Downtown Vitalization Specific Plan

Draft Environmental Impact Report

prepared by

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Executive Summary

This document is a Program Environmental Impact Report (EIR) analyzing the environmental effects of the proposed Marina Downtown Vitalization Specific Plan Project (Specific Plan, DVSP, project or proposed project). This section summarizes the characteristics of the proposed DVSP, alternatives to the proposed DVSP, and the environmental impacts and mitigation measures associated with the proposed DVSP.

Project Synopsis

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Project Description

This EIR has been prepared to examine the potential environmental effects of the Marina Downtown Vitalization Specific Plan. The following is a summary of the full project description, which can be found in Section 2, *Project Description*.

The City of Marina is located in Monterey County, adjacent to Monterey Bay and along State Route 1, approximately nine miles north of the City of Monterey and 18 miles south of the City of Watsonville. Incorporated as a charter city in 1975, Marina has grown in population from 8,343 to an estimated 21,457 people (California Department of Finance 2022). The city encompasses approximately 9.8 square miles and extends for five miles along the Pacific Ocean, from former Fort Ord land and the California State University Monterey Bay (CSUMB) campus on the south, to the Salinas River on the north, and inland for four miles to the Marina Municipal Airport. The regional site location is shown in Figure 2-1 in Section 2, *Project Description*. The former Fort Ord Army Base, which was closed in 1994, is located in the southern portion of the city. The Plan area does not include any former Fort Ord lands.

The Plan area encompasses approximately 322 acres near the center of the City of Marina, and as shown in Figure 2-2 in Section 2, *Project Description,* entails an irregular shape. The Plan area is generally bounded:

- On the northeast by parcels along the north side of Reservation Road
- On the south by Reindollar Avenue and various residential north-south secondary roads, such as Sunset Avenue, Carmel Avenue, and Crescent Avenue

- On the east by Salinas Avenue
- On the northwest by Del Monte Boulevard, approximately 0.5 mile east of State Route (SR) 1

Project Characteristics

The purpose of the DVSP is to create a unique and identifiable Downtown core for Marina that is vibrant and pedestrian oriented, and the plan will be an aspirational policy document and regulatory tool used by the city for the next 20 years. In particular, the Specific Plan aims to reinvigorate the Downtown Marina economy and sense of place through:

- Designation of land uses
- Designation of required access and circulation elements
- Location and sizing of infrastructure
- Financing methods for public improvements
- Standards of development

Based on existing land use designations and underlying zoning requirements, described under General Plan land use designations above, potential buildout of the Specific Plan could include approximately an additional 1,385,000 square feet of new retail and office space and 2,904 new housing units. When added to existing development, the Plan area could include a total of up to approximately 2,390,000 square feet of commercial and retail space and up to 5,205 housing units. However, the pace of future development would largely be determined by market forces, and thus it is difficult to determine at what date buildout would occur. Table ES-1 shows the existing and maximum buildout projections.

Table ES-1 Existing and Maximum Land Use Buildout Projections

Zone/Land Use	Existing	Specific Plan Area Proposed	Total (Existing + Proposed)
Residential	2,301 units	2,904 units	5,205 units
Retail	691,705 sf	874,669 sf	1,566,374 sf
Office	314,053 sf[1]	510,528 sf	824,581 sf

sf= square feet

[1] Including office and light manufacturing uses.

Land Use Designations

The goal of the Specific Plan is to establish Marina as a destination that accommodates a mix of commercial, retail, and residential uses served by an improved transportation network. During the planning process, land use designations were established to allow for increased densities throughout the Downtown area. Districts include the Core, which would allow for residential densities of up to 70 units per acre; the Transition district and Mixed-Use Node, which would allow for up to 50 units per acre; and the Multifamily Residential district which would allow for up to 35 units per acre. Of the 2,301 existing residential units in the Downtown area, 1,638 (approximately 71 percent) are located in areas that would be designated as Multifamily Residential, 377 (approximately 16 percent) are located in areas that would be designated as Transition or Mixed-Use, and 286 (approximately 13 percent) are located in areas that would be designated as Core.

Proposed commercial and light industrial uses in the Downtown encompass roughly 860,000 square feet on 88 acres. The Downtown Core includes 407,000 square feet of commercial uses on 36 acres.

Another 416,000 square feet of commercial uses can be found on 46 acres in the Transition zone. Area-wide, calculations also assume additional land would be devoted to the public right-of-way in the future.

The development zones to implement the Specific Plan are listed below and described in further detail in Section 2, Project Description.

- **Core.** The Core district is generally located to the north and south of Reservation Road, between Del Monte Boulevard and Crescent Avenue, and along the eastern side of Del Monte Boulevard between Reservation Road and Carmel Avenue. The Core is intended to become a vital economic center served by a variety of transportation modes, and compact development around the Marina Transit Exchange would be a guiding concept of this district.
- **Transition.** The Transition district is located along Reservation Road, between Crescent Avenue and Salinas Avenue, and east of Del Monte Boulevard between Reindollar Avenue and Carmel Avenue. The intent of the Transition district would be to permit and encourage commercial, multifamily residential, and mixed-use development at about half the density of projects in the Core district.
- **Multifamily Residential.** The intent of the Multifamily Residential district would be to permit and encourage residential developments of up to three stories in height with up to 35 units per acre. An additional 154 residential units would be proposed within the Multifamily Residential district.
- **Mixed-use Node.** The Land Use Plan of the DVSP calls for the creation of a mixed-use node at the intersection of Reservation Road and California Avenue. This node, surrounded by the lower-intensity Transition district, would feature multistory mixed-use buildings with retail and commercial space on the ground floor and additional commercial space or residential uses on the floors above, similar to the types of development envisioned in the Core district

Project Objectives

The DVSP builds on the goals and objectives established in the City of Marina General Plan and the relevant standards and regulations from the City's Municipal Code. The DVSP also implements elements of the City's Downtown Vision, Downtown Design Standards and Guidelines, and Pedestrian and Bicycle Master Plan. The objectives of the DVSP are to:

- Establish a safe, walkable, and vibrant Downtown that attracts diverse business opportunities, encourages appropriate mixed uses, and integrates adjoining neighborhoods, parks, and trails.
- Provide a variety of affordable, high-quality housing options for people of all incomes, ages, abilities, races, and cultures to live in Downtown.
- Create an environment that attracts and sustains economic activity.
- Establish a Downtown with safe and efficient pedestrian and vehicular circulation that encourages alternative modes of transportation.

Public Services

Future development projects in the Specific Plan area would be required to provide public improvements deemed necessary during the design process. The public right-of-way in the Specific Plan area encompasses 67 acres, or 21 percent of the total land area. This percentage is low in relation to the average of 30-35 percent in most downtowns. The Specific Plan calls for creating a street grid that includes smaller, more walkable blocks with mid-block crossings to increase access.

Wastewater services would be provided by Monterey One Water (M1W); water services would be provided by MCWD; electricity would be provided by Central Coast Community Energy; and natural gas would be provided by Pacific Gas and Electric Company.

Alternatives

As required by the California Environmental Quality Act (CEQA), this EIR examines alternatives to the proposed project. Studied alternatives include the following two alternatives. Based on the alternatives analysis, Alternative 2, Reduced Development, was determined to be the environmentally superior alternative. Refer to Section 5, *Alternatives*, for the complete alternatives analysis.

Areas of Known Controversy

Notices of Preparation circulated for public review in 2021 and 2023 identified existing structures that would be rendered non-conforming after the adoption of DVSP development standards would be a potential area of controversy for the proposed DVSP. Responses to the 2021 and 2023 Notices of Preparation and input received at the EIR scoping meeting held by the City are summarized in Section 1, *Introduction*. There are no other areas of known controversy or issues to resolve related to the DVSP or associated environmental review.

Approvals Required

Approval of the Specific Plan would require the following discretionary and ministerial approvals from the City of Marina:

- Marina Downtown Vitalization Specific Plan Approval
- General Plan Map and Text Amendment
- Zoning Map and Code Amendment

The DVSP would also require approval of the Marina Water Supply Assessment prepared by the Marina Coast Water District. Projects developed pursuant to the Specific Plan would require project-specific approvals from the City of Marina, including but not limited to review and approval of all required permits, including grading and building permits.

Issues Not Studied in Detail in the EIR

Table 1-3 in Section 1, *Introduction*, summarizes issues from the environmental checklist that were addressed in the Initial Study (Appendix A). As indicated in the Initial Study, there is no substantial evidence that significant impacts would occur to the following issue areas, as identified by Appendix G of the CEQA Guidelines:

- Aesthetics (all thresholds)
- Agriculture and Forestry Resources (all thresholds)
- Air Quality (implementation of an air quality plan, substantial pollutant concentration, and other emissions)
- Biological Resources (adverse effect on riparian habitat or sensitive natural community, movement of resident or migratory wildlife species, local policies or ordinances protecting biological resources, provisions of an adopted conservation plan)

- Cultural Resources (human remains)
- Energy (all thresholds)
- Geology and Soils (all thresholds except paleontological resources)
- Greenhouse Gas Emissions (all thresholds)
- Hazards and Hazardous Materials (hazards to the public or the environment, airport safety and noise, implementation of an emergency response plan, wildland fires)
- Hydrology and Water Quality (water quality standards, alteration of drainage patterns, risk of inundation)
- Land Use and Planning (all thresholds)
- Mineral Resources (all thresholds)
- Noise (generation of groundborne vibration and noise, airport noise))
- Population and Housing (all thresholds)
- Public Services (all thresholds)
- Recreation (all thresholds)
- Utilities and Service Systems (wastewater treatment, stormwater drainage, electric power, natural gas, telecommunications facilities, and solid waste) Wildfire (all thresholds)

Impacts related to air quality, transportation, and water supply were found to be potentially significant and are addressed in this EIR.

Summary of Impacts and Mitigation Measures

Table ES-2 summarizes the environmental impacts of the proposed DVSP, proposed mitigation measures, and residual impacts (the impact after application of mitigation, if required). Impacts are categorized as follows:

- **Significant and Unavoidable.** An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires a Statement of Overriding Considerations to be issued if the proposed project is approved per §15093 of the CEQA Guidelines.
- **Less than Significant with Mitigation Incorporated.** An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures. Such an impact requires findings under §15091 of the CEQA Guidelines.
- **Less than Significant.** An impact that may be adverse, but does not exceed the threshold levels and does not require mitigation measures. However, mitigation measures that could further lessen the environmental effect may be suggested if readily available and easily achievable.
- **No Impact:** The proposed project would have no effect on environmental conditions or would reduce existing environmental problems or hazards.

Table ES-2 Summary of Environmental Impacts, Mitigation Measures, and Residual Impacts

Impact	Mitigation Measure(s)	Residual Impact
Air Quality		
Impact AQ-1. The timing of the DVSP construction and intensity is unknown at this time; therefore, it is conservatively assumed that construction activities may exceed MBARD's earth moving screening level threshold. DVSP operation would exceed MBARD thresholds for VOC, which the majority are from consumer product use. With the implementation of Mitigation Measure AQ-1, construction impacts would be reduced to less than significant. However, impacts are significant and unavoidable for operational activity.	**AQ-1 Construction Dust Control Measures** Applicants for future development under the DVSP shall implement Construction Dust Control Measures. Construction/demolition activities within the Specific Plan area shall be limited to 8.1 acres per day with minimal earthmoving, or 2.2 acres per day with demolition or grading/excavation, consistent with the screening-level thresholds in the MBARD's 2008 *CEQA Air Quality Guidelines*. Any individual construction project that would require grading, excavation, and/or soil material import or export within the Specific Plan area shall implement the following construction dust control measures: ▪ Water all active construction areas at least twice daily. ▪ Prohibit all grading activities during periods of high wind (over 15 miles per hour). ▪ Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days). ▪ Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed area. ▪ Maintain at least two feet of freeboard on haul trucks. ▪ Cover all trucks hauling dirt, sand, or loose materials. ▪ Plant tree windbreaks on the windward perimeter of construction projects, if adjacent to open land. ▪ Plant vegetative ground cover in disturbed areas as soon as possible. ▪ Cover inactive storage piles. ▪ Install wheel washers at the entrance to construction sites for all exiting trucks. ▪ Pave all roads on construction sites. ▪ Sweep streets if visible soil material is carried out from the construction site. ▪ Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The MBARD phone number shall be visible to ensure compliance with Rule 402 (Nuisance). ▪ Limit the area under construction at any one time.	Significant and Unavoidable

Impact	Mitigation Measure(s)	Residual Impact
Transportation		
Impact T-1. The DVSP would conflict with General Plan policies pertaining to transit, roadway, bicycle, or pedestrian facilities. However, these conflicts would not result in substantial physical environmental effects. Impacts would be less than significant.	None required	Less than Significant
Impact T-2. The DVSP would result in the generation of VMT that would exceed City of Marina VMT thresholds, and would be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). Impacts would be significant and unavoidable.	**T-2 Transportation Demand Management Program** Each individual office and residential development project in the Specific Plan area shall have a corresponding transportation demand management (TDM) plan and monitoring program developed by the applicant or developer of the project. The TDM plan shall be prepared prior to issuance of building permits. The TDM plan shall identify the TDM reductions specific to their project. The monitoring program shall establish goals and policies to ensure the efficient implementation of the TDM plan and demonstrate its effectiveness at reducing VMT such that VMT is below the significance thresholds presented in Table 4.2-2, above. The City shall review and approve the TDM plan prior to approval of building permits. Examples of TDM measures that could be employed, depending on specific project conditions and circumstances, include but are not limited to: ▪ Provision of bus stop improvements or on-site mobility hubs ▪ Pedestrian improvements, on-site or off-site, to connect to nearby transit stops, services, schools, shops, etc. ▪ Bicycle programs including bike purchase incentives, storage, maintenance programs, and on-site education program ▪ Enhancements to regional bicycle network ▪ Parking reductions and/or fees set at levels sufficient to incentivize transit, active transportation, or shared modes ▪ Cash allowances, passes, or other public transit subsidies and purchase incentives ▪ Enhancements to bus service ▪ Implementation of shuttle service ▪ Establishment of carpool, bus pool, or vanpool programs ▪ Vanpool purchase incentives ▪ Participation in a future County VMT fee program ▪ Participate in future VMT exchange or mitigation bank programs ▪ Carshare/scooter-share/bikeshare facilities or incentives ▪ On-site coordination overseeing TDM marketing and outreach ▪ Rideshare matching program	Significant and Unavoidable

Impact	Mitigation Measure(s)	Residual Impact
Impact T-3. The DVSP would not substantially increase hazards due to a design feature or incompatible uses. Impacts would be less than significant.	None required	Less than Significant
Impact T-4. The DVSP would not result in inadequate emergency access. Impacts would be less than significant.	None required	Less than Significant
Water Supply		
Impact HYD-1. The DVSP would increase water demand in the Specific Plan area. Sufficient water supply is available to meet projected demands and DVSP buildout would not substantially interfere with groundwater recharge or otherwise adversely affect groundwater supply or recharge. Impacts would be less than significant.	None required	Less than Significant
Impact HYD-2. DVSP buildout would require new water service connections, the construction of which could include ground disturbance. No expansion of existing water entitlements or allocations would occur as a result of the proposed project. Impacts would be less than significant.	None required	Less than Significant
Less than Significant with Mitigation		
Biological Resources		
a. Development facilitated by the DVSP has the potential to directly impact special status plant and animal species in the DVSP area. Implementation of Mitigation Measures BIO-1(a) through BIO-1(h) would reduce these impacts to a less than significant level.	**BIO-1(a) Biological Resources Screening and Assessment** For individual projects proposed for development within undeveloped or partially developed areas containing natural or ruderal areas within the DVSP area (Figure 4.4 1), the City or their designee shall engage a qualified biologist to perform a preliminary biological resource screening. The purpose of the screening and assessment is to determine whether the project has any potential to impact special status biological resources, inclusive of special status plants and animals, sensitive vegetation communities, jurisdictional waters (including creeks, drainages, streams, ponds, vernal pools, riparian areas and other wetlands), or biological resources protected under local or regional ordinances. If it is determined that the project has no potential to impact biological resources, no further action is required. If the project would have the potential to impact biological resources, prior to construction, a qualified biologist shall conduct a project-specific biological analysis to document the existing biological resources within a project footprint plus a minimum buffer of 100 feet around the project footprint, as is feasible, and to determine the potential impacts to those resources. If the project would have the potential to impact biological resources, the following	Less than Significant with Mitigation

Impact	Mitigation Measure(s)	Residual Impact
	mitigation measures [BIO-1(b) through BIO-1(f)] shall be incorporated, as determined to be applicable by the qualified biologist, to reduce impacts to a less than significant level. Pending the results of the project-specific biological analysis, design alterations, further technical studies (e.g., protocol surveys) and consultations with the USFWS, National Marine Fisheries Service (NMFS), CDFW, and/or other local, state, and federal agencies may be required. Note that specific surveys described in the mitigation measures below may be completed as part of the project-specific biological analysis where suitable habitat is present. **BIO-1(b) Special Status Plant Pre-Construction Survey** Projects identified as having potential to impact special status plant species during the biological screening and assessment under Mitigation Measure BIO-1(a) shall implement the Mitigation Measure BIO-1(b). Surveys for special status plants shall be completed by the project proponent prior to any vegetation removal, grubbing, or other construction activity (including staging and mobilization). The surveys shall be floristic in nature, that is, every plant observed shall be identified to species subspecies, or variety, sufficient to identify listed plants. The surveys shall be seasonally timed to coincide with the target Federal and State listed species and rare plants identified above. All plant surveys shall be conducted by a City-approved biologist during the appropriate blooming period during the year prior to initial ground disturbance. All special status plant species identified on-site shall be mapped onto a site-specific aerial photograph or topographic map with the use of Global Positioning System (GPS) unit. Surveys shall be conducted in accordance with the most current protocols established by the CDFW, USFWS, and the local jurisdictions if said protocols exist. A report of the survey results shall be submitted to the implementing agency. If impacts to federal or state-listed species are identified for an individual project, consultation with CDFW and/or USFWS, as appropriate, may be required. **BIO-1(c) Special Status Plant Species Avoidance, Minimization, and Mitigation** If Federal and/or State listed species are found during special status plant pre-construction surveys [required under Mitigation Measure BIO-1(b)], avoidance of, or mitigation for impacts to, occupied habitat shall be required. If populations of CRPR List 1B or 2 species are found during special status plant pre-construction surveys, the City-approved biologist shall evaluate whether the loss of occupied areas would result in a local or regional population-level impact (i.e., jeopardize the continued existence of a local or regional population). Mitigation for regional population level impacts to rare plants shall be required by the City. If feasible, individual development projects shall be re-designed to avoid development in locations of Federal and/or State listed or CRPR List 1B or 2 species. Federal and/or State listed or CRPR List 1B or 2 species occurrences that are not within the immediate disturbance footprint and would be avoided, but which are located within 50 feet of disturbance limits, shall have bright orange protective fencing installed at an appropriate distance (as determined by a qualified biologist) to ensure they are protected during construction activities. If development cannot avoid Federally or State listed plants species, then mitigation shall involve	

Impact	Mitigation Measure(s)	Residual Impact
	either salvage and conservation for any relocated individual plants, or compensation (minimum compensation ratio of 1:1 for individuals and impact areas, with a conservation area of a similar density of individuals) for the loss of these individuals or their habitat either in an on-site or off-site preserve, through payments to an appropriate mitigation bank, or as otherwise may be determined in coordination with USFWS and CDFW permitting. Impacts to, and salvage of, individual plants would be considered a "take" under the ESA and/or CESA. "Take" of listed species is illegal under the ESA and CESA without formal authorization from USFWS and/or CDFW. Impacts to Federal and/or State listed or CRPR List 1B or 2 species would require adherence to Mitigation Measure BIO-1(c). **BIO-1(d) Restoration and Monitoring** If development cannot avoid Federal or State listed plant species, all impacts shall be mitigated by the project applicant at a minimum ratio of 1:1 for areas occupied by the species. Ratios may be higher pending consultation with CDFW and/or USFWS for listed species. Restoration areas shall be of a similar density of individuals as areas impacted project activities. A restoration plan shall be prepared by the project applicant and submitted to the City for review and approval. Documentation demonstrating consultation with CDFW and USFWS regarding impacts to federal or state listed species shall be submitted to the City. Population level impacts to CRPR List 1B or 2 species shall also be mitigated at a 1:1 ratio for occupied areas, and shall also require a restoration plan in coordination with the City. The restoration plan(s) shall include, at a minimum, the following components: ▪ Description of the project/affected species location(s) (i.e., location, responsible parties, areas to be impacted by habitat type) ▪ Compensatory mitigation (type[s] and area[s] species to be established, restored, enhanced, and/or preserved; specific functions and values of species type[s] to be established, restored, enhanced, and/or preserved) ▪ Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values) ▪ Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan) ▪ Maintenance activities during the monitoring period, including weed removal as appropriate (activities, responsible parties, schedule) ▪ Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports) ▪ Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type ▪ An adaptive management program and remedial measures to address any shortcomings in meeting success criteria	

Impact	Mitigation Measure(s)	Residual Impact
	▪ Notification of completion of compensatory mitigation and agency confirmation ▪ Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism) **BIO-1(e) Special Status Wildlife Pre-Construction Surveys** Projects that identify potential impacts to special status wildlife species during the biological screening and assessment under Mitigation Measure BIO-1(a) shall implement Mitigation Measure BIO-1(e). *General Wildlife Surveys* Pre-construction clearance surveys for northern California legless lizard and coast horned lizard shall be conducted within 14 days prior to the start of construction (including staging and mobilization) in areas of suitable habitat. The surveys shall cover the entire disturbance footprint plus a minimum 200-foot buffer within suitable habitat, where permissible, and shall identify all special status animal species that may occur on-site. California legless lizard and coast horned lizard shall be relocated from the site to a safe location within suitable habitat as near to the project area as possible by a qualified biologist. *Burrowing Owl Surveys* A qualified biologist shall conduct pre-construction clearance surveys prior to ground disturbance activities within suitable natural habitats and ruderal areas to confirm the presence/absence of burrowing owls. The surveys shall be consistent with the recommended survey methodology provided by CDFW (2012). Clearance surveys shall be conducted within 14 days prior to construction and ground disturbance activities. If no burrowing owls are observed, no further actions are required. If burrowing owls are detected during the pre-construction clearance surveys, the following measures shall apply: ▪ Avoidance buffers during the breeding and non-breeding season shall be implemented in accordance with the CDFW (2012) and Burrowing Owl Consortium (1993) minimization mitigation measures. ▪ If avoidance of burrowing owls is not feasible, then additional measures such as passive relocation during the nonbreeding season and construction buffers of 200 feet during the breeding season shall be implemented, in consultation with CDFW. In addition, a Burrowing Owl Exclusion Plan and Mitigation and Monitoring Plan shall be developed by a qualified biologist in accordance with the CDFW (2012) and Burrowing Owl Consortium (1993). *Smith's Blue Butterfly Host Plant Surveys* Prior to grading and construction in undeveloped areas, an approved biologist shall conduct surveys for seacliff buckwheat (*Eriogonum parvifolium*) and seaside buckwheat (*Eriogonum latifolium),* host plants of Smith's blue butterfly in areas of suitable habitat. If Smith's blue butterfly host plants are not located, no further action is required. If host plants are	

Impact	Mitigation Measure(s)	Residual Impact
	located within proposed disturbance areas, they shall be avoided if feasible. If avoidance is not feasible, focused surveys shall be conducted to determine presence or absence of the butterfly species. This may include surveys during the adult flight period (mid-June through early September), and/or inspection of host plants for all life forms (egg, larva, pupa, and adult). Impacts to individuals of any life stage would be considered "take" under the ESA. Relocation of smith's blue butterfly and occupied host plants can only be legally authorized by the USFWS, and only a USFWS permitted biologist is legally allowed to relocate host plants and individuals. *Reporting* A report of all pre-construction and pre-demolition survey results shall be submitted to the City for its review prior to the start of demolition. The report shall include a description of the survey methodology for each species, the environmental conditions at the time of the survey(s), the results of the survey, any requirements for addressing special status species identified during surveys, and the biological qualifications of the surveyors. The report shall be accompanied by maps and figures showing the location of any special status species occurrences and associated avoidance buffers. **BIO-1(f) Biological Resources Avoidance and Minimization** Projects that identify potential impacts to special status species during the biological screening and assessment under Mitigation Measure BIO-1(a) shall implement Mitigation Measure BIO-1(f). The following measures shall be applied to avoid impacts to sensitive species and biological resources. The project applicant shall be responsible for implementing selected measures. ▪ Ground disturbance shall be limited to the minimum necessary to complete the project. The limits of disturbance for each construction phase shall be flagged. Areas of special biological concern within or adjacent to the limits of disturbance shall have highly visible orange construction fencing installed between said area and the limits of disturbance. ▪ All construction occurring within or adjacent to natural habitats that may support Federally and/or State listed endangered/threatened species, State fully protected species, and/or special status species shall have a qualified biological monitor present during all initial ground disturbing/vegetation clearing activities. ▪ No endangered/threatened species shall be captured and relocated without express permission from the CDFW and/or USFWS. ▪ If at any time during construction an endangered, threatened, or fully protected species enters the construction site or otherwise may be impacted, all construction activities shall cease. A CDFW/USFWS-approved biologist shall document the occurrence and consult with the CDFW and USFWS, as appropriate, to determine whether it was safe for project activities to resume. ▪ At the end of each workday, excavations shall be secured with cover or a ramp provided to prevent wildlife entrapment. ▪ All trenches, pipes, culverts or similar structures shall be inspected for animals prior to burying, capping, moving, or filling.	

Impact	Mitigation Measure(s)	Residual Impact
	▪ If night work is required, all construction lighting shall be pointed down and directed only on the work area. ▪ The City shall approve one or more qualified biologists to oversee and monitor biological compliance for the project. At least one qualified biologist shall be present during all initial ground disturbing activities, including vegetation removal to recover special status animal species unearthed by construction activities. **BIO-1(g) Pre-Construction Nesting Birds Surveys** All projects developed under the Specific Plan shall implement Mitigation Measure BIO-1(g). Project activity shall restrict ground disturbance, building demolition, and vegetation removal activities to the non-breeding season (September 16 to January 31) when feasible. For ground disturbance, building demolition, and vegetation removal activities that must be conducted during the bird nesting season (February 1 to September 15), general pre-construction nesting bird surveys shall be conducted by a qualified biologist, including for, but not limited to, the tricolored blackbird and White-tailed kite, not more than 14 days prior to construction activities involving ground clearing, vegetation removal/trimming, or building demolition. The surveys shall include the disturbance area plus a 200-foot buffer around the site if feasible, and a 500-foot buffer for tricolored blackbird and White-tailed kite. If active nests are located, an appropriate avoidance buffer shall be established within which no work activity shall be allowed which would impact these nests. The avoidance buffer would be established by the qualified biologist on a case-by-case basis based on the species and site conditions. In no cases shall the buffer be smaller than 50 feet for non-raptor bird species, 200 feet for raptor species, or a 500-foot buffer for White-tailed kite. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. If fully protected White-tailed kites are documented nesting within 500 feet of construction activities, CDFW shall be consulted on appropriate avoidance and minimization methods. The buffer area(s) shall be closed to all construction personnel and equipment until juveniles have fledged and the nest is inactive. City-approved Biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer. **BIO-1(h) Worker Environmental Awareness Program (WEAP)** All projects developed under the Specific Plan shall implement Mitigation Measure BIO-1(h). Prior to initiation of construction activities (including staging and mobilization), the project proponent shall arrange for all personnel associated with project construction for the applicable phase to attend WEAP training, conducted by a qualified biologist, to aid workers in recognizing special status resources that may occur in the construction area. The specifics of this program shall include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their	

Impact	Mitigation Measure(s)	Residual Impact
	employers, and other personnel involved with construction. All employees shall sign a form provided by the trainer indicating they have attended the WEAP and understand the information presented to them. The form shall be submitted to the City to document compliance.	
c. Impacts to waters of the state or waters of the United States would potentially require regulatory permitting. Impacts to these features may be significant but would be reduced to less than significant with mitigation.	**BIO-2 Jurisdictional Delineation** If a proposed project under the Specific Plan would impact any of the ephemeral drainages and/or the ponds (as shown in Figure 4.4-2), a qualified biologist shall complete a jurisdictional delineation. The jurisdictional delineation will determine the extent of the jurisdiction for CDFW, USACE, and/or RWQCB, and shall be conducted in accordance with the requirement set forth by each agency. The result will be a preliminary jurisdictional delineation report that shall be submitted to the implementing agency, USACE, RWQCB, and CDFW, as appropriate, for review and approval. Jurisdictional areas should be avoided to the maximum extent possible. If jurisdictional areas are expected to be impacted, then the RWQCB would require a Waste Discharge Requirements (WDRs) permit and/or Section 401 Water Quality Certification (depending upon whether or not the feature falls under federal jurisdiction). If CDFW asserts its jurisdictional authority, then a Streambed Alteration Agreement pursuant to Section 1600 et seq. of the CFGC would also be required prior to construction within the areas of CDFW jurisdiction. If the USACE asserts its authority, then a permit pursuant to Section 404 of the CWA would likely be required. Furthermore, a compensatory mitigation program should be implemented, and the measures set forth by the regulatory agencies during the permitting process. Compensatory mitigations for all permanent impacts to waters of the U.S. and waters of the state shall be completed at a ratio as required in applicable permits, but should not be less than a minimum ratio of 1:1. All temporary impacts to waters of the U.S. and waters of the state should be fully restored to natural condition.	Less than Significant with Mitigation
Cultural Resources		
a. Development under the proposed Specific Plan could impact presently unknown historical resources through construction activities associated with buildout. Application of Mitigation Measure CR-1 would ensure impacts to historical resources are less than significant by identifying historical resources during the project planning process and avoiding or minimizing potential impacts as needed.	**CR-1 Historical Resources Evaluation and Treatment Procedures** If a project involves a built environment resource which is over the age of 45 years old, the Community Development Director or their designee, supported by an architectural historian as needed, shall make a preliminary determination as to whether the building qualifies as a historical resource. "Historical resource" shall mean a property listed or found eligible for listing in the National Register of Historic Places or the California Register of Historical Resources. A property that is eligible for listing in the National Register of Historic Places or the California Register of Historical Resources must retain its historic integrity and meet one of the following eligibility criteria: ▪ Is associated with events that have made a significant contribution to the broad patterns of our history. ▪ Is associated with the lives of persons significant in our past. ▪ Embodies the distinctive characteristics of a type, period or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction.	Less than Significant with Mitigation

Impact	Mitigation Measure(s)	Residual Impact
	▪ Has yielded, or may be likely to yield, information important in history or prehistory. If the Community Development Director or their designee determines the built environment resource may have to potential to qualify as a historic resource, then a historical resources evaluation shall be required. ▪ Qualified Historian. The evaluation will be prepared by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualifications Standards (PQS) in architectural history or history. ▪ Guidelines for Preparation. The qualified architectural historian or historian will conduct an intensive-level evaluation in accordance with the guidelines and best practices promulgated by the State Office of Historic Preservation to identify any potential historical resources within the proposed project area. All properties 45 years of age or older will be evaluated within their historic context and documented in a technical report. All evaluated properties will be documented on Department of Parks and Recreation Series 523 Forms. The report will be submitted to the City for review. If the property is found ineligible for the NRHP or CRHR it shall be considered non-historical for the purposes of CEQA and no additional review or mitigation is required. If the property is identified as historical, the project applicant shall retain a qualified preservation professional meeting the PQS in Architectural History, History, or Historic Architecture. The qualified preservation professional shall provide design input to facilitate compliance with the Secretary's Standards to lessen, avoid, or mitigate direct or indirect impacts to historical resources. The qualified preservation professional shall review design plans to identify whether the project complies with the Secretary's Standards. The results of this review and impacts screening shall be memorialized in a Secretary's Standards compliance memorandum and approved by the City prior to the schematic phase. If the project is found to comply with the Secretary's Standards, no further mitigation is required. If the project is found not to comply, the City shall require the completion of a Relocation Study and Preservation Plan for the historical resource. The Study shall consider partial retention of the resource as well as relocation; the Plan shall identify at least two potential nearby receiver sites, with similar settings and characteristics, for the relocation. The Relocation Study and Preservation Plan shall be completed by a preservation professional meeting the Secretary of the Interior's Professional Qualifications Standards for architectural history, history, or historic architecture and approved by the City prior to issuance of building permits. If the Relocation Study and Preservation Plan determines that partial retention or relocation is feasible, the recommendations of the study shall be implemented. If the Relocation Study and Preservation Plan determines that such measures are infeasible, the project shall not be implemented, or the City may require project-level CEQA review, such as an EIR prior to project approval.	

