

Notice of Preparation

2019029145

Notice of Preparation

To: State Clearinghouse

P.O. Box 3044

Sacramento CA 95812-3044

From: Larry Hampson

P.O. Box 85

Monterey CA 93942

Subject: Notice of Preparation of a Draft Environmental Impact Report

Monterey Peninsula Water Management District will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study (☒ is ☐ is not) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to Larry Hampson at the address shown above. We will need the name for a contact person in your agency.

Project Title: MODIFY THE EXTENT OF THE CARMEL RIVER RIPARIAN CORRIDOR

Project Applicant, if any: Monterey Peninsula Water Management District

Date February 26, 2019

Governor's Office of Planning & Research

FEB 28 2019

STATE CLEARINGHOUSE

Signature *Larry Hampson*

Title District Engineer

Telephone (831) 658-5620

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

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Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: _____

Project Title: Modification of the Extent of the Carmel River Riparian Corridor

Lead Agency: Monterey Peninsula Water Management District

Contact Name: Larry Hampson

Email: larry@mpwmd.net

Phone Number: (831) 658-5620

Project Location: Carmel River

Monterey

City

County

Project Description (Proposed actions, location, and/or consequences).

The Monterey Peninsula Water Management District (District) currently implements a comprehensive program to protect and restore water resources along the lower 15.4 miles of the main stem of the Carmel River. The District desires to extend this program upstream by 13.5 miles, such that all properties between the Pacific Ocean and the Ventana Wilderness boundary would be included in the program. The definition of the Carmel River Riparian Corridor, which includes area within 25 lineal feet of the 10% chance flood line, and the District Rules concerning activities in the Riparian Corridor of the Carmel River would apply to all the properties in this reach of the river.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

Potential accelerated downcutting of portions of the Carmel River by reason of implementation of a streambank restoration and protection project was identified as a potentially unavoidable significant environmental impact in 1983. Installation of streambank protection deep enough so as not be undercut before the bed elevation reaches a new equilibrium level was recommended to mitigate for this impact. Periodic monitoring of stream profiles shows that the downcutting trend present prior to 1983 has continued more or less at the same long term rate since the restoration program began.

An additional mitigation measure will be added by this project to require that the project proponent would ensure that the stream works do not prevent the stream near the proposed project from reaching equilibrium. The project proponent would demonstrate that the stream has reached a new equilibrium.

With mitigation actions proposed by the District for projects that would occur within the Carmel River and the Ventana Wilderness, impacts should be reduced to less than significant.

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If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

The Ohlone/Costanoan-Esselen Nation (OCEN) consider the Carmel River and its streamside resources to be culturally affiliated with the OCEN. The tribe has requested consultation under PRC 21080.3.1, subd. (b) for projects within the jurisdiction of MPWMD. The District will consult with the OCEN over the potential for finding significant archeological resources. Any future permit issued by the District that would involve work to disturb native river sediment would require a cultural resources investigation by a qualified investigator prior to issuance of a permit.

Provide a list of the responsible or trustee agencies for the project.

California Department of Fish and Wildlife
Regional Water Quality Control Board
Monterey County Resource Management Agency



**NOTICE OF PUBLIC REVIEW AND
INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION**

Project Name: An Ordinance to Amend District Rules and Regulations to Modify the Extent of the Carmel River Riparian Corridor

Lead Agency: Monterey Peninsula Water Management District

Location: Carmel River, Monterey County, California

Review Period: Wednesday, February 27, 2019 to Wednesday, March 27, 2019

Project Description: The Monterey Peninsula Water Management District (District) currently implements a comprehensive program to protect and restore water resources along the lower 15.4 miles of the main stem of the Carmel River. The District desires to extend this program upstream by 13.5 miles, such that all properties between the Pacific Ocean and the Ventana Wilderness boundary would be included in the program. The definition of the Carmel River Riparian Corridor, which includes area within 25 lineal feet of the 10% chance flood line, and the District Rules concerning activities in the Riparian Corridor of the Carmel River would apply to all the properties in this reach of the river.

If the Mitigated Negative Declaration is approved and the District adopts an Ordinance to implement a change to the District program, the District would regulate activities along the Carmel River main stem between the Pacific Ocean and the Ventana Wilderness.

The District's Rules instruct staff what services the District can provide to property owners adjacent to the river and also describes regulations concerning activities within the riparian corridor. Rules concerning activities within the Riparian Corridor are not proposed to be changed; however, if approved by the District, property owners affected by the new ordinance will be required to secure a permit from the District for certain activities within the riparian corridor that could alter the bed or banks of the river.

Mitigated Negative Declaration: Because circumstances are essentially the same, the District intends to rely on the previously certified 1984 Final EIR for the Carmel River Management Program to comply with the California Environmental Quality Act (CEQA). The District has prepared a Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the project. The District has determined that the project will not have a significant impact on the environment with implementation of mitigation measures as noted in the Draft IS/MND.

Public Comment Period: The public and all affected agencies are hereby invited to review the Draft IS/MND and submit written comments. The Board of Directors will hold a Public Hearing to consider adoption of the IS/MND on April 15, 2019. The Draft IS/MND is currently available for review on the District's website (<http://www.mpwmd.net/regulations/public-notice/ceqa/>) or in hardcopy at the District's office at 5 Harris Court, Building G (Ryan Ranch), Monterey, California 93940.

