may adopt a Sphere of Influence that excludes territory currently within that agency's boundaries. This occurs where LAFCO determines that the territory consists of agricultural lands, open space lands or agricultural preserves whose preservation would be jeopardized by inclusion within the agency's Sphere of Influence.	*Consistent.* Agricultural land/preserve areas of the Odello Lands are proposed for removal from the SOI; no other preserve areas are located in the project area; however, several areas of dedicated open space are proposed to be included in CAWD's SOI and SA. These areas of open space will not be jeopardized by the proposed SOI amendment as they are outside city urban service areas and City limits, are bound by deed restriction, including the areas above Del Mesa and Pacific Meadows.
7. Two or more local agencies providing the same service(s) may be allocated a consolidated Sphere of Influence to include the areas served by both agencies. This would be the case where LAFCO determines that the particular service(s) should be provided to the entire area by a single local agency.	*Consistent.* No consolidation of SOI is proposed herein as there is only one local agency currently providing wastewater service within the area proposed for SOI amendment and annexation to CAWD. A consolidated SOI is not appropriate for this case.
8. LAFCO may establish future study areas outside of adopted Spheres of Influence. These areas indicate territory which may ultimately be appropriate for inclusion within an agency's sphere upon future study or modified conditions.	*Consistent.* The proposed annexation would not involve consideration of establishing future study areas.
IV. SPHERE OF INFLUENCE UPDATE, AMENDMENT AND SERVICE REVIEW	
2. LAFCO shall review Sphere of Influence determinations not less than every five years. If a local agency or the County desires amendment or revision of an adopted Sphere of Influence, the local agency by resolution may file such a request with the Executive Officer. The request shall state the nature of the proposed amendment and the reasons for the request, include a map of the proposed amendment, and contain additional data and information as may be required by the Executive Officer.	*Consistent*. The proposed project calls for CAWD to request a SOI amendment and annexation to their SA of the proposed annexation area to change the governance structure of the CAWD. CAWD intends to adopt a resolution to file the request. The request will contain the required information. The 2006 and 2014 Municipal Services Review (MSSR) recommended SOI Amendment be amended.
5. When adopting, amending, or updating a Sphere of Influence for a special district, LAFCO shall do all of the following: a. Require existing districts to file written statements with LAFCO specifying the functions or classes of services provided by those districts. b. Establish the nature, location, and extent of any functions or classes of services provided by existing districts. (Section 56425 i.)	*Consistent*. Please see previous discussion above Item IV(2). Additionally, the area is consistent with the Administrative Draft MSR for CAWD (2014) as well as the Draft Initial Study for this proposed request which establishes the nature location and extent of the functions and classes of services provided by existing districts.
8. LAFCO shall conduct a service review before, or in conjunction with, but no later than, the time it is considering an action to establish a Sphere of Influence in accordance with Section 56425 or Section 56426.5 or to update a Sphere of Influence pursuant to Section 56425.	*Consistent*. Please see discussion for Sphere of Influence Update, Amendment, and Service Review Policy IV.2.
9. Individuals desiring LAFCO to initiate revision or amendment of an existing sphere of influence shall file a written request with the Executive Officer. The request shall state the nature of the proposed amendment and the reasons for the request, include a map of the proposed amendment area, and contain additional data and information as may be required by the Executive Officer.	*Consistent.* Please see previous discussion above (Policy IV.2).
14. For annexations and Sphere of Influence applications, Monterey County LAFCO shall consider as part of its decision whether the proposal mitigates its regional traffic impacts by, for example, monetary contribution to a regional transportation improvement fund as established by the Transportation Agency of Monterey County or otherwise.	*Consistent.* The SOI would not impact traffic or require transportation improvement contributions.
15. For annexations and Sphere of Influence applications, Monterey County LAFCO shall consider as part of its decision whether the city in which the annexation or Sphere of Influence amendment is proposed has included certain goals, policies, and objectives into its General Plan that encourage mixed uses, mixed	*Consistent.* Each land use jurisdiction within SOI and Annexation boundaries has prepared and adopted general plans with appropriate land use designations and policies. LAFCO adopted its Municipal Services Review of the Carmel Valley Area (MSR) in 2006. That document, in addition to CAWD's

densities, and development patterns that will result in increased efficiency of land use, and that encourages and provides planned, well-ordered, efficient urban development patterns.	Capital Improvement Program (CIP) 15-Year Master Plan Report, 2013, CAWD Sewer System Management Plan (SSMP), Updated October 2013, and Administrative Draft MSR for CAWD (2014) as well as the Draft Initial Study for this proposed request provide background on this request.
16. Except as allowed in Section VI (below) for Minor Sphere of Influence Amendments, as part of the package of LAFCO forms and procedures given to every applicant, LAFCO will screen each application for an annexation change to ensure that there is a current Sphere of Influence (within the last five years), or that the application includes a concurrent Sphere update for affirmation by LAFCO. If the screening process identifies that a Sphere update is needed, the application package already identifies the information needed for the four standard determinations by LAFCO, and informs the applicant of the City-County consultation process required by State law. This administrative procedure will result in a current Sphere of Influence for every annexation change. This procedure does not change or affect other LAFCO procedures and policies that encourage comprehensive Sphere updates with 20-year horizons, and the staggering of Sphere and annexation proposals.	*Consistent.* The proposed annexation is concurrent with a SOI amendment.

Table 3
LAFCO Policy Analysis for CAWD Sphere of Influence and Annexation
STANDARDS FOR THE EVALUATION OF PROPOSALS FOR A CHANGE OF ORGANIZATION OR REORGANIZATION

Criteria	Analysis
IV. CONFORMANCE WITH CITY OR COUNTY GENERAL AND SPECIFIC PLANS	
1. Each proposal should be consistent with the appropriate city or county general and specific plans. Where the proposal does not abide by these plans, the proponent shall specify the reasons for plan non-conformance. (Section 56668 g.)	*Consistent.* No changes to land uses are proposed as CAWD has no authority over land uses. All of the relevant general, specific, and master planning documents identify CAWD as the wastewater supply agency and wastewater collection service provider. Therefore, CAWD's proposed annexation is consistent with these general, specific and master planning documents.
V. CONFORMANCE WITH SPHERES OF INFLUENCE	
1. Proposals shall be consistent with the Spheres of Influence for the local agencies affected by those determinations. (Sections 56375.5 and 56668 h.)	*Consistent*. The proposed annexation is concurrent with a SOI amendment. The changes to CAWD boundaries are consistent with the Monterey County General Plan, City of Carmel-by-the-Sea General Plan and land use designations and policies, in addition to environmental impact reports for proposals within the Carmel Area Land Use Plan and Carmel Valley Master Plan area. Future planned development of the annexation area has been assumed, and accounted for in the area planning and project EIRs. Additionally, the District's Capital Improvement Program 15-Year Master Plan Report 2013, and CAWD Sewer System Management Plan (SSMP), Updated October 2013, provides an overview of system management.
3. With the exception of city incorporations and agency formations, LAFCO shall adopt a sphere for affected agencies prior to consideration of related boundary change proposals. (Section 56668 h.)	
4. When a proposal is inconsistent with the adopted Sphere of Influence, the applicant shall justify reasons for amending the Sphere of Influence. An annexation application for land outside an adopted Sphere of Influence may be considered concurrently with a request for amendment to the Sphere of Influence. (Section 56668 h.)	
VI. ENVIRONMENTAL IMPACT ASSESSMENT	
1. LAFCOs are subject to the terms of the California Environmental Quality Act (CEQA) and the regulations of the California Resources Agency, which establishes the guidelines for its implementation. All environmental factors introduced by the proposal shall be considered as outlined in the Act and the State Guidelines. 2. The potential environmental impacts of	*Consistent.* A draft Initial Study (IS) has been prepared by the CAWD as the lead agency, pursuant to the California Environmental Quality Act (CEQA). The purpose of the Initial Study is to determine whether the proposed annexation and SOI amendment could significantly affect the environment, requiring the preparation and distribution of an Environmental Impact