Impact	Mitigation Measure(s)	Residual Impact
b. Ground-disturbing activities associated with development facilitated by the Specific Plan, particularly in areas that have not previously been developed with urban uses, have not been studied through a cultural resources investigation, or when excavation depths exceed those previously attained, have the potential to damage or destroy previously-unknown historic or prehistoric archaeological resources that may be present on or below the ground surface. Impacts are potentially significant, and Mitigation Measure CR-2 would be required to reduce potential impacts to less than significant.	**CR-2 Archaeological Resources Investigation** At the time of application for discretionary land use permits that involve grading, trenching, or other ground disturbance in native soil with the potential for encountering unknown archaeological resources, the project applicant shall retain a qualified archaeologist meeting the Secretary of the Interior standards in archaeology to complete a Phase 1 cultural resources assessment of the development site. A Phase 1 cultural resources assessment shall include an archaeological pedestrian survey of the development site, if possible, and sufficient background archival research and field sampling to determine whether subsurface prehistoric or historic remains may be present. Archival research shall include a current (no more than one-year old) records search from the Northwest Information Center (NWIC) and a Sacred Lands File (SLF) search conducted with the Native American Heritage Commission (NAHC). Identified prehistoric or historic archaeological remains shall be avoided and preserved in place where feasible. Where preservation is not feasible, the significance of each resource shall be evaluated for significance and eligibility for listing in the CRHR through a Phase 2 evaluation. A Phase 2 evaluation shall include any necessary archival research to identify significant historical associations as well as mapping of surface artifacts, collection of functionally or temporally diagnostic tools and debris, and excavation of a sample of the cultural deposit to characterize the nature of the sites, define the artifact and feature contents, determine horizontal boundaries and depth below surface, and retrieve representative samples of artifacts and other remains. Cultural materials collected from the sites shall be processed and analyzed in the laboratory according to standard archaeological procedures. The age of the materials shall be determined using radiocarbon dating and/or other appropriate procedures; lithic artifacts, faunal remains, and other cultural materials shall be identified and analyzed according to current professional standards. The significance of the sites shall be evaluated according to the criteria of the CRHR. The results of the investigations shall be presented in a technical report following the standards of the California Office of Historic Preservation publication "Archaeological Resource Management Reports: Recommended Content and Format (1990 or latest edition)" (http://ohp.parks.ca.gov/pages/1054/files/armr.pdf). Upon completion of the work, all artifacts, other cultural remains, records, photographs, and other documentation shall be curated an appropriate curation facility. All fieldwork, analysis, report production, and curation shall be fully funded by the applicant. If the resources meet CRHR significance standards, the City shall ensure that all feasible recommendations for mitigation of archaeological impacts are incorporated into the final design and permits issued for development. If necessary, Phase 3 data recovery excavation, conducted to exhaust the data potential of significant archaeological sites, shall be carried out by a qualified archaeologist meeting the SOI standards for archaeology according to a research design reviewed and approved by the City prepared in advance of fieldwork and using appropriate archaeological field and laboratory methods consistent with the California Office of Historic Preservation Planning Bulletin 5 (1991), Guidelines for Archaeological Research Design, or the latest edition thereof.	Less than Significant with Mitigation

Impact	Mitigation Measure(s)	Residual Impact
	As applicable, the final Phase 1 Inventory, Phase 2 Testing and Evaluation, and/or Phase 3 Data Recovery reports shall be submitted to the City prior to issuance of construction permit. Recommendations contained therein shall be implemented throughout all ground disturbance activities.	
Geology and Soils		
f. Ground disturbance in the DVSP area may result in the destruction, damage, or loss of undiscovered scientifically-important paleontological resources. The implementation of Mitigation Measure GEO-1 would reduce impacts to paleontological resources to a less than significant level.	**GEO-1 Paleontological Resources Monitoring and Mitigation** The City of Marina shall require the following specific requirements for individual projects in the DVSP that would require excavation exceeding five feet: 1. Prior to excavations exceeding five feet, a qualified professional paleontologist shall be retained to direct all mitigation measures related to paleontological resources. A qualified professional paleontologist is defined by the SVP standards as an individual preferably with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, and who has worked as a paleontological mitigation project supervisor for a least two years (SVP 2010). 2. The qualified professional paleontologist shall design a Paleontological Resources Mitigation and Monitoring Program (PRMMP) for the project, which outlines the procedures and protocol for conducting paleontological monitoring and mitigation. Monitoring shall be conducted by a qualified paleontological monitor who meets the minimum qualifications per standards set forth by the SVP. The PRMMP shall address the following procedures and protocols: ▪ Timing and duration of monitoring ▪ Procedures for work stoppage and fossil collection ▪ The type and extent of data that should be collected with any recovered fossils ▪ Identify an appropriate curatorial institution ▪ Identify the minimum qualifications for qualified paleontologists and paleontological monitors ▪ Identify the conditions under which modifications to the monitoring schedule can be implemented ▪ Details to be included in the final monitoring report. 3. Prior to the start of construction, the qualified paleontologist or his or her designee shall conduct a paleontological Worker Environmental Awareness Program (WEAP) training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff. 4. Full-time paleontological monitoring shall be conducted during ground disturbing construction activities (i.e., grading, trenching, foundation work) exceeding five feet, pursuant to the PRMMP. Paleontological monitoring is not required for any construction activities that do not exceed depths of less than five feet. If the qualified paleontologist determines that full-time monitoring	Less than Significant with Mitigation

Impact	Mitigation Measure(s)	Residual Impact
	is no longer warranted, based on the specific geologic conditions at the surface or at depth, he/she may recommend that monitoring be reduced to periodic spot-checking or cease entirely. 5. In the event of a fossil discovery by the paleontological monitor or construction personnel, all work in the immediate vicinity of the find shall cease. The qualified paleontologist shall evaluate the find before restarting construction activity in the area. If it is determined that the fossil(s) is (are) scientifically significant, the qualified paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources: a. The paleontological monitor shall evaluate the discovery and determine if the fossil may be considered significant. If the fossils are determined to be potentially significant, the qualified paleontologist shall recover them following standard field procedures for collecting paleontological resources as outlined in the PRMMP. If fossils are discovered, the qualified paleontologist shall recover them as specified in the project's PRMMP. b. Once salvaged, significant fossils shall be prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection. c. Upon completion of ground disturbing activity (and curation of fossils if necessary) the qualified paleontologist should prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report shall be submitted to the City of Marina.	
Hazards and Hazardous Materials		
c. and d. Redevelopment of portions of the Specific Plan area with known or potential contamination of soil, groundwater, and/or soil vapor (subsurface contamination) may result in the disturbance of hazardous materials, presenting a risk of human exposure. New development could also present potential risk of exposure to contamination associated with commercial and/or industrial land use. Hence, development and redevelopment pursuant to the Specific Plan would increase the potential for exposure to subsurface contamination hazards. To reduce health risks to a less than significant level, mitigation measure HAZ-1 is required to reduce impacts to a less than significant level.	**HAZ-1 Project-Level Hazardous Materials Assessment** Prior to the obtaining grading permits or starting other ground disturbing work for individual projects, the Community Development Director or their designee shall hire a qualified environmental professional to conduct a Phase I environmental assessment (ESA), consistent with the American Society for Testing Materials standards (ASTM E1527). The Phase I ESA shall evaluate the likelihood that hazardous chemicals are present and whether soil sampling is necessary. If the Phase I ESA indicates that contamination is unlikely, no further mitigation is necessary other than any recommendations identified in the Phase I ESA (such as stopping work if stained soil is encountered). If the Phase I ESA indicates that additional soil sampling or other further evaluation is necessary, the City shall hire a qualified environmental professional to conduct a Phase II ESA to determine the presence and extent of contamination. If the results indicate that contamination exists at levels above regulatory action standards, then the site shall be remediated in accordance with recommendations made by applicable regulatory agencies, including RWQCB and DTSC. The agencies involved shall depend on the type and extent of contamination. If remediation is necessary, the City or their designee shall hire a qualified environmental professional prior to obtaining grading permits or ground disturbance to prepare a work plan that identifies necessary remediation activities, including excavation and removal of on-site contaminated soils, appropriate dust control	Less than Significant with Mitigation

Impact	Mitigation Measure(s)	Residual Impact
	measures, and redistribution of clean fill material on the project site. The plan shall include measures that ensure the safe transport, use, and disposal of contaminated soil removed from the site. The plan shall also identify when and where soil disturbing construction activities may safely commence.	
Noise		
a. Construction facilitated by the DVSP could exceed the construction noise threshold and impacts would be potentially significant. Operational activities, such as traffic and the use of mechanical equipment facilitated by the DVSP, would also exceed noise thresholds and impacts would be potentially significant. Mitigation Measures NOI-1(a) through NOI-1(d) would be required.	**NOI-1(a) Construction Noise Reduction Measures** The following measures shall be implemented if construction is to occur within 500 feet of a residential property line: ▪ The City shall ensure that notes for grading plans and/or site improvement plans clearly state the noise limitation requirements of Municipal Code Section 15.04.055. ▪ Construction activities shall occur as to not exceed the 60 dBA L_{EQ} noise limit at a receiving property line. Measures to reduce noise levels below the 60 dBA L_{EQ} noise limit include, but are not limited to, the following: ▫ **Mufflers.** During project site excavation and grading, construction equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers consistent with manufacturers' standards. ▫ **Stationary Equipment.** Stationary construction equipment shall be located and oriented so that emitted noise is directed away from the nearest noise sensitive receivers. ▫ **Equipment Staging Areas.** Equipment staging shall be located in areas that will create the greatest distance feasible between construction-related noise sources and noise sensitive receivers. ▫ **Electrically-Powered Tools and Facilities.** Where available, electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities. ▫ **Sound Barriers.** Temporary noise barriers shall be implemented between the construction equipment and the receiving property lines. The noise barriers shall be constructed of material with a minimum weight of two pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but not limited to, 5/8-inch plywood, 5/8-inch oriented strand board, and hay bales. Noise barriers may consist of sound blankets affixed to construction fencing along the construction site boundary facing potentially sensitive receivers ▫ **Idling.** Construction vehicles shall be prohibited from idling in excess of five minutes. **NOI-1(b) Site-Specific Acoustic Analysis – Multi-Family Residences** This mitigation measure applies to future multi-family residential development on Reservation Road, Del Monte Boulevard, Reindollar Avenue, Reindollar Avenue, Carmel Avenue, California Avenue, Crescent Avenue to the south of Reservation Road, Lynscott Drive, and Bayer Street. Prior to the	Less than Significant with Mitigation

Impact	Mitigation Measure(s)	Residual Impact
	approval of multi-family residential building permits in these locations, the City shall require an acoustical analysis 1) demonstrating to the satisfaction of the Community Development Director (or their designee) that the proposed building plans ensure that interior noise levels due to exterior noise sources will be at or below Marina's interior noise standard of 45 dBA L_{dn} for residential uses in any habitable room, and 2) required exterior areas are not exposed to noise levels in excess of the City's maximum acceptable exterior noise level of 60 dBA L_{dn}. Design-level architectural plans shall be available during design review and will permit the accurate calculation of transmission loss for habitable rooms. If necessary, the analysis shall identify measures to reduce noise levels to within City standards, which may include, but would not be limited to: ▪ Design of the project to include exterior areas shielded from the roadways by the project buildings; ▪ Sound walls to reduce noise to exterior areas; and/or ▪ Windows with increased Sound Transmission Class [STC] ratings for interior areas, etc.). It is preferred that the interior noise standard be attained with open windows. However, where the interior noise standard is attainable only with closed windows and doors, mechanical ventilation shall be required. **NOI-1(c) Site-Specific Acoustic Analysis – Office Uses** Concurrent with Design Review and prior to the approval of building permits for office uses on Reservation Road and Del Monte Boulevard, the City shall require an acoustical analysis 1) demonstrating to the satisfaction of the Development Services Director (or their designee) that the required exterior areas are not exposed to noise levels in excess of the City's maximum acceptable exterior noise level of 67 dBA L_{dn} for office uses. If necessary, the analysis shall identify measures to reduce noise levels to within City standards, which may include, but would not be limited to design of the project to include exterior areas shielded from the roadways by the project buildings or sound walls to reduce noise to exterior areas. **NOI-1(d) HVAC Mechanical Equipment Shielding** Concurrent with Design Review and prior to the approval of building permits, the City shall require a design plan demonstrating to the satisfaction of the Development Services Director (or their designee) that the noise level from operation of mechanical equipment shall not cumulatively exceed the following noise level limits for a designated receiving land use category as specified in Table 4.2 in the Marina General Plan: ▪ From 7 a.m. to 10 p.m.: ▫ 50 dBA L_{eq} ▫ 70 dBA L_{max} ▫ 65 dBA L_{max}, impulsive	

Impact	Mitigation Measure(s)	Residual Impact
	▪ From 10 p.m. to 7 a.m.: ▪ 45 dBA L_{eq} ▪ 65 dBA L_{max} ▪ 60 dBA L_{max}, impulsive Noise control measures may include, but are not limited to, the selection of quiet equipment, equipment setbacks, parapet walls, silencers, and/or acoustical louvers. Marina shall require noise attenuation features that would reduce sound levels to allowable noise levels.	
Tribal Cultural Resources		
a. and b. Although no known tribal cultural resources are present on the Plan area, there is the possibility of encountering unknown tribal cultural resources or known cultural resources that may be identified as tribal cultural resources. Ground disturbance associated with projects facilitated by the Specific Plan has the potential to significantly impact tribal cultural resources. Mitigation is required to ensure that any unanticipated discoveries of tribal cultural resources are avoided or, where avoidance is infeasible, mitigated to a less than significant level.	**TCR-1 Unanticipated Discovery of Tribal Cultural Resources** In the event that cultural resources of Native American origin are identified during development facilitated by the DVSP, all earth-disturbing work within 50 feet of the find shall be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find as a cultural resource and an appropriate local Native American representative is consulted. If the City, in consultation with local Native American tribes, determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with state guidelines and in consultation with local Native American group(s). The plan shall include avoidance of the resource or, if avoidance of the resource is infeasible, the plan shall outline the appropriate treatment of the resource in coordination with the appropriate local Native American tribal representative and, if applicable, a qualified archaeologist. The plan shall include measures to ensure the find is treated in a manner that respectfully retains, to the degree feasible, the qualities that render the resource of significance to the local Native American group(s). Examples of appropriate mitigation for tribal cultural resources include, but are not limited to, protecting the cultural character and integrity of the resource, protecting traditional use of the resource, protecting the confidentiality of the resource, or heritage recovery.	Less than Significant with Mitigation
Initial Study		
Aesthetics		
a. Implementation of the Specific Plan would alter views within the Plan area by intensifying development, resulting in a more urbanized viewshed. However, the project would not result in substantial adverse effects to a scenic vista, as no scenic vistas are available or would be blocked or substantially modified as a result of Specific Plan buildout. Impacts would be less than significant.	None required	Less than Significant

Impact	Mitigation Measure(s)	Residual Impact
b. The DVSP would intensify development to the east, but development would be limited to an area that is already developed as Marina's Downtown. The overall scenic quality of views from State Route 1 would not be substantially or negatively altered by the project. Impacts would be less than significant.	None required	Less than Significant
c. Implementation of the Specific Plan would change the character of the project area substantially, but these changes would be in keeping with applicable plans for revitalizing the Downtown area and creating a sense of place for visitors and residents, in connection with multiple modes of transportation. All development would be subject to Marina Municipal Code and Zoning Ordinance, the DVSP design guidelines, and all other applicable City regulations governing scenic quality. Therefore, impacts would be less than significant.	None required	Less than Significant
d. Potential new and increased sources of glare would include increased vehicular traffic and new and increased reflective building surfaces. New residential and commercial development would also result in a corresponding increase in vehicular traffic. Augmented public transportation capacity and active transportation facilities would partially alleviate transportation lighting, but some increase in light and glare from motor vehicles would occur. However, because the Plan area already makes up a developed downtown area, conditions would not be substantially altered from existing conditions. New development facilitated by the Specific Plan would be subject to the DVSP Design Guidelines and lighting regulations described above. Therefore, effects on daytime or nighttime	None required	Less than Significant

Impact	Mitigation Measure(s)	Residual Impact
views due to new sources of light and glare would be less than significant.		
Agriculture and Forestry Resources		
a., b., and e. According to the California Department of Conservation (DOC) Farmland Mapping and Monitoring Program, there is no existing important farmland within the Plan area. The vast majority of the City is designated as "Urban and Built-Up Land." In addition, no parcels within the Plan area are designated for agriculture, used for agricultural production, or under Williamson Act contract (DOC 2016 and Monterey County 2010). As a result, future development pursuant to the Specific Plan would not convert farmland, conflict with agricultural zoning or have the potential to result in the loss or conversion of farmland to non-agricultural use. There would be no impact.	None required	No Impact
c., d., and e. The Plan area is a developed and urbanized area and there is no forest land on or adjacent to the site. No parcels in the Plan area are designated or zoned for forest preservation or timber harvesting. Therefore, future development pursuant to the Specific Plan would not conflict with zoning or cause rezoning of forest land or result in conversion of forest land. There would be no impact.	None required	No Impact

Impact	Mitigation Measure(s)	Residual Impact
Air Quality		
a. Buildout of the DVSP would not exceed the 2015 AQMP population growth forecast for Monterey County and is within the applicable assumptions of the air pollutant emissions forecast contained in the 2015 AQMP. The DVSP would not generate air pollutant emissions that would impede or conflict with the 2015 AQMP's goal of achieving attainment of the state ozone standard. Impacts would be less than significant.	None required	Less than Significant
c. The DVSP would not result in volumes of traffic that would create, or substantially contribute to, the exceedance of state and federal AAQS for CO. As a result, the DVSP would not expose sensitive receptors to substantial concentrations of CO. . It is expected that quantities of hazardous TACs generated on-site by future residents and tenants (e.g., cleaning solvents, paints, landscape pesticides) for the types of proposed land uses would be below thresholds warranting further study under the California Accidental Release Program, which regulates stationary sources of hazardous substances used annually in quantities ranging from 500 to 20,000 pounds. Therefore, the DVSP would not result in the exposure of sensitive receptors to significant amounts of carcinogenic or toxic air contaminants. Impacts related to TAC and CO emissions would be less than significant.	None required	Less than Significant

Impact	Mitigation Measure(s)	Residual Impact
d. Given the nature of land uses under the DVSP and required compliance with MBARD Rule 402, the DVSP would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people during construction and operation. Impacts related to odor would be less than significant.	None required	Less than Significant
Biological Resources		
b. Removal of a small patch of sandmat manzanita would not represent a significant impact to this vegetation community. Impacts to sensitive natural communities would be less than significant.	None required	Less than Significant
d. The Specific Plan area is effectively a fully developed area, containing no significant wildlife movement corridors. As such, the Specific Plan area does not provide for locally or regionally important wildlife movement or genetic flow. There would be no impacts to wildlife movement from development under the Specific Plan.	None required	No Impact
e. Tree removal associated with proposed projects under the Specific Plan would be required to obtain approval from the City of Marina, pursuant to compliance with Chapter 17.51 (Tree Removal, Preservation and Protection) of the Marina Municipal Code. As a result of the Specific Plan's urban forestry objective, street tree planning, and required permitting under Marina Municipal Code, individual projects within the Specific Plan area would not conflict with the local tree policy. Impacts would be less than significant.	None required	Less than Significant

Impact	Mitigation Measure(s)	Residual Impact
f. There are no habitat conservation plans or natural community conservation plans that have been adopted in the Specific Plan area. Therefore, development facilitated by the Specific Plan would not conflict with any such plans and no impact would occur.	None required	No Impact
Cultural Resources		
c. The discovery of human remains is always a possibility during ground disturbing activities. If human remains are found, existing regulations outlined in the State of California Health and Safety Code Section 7050.5 state no further disturbance may occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. With adherence to existing regulations, impacts to human remains would be less than significant.	None required	Less than Significant
Energy		
a. Demolition, construction and operational activities associated with the DVSP would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy, and impacts would be less than significant.	None required	Less than Significant
b. As demonstrated in Table 7 in the Initial Study (Appendix A), the DVSP would be consistent with the applicable goals and policies related to renewable energy and energy efficiency and would not conflict with or obstruct state or local plans for renewable energy and energy efficiency. Therefore, no impact would occur.	None required	No Impact

Impact	Mitigation Measure(s)	Residual Impact
Geology and Soils		
a.1. Because there are no active faults within the Plan area, there is no potential for risk of loss injury, or death involving rupture of a known earthquake fault. There would be no impact.	None required	No Impact
a.2. Despite the potential for ground shaking, individual projects implemented under the Specific Plan would be required meet the current CBC seismic-resistance standards that ensure new structures are engineered to withstand the expected ground acceleration at a given location. Compliance with all applicable provisions of state and local construction and designs standards, and implementation of the recommendations of the preliminary geotechnical investigation prepared for a given project would ensure that potential impacts would be less than significant.	None required	Less than Significant
a.3. New development in accordance with the proposed Specific Plan would conform to the CBC (as amended at the time of permit approval) as required by law. Compliance with the CBC, combined with the low relative liquefaction susceptibility, would result in less than significant impacts related to seismic-related ground failure and liquefaction.	None required	Less than Significant
a.4. New development implemented in accordance with the Specific Plan would conform to the CBC, as amended at the time of permit approval and as required by law. Compliance with the CBC combined with the area's low relative landslide susceptibility would result in less than significant impacts related to landslides.	None required	Less than Significant

Impact	Mitigation Measure(s)	Residual Impact
b. Projects implemented under the Specific Plan would not substantially contribute to coastal soil erosion. Individual projects could have localized soil erosion effects, but such projects would be permitted individually and subject to all applicable erosion control regulations of the Marina Municipal Code. These include Section 8.46.080, which requires erosion prevention and construction site management practices. Therefore, compliance with applicable regulations would reduce soil erosion and topsoil loss impacts to a less than significant level.	None required	Less than Significant
c. and d. The expansion potential (shrink-swell potential), liquefaction, and lateral spreading risk for the Specific Plan area is low, and the CBC includes requirements to address soil stability-related hazards. Typical measures involve removing, replacing soil with the proper fill selection, and compacting the soil. For individual projects involving substantial ground disturbance, geotechnical engineering reports would be required to ensure conformance with City standards. Therefore, compliance with existing regulations would reduce impacts to a less than significant level with regard to landslide, lateral spreading, subsidence, liquefaction, or collapse.	None required	Less than Significant
e. Development pursuant to the Specific Plan would not use on-site septic systems for wastewater treatment. There would be no impact regarding the use of septic tanks or alternative wastewater disposal systems.	None required	No Impact

Impact	Mitigation Measure(s)	Residual Impact
Greenhouse Gas Emissions		
a. As detailed under threshold (b), the project would not conflict with local and State GHG reduction plans, and therefore, emissions would be less than significant.	None required	Less than Significant
b. The project's consistency with attributes identified in Table 3 of Appendix D of the 2022 Scoping Plan is shown below in Table 12. Further detail on the DVSP's consistency with goals contained in the AMBAG MTP/SCS is shown in Table 13, while consistency with goals contained in the Marina General Plan are shown in Table 14 (Appendix A). As discussed therein, the DVSP would not consistent with these attributes and accordingly would be consistent with the 2022 Scoping Plan.	None required	Less than Significant
Hazards and Hazardous Materials		
a. and b. Projects facilitated by the Specific Plan would be subject to applicable local, State, and federal hazardous material regulations that minimize impacts related to hazardous materials. Compliance with existing laws and regulations governing the transport, use, storage, disposal, or release of hazardous materials and wastes would reduce impacts to a less than significant level.	None required	Less than Significant
e. Implementation of the Specific Plan would intensify development near the Marina Municipal Airport, but the land use types and proximity of development to the airport would be similar to existing conditions. Buildout of the Specific Plan would not introduce prohibited uses for the AIA zone, such as hazards to flight or outdoor stadiums. Other development conditions would be reviewed and disclosed as part of certain real estate	None required	Less than Significant

Impact	Mitigation Measure(s)	Residual Impact
transactions, as required by state law. Given the type of development facilitated by the DVSP and pursuant to compliance with existing requirements, impacts would be less than significant.		
f. The project would not result in unplanned population growth. The DVSP includes strategies to improve circulation within the Plan area and reduce congestion, but would not alter circulation routes or connectivity. The City would require public improvements as part of the permitting process for individual projects in order to prevent compromise of emergency response access. Therefore, the project would result in a less than significant impact regarding emergency response and evacuation.	None required	Less than Significant
g. The Plan area is not within an area associated with a high degree of wildfire hazards. The facilitation of development projects within the existing downtown area would not exacerbate the existing degree of wildfire hazards in the Plan area. Nor would the project add new development in areas that are highly susceptible to wildfires. The Plan area is limited to a currently developed area. Therefore, impacts associated with exposure of people or structures to wildfires would be less than significant.	None required	Less than Significant
Hydrology and Water Quality		
a. Implementation of the Specific Plan would facilitate redevelopment but would not substantially alter the amount of impervious surface area. Stormwater runoff would continue to connect to the City's stormwater drainage system at similar volumes to existing conditions. Individual projects would be required to comply with Chapter 8.46, Urban	None required	Less than Significant

Impact	Mitigation Measure(s)	Residual Impact
Storm Water Quality Management and Discharge Control, of Marina Municipal Code. Chapter 8.46 requires elimination of illegal discharges, protection of watercourses, and includes BMP guidance for construction sites and permitted activities. Compliance with existing regulations would reduce impacts to a less than significant level.		
c.(i) through c.(iv). The Plan area is developed and consists mostly of impervious surface area. Redevelopment of parcels pursuant to the Specific Plan would not substantially alter the amount of impervious surface area, and thus would not substantially alter the area's drainage patterns. Furthermore, the Specific Plan includes design guidelines to increase percolation and prevent water pollution, including requirements for the use of permeable materials and requirements for street trees and planted park strips ("Sidewalk and Plazas" Design Guideline). Implementation of the Specific Plan would not alter the course of a stream or river or otherwise result in substantial effects related to water quality or stormwater drainage. Impacts would be less than significant.	None required	Less than Significant
d. Implementation of the Specific Plan would intensify development within the Plan area, thus adding structures and other materials that could increase the amount of pollutants released in the event of flood inundation. However, the overall impact of pollutant release due to a flood event would be similar to existing conditions, as the Plan area is currently entirely developed as Downtown Marina. Therefore, impacts would be less than significant.	None required	Less than Significant

Impact	Mitigation Measure(s)	Residual Impact
Land Use and Planning		
a. Increased density and mixed-use development facilitated by the DVSP would integrate with the adjacent land uses and be accessible from them by established roadways and bicycle routes; furthermore, all uses would be increasingly accessible by pedestrian traffic with Specific Plan implementation. Thus, buildout under the Specific Plan would not physically divide an established community; rather there would be increased integration of the Downtown area and adjacent uses. There would be no impact relating to division of an established community.	None required	No Impact
b. The DVSP would be consistent with the City's General Plan, the Association of Monterey Bay Area Governments' Metropolitan Transportation Plan/Sustainable Communities Strategy, the City's Pedestrian and Bicycle Master Plan, and the Marina Zoning Code. The DVSP would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Impacts would be less than significant.	None required	Less than Significant
Mineral Resources		
a. and b. The Marina General Plan discusses the presence of mineral resources at two locations within the City: west of SR 1, where sand mining operations have previously occurred; and east of SR 1 within the Armstrong Ranch portion of the City's sphere of influence (Marina 2010). Neither of these areas are within the Specific Plan area. No mineral extraction occurs within the Plan area and no land in the area is zoned or designated for such a use. Implementation of the Specific Plan	None required	No Impact

Impact	Mitigation Measure(s)	Residual Impact
would not affect the availability of known mineral resources. There would be no impact.		
Noise		
b. Construction activities known to generate excessive ground-borne vibration, such as pile driving, would not be anticipated to be used for typical residential, retail, and office building uses established pursuant to the Specific Plan. The greatest anticipated source of vibration during general construction activities in the DVSP would be from a vibratory roller, which would be perceptible but would not have substantial vibration impacts. The proposed uses in the DVSP do not include any substantial vibration sources associated with operation. Therefore, vibration impacts would be less than significant.	None required	Less than Significant
c. The DVSP area is located approximately 3,000 feet south of the outer edge of the 60 CNEL contour for the Marina Municipal Airport. Therefore, the Plan area would not be expected to be exposed to excessive noise from the airport, and impacts would be less than significant.	None required	Less than Significant
Population and Housing		
a. While additional new residential development may occur outside of the Plan area during Specific Plan buildout, the Specific Plan represents an intention to focus growth within the Downtown area. Furthermore, the DVSP has been in progress for many years, having been initiated in 2006 (see Project Description under Specific Plan Background), and the projected growth within the Plan area is accounted for in AMBAG projections, as described above. Therefore, the proposed project would not result in substantial		