Comments should be submitted to Larry Hampson, District Engineer, at the address below, by email at larry@mpwmd.net, or by regular mail at:

Larry Hampson, District Engineer
Monterey Peninsula Water Management District
P.O. Box 85
Monterey, California 93942



DRAFT
MITIGATED NEGATIVE DECLARATION FOR

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT AMENDING DISTRICT RULES AND
REGULATIONS TO MODIFY THE EXTENT OF THE CARMEL RIVER RIPARIAN
CORRIDOR**

The District Engineer has reviewed the proposed ordinance to determine whether it could have a significant effect on the environment as a result of implementation. "Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

NAME OF PROJECT: 2019 Carmel River Riparian Corridor Ordinance Update

PROJECT FILE NUMBER:

PROJECT DESCRIPTION: The Monterey Peninsula Water Management District (MPWMD or District) is charged with the integrated management of the water resources of the Carmel River basin, which is a coastal basin located a few miles southeast of Monterey in Monterey County. The District currently implements a comprehensive program to protect and restore water resources along the lower 15.4 miles of the main stem of the Carmel River (see **Figures 1a and 1b**). The District desires to extend this program upstream by 13.5 miles, such that all properties between the Pacific Ocean and the Ventana Wilderness boundary would be included in the program (see **Figures 1c and 1d**). The definition of the Carmel River Riparian Corridor, which includes area within 25 lineal feet of the 10% chance flood line, and the District Rules concerning activities in the Riparian Corridor to the main stem of the Carmel River would apply to all the properties in this reach of the river.

The Carmel River Management Program (CRMP) includes Rules to require a valid permit from MPWMD to alter the bed or banks of the river and to remove vegetation. In addition, the program provides technical assistance to property owners, funds to mitigate for impacts to the environment, monitoring of the health of the stream, and research to understand system dynamics and to maintain appropriate standards.

The District now proposes to extend its Rules that protect the bed and banks of the main stem Carmel River from River Mile (RM, measured from the ocean) 15.4 at the confluence of the main stem with Klondike Creek to the Ventana Wilderness boundary at approximately RM 28.8, which would result in an additional 13.5 miles that would be included in the District's program. The reach is sparsely populated, but includes some private residences, the Stonepine Resort, the former San Clemente Dam site, a portion of Prince's Camp, the Cachagua Community Center,

and the Los Padres Dam and Reservoir. The approximate middle of the reach is at latitude 36.416N: longitude -121.709E.

The natural resources of the Carmel River downstream of the Ventana Wilderness have been impacted by a variety of causes in the past two hundred years that include early grazing and clearing of the Valley for agriculture, impoundment of water and sediment retention at Los Padres, Old Carmel River, and San Clemente dams, surface water diversions, gravel mining, development of the flood plain, vegetation removal, groundwater pumping, disorganized responses to widespread streambank erosion, and fire suppression in the surrounding watershed.

Along many reaches of the lower Carmel River below San Clemente Dam, extensive changes in channel form have occurred since the mid-1960s. Changes include widening of the bed in some areas and downcutting in others, extensive bank erosion, and damage or loss of streamside vegetation. Effects have been particularly dramatic during winter storm events when damage to property can be significant.

Steelhead and their habitat from the Pacific Ocean to the confluence of Danish Creek with the main stem (at RM 26) have undergone cyclic degradation due to sediment starvation, dewatering, vegetation removal, development, bank erosion, increases in water temperature (due to the presence of main stem reservoirs), passage problems, and changes to the food supply.

The District desires to protect and restore all the riparian resources of the Carmel River and its surrounding environs downstream of the Ventana Wilderness boundary and to update its Rules for the Carmel River to reflect changes in the river environment and the need to better manage the resources of the Carmel River basin.

The District finds that changes to the river and watershed upstream of the confluence with Klondike Creek due to human activities have or can significantly affect riverfront properties and the streamside environment within the lower portion of the river. Current program activities such as monitoring, vegetation management, restoration activities, and Rules enforcement would not change. However, this program would be extended upstream to cover the additional area. It should be noted that MPWMD presently carries out a comprehensive steelhead monitoring, rescue, and enhancement program throughout the length of the river between the Pacific Ocean and the limit of anadromy in the main stem.¹

The existing program to protect and restore the lower 15.4 miles of the river was approved by MPWMD on October 29, 1984 (SCH Number: 84032705). The District adopted Resolution 84-26 making findings, a statement of overriding considerations, and certifying the Final Environmental Impact Report for the Carmel River Management Plan and Boronda Erosion Control Project. This program includes Rules to require a valid permit from MPWMD to alter the bed or banks of the river and to remove vegetation. In addition, the program provides technical assistance to property owners, funds to mitigate for impacts to the environment, monitoring of the health of the stream, and research to understand system dynamics and to maintain appropriate standards.

¹ The limit of anadromy is about three miles upstream of the Ventana Wilderness boundary along the Miller Fork branch of the Carmel River. Within the Ventana Wilderness, steelhead habitat is monitored, but no rescues or habitat enhancement occurs.

Streamside conditions along the lower 15.4 miles of the river have significantly improved as compared with the conditions at the time of the 1984 EIR. These changes are the result of: 1) a significant reduction in Cal-Am diversions to municipal use and a cessation of surface water diversions at the former San Clemente Dam; 2) restrictions placed by Monterey County on floodplain development; and 3) a comprehensive program to mitigate for stream diversions and restore the natural resources of the river. In addition to legacy impacts from human activities over the past two hundred years, two fundamental ongoing problems remain that affect all of the river from Los Padres Reservoir downstream: 1) impoundment of the natural sediment supply from the upper watershed behind Los Padres Dam; and 2) diversions in the watershed that contribute to seasonal dewatering of the Carmel Valley Alluvial Aquifer. The primary management goal of the CRMP – "...a progressive and predictable transition of the river to an equilibrium 'stable' channel for those sites below Robles del Rio where such conditions do not today exist" – is still valid.