proposals involving changes of organization or reorganization shall be reviewed by LAFCO environmental staff and the appropriate environmental determination shall be considered by LAFCO in accordance with state law and the State's "Guidelines for Implementation of the California Environmental Quality Act.11	Report for public review. Based on the analysis provided in the Initial Study, no significant environmental impacts were found, making the project eligible for a Negative Declaration.
VII. ECONOMICS, SERVICE DELIVERY AND DEVELOPMENT PATTERNS	
1. LAFCO shall discourage proposals that would have adverse financial impacts on the provision of governmental services or would create a relatively low revenue base in relationship to the cost of affected services. Applications shall describe related service and financial impacts (including revenues and expenditures) on the County, cities, and/or special districts and provide feasible measures which would mitigate such adverse impacts. (Section 56668 a, b and c.)	*Consistent.* CAWD intends to submit the identified information, including CIP and Budgets adopted by CAWD, which demonstrates CAWD's capability and ongoing successful provision of wastewater service. No adverse service or financial impacts have been identified in those documents
2. Applications must address current and ultimate needs for governmental services and facilities as established by the appropriate land use plans and prezoning. Proposals shall not be approved unless a demonstrated need for additional service exists or will soon exist. In reviewing boundary change proposals, LAFCO shall consider alternative government structure options which may be more appropriate in light of the demonstrated need for service. The formation of, or annexation to, a single governmental agency, rather than several limited purpose agencies, shall be encouraged when possible. (Section 56668 a and b.)	*Consistent.* The proposed annexation by CAWD would adhere to LAFCO processing requirements. CAWD has been identified as the wastewater collection entity for these areas.
3. Applications must indicate that the affected agencies have the capability to provide service. Territory shall be annexed to a city or special district only if such agency has or soon will have the capability to provide service. (Section 56668 b.)	*Consistent.* CAWD's CIPs and related master plans identify financial impacts due to provision of wastewater Community. No adverse service or financial impacts have been identified in those documents
4. Whenever a local agency submits a resolution of application for a change of organization or reorganization, the local agency shall submit with the resolution of application a plan for providing services within the affected territory. The plan for providing services shall include all of the following information. (Section 56653.): a. An enumeration and description of the services to be extended to the affected territory. b. The level and range of those services. c. An indication of when those services can feasibly be extended to the affected territory. d. An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed. e. Any conditions which would be imposed or required within the affected territory such as, but not limited to, improvement or upgrading of structures, roads, and sewer or water facilities. f. Information with respect to how those services will be financed. A plan for providing services may consist of: a. A master plan for providing services throughout all or a portion of a city or distinct Sphere of Influence for use in evaluating all proposals affecting the area covered in the master plan. b. A proposal-specific supplement which updates and/or provides a higher level of detail than is contained within the master plan for services. Such supplement may include by reference or in summary form those pertinent sections of the master plan for services which remain valid. The supplement need discuss in detail only that information which is	*Consistent.* CAWD intends to submit the identified information to demonstrate CAWD capability and ongoing successful provision of wastewater service.

not current or discussed in sufficient detail in the master plan for services	
6. LAFCO discourages proposals which will facilitate development that is not in the public interest due to topography, isolation from existing developments, premature intrusion of urban-type developments into a predominantly agricultural area, or other pertinent economic or social reason. (Section 56668 a.)	*Consistent.* The continued provision of wastewater service to the existing SA and Proposed annexation area would not facilitate development that is inconsistent with this policy.
7. LAFCO shall consider the testimony from all potentially affected agencies or individuals in reviewing boundary change proposals. Proposals submitted by resolution of application shall include information indicating that landowners in the affected area support the proposal. (Section 56668 i.)	*Consistent*. Please see discussion for Economics, Service Delivery and Development Patterns Policy 1.
VIII. PHASING	
1. LAFCO, in furtherance of its objectives of preserving prime agricultural land, containing urban sprawl, and in providing a reasonable assurance of a city/district's ability to provide services shall consider the appropriateness of phasing annexation proposals which include territory that is not within a city/district's urban service area and has an expected build-out over a period longer than five to seven years. (Sections 56668 a, b, and e.)	*Consistent.* The proposed annexation is intended to provide for CAWD to continue to provide wastewater collection services to the Proposed annexation area service area as envisioned in CAWD's planning documents. Phasing of annexation areas is not currently proposed by CAWD. The Future Study Area is a potential future phase of study, as identified in this Initial Study. The District's Capital Improvement Program 15-Year Master Plan Report 2013, and CAWD Sewer System Management Plan (SSMP), Updated October 2013, provides an overview of system management and service extension.
2. Change of organization and reorganization proposals which are totally within a city or district's adopted urban service area shall not be considered appropriate for phasing. Urban service areas are, by definition, territory expected to be developed/serviced in the next five years. (Sections 56668 a, b and c.)	*Consistent.* Phasing of annexation areas is not currently proposed by CAWD. The Future Study Area is a potential future phase of study, as identified in this Initial Study.
3. Proposals which contain territory which is not within a city or district's adopted urban service area and have an expected build-out extending beyond a five- to seven-year period may be considered appropriate for phasing. For the purpose of this policy, "phasing" shall be defined as a planned incremental approval of a project and "building out" shall be interpreted as 70 to 80 percent developed. When an exception from this policy is desired, the proponent shall justify to LAFCO the reasons why phasing is not appropriate. Included within the justification for exception, the proponent shall demonstrate the jurisdiction's ability to provide necessary public services. (Sections 56668 a, b and e.)	*Consistent*. Please see discussion for Phasing Policy VII-1, VIII-1 and VIII-2.
IX. OPEN SPACE AND AGRICULTURAL LAND	
1. It is the policy of LAFCO to encourage and to seek to provide for planned, well-ordered, efficient urban development pattern while at the same time remaining cognizant of the need to give appropriate consideration to the preservation of open space and agricultural land within such patterns. (Section 56300.) Proposals for a change of organization or reorganization will be judged according to LAFCO's adopted Policy on Preservation of Open-Space and Agricultural Lands (Section E of the LAFCO Monterey County Policy Document).	*Consistent.* Dedicated open space areas are proposed to be included in the proposed CAWD SOI and Annexation area; however, the inclusion of those lands would be consistent with LAFCO's Policy because the lands are restricted by easements.
X. GROUNDWATER STANDARDS	
1. LAFCO shall encourage the Monterey County Water Resources Agency, the Pajaro Valley Water Management Agency, and the Monterey Peninsula Water Management District to complete water management plans, develop or revise allocation of water supply as necessary, and promote County-	*Consistent*. N/A The proposed annexation by CAWD involves no changes to the wastewater system and the associated system permits.