Impact	Mitigation Measure(s)	Residual Impact
unplanned population growth. Impacts would be less than significant.		
b. Implementation of the Specific Plan would involve demolition of some existing housing in order develop new units. However, any displacement of people or housing would be temporary, and new housing added to the Plan area would support a greater number of residents than existing housing. Therefore, the project would not result in the need for new housing elsewhere, as the Specific Plan would result in a concentration of the City's housing stock within higher density development within Downtown Marina. Therefore, impacts would be less than significant.		
Public Services		
a.1. Buildout of the DVSP would not cause substantial unplanned population growth. Rather, the project would facilitate the City's planned population growth within the existing Downtown area. Furthermore, buildout of the Specific Plan would occur incrementally over an estimated 20-year period. As discussed throughout this Initial Study, the Plan area is currently developed, and construction or expansion of fire facilities within the Plan area would be infill development and would not be expected to result in significant impacts. Impacts associated with land use changes and construction activity, including construction or expansion of fire facilities, are addressed throughout this Initial Study. Impacts would be less than significant.	None required	Less than Significant

Impact	Mitigation Measure(s)	Residual Impact
a.2. According to Marina Police Department staff, service ratios and response times would be reassessed and adjusted as the population grows in an ongoing process over the course of the DVSP buildout. Additionally, as described above, DVSP buildout would occur over approximately 20 years and would not represent substantial unplanned population growth, and impacts associated with land use changes and construction are addressed throughout this Initial Study. Impacts would be less than significant.	None required	Less than Significant
a.3. DVSP buildout would occur over approximately 20 years and would not represent a substantial unplanned increase in the school-age population. Furthermore, a school impact fee is collected for each residential unit that is constructed. As stated in California Government Code Section 65996, payment of school impact fees is deemed to constitute full and complete mitigation for potential impacts to schools caused by development. Therefore, impacts related to the need for new school facilities as a result of implementing the Specific Plan would be less than significant.	None required	Less than Significant
a.4. Although new parks could be added within the Plan area, buildout of the Specific Plan would not result in the direct or immediate need for new or altered parks. As discussed in Section 16, Recreation, implementation of the Specific Plan would not result in a significant impact related to parkland ratios due to the presence of nearby parks and other planned parkland throughout the City. Impacts related to parks would be less than significant.	None required	Less than Significant

Impact	Mitigation Measure(s)	Residual Impact
a.5. According to Marina Library staff, the facility is large enough to accommodate population growth facilitated by the Specific Plan. The proposed DVSP would not result in the need for new or altered libraries or other public facilities. Impacts would be less than significant.	None required	Less than Significant
Recreation		
a. Because there are sufficient parks available near the Plan area and because future development pursuant to the DVSP would be required to pay applicable impact fees for park maintenance and development, Specific Plan buildout would not 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. Impacts would be less than significant.	None required	Less than Significant
b. The DVSP does not specifically identify any new parks to be developed, although it is possible that implementation of the Specific Plan may include new parks. The potential environmental effects that could occur as a result of land use changes pursuant to implementation of the Specific Plan, including development of new parks, are discussed throughout this Initial Study and additional impacts are not anticipated. Impacts would be less than significant.	None required	Less than Significant
Utilities and Service Systems		
a. and c. Connecting new development to water, wastewater, stormwater, electric gas, and telecommunication infrastructure would require ground disturbance and Specific Plan buildout would also contribute to the need for	None required	Less than Significant

Impact	Mitigation Measure(s)	Residual Impact
new facilities that provide these utilities. Environmental effects associated with ground disturbance are discussed in Section 4, Biological Resources, Section 5, Cultural Resources, and Section 7, Geology and Soils. Ground disturbance associated with utility connections would be minor, as the Plan area is developed and presently connected to utilities, and redevelopment would be compact, allowing for efficiency. Additionally, the M1W Regional Treatment Plant would have sufficient capacity for wastewater generated by project buildout. Therefore, the project would not require the relocation or construction of new or expanded utility facilities. Impacts would be less than significant.		
d. and e. Development facilitated by the DVSP would not generate solid waste in excess of local standards or landfill capacity. Impacts would be less than significant.	None required	Less than Significant
Wildfire		
a. through d. The proposed project would facilitate development within an urbanized area. By intensifying development, exposure of people and structures to wildfire hazards would increase. However, the overall exposure to wildfire hazards would be similar to existing conditions because the project would not add development to new areas or affect fuel amounts. Because the Plan area is not within a state responsibility area, is not classified as a Very High Fire Hazard Severity Zone, and would not exacerbate existing fire hazards, impacts would be less than significant.	None required	Less than Significant

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1 Introduction

This document is a Draft Environmental Impact Report (EIR) for the proposed Downtown Vitalization Specific Plan Project in Marina, California (DVSP, Specific Plan, or proposed project). The Specific Plan includes the goals, policies, and development standards that would guide future development in the City's downtown area (Specific Plan area).

This section discusses (1) the proposed DVSP and EIR background; (2) the legal basis for preparing an EIR; (3) the scope and content of the EIR; (4) issue areas found not to be significant by the Initial Study; (5) the lead, responsible, and trustee agencies; and (6) the environmental review process required under the California Environmental Quality Act (CEQA). The proposed DVSP is described in detail in Section 2, *Project Description*.

1.1 Environmental Impact Report Background

The City of Marina (City) distributed a Notice of Preparation (NOP) and initial Study for the EIR for a 54-day agency and public review period starting on May 26, 2021 and ending on July 19, 2021. This review period was extended beyond the 30-day review period required by CEQA Guidelines Section 15082. The City held an EIR Scoping Meeting on June 9, 2021. The City reinitiated efforts to prepare the EIR in 2023, and the City distributed a revised NOP with a revised Initial Study of the EIR for a 30-day agency and public review period starting on October 20, 2023 and ending November 20, 2023. The City held another EIR Scoping Meeting on October 26, 2023. The City received comments on both the 2021 NOP and the 2023 NOP. The 2021 NOP, 2023 NOP, comments received during each NOP comment period, and the revised Initial Study are presented in Appendix A of this EIR.

Table 1-1 and Table 1-2 on the following pages summarize the comments received on the 2021 NOP and 2023 NOP, respectively.

Table 1-1 2021 Notice of Preparation Comments

Commenter	Comment/Request	EIR Section Where Comment is Addressed
Agency Comments		
Transportation Agency for Monterey County (TAMC)	States support for the Specific Plan's emphasis on traffic calming and bicycle and pedestrian mobility, strategy to promote accessible bicycle parking and support facilities and transit-oriented development. Recommends Intersection Control Evaluation analyses, coordination with Monterey-Salinas Transit, and clarification regarding assumptions made due to Alternative Transportation modes.	Comments are addressed in Section 4.2, *Transportation*. A Traffic Study was prepared for the proposed DVSP and is included as Appendix D.
California Department of Transportation (Caltrans)	States support for local government development that is consistent with State planning priorities. States that due to COVID-19, traffic analysis conducted for projects on the State Highway System are required to use traffic data collected before March 13, 2020 to avoid abnormal traffic patterns. States that vehicle miles traveled (VMT) are the metric of transportation impacts, and any future work to be completed in the State's right-of-way will require an encroachment permit from Caltrans.	Potential impacts to transportation are discussed in Section 17 of the Initial Study (Appendix A) and potential impacts related to VMT are discussed in Section 4.2, *Transportation*, of this EIR.
California Department of Fish and Wildlife (CDFW)	States that there are many special-status species within and adjacent to the Specific Plan area. States that these resources need to be evaluated and addressed prior to any approvals that would allow ground-disturbing activities or land use changes and adequate mitigation measures must also be provided, if applicable. States that environmental data generated during surveys must be submitted to the California Natural Diversity Database, and that the proposed project is subject to CDFW filing fees.	Potential impacts to special-status species are discussed in Section 4.4, *Less Than Significant with Mitigation,* of the EIR and Section 4, *Biological Resources,* of the Initial Study (Appendix A).
Public Comments		
Noelle Griffin	Expresses appreciation for past community developments and makes suggestions for where and how the Specific Plan area can be vitalized, such as attractive signage, greenspaces, and pedestrian-friendly streets in the Specific Plan area.	Comments do not pertain to the scope or content of the EIR, but comments have been forwarded to City decisionmakers for their consideration.
Niran S. Somasundram, Hanson Bridgett	States that the DVSP as proposed prohibits currently or conditionally permitted uses which, together with new development standards, will render these uses and their structures nonconforming.	Pursuant to CEQA Guidelines Section 15131, economic or social effects of a project shall not be treated as a significant effect on the environment. As such, formal analysis of economic or social impacts is not included in the EIR, which includes nonconforming uses. However, comments have been forwarded to City decisionmakers for their consideration.

Commenter	Comment/Request	EIR Section Where Comment is Addressed
	Expresses concern regarding impacts to air quality, aesthetics, biological resources, cultural resources, energy, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, noise, population and housing, public services, recreation, tribal cultural resources, utilities and service systems, and wildfire.	Impacts related to criteria air pollutants are discussed in Section 4.1, *Air Quality*, and other impacts to air quality are discussed in Section 3 of the Initial Study (Appendix A). Impacts related to VMT are discussed in Section 4.2, *Transportation,* and other transportation impacts are discussed in Section 17 of the Initial Study. Impacts related to water supply are discussed in Section 4.3, *Water Supply,* and other impacts to utilities and service systems are discussed in Section 19 of the Initial Study (Appendix A). Impacts requiring mitigation related to biological resources, cultural resources, hazards and hazardous materials, noise, and tribal cultural resources are discussed in Section 4.4, *Less Than Significant with Mitigation.* Impacts to other environmental resource areas are discussed in the Initial Study (Appendix A).
William Kenney	Expresses support for elements of the DVSP that state multi-family residential uses near the Core Area are essential. Expresses wish for DVSP area boundaries and the transition zone to be approved.	Comments do not pertain to the scope or content of the EIR, but have been forwarded to City decisionmakers for their consideration.
Anne Russell Rudolph	Expresses concern for how the DVSP would render existing buildings and businesses nonconforming.	Pursuant to CEQA Guidelines Section 15131, economic or social effects of a project shall not be treated as a significant effect on the environment. As such, formal analysis of economic or social impacts is not included in the EIR, which includes nonconforming uses. However, comments have been forwarded to City decisionmakers for their consideration.
Anthony Lombardo	Expresses concern regarding the DVSP's relationship with the General Plan and the Initial Study's public circulation.	The DVSP's relationship with the City's General Plan and public circulation of the Initial Study are discussed in Section 2, *Project Description.*
	Expresses concern regarding the economic impact and resulting physical impacts of the DVSP.	Pursuant to CEQA Guidelines Section 15131, economic or social effects of a project shall not be treated as a significant effect on the environment. As such, formal analysis of economic or social impacts is not included in the EIR, which includes nonconforming uses. However, the comment has been forwarded to City decisionmakers for their consideration. Potential physical impacts to the environment are discussed in the Initial Study (Appendix A) and in this EIR.

Commenter	Comment/Request	EIR Section Where Comment is Addressed
	Expresses concern regarding impacts to aesthetics, biological resources, cultural resources, greenhouse gas emissions, land use and planning, population and housing, public services, recreation, and utilities and service systems.	Potential impacts to these environmental resource areas are discussed in Section 4.4, *Less Than Significant with Mitigation,* and in the Initial Study (Appendix A).
	Expresses agreement regarding the potential significant impacts to water supply and transportation.	Comments do not pertain to the scope or content of the EIR, but have been forwarded to City decisionmakers for their consideration.
Dennis Chambers	Expresses support for the DVSP and elements that promote new residences to support downtown businesses.	Comments do not pertain to the scope or content of the EIR, but have been forwarded to City decisionmakers for their consideration.
Chuck Toeniskoetter	Expresses support for the DVSP and the Transition Zoning area, and states that new housing is critically important for Marina.	Comments do not pertain to the scope or content of the EIR, but have been forwarded to City decisionmakers for their consideration.
Bill Mitchell	Expresses support for the DVSP and the elements that address the need for multi-family housing. Expresses wish for the plan to be adopted.	Comments do not pertain to the scope or content of the EIR, but have been forwarded to City decisionmakers for their consideration.

Table 1-2 2023 Notice of Preparation Comments

Commenter	Comment/Request	EIR Section Where Comment is Addressed
Agency Comments		
Native American Heritage Commission	Outlines the provisions of Assembly Bill 52 and Senate Bill 18 and recommends a cultural resources assessment be undertaken for the project.	Comments are addressed in Section 4.4.6, *Tribal Cultural Resources,* of Section 4.4, *Less Than Significant with Mitigation.*
California Department of Fish and Wildlife	Recommends that focused biological surveys should be conducted by a qualified biologist/botanist during the appropriate survey periods to determine the presence of any special-status species.	Potential impacts to special-status species are addressed in Section 4.4.1, *Biological Resources,* of Section 4.4, *Effects Less Than Significant with Mitigation.* As discussed therein, development facilitated by the project would be required to implement BIO-1(b), Special Status Plant Pre-Construction Survey, and Measure BIO-1(e), Special Status Wildlife Pre-Construction Survey. These mitigation measures are provided in Section 4.4.1, *Biological Resources.*
	States that the Specific Plan area is known to and/or has the potential to support special-status species, impacts to which must be evaluated and addressed prior to approvals that would allow ground disturbing activities. Recommends projects tiering from the DVSP be required to conduct biological surveys to determine if special status species are present in the Specific Plan area.	Potential impacts to special-status species are addressed in Section 4.4.1, *Biological Resources,* of Section 4.4, *Effects Less Than Significant with Mitigation.* As discussed therein, development facilitated by the DVSP would be required to implement Mitigation Measures BIO-1(a) through BIO-1(h), which include measures to assess and identify special-status species that may be impacted by development and measures to avoid, minimize, and mitigate impacts to these species.
	States that the field reconnaissance survey performed for the Initial Study did not occur during the appropriate bloom periods for special status plants. Recommends a botanist conducts a habitat assessment for projects that tier from the DVSP, and recommends avoidance of any special status species identified.	Potential impacts to special-status species are addressed in Section 4.4.1, *Biological Resources,* of Section 4.4, *Effects Less Than Significant with Mitigation*. Projects tiering from the DVSP would be required to implement Mitigation Measures BIO-1(b), Special Status Plant Pre-Construction Survey; BIO-1(c), Special Status Plant Species Avoidance, Minimization, and Mitigation; and BIO-1(d), Restoration and Monitoring. These mitigation measures are provided in Section 4.4.1, *Biological Resources.*
	Recommends that future projects tiered from the DVSP conduct a habitat assessment for Crotch's bumble bee and Western bumble bee. If suitable habitat is present, recommends conducting protocol level surveys according to the "Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species" (CDFW 2023).	Projects tiering from the DVSP would be required to implement Mitigation Measure BIO-1(e), Special Status Wildlife Pre-Construction Survey. This mitigation measure is provided in Section 4.4.1, *Biological Resources,* of Section 4.4, *Effects Less Than Significant with Mitigation.* Mitigation Measure BIO-1(a) Biological Resources Screening and Assessment requires future project-specific analysis to inform what further technical studies, such as protocol surveys, are required.
	Recommends that a cumulative analysis be conducted for all potential biological resources that may be impacted by implementation of the DVSP.	Cumulative impacts to biological resources are discussed in Section 6.3, *Mandatory Findings,* in Section 6, *Other CEQA Required Discussions.*

Commenter	Comment/Request	EIR Section Where Comment is Addressed
	States that future projects tiered from the DVSP may impact features under CDFW's jurisdiction pursuant to CFGC 1600et seq., such as rivers, streams, or lakes. Recommends the DEIR include information related to these requirements.	Potential impacts to jurisdictional waters are addressed in Section 4.4.1, *Biological Resources,* of Section 4.4, *Effects Less Than Significant with Mitigation.* Mitigation Measure BIO-1(a) includes an assessment for the presence of jurisdictional waters, and Mitigation Measure BIO-2 includes requirements for conducting a jurisdictional delineation as necessary.
	Recommends that projects tiering from the DVSP occur outside of the nesting bird season, or project applicants must ensure their projects do not result in significant impacts to nesting birds.	Potential impacts to nesting birds are addressed in Section 4.4.1, *Biological Resources,* of Section 4.4, *Effects Less Than Significant with Mitigation.* Projects tiering from the DVSP would be required to implement Mitigation Measure BIO-1(g), Pre-Construction Nesting Birds Surveys.
	Recommends development of an alternative to the project in the alternatives analysis that avoids and minimizes impacts biological resources to the maximum extent possible.	Section 5, *Alternatives,* of this EIR includes analysis of two alternatives, both of which would result in reduced impacts to biological resources.
	Provides information about permits that may be required, recommendations for consultation, requirements to report identified special-status species and natural communities, and filing fees.	Comments do not pertain to the scope or content of the EIR, but have been forwarded to City decisionmakers for their consideration.
Transportation Agency for Monterey County	Requests the addition of language to the Mobility Chapter of the DVSP that would promote the connection of the Specific Plan area to regional bike paths such as the Monterey Bay Scenic Trail and the Fort Ord Regional Trail and Greenway.	The comment pertains to the DVSP itself and not the scope or content of the EIR. This comment was forwarded to City decisionmakers and language has been added to the DSVP.
Monterey County Department of Housing and Community Development	Recommends that the EIR evaluates potential impacts to County-maintained transportation infrastructure.	"Potential impacts" to County-maintained transportation infrastructure was interpreted to mean potential congestion impacts. This comment is addressed in Section 4.2, *Transportation.* As discussed therein, traffic delay resulting from a land use project shall not constitute a significant environmental impact for purposes of CEQA Pursuant to Section 15064.3 of the CEQA Guidelines.
	Recommends that the EIR evaluates potential impacts to County-owned parks, particularly the Former Fort Ord Travel Camp.	Impacts to recreation were evaluated in the Initial Study (Appendix A). As discussed therein, there are sufficient parks available near the Specific Plan area and impacts to recreation would be less than significant.

Commenter	Comment/Request	EIR Section Where Comment is Addressed
Monterey-Salinas Transit	Provides information regarding existing transit routes that serve the Specific Plan area and future transit projects (e.g., the SURF! bus rapid transit service). Requests that a map of existing MST transit routes and bus stops be included in the EIR.	Information from this comment is included in Section 4.2, *Transportation.* A figure showing MST transit routes and bus stops is provided in Section 4.2.
	Recommends all pedestrian and bicycle improvements include safety features and comply with the Americans with Disabilities Act.	This comment is addressed in Section 4.2, *Transportation.*
	Recommends that the EIR prioritize and create incentives for public transit and active transportation to mitigate significant impacts.	Mitigation Measure T-2, Transportation Demand Management Program, which is included in Section 4.2, *Transportation,* of this EIR outlines transit and active transportation incentives and measures that would be implemented to reduce significant impacts related to vehicle miles traveled.
	Provides examples of transportation demand management strategies and recommends that the EIR uses these strategies to mitigate transportation impacts.	Potential transportation impacts are evaluated in Section 4.2, *Transportation,* and Mitigation Measure T-2 outlines transit and active transportation incentives and measures that would be implemented to reduce significant impacts related to vehicle miles traveled. However, impacts related to vehicle miles traveled would remain significant and unavoidable.
	Recommends a revision to the Initial Study to reflect existing transit routes that serve the Specific Plan area.	This revision has been made in the Initial Study (Appendix A). Existing transit routes are further discussed in Section 4.2, *Transportation.*
Public Comments		
Anne Russell Rudolph	Expresses concern for how the DVSP would render existing buildings and businesses nonconforming.	Pursuant to CEQA Guidelines Section 15131, economic or social effects of a project shall not be treated as a significant effect on the environment. As such, formal analysis of economic or social impacts is not included in the EIR, which includes nonconforming uses. However, comments have been forwarded to City decisionmakers for their consideration.

1.2 Purpose and Legal Authority

The DVSP requires the discretionary approval of the City of Marina; therefore, the project is subject to the environmental review requirements of CEQA. In accordance with Section 15121 of the CEQA Guidelines (California Code of Regulations, Title 14), the purpose of this EIR is to serve as an informational document that:

> "will inform public agency decision makers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project."

Therefore, the EIR is an informational document for use by decision makers, public agencies, and the general public. It is not a policy document and does not set forth City policy about the desirability of the proposed project.

1.3 Type of Environmental Document

This document is a Program EIR. Section 15168(a) of the CEQA Guidelines states that:

> A Program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either: (1) geographically; (2) as logical parts in a chain of contemplated actions; (3) in connection with issuance of rules, regulations, plans, or other general criteria, to govern the conduct of a continuing program; or (4) as individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

As a programmatic document, this EIR presents an assessment of the impacts of the proposed DVSP for the Specific Plan area. Analysis of site specific impacts of individual projects is not required in a program EIR. Specific projects that could be facilitated by the DVSP are not currently defined to the level that would allow for such an analysis. Individual specific environmental analysis of each project will be undertaken as necessary by the City of Marina prior to each project being considered for approval.

This Program EIR serves as a first-tier environmental document under CEQA supporting second-tier environmental documents for land use and development projects, including residential, commercial, or mixed-use projects, which would be consistent with the DVSP. If the City of Marina finds that implementation of a project would have no new effects beyond those identified in this EIR and that no new mitigation measures would be required, that activity would require no additional CEQA review. Where subsequent environmental review is required, such review would focus on project specific significant effects peculiar to the project, or its site, that have not been considered in this program EIR (CEQA Guidelines Section 15168).

1.4 Scope and Content

This EIR addresses impacts identified by the Initial Study to be potentially significant. The following issues were found to include potentially significant impacts and have been studied in detail in the EIR:

- Air Quality – Criteria Pollutant Emissions
- Transportation – Vehicle Miles Travelled
- Water Supply

Impacts identified by the Initial Study to be less than significant with mitigation are discussed in Section 4.4, *Less than Significant with Mitigation.*

In preparing the EIR, use was made of pertinent City policies and guidelines, as well as other background documents. A full reference list is contained in Section 7, *References*.

The alternatives section of the EIR (Section 6) was prepared in accordance with Section 15126.6 of the CEQA Guidelines and focuses on alternatives that can eliminate or reduce significant adverse effects associated with the proposed project while feasibly attaining most of the basic project objectives. In addition, the alternatives section identifies the "environmentally superior" alternative among the alternatives assessed. The alternatives evaluated include the CEQA-required "No Project" alternative and two alternative development scenarios for the Specific Plan area.

The level of detail contained throughout this EIR is consistent with the requirements of CEQA and applicable court decisions. Section 15151 of the CEQA Guidelines provides the standard of adequacy on which this document is based. The Guidelines state:

> "An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure."

1.5 Issues Addressed in the Initial Study

Table 1-3 summarizes issues from the environmental checklist that were addressed in the Initial Study (Appendix A). As indicated in the Initial Study, there is no substantial evidence that significant impacts would occur in any of these issue areas.

Table 1-3 Issues Addressed in the Initial Study

Issue Area	Initial Study Findings
Aesthetics	a. Implementation of the Specific Plan would alter views within the Plan area by intensifying development, resulting in a more urbanized viewshed. However, the project would not result in substantial adverse effects to a scenic vista, as no scenic vistas are available or would be blocked or substantially modified as a result of Specific Plan buildout. Impacts would be less than significant.
	b. The DVSP would intensify development to the east, but development would be limited to an area that is already developed as Marina's Downtown. The overall scenic quality of views from State Route 1 would not be substantially or negatively altered by the project. Impacts would be less than significant.
	c. Implementation of the Specific Plan would change the character of the project area substantially, but these changes would be in keeping with applicable plans for revitalizing the Downtown area and creating a sense of place for visitors and residents, in connection with multiple modes of transportation. All development would be subject to Marina Municipal Code and Zoning Ordinance, the DVSP design guidelines, and all other applicable City regulations governing scenic quality. Therefore, impacts would be less than significant.
	d. Potential new and increased sources of glare would include increased vehicular traffic and new and increased reflective building surfaces. New residential and commercial development would also result in a corresponding increase in vehicular traffic. Augmented public transportation capacity and active transportation facilities would partially alleviate transportation lighting, but some increase in light and glare from motor vehicles would occur. However, because the Plan area already makes up a developed downtown area, conditions would not be substantially altered from existing conditions. New development facilitated by the Specific Plan would be subject to the DVSP Design Guidelines and lighting regulations described above. Therefore, effects on daytime or nighttime views due to new sources of light and glare would be less than significant.
Agriculture and Forestry Resources	a., b., and e. According to the California Department of Conservation (DOC) Farmland Mapping and Monitoring Program, there is no existing important farmland within the Plan area. The vast majority of the City is designated as "Urban and Built-Up Land." In addition, no parcels within the Plan area are designated for agriculture, used for agricultural production, or under Williamson Act contract (DOC 2016 and Monterey County 2010). As a result, future development pursuant to the Specific Plan would not convert farmland, conflict with agricultural zoning or have the potential to result in the loss or conversion of farmland to non-agricultural use. There would be no impact.
	c., d., and e. The Plan area is a developed and urbanized area and there is no forest land on or adjacent to the site. No parcels in the Plan area are designated or zoned for forest preservation or timber harvesting. Therefore, future development pursuant to the Specific Plan would not conflict with zoning or cause rezoning of forest land or result in conversion of forest land. There would be no impact.
Air Quality	a. Buildout of the DVSP would not exceed the 2015 AQMP population growth forecast for Monterey County and is within the applicable assumptions of the air pollutant emissions forecast contained in the 2015 AQMP. The DVSP would not generate air pollutant emissions that would impede or conflict with the 2015 AQMP's goal of achieving attainment of the state ozone standard. Impacts would be less than significant.

Issue Area	Initial Study Findings
	c. The DVSP would not result in volumes of traffic that would create, or substantially contribute to, the exceedance of state and federal AAQS for CO. As a result, the DVSP would not expose sensitive receptors to substantial concentrations of CO. . It is expected that quantities of hazardous TACs generated on-site by future residents and tenants (e.g., cleaning solvents, paints, landscape pesticides) for the types of proposed land uses would be below thresholds warranting further study under the California Accidental Release Program, which regulates stationary sources of hazardous substances used annually in quantities ranging from 500 to 20,000 pounds. Therefore, the DVSP would not result in the exposure of sensitive receptors to significant amounts of carcinogenic or toxic air contaminants. Impacts related to TAC and CO emissions would be less than significant.
	d. Given the nature of land uses under the DVSP and required compliance with MBARD Rule 402, the DVSP would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people during construction and operation. Impacts related to odor would be less than significant.
Biological Resources	b. Removal of a small patch of sandmat manzanita would not represent a significant impact to this vegetation community. Impacts to sensitive natural communities would be less than significant.
	d. The Specific Plan area is effectively a fully developed area, containing no significant wildlife movement corridors. As such, the Specific Plan area does not provide for locally or regionally important wildlife movement or genetic flow. There would be no impacts to wildlife movement from development under the Specific Plan.
	e. Tree removal associated with proposed projects under the Specific Plan would be required to obtain approval from the City of Marina, pursuant to compliance with Chapter 17.51 (Tree Removal, Preservation and Protection) of the Marina Municipal Code. As a result of the Specific Plan's urban forestry objective, street tree planning, and required permitting under Marina Municipal Code, individual projects within the Specific Plan area would not conflict with the local tree policy. Impacts would be less than significant.
	f. There are no habitat conservation plans or natural community conservation plans that have been adopted in the Specific Plan area. Therefore, development facilitated by the Specific Plan would not conflict with any such plans and no impact would occur.
Cultural Resources	c. The discovery of human remains is always a possibility during ground disturbing activities. If human remains are found, existing regulations outlined in the State of California Health and Safety Code Section 7050.5 state no further disturbance may occur until the County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. With adherence to existing regulations, impacts to human remains would be less than significant.
Energy	a. Demolition, construction and operational activities associated with the DVSP would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy, and impacts would be less than significant.
	b. As demonstrated in Table 7 in the Initial Study (Appendix A), the DVSP would be consistent with the applicable goals and policies related to renewable energy and energy efficiency and would not conflict with or obstruct state or local plans for renewable energy and energy efficiency. Therefore, no impact would occur.

Issue Area	Initial Study Findings
Geology and Soils	a.1. Because there are no active faults within the Plan area, there is no potential for risk of loss injury, or death involving rupture of a known earthquake fault. There would be no impact.
	a.2. Despite the potential for ground shaking, individual projects implemented under the Specific Plan would be required meet the current CBC seismic-resistance standards that ensure new structures are engineered to withstand the expected ground acceleration at a given location. Compliance with all applicable provisions of state and local construction and designs standards, and implementation of the recommendations of the preliminary geotechnical investigation prepared for a given project would ensure that potential impacts would be less than significant.
	a.3 New development in accordance with the proposed Specific Plan would conform to the CBC (as amended at the time of permit approval) as required by law. Compliance with the CBC, combined with the low relative liquefaction susceptibility, would result in less than significant impacts related to seismic-related ground failure and liquefaction.
	a.4. New development implemented in accordance with the Specific Plan would conform to the CBC, as amended at the time of permit approval and as required by law. Compliance with the CBC combined with the area's low relative landslide susceptibility would result in less than significant impacts related to landslides.
	b. Projects implemented under the Specific Plan would not substantially contribute to coastal soil erosion. Individual projects could have localized soil erosion effects, but such projects would be permitted individually and subject to all applicable erosion control regulations of the Marina Municipal Code. These include Section 8.46.080, which requires erosion prevention and construction site management practices. Therefore, compliance with applicable regulations would reduce soil erosion and topsoil loss impacts to a less than significant level.
	c. and d. The expansion potential (shrink-swell potential), liquefaction, and lateral spreading risk for the Specific Plan area is low, and the CBC includes requirements to address soil stability-related hazards. Typical measures involve removing, replacing soil with the proper fill selection, and compacting the soil. For individual projects involving substantial ground disturbance, geotechnical engineering reports would be required to ensure conformance with City standards. Therefore, compliance with existing regulations would reduce impacts to a less than significant level with regard to landslide, lateral spreading, subsidence, liquefaction, or collapse.
	e. Development pursuant to the Specific Plan would not use on-site septic systems for wastewater treatment. There would be no impact regarding the use of septic tanks or alternative wastewater disposal systems.
Greenhouse Gas (GHG) Emissions	a. As detailed under threshold (b), the project would not conflict with local and State GHG reduction plans, and therefore, emissions would be less than significant.
	b. The project's consistency with attributes identified in Table 3 of Appendix D of the 2022 Scoping Plan is shown below in Table 12. Further detail on the DVSP's consistency with goals contained in the AMBAG MTP/SCS is shown in Table 13, while consistency with goals contained in the Marina General Plan are shown in Table 14 (Appendix A). As discussed therein, the DVSP would not consistent with these attributes and accordingly would be consistent with the 2022 Scoping Plan.
Hazards and Hazardous Materials	a. and b. Projects facilitated by the Specific Plan would be subject to applicable local, State, and federal hazardous material regulations that minimize impacts related to hazardous materials. Compliance with existing laws and regulations governing the transport, use, storage, disposal, or release of hazardous materials and wastes would reduce impacts to a less than significant level.