The 1984 EIR described one potentially adverse impact from implementing the CRMP – adverse downcutting, especially in the reaches above the Narrows at RM 9.9 and a parallel decline of the water table. While the previous analysis was correct in recognizing the effects of sediment starvation, the actual impact has manifested itself more in the lower seven miles of the river than above the Narrows. In the lowest reach, there has been several feet of downcutting which has exposed infrastructure in the active channel and contributed to streambank instability.

The quasi equilibrium state of the river² described for the 1921-1965 period appears to be re-established in some reaches of the river downstream of Robles del Rio (in Carmel Valley Village). However, the removal of San Clemente Dam at RM 18.6 in 2015 has been a significant event and the cumulative effect of its removal may not be clear for several years.

Stream conditions described in the 1984 EIR have evolved as a result of the enactment of the CRMP, reduced water diversions, and changes in municipal supply operations. In 1984, the most impacted reaches of the river were between Schulte Road and Robles del Rio. After most groundwater pumping was shifted to downstream of Schulte Road in the mid-1980s, the reach between Schulte Road and Rancho Cañada became the most heavily impacted. Much of the reach upstream of the Narrows recovered naturally with the resumption of perennial flow.

Extending the District's Rules to include all of the river downstream of the Ventana Wilderness will provide the District with the tools to help manage any proposed alterations in the main stem. This will also provide better opportunities to become involved in restoration projects in the upper watershed.

² The lower 15.4 miles of the Carmel River is described as being in a transition zone between a stable, single thread channel and an unstable, braided channel. Changes in sediment supply, water flow, and streambank vegetation can affect whether the river moves from one form to another. Since the implementation of the CRMP, the river has transitioned in most reaches to a single-thread channel.



Figure 1a – downstream extent of existing Carmel River Riparian Corridor – highlighted in green



Figure 1b – upstream extent of existing Carmel River Riparian Corridor – highlighted in green