wide standards. The LAFCO standards shall be reviewed periodically to reflect changes in information and current water management policy.	
2. In considering a proposal which may significantly impact the groundwater basin, as documented by the Lead Agency pursuant to the California Environmental Quality Act (CEQA), LAFCO shall review the following information. This information can be submitted to LAFCO in an environmental document or as a part of the LAFCO application. a. The projected water demand of the proposed project based on guidelines provided by the appropriate water resources agency. b. The existing water use and historical water use over the past five years. c. A description of the existing water system including system capacity serving the site. d. A description of proposed water system improvements. e. A description of water conservation or reclamation improvements that are to be incorporated into the project. f. An analysis of the impact that proposed water usage will have on the groundwater basin with respect to water quantity and quality, including cumulative impacts. g. Evidence of consultation with the appropriate water agency. The agency shall be consulted at the earliest stage of the process, so that applicable recommendations can be included in the environmental document. h. A description of water conservation measures currently in use and planned for use on the site such as drought tolerant landscaping, water-saving irrigation systems, installation of low-flow plumbing fixtures, retrofitting of plumbing fixtures with lowflow devices, and compliance with local ordinances. i. A description of how the proposed project complies with adopted water allocation plans. j. A description of those proposals where the agency has achieved water savings or where new water sources have been developed that will off-set increases in water use on the project site that would be caused by the proposal. k. A description of how the proposal would contribute to any cumulative adverse impact on the groundwater basin. l. A description of those boundary change proposals that, when considered individually and after taking into account all mitigation measures to be implemented with the project, still cause a significant adverse impact on the groundwater basin.	*Consistent*. The proposed annexation by CAWD involves no changes to the existing groundwater conditions, water and wastewater system and the associated system permits. Furthermore, an Initial Study has been prepared on the proposed annexation pursuant to CEQA. Overall, a beneficial impact would occur to the groundwater basin by the removal of septic systems in certain areas. The proposed project will allow for a boundary change and annexation of properties currently on septic systems into the CAWD SA. The CAWD recycled water project uses wastewater to treat and recycle for use on golf courses, thereby reducing reliance on groundwater. The CAWD wastewater system and reclaimed wastewater supplies will also reduce septic contaminants, including minimize nitrate contamination, and provide beneficial use of wastewaters.
3. Any proposal considered by LAFCO that uses water will be referred to the Monterey County Water Resources Agency, the Pajaro Valley Water Management Agency, Monterey Peninsula Water Management District, or any other affected water agency. Recommendations of the agencies will be considered by LAFCO and, where appropriate, should be incorporated into the project design prior to approval of the boundary change proposal.	*Consistent*. Please see discussion for Groundwater Standards Policy 1.
4. LAFCO recognizes that water usage will vary due to soil type, location of aquifer, characteristics of aquifer, and type of project. Each project must be reviewed on a case-by-case basis.	*Consistent*. Please see discussion for Groundwater Standards Policy 1.
5. Should an agency adopt similar or more restrictive informational requirements, the LAFCO informational Requirement Nos. 1 through 4 will no longer apply.	*Not applicable to the proposed annexation.*
6. LAFCO will encourage boundary change proposals involving projects that use reclaimed wastewater, minimize nitrate contamination, and provide beneficial use of storm waters.	*Consistent.* The changes to CAWD boundaries are consistent with the Monterey County General Plan, City of Carmel-by-the-Sea General Plan and land use designations and policies to reduce nitrates, encourage use of reclaimed water.
7. LAFCO will encourage proposals which have incorporated	*Consistent.* Not applicable to the proposal.

water conservation measures. Water conservation measures include drought tolerant landscaping, water-saving irrigation systems, installation of low-flow plumbing fixtures, retrofitting of plumbing fixtures with low-flow devices, and compliance with local ordinances.	
8. LAFCO will encourage those proposals which comply with adopted water allocation plans as established by applicable cities or water management agencies.	*Consistent*. Consistent. Not applicable to the proposal. Please see discussion for Groundwater Standards Policy X-1.
9. LAFCO will encourage those proposals where the affected jurisdiction has achieved water savings or new water sources elsewhere that will off-set increases in water use in the project site that would be caused by the proposal.	*Consistent*. Please see discussion for Groundwater Standards Policy X-1.
10. LAFCO will discourage those proposals which contribute to the cumulative adverse impact on the groundwater basin unless it can be found that the proposal promotes the planned and orderly development of the area.	*Consistent*. Please see discussion for Groundwater Standards Policy X-1 and X-2.
11. LAFCO will discourage those boundary change proposals which, when considered individually and after taking into account all mitigation measures to be implemented with the project, still cause a significant adverse impact on the groundwater basin.	*Consistent*. Please see discussion for Groundwater Standards Policy X-1 and X-2.
XII. INCORPORATION GUIDELINES	
1. LAFCO shall utilize the "Guide to the LAFCO Process for Incorporations" issued by the Governor's Office of Planning and Development as the guideline for processing proposals for city incorporation.	*Consistent.* Not applicable to the proposal.
XII. REGIONAL TRAFFIC IMPACTS	
1. For annexations and Sphere of Influence applications, Monterey County LAFCO shall consider as part of its decision whether the proposal mitigates its regional traffic impacts by, for example, monetary contribution to a regional transportation improvement fund as established by the Transportation Agency of Monterey County or otherwise.	*Consistent.* As identified in the proposed project Initial Study, no transportation improvements are required for the SOI or annexation.
XIII. EFFICIENT URBAN DEVELOPMENT PATTERNS	
1. For annexations and Sphere of Influence applications, Monterey County LAFCO shall consider as part of its decision whether the city in which the annexation or Sphere of Influence amendment is proposed has included certain goals, policies, and objectives into its General Plan that encourage mixed uses, mixed densities, and development patterns that will result in increased efficiency of land use, and that encourages and provides planned, well-ordered, efficient urban development patterns.	*Consistent* The County of Monterey and City of Carmel General Plans, the jurisdictions with land use authority over the Proposed annexation area, have encouraged mixed uses, mixed densities, and development patterns that will result in increased efficiency of land use. CAWD's Master Plans for wastewater service have emphasized efficiency in the provision of those services.
XIV. CONTRACT / AGREEMENT SERVICE EXTENSION15	
1. Requests for Service Extension: a. In evaluating requests for service extensions outside an agency's jurisdictional boundary, LAFCO shall consider the Sphere of Influence of the affected agency. b. Applicants shall submit an application to LAFCO prior to consideration of the proposal. Within 30 days the Executive Officer shall determine if the application is complete, and transmit the need for additional information immediately. Within 90 days after the application is deemed complete, the request shall be placed before LAFCO for a determination. c. LAFCO may authorize a city or district to provide new or extended service outside its jurisdictional boundaries but within its Sphere of Influence in anticipation of a later change of organization. In this instance, LAFCO will consider the factors	*Consistent.* Not applicable to the proposal