Issue Area	Initial Study Findings
	e. Implementation of the Specific Plan would intensify development near the Marina Municipal Airport, but the land use types and proximity of development to the airport would be similar to existing conditions. Buildout of the Specific Plan would not introduce prohibited uses for the AIA zone, such as hazards to flight or outdoor stadiums. Other development conditions would be reviewed and disclosed as part of certain real estate transactions, as required by state law. Given the type of development facilitated by the DVSP and pursuant to compliance with existing requirements, impacts would be less than significant.
	f. The project would not result in unplanned population growth. The DVSP includes strategies to improve circulation within the Plan area and reduce congestion, but would not alter circulation routes or connectivity. The City would require public improvements as part of the permitting process for individual projects in order to prevent compromise of emergency response access. Therefore, the project would result in a less than significant impact regarding emergency response and evacuation.
	g. The Plan area is not within an area associated with a high degree of wildfire hazards. The facilitation of development projects within the existing downtown area would not exacerbate the existing degree of wildfire hazards in the Plan area. Nor would the project add new development in areas that are highly susceptible to wildfires. The Plan area is limited to a currently developed area. Therefore, impacts associated with exposure of people or structures to wildfires would be less than significant.
Hydrology and Water Quality	a. Implementation of the Specific Plan would facilitate redevelopment but would not substantially alter the amount of impervious surface area. Stormwater runoff would continue to connect to the City's stormwater drainage system at similar volumes to existing conditions. Individual projects would be required to comply with Chapter 8.46, Urban Storm Water Quality Management and Discharge Control, of Marina Municipal Code. Chapter 8.46 requires elimination of illegal discharges, protection of watercourses, and includes BMP guidance for construction sites and permitted activities. Compliance with existing regulations would reduce impacts to a less than significant level.
	c.(i) through c.(iv). The Plan area is developed and consists mostly of impervious surface area. Redevelopment of parcels pursuant to the Specific Plan would not substantially alter the amount of impervious surface area, and thus would not substantially alter the area's drainage patterns. Furthermore, the Specific Plan includes design guidelines to increase percolation and prevent water pollution, including requirements for the use of permeable materials and requirements for street trees and planted park strips ("Sidewalk and Plazas" Design Guideline). Implementation of the Specific Plan would not alter the course of a stream or river or otherwise result in substantial effects related to water quality or stormwater drainage. Impacts would be less than significant.
	d. Implementation of the Specific Plan would intensify development within the Plan area, thus adding structures and other materials that could increase the amount of pollutants released in the event of flood inundation. However, the overall impact of pollutant release due to a flood event would be similar to existing conditions, as the Plan area is currently entirely developed as Downtown Marina. Therefore, impacts would be less than significant.
Land Use and Planning	a. Increased density and mixed-use development facilitated by the DVSP would integrate with the adjacent land uses and be accessible from them by established roadways and bicycle routes; furthermore, all uses would be increasingly accessible by pedestrian traffic with Specific Plan implementation. Thus, buildout under the Specific Plan would not physically divide an established community; rather there would be increased integration of the Downtown area and adjacent uses. There would be no impact relating to division of an established community.

Issue Area	Initial Study Findings
	b. The DVSP would be consistent with the City's General Plan, the Association of Monterey Bay Area Governments' Metropolitan Transportation Plan/Sustainable Communities Strategy, the City's Pedestrian and Bicycle Master Plan, and the Marina Zoning Code. The DVSP would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Impacts would be less than significant.
Mineral Resources	a. and b. The Marina General Plan discusses the presence of mineral resources at two locations within the City: west of SR 1, where sand mining operations have previously occurred; and east of SR 1 within the Armstrong Ranch portion of the City's sphere of influence (Marina 2010). Neither of these areas are within the Specific Plan area. No mineral extraction occurs within the Plan area and no land in the area is zoned or designated for such a use. Implementation of the Specific Plan would not affect the availability of known mineral resources. There would be no impact.
Noise	b. Construction activities known to generate excessive ground-borne vibration, such as pile driving, would not be anticipated to be used for typical residential, retail, and office building uses established pursuant to the Specific Plan. The greatest anticipated source of vibration during general construction activities in the DVSP would be from a vibratory roller, which would be perceptible but would not have substantial vibration impacts. The proposed uses in the DVSP do not include any substantial vibration sources associated with operation. Therefore, vibration impacts would be less than significant.
	c. The DVSP area is located approximately 3,000 feet south of the outer edge of the 60 CNEL contour for the Marina Municipal Airport. Therefore, the Plan area would not be expected to be exposed to excessive noise from the airport, and impacts would be less than significant.
Population and Housing	a While additional new residential development may occur outside of the Plan area during Specific Plan buildout, the Specific Plan represents an intention to focus growth within the Downtown area. Furthermore, the DVSP has been in progress for many years, having been initiated in 2006 (see Project Description under Specific Plan Background), and the projected growth within the Plan area is accounted for in AMBAG projections, as described above. Therefore, the proposed project would not result in substantial unplanned population growth. Impacts would be less than significant.
	b. Implementation of the Specific Plan would involve demolition of some existing housing in order develop new units. However, any displacement of people or housing would be temporary, and new housing added to the Plan area would support a greater number of residents than existing housing. Therefore, the project would not result in the need for new housing elsewhere, as the Specific Plan would result in a concentration of the City's housing stock within higher density development within Downtown Marina. Therefore, impacts would be less than significant.
Public Services	a.1. Buildout of the DVSP would not cause substantial unplanned population growth. Rather, the project would facilitate the City's planned population growth within the existing Downtown area. Furthermore, buildout of the Specific Plan would occur incrementally over an estimated 20-year period. As discussed throughout this Initial Study, the Plan area is currently developed, and construction or expansion of fire facilities within the Plan area would be infill development and would not be expected to result in significant impacts. Impacts associated with land use changes and construction activity, including construction or expansion of fire facilities, are addressed throughout this Initial Study. Impacts would be less than significant.
	a.2. According to Marina Police Department staff, service ratios and response times would be reassessed and adjusted as the population grows in an ongoing process over the course of the DVSP buildout. Additionally, as described above, DVSP buildout would occur over approximately 20 years and would not represent substantial unplanned population growth, and impacts associated with land use changes and construction are addressed throughout this Initial Study. Impacts would be less than significant.

Issue Area	Initial Study Findings
	a.3. DVSP buildout would occur over approximately 20 years and would not represent a substantial unplanned increase in the school-age population. Furthermore, a school impact fee is collected for each residential unit that is constructed. As stated in California Government Code Section 65996, payment of school impact fees is deemed to constitute full and complete mitigation for potential impacts to schools caused by development. Therefore, impacts related to the need for new school facilities as a result of implementing the Specific Plan would be less than significant.
	a.4. Although new parks could be added within the Plan area, buildout of the Specific Plan would not result in the direct or immediate need for new or altered parks. As discussed in Section 16, Recreation, implementation of the Specific Plan would not result in a significant impact related to parkland ratios due to the presence of nearby parks and other planned parkland throughout the City. Impacts related to parks would be less than significant.
	a.5. According to Marina Library staff, the facility is large enough to accommodate population growth facilitated by the Specific Plan. The proposed DVSP would not result in the need for new or altered libraries or other public facilities. Impacts would be less than significant.
Recreation	a. Because there are sufficient parks available near the Plan area and because future development pursuant to the DVSP would be required to pay applicable impact fees for park maintenance and development, Specific Plan buildout would not 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. Impacts would be less than significant.
	b. The DVSP does not specifically identify any new parks to be developed, although it is possible that implementation of the Specific Plan may include new parks. The potential environmental effects that could occur as a result of land use changes pursuant to implementation of the Specific Plan, including development of new parks, are discussed throughout this Initial Study and additional impacts are not anticipated. Impacts would be less than significant.
Utilities and Service Systems	a. As it pertains to water supply, is addressed in Section 4.3, *Water Supply,* of this EIR. Other utilities addressed in thresholds a., including wastewater treatment or storm water drainage, electric power, natural gas, or telecommunication facilities, are addressed in the Initial Study (Appendix A).
	a. Connecting new development to water, wastewater, stormwater, electric gas, and telecommunication infrastructure would require ground disturbance and Specific Plan buildout would also contribute to the need for new facilities that provide these utilities. Environmental effects associated with ground disturbance are discussed in Section 4, Biological Resources, Section 5, Cultural Resources, and Section 7, Geology and Soils. Ground disturbance associated with utility connections would be minor, as the Plan area is developed and presently connected to utilities, and redevelopment would be compact, allowing for efficiency. Additionally, the M1W Regional Treatment Plant would have sufficient capacity for wastewater generated by project buildout. Therefore, the project would not require the relocation or construction of new or expanded utility facilities. Impacts would be less than significant.
	d. and e. Development facilitated by the DVSP would not generate solid waste in excess of local standards or landfill capacity. Impacts would be less than significant.

Issue Area	Initial Study Findings
Wildfire (all thresholds)	a. through d. The proposed project would facilitate development within an urbanized area. By intensifying development, exposure of people and structures to wildfire hazards would increase. However, the overall exposure to wildfire hazards would be similar to existing conditions because the project would not add development to new areas or affect fuel amounts. Because the Plan area is not within a state responsibility area, is not classified as a Very High Fire Hazard Severity Zone, and would not exacerbate existing fire hazards, impacts would be less than significant.

1.6 Lead, Responsible, and Trustee Agencies

The CEQA Guidelines define lead, responsible and trustee agencies. The City of Marina is the lead agency for the proposed DVSP because it holds principal responsibility for approving the proposed project.

A responsible agency refers to a public agency other than the lead agency that has discretionary approval over a project. There are no responsible agencies for the proposed project. However, verification of available water supply to serve the proposed project was provided by the Marina Coast Water District (see Appendix E). Additionally, individual projects approved under the Specific Plan would require approval of permits, such as grading and building permits, by the City of Marina, as well as approvals, as needed, from the Regional Water Quality Control Board, CDFW, and the United States Army Corps of Engineers. The EIR will be submitted to these agencies and other appropriate agencies for review and comment.

A trustee agency refers to a state agency having jurisdiction by law over natural resources affected by a project. The CDFW is a trustee agency for the proposed project; CDFW is a trustee agency for biological resources throughout the state under CEQA and also has direct jurisdiction under the Fish and Game Code of California.

1.7 Environmental Review Process

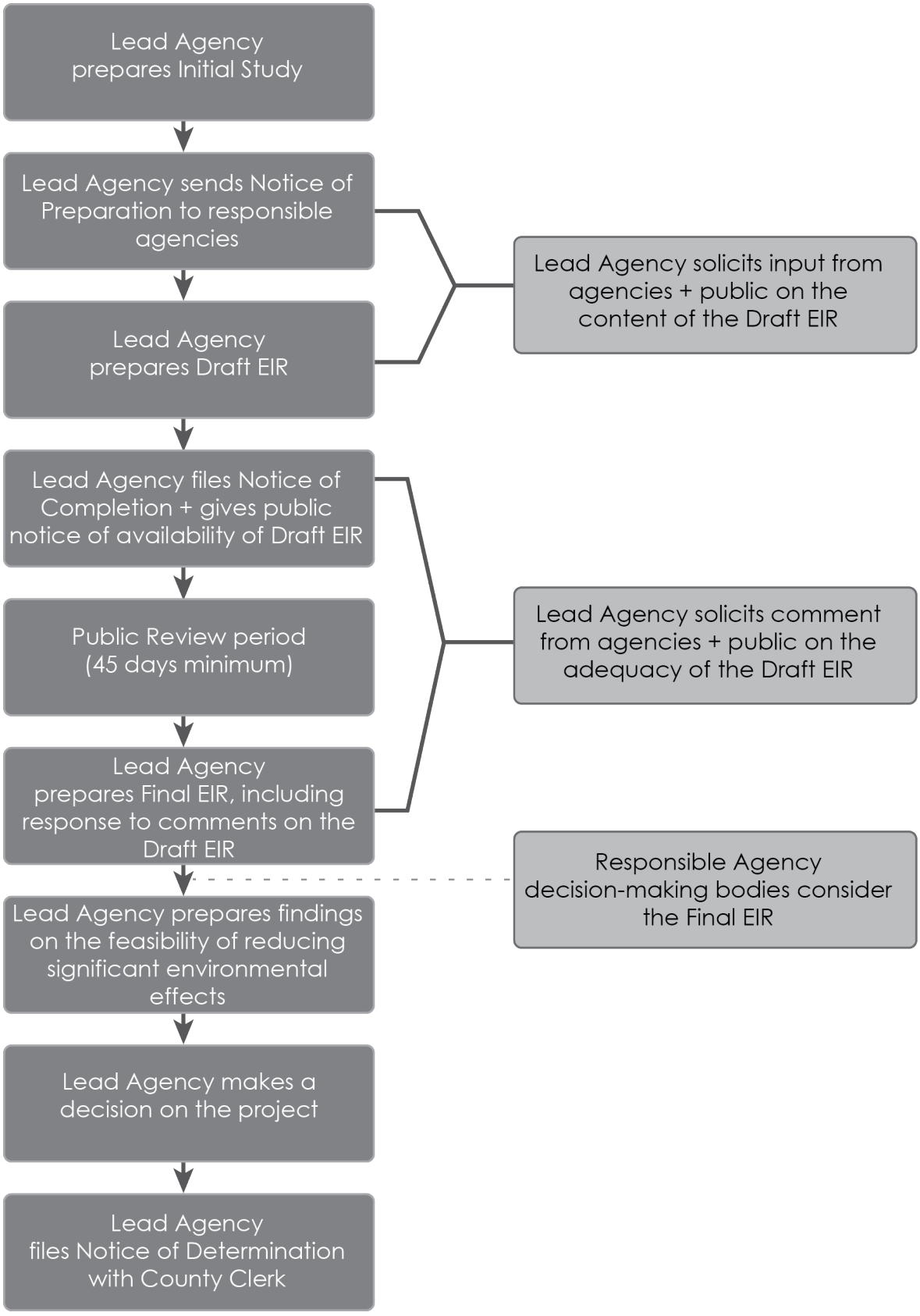
The environmental impact review process, as required under CEQA, is summarized below and illustrated in Figure 1-1. The steps are presented in sequential order.

1. **Notice of Preparation (NOP) and Initial Study**. After deciding that an EIR is required, the lead agency (City of Marina) must file a NOP soliciting input on the EIR scope to the State Clearinghouse, other concerned agencies, and parties previously requesting notice in writing (CEQA Guidelines Section 15082; Public Resources Code Section 21092.2). The NOP must be posted in the County Clerk's office for 30 days. The NOP may be accompanied by an Initial Study that identifies the issue areas for which the proposed project could create significant environmental impacts.
2. **Draft EIR Prepared.** The Draft EIR must contain: a) table of contents or index; b) summary; c) project description; d) environmental setting; e) discussion of significant impacts (direct, indirect, cumulative, growth-inducing and unavoidable impacts); f) a discussion of alternatives; g) mitigation measures; and h) discussion of irreversible changes.
3. **Notice of Completion (NOC).** The lead agency must file a NOC with the State Clearinghouse when it completes a Draft EIR and prepare a Public Notice of Availability of a Draft EIR. The lead agency must place the NOC in the County Clerk's office for 30 days (Public Resources Code

Section 21092) and send a copy of the NOC to anyone requesting it (CEQA Guidelines Section 15087). Additionally, public notice of Draft EIR availability must be given through at least one of the following procedures: a) publication in a newspaper of general circulation; b) posting on and off the project site; and c) direct mailing to owners and occupants of contiguous properties. The lead agency must solicit input from other agencies and the public and respond in writing to all comments received (Public Resources Code Sections 21104 and 21253). The minimum public review period for a Draft EIR is 30 days. When a Draft EIR is sent to the State Clearinghouse for review, the public review period must be 45 days unless the State Clearinghouse approves a shorter period (Public Resources Code 21091).

4. **Final EIR.** A Final EIR must include: a) the Draft EIR; b) copies of comments received during public review; c) list of persons and entities commenting; and d) responses to comments.
5. **Certification of Final EIR.** Prior to making a decision on a proposed project, the lead agency must certify that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the decision-making body of the lead agency; and c) the decision making body reviewed and considered the information in the Final EIR prior to approving a project (CEQA Guidelines Section 15090).
6. **Lead Agency Project Decision.** The lead agency may a) disapprove the proposed project because of its significant environmental effects; b) require changes to the project to reduce or avoid significant environmental effects; or c) approve the project despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (CEQA Guidelines Sections 15042 and 15043).
7. **Findings/Statement of Overriding Considerations**. For each significant impact of the proposed project identified in the EIR, the lead agency must find, based on substantial evidence, that either: a) the project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the project are within another agency's jurisdiction and such changes have or should be adopted; or c) specific economic, social, or other considerations make the mitigation measures or project alternatives infeasible (CEQA Guidelines Section 15091). If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision.
8. **Mitigation Monitoring Reporting Program.** When the lead agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects.
9. **Notice of Determination (NOD).** The lead agency must file a NOD after deciding to approve a project for which an EIR is prepared (CEQA Guidelines Section 15094). A local agency must file the NOD with the County Clerk. The NOD must be posted for 30 days and sent to anyone previously requesting notice. Posting of the NOD starts a 30-day statute of limitations on CEQA legal challenges (Public Resources Code Section 21167[c]).

Figure 1-1 Environmental Review Process



2 Project Description

The Marina Downtown Vitalization Specific Plan, hereafter referred to as the Specific Plan, DVSP, or proposed project, focuses on the Downtown area of the City of Marina, establishing a development framework for land use, circulation, utilities and services, resource protection, design, and implementation through:

- A cogent vision for the future;
- Clearly articulated land uses and development regulations; and
- Appropriate design standards and guidelines.

The Specific Plan builds on the goals and objectives established in the City of Marina General Plan, as well as the relevant standards and regulations from the City of Marina Municipal Code. However, amendments to the General Plan land use designations would be required to ensure consistency with those introduced within the Downtown Vitalization Specific Plan. It is required that all subsequent projects including commercial developments and redevelopments, subdivisions, public works projects, and zoning regulations be consistent with the Specific Plan.

The proposed DVSP also incorporates recommendations from the City's Downtown Vision Plan, Downtown Design Guidelines, and Pedestrian and Bicycle Master Plan.

2.1 Lead Agency Name and Address

City of Marina
Community Development Department
211 Hillcrest Avenue
Marina, California 93933
831-884-1278

2.2 Lead Agency Contact Person

Guido Persicone
Community Development Director
gpersicone@cityofmarina.org
831-884-1289

2.3 Project Location

The City of Marina is located in Monterey County, adjacent to Monterey Bay and along State Route 1, approximately nine miles north of the City of Monterey and 18 miles south of the City of Watsonville. Incorporated as a charter city in 1975, Marina has grown in population from 8,343 to an estimated 21,457 people (California Department of Finance 2022). The city encompasses approximately 9.8 square miles and extends for five miles along the Pacific Ocean, from former Fort Ord land and the California State University Monterey Bay (CSUMB) campus on the south, to the Salinas River on the north, and inland for four miles to the Marina Municipal Airport. The regional site location is shown in Figure 2-1. The former Fort Ord Army Base, which was closed in 1994, is

located in the southern portion of the city. The Plan area does not include any former Fort Ord lands.

The Plan area encompasses approximately 322 acres near the center of the City of Marina, and, as shown in Figure 2-2, entails an irregular shape. The Plan area is generally bounded:

- On the northeast by parcels along the north side of Reservation Road
- On the south by Reindollar Avenue and various residential north-south secondary roads, such as Sunset Avenue, Carmel Avenue, and Crescent Avenue
- On the east by Salinas Avenue
- On the northwest by Del Monte Boulevard, approximately 0.5 mile east of State Route (SR) 1

2.4 Setting and Surrounding Land Uses

General Site Characteristics

The Plan area has a pattern of mixed-density housing and low-density retail center commercial development that signifies a community that is highway-oriented. Land uses are characterized by a mixture of single-story commercial and office buildings, single family homes, and one- to two-story multifamily residential units. Buildings date primarily from the postwar era, with several large shopping centers dating from the late 1950s with buildings set back from the road and large parking lots on the street frontage. The Del Monte Boulevard/Reservation Road intersection is the central activity node in Marina. The area is developed with land uses that are considered suburban in scale and intensity.

Existing Land Use

Most land uses in Marina are residential (39 percent by area) or commercial (24 percent). Table 2-1 summarizes existing land uses by area in the DVSP area.

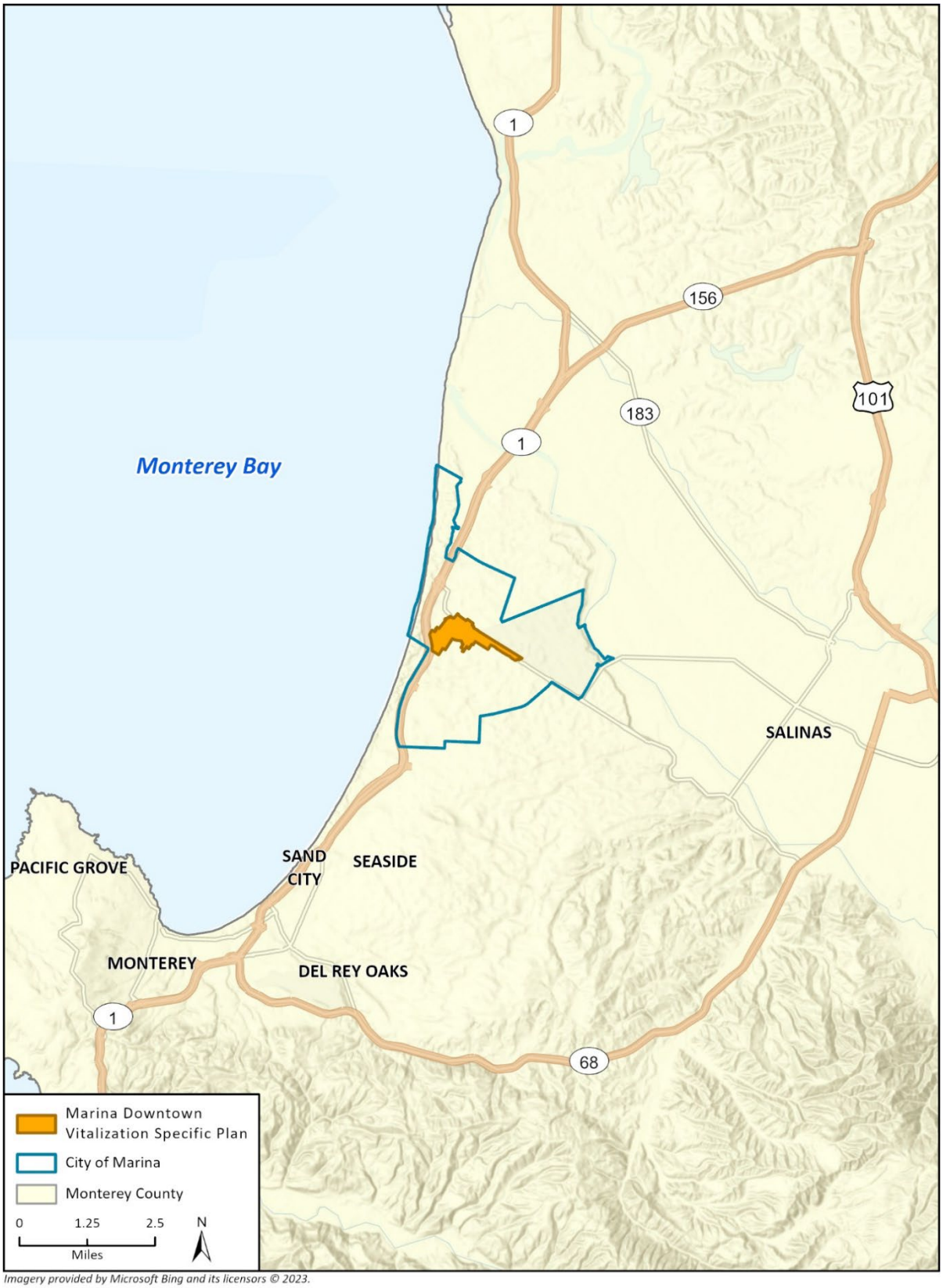
Table 2-1 Existing Land Uses by Acreage in the Plan Area

Land Use	Acres	Percent of Plan Area
Multifamily	71.01	22%
Single Family	26.21	8%
Mobile Home Park	11.12	3%
Dwelling Group	9.68	3%
Triplex/Fourplex	3.65	1%
Duplex	2.58	1%
Total Residential	**124.24**	**39%**
Retail/Services	27.35	8%
Office/Other Commercial	50.37	16%
Total Commercial	**77.72**	**24%**
Light Industrial	2.09	1%
Mixed Use	15.70	5%
Institutional	27.71	9%
Recreation	0	0%
Right-of-Way	67.03	21%
Total Public Uses	**94.74**	**30%**
Vacant Lots	**7.56**	**2%**
Total	**322.05**	**100%**

Surrounding Land Uses

The Plan area is surrounded by single-family residential uses to the north, west, and south, open space adjacent to the Marina Municipal Airport to the northeast, and Locke-Paddon Wetland Community Park to the northwest. Other adjacent uses include multifamily residential and commercial uses. The Marina Municipal Airport is located directly east of the Downtown area along Reservation Road. Photographs of surrounding uses and the existing Specific Plan area are shown in Figure 2-4.

Figure 2-1 Regional Location



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Additional data provided by County of Monterey, 2020.

Figure 2-2 Downtown Vitalization Specific Plan Area

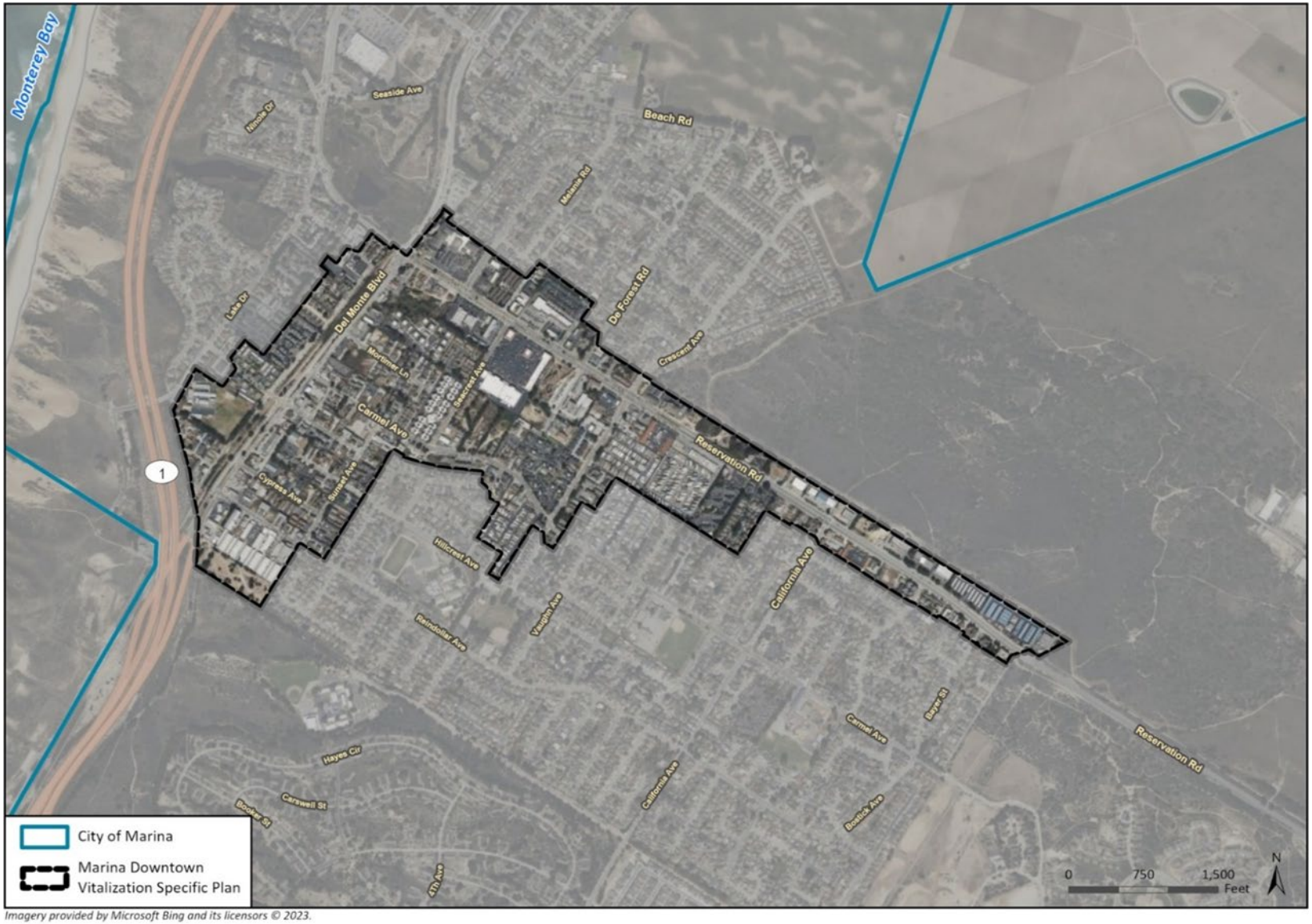
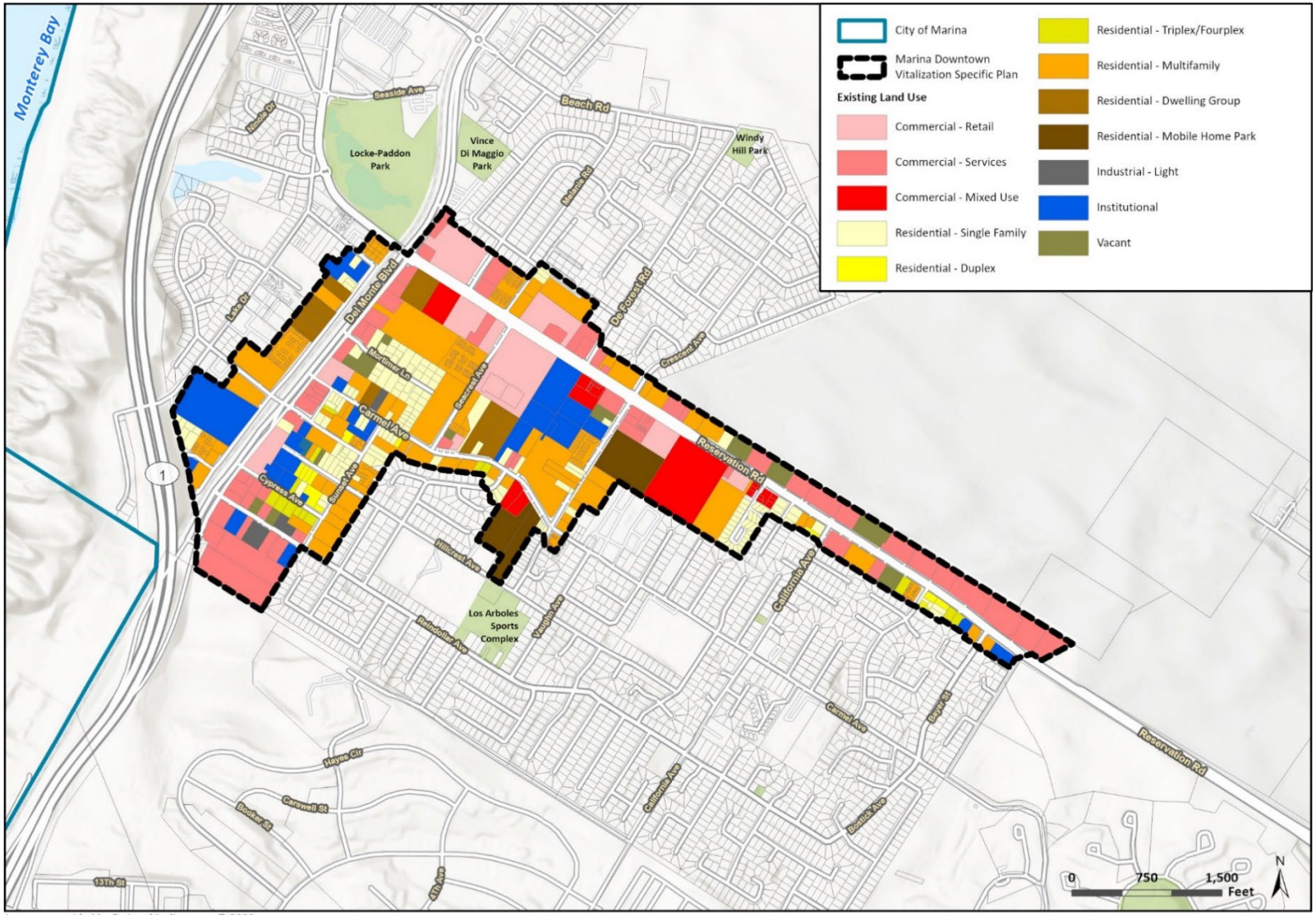


Figure 2-3 Existing General Plan Land Use Designations



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Additional data provided by the City of Marina, 2022.