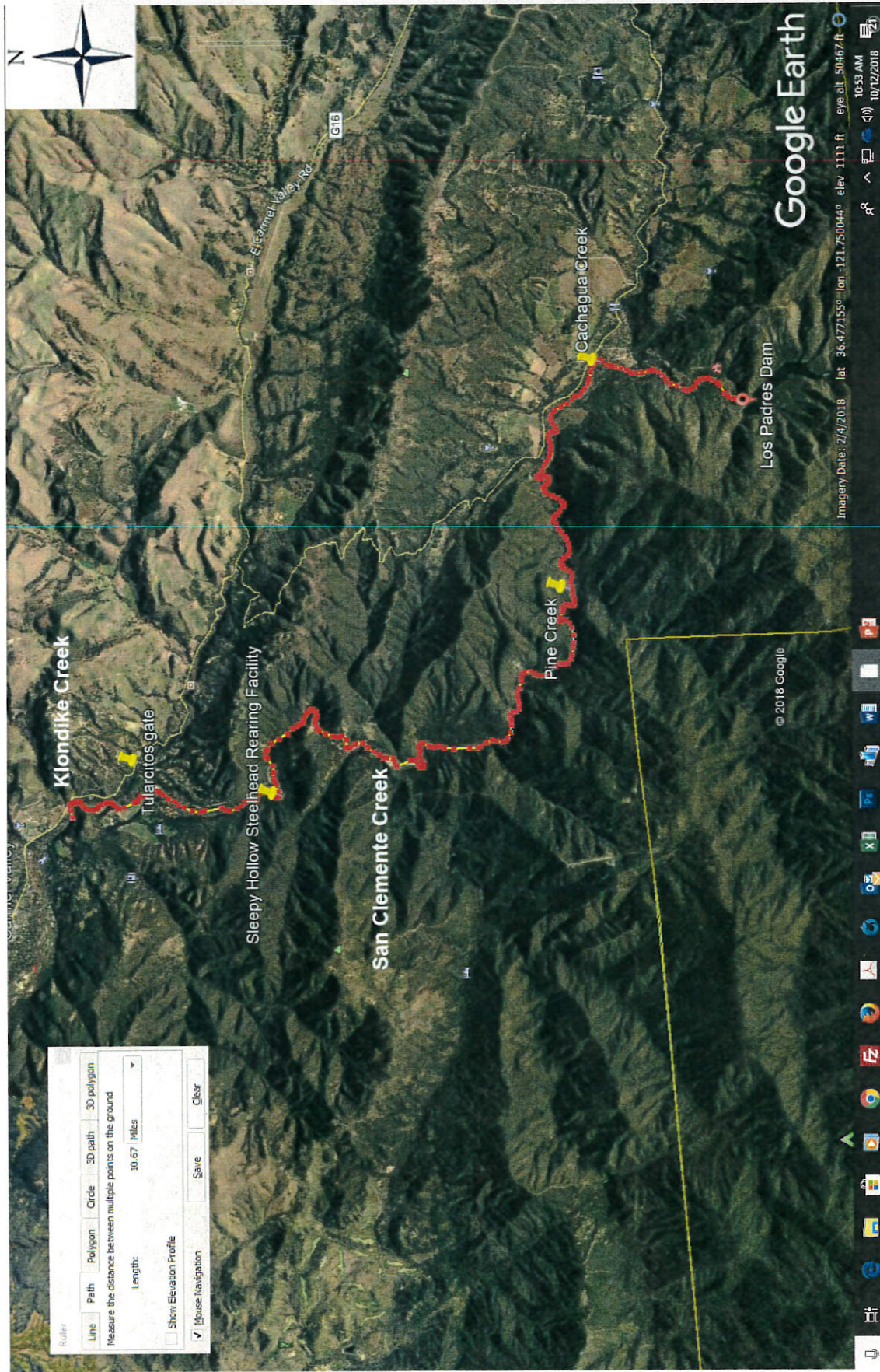


Figure 1c – Carmel River from Klondike Creek confluence to Los Padres Dam

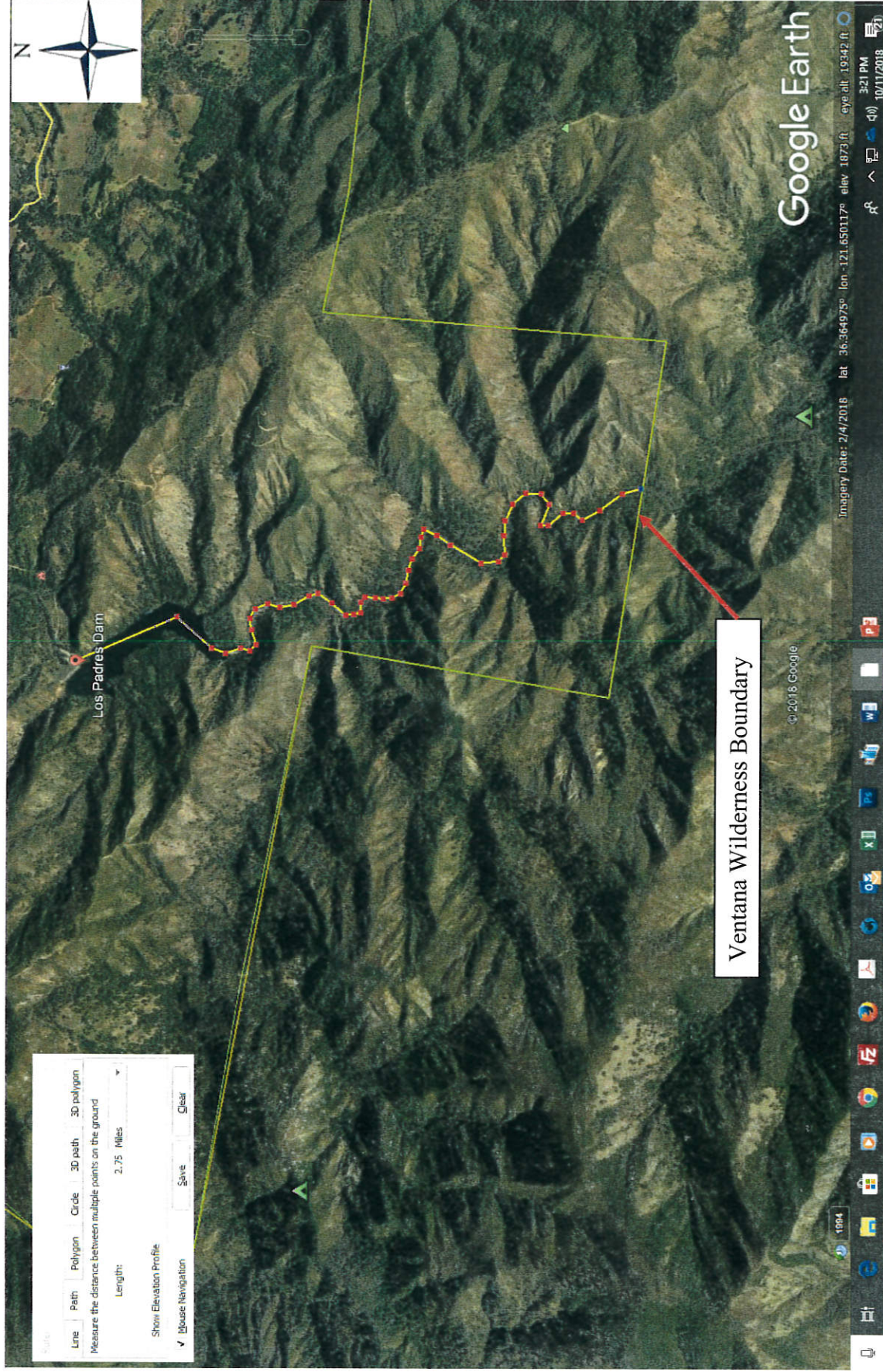
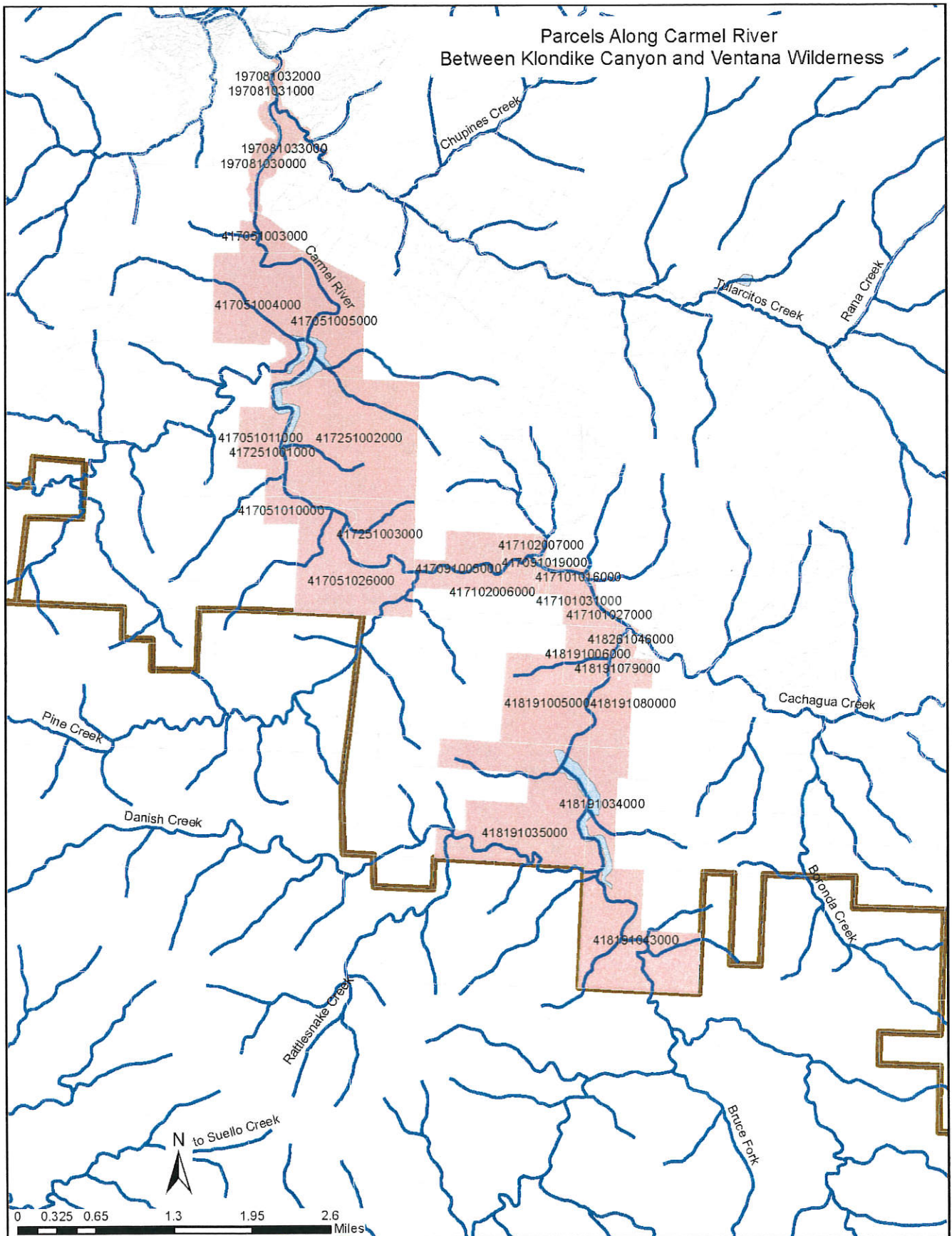