Carmel Area Wastewater District

FINAL INITIAL STUDY/NEGATIVE DECLARATION SPHERE OF INFLUENCE AND ANNEXATION PROJECT

OVERVIEW

INTRODUCTION AND PURPOSE: This document, together with the Draft Initial Study/Mitigated Negative Declaration (Draft IS/MND), constitutes the Final Initial Study/Mitigated Negative Declaration (Final IS/MND) for the Project. The Final IS/MND consists of an introduction, comment letters received during the 30-day public review period, responses to comments, and revisions to the Draft IS/MND, if deemed applicable. The Carmel Area Wastewater District (CAWD) is the lead agency for the project and Monterey County Local Agency Formation Commission (LAFCO) is a responsible agency. The Draft IS/MND was prepared to inform the public of the potential environmental effects of the project and identify possible ways to minimize project related impacts.

BACKGROUND: The District circulated an Initial Study on the proposed project and has determined that the project will not have a significant effect on the environment. The District will therefore consider adoption of a Negative Declaration for this project at the regularly scheduled Board hearing on December 10, 2015.

PROJECT DESCRIPTION: CAWD proposes amendments to the District Sphere of Influence (SOI) and Service Area (SA) to allow annexations, including:

- An expansion of the District's existing SOI,
- Annexation of areas within District's existing SOI and annexation of areas within the proposed SOI, in locations where the District anticipates near-term sewer service connection requests,
- Annexation of lands already served under LAFCO-approved "out-of-District" service agreements
- Removal of lands from the existing SOI not needing service.

The area described above totals approximately 10.5 square miles, including five square miles of the existing service area, .25 square miles of the existing SOI, .15 square miles of the existing SOI to be removed, .3 square miles of future study area, and 4.5 square miles of proposed additional SOI and Annexation area. The project would result in boundary changes and would allow future applications for annexation to be processed by the District in a more efficient manner. There are no physical improvements or construction activities proposed by the SOI and annexation itself. Future actions and development within the annexation area would be subject to individual requests and additional environmental review if required on a project-by-project basis.

PUBLIC REVIEW PERIOD: Pursuant to Section 15073(a), the proposed Draft IS/MND was circulated for a 30-day review period. The public review period for the Initial Study/Negative Declaration was initiated on November 9 and ended on December 9, 2015. The Notice of Intent (NOI) to adopt the MND was posted with the Monterey County Clerk and the State Clearinghouse, made available on CAWD's website, posted at CAWD offices, distributed to relevant public agencies, and emailed/mailed to a list of interested individuals and local groups. Additionally, copies were made available for review at CAWD offices and the local libraries.

FINAL INITIAL STUDY/NEGATIVE DECLARATION
FOR THE SPHERE OF INFLUENCE AND ANNEXATION

COMMENTS AND RESPONSES

COMMENTS RECEIVED: A total of three (3) comment letters were received during the public review period. The comments are summarized and responses provided in the following section. The full letters are attached.

The following lists the letters of comment received.

Agencies:	County of Monterey Environmental Health (Letter 1)
Organizations:	LandWatch (Letter 2)
	Carmel Valley Property Association (Letter 3)

The complete text of the comments and the Lead Agency's response to those comments are presented in this section, with written comments summarized below, and the responses to those comments presented thereafter. Where changes or additional text is needed in the Draft Initial Study, this is provided in Changes to the Initial Study following Comments Summary and Responses.

CEQA does not require written responses to comments received on an MND; however, the District as lead agency has reviewed the comments received and prepared these responses to provide full information to the decision-makers and the public.

COMMENTS SUMMARY AND RESPONSES

Letter 1: County of Monterey Environmental Health Bureau

1. The commenter opines that the Initial Study/Negative Declaration is comprehensive and covers all potential commenter concerns; commenter fully supports the proposed project.

Response: The comment notes support for the proposed project. This comment is directed toward decision makers. No additional response is necessary.

Letter 2: Monterey County LandWatch Comment

1. The comment cites a statement in the Initial Study identifying most of the area proposed for annexation as developed or designated for low density residential uses and requests clarification of the number and methodology used to determine the number of undeveloped properties that could be served under the proposal. Specifically, the comment questions the conclusions in the Initial Study on this item and asks that CAWD "quantify the number of undeveloped legal lots of record that could be served under the proposal as well as new development designated for low density residential uses within the proposed sphere of influence" and identify "methodology for determining lots of record."

Response: As noted in the comment letter, Page 14 of the Initial Study states that most of the area proposed for annexation is developed "or designated for low density residential uses...". The methodology used for determining lots of record to support the statement that the majority of lots are developed included: review of County maps available on line; review of google maps; knowledge of the local area; field surveys of the project area, and specific review of County records (using GIS data). The Initial Study identifies developed areas on Figure 5 and further describes the areas starting on Page 8 through 13 with figures. Figures 1 to 5 show lots but do not specify lots that are currently developed with homes. The commenter is correct that 3000 acres will be added to the District service area. However, however over 800 acres of this increase is attributed to State Parks lands which are already served by the District and over 875 acres of the remaining are attributed to the September Ranch development area which has been approved through a prior environmental review process. An additional 425 acres shown on Figure 5 (Rancho Canada Golf Course and Quail Lodge Golf Course) are currently developed with golf courses or open space designations. Lots containing golf course and open space designations have been included primarily due to service trunk lines and District structures being currently existing on these lots, or there is a potential for the District to extend service for restroom facilities or maintenance facilities (also existing facilities). The remaining area includes 900 acres which are significant to this review.

The developed areas of this area and the entirety of the proposed SOI and Annexation area are shown on the figures in the Initial Study. To further address the request made in the comment letter, an additional figure (attached as New Figure 5a) shows the SOI and Annexation area and identifies vacant lots or undeveloped lots. The map supports the statement on Page 14 of the Initial Study that most of the area proposed for annexation is developed. The comment also asked that the areas that are "designated for low density residential uses..." be identified. These areas are shown on Figure 4 of the Initial Study. Also see Figure 5 and New Figure 5a. The individual lot lines are shown in these figures. The attached new map identifies the number of undeveloped legal lots of record that could be served under the proposal.

The request to identify "new development designated for low density residential uses within the proposed sphere of influence" is addressed in the current discussion and figures in the Initial Study. Please refer to Figures 4 and 5, and the discussion describing these properties under Pages 8-13. This analysis is further supported by the new Figure 5a attached which identifies the remaining lots of record in the proposed SOI and Annexation areas.

The proposed project would revise the boundaries of the District and annex territory to the service area of the CAWD which allows for sewer services to be provided to the undeveloped lots of record within this area upon petition to the District. The proposal is for a boundary change and as such, is not a proposal for development of vacant lots. The project would allow for annexation of these properties to occur and for the property owners to request sewer service.