Figure 2-4 Site Photographs

Photograph 1. Commercial uses on Del Monte Boulevard

Photograph 2. Intersection of Del Monte Boulevard and Reservation Road

Photograph 3. Monterey-Salinas Transit Station on De Forest Road

Photograph 4. View of Locke-Paddon Wetland Community Park from Reservation Road

2.4.1 Existing Land Use

Existing development in the Specific Plan area includes approximately 1,005,000 square feet of commercial uses and 2,301 dwelling units. Two-thirds of commercial uses are office-related, representing 16 percent of the total DVSP area. Approximately half of residential uses in the DVSP are multifamily, representing 22 percent of total land use, with the other half consisting of attached and detached single family homes. Remaining land uses in the DVSP area are split between institutional and civic uses, mixed uses, and light industrial. Approximately 2 percent of the DVSP area is vacant lots.

Zoning

The Specific Plan area includes the following existing zoning categories, consistent with the existing General Plan land use designations:

- C-R, Commercial/Multiple-Family Residential District
- C-1, Retail Business District
- C-2, General Commercial District
- PC, Planned Commercial District
- PF, Public Facility District
- R-1, Single-Family Residential District
- R-4, Multiple-Family Residential District
- SP, Specific Plan District
- SP/MST, Specific Plan/Industrial/Special Treatment District
- ST, Special Treatment District
- Affordable Housing Overlay

Mobility

Vehicle Network

Streets in the DVSP area reflect a focus on automobiles with wide travel lanes. Major roadways in the DVSP area include Del Monte Boulevard and Reservation Road, both four-lane arterial roadways, and California Avenue and Reindollar Avenue, both two-lane collector streets. Due to the limited amount of public right-of-way and dispersed roadway network within the Downtown area, vehicular transportation is the primary mode of transportation in the Plan area.

Pedestrian and Bicycle Network

While most collector and arterial roadways within the DVSP area have sidewalks, sidewalks along Del Monte Boulevard, Reservation Road, Reindollar Avenue, and Carmel Avenue are incomplete. Additionally, many sidewalks are too narrow to accommodate simultaneous pedestrian use or have obstructions that partially block pedestrian use.

The bicycle network in the Downtown area includes Class I (paths designated for the exclusive use of bicycle and pedestrian traffic) and Class II (striped bicycle lanes along a street) bikeways. The Monterey Bay Coastal Recreation Trail, accessible via the Downtown area, is a Class I bike path that extends 19 miles along the coast from Castroville to Pacific Grove. There are Class II bike lanes along

Reservation Road, Crescent Avenue, and California Avenue. As noted in the DVSP and the City's Pedestrian and Bicycle Master Plan, the bicycle network in Marina is limited and is not adequate to encourage drivers to use bicycles when commuting.

Transit

Marina and the Downtown area are served by Monterey-Salinas Transit (MST), with the existing MST facility along Reservation Road in the Downtown area known as the Marina Transit Exchange. MST routes currently serving Downtown Marina include:

- Sand City - Marina via Gen Jim Moore (Line 17)
- Sand City - Marina via Monterey Road (Line 18)
- Monterey – Salinas (Line 20)
- Salinas - VA DOD Clinic (Line 61)

MST is also developing a bus rapid transit system within the Monterey Branch Line railroad right-of-way, called SURF!. The SURF! Project would include a station within the DVSP area at the corner of Del Monte Boulevard and Palm Avenue, and is planned to open in 2027.

2.5 Project Characteristics

Specific Plan Legal Authority/Requirements

A Specific Plan is a regulatory tool that local governments use to implement a General Plan and to guide development in a localized area. While a General Plan is the primary guide for growth and development citywide, a Specific Plan focuses on the unique characteristics of a special area by customizing the planning process and land use regulations to that area. A Specific Plan is enacted pursuant to Section 65450 et seq. of the California Government Code.

The Specific Plan includes the goals, policies, development standards and implementation measures that would guide future development of the Downtown area, in accordance with state law. Background documents incorporated into the Plan as well as the Specific Plan's relationship to the City of Marina General Plan, Housing Element, and Pedestrian and Bicycle Master Plan are discussed below.

Specific Plan Background

From the late 1970s through the 1990s, numerous surveys, workshops, and studies were conducted with the intent of revitalizing the City's existing commercial areas, particularly after the closure of the Fort Ord military base in 1994. In 2001, the Marina City Council identified vitalization of Marina's commercial core as a critical strategic issue.

In August 2005, the City Council adopted the Marina Downtown Vision and Downtown Design Guidelines for developing a vital Downtown core; however, it was determined that in order to fulfill the City's Downtown Vision Plan and Downtown Design Guidelines, future development within the Downtown should be guided by a Specific Plan.

The next iteration of the Plan, the *Downtown Vitalization Specific Plan,* was initiated in 2006. An early draft of the Plan was completed in April 2010. The Draft Environmental Impact Report (EIR) associated with the Plan was completed in March 2011 but was not released for public review nor was it certified. The DVSP then stalled for several years until 2017 when another ad hoc committee

was formed to address new issues in the Downtown and complete the long-anticipated *Downtown Vitalization Specific Plan*. A Notice of Preparation (NOP) accompanied by an Initial Study was prepared and circulated for public review in May 2021, but neither the DVSP nor the EIR were released for public review. The project is now proceeding with preparation of this EIR. An NOP for this EIR accompanied by a revised Initial Study was prepared and circulated for public review October 20, 2023 to November 20, 2023. The NOP and revised Initial Study are presented in Appendix A.

Downtown Vision

The vision of the Specific Plan is to establish Downtown Marina as:

> A place with a unique, small coastal town character where people can work, live, and shop in an environment that creates a feeling of cohesiveness, compactness, and individual community identity; a place with a vibrant economy that accommodates a variety of businesses, residences, and civic uses; and, a place that is architecturally pleasing and sustainable, achieved through attractive storefronts, eco-friendly design, and plentiful landscaping and pedestrian amenities to encourage people to walk along tree-lined streets and socialize in civic and public spaces.

Downtown Vitalization Specific Plan Goals

The goals of the DVSP include:

- **Land Use and Development.** A community with a safe, walkable, and vibrant Downtown, that attracts diverse business opportunities, encourages appropriate mixed uses, and integrates adjoining neighborhoods, parks, and trails.
- **Community Identity.** A Downtown that complements Marina's natural setting, provides opportunities for an attractive and functional built environment, accommodates and reflects the diversity of our community, where people gather for social, cultural, educational, and recreational experiences.
- **Cultural Diversity.** A Downtown where people of all incomes, ages, abilities, races, and cultures feel like they belong.
- **Housing Affordability.** A variety of affordable, high-quality housing options for people to live in Downtown.
- **Environment and Sustainability.** Development in Downtown that employs green building technology, employs net zero building principles, and is designed to create more comfortable indoor and outdoor environments.
- **Economic Vitality.** An environment that attracts and sustains economic activity through innovation, business and social opportunities.
- **Mobility.** A Downtown with safe and efficient pedestrian and vehicular circulation that encourages people to gather, walk, bike, or use public transportation.
- **Public Facilities and Infrastructure.** Ensure that there are adequate public services and public utilities are provided for future development, and enhance the Downtown by planning for future public facilities.

2.6 Project Description

Intent

The DVSP is intended to guide the future development and ultimate transformation of the City's 320-acre Downtown. The purpose of the DVSP is to create a unique and identifiable Downtown core for Marina that is vibrant and pedestrian oriented, and the plan will be an aspirational policy document and regulatory tool used by the city of the next 20 years. In particular, the Specific Plan aims to reinvigorate the Downtown Marina economy and sense of place through:

- Designation of land uses
- Designation of required access and circulation elements
- Location and sizing of infrastructure
- Financing methods for public improvements
- Standards of development

Specific Plan Organization

The Specific Plan provides:

- **Executive Summary.** An overview of the Specific Plan.
- **Chapter 1 (Introduction).** Project background and the Specific Plan's vision and guiding principles.
- **Chapter 2 (Setting and Existing Conditions).** A summary of Marina's history and a description of existing conditions.
- **Chapter 3 (Downtown Vision).** Establishes the desired identity of Downtown Marina, considers opportunities and includes goals and policies associated with the identity of Downtown.
- **Chapter 4 (Land Use and Development).** Land use goals, policies, and implementation measures for future development Downtown using "core" and "transitional" sections with core being urban and transitional being more suburban.
- **Chapter 5 (Mobility).** Circulation and parking goals, policies, and development standards to help implement multimodal circulation including pedestrian, vehicular and bicycle traffic for Downtown.
- **Chapter 6 (Public Facilities and Infrastructure).** Policies for planned distribution, location, extent, and intensity of water, sewer, and storm drainage infrastructure and solid waste facilities in the Specific Plan area.
- **Chapter 7 (Implementation).** A summary of guidance to facilitate desired development and implement a comprehensive vision for Downtown.
- **Appendix A: Development Code.** A set of procedures for the consistent promotion of high quality, well-designed development to be appropriately located throughout Downtown Marina.
- **Appendix B: Design Guidelines.** A set of design guidelines to provide additional direction for achieving the intended result of the policies of the Specific Plan and the Design Standards established in Appendix A.

Buildout

Based on existing land use designations and underlying zoning requirements, described under General Plan land use designations above, potential buildout of the Specific Plan could include approximately an additional 1,385,000 square feet of new retail and office space and 2,904 new housing units. When added to existing development, the Plan area could include a total of up to approximately 2,390,000 square feet of commercial and retail space and up to 5,205 housing units. However, the pace of future development would largely be determined by market forces, and thus it is difficult to determine at what date buildout would occur. Table 2-2 shows the existing and maximum buildout projections.

Table 2-2 Existing and Maximum Land Use Buildout Projections

Zone/Land Use	Existing	Specific Plan Area Proposed	Total (Existing + Proposed)
Residential	2,301 units	2,904 units	5,205 units
Retail	691,705 sf	874,669 sf	1,566,374 sf
Office	314,053 sf[1]	510,528 sf	824,581 sf

sf= square feet

[1] Including office and light manufacturing uses.

Placemaking Framework

The Specific Plan is intended to create a framework for the development of a vibrant Downtown Marina. The following goals outline the desired future conditions of the Specific Plan area:

- **Vibrant, Mixed Use Downtown.** The primary goal of the Specific Plan is to promote land use that emphasizes community; creates a safe, walkable, and vibrant Downtown; attracts diverse business opportunities; encourages appropriate mixed uses; and integrates adjoining neighborhoods, parks, and trails.
- **Transit-oriented Development.** By promoting high-density, mixed-use business and residential neighborhood centers, transit-oriented development is designed to be served by transit and be more walkable.
- **Housing Affordability.** The Specific Plan would encourage the development of multifamily housing which will both contribute to a lively neighborhood through residential development and support the City's share of the Monterey Bay Area's Regional Housing Need.
- **Economic Vitality.** The ultimate goal for Downtown Marina is to have a diversified economic climate that attracts offices and a variety of retail shops, restaurants, entertainment, and mixed uses.
- **Sustainability.** The Specific Plan seeks to establish and reinforce a compact development pattern with the intent to reduce the vehicle miles traveled by Marina residents.
- **Parks and Urban Forest.** The Specific Plan looks to facilitate the development of stormwater retention areas for recreational use, develop mini-parks within vacant land, and incentivize publicly-accessible private open space within Downtown.
- **Gateways**, **Wayfinding, and Signage.** The Specific Plan aims to make Downtown readily identifiable to residents and visitors by establishing gateways at key locations.
- **Public Art.** As Downtown develops, the Specific Plan intends to make public art a consideration for inclusion in public spaces with input from residents.

Land Use Designations and Intent

The goal of the Specific Plan is to establish Marina as a destination that accommodates a mix of commercial, retail, and residential uses served by an improved transportation network. During the planning process, land use designations were established to allow for increased densities throughout the Downtown area. Districts include the Core, which would allow for residential densities of up to 70 units per acre; the Transition district and Mixed-Use Node, which would allow for up to 50 units per acre; and the Multifamily Residential district which would allow for up to 35 units per acre. Of the 2,301 existing residential units in the Downtown area, 1,638 (approximately 71 percent) are located in areas that would be designated as Multifamily Residential, 377 (approximately 16 percent) are located in areas that would be designated as Transition or Mixed-Use, and 286 (approximately 13 percent) are located in areas that would be designated as Core.

Proposed commercial and light industrial uses in the Downtown encompass roughly 860,000 square feet on 88 acres. The Downtown Core includes 407,000 square feet of commercial uses on 36 acres. Another 416,000 square feet of commercial uses can be found on 46 acres in the Transition zone. Area-wide, calculations also assume additional land would be devoted to the public right-of-way in the future.

The development zones to implement the Specific Plan are described in further detail below.

Core

The Core district is generally located to the north and south of Reservation Road, between Del Monte Boulevard and Crescent Avenue, and along the eastern side of Del Monte Boulevard between Reservation Road and Carmel Avenue. It currently provides for 411,864 square feet (sf) (56.42 acres) of office and retail land uses, as well as 286 residential units. This area is projected to grow by 1,372 residential units and 901,500 sf of retail and office space under buildout of the Specific Plan. The intent of the Core district would be to permit and encourage higher density commercial and mixed-use development via a mix of different land use types, including office, retail, and service commercial uses along with multifamily residential uses. The Core is intended to become a vital economic center served by a variety of transportation modes, and compact development around the Marina Transit Exchange would be a guiding concept of this district.

Transition

The Transition district is located along Reservation Road, between Crescent Avenue and Salinas Avenue, and east of Del Monte Boulevard between Reindollar Avenue and Carmel Avenue. It currently provides for 593,894 sf (104 acres) of office/light manufacturing and retail land uses and 377 residential units. This area is projected to grow by 1,378 residential units and 484,000 sf of retail and office space under buildout of the Specific Plan. The intent of the Transition district would be to permit and encourage commercial, multifamily residential, and mixed-use development at about half the density of projects in the Core district. The Transition district would serve as a connection between the Core and lower-density, single-use districts in other parts of the city, especially districts dominated by single-family homes. The Transition district would encompass two prominent gateways to the city (east Reservation Road and the confluence of SR 1 and Del Monte Boulevard). It is intended that land uses would be visually interesting, with screened parking located behind or to the side of buildings and landscaped building setbacks.

Multifamily Residential

The Multifamily Residential district of the Specific Plan currently provides for 1,638 residential units (106.7 acres). This area is projected to grow by 154 residential units under buildout of the Specific Plan. The intent of the Multifamily Residential district would be to permit and encourage residential developments of up to three stories in height with up to 35 units per acre. Multifamily residential uses near the Core are critical for providing an affordable housing supply and population to support businesses Downtown. An additional 154 residential units would be proposed within the Multifamily Residential district.

Mixed-use Node

The Land Use Plan of the DVSP calls for the creation of a mixed-use node at the intersection of Reservation Road and California Avenue. This node, surrounded by the lower-intensity Transition district, would feature multistory mixed-use buildings with retail and commercial space on the ground floor and additional commercial space or residential uses on the floors above, similar to the types of development envisioned in the Core district. The mixed-use node would contribute to a vibrant, urban atmosphere.

The locations of the Downtown development zones are shown in Figure 2-5.

Design Guidelines

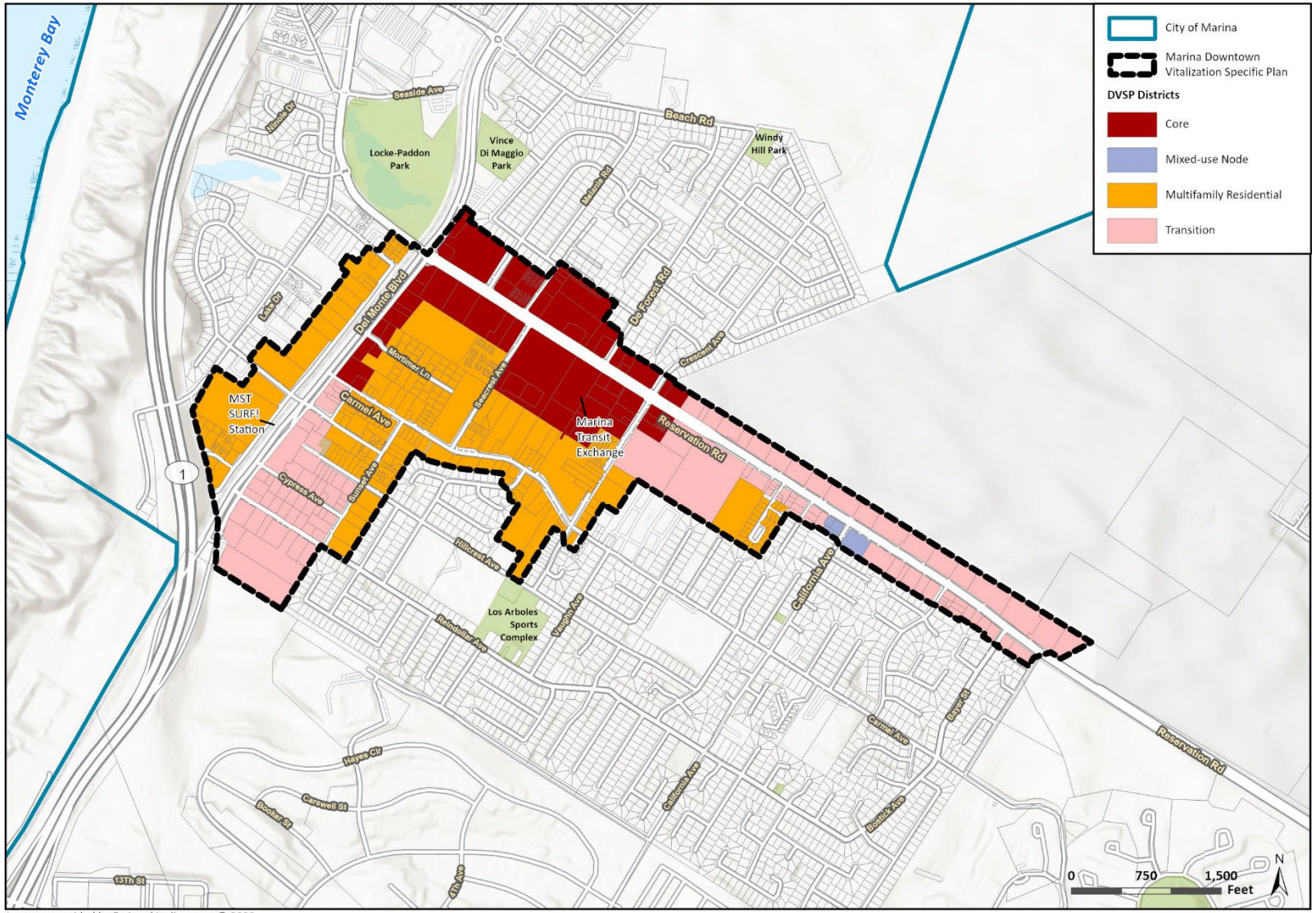
The DVSP would include a Development Code (Appendix A of the DVSP) and Design Guidelines (Appendix B of the DVSP) that provide objective design and development standards, intended to make the requirements that apply to certain eligible residential projects more predictable and easier to interpret. The purpose of the code and design guidelines is for development applications to know beforehand what requirements apply to a proposed development. The design and development standards outlined in the DVSP address design and planning characteristics, including:

- Building Location and Orientation
- Building Articulation, Massing, and Scale
- Architectural Elements
- Materials and Color
- Utility and Service Areas
- Circulation and Access
- Parking

Public Services

Future development projects in the Specific Plan area would be required to provide public improvements deemed necessary during the design process. The public right-of-way in the Specific Plan area encompasses 67 acres, or 21 percent of the total land area. The Specific Plan calls for the creation of smaller, more walkable blocks with mid-block crossings to increase access.

Figure 2-5 DVSP Zones



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Additional data provided by the City of Marina, 2023.

Wastewater

The City of Marina receives wastewater treatment from Monterey One Water (M1W), formerly the Monterey Water Pollution Control Agency, while maintenance of the wastewater collection system is overseen by the Marina Coast Water District (MCWD). Future development in the Specific Plan area would be serviced by the M1W Regional Wastewater Treatment Plant. The M1W Regional Treatment Plant, which is located two miles north of the City of Marina, has been designed to serve over 250,000 people (M1W 2019).

Water

Water for future development in the Specific Plan area would be provided by MCWD, which currently provides potable water to the City of Marina. The primary water sources for MCWD are wells tapping the deep aquifer of the Salinas Valley Groundwater Basin (MCWD 2019).

Storm Drainage

The City of Marina currently requires all non-residential development to retain storm water runoff on-site and infiltrate into the ground via open percolation ponds or subsurface infiltration facilities. All storm water runoff shall continue to be retained on-site and accommodated by localized retention basins unless the creation of such facilities would pose risks to the public. On-site storm facilities must include Best Management Practices (BMPs) in accordance with Regional Water Quality Control Board (RWQCB) recommendations. Residential development may utilize storm drain systems that terminate in an infiltration facility.

Gas/Electricity

Pacific Gas and Electric Company would provide natural gas service and electricity transmission, while Central Coast Community Energy (3CE) would supply electricity to the development in the Specific Plan area.

Mobility

The Specific Plan would strive to create a pedestrian-friendly Downtown core and would promote an active, engaged, human-oriented streetscape where the automobile is one of many modes to travel around Downtown. The DVSP calls for an investment in traffic calming measures, active transportation facilities and amenities, a holistic approach to parking management, and improved public transit service in Downtown. The DVSP would make several traffic improvements in the Downtown area, including clustering traffic signals in the Core district and constructing roundabouts at major intersections; implementation of protected bike lanes on Reservation Road; filling in gaps along incomplete sidewalks; narrowing vehicle travel lanes; and other improvements. The DVSP would also implement traffic calming measures to reduce vehicle speeds to promote a pedestrian-oriented environment.

2.7 Project Objectives

The DVSP builds on the goals and objectives established in the City of Marina General Plan and the relevant standards and regulations from the City's Municipal Code. The DVSP also implements elements of the City's Downtown Vision, Downtown Design Standards and Guidelines, and Pedestrian and Bicycle Master Plan. The objectives of the Plan are to:

- Establish a safe, walkable, and vibrant Downtown that attracts diverse business opportunities, encourages appropriate mixed uses, and integrates adjoining neighborhoods, parks, and trails.
- Provide a variety of affordable, high-quality housing options for people of all incomes, ages, abilities, races, and cultures to live in Downtown.
- Create an environment that attracts and sustains economic activity.
- Establish a Downtown with safe and efficient pedestrian and vehicular circulation that encourages alternative modes of transportation.

2.8 Other Public Agencies Whose Approval is Required

During the decision-making process, the City of Marina would utilize the information contained in the EIR for potential approval of the proposed Specific Plan. Although no permits would be required from other agencies to facilitate Specific Plan adoption, subsequent approvals and permits may be needed from local, regional, state, and federal agencies to allow future development under the Specific Plan, as identified below.

2.8.1 Specific Plan Approvals Required

Approval of the Specific Plan would require the following discretionary and ministerial approvals from the City of Marina:

- Marina Downtown Vitalization Specific Plan Approval
- General Plan Map and Text Amendment
- Zoning Map and Code Amendment

Approvals from other agencies:

- MCWD Water Supply Verification Report

2.8.2 Project -Level Approvals Required

Projects developed pursuant to the Specific Plan would require project-specific approvals from the City of Marina, including but not limited to:

- Review and approve all required permits, including grading and building permits

The following project-specific approvals from other agencies may be required:

- **RWQCB.** Issuance of RWQCB, Central Coast Region, National Pollutant Discharge Elimination System (NPDES) general permit under Section 402 of the Clean Water Act (CWA) for storm water drainage during construction activities for project sites exceeding one acre; and Section 401 Water Quality Certification if a project would impact the pond or riparian habitat.
- **California Department of Fish and Wildlife (CDFW).** Section 1600 Lake and Streambed Alteration Agreement if a project would impact the pond or riparian habitat.
- **US Army Corps of Engineers.** Section 404 Nationwide Permit if a project would impact the pond or riparian habitat.

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3 Environmental Setting

This section provides a general overview of the environmental setting for the proposed DVSP. More detailed descriptions of the environmental setting for each environmental issue area can be found in Section 4, *Environmental Impact Analysis*.

3.1 Regional and Plan Area Setting

The Specific Plan area is the downtown portion of the City of Marina. Marina is located in Monterey County, adjacent to Monterey Bay and along State Route (SR) 1, approximately nine miles north of the City of Monterey and 18 miles south of the City of Watsonville. Incorporated as a charter city in 1975, Marina has grown in population from 8,343 to an estimated 21,457 people (California Department of Finance 2022). The city encompasses approximately 9.8 square miles and extends for five miles along the Pacific Ocean, from former Fort Ord land and the California State University Monterey Bay (CSUMB) campus on the south, to the Salinas River on the north, and inland for four miles to the Marina Municipal Airport. The regional site location is shown on Figure 2-1 in Section 2, *Project Description*. The former Fort Ord Army Base, which was closed in 1994, is located to the west and south of Marina with a small area overlapping the southern portion of the city. The Specific Plan area does not include any former Fort Ord lands.

The Specific Plan area encompasses approximately 322 acres near the center of the City of Marina and, as shown on Figure 2-2, entails an irregular shape. The Specific Plan area is generally bounded:

- On the northeast by parcels along the north side of Reservation Road
- On the south by Reindollar Avenue and various residential north-south secondary roads, such as Sunset Avenue, Carmel Avenue, and Crescent Avenue
- On the east by Salinas Avenue
- On the northwest by Del Monte Boulevard, approximately 0.5 mile east of SR 1

The Specific Plan area is fully developed. However, much of the development is less dense and robust than a typical downtown area. Structures are one or two stories in height and landscaped or paved areas are present between most neighboring structures. The Specific Plan area does not include parks or substantial open space areas, but several parks are located just outside of the area, including Locke-Paddon Park, adjacent to the intersection of Del Monte Boulevard and Reservation Road to the northwest, Vince DiMaggio Park, immediately adjacent to Locke-Paddon Park across Del Monte Boulevard, and Marina City Park, approximately 0.3 mile east of Del Monte Boulevard. The Pacific Ocean is approximately 0.5 mile west of the Specific Plan area. Sand dunes line the western side of SR 1, with undeveloped coastline along the ocean west of the dunes.

3.2 Baseline and Cumulative Development

3.2.1 EIR Baseline

Section 15125 of the *California Environmental Quality Act (CEQA) Guidelines* states that an EIR "must include a description of the physical environmental conditions in the vicinity of the project" and that "…the lead agency should describe physical environmental conditions as they exist at the

time the notice of preparation is published[.]" Section 15125 states that this approach "normally constitute[s] the baseline physical conditions by which a lead agency determines whether an impact is significant."

This EIR evaluates impacts against existing conditions, which are generally conditions existing at the time of the release of the revised NOP (May 2023). It was determined that a comparison to current baseline conditions would provide the most relevant information for the public, responsible agencies and decision-makers.

3.2.2 Cumulative Project Setting

In addition to the specific impacts of individual projects, CEQA requires that EIRs consider potential cumulative impacts of the proposed DVSP. CEQA defines "cumulative impacts" as two or more individual impacts that, when considered together, are substantial or will compound other environmental impacts. Cumulative impacts are the combined changes in the environment that result from the incremental impact of development of the proposed project and other nearby projects. For example, transportation impacts of two nearby projects may be less than significant when analyzed separately but could have a significant impact when analyzed together. Cumulative impact analysis allows an EIR to provide a reasonable forecast of future environmental conditions and can more accurately gauge the effects of a series of projects.

CEQA requires cumulative impact analysis in EIRs to consider either a list of planned and pending projects that may contribute to cumulative effects or a forecast of future development potential. This EIR utilizes the list approach. Planned and pending projects in the Specific Plan area and near the Specific Plan area in Marina and unincorporated Monterey County are listed in Table 3-1. These projects are considered in the cumulative analyses in Section 4, *Environmental Impact Analysis*.