Figure 1d – Carmel River from Los Padres Dam to Ventana Wilderness boundary



**Table 1 - Parcels along the Carmel River
upstream of Klondike Creek**

417101015000	JAMES RAQUEL E TR
418261046000	PRINCES CAMP LLC
418191034000	CALIFORNIA-AMERICAN WATER CO
417102005000	HIBINO HENRY K & EVELYN N &
417102006000	BONSPER D & PAM BONSPER TRS
418261011000	VOSS LESLIE DENISE
417091019000	BALDWIN TIMOTHY J TR ET AL
417101031000	MONTEREY PENINSULA REGIONAL PARK DISTRICT
417251003000	MONTEREY PENINSULA REGIONAL PARK
418261047000	JIMENEZ PAULINO & PEREA JUANITA TRS
417251001000	PAGE CHARLES H TR ET AL
417051026000	DORMODY DONNA D TR
418191043000	CALIFORNIA-AMERICAN WATER CO
417091005000	CALIFORNIA-AMERICAN WATER CO
418191080000	CALIFORNIA-AMERICAN WATER CO
417101027000	BATEMAN MARCIA J TR
418191079000	MONTEREY PENINSULA REGIONAL PARK DISTRICT
418191035000	CALIFORNIA-AMERICAN WATER CO
417102009000	EID PAUL CHARLES TR
417051005000	CALIFORNIA-AMERICAN WATER CO
418191005000	CALIFORNIA-AMERICAN WATER CO
417101016000	GALANTE JOHN C & DAWN R
417102008000	DAHLER GEORGE F & NANCY L
417051011000	CALIFORNIA-AMERICAN WATER CO
418261008000	PRINCES CAMP LLC
417051003000	CALIFORNIA-AMERICAN WATER CO
418261009000	BENNETT STEVEN WILLIAM & GERALDINE ROSE TRS
417051010000	CALIFORNIA-AMERICAN WATER CO
418261018000	SAN PAOLO MARIO JOSEPH TR
418191006000	MONTEREY PENINSULA REGIONAL PARK DISTRICT
417101012000	SAN PAOLO MARIANO JOSEPH TR
417051004000	CALIFORNIA-AMERICAN WATER CO
417251002000	MONTEREY PENINSULA REGIONAL PARK DISTRICT
417102007000	HILLIARD MATTHEW RYAN & JENNIFER MARIE
417101032000	FLAVIN CHRISTOPHER & FLAVIN COLIN
197081032000	CALIFORNIA-AMERICAN WATER CO
197081033000	CALIFORNIA-AMERICAN WATER CO
197081031000	HENTSCHEL GORDON & HENTSCHEL NOEL IRWIN
197081030000	HENTSCHEL GORDON &

PROJECT LOCATION & ASSESSORS PARCEL NO.: The approximate middle of the reach is at latitude 36.416N: longitude -121.709E. It is comprised of the Assessor's parcels listed in Table 1.

APPLICANT CONTACT INFORMATION:

Larry Hampson, District Engineer larry@mpwmd.net, phone (831) 658-5620
Monterey Peninsula Water Management District
P.O. Box 85, Monterey, California 93942

FINDING

The District Engineer finds the project described above will not have a significant effect on the environment in that the attached initial study identifies one or more potentially significant effects on the environment for which the District, before public release of this draft Mitigated Negative Declaration, has agreed to include measures that clearly mitigate the effects to a less than significant level.