2. The commenter states that potential direct and indirect impacts generated by the change in jurisdiction boundaries are not adequately addressed throughout the document, and specifically references air quality and biological resource impacts as an example. The comment letter also requests reference to previous environmental documents and include any impacts that may have been identified in these previous environmental documents.

Response: The proposed SOI amendment will result in inclusion of additional lands within the District's Sphere of Influence and annexation of these areas into the CAWD, which could result in future service area extensions. However, no service area extension or development is proposed at this time as part of the proposed SOI amendment and annexation. The Initial Study appropriately discusses that there would be no direct impacts resulting from the boundary adjustment and identifies potential for future indirect environmental impacts in topical sections where appropriate. The CEQA checklist identifies the level of impact and the accompanying language assesses level of effect. According to the CEQA Guidelines

Section 15382, a significant effect on the environment means "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project." The Initial Study evaluates each identified effect in accordance with the Guidelines. For each category of physical condition evaluated in this Initial Study, thresholds of significance have been developed using criteria discussed in the CEQA Guidelines, criteria based on factual or scientific information, standards or professional determination. Where needed or in context with the impact category, indirect effects of the project are addressed. The proposed project would revise the boundaries of the District and annex territory to the service area of the CAWD which allows for sewer services to be provided. The CEQA Checklist identifies each category of impact in accordance with CEQA. The comment identifies a need to re-address the impacts of the Initial Study. The document was reviewed and any language inconsistencies on these items or issue areas are clarified and addressed in the following section, **Changes to the Initial Study.**

The Initial Study (pages 14-16) provides a discussion of completed CEQA analysis. The proposed SOI amendment and SA annexation would not have any direct environmental impacts because it would only result in a reorganization of jurisdictional boundaries with no direct physical changes to the environment. The Initial Study notes that that Monterey County General Plan describes and evaluates development of the proposed SOI and Annexation Area. Evaluation of significant impacts from development and buildout of the SOI and Annexation Areas have been fully considered through the analysis contained in previous the County of Monterey General Plan EIR and environmental documents on the planning documents for this area. The Initial Study tiers from Monterey County's General Plan EIR analysis and the Initial Study provides this documentation on pages 14-16, as well as cites locations for individual EIRs for recent development proposed for properties within the SOI area.

3. The commenter requests the hydrology section address the potential impacts of removing a source of groundwater recharge from the Carmel Valley River underflow (wastewater from septic systems) and transferring it out of the basin to irrigate golf courses in Pebble Beach.

Response: The following topics and responses are below:

Removal of Septic Systems: Under Hydrology and Water Quality, starting on Page 31, discussion of Item b), the Initial Study addresses the potential removal of septic systems in the Carmel Valley and addresses potential recharge reduction to the alluvial system. According to the Central Coast Hydrologic Region, Carmel Valley Groundwater Basin Bulletin 118, the alluvium consists of poorly consolidated boulders, gravel, sand, and silt deposited by the Carmel River. The alluvial aquifer is small, shallow, and unconfined. Recharge to the aquifer is derived mainly from river infiltration. During the rainy season when streamflow resumes, the alluvial aquifer fills in all years except during droughts. Annual streamflow in the lower reaches of the Carmel River is highly variable, ranging from zero AF in 1977 to 367,00 AF in 1983. Discharge to the ocean averages approximately 76,000 afy, with more than 96% of this total occurring between December and May.

The Initial Study document looks at the project at a planning level based upon the project itself, which is a boundary adjustment with potential for future service to be provided in an unknown timeframe. The document notes that septic systems as a recharge source to the Carmel Valley alluvial is a minor component of aquifer recharge and that recharge occurs primarily (approximately 85 percent) through the Carmel Riverbed. The Initial Study states the contribution of recharge from infiltration of septic systems in these homes in comparison to the other sources is small and the timeframe for removal of septic systems by individual homeowners is unknown but would likely occur over time (and some homes may choose not to hook up to the CAWD system). The conclusion of a less than significant impact is based upon the minor contribution to recharge, the unknown timing, and the limited technical information on the site specific hydrological conditions underlying the entirety of the annexation area. Under Hydrology and Water Quality Thresholds of Significance per CEQA Guidelines, a project impact would be considered

significant if the project would "violate any water quality standards or waste discharge requirement" or "substantially deplete groundwater supplies or interfere substantially with groundwater 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)". The potential future indirect impacts from reduction of septic systems on the water system will thus not result in the depletion of groundwater or the groundwater system.

Golf Course Irrigation Water: The comment requests the Initial Study address wastewater coming from Carmel Valley area to irrigate golf courses in Pebble Beach. The proposed project would not be transferring water as the comments notes. There is an existing project, the CAWD/PBCSD Reclamation Project, which is operated by CAWD that uses wastewater from the CAWD and PBCSD and treats it to a level to be used on area golf courses. The wastewater reclamation project was jointly undertaken by the CAWD, the Pebble Beach Community Services District (PBCSD), and the Monterey Peninsula Water Management District (MPWMD) to provide recycled water in lieu of potable water to golf courses in the Del Monte Forest. The CAWD and the PBCSD began operation of the Phase I CAWD/PBCSD Reclamation Project in 1994. This project offsets direct pumping of the Carmel alluvial by supplying recycled water from treated wastewater to the existing golf courses and other properties within Del Monte Forest. The initial phase of the project produced an average of 670 acre-feet of recycled water annually over first ten years (1994-2004) of implementation. Phase II of the project was completed in 2009 and provided further reduction of pumping of water from the Carmel River system to supply golf courses with reclaimed versus potable water. Phase II of the reclamation project focused on reducing use of another 280 acre-feet of potable water that was used for flushing the golf courses and supplementing irrigation (using potable water). The goal of the CAWD/PBCSD project is to provide 100 percent of the irrigation water for all of the golf courses and some open spaces areas in the Del Monte Forest (Pebble Beach Area). The MPWMD estimates that, on average, the project saves approximately 1,000 afy of potable water (Stoldt, 2011). The project is fully entitled and operational and has been the subject of previous environmental review and subsequent environmental documentation.

Through agreements, the Pebble Beach Company and other entitlement holders have water entitlements for water up to 380 acre-feet. To date, the MPWMD has issued water permits totaling 58.42 afy; the remaining entitlement for all CAWD/PBCSD project entitlement holders is 321.58 afy (MPWMD, 2013a). Direct testimony by the MPWMD in February 2013 during the CPUC proceedings confirmed the estimated 325 afy of future demand associated with the Pebble Beach water entitlements is reasonable (Stoldt, 2013). Thus, the CAWD/PBCSD projects provide an overall reduction of CalAm water a major portion of which is drawn from the Carmel Valley aquifer. The CAWD SOI and Annexation proposal would provide for additional area of service area within the CAWD to supply water for recycled water use to area golf courses and other non-potable users.

The seepage of septic systems into the aquifer is addressed separately by the discussion above. Any reduction in water seepage from septic systems would be offset by the reduction of direct pumping of the Carmel alluvial to supply irrigation water to golf courses.