Table 3-1 Cumulative Projects List

Cumulative Project	Description	Project Status
City of Marina		
The Dunes on Monterey Bay	Mixed-use development with 1,237 dwelling units, over 300,000 square feet of retail, 500 hotel rooms, and office space.	Approved, under construction
Marina Station	The project includes a mixed-use development with 1,360 residential dwelling units to include approximately 887 single family lots and 473 multi-family units. Development will include approximately 60,000 square feet of retail space, 144,000 square feet of office space, and 652,000 square feet of business park/industrial uses.	Approved, pending construction
Sea Haven (formerly Marina Heights)	The project consists of development of a community with residences, parks, and trails. Community would consist of three neighborhoods for a total of 1,050 residential units.	Approved, under construction
Cypress Knolls Senior Residential	The project includes a senior residential community with active-adult housing, care services, senior community center, and supportive amenities and services on 188 acres.	Approved
3298 Del Monte Boulevard	The project includes demolition of 10 existing structures and construction of 94 new multi-family residential units on a partially developed 1.94-acre site.	Approved, pending construction
Veteran's Transition Center Supportive Housing	Three story, 71-unit permanent supportive housing building	Entitlements approved

Cumulative Project	Description	Project Status
Mosaic Apartments	Four story, 12-unit apartment building	Entitlements approved, building permit pending
Seacrest Apartments	Three story, 10-unit apartment building	Entitlements approved, building permit pending
Shores at Marina	Five story, 58-unit apartment building	Entitlements approved
Filiguera Apartments	Three story, 10-unit apartment building	Entitlements approved, building permit pending
Carmel Avenue Apartments	Two story, six-unit apartment building	Entitlements expired
Junsay Oaks Senior Housing	Three story, 47-unit apartment building	Certificate of Occupancy issued
Schulman Townhomes	Seven townhomes	Under construction
Monterey Peninsula Water Supply Project	Seven slant wells for Monterey Peninsula Water Supply Project	Permitted by California Coastal Commission
Imjin Parkway Widening & Roundabout Project	Widening of 1.7 miles of Imjin Parkway from 2 to 4 lanes and construction of four roundabouts	Construction underway
City of Seaside		
Campus Town Specific Plan	122 acres including 1,485 housing units; 250 hotel rooms; 75 youth hostel beds; 150,000 square feet of retail dining, and entertainment uses; up to 50,000 square feet of office, flex, or makerspace; park/recreation areas; and supporting infrastructure.	Specific Plan adopted and Final EIR certified in March 2020
Seaside Senior Living Project	Demolition of an existing 5,000 square foot structure and the development of two residential care facility buildings on a 5.5 acre lot	Demolition complete; construction not yet started
California State University – Monterey Bay		
California State University – Monterey Bay (CSUMB) 2022 Campus Master Plan	Land use planning effort to expand student and faculty housing, academic and administration facilities, a charter school, athletic facilities, and open space	Master Plan adopted and Final EIR certified in 2022
Former Fort Ord/Regional		
Fort Ord Courthouse	Three-story, 83,000 square foot courthouse and 280 parking spaces on 5-acre project site west of 2nd Avenue	Construction estimated to begin in May 2025
Monterey County		
Monterey Peninsula Water Supply Project	The project includes construction and operation of a 6.4 million gallons per day (MGD) Desalination Plant with sub-surface intake wells and related infrastructure improvements to convey source water to the Desalination Plant, deliver product water, and dispose of brine. The MPWSP is proposed to augment pumping from the Carmel River and Seaside Groundwater Basin and provide a replacement water supply. The proposed Desalination Plant would provide a replacement supply of 6.4 MGD or 6,252 acre-feet per year (AFY).	Permitted by California Coastal Commission
Expanded Pure Water Monterey	The project would include an expansion of capacity of the Pure Water Monterey Project,[1] the Advanced Water Purification Facility would be expanded from the current 5 MGD plant to up to 7.6 MGD maximum capacity plant to enable an increase in groundwater replenishment from 4 MGD to 7.6 MGD. The proposed improvements would provide a new supply of 2,250 acre-feet per year (AFY).	Pending construction

Cumulative Project	Description	Project Status
Fort Ord Dunes State Park Campground	The project involves construction and operation of a campground facility and associated infrastructure within Fort Ord Dunes State Park, including 45 RV sites and two host sites with electrical and water hookups, 10 hike/bike sites, and 43 tent sites; parking for 40 vehicles; restrooms with showers; a multi-purpose building; an outdoor campfire center; interpretation/viewing areas; renovated bunkers; an entrance station near the 1st Street underpass; modular structures; storage yard and maintenance shop; improved beach access/trails; one plumbed restroom with outdoor shower for beach use; a 200-foot wildlife/habitat corridor; internal campground trail network, trail improvements, and roadway improvements; and off-site utilities.	Approved, not built
Fort Ord Regional Trail and Greenway (FORTAG)	The FORTAG trail alignment includes new paved trails that would encircle the city of Marina and then continue into Seaside and Monterey. The primary segments within the city of Marina include the Northern Marina Segment, the Northern Loop Segment and the CSUMB Loop North Segment. The proposed trail alignment also includes several spurs that extend from the three loops to connect with existing bicycle/pedestrian infrastructure. One spur is located near the intersection of Salinas Avenue and Carmel Avenue, which is approximately one quarter mile southwest of the eastern end of the project area.	Conceptual Design Report and Final EIR completed in 2020; pending construction of first segment
Monterey-Salinas Transit SURF! Busway and Bus Rapid Transit Project	The project would construct approximately 6 linear miles of roadway for express busway service between the cities of Marina and Monterey. The route for the SURF! would begin at the Monterey-Salinas Transit Marina Transit Exchange at Reservation Road and De Forest Road and terminate at Contra Costa Street in Sand City.	Undergoing environmental review

[1] See description in Section 2.4.1, Water Supply Sources, for a description of the Pure Water Monterey project.

4 Environmental Impact Analysis

This section discusses the possible environmental effects of the Marina Downtown Vitalization Specific Plan for the specific issue areas that were identified through the scoping process as having the potential to experience significant effects. A "significant effect" as defined by the CEQA Guidelines Section 15382 as:

> a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment. A social or economic change related to a physical change may be considered in determining whether the physical change is significant.

Components of Environmental Analysis

The assessment of each issue area begins with a discussion of the environmental setting related to the issue, which is followed by the impact analysis. The environmental baseline generally describes the existing physical conditions within and in the vicinity of the Specific Plan area. Each environmental topic provides a description of the baseline physical conditions by which the City, as Lead Agency, determines whether an impact is significant. Additional details regarding the proposed project's baseline are included in Section 3 and in the individual resource sections in Section 4. The regulatory setting describes the Federal, State, regional, and local laws and regulations that will shape the way development occurs in the Specific Plan area.

In the impact analysis, the first subsection identifies the methodologies used and the "significance thresholds," which are those criteria adopted by the City to determine whether the proposed project's effects are significant. The next subsection describes each impact of the proposed DVSP, mitigation measures for significant impacts, and the level of significance after mitigation. Each effect under consideration for an issue area is separately listed in bold text with the discussion of the effect and its significance. Each bolded impact statement also contains a statement of the significance determination for the environmental impact as follows:

- **Significant and Unavoidable**. An impact that cannot be reduced to below the threshold level given reasonably available and feasible mitigation measures.
- **Less than Significant with Mitigation Incorporated**. An impact that can be reduced to below the threshold level given reasonably available and feasible mitigation measures.
- **Less than Significant**. An impact that may be adverse but does not exceed the threshold levels and does not require mitigation measures.
- **No Impact or Beneficial.** A finding of no impact is made when the analysis concludes that the proposed project would not affect the particular environmental resource or issue. A beneficial impact is an effect that would reduce existing environmental problems or hazards.

Following each environmental impact discussion is a list of mitigation measures (if required) and the residual effects or level of significance remaining after implementation of the measure(s). The decision to adopt and incorporate a mitigation measure will be made by the decision-makers; consequently, if a recommended mitigation measure is not adopted, impacts associated with such measures would remain significant and unavoidable. In cases where the mitigation measure for an

impact could have a significant environmental impact in another issue area, this impact is discussed and evaluated as a secondary impact. The impact analysis concludes with a discussion of cumulative effects, which evaluates the impacts associated with the proposed DVSP in conjunction with other planned and pending developments in the area listed in Section 3, *Environmental Setting*.

The Executive Summary of this EIR summarizes all impacts and mitigation measures that apply to the proposed DVSP.

4.1 Air Quality

This section analyzes air quality-related impacts associated with development facilitated by the Marina Downtown Vitalization Specific Plan, including temporary air quality impacts relating to construction activity and long-term air quality impacts from operation. Construction and operational emissions associated with DVSP buildout were calculated using the California Emissions Estimator Model (CalEEMod), version 2022.1. Results were compared to Monterey Bay Air Resources District (MBARD) thresholds.

4.1.1 Setting

a. Climate and Topography

Air quality is affected by the rate and location of pollutant emissions and by climatic conditions that influence the movement and dispersion of pollutants. Atmospheric conditions, such as wind speed, wind direction, and air temperature gradients, along with local and regional topography, influence the relationship between air pollutant emissions and air quality.

The Specific Plan area is in the North Central Coast Air Basin (NCCAB) that is comprised of Monterey, Santa Cruz, and San Benito counties. The climate is dominated by a semi-permanent high-pressure cell over the Pacific Ocean. In the summer, the dominant high-pressure cell results in persistent west and northwest winds across the majority of coastal California. As air descends in the Pacific high-pressure cell, a stable temperature inversion is formed. As temperatures increase, the warmer air aloft expands, forcing the coastal layer of air to move onshore and producing a moderate sea breeze over the coastal plains and valleys. Temperature inversions inhibit vertical air movement and often result in increased transport of air pollutants to inland receptor areas.

In the winter, when the high-pressure cell is weakest and farthest south, the inversion associated with the Pacific high-pressure cell is typically absent in the NCCAB. Air frequently flows in a southeasterly direction out of the Salinas and San Benito valleys. The predominant offshore flow during this time of year tends to aid in pollutant dispersal, producing relatively healthful to moderate air quality throughout most of the region. Conditions during this time are often characterized by afternoon and evening land breezes and occasional rainstorms. However, local inversions caused by the cooling of air close to the ground can form in some areas during the evening and early morning hours.

The maximum average daily temperature near the DVSP area (City of Monterey) is approximately 68.3 degrees Fahrenheit (°F), and the minimum average daily temperature for the year is approximately 42.3°F. Total precipitation for the area including the DVSP area averages approximately 17.01 inches annually (National Oceanic and Atmosphere Administration 2023).

b. Pollutants and Air Quality

Primary criteria pollutants are emitted directly from a source (e.g., vehicle tailpipe, an exhaust stack of a factory, etc.) into the atmosphere. Primary criteria pollutants include carbon monoxide (CO), nitrogen dioxide (NO_2), fine particulate matter (PM_{10} and $PM_{2.5}$), sulfur dioxide (SO_2), and lead (Pb). Ozone (O_3) is considered a secondary criteria pollutant because it is created by atmospheric chemical and photochemical reactions between reactive organic gases (ROG) and nitrogen oxides (NO_X). The DVSP would generate CO, PM_{10}, $PM_{2.5}$, SO_2, and Pb as well as ozone precursors ROG and NO_X (including NO_2) during construction and operation. These pollutants can have adverse impacts

on human health at certain levels of exposure. The following subsections describe the characteristics, sources, and health and atmospheric effects of air pollutants.

Ozone

Ozone (O_3) is a highly oxidative unstable gas produced by a photochemical reaction (triggered by sunlight) between nitrogen oxides (NO_X) and ROG/volatile organic compounds (VOC).[1] VOC is composed of non-methane hydrocarbons (with specific exclusions), and NO_X is composed of different chemical combinations of nitrogen and oxygen, mainly nitric oxide and NO_2. NO_X is formed during the combustion of fuels, while ROG is formed during the combustion and evaporation of organic solvents. As a highly reactive molecule, O_3 readily combines with many different atmosphere components. Consequently, high O_3 levels tend to exist only while high VOC and NO_X levels are present to sustain the O_3 formation process. Once the precursors have been depleted, O_3 levels rapidly decline. Because these reactions occur on a regional rather than local scale, O_3 is considered a regional pollutant. In addition, because O_3 requires sunlight to form, it mainly occurs in concentrations considered serious between April and October. Groups most sensitive to O_3 include children, the elderly, people with respiratory disorders, and people who exercise strenuously outdoors (United States Environmental Protection Agency [USEPA 2022a]). Depending on the level of exposure, O_3 can cause coughing and a sore or scratch throat; make it more difficult to breathe deeply and vigorously and cause pain when taking a deep breath; inflame and damage the airways; make the lungs more susceptible to infection; and aggravate lung diseases such as asthma, emphysema, and chronic bronchitis.

Carbon Monoxide

Carbon monoxide (CO) is a localized pollutant found in high concentrations only near its source. The primary source of CO, a colorless, odorless, poisonous gas, is automobile traffic's incomplete combustion of petroleum fuels. Therefore, elevated concentrations are usually only found near areas of high traffic volumes. Other sources of CO include the incomplete combustion of petroleum fuels at power plants and fuel combustion from wood stoves and fireplaces throughout the year. When CO levels are elevated outdoors, they can be of particular concern for people with some types of heart disease. These people already have a reduced ability to get oxygenated blood to their hearts in situations where they need more oxygen than usual. As a result, they are especially vulnerable to the effects of CO when exercising or under increased stress. In these situations, short-term exposure to elevated CO may result in reduced oxygen to the heart accompanied by chest pain, also known as angina (USEPA 2022b).

Nitrogen Dioxide

Nitrogen dioxide (NO_2) is a by-product of fuel combustion. The primary sources are motor vehicles and industrial boilers, and furnaces. The principal form of NO_x produced by combustion is nitric oxide (NO), but NO reacts rapidly to form NO_2, creating the mixture of NO and NO_2, commonly called NO_x. NO_2 is a reactive, oxidizing gas and an acute irritant capable of damaging cell linings in the respiratory tract. Breathing air with a high concentration of NO_2 can irritate airways in the human respiratory system. Such exposures over short periods can aggravate respiratory diseases leading to respiratory symptoms (such as coughing, wheezing, or difficulty breathing), hospital

[1] CARB defines VOC and ROG similarly as, "any compound of carbon excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate," with the exception that VOC are compounds that participate in atmospheric photochemical reactions. For the purposes of this analysis, ROG and VOC are considered comparable in terms of mass emissions, and the term VOC is used in this report.

admissions, and visits to emergency rooms. Longer exposures to elevated concentrations of NO_2 may contribute to the development of asthma and potentially increase susceptibility to respiratory infections. People with asthma, such as children and the elderly are generally at greater risk for the health effects of NO_2 (USEPA 2022c). NO_2 absorbs blue light and causes a reddish-brown cast to the atmosphere and reduced visibility. It can also contribute to the formation of O_3/smog and acid rain.

Sulfur Dioxide

Sulfur dioxide (SO_2) is included in a group of highly reactive gases known as "oxides of sulfur." The largest sources of SO_2 emissions are from fossil fuel combustion at power plants (73 percent) and other industrial facilities (20 percent). Smaller sources of SO_2 emissions include industrial processes such as extracting metal from ore and burning fuels with a high sulfur content by locomotives, large ships, and off-road equipment. Short-term exposures to SO_2 can harm the human respiratory system and make breathing difficult. People with asthma, particularly children, are sensitive to these effects of SO_2 (USEPA 2023a).

Particulate Matter

Suspended atmospheric PM_{10} and $PM_{2.5}$ are comprised of finely divided solids and liquids such as dust, soot, aerosols, fumes, and mists. Both PM_{10} and $PM_{2.5}$ are emitted into the atmosphere as by-products of fuel combustion and wind erosion of soil and unpaved roads. The atmosphere, through chemical reactions, can form particulate matter. The characteristics, sources, and potential health effects of PM_{10} and $PM_{2.5}$ can be very different. PM_{10} is generally associated with dust mobilized by wind and vehicles. In contrast, $PM_{2.5}$ is generally associated with combustion processes and formation in the atmosphere as a secondary pollutant through chemical reactions. PM_{10} can cause increased respiratory disease, lung damage, cancer, premature death, reduced visibility, surface soiling. For $PM_{2.5}$, short-term exposures (up to 24-hours duration) have been associated with premature mortality, increased hospital admissions for heart or lung causes, acute and chronic bronchitis, asthma attacks, emergency room visits, respiratory symptoms, and restricted activity days. These adverse health effects have been reported primarily in infants, children, and older adults with preexisting heart or lung diseases (California Air Resource Board [CARB] 2023a]).

Lead

Lead (Pb) is a metal found naturally in the environment, as well as in manufacturing products. The major sources of lead emissions historically have been mobile and industrial. However, due to the USEPA's regulatory efforts to remove lead from gasoline, atmospheric Pb concentrations have declined substantially over the past several decades. The most dramatic reductions in Pb emissions occurred before 1990 due to the removal of Pb from gasoline sold for most highway vehicles. Pb emissions were further reduced substantially between 1990 and 2008, with reductions occurring in the metals industries at least partly due to national emissions standards for hazardous air pollutants (USEPA 2013). As a result of phasing out leaded gasoline, metal processing is currently the primary source of Pb emissions. The highest Pb level in the air is generally found near Pb smelters. Other stationary sources include waste incinerators, utilities, and Pb-acid battery manufacturers. Pb can adversely affect the nervous system, kidney function, immune system, reproductive and developmental systems, and cardiovascular system depending on exposure. Pb exposure also affects the oxygen-carrying capacity of the blood. The Pb effects most likely encountered in current populations are neurological in children. Infants and young children are susceptible to Pb exposures, contributing to behavioral problems, learning deficits, and lowered IQ (USEPA 2022d).

Current Air Quality

The DVSP is located in the City of Marina which is under the jurisdiction of MBARD. MBARD is responsible for achieving and maintaining the State and Federal Ambient Air Quality Standards (AAQS) within its jurisdiction. MBARD operates a network of air quality monitoring stations throughout the NCCAB. The monitoring stations aim to measure ambient concentrations of pollutants and determine whether ambient air quality meets the state and federal standards. The monitoring station closest to the DVSP area is the Salinas #3 located at 867 E. Laurel Drive in Salinas, approximately seven miles west of the DVSP area. This station measures 8-hour O_3, hourly O_3, $PM_{2.5}$, NO_2, and CO. There is no representative data near the DVSP area for PM_{10}. Table 4.1-1 indicates the number of days each federal and state standard exceeded at the Salinas #3 air monitoring station. As shown therein, $PM_{2.5}$ measurements exceeded federal $PM_{2.5}$ standards in 2019 and 2020. In addition, CO measurements exceeded the federal worst hour standard in 2019. No other state or federal standards were exceeded at these air monitoring stations. SO_2 is not monitored within the NCCAB; therefore, it is not reported in the analysis.

Table 4.1-1 Ambient Air Quality Data

Pollutant	2019	2020	2021
Ozone (ppm), Worst Hour	0.072	0.073	0.064
Number of days of state exceedances (>0.09 ppm)	0	0	0
Number of days of federal exceedances (>0.12 ppm)	0	0	0
Ozone (ppm), 8-Hour Average[1]	0.063	0.057	0.057
Number of days of state and federal exceedances (>0.07 ppm)	0	0	0
Carbon Monoxide (ppm), Worst-Hour[2]	35	1.6	7.5
Number of days of state exceedances (>20.0 ppm)	1	0	0
NO_2 (ppm), Worst Hour	0.030	0.032	0.027
Number of days of state exceedances (>0.18 ppm)	0	0	0
Number of days of federal exceedances (>0.10 ppm)	0	0	0
$PM_{2.5}$ ($\mu g/m^3$), Worst 24 Hours	53.0	87.0	19.7
Number of days of federal exceedances (>35 $\mu g/m^3$)	1	9	0

ppm= parts per million, $\mu g/m^3$ = microgram per cubic meter, NO_2= nitrogen dioxide, PM_{10}= particulate matter with 10 microns in diameter or less, $PM_{2.5}$ = particulate matter with 2.5 microns in diameter or less.

Source: CARB 2023b

Sensitive Receptors

Ambient air quality standards have been established to represent the levels of air quality considered sufficient, with a margin of safety, to protect public health and welfare. They are designed to protect that segment of the public most susceptible to respiratory distress, such as children under 14, the elderly over 65, people engaged in strenuous work or exercise, and people with cardiovascular and chronic respiratory diseases. According to MBARD, all residences, education centers, daycare facilities, and health care facilities are considered sensitive receptors (MBARD 2008). Sensitive receptors nearest to the DVSP area consist of residences, schools, and nursing homes, which are located within and near the surrounding Specific Plan area.

4.1.2 Regulatory Setting

The federal and state governments have authority under the federal and state Clean Air Acts (CAA) to regulate emissions of airborne pollutants and have established ambient air quality standards (AAQS) for the protection of public health. An air quality standard is defined as "the maximum amount of a pollutant averaged over a specified period of time that can be present in outdoor air without harming public health" (CARB 2023c). The USEPA is the federal agency designated to administer air quality regulation, while CARB is the state equivalent in California. Federal and state AAQS have been established for six criteria pollutants: O_3, CO, NO_2, SO_2, $PM_{10,}$ $PM_{2.5}$, and Pb. AAQS are designed to protect those segments of the public most susceptible to respiratory distress, such as children under the age of 14, the elderly (over the age of 65), persons engaged in strenuous work or exercise, and people with cardiovascular and chronic respiratory diseases (USEPA 2023c). In addition, the state of California has established health-based ambient air quality standards for these and other pollutants, some of which are more stringent than the federal standards (CARB 2023d). The federal and state CAA are described in more detail below.

a. Federal Regulations

The CAA was enacted in 1970 and amended in 1977 and 1990 [42 United States Code (USC) 7401] for the purposes of protecting and enhancing the quality of the nation's air resources to benefit public health, welfare, and productivity. In 1971, to achieve the purposes of Section 109 of the CAA [42 USC 7409], the USEPA developed primary and secondary National Ambient Air Quality Standards (NAAQS).

The primary NAAQS "in the judgment of the Administrator[2], based on such criteria and allowing an adequate margin of safety, are requisite to protect the public health," and the secondary standards are to "protect the public welfare from any known or anticipated adverse effects associated with the presence of such air pollutant in the ambient air" [42 USC 7409(b)(2)]. The USEPA classifies specific geographic areas as either "attainment" or "nonattainment" areas for each pollutant based on the comparison of measured data with the NAAQS. States are required to adopt enforceable plans, known as a State Implementation Plan (SIP), to achieve and maintain air quality meeting the NAAQS. State plans also must control emissions that drift across state lines and harm air quality in downwind states. Table 4.1-2 lists the current federal standards for regulated pollutants.

[2] The term "Administrator" means the Administrator of the USEPA.

Table 4.1-2 Federal and State Ambient Air Quality Standards

Pollutant	NAAQS	CAAQS
Ozone	0.070 ppm (8-hr avg)	0.09 ppm (1-hr avg) 0.070 ppm (8-hr avg)
Carbon Monoxide	35.0 ppm (1-hr avg) 9.0 ppm (8-hr avg)	20.0 ppm (1-hr avg) 9.0 ppm (8-hr avg)
Nitrogen Dioxide	0.100 ppm (1-hr avg) 0.053 ppm (annual avg)	0.18 ppm (1-hr avg) 0.030 ppm (annual avg)
Sulfur Dioxide	0.075 ppm (1-hr avg) 0.5 ppm (3-hr avg) 0.14 ppm (24-hr avg) 0.030 ppm (annual avg)	0.25 ppm (1-hr avg) 0.04 ppm (24-hr avg)
Lead	0.15 μg/m^3 (rolling 3-month avg) 1.5 μg/m^3 (calendar quarter)	1.5 μg/m^3 (30-day avg)
Particulate Matter (PM_{10})	150 μg/m^3 (24-hr avg)	50 μg/m^3 (24-hr avg) 20 μg/m^3 (annual avg)
Particulate Matter ($PM_{2.5}$)	35 μg/m^3 (24-hr avg) 12 μg/m^3 (annual avg)	12 μg/m^3 (annual avg)
Visibility-Reducing Particles	No Federal Standards	Extinction coefficient of 0.23 per kilometer – visibility of ten miles or more (0.07 - 30 miles or more for Lake Tahoe) due to particles when relative humidity is less than 70 percent. Method: Beta Attenuation and Transmittance through Filter Tape. (8-hr avg)
Sulfates	No Federal Standards	25 μg/m^3 (24-hr avg)
Hydrogen Sulfide	No Federal Standards	0.03 ppm (1-hr avg)
Vinyl Chloride	No Federal Standards	0.01 ppm (24-hr avg)

NAAQS = National Ambient Air Quality Standards; CAAQS = California Ambient Air Quality Standards; ppm = parts per million; avg = average; μg/m^3 = micrograms per cubic meter

Source: CARB 2016

To derive the NAAQS, the USEPA reviews data from integrated science assessments and risk/exposure assessments to determine the ambient pollutant concentrations at which human health impacts occur, then reduces these concentrations to establish a margin of safety (USEPA 2022e). As a result, human health impacts caused by the air pollutants discussed above may affect people when ambient air pollutant concentrations are at or above the concentrations established by the NAAQS. The closer a region is to attaining a particular NAAQS, the lower the human health impact is from that pollutant (San Joaquin Valley Air Pollution Control District 2015). Accordingly, ambient air pollutant concentrations below the NAAQS are considered protective of human health (CARB 2023c and 2023d). The NAAQS and the underlying science that forms the basis of the NAAQS are reviewed every five years to determine whether updates are necessary to continue protecting public health with an adequate margin of safety (USEPA 2015).

b. State Regulations

The California Clean Air Act (CCAA) was enacted in 1988 (California Health & Safety Code (H&SC) §39000 et seq.). Under the CCAA, the state has developed the California Ambient Air Quality Standards (CAAQS), which are generally more stringent than the NAAQS. Table 4.1-2 lists the current state standards for regulated pollutants. In addition to the federal criteria pollutants, the CAAQS also specify standards for visibility-reducing particles, sulfates, hydrogen sulfide, and vinyl

chloride. Similar to the federal CAA, the CCAA classifies specific geographic areas as either "attainment" or "nonattainment" areas for each pollutant, based on the comparison of measured data within the CAAQS.

State Implementation Plan

The SIP is a collection of documents that set forth the state's strategies for achieving the AAQS. In California, the SIP is a compilation of new and previously submitted plans, programs (such as monitoring, modeling, and permitting), district rules, state regulations, and federal controls. CARB is the lead agency for all purposes related to the SIP under state law. Local air districts and other agencies, such as the Department of Pesticide Regulation and the Bureau of Automotive Repair, prepare SIP elements and submit them to CARB for review and approval. CARB then forwards SIP revisions to the USEPA for approval and publication in the Federal Register. The items included in the California SIP are listed in the Code of Federal Regulations at 40 Code of Federal Regulations 52.220.

The MBARD 2012-2015 Air Quality Management Plan (2015 AQMP) is the SIP for Monterey County. The 2015 AQMP accommodate growth by projecting the growth in emissions based on different indicators. For example, population forecasts adopted by NCCAB are used to forecast population-related emissions. Through the planning process, emissions growth is offset by basin-wide controls on stationary, area, and transportation sources of air pollution.

California Code of Regulations

The California Code of Regulations is the official compilation and publication of the regulations adopted, amended or repealed by state agencies pursuant to the Administrative Procedure Act. They are compiled into Titles and organized into Divisions containing the regulations of state agencies. The following California Code of Regulations would be applicable to future development facilitated by the DVSP:

- **Engine Idling.** In accordance with Section 2485 of Title 13 of the California Code of Regulations, the idling of all diesel-fueled commercial vehicles (weighing over 10,000 pounds) during construction shall be limited to five minutes at any location.
- **Emission Standards.** In accordance with Section 93115 of Title 17 of the California Code of Regulations, operation of any stationary, diesel-fueled, compression-ignition engines shall meet specified fuel and fuel additive requirements and emission standards.

NAAQS and CAAQS Attainment Status

California is divided geographically into 15 air basins for managing the air resources of the state on a regional basis. Areas within each air basin are considered to share the same air masses and, therefore, are expected to have similar ambient air quality. If an air basin is not in either federal or state attainment for a particular pollutant, the basin is classified as a nonattainment area for that pollutant. Under the federal and state CAA, once a nonattainment area has achieved the air quality standards for a particular pollutant, it may be redesignated to an attainment area for that pollutant. To be redesignated, the area must meet air quality standards and have a 10-year plan for continuing to meet and maintain air quality standards, as well as satisfy other requirements of the federal CAA. Areas that have been redesignated to attainment are called maintenance areas.

The NCCAB is designated as nonattainment for the state PM_{10} (particulate matter measuring 10 microns in diameter or less) standard and nonattainment-transitional for the state one-hour and

eight-hour ozone standards The NCCAB is in attainment or unclassified for all other federal and state standards (MBARD 2017).

c. Local Regulations

Monterey Bay Air Resources District

MBARD is the agency primarily responsible for ensuring that federal and CAAQS are not exceeded and that air quality conditions are maintained in the NCCAB, within which the DVSP area is located. MBARD responsibilities include, but are not limited to: preparing plans for the attainment of ambient air quality standards, adopting and enforcing rules and regulations concerning sources of air pollution, issuing permits for stationary sources of air pollution, inspecting stationary sources of air pollution and responding to citizen complaints, monitoring ambient air quality and meteorological conditions, and implementing programs and regulations required by the federal CAA and the California Clean Air Act. The most recent AQMP for the Monterey Bay region was adopted in March 2017. To achieve NAAQS and CAAQS and maintain air quality, MBARD has most recently completed the AQMP for achieving the state O_3 standards and maintaining federal O_3 standards.

To achieve and maintain ambient air quality standards, MBARD has adopted various rules and regulations for the control of airborne pollutants. MBARD rules and regulations that are applicable to the DVSP include, but are not limited to, the following:

- **Rule 400 (Visible Emissions).** Discharge of visible air pollutant emissions into the atmosphere from any emission source for a period or periods aggregating more than three minutes in any one hour, as observed using an appropriate test method, is prohibited.
- **Rule 402 (Nuisances).** No person shall discharge from any source whatsoever such quantities of air contaminants or other materials which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; or which endanger the comfort, repose, health, or safety of any such persons or the public; or which cause, or have a natural tendency to cause, injury or damage to business or property.
- **Rule 425 (Use of Cutback Asphalt).** The use of cutback asphalt (asphalt cement that has been blended with petroleum solvents) and emulsified asphalt (an emulsion of asphalt cement and water with a small amount of emulsifying agent) is restricted in order to limit volatile organic compound (VOC) emissions. Rule 425 prohibits the use of rapid cure asphalt, restricts the use of medium cure asphalt to November through March, and limits the content of total distillate in slow cure asphalt and petroleum solvents in emulsified asphalt.
- **Rule 426 (Architectural Coatings).** This rule limits the emissions of volatile organic compounds (VOC) from the use of architectural coatings and sets VOC content limits for a variety of coating categories, including flat, nonflat, nonflat – high gloss, and specialty coatings. Specifically, Rule 426 limits the VOC content of flat coatings to 50 grams per liter and nonflat coatings to 100 grams per liter. Persons are prohibited from manufacturing, blending, repackaging for use, supplying, selling, soliciting, or applying architectural coatings that exceed these limits.
- **Rule 439 (Building Removals).** This rule limits particulate emissions from the removal of buildings by prohibiting all visible emissions from building removal. To achieve compliance with this standard, Rule 439 requires work practice standards, including wetting the structure prior to removal, demolishing the structure inward toward the building pad, and prohibiting the commencement of removal activities when peak wind speeds exceed 15 miles per hour.