MITIGATION MEASURES INCLUDED IN THE PROJECT TO REDUCE POTENTIALLY SIGNIFICANT EFFECTS TO A LESS THAN SIGNIFICANT LEVEL

- I. AESTHETICS** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- II. AGRICULTURE RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- III. AIR QUALITY** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- IV. BIOLOGICAL RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- V. CULTURAL RESOURCES** – The 1984 EIR determined that the streamside environment has a high potential for archeological sites. To mitigate for this, a cultural resources investigation would be required for projects that could impact Native American cultural resources.
- VI. GEOLOGY AND SOILS** – The Final EIR for the Carmel River Management Plan identified a single unavoidable significant environmental impact of the project, which is the potential accelerated downcutting of portions of the Carmel River by reason of implementation of the project. This potential impact was as a result of the proposal to place gabion structures to “train” the river toward the center of the channel and control lateral streambank migration. Factors to mitigate this impact were identified in the Final EIR as:
 - a. Installation of gradient control structures within the bed of the river channel to prevent further downcutting.
 - b. Construction of a flood control dam which would be capable of reducing the major flood peaks.

c. Installation of gabions deep enough so they will not be undercut before the bed elevation reaches a new equilibrium level.

Concerning mitigation (a), one grade control structure was placed in the river in 1992 at approximately RM 5.2 at the District-sponsored Valley Hills Restoration Project. The structure consists of approximately 1,000 tons of rock riprap buried six feet deep across 90 feet of the active channel bottom with the top of the riprap set at the 1992 river bottom elevation. Subsequently, a deep pool has scoured on the downstream side of the structure and the structure sets a control on the grade upstream of the riprap. It is likely that downcutting downstream of the grade control is a result of sediment starvation rather than due to the grade control structure, as several feet of degradation of the lower five miles of river between 1984 and 2016 is evident.³

Although, the structure does not appear to affect steelhead passage, use of grade control structures along a stream used by steelhead may not be appropriate without hydraulic analysis and/or installing fishways or other devices allowing volitional passage. Therefore, any project that could induce or accelerate downcutting would be required to provide an analysis of the effects of the project on the stream channel gradient and propose measures to reduce any potential impacts.

Concerning mitigation (b), all past proposals since the 1970s to install a main stem dam to reduce major flood peaks in the Carmel River have been rejected. There is no reason to believe that a new main stem dam for flood control is a feasible option in the foreseeable future. Therefore, this mitigation measure to reduce downcutting is not deemed feasible for actions that would be implemented under this proposed ordinance.

Concerning mitigation (c), installation of structural protection below the riverbed, MPWMD currently recommends placing structural protection four (4) to six (six) feet below the existing riverbed lowest elevation at a project site to account for scour and future bed degradation; however, gabions are not allowed in the lower 8 feet of the river channel. In addition, State and Federal requirements encourage the use of biotechnical streambank protection as a first choice of materials, rather than structural solutions such as continuous rock slope protection (RSP) or gabions. Crib walls, rootwads, willow wattles, and coir rolls are examples of bioengineered solutions to bank erosion.

Channel bed elevation changes

Since 1984, MPWMD has periodically surveyed the thalweg of the river (the lowest point in the channel) and cross-sections in key locations. During episodes of erosion between 1978 and 1983 and again between 1993 and 1998, the riverbed aggraded several feet in many places as large volumes of sediment were entrained into the active channel by bed and bank erosion. Subsequent average flow years removed that material and the riverbed degraded several feet in many places. High flows in 2017 resulted in aggradation in some reaches and degradation in others. It is not clear that the riverbed elevation has reached equilibrium, especially in the deDampierre Park area and in the lowest four miles.

³ See thalweg profiles of the lower 15.4 mile of the Carmel River from 1984, 2015, and 2016.

At present, there is evidence of adverse downcutting between the Carmel Area Wastewater District (CAWD) pipeline at RM 0.7 and the Rancho San Carlos Road Bridge at RM 3.9. In this reach of the river, some of the infrastructure in the active channel is now clearly exposed where it had not been for several decades. At the CAWD pipeline encasement across the river, a scour hole of about seven (7) feet deep has developed on the downstream side. About one foot of the upstream side of the encasement is exposed across the bottom of the channel. Riprap placed several feet below the riverbed after the 1995 and 1998 floods along Rancho Cañada and Quail Lodge properties is now exposed. Downcutting of up to about five feet can be seen at the Rancho Cañada golf cart bridges and at the Via Mallorca and Rancho San Carlos Road bridges.

There is evidence of both aggradation and downcutting at other locations; however, except within the deDampierre Park area, structures within the active channel and streambank integrity do not appear to be under threat at these locations currently. The fundamental cause of adverse degradation in the areas where the river is downcutting is a lack of natural sediment supply to the lower river. Placement of structural protection along streambanks may contribute indirectly to sediment starvation and streambed degradation by “locking up” floodplain sediment that would otherwise be entrained into the active channel by river meandering during high flows. Therefore, “hardening” of streambanks through the use of riprap, gabions, or similar methods may over the long term contribute to adverse degradation.

New Mitigation Measure

With the removal of San Clemente Dam in 2015 and the re-connection of a portion of the upper watershed to the lower river, sediment supply to the lower river may increase and the river may reach a new equilibrium level. Should this not occur within a reasonable amount of time (10 to 20 years), to mitigate for the potential impact of adverse downcutting, the District proposes to add a requirement to Rule 127, Section 5 that work allowed by the District would not contribute to adverse levels of downcutting. The project proponent would need to demonstrate that the proposed works do not prevent the stream near the proposed project from reaching equilibrium. Or the project proponent should demonstrate that the stream has reached a new equilibrium.

With this mitigation, the project will have a less than significant effect.