4. The commenter suggests the document include an analysis of the potential for growth with the proposed changes to the Sphere of Influence. Specifically, the commenter request support for claims made within the document that potential new development would occur with or without the proposed project.

Response:
Potential Growth under Proposed Changes to the Sphere Of Influence (SOI): Section, M. Population and Housing in the Initial Study, pages 35-36 contain an analysis of growth potential. There are a limited

number of developments currently proposed or approved that would allow for potential new development to occur with or without the proposed SOI and Annexation Proposal. Figure 5, Page 13 discusses various properties that would be included in the SOI and Annexation area. The Initial Study concludes the majority of the area proposed for boundary adjustments are developed with residential and commercial existing land uses and that wastewater provision under CAWD would not necessarily promote or foster development of existing lots of record, expansion of existing uses, residential and commercial remodels, and similar purposes. See new Figure 5a and responses to Comment 1, above.

In response to the request to identify properties that could be developed with or without annexation and service by CAWD, the Initial Study identifies the following:

> Wolter Properties is a 48-acre site zoned as Low Density Residential. Eight lots exist and each lot could be developed as residential (single-family) as an allowed use under County zoning.
>
> Other individual properties as shown on New Figure 5a can be developed under septic without service provision from CAWD. These lots may be served under current County regulations by septic systems provided they meet the regulations under County Code for septic use. In addition, current technologies have made alternative single unit waste treatment services more accessible and cost effective. Today most any lot which may have been constrained by septic system requirements in the past can today be accommodated by proprietary package treatment solutions. These treatment processes are widely available and many are currently in use throughout the County.
>
> September Ranch is an approved subdivision and has been provided a can and will serve letter. The property is approved for a tentative map subdivision and service may be extended by CAWD to this area without the proposed annexation or SOI amendment, under extension of service agreements. This is similar to the Point Lobos State Park area which is currently being served by CAWD but is outside their service area (see below).
>
> The Point Lobos Area is currently receiving service through an approved extension of wastewater service outside of the District's boundaries. Subsequently, wastewater lines were also extended into Point Lobos Ranch, an undeveloped site on the eastern side of Highway l which contains several State Parks-owned staff residences. The District proposes to include these properties within its Sphere of Influence and to annex them as they are already serviced by existing wastewater lines.

5. The commenter proposes that the Monterey County LAFCO's "Policies and Procedures Relating to Spheres of Influence and Changes or Organization and Reorganization" be addressed within the document.

Response: Please see Appendix B, LAFCO Guidelines and Monterey County LAFCO's policies including "Policies and Procedures Relating to Spheres of Influence and Changes of Organization and Reorganization". It is not necessary for this information to be included in the body of the Initial Study document. CEQA Guidelines permit the use of appendices containing technical detail or specialized analysis. Specifically, the Guidelines state that "[p]lacement of highly technical and specialized analysis and data in the body of an EIR should be avoided through inclusion of supporting information and analyses as appendices to the main body of the EIR" that "may be prepared in volumes separate from the basic EIR document" if "readily available for public examination" (Cal. Admin. Code, tit. 14, § 15147). In this case, the Initial Study document contains the technical analysis and documentation, including policy analysis and charts; these were available for public viewing along with the Initial Study.

Letter 3: Carmel Valley Association Comments

1. The comment supports the comments submitted by LandWatch (summarized above).

Response: The comment does not require any additional response.

2. The commenter requests the environmental document quantify the number of existing septic tanks or individual wastewater treatment and disposal systems currently contributing to the underflow of the Carmel River. The commenter is concerned with the extent these systems may result in additional export from the basin.

Response: See responses to comments on Letter 2, above under Item 3. The comment requests the environmental document quantify the number of existing septic tanks or individual wastewater treatment and disposal systems currently contributing to the underflow of the Carmel River. There is no technical evidence or scientific data provided to identify what the contribution to "underflow" of the Carmel River would be for septic systems. A review of the existing homes in proximity to the Carmel River/Alluvium area was undertaken. Approximately 200 - 250 homes currently on septic systems in the Quail Lodge area would be provided the opportunity to annex to the CAWD sewer service area under this proposal. As stated within the Project Description, it is not known the timing of any service extension of these areas. The properties may never request sewer service or may submit multiple service extension requests for sewer hookups. Assuming 150 to 200 homes are eventually provided service by CAWD in a phased extension, this could represent an additional 30,000gal/day of sewage directed to the treatment plant. There is no known formula developed for the Carmel Valley area of contribution of septic systems to recharge as this is dependent on a number of site specific factors including type and age of septic system, infiltration time and distance, underlying soils, level of water table (which varies due to time of the year) and type of water year. The Initial Study identifies the water quality impacts from potential septic effluent: any volume leaching back into the drinking water supply is the significant health, safety and welfare risk that this has on ground water supply. These risks have been observed in studies dating back to the 1980's both locally as well as on a national level.

3. The commenter opines that these impacts may have legal and environmental impacts that may require the preparation of an EIR.

Response: Initial Study determined that there will be no significant direct or indirect impact on the environment, and qualifies for a Negative Declaration. The comment provides an opinion on the need for an EIR but does not provide rationale or evidence on the significance of an impact that would require an EIR. Specifically, subsection (g), Public Resources Code section 21082.2 provides that the determination of significance shall be based upon substantial evidence in light of the whole record before the agency. The State CEQA Guidelines require that decisions regarding the significance of environmental effects be based on substantial evidence and recognize that other evidence suggesting a different conclusion may exist. The Initial Study provides a comprehensive evaluation of the project's environmental impacts in compliance with CEQA and the State CEQA Guidelines and in accordance with professionally accepted methodology for the evaluation of environmental resources.

FINAL INITIAL STUDY/NEGATIVE DECLARATION
FOR THE SPHERE OF INFLUENCE AND ANNEXATION

REVISIONS

REVISIONS TO THE DRAFT IS/ND. If comments raised environmental issues that required additions or deletions to the text, tables, or figures in the Draft IS/ND, a brief description of the change is provided below, under **Revisions to the Draft IS/ND**.

The comments received on the Draft IS/MND did not result in a "substantial revision" of the negative declaration, as defined by CEQA Guidelines Section 15073.5, and the new information added to the negative declaration merely clarifies, amplifies, or makes insignificant modifications to the Draft IS/ND. No new, avoidable significant effects were identified since the commencement of the public review period that would require mitigation measures or project revisions to be added in order to reduce the effects to insignificant.