- **Rule 1000 (Permit Guidelines and Requirements for Sources Emitting Toxic Air Contaminants)**: This rule regulates toxic air contaminants (TACs) from new or modified stationary sources that have the potential to emit carcinogenic or noncarcinogenic TACs. Rule 1000 requires sources of carcinogenic TACs to install best control technology and reduce cancer risk to less than one incident per 100,000 persons. Sources of noncarcinogenic TACs must apply reasonable control technology (MBARD 2008).

Air Quality Management Plan

The AQMP was adopted initially in 1991 and updated in 1994, 1997, 2000, 2004, 2008, 2012 and most recently in March 2017 as the 2012-2015 AQMP (MBARD 2017). Each iteration of the AQMP is an update of the previous AQMP and has a 20-year horizon. The pollutants addressed in the AQMP are volatile organic compounds (VOCs) and NO_X, precursors to the photochemical formation of O_3 (the primary component of smog). The AQMP identifies feasible emission control measures to provide progress in Monterey, Santa Cruz, and San Benito counties toward attaining the state O_3 standard. The AQMP discusses MBARD's efforts for achieving the state 8-hour O_3 requirement as the region has already attained the 1-hour standard. The AQMP includes an updated air quality trends analysis, which reflects the 8-hour standard, as well as an updated emission inventory, which includes the latest information on stationary, area, and mobile emission sources.

City of Marina General Plan

The Marina General Plan is a statement of what the residents of Marina believe to be in the best interest of their community. Its primary purpose is to permit them to consciously consider and determine their future. Thus, the plan serves as a response to present problems, a framework for achieving future potentialities, and a means to conserve what is generally valued. The following policies relevant to air quality that are applicable to the DVSP include:

Community Land Use Element

2.31 **Housing Policies.** It is the City of Marina's intent to promote construction of new housing that is environmentally and socially responsible and that adheres to the following policies:

10. New housing shall be built to development and construction standards that conserve water and energy.

Community Infrastructure Element

3.3 **Primary Policies.** The intent of the General Plan Transportation and Infrastructure Element is to ensure that the requirements for transportation, water supply, wastewater collection and treatment, storm water drainage, and solid waste disposal generated by existing and future development are adequately provided for. It is also the intent of this section to ensure, to the maximum extent possible, that the provision of such services does not have a deleterious effect on either natural resources or the quality of life of residents of Marina or other potentially affected areas. The major concerns of this section are outlined below:

6. Protect existing and future residential areas from through-traffic that creates safety, noise, and air pollution problems.

4.1.3 Impact Analysis

a. Significance Thresholds and Methodology

The analysis of the DVSP's air quality impacts follows the guidance and methodologies recommended in the MBARD CEQA Air Quality Guidelines (2008) as well as Appendix G of the CEQA Guidelines.

According to Appendix G of the CEQA Guidelines, impacts related to air quality from the proposed DVSP would be significant if the DVSP would:

1. Conflict with or obstruct implementation of the applicable air quality plan.
2. 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.
3. Expose sensitive receptors to substantial pollutant concentrations.
4. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

The CEQA Guidelines further state that the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the determinations above.

The significance thresholds listed above are those from Appendix G of the CEQA Guidelines that were determined in the Initial Study to result in potentially significant impacts with implementation of the DVSP and are therefore addressed in detail in this EIR. Thresholds 1, 2, 3, and 4 above are checklist questions a., b., c., and d., respectively, from Section III (3) of Appendix G of the CEQA Guidelines. The Initial Study (Appendix A) prepared for the proposed DVSP found impacts under checklist questions, a., c., and d., including impacts related to conflicts with an applicable air quality plan, exposure of sensitive receptors to substantial pollutant concentrations, and other emissions such as those leading to odors to be less than significant. Therefore, Thresholds 1, 3, and 4 are not studied further in this section.

MBARD Thresholds of Significance

MBARD has issued criteria for determining the level of significance for project-specific impacts within its jurisdiction. Based on criteria set forth in the MBARD CEQA Air Quality Guidelines (MBARD Guidelines), the DVSP's impacts on criteria air pollution would be significant if DVSP buildout would result in air pollutant emissions during construction or operation that exceed the thresholds in Table 4.1-3.

Table 4.1-3 Air Quality Thresholds of Significance

Pollutant	Source	Threshold of Significance
Construction Impacts		
PM_{10}	Direct	82 lbs./day[1]
Operational Impacts		
VOC	Direct and Indirect	137 lbs./day
NO_X	Direct and Indirect	137 lbs./day
PM_{10}	On-site	82 lbs./day[2]
CO	N/A	LOS at intersection/road segment degrades from D or better to E or F or V/C ratio at intersection/road segment at LOS E or F increases by 0.05 or more or delay at intersection at LOS E or F increases by 10 seconds or more or reserve capacity at unsignalized intersection at LOS E or F decreases by 50 or more.
	Direct	550 lbs./day[3]
SO_X, as SO_2	Direct	150 lbs./day

Notes: lbs./day = pounds per day; PM_{10} = particulate matter with a diameter of 10 micrometers or less; VOC = volatile organic compounds (also referred to as ROG, or reactive organic gases); NO_X = oxides of nitrogen; CO = carbon monoxide; SO_X = oxides of sulfur; SO_2 = sulfur dioxide

[1] This threshold only applies if construction is located nearby or upwind of sensitive receptors. In addition, a significant air quality impact related to PM_{10} emissions may occur if a project uses equipment that is not "typical construction equipment" as specified in Section 5.3 of the MBARD Guidelines.

[2] The District's operational PM_{10} threshold of significance applies only to on-site emissions, such as project-related exceedances along unpaved roads. These impacts are generally less than significant. For large development projects, almost all travel is on paved roads, and entrained road dust from vehicular travel can exceed the significance threshold.

[3] Modeling should be undertaken to determine if the DVSP would cause or substantially contribute (550 lbs./day) to exceedance of CO ambient air quality standards (AAQS). If not, the DVSP would not have a significant impact.

Source: MBARD 2008

Methodology

The analysis of air quality impacts conforms to the methodologies recommended in MBARD's CEQA Air Quality Guidelines. Construction and operational emissions associated with buildout of the DVSP were calculated using the California Emissions Estimator Model (CalEEMod) version 2022.1. CalEEMod was developed for use throughout the state in estimating construction, operational, and mobile-source emissions.

The NCCAB is designated as nonattainment for the state PM_{10} standard and nonattainment-transitional for the state one-hour and eight-hour ozone standards, but is in attainment/unclassified for all other federal and state standards (MBARD 2017).[3] Therefore, this analysis focuses on air quality impacts related to those criteria pollutants for which the Specific Plan area region is nonattainment, which are ozone and PM_{10}.

Construction

Construction activities associated with buildout of the DVSP would include demolition of existing structures, site preparation and grading, building construction, installation of wet and dry utilities as needed, construction of roadway improvements, and architectural coating. These activities would

[3] The nonattainment-transitional area designation for ozone is defined by California Health and Safety Code Section 40925.5 as a nonattainment area in which air quality data show three or fewer exceedances of the state standard at each monitoring site in the area during the most recent calendar year.

generate diesel emissions and dust. Construction equipment that would generate criteria pollutants would include, but would not be limited to, excavators, graders, haul trucks, and loaders. It is assumed that all construction equipment used would be diesel-powered. Construction equipment and duration of each phase were based on CalEEMod defaults, which are shown in Section 3, *Construction Detail*, of the modeling outputs in Appendix B. The default start dates for each construction phase were adjusted so that all phases (i.e., demolition, site preparation, grading, building construction, paving, and architectural coating) would occur simultaneously in order to estimate impacts conservatively. Given that buildout of the DVSP would primarily result in redevelopment activities and would not include subterranean parking structures, it is assumed that soil material import and export would be minimal. Therefore, construction emissions modeling does not account for haul truck trips for soil material import and export.

As discussed in Section 2, *Project Description*, the DVSP has a planning horizon year of 2040. Therefore, buildout of the DVSP would occur intermittently over approximately 20 years with full buildout estimated to occur in 2040. Construction activity and associated emissions of ozone precursors (VOC and NO_X) and dust (PM_{10}) would occur periodically during construction over the planning period. The DVSP would allow for the development of 2,904 new residential units and 2,391,000 square feet of retail and office space.

It is expected that some demolition would occur to accommodate new uses; however, the quantity of building square footage that would be demolished as part of buildout of the DVSP is unknown at this time. In general, many uses would be anticipated to remain. For a conservative analysis, it was assumed that approximately half of the existing residential units (i.e., 1,151 units, assuming each unit is 1,000 square feet based on CalEEMod defaults) and approximately half of the existing retail and office space (i.e., 502,879 square feet) would be demolished to accommodate redevelopment. Additionally, the exact timing and intensity of construction activities facilitated by the DVSP is unknown at this time, given that the pace of future development would largely be determined by market forces. Therefore, construction emissions were calculated using CalEEMod defaults to estimate a reasonable, conservative scenario.[4] This analysis assumes that future development pursuant to the DVSP would be required to comply with all applicable regulatory standards, including the operative CALGreen Code, MBARD Rule 426 (Architectural Coatings), and all other applicable MBARD rules. The requirements of Rule 426 were added as "mitigation"[5] in CalEEMod by including the use of low-VOC flat paint (50 grams per liter [g/L]).

Operation

Operational emissions were estimated for the net increase in development under the DVSP, which is summarized in Section 2, *Project Description*. For this analysis, it is assumed that the DVSP has a planning horizon of 2040, and that buildout would occur intermittently over the planning period with full buildout estimated to occur in 2040. As a result, this analysis reasonably assumes that most or all development facilitated by the DVSP would be operational by 2040 and therefore uses a buildout year of 2040 for the purposes of calculating operational emissions. Operational emissions would be comprised of mobile source emissions, energy emissions, and area source emissions. Area source emissions are generated by landscape maintenance equipment, consumer products, and

[4] As mentioned under *Methodology*, the default start dates for each construction phase were adjusted so that all phases (i.e., demolition, site preparation, grading, building construction, paving, and architectural coating) would occur simultaneously in order to estimate conservative impacts.

[5] CalEEMod is a model for the entire state, and not all air basins or municipalities have the same mandatory regulatory requirements. For the purposes of CalEEMod, "mitigation" is a term of art for the modeling input and is not equivalent to mitigation measures that may apply to the CEQA analysis. While CalEEMod labels compliance with existing regulations as mitigation measures in this context, these are not truly mitigation measures as the term is used in CEQA.

architectural coating. Emissions attributed to energy use include natural gas consumption for space and water heating. Mobile source emissions are generated by motor vehicle trips to and from the Specific Plan area associated with operation of on-site development. Mobile source emissions were calculated using the dwelling unit, employee projections, and per capita vehicle miles traveled (VMT) estimates provided in the VMT Analysis prepared by Kimley Horn (Appendix C).

The operational air modeling provides a conservative estimate of operational emissions because energy source emissions would be reduced by DVSP objectives and strategies that encourage the construction of net zero buildings and the use of renewable energy systems beyond code requirements. Due to a lack of project-specific details, these features were not included in the air emissions modeling. However, implementation of these objectives and strategies would reduce air pollutant emissions from energy sources within the Specific Plan area by reducing natural gas consumption.

Impact Analysis

Threshold 2:	Would the project 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?

Impact AQ-1 THE TIMING AND INTENSITY OF DVSP CONSTRUCTION IS UNKNOWN AT THIS TIME; THEREFORE, IT IS CONSERVATIVELY ASSUMED THAT CONSTRUCTION ACTIVITIES MAY EXCEED MBARD'S EARTH MOVING SCREENING LEVEL THRESHOLD. DVSP OPERATION WOULD EXCEED MBARD THRESHOLDS FOR VOC, THE MAJORITY OF WHICH ARE FROM CONSUMER PRODUCT USE. WITH THE IMPLEMENTATION OF MITIGATION MEASURE AQ-1, CONSTRUCTION IMPACTS WOULD BE REDUCED TO LESS THAN SIGNIFICANT. HOWEVER, OPERATIONAL IMPACTS WOULD REMAIN SIGNIFICANT AND UNAVOIDABLE.

Construction Emissions

The MBARD Guidelines do not provide plan-level significance thresholds for construction air pollutant emissions; however, the guidelines include project-level thresholds for construction emissions that are utilized for this analysis. If a project's construction emissions fall below the project-level thresholds, the project's impacts to regional air quality are considered individually and cumulatively less than significant. According to the MBARD Guidelines, temporary ozone precursor emissions (i.e., VOC and NO_X) from demolition and construction projects using typical equipment, such as dump trucks, scrappers, bulldozers, front-end loaders, and compactors are accommodated in the emission inventories of state- and federally-required air plans and would not have a significant impact on the attainment and maintenance of state or federal ozone ambient air quality standards (AAQS). Demolition and construction activities facilitated by the DVSP are anticipated to use typical construction equipment such as those references by MBARD; therefore, ozone precursor emissions from demolition and construction activities under the DVSP were accounted for the emission inventories and would not have a significant impact on the attainment and maintenance of state or federal ozone AAQS (MBARD 2008).

Table 4.1-4 summarizes estimated maximum daily construction emissions. As shown therein, maximum daily construction emissions of PM_{10} would not exceed the MBARD threshold of 82 pounds per day.

Table 4.1-4 Estimated Maximum Daily Construction Emissions

Year	Emissions (pounds per day)					
	VOC	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
2024	177	147	262	<1	58	24
2025	172	101	220	<1	36	12
2026	167	60	163	<1	25	7
2027	14	54	139	<1	22	6
2028	14	52	132	<1	22	6
2029	13	49	125	<1	21	6
2030	13	47	120	<1	21	6
2031	12	45	114	<1	21	6
2032	11	43	107	<1	21	6
2033	11	41	102	<1	21	6
2034	10	39	97	<1	21	6
2035	10	38	92	<1	21	6
2036	10	36	87	<1	21	5
2037	9	35	84	<1	21	5
2038	9	33	80	<1	21	5
2039	9	33	77	<1	21	5
2040	8	32	72	<1	21	5
Maximum Daily Emissions (pounds per day)[1]	**177**	**147**	**262**	**< 1**	**58**	**24**
MBARD Thresholds	n/a	n/a	n/a	n/a	82[1]	n/a
Threshold Exceeded?	n/a	n/a	n/a	n/a	No	n/a

n/a = not applicable

Notes: All numbers have been rounded to the nearest tenth. Emissions presented are the highest of the winter and summer modeled emissions.

[1] This threshold only applies if construction is located nearby or upwind of sensitive receptors. In addition, a significant air quality impact related to PM_{10} emissions may occur if a project uses equipment that is not "typical construction equipment" as specified in Section 5.3 of the MBARD Guidelines.

Source: See Appendix B for CalEEMod calculations and assumptions

As discussed under *Methodology*, the construction emission modeling assumes that there would be no soil material import or export. However, there is the potential that construction activities facilitated by the DVSP may require substantial grading and excavation that would generate air pollutant emissions and substantial PM_{10} emissions. The MBARD Guidelines state that construction projects with minimal earthmoving that disturb less than 8.1 acres per day and construction projects with substantial earthmoving that disturb less than 2.2 acres per day would not exceed the threshold of 82 pounds of PM_{10} emissions per day. Therefore, if construction activities facilitated by the DVSP exceed these parameters, then there would be the potential to generate high levels of

PM_{10} emissions that may exceed MBARD's threshold of 82 pounds per day. Because the exact timing and intensity of construction activities facilitated by the DVSP is unknown at this time, it is conservatively assumed that construction activities may exceed these parameters. As such, construction-related air quality impacts could be potentially significant and Mitigation Measure AQ-1 would be required.

Operational Emissions

Table 4.1-5 summarizes estimated emissions associated with operation of projects constructed pursuant to the DVSP. As shown therein, DVSP operational emissions would not exceed MBARD regional thresholds for criteria pollutants for NO_X CO, SO_2, and PM_{10}. However, operational emissions would exceed the MBARD regional thresholds for VOC, which are generated from consumer product emissions, architectural coating, and mobile trips. Therefore, the DVSP would contribute substantially to an existing or projected air quality violation and would result in a cumulatively considerable net increase of criteria pollutants. Impacts would be potentially significant.

Table 4.1-5 Estimated Maximum Operational Emissions

	Emissions (pounds per day)					
Source	**VOC**	**NO_X**	**CO**	**SO_2**	**PM_{10}**	**$PM_{2.5}$**
Area Emissions	109	0	0	0	0	0
Energy Emissions	1	24	12	<1	2	2
Mobile Emissions	62	33	305	1	28	5
Project Emissions	**172**	**57**	**317**	**1**	**30**	**7**
MBARD Threshold	137	137	550	150	82	N/A
Threshold Exceeded?	**Yes**	No	No	No	No	N/A[1]

N/A = not applicable

Notes: All numbers have been rounded to the nearest tenth. Emissions presented are the highest of the winter and summer modeled emissions. Numbers may not add up due to rounding.

[1] The MBARD does not have a significance threshold for operational $PM_{2.5}$ emissions.

Source: See Appendix B for CalEEMod calculations and assumptions.

The DVSP would include a Transportation Demand Management (TDM) Plan that would include measures to reduce VMT. Mobile sources are a primary source of VOC emissions, so the TDM plan would have the effect of reducing operational VOC emissions. TDM measures that could be employed are included in Section 4.2, *Transportation,* and include but are not limited to transit and pedestrian facilities improvements, bicycle programs, and parking reductions. However, project-specific TDM measures that would be quantifiable in the modeling are not available, and it cannot be determined at this time if TDM measures would reduce VOC emissions to levels below the MBARD threshold. In addition, VOC emissions also depend on future individual consumer behavior with consumer product use. At this time, mitigation is not available that would feasibly reduce these emissions. Therefore, the DVSP would result in a cumulatively considerable net increase of criteria pollutants, and impacts would be significant and unavoidable.

Mitigation Measure

AQ-1 Construction Dust Control Measures

Applicants for future development under the DVSP shall implement Construction Dust Control Measures. Construction/demolition activities within the Specific Plan area shall be limited to 8.1 acres per day with minimal earthmoving, or 2.2 acres per day with demolition or grading/excavation, consistent with the screening-level thresholds in the MBARD's 2008 CEQA Air Quality Guidelines. Any individual construction project that would require grading, excavation, and/or soil material import or export within the Specific Plan area shall implement the following construction dust control measures:

- Water all active construction areas at least twice daily.
- Prohibit all grading activities during periods of high wind (over 15 miles per hour).
- Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days).
- Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed area.
- Maintain at least two feet of freeboard on haul trucks.
- Cover all trucks hauling dirt, sand, or loose materials.
- Plant tree windbreaks on the windward perimeter of construction projects, if adjacent to open land.
- Plant vegetative ground cover in disturbed areas as soon as possible.
- Cover inactive storage piles.
- Install wheel washers at the entrance to construction sites for all exiting trucks.
- Pave all roads on construction sites.
- Sweep streets if visible soil material is carried out from the construction site.
- Post a publicly visible sign which specifies the telephone number and person to contact regarding dust complaints. This person shall respond to complaints and take corrective action within 48 hours. The MBARD phone number shall be visible to ensure compliance with Rule 402 (Nuisance).
- Limit the area under construction at any one time.

Significance After Mitigation

Implementation of Mitigation Measure AQ-1 would minimize construction emissions and would reduce construction air quality emissions to a less than significant impact. However, mitigation is not available that would feasibly reduce operational emissions, as the amount of VOC emissions ultimately depends on future individual consumer behavior with vehicle use and consumer product use. While the TDM Plan would reduce mobile VOC emissions, the reduction is not quantifiable at this stage of planning. Therefore, it is assumed that the DVSP would still result in operational VOC emissions that exceed MBARD regional thresholds, and impacts from operational emissions would be significant and unavoidable. The connection of adverse health effects from this impact is described further below.

On December 24, 2018, the California Supreme Court (Court) addressed the standard of review for claims challenging the legal sufficiency of an EIR's discussion of environmental impacts in *Sierra Club*

v. County of Fresno (2018) 6 Cal.5th 502 (Friant Ranch, L.P.). In affirming in part the Court of Appeal's judgment, the Supreme Court held that the EIR for the Friant Ranch Project—a 942-acre master-planned, mixed-use development with over 2,500 senior residential units, 250,000 square feet of commercial space, and extensive open space/ recreational amenities on former agricultural land in north central Fresno County—was deficient in its informational discussion of the human health impacts of the Friant Ranch Project's significant and unavoidable impacts related to air quality.

The Court concluded that an EIR's discussion must: (1) "include sufficient detail to enable those who did not participate in its preparation to understand and to consider meaningfully the issues the project raises" (citing *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 405 ("Laurel Heights I")); and (2) "make a reasonable effort to substantively connect a project's air quality impacts to likely health consequences." (at p. 511.) It held that the Friant Ranch Project EIR did neither, and "should be revised to relate the expected adverse air quality impacts to likely health consequences or explain in meaningful detail why it is not feasible at the time of drafting to provide such an analysis, so that the public may make informed decisions regarding the costs and benefits of the project." (*Ibid*.)

The following discussion provides additional information on the health consequences of ozone to what was discussed earlier in this section, and a discussion of the infeasibility to provide a quantitative analysis that connects ozone-related health impacts from the project to the immediate site area.

Health Consequences of Ozone

A summary discussion of air pollution and potential health effects was provided in Section 4.1.2. In addition, the national and state criteria pollutants and the applicable ambient air quality standards were also provided in Section 4.1.2. As stated above, air pollution is a major public health concern and the adverse health effects associated with air pollution are diverse. Ozone is a pungent, colorless, toxic gas with direct health effects on humans, including respiratory and eye irritation and possible changes in lung functions and groups most sensitive to ozone include children, the elderly, persons with respiratory disorders, and people who exercise strenuously outdoors.

The adverse effects reported with short-term ozone exposure are greater with increased activity because activity increases the breathing rate and the volume of air reaching the lungs, resulting in an increased amount of ozone reaching the lungs. Children may be a particularly vulnerable population to air pollution effects because they spend more time outdoors, are generally more active, and have a higher ventilation rate than adults. A number of adverse health effects associated with ambient ozone levels have been identified from laboratory and epidemiological studies. These include increased respiratory symptoms, damage to cells of the respiratory tract, decreases in lung function, increased susceptibility to respiratory infection, and increased risk of hospitalization.

The Children's Health Study (Gilliland et al. 2004), conducted by researchers at the University of Southern California, followed a cohort of children that live in 12 communities in southern California with differing levels of air pollution for several years. A publication from this study found that school absences in fourth graders for respiratory illnesses were associated with ambient ozone levels. An increase of 20 ppb ozone was associated with an 83 percent increase in illness-related absence rates (Gilliland et al. 2004). The number of hospital admissions and emergency room visits for all respiratory causes (infections, respiratory failure, chronic bronchitis, etc.) including asthma show a consistent increase as ambient ozone levels increase in a community. These excess hospital admissions and emergency room visits are observed when hourly ozone concentrations are as low as 0.08 to 0.10 ppm.

Numerous recent studies have found positive associations between increases in ozone levels and excess risk of mortality. These associations persist even when other variables including season and levels of particulate matter are accounted for. This indicates that ozone mortality effects are independent of other pollutants (Bell et al. 2004). Several population-based studies suggest that asthmatics are more adversely affected by ambient ozone levels, as evidenced by increased hospitalizations and emergency room visits. Laboratory studies have attempted to compare the degree of lung function change seen in age and gender-matched healthy individuals versus asthmatics and those with chronic obstructive pulmonary disease. While the degree of change evidenced did not differ significantly, that finding may not accurately reflect the true impact of exposure on these respiration-compromised individuals. Since the respiration- compromised group may have lower lung function to begin with, the same degree of change may represent a substantially greater adverse effect overall.

A publication from the Children's Health Study focused on children and outdoor exercise. In communities with high ozone concentrations, the relative risk of developing asthma in children playing three or more sports was found to be over three times higher than in children playing no sports (McConnell et al. 2002). These findings indicate that new cases of asthma in children are associated with heavy exercise in communities with high levels of ozone. The susceptibility to ozone observed under ambient conditions could be due to the combination of pollutants that coexist in the atmosphere or ozone may actually sensitize these subgroups to the effects of other pollutants. A study of birth outcomes in southern California found an increased risk for birth defects in the aortic and pulmonary arteries associated with ozone exposure in the second month of pregnancy (Ritz et al. 2000). In summary, acute adverse effects associated with ozone exposures have been well documented, although the specific causal mechanism is still somewhat unclear. Additional research efforts are required to evaluate the long-term effects of air pollution and to determine the role of ozone in influencing chronic effects.

The evidence linking these effects to air pollutants is derived from population based observational and field studies (epidemiological) as well as controlled laboratory studies involving human subjects and animals. There have been an increasing number of studies focusing on the mechanisms (that is, on learning how specific organs, cell types, and biochemicals are involved in the human body's response to air pollution) and specific pollutants responsible for individual effects. Yet the underlying biological pathways for these effects are not always clearly understood. Although individuals inhale pollutants as a mixture under ambient conditions, the regulatory framework and the control measures developed are mostly pollutant-specific. This is appropriate, in that different pollutants usually differ in their sources, their times and places of occurrence, the kinds of health effects they may cause, and their overall levels of health risk. Different pollutants, from the same or different sources, may sometimes act together to harm health more than they would acting separately. Nevertheless, as a practical matter, health scientists, as well as regulatory officials, usually must deal with one pollutant at a time in determining health effects and in adopting air quality standards. To meet the air quality standards, comprehensive plans are developed such as MBARD's AQMP.

Project Impact on Human Health from Ozone

In its Friant Ranch decision, the California Supreme Court conceded that the explanation of the connection between an individual project's pollutant emissions in excess of thresholds and human health effects may not be possible given the current state of environmental science modeling. However, the California Supreme Court concluded that an EIR itself must explain, in a manner reasonably calculated to inform the public, the scope of what is and is not yet known about the

effect of the project's significant and unavoidable air quality impacts on human health. The specific language provided by the Court is:

> "The EIR fails to provide an adequate discussion of health and safety problems that will be caused by the rise in various pollutants resulting from the Project's development. At this point, we cannot know whether the required additional analysis will disclose that the Project's effects on air quality are less than significant or unavoidable, or whether that analysis will require reassessment of proposed mitigation measures. Absent an analysis that reasonably informs the public how anticipated air quality effects will adversely affect human health, an EIR may still be sufficient if it adequately explains why it is not scientifically feasible at the time of drafting to provide such an analysis."

MBARD has stated their position is consistent with the conclusion above (MBARD 2024). However, MBARD, CARB, and EPA have not approved a quantitative method to reliably, meaningfully, and consistently translate the mass emission estimates for the criteria air pollutants resulting from the project to specific health effects. In addition, there are numerous scientific and technological complexities associated with correlating criteria air pollutant emissions from an individual project to specific health effects or potential additional nonattainment days. The following information is provided to be consistent with the Court's opinion by explaining why it is not scientifically feasible at the time of drafting this analysis to provide an analysis explaining the connection between the project's regional pollutant emissions and human health.

In requiring a health risk type analysis for criteria air pollutants, it is important to understand how the relevant criteria pollutants (ozone and particulate matter) are formed, dispersed and regulated. Ground level ozone (smog) is not directly emitted into the air, but is instead formed when precursor pollutants such as NO_X and ROG are emitted into the atmosphere and undergo complex chemical reactions in the process of sunlight. It is not necessarily the tonnage of precursor pollutants that causes human health effects; rather, it is the concentration of resulting ozone that causes these effects. Once formed, ozone can be transported long distances by wind. Because of the complexity of ozone formation, a specific tonnage amount of NO_X or ROGs emitted in a particular area does not equate to a particular concentration of ozone in that area.

The NAAQS, which are statutorily required to be set by USEPA at levels that are requisite to protect the public health, are established as concentrations of ozone and not as tonnages of their precursor pollutants. Because the NAAQS are focused on achieving a particular concentration region-wide, tools and plans for attaining the NAAQS are regional in nature.

The computer models used to simulate and predict an attainment date for ozone are based on regional inventories of precursor pollutants and meteorology within the air basin. At a very basic level, the models simulate future ozone levels based on predicted changes in precursor emissions basin wide. The computer models are not designed to determine whether the emissions generated by an individual development project will affect the date that the air basin attains the NAAQS. According to MBARD's 2015 AQMP, basin wide emissions in 2015 of ROG were 59 tons per day and 39 tons per day of NO_X emissions (MBARD 2017). Running the photochemical grid model used for predicting ozone attainment with the emissions solely from DVSP (which equates to one tenth of one percent for both ROG and NO_X) is not likely to yield valid information given the relatively small scale involved.

Although operational VOC emissions would exceed the MBARD threshold, it is not possible to feasibly determine the concentration of ozone that would be created at or near the DVSP on a particular day or month of the year, or the specific human health impacts that may occur.

Meteorology, the presence of sunlight, and other complex chemical factors all combine to determine the ultimate concentrations and locations of ozone. This is especially true for the DVSP, where most of the criteria pollutant emissions derive not from a single "point source," but from mobile sources (cars and trucks) driving to, from, and around the Specific Plan area, or from consumer product and architectural coating use that can occur in many individual areas of the Specific Plan area.

Consistent with the California Supreme Court's Friant Ranch decision (*Sierra Club v. County of Fresno* [Dec. 24, 2018] 6 Cal.5th 502), the above information provides detail regarding the potential health effects from the DVSP's significant and unavoidable criteria pollutant emissions. It also explains why it is not scientifically feasible at the time of drafting of this report to substantively connect the DVSP's air quality impacts to likely health consequences so that the public may make informed decisions regarding the costs and benefits of the project.

4.1.4 Cumulative Impacts

DVSP related air pollution may combine with other cumulative projects (past, present, and reasonably foreseeable future) to violate criteria pollutant standards if the existing background sources cause nonattainment conditions. Air districts manage attainment of the criteria pollutant standards by adopting rules, regulations, and attainment plans, which comprise a multifaceted programmatic approach to such attainment.

The geographic scope for analyzing cumulative air quality impacts is the NCCAB. This scope is appropriate as air quality emissions in the DVSP area would contribute to regional air quality in the NCCAB. The NCCAB is designated a nonattainment area for the PM_{10} CAAQS, and nonattainment transitional for one-hour ozone CAAQS and 8-hour ozone NAAQS and CAAQS. The NCCAB is in attainment of all other NAAQS and CAAQS. Therefore, cumulative air quality impacts related to PM_{10}, and ozone are potentially significant.