- VII. GREENHOUSE GAS EMISSIONS:** The project will not have a significant impact on this resource, therefore no mitigation is required.
- VIII. HAZARDS AND HAZARDOUS MATERIALS –** The project will not have a significant impact on this resource, therefore no mitigation is required.
- IX. HYDROLOGY AND WATER QUALITY –** Projects could have the potential to reduce the available sediment supply in the alluvial portion of the river⁴, which could

⁴ The alluvial portion of the river is generally characterized as the lower 18.3 miles of the river between the former Old Carmel River Dam (OCD) site to the Pacific Ocean. There may be other areas of the river upstream of OCD that contain localized alluvial deposits; however, it is likely that much of the interdam reach between the former San

result in a lowered water table due to downcutting in the riverbed. Project proponents would be required to demonstrate that no adverse downcutting of the riverbed would result from implementing a proposed project.

Placement of materials to protect streambanks could alter river flow patterns. Proposed projects would be required to use best management practices such as revegetation with native plantings, installation of erosion protection, and monitoring to reduce the potential for erosion or siltation. The project will have a less than significant impact with these mitigation measures.

- X. LAND USE AND PLANNING** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XI. MINERAL RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XII. NOISE** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XIII. POPULATION AND HOUSING** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XIV. PUBLIC SERVICES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XV. RECREATION** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XVI. TRANSPORTATION / TRAFFIC** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XVII. TRIBAL CULTURAL RESOURCES:** The Ohlone/Costanoan-Esselen Nation (OCEN) consider the Carmel River and its streamside resources to be culturally affiliated with the OCEN. The tribe has requested consultation under PRC 21080.3.1, subd. (b) for projects within the jurisdiction of MPWMD. The District will consult with the OCEN over the potential for finding significant archeological resources.

Several studies conducted since the 1980s in association with proposed new main stem dams near the former San Clemente Dam and near the existing Los Padres Dam have documented the presence of archeological sites in the project reach and sites that may be eligible for listing as a historical resource.

Any future permit issued by the District that would involve work to disturb native river sediment would require a cultural resources investigation by a qualified investigator prior to issuance of a permit.

Clemente Dam and Los Padres Dam contains shallow deposits of alluvial material. No municipal demand wells are in use in this reach. The extent to which private properties along this reach rely on water extraction from alluvial deposits or from surface diversion is not well established. However, this reach has been perennial for as long as records exist. Future changes in the depth of alluvium may not affect water production in this reach.

XVIII. UTILITIES AND SERVICE SYSTEMS – The project will not have a significant impact on this resource, therefore no mitigation is required.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE – The combined effects to the lower 15 miles of the Carmel River from implementation of the existing Carmel River Management Plan, removal of San Clemente Dam, and future projects associated with extending the District's Riparian Corridor upstream to the Ventana Wilderness may be beneficial. But these effects cannot be fully estimated at this time. With mitigation actions proposed by the District for projects that would occur along the river between the Pacific Ocean and the Ventana Wilderness, impacts should be reduced to less than significant. The monitoring program initiated with the 1984 CRMP will be continued to determine what, if any, cumulative effects occur from these actions.

PUBLIC REVIEW PERIOD

Before 5:00 p.m. on March 27, 2019, any person may:

1. Review the Draft Mitigated Negative Declaration (MND) as an informational document only; or
2. Submit written comments regarding the information, analysis, and mitigation measures in the Draft MND. Before the MND is adopted, District staff will prepare written responses to any comments, and revise the Draft MND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final MND.

MPWMD will hold a Public Hearing to consider approval of this project on April 15, 2019, beginning at 7 p.m. in the District Conference Room located at 5 Harris Court, Bldg. G, Monterey CA 93940.

Larry Hampson, District Engineer

Circulated on:

Adopted on: _____

CEQA Environmental Checklist

PROJECT DESCRIPTION AND BACKGROUND

Project Title:	AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA WATER MANAGEMENT DISTRICT AMENDING DISTRICT RULES AND REGULATIONS TO MODIFY THE EXTENT OF THE CARMEL RIVER RIPARIAN CORRIDOR
Lead agency name and address:	Monterey Peninsula Water Management District, P.O. Box 85, Monterey CA 93942
Contact person and phone number:	Larry Hampson, (831) 658-5620
Project Location:	Carmel River, Monterey County
Project sponsor's name and address:	Monterey Peninsula Water Management District, P.O. Box 85, Monterey CA 93942
General plan description:	
Zoning:	
Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation.)	The Monterey Peninsula Water Management District (MPWMD or District) is charged with the integrated management of the water resources of the Carmel River basin, which is a coastal basin located a few miles southeast of Monterey in Monterey County. MPWMD initiated a program to protect and restore streamside resources in the lower 15.4 miles of the river in 1983. This program includes Rules to require a valid permit from MPWMD to alter the bed or banks of the river and to remove vegetation. In addition, the program provides technical assistance to property owners, funds to mitigate for impacts to the environment, monitoring of the health of the stream, and research to understand system dynamics and to maintain appropriate standards. The District now proposes to extend its Rules and program that protect the bed and banks of the main stem Carmel River from River Mile (RM, measured from the ocean) 15.4 at the confluence of the main stem with Klondike Creek to the Ventana Wilderness boundary at approximately RM 28.8. The reach is sparsely populated, but includes some private residences, the Stonepine Resort, the former San Clemente Dam site, a portion of Prince's Camp, the Cachagua Community Center, and the Los Padres Dam and Reservoir. The approximate middle of the reach is at latitude 36.416N; longitude -121.709E.
Surrounding land uses and setting; briefly describe the project's surroundings:	The proposed project is located along the Carmel River between about 15 miles upstream of the Pacific Ocean to about 29 miles upstream of the Pacific Ocean. The site is on the eastern side of the Santa Lucia Mountains, which are part of the Pacific Coast Range system. The Carmel Valley is sparsely populated. The town of Carmel Valley Village (population 4,325 in 2013) is the furthest upstream populated place and is at the northeastern end of the proposed project area.