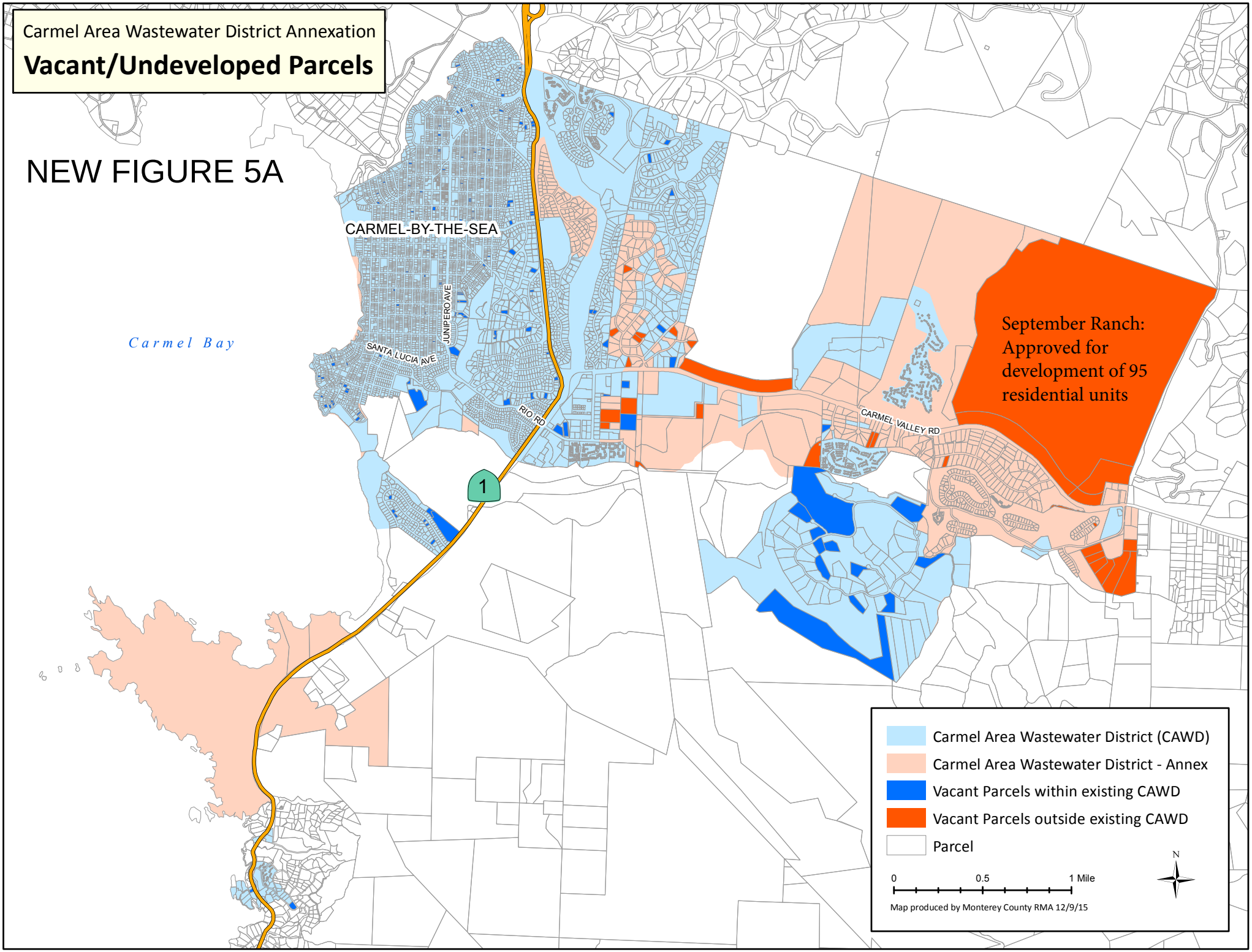
ADDITIONAL MATERIAL:

Pages 8-13: Add new map (Figure 5a) attached with information on lots of record and undeveloped lots.

Carmel Area Wastewater District Annexation

Vacant/Undeveloped Parcels

NEW FIGURE 5A



Attachment to the Final Initial Study

Impact Area	**Impacts**
Aesthetics	According to the discussion and chart on p.19 **No Impact** to aesthetics resources would occur as a result of the proposed project. Further, the discussion under Impacts a)-c) addresses potential for indirect impact and notes that due to the nature of the connections, future extension of pipelines will be placed underground and, will not permanently affect any scenic vistas or resources, therefore there would be no impact." (p. 19).
Agricultural Resources	According to the discussion and chart on p.19-21 **No Impact** to agricultural resources would occur as a result of the proposed project. Further the discussion under Impact a), d) and e) further examines impacts stating, "The proposed Sphere of Influence amendment and annexation would expand the SOI boundaries for the District to join non-contiguous areas of the District and increase areas that could be provided wastewater service. Neither the proposed annexation nor SOI amendment would conflict with zoning to protect forest resources, result in conversion of forest land or involve other changes that could lead to such conversion." (p. 19)
Air Quality	According to the discussion and chart on p.23 **No Impact** to air quality would occur as a result of the proposed project. Further the discussion under Impact a)-f) further examines impacts stating, "The Proposed Project would provide for revised boundaries of a Sphere of Influence determination and service areas for the CAWD. As a result, the project would not result in direct impacts. Any indirect impacts associated with the development that could cause temporary increases in air quality emissions during construction in connection with ground-disturbing activities and the operation of heavy equipment. If additional residential or commercial development does occur, any impacts indirect effects would be temporary in nature and would not exceed applicable MBUAPCD thresholds. Moreover, potential indirect effects would be addressed on a project-specific basis through standard construction best management practices, applicable conditions of approval, and project-specific mitigation (if applicable) identified during the development review process." (p. 23)
Biological Resources	According to the discussion and chart on p.24-25 **No Impact** to biological resources would occur as a result of the proposed

	project. Further the discussion under Impact a)-c) further examines impacts stating, “No direct or indirect impact on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service are anticipated through the boundary adjustment of the SOI Amendment and Annexation.” In addition, Impact d) – e) states, “The action of changing the District’s boundaries, by itself, will not result in physical impacts on the environment, as described herein.” (p. 24)
Cultural Resources	According to the discussion and chart on p.25 **No Impact** to cultural resources would occur as a result of the proposed project. Further the discussion under Impact a)-c) further examines impacts stating, “The project would not directly result in any physical development or construction of infrastructure improvements that would affect the environment, If additional development does occur as an indirect impact of the proposed project impacts to cultural resources reviewed independently as a requirement of CEQA . Therefore, the Proposed Project would have no impact to cultural resources.”
Geology and Soils	According to the discussion and chart on p.26 **No Impact** to Geology and Soils would occur as a result of the proposed project. Further the discussion under Impact a)-e) further examines impacts stating, “The project would not directly result in any physical development or construction of infrastructure improvements that would directly affect geology or soils” (p 26)
Greenhouse Gases	According to the discussion and chart on p.26-27 **No Impact** to greenhouse gases would occur as a result of the proposed project. Further the discussion under Impact a) further examines impacts stating, “Because the project would not directly result in any construction or operation, and thus no emissions of greenhouse gases, and because indirect effects are addressed through the independently-required CEQA review of other development plans/projects, and future infrastructure improvements/facilities, the Proposed Project would have no impact due to greenhouse gas emissions.” (p.27)
Hazards and Hazardous Materials	According to the discussion and chart on p.27-29 **No Impact** to Hazards and Hazardous Materials would occur as a result of the proposed project.
Hydrology and Water Quality	According to the discussion and chart on p.29-32 **No Impact** to Hydrology and Water Quality would occur as a result of the