As described under Impact AQ-1, construction emissions from the development of the DVSP would not exceed MBARD regional thresholds with the implementation of Mitigation Measure AQ-1. Operational emissions resulting from the proposed DVSP would exceed MBARD threshold for VOC. Most VOC emissions are associated with consumer product use and vehicle emissions. VOC emissions ultimately depends on future individual consumer behavior with vehicle use and consumer product use, and thus cannot be mitigated below a level of significance; therefore, the DVSP's contribution to significant cumulative air quality impacts would be cumulatively considerable.

4.2 Transportation

This section presents the analysis of transportation impacts of the proposed Downtown Vitalization Specific Plan (DVSP), including key assumptions, methods, and results. The analysis in this section is based on the City of Marina Downtown Specific Plan Senate Bill (SB) 743 Analysis (Vehicle Miles Travelled [VMT] Analysis) prepared by Kimley-Horn in January 2021; the 2023 VMT Results Review prepared by Kimley-Horn in July 2023; and the Marina Downtown Traffic Study (Traffic Study) prepared by Kimley-Horn in February 2019. The VMT Analysis and 2023 Results Review are included in Appendix C and the Traffic Study is included in Appendix D.

This section provides a description of the physical environment of the Specific Plan area to characterize the existing conditions related to transportation. This section also describes changes to existing and future (i.e., long term) transportation conditions that would occur under the proposed DVSP for the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

4.2.1 Setting

a. Existing Roadway Network

Regional access to the Specific Plan area is provided by State Route (SR) 1. Primary local access to the Specific Plan area is provided by Del Monte Boulevard and Crescent Avenue on the north side of the Specific Plan area, Reservation Road on the west, Imjin Parkway, California Avenue and 2nd Avenue on the south side, and Reservation Road and Blanco Road on the east side. Detailed descriptions of the key roadway facilities are presented below.

- **State Route 1 (SR 1)** is a state highway within Monterey County, providing access to Watsonville and Santa Cruz to the north via Seaside, Marina, and Castroville; and to San Luis Obispo to the south via Monterey and Carmel. Through its connection to SR 156 in Castroville, it also provides access to US 101 and the greater San Francisco Bay Area. Through Marina, SR 1 provides four lanes north of the Del Monte Boulevard interchange and six lanes south of the interchange and includes a posted speed limit of 65 miles per hour (mph).
- **Del Monte Boulevard** is a major arterial within western Marina, extending from a partial interchange (ramps to and from the south only) with SR 1 north of Imjin Parkway (12th Street) to SR 1 north of Marina. Near the Specific Plan area, Del Monte Boulevard is a four-lane divided roadway. Through the Specific Plan area, the posted speed limit is 35 mph.
- **Crescent Avenue** is a two-lane local street in central Marina. Crescent Avenue is only one block long and connects Reindollar Avenue and Patton Parkway through a residential neighborhood. The speed limit on Crescent Avenue is 25 mph.
- **Reservation Road** is a major arterial extending from Marina State Park west of Dunes Drive, through the City of Marina, connecting to SR 1 north of the Specific Plan area. Between Marina State Park and Del Monte Boulevard, Reservation Road is two lanes wide with left turn channelization at key intersections. Between Del Monte Boulevard and Blanco Road, Reservation Road is a four-lane divided roadway. East of Blanco Road, it narrows to a two-lane rural highway. Reservation Road is under the jurisdiction of the City of Marina west of Blanco Road and the County of Monterey east of Blanco Road.
- **Imjin Parkway** is an arterial roadway within the Marina city limits. Imjin Parkway is a two-lane road at its interchange with SR 1 and a four-lane divided roadway with left-turn channelization east of the interchange. The speed limit on Imjin Parkway is 45 mph.

- **California Avenue** is designated a two-lane collector in central Marina. California Avenue connects Reservation Road with Imjin Parkway and California State University, Monterey Bay (CSUMB). Bicycle lanes are provided along California Avenue between Imjin Parkway and Reservation Road. The speed limit on California Avenue is 25 mph.
- **2nd Avenue** is a two-lane, north-south roadway in Marina and Seaside. 2nd Avenue connects Lightfighter Drive in Seaside with Imjin Parkway in Marina, along the western edge of CSUMB. The speed limit on 2nd Avenue is 35 mph.
- **Blanco Road** is a major arterial extending from Reservation Road to the City of Salinas. Between Reservation Road and the Salinas River Bridge, Blanco Road is four-lanes wide with left turn channelization at key intersections. Blanco Road is a two-lane rural highway east of the Salinas River Bridge.

b. Existing Truck Routes

SR 1 is identified as part of the regional truck network. The freeway is intended to move goods efficiently in the City of Marina, between outlying agricultural uses, and packing/distribution centers. Additionally, the freeway serves to separate truck traffic from local streets where larger vehicles may conflict with other uses.

The City of Marina prohibits commercial trucks on local residential streets and local residential collectors except for purposes of local deliveries. According to Policy 3.7 of the Marina General Plan's Community Infrastructure Element, trucks serving existing and future industrial uses along Paul Davis Drive, and the planned extension to the north are required to enter and exit the area via the planned and/or current intersection with Del Monte Boulevard.

c. Existing Public Transit Facilities

The public transit provider in Monterey County is Monterey-Salinas Transit (MST). MST operates from five key transit centers, the Monterey Transit Plaza, Salinas Transit Center, Watsonville Transit Center, Edgewater Transit Exchange in Seaside/Sand City, and Marina Transit Exchange. The Marina Transit Exchange is located on the south side of Reservation Road at the intersection of Reservation Road and De Forest Road, within the Specific Plan area. Four routes serve stops in or along the boundary of the Specific Plan area: Lines 17, 18, 20, and 61. These routes are described in greater detail below.

- Line 17 connects Marina and Sand City via General Jim Moore Boulevard. Line 17 travels through CSUMB and Seaside, and services the Marina Transit Exchange at the De Forest Road/Reservation Road intersection. Service on this line is offered weekdays between 7:00 am and 10:00 pm with 30-minute headways.
- Line 18 connects Marina and Sand City via Monterey Road. Line 17 travels through CSUMB and services the Marina Transit Exchange at the De Forest Road/Reservation Road intersection. Service on this line is offered weekdays between 7:00 am and 10:00 pm with 30-minute headways and weekends from 8:00 am to 7:30 pm with hourly headways.
- Line 20 connects Monterey and Salinas via Seaside and Marina. In Marina, Line 20 travels along Del Monte Boulevard and Reservation Road, and services the Marina Transit Exchange at the De Forest Road/Reservation Road intersection. Service on this line is offered weekdays and Saturdays between 5:00 am and 12:00 am on 30-minute headways. Service on Sundays is every hour between 8:00 am and 8:00 pm.

- Line 61 connects Marina and Salinas via SR 68. In Marina, Line 61 travels along Reservation Road and services the Marina Transit Exchange, then makes stops along SR 68 before terminating at the Salinas Transit Center on Salinas Street. Service on this line is offered weekdays between 7:45 am and 5:45 pm, with scheduled stops at the Marina Transit Exchange every other hour.

MST also operates MST On Call Marina, a dial-a-ride service that covers much of Marina. Residents can arrange for a ride to pick up at a nearby location when calling one hour before the requested time.

Students, staff, and faculty of CSUMB receive free unlimited access on all MST regular bus routes with their CSUMB Otter ID card. Additionally, all transit users with physical and/or cognitive disabilities may have access to the MST paratransit service known as RIDES. This service operates on a point-to-point basis and eligibility is required for service.

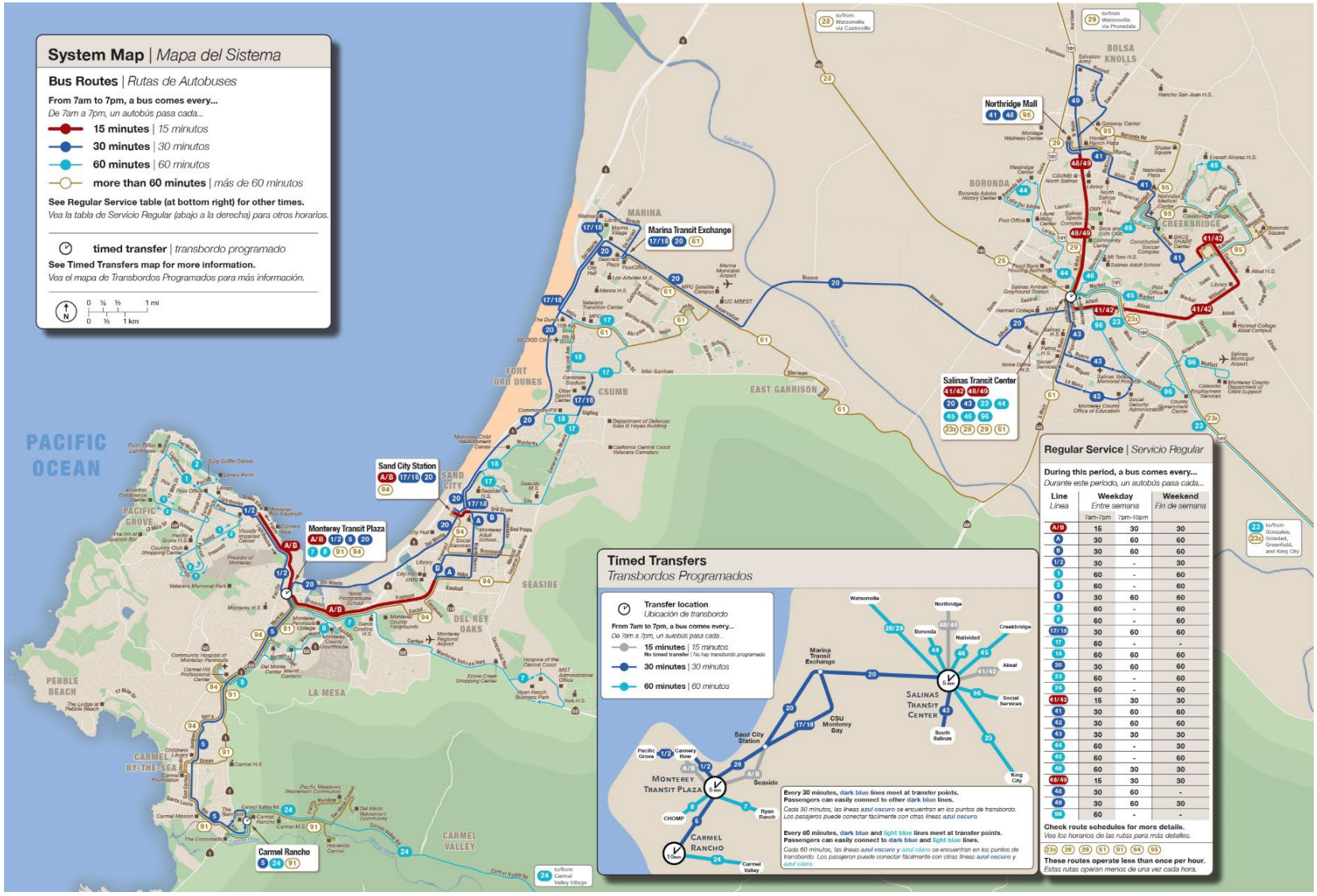
Existing MST transit routes are shown below in Figure 4.2-1.

d. Existing Bicycle Facilities

There are four basic types of bicycle facilities as defined by the California Department of Transportation (Caltrans) Highway Design Manual. Each type is described below:

- **Class I Bikeways (Multi-Use Path).** Multi-use paths provide a completely separate right-of-way and are designated for the exclusive use of bicycles and pedestrians, with vehicle and pedestrian crossflow minimized. The existing bicycle network in Marina includes six Class I bikeways. The largest Class I bikeway spans the entire length of the City and parallels Del Monte Boulevard and SR 1. This bikeway is known as the Monterey Recreational Trail. The trail currently extends 18 miles from Pacific Grove to Castroville. Other Class I bikeways include a path that borders Patton Parkway from California Avenue to Marina High School, a 0.75 mile long path that parallels the southern edge of Reservation Road from Salinas Avenue to Imjin Parkway, a path that parallels the southern edge of Imjin Parkway from SR 1 to Imjin Road, a path that parallels the eastern side of 2nd Avenue near CSUMB, and a short path that borders the eastern edge of Dunes Road in the northwest portion of the City.
- **Class II Bikeways (Bicycle Lanes).** Bicycle lanes, typically at least five feet wide, are dedicated for bicyclists generally adjacent to the outer vehicle travel lanes. These lanes have special lane markings, pavement legends, and signage. Adjacent vehicle parking and vehicle/pedestrian cross-flow are permitted. There are a limited number of Class II bicycle lanes within Marina. Class II bike lanes primarily exist along Reservation Road, California Avenue, and Beach Road west of Del Monte Boulevard. Class II bicycle routes are also available in portions of the City.
- **Class III Bikeways (Bicycle Boulevards/Bicycle Routes).** Bicycle boulevards/routes are designated by signs or pavement markings for shared use with pedestrians or motor vehicles but have no separated bike right-of-way or land striping. Bike routes serve either to provide a connection to other bicycle facilities where dedicated facilities are infeasible or designate preferred routes through high-demand corridors.
- **Class IV Bikeways (Separated Bikeways).** Separated bikeways provide a right-of-way designated exclusively for bicycle travel in a street and are protected from other vehicle traffic by physical barriers, including, but not limited to, grade separation, flexible posts, inflexible vertical barriers such as raised curbs, or parked cars.

Figure 4.2-1 Monterey Peninsula MST Transit Routes



Source: MST 2023

e. Existing Pedestrian Facilities

The existing pedestrian network in the Specific Plan area has many gaps and opportunities for improvements. On the eastside of Del Monte Boulevard, a sidewalk is available for pedestrians just south of the intersection of Reindollar Avenue and has a small gap in continuous sidewalk in front two small business which have extended driveway width. The path of travel for pedestrians is unclear and puts them in conflict with onsite circulation.

A sidewalk runs along both sides of Reservation Road from Del Monte Boulevard to just west of Salinas Avenue. There are several small gaps in the network due to a few extended driveways widths and undeveloped sites along Reservation Road. Most of the gaps in sidewalk infrastructure occur between Crescent and Salinas Avenue.

4.2.2 Regulatory Setting

a. Federal

Americans with Disabilities Act

The Americans with Disabilities Act (ADA) of 1990 prohibits discrimination toward people with disabilities and guarantees, among other things, that they have equal opportunities as the rest of society to become employed, purchase goods and services, and participate in government programs and services. The ADA includes requirements pertaining to transportation infrastructure. The Department of Justice's revised regulations for Titles II and III of the ADA, known as the 2010 ADA Standards for Accessible Designs, set minimum requirements for newly designed and constructed or altered State and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities. These standards apply to accessible walking routes, curb ramps, and other facilities.

Federal Highway Administration

The Federal Highway Administration (FHWA) is the agency of the United States Department of Transportation responsible for the federally funded roadway system, including the interstate highway network and portions of the primary State highway network. FHWA funding is provided through the Fixing America's Surface Transportation Act. Federal funds can be used to fund eligible local transportation improvements in such as projects to improve the efficiency of existing roadways, traffic signal coordination, bikeways, pedestrian facilities, and transit system upgrades.

Fixing America's Surface Transportation Act

The Moving Ahead for Progress in the 21st Century Act (MAP-21), enacted in 2012, made a number of reforms to the metropolitan and statewide transportation planning processes, including incorporating performance goals, measures, and targets into the process of identifying needed transportation improvements and project selection. The FAST Act, enacted in 2015, includes provisions to support and enhance these reforms. Public involvement remains a hallmark of the planning process. The FAST Act continues requirements for a long-range plan and a short-term transportation improvement program, with the long-range statewide and metropolitan plans now required to include facilities that support intercity transportation, including intercity buses. The statewide and metropolitan long-range plans must describe the performance measures and targets that States and MPOs use in assessing system performance and progress in achieving the

performance targets. Additionally, the FAST Act requires the planning process to consider projects/strategies to improve the resilience and reliability of the transportation system, address stormwater mitigation, and enhance travel and tourism.

b. State Regulations

Senate Bill 743

On September 27, 2013, the governor signed SB 743 into law. SB 743 changed the way transportation impact analysis is conducted as part of CEQA compliance. These changes eliminated automobile delay, level of service (LOS), and other similar measures of vehicular capacity or traffic congestion as a basis for determining significant impacts under CEQA.

Prior rules treated automobile delay and congestion as an environmental impact. SB 743 requires the CEQA Guidelines to prescribe an analysis that better accounts for transit and reductions of greenhouse gas emissions. In December 2018, Office of Planning and Research (OPR) released the final update to CEQA Guidelines consistent with SB 743, which recommends using VMT as the most appropriate metric of transportation impact to align local environmental review under CEQA with California's long-term greenhouse gas emissions reduction goals. The Guidelines require all jurisdictions in California to use VMT-based thresholds of significance no later than July 1, 2020.

At the same time as the release of the updated CEQA Guidelines, OPR issued a Technical Advisory on Evaluating Transportation Impacts in CEQA (OPR 2018). The technical advisory contains technical recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures. The technical advisory suggests a significance threshold for VMT that is based on state mandated GHG emission reduction targets. The technical advisory recommends a quantitative *per capita* or *per employee* VMT that is 15 percent below that of existing development as a possible threshold of significance that would comply with the state's long-term climate goals.

Senate Bill 32 and Senate Bill 375

On September 8, 2016, the governor signed SB 32 into law, extending the California Global Warming Solutions Act of 2006 by requiring the state to further reduce greenhouse gas emissions to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged). On December 14, 2017, the CARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 target. The 2017 Scoping Plan relies on the continuation and expansion of existing policies and regulations, such as the Cap-and-Trade Program, and implementation of recently adopted policies and legislation.

The Sustainable Communities and Climate Protection Act of 2008 (SB 375), signed in August 2008, enhances the state's ability to reach GHG emissions goals by directing the California Air Resources Board to develop regional GHG emission reduction targets to be achieved from passenger vehicles by 2020 and 2035. SB 375 aligns regional transportation planning efforts, regional GHG reduction targets, and affordable housing allocations.

California Department of Transportation Planning Documents

Caltrans is responsible for planning, designing, constructing, operating, and maintaining the State highway system. Federal highway standards are implemented in California by Caltrans. Any improvements or modifications to the highway system, including ramps and access points, within the study area would need to be approved by Caltrans. The following Caltrans planning documents

emphasize the State of California's focus on transportation infrastructure that supports mobility choice through multimodal options, smart growth, and efficient development.

- Smart Mobility 2010: A Call to Action for the New Decade (Smart Mobility Framework)
- Complete Streets Implementation Action Plan
- Strategic Plan 2020-2024
- California Transportation Plan 2050

Smart Mobility Framework

The purpose of the Smart Mobility Framework, published in February 2010, is to address the State mandate to find solutions to climate change, reduce per capita VMT, and create a safe and equitable transportation system (Caltrans 2010). The Smart Mobility Framework includes ten implementing themes to achieve its purpose, including integration into Caltrans and other transportation agencies' policy and practice, collection of data and tools to implement the Smart Mobility Framework, undertaking of major cross-functional initiatives, and integration into local government land use and transportation planning.

Complete Streets Implementation Action Plan

On September 30, 2008, the California Complete Streets Act of 2008 was signed into law. AB 1358 requires any substantive revision of the circulation/mobility element of a city or county's general plan to identify how they will safely accommodate the circulation of all users of the roadway including pedestrians, bicyclists, children, seniors, individuals with disabilities, and transit riders, as well as motorists.

Caltrans Deputy Directive 64-R1: Complete Streets – Integrating the Transportation System

In 2001, Caltrans adopted Deputy Directive 64; a policy directive related to non-motorized travel throughout the State. In October 2008, Deputy Directive 64 was strengthened to reflect changing priorities and challenges. Deputy Directive 64-R1 states:

> The Department views all transportation improvements as opportunities to improve safety, access, and mobility for all travelers in California and recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation system. Providing safe mobility for all users, including motorists, bicyclists, pedestrians and transit riders, contributes to the Department's mission/vision: "Improving Mobility across California."

Successful long-term implementation of this directive is intended to result in more options for people to go from one place to another, less traffic congestion and greenhouse gas emissions, more walkable communities (with healthier, more active people), and fewer barriers for older adults, children, and people with disabilities.

Director's Policy 22: Director's Policy on Context Sensitive Solutions

Director's Policy 22, a policy regarding the use of "Context Sensitive Solutions" on all State highways, was adopted by Caltrans in November of 2001. The policy reads:

> The Department uses "Context Sensitive Solutions" as an approach to plan, design, construct, maintain, and operate its transportation system. These solutions use innovative and inclusive

> approaches that integrate and balance community, aesthetic, historic, and environmental values with transportation safety, maintenance, and performance goals. Context sensitive solutions are reached through a collaborative, interdisciplinary approach involving all stakeholders.

The context of all projects and activities is a key factor in reaching decisions. It is considered for all State transportation and support facilities when defining, developing, and evaluating options. When considering the context, issues such as funding feasibility, maintenance feasibility, traffic demand, impact on alternate routes, impact on safety, and relevant laws, rules, and regulations must be addressed.

The policy recognizes that "in towns and cities across California, the State highway may be the only through street or may function as a local street," that "these communities desire that their main street be an economic, social, and cultural asset as well as provide for the safe and efficient movement of people and goods," and that "communities want transportation projects to provide opportunities for enhanced non-motorized travel and visual quality." The policy acknowledges that addressing these needs will ensure that transportation solutions meet more than just traffic and operational objectives.

Director's Policy 37: Director's Policy on Complete Streets

Caltrans Director's Policy 37, a policy calling for new transportation projects on State highways to include "complete street" features that provide safe and accessible options for people walking, biking and taking transit, was adopted by Caltrans in December 2021. The policy reads:

> The Department recognizes that walking, biking, transit, and passenger rail are integral to our vision of delivering a brighter future for all through a world-class transportation network. Additionally, Caltrans recognizes that streets are not only used for transportation but are also valuable community spaces. Accordingly, in locations with current and/or future pedestrian, bicycle, or transit needs, all transportation projects funded or overseen by Caltrans will provide comfortable, convenient, and connected complete streets facilities for people walking, biking, and taking transit or passenger rail unless an exception is documented and approved. When decisions are made not to include complete streets elements in capital and maintenance projects, the justification will be documented with final approval by the responsible District Director.
>
> Opportunities for complete streets exist in all phases of project development from planning and design to construction, operations, and maintenance. Complete streets projects should prioritize underserved communities that have been historically harmed and segmented by the transportation network and should serve people of all ages and abilities. Furthermore, Caltrans commits to removing unnecessary policy and procedural barriers and partnering with communities and agencies to ensure projects on local and state transportation systems improve the connectivity to existing and planned pedestrian, bicycle, and transit facilities, and accessibility to existing and planned destinations, where possible.

This policy is intended to expand the availability of sustainable transportation options to help meet the state's climate, health, and equity goals (Caltrans 2021a).

Strategic Plan 2020-2024

Caltrans' 2020-2024 Strategic Plan includes goals related to safety, enhancing and connecting the multimodal transportation network, lead climate action, and advancing equity in all communities (Caltrans 2021b).

California Transportation Plan 2050

Caltrans completed the California Transportation Plan to comply with Title 23, Code of Federal Regulation Section 450.214 and pursuant to California Government Code Title 7 Division 1 Chapter 2.3. The California Transportation Plan provides a roadmap for making effective, equitable, transparent, and transformational transportation decisions in California. The vision of the California Transportation Plan is: "California's safe, resilient, and universally accessible transportation system supports vibrant communities, advances racial and economic justice, and improves public and environmental health," which is supported by goals related to safety, climate, equity, accessibility, public health, economy, environment, and infrastructure (Caltrans 2021c).

State CEQA Guidelines Section 15064.3

Originating from SB 743, Section 15064.3 of the State CEQA Guidelines establishes VMT as the most appropriate measure of transportation impacts, shifting away from the LOS analysis that evaluated a project's impacts on traffic conditions on nearby roadways and intersections. The primary components of new section 15064.3 include:

- Identifies VMT (amount and distance of automobile traffic attributable to a project) as the most appropriate measure of transportation impacts;
- Declares that a project's effect on automobile delay shall not constitute a significant environmental impact (except for projects increasing roadway capacity);
- Creates a rebuttable presumption of no significant transportation impacts for (a) land use projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor, (b) land use projects that reduce VMT below existing conditions, and (c) transportation projects that reduce or have no impact on VMT;
- Allows a lead agency to qualitatively evaluate VMT if existing models are not available; and
- Gives lead agencies discretion to select a methodology to evaluate a project's VMT but requires lead agencies to document that methodology in the environmental document prepared for the project.

c. Regional and Local Regulations

2045 Metropolitan Transportation Plan/Sustainable Communities Strategy

The 2045 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS), approved by the Association of Monterey Bay Area Governments (AMBAG) Board of Directors in June 2022, is a comprehensive planning effort that coordinates land use patterns and transportation investments with the objective of developing an integrated, multimodal transportation system. The MTP/SCS is built on a set of integrated policies, strategies, and investments to maintain and improve the transportation system to meet the diverse needs of the region through 2045. The MTP/SCS describes where and how the region can accommodate the projected 42,000 additional households and 65,000 new jobs between 2022 and 2045 and details the regional transportation investment strategy over approximately 20 years.

The MTP/SCS goals and policies emphasize the provision of bicycle, pedestrian, and transit facilities to accommodate alternative transportation use. The MTP/SCS recommends the provision of Complete Streets improvements, including pedestrian-oriented programs that are primarily implemented by local jurisdictions (AMBAG 2022).

Regional Transportation Plan

The Transportation Agency for Monterey County (TAMC) Regional Transportation Plan (RTP) prepared by the TAMC was most recently updated in 2022 and includes the following goals, which are tied to sets of objectives and performance measures (TAMC 2022):

- **Access & Mobility:** Deliver a reliable and efficient transportation system that promotes viable transportation alternatives.
- **Safety & Health:** Create a safe transportation system that fosters county-wide health and well-being through promoting active lifestyles.
- **Environmental Stewardship:** Protect and enhance the County's built and natural environment. Act to reduce the transportation system's emission of GHGs.
- **Equity:** Promote social and geographic equity through transportation planning, engineering and design.
- **Economic Vitality:** Foster an economically viable, sustainable transportation system that supports the regional economy

Active Transportation Plan for Monterey County

The 2018 TAMC Active Transportation Plan (ATP) is an update of the 2011 Bicycle and Pedestrian Master Plan, which identifies all existing and proposed bicycle and pedestrian facilities in Monterey County. The ATP identifies remaining gaps in the bicycle and pedestrian network and opportunity areas for innovative bicycle facility design. Its vision is: "Active transportation will be an integral, convenient and safe part of daily life in Monterey County for residents and visitors of all ages and abilities." The goals of the ATP are as follows (TAMC 2018a):

- **Active Transportation Trips:** Increase the proportion of trips accomplished by biking and walking throughout Monterey County.
- **Safety:** Improve bicycle and pedestrian safety.
- **Connectivity:** Remove gaps and enhance bicycle and pedestrian network connectivity.
- **Equity:** Provide improved bicycle and pedestrian access to diverse areas and populations in Monterey County via public engagement, program delivery and capital investment.
- **Education:** Increase awareness of the environmental and public health benefits of bicycling and walking for transportation and recreation.
- **Quality Facilities:** Improve the quality of the bike and pedestrian network through innovative design and maintenance of existing facilities.

Regional Impact Fee

TAMC and its member jurisdictions have adopted a countywide, regional impact fee to cover the costs for studies and construction of many improvements throughout Monterey County. This impact fee, which went into effect on August 27, 2008, is applied to all new development in Monterey County. The governing document for the fee is the Regional Impact Fee Nexus Study Update, which was last updated in 2018 (TAMC 2018b).

City of Marina General Plan

The City of Marina General Plan Community Infrastructure Element (2000) includes the Transportation section which establishes the following goals, policies, and objectives regarding transportation:

3.7 **Protected Neighborhoods.** Existing and future residential neighborhoods shall be protected from intrusion by heavy through-traffic and from safety, noise and pollution problems created by such traffic. To achieve this end, inter-city traffic shall be directed onto designated major arterials, and intra-city traffic to designated collector streets. The network of streets shall be designed to prevent or inhibit the use of local residential streets for intra-city or crosstown vehicular travel. All streets extended so as to be integrated with developed areas of the Armstrong Ranch and former Fort Ord shall be limited to two lanes, one lane in each direction. Streets so affected are De Forest Road, Crescent Avenue, Beach Road east of Del Monte Boulevard, and Carmel Avenue.

3.8 **Streets and Highways.** The network of roadways to accommodate the movement of private and commercial vehicles is shown in the Transportation Policy Map (Figure 3.1). Roads shall be designed in accordance with policies and programs listed below, and, to the extent feasible, roadway system improvements shall be implemented concurrent with major development as allowed by this plan. Forecasted 2020 traffic volumes for major or critical road segments and recommended roadway standards for accommodating projected travel demands are set forth in Table 3.1.

3.8.1 **Pedestrian and Bicyclist Safety Considerations.** In the design and operation of new transportation facilities, pedestrian and bicyclist safety should be a priority in balance with avoiding automobile congestion Traffic calming devices should be employed to reduce travel speeds and increase pedestrian and bicyclist safety.

3.11 **Right-of-Way Design.** The rights-of-way for all new roadways shall be sufficient to accommodate Class I or Class II bikeways, sidewalks, transit movements, landscaping, and other design requirements.

3.20 **Landscaping of Local Residential Streets.** In order to provide greater visual and physical separation between moving vehicles and pedestrians and moving vehicles and residences, landscaping should be provided by the City, developer or homeowner, as appropriate. This includes but is not limited to street trees and low-maintenance groundcovers. Where existing street rights-of-way allowances are available, organizations such as homeowners associations and commercial landscape districts should be considered to maintain existing street landscaping and add it where it has yet to be provided.

3.21.1 **Roundabouts.** Roundabouts improve the safety of intersections for pedestrians, bicyclists and vehicles by eliminating conflict, reducing speed differentials, and forcing drivers to decrease speeds as they proceed through intersections. Roundabouts should be considered when designing new roadway intersections. Two options for bicyclist travel should be incorporated, including riding through the roundabout or using on-ramps to sidewalks.

3.22 **Vehicular Trip Reduction.** In addition to the land use and transportation provisions of this chapter, trip reduction measures for major new employers, expansion of existing businesses or relocation of existing businesses within Marina shall be required in order to achieve a minimum 10 percent reduction in estimated peak hour vehicular traffic volume. The threshold at which this trip reduction shall apply is to be determined during preparation and adoption of ordinances required to implement this plan.

3.23 **Design for