Other public agencies whose approval is required (e.g. permits, financial approval, or participation agreements):	U.S. Army Corps of Engineers, National Marine Fisheries Service, U.S. Fish and Wildlife Service, California Regional Water Quality Control Board, California Department of Fish and Wildlife, Monterey County
Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun? Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.	Yes. In a June 28, 2015 letter to MPWMD, the Ohlone/Costanoan-Esselen Nation requested consultation under PRC 21080.3.1, subdivision (b). Consultation has not begun.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project. Please see the checklist beginning on page 3 for additional information.

☐	Aesthetics	☐	Agriculture and Forestry	☐	Air Quality
☐	Biological Resources	☒	Cultural Resources	☒	Geology/Soils
☐	Greenhouse Gas Emissions	☐	Hazards and Hazardous Materials	☒	Hydrology/Water Quality
☐	Land Use/Planning	☐	Mineral Resources	☐	Noise
☐	Population/Housing	☐	Public Services	☐	Recreation
☐	Transportation/Traffic	☒	Tribal Cultural Resources	☐	Utilities/Service Systems
☒	Mandatory Findings of Significance				

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.

Signature: <i>Larry Hampson</i>	Date: February 12, 2019
Printed Name: Larry Hampson, District Engineer	For: MPWMD

CEQA Environmental Checklist

This checklist identifies physical, biological, social and economic factors that might be affected by the proposed project. In many cases, background studies performed in connection with the projects indicate no impacts. A NO IMPACT answer in the last column reflects this determination. Where there is a need for clarifying discussion, the discussion is included either following the applicable section of the checklist or is within the body of the environmental document itself. The words "significant" and "significance" used throughout the following checklist are related to CEQA, not NEPA, impacts. The questions in this form are intended to encourage the thoughtful assessment of impacts and do not represent thresholds of significance.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
I. AESTHETICS: Would the project:				
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?	☐	☐	☐	☒

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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II. AGRICULTURE AND FOREST 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 determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

☐	☐	☐	☒
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b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

☐	☐	☐	☒
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c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

☐	☐	☐	☒
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d) Result in the loss of forest land or conversion of forest land to non-forest use?

☐	☐	☐	☒
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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?

☐	☐	☐	☒
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Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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III. AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

☐	☐	☐	☒
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b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

☐	☐	☐	☒
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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)?

☐	☐	☐	☒
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d) Expose sensitive receptors to substantial pollutant concentrations?

☐	☐	☐	☒
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e) Create objectionable odors affecting a substantial number of people?

☐	☐	☐	☒
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IV. BIOLOGICAL RESOURCES: Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

☐	☐	☐	☒
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b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

☐	☐	☐	☒
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	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒

V. CULTURAL RESOURCES: Would the project:

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 dedicated cemeteries?	☐	☒	☐	☐

The District will initiate consultation with the OCEN tribal contact. In addition, any future permit issued that would involve work to disturb native river sediment would require a cultural resources investigation by a qualified investigator prior to issuance of a permit.

VI. GEOLOGY AND SOILS: Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	☐	☐	☐	☒
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	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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? Refer to Division of Mines and Geology Special Publication 42?	☐	☐	☐	☒
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?	☐	☒	☐	☐
Proposed projects would be required to resist liquefaction or collapse due to high river flow.				
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 waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

VII. GREENHOUSE GAS EMISSIONS: Would the project:

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?	☐	☐	☐	☒

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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VIII. HAZARDS AND HAZARDOUS MATERIALS:

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | ☐ | ☐ | ☐ | ☒ |
| 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? | ☐ | ☐ | ☐ | ☒ |

IX. HYDROLOGY AND WATER QUALITY: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements? | ☐ | ☐ | ☐ | ☒ |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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 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)? Projects could have the potential to reduce the available sediment supply to the lower 15 miles of the river. Project proponents would be required to demonstrate that no adverse downcutting of the riverbed would result because of implementing a proposed project.	☐	☒	☐	☐
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? Proposed projects would be required to use best management practices such as revegetation, installation of erosion protection, and monitoring to reduce the potential for erosion or siltation.	☐	☒	☐	☐
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?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
j) Inundation by seiche, tsunami, or mudflow	☐	☐	☐	☒

X. LAND USE AND PLANNING: Would the project:

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?	☐	☐	☐	☒

XI. MINERAL RESOURCES: Would the project:

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?	☐	☐	☐	☒

XII. NOISE: Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
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?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
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?	☐	☐	☐	☒

XIII. POPULATION AND HOUSING: Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
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?	☐	☐	☐	☒

XIV. PUBLIC SERVICES:

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

XV. RECREATION:

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
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?	☐	☐	☐	☒

XVI. TRANSPORTATION/TRAFFIC: Would the project:

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 measures, 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) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | ☐ | ☐ | ☐ | ☒ |

XVII. TRIBAL CULTURAL RESOURCES: Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|-------------------------------------|
| a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | ☐ | ☐ | ☐ | ☒ |
| b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | ☐ | ☒ | ☐ | ☐ |

The District will initiate consultation with the OCEN tribal contact. In addition, any future permit issued that would involve work to disturb native river sediment would require a cultural resources investigation by a qualified investigator prior to issuance of a permit.

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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XVIII. UTILITIES AND SERVICE SYSTEMS:

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 storm water 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? | ☐ | ☐ | ☐ | ☒ |

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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XIX. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially 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?

☐	☐	☐	☒
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b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

☐	☒	☐	☐
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The combined effects to the lower 15 miles of the Carmel River from the existing Carmel River Management Plan, removal of San Clemente Dam, and future projects associated with extending the CRMP upstream are probably beneficial but cannot be fully estimated at this time. The monitoring program initiated with the 1984 CRMP will be continued to determine what the cumulative effects of these actions is.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

☐	☐	☐	☒
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