	proposed project. Further the discussion under Impact b) further examines indirect impacts stating, "The potential future indirect impacts from reduction of septic systems on the water system will thus not result in the depletion of groundwater or the groundwater system[5,6]." (p. 32)
Land Use and Planning	According to the discussion and chart on p.32-34 **No Impact** to Land Use and Planning would occur as a result of the proposed project.
Mineral Resources	According to the discussion and chart on p.34 **No Impact** to Mineral Resources would occur as a result of the proposed project.
Noise	According to the discussion and chart on p.34-35 **No Impact** to Noise would occur as a result of the proposed project.
Population and Housing	According to the discussion and chart on p.29-32 **No Impact** to Hydrology and Water Quality would occur as a result of the proposed project. Further the discussion under Impact a) further examines impacts stating, "Future applications to the District would require wastewater distribution upgrades to provide reliable service, but does not represent a major expansion in use or services overall compared to existing conditions that would directly or indirectly facilitate growth."
Public Services	According to the discussion and chart on p.37 **No Impact** to Public Services would occur as a result of the proposed project.
Recreation	According to the discussion and chart on p.37-38 **No Impact** to Recreation would occur as a result of the proposed project.
Transportation/Traffic	According to the discussion and chart on p.38 **No Impact** to Transportation/Traffic would occur as a result of the proposed project. Further the discussion under Impact a)-g) further examines impacts stating, "There would be no traffic-related effects in connection with the implementation of the Proposed Project."
Utilities and Service Systems	According to the discussion and chart on p.39 **No Impact** to Transportation/Traffic would occur as a result of the proposed project. Further the impacts discussion further examines impacts stating, "The annexation involves no changes to the existing wastewater system or the associated system permits."

FINAL INITIAL STUDY/NEGATIVE DECLARATION
FOR THE SPHERE OF INFLUENCE AND ANNEXATION

LETTERS OF COMMENTS

PRESENTATION OF LETTERS. Each letter received on the **Draft IS/ND** is given below.

COUNTY OF MONTEREY
HEALTH DEPARTMENT

MEMORANDUM

ENVIRONMENTAL HEALTH BUREAU

DECEMBER 4, 2015

To: **Bob Schubert, Project Planner**

From: **Janna L Faulk**
Environmental Health Review

Subject: **Initial Study/Negative Declaration for the sphere of influence and annexation of Carmel Area Wastewater District (REF150102)**

Thank you for the opportunity to review the referenced environmental document. The Monterey County Environmental Health Bureau (EHB) has reviewed the reference documents. The Negative Declaration is comprehensive and covers all of the potential EHB concerns. EHB fully supports this sphere of influence annexation and we have no further comments.

LETTER 2

Founded in 1997
LandWatch
monterey county
Post Office Box 1876
Salinas, CA 93902-1876
831-759-2824
Website: www.landwatch.org
Email: landwatch@mclw.org
Fax: 831-759-2825

November 24, 2015

General Manager
Carmel Area Wastewater District
3945 Rio Road
Carmel, CA 93923

SUBJECT: DRAFT INITIAL STUDY/NEGATIVE DECLARATION FOR THE CARMEL AREA WASTEWATER DISTRICT SPHERE OF INFLUENCE AND ANNEXATION PROPOSAL

Dear Ms. Buikema:

LandWatch Monterey County reviewed the documents for the proposed Sphere of Influence and Annexation Proposal and has the following comments:

1. Proposal. The proposed annexation would increase the Sphere of Influence by 3,000 acres. (Table 1) The Initial Study states that most of the area proposed for annexation is developed "or designated for low density residential uses..." (p. 14). The Initial Study also states that the proposal includes providing services to undeveloped lots of record (p. 6). Please quantify the number of undeveloped legal lots of record that could be served under the proposal as well as new development designated for low density residential uses within the proposed sphere of influence. Please identify the methodology for determining lots of record.

2. Project Under CEQA. The Initial Study states (p.14), "The proposed SOI amendment and SA annexation would not have any **direct** environmental impacts because it would only result in a reorganization of jurisdictional boundaries with no direct physical changes to the environment" (emphasis added). The proposal is defined as a "project" under CEQA because it has the potential to have both direct and **indirect impacts** on the environment.

   > Section 21065, CEQA Statute: "Project" means an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.."

   Further, case law requires that CEQA be addressed at the earliest possible time in the decision-making process. Further, the purpose of CEQA is not to generate paper, but to

compel government at all levels to make decisions with environmental consequences in mind (*Bozung v. LAFCO* (1975) 13 Cal.3d 263).

Although the Initial study claims the project would have no direct environmental impacts, responses to the Environmental Checklist are inconsistent. Potential direct impacts are addressed in some analyses (e.g., agricultural resources and viewshed) while in others it is assumed that boundary revisions would have no impacts, e.g., "The Proposed Project would provide for revised boundaries of a Sphere of Influence determination and service area for the CAWD. As a result, the project would not result in indirect impacts associated with the development that could cause temporary increases in air quality emissions..." (p. 23) or "The action of changing the District's boundaries by itself, will not result in physical impacts on the environment as described herein [biological resources]" (p. 24)

The environmental document should be revised to address the direct and indirect environmental impacts of new development that could be accommodated by the changes to the Sphere of Influence. If impacts have been identified in previous environmental documents, they should be summarized and the documents referenced. The summary should identify significant environmental impacts as well as mitigation measures.

3. Hydrology. The hydrology section should address the potential impacts of removing a source of groundwater recharge from the Carmel Valley River underflow (wastewater from septic systems) and transferring it out of the basin to irrigate golf courses in Pebble Beach.

4. Growth Inducement. The environmental document should include an analysis of the growth-inducing potential of proposed changes to the Sphere of Influence. The Initial Study claims that potential new development would occur with or without the proposed project. Because some development could be precluded because of County requirements for specific systems, this claim should be supported.

5. LAFCO Guidelines. The environmental document should address Monterey County LAFCO's "Policies and Procedures Relating to Spheres of Influence and Changes of Organization and Reorganization".

Thank you for the opportunity to review the document.

Sincerely,

Amy L. White
Executive Director

LETTER 3

From: schachtersj@comcast.net [mailto:schachtersj@comcast.net]
Sent: Tuesday, December 08, 2015 9:12 AM
To: Barbara Buikema
Cc: Roger Dolan
Subject: Landwatch letter

Ms. Barbara Buikema
General Manager
Carmel Area Wastewater District
P.O.Box 221428
3945 Rio Road
Carmel, CA 93922

Dear Ms. Buikema:

The Carmel Valley Association hereby concurs with and supports the position taken by LandWatch as indicated in the letter dated November 24, 2015 to you from LandWatch Monterey County.

In addition, we wish to point out that the environmental documentation should quantify the number of existing septic tanks or other individual wastewater treatment and disposal systems now contributing to the underflow of the Carmel River which could be connected to Carmel Area Wastewater District piping resulting in additional export from the basin. The legal and environmental consequences of this export need to be explored and this may require the preparation of an EIR.

Very truly yours,

Pris Walton, President
Carmel Valley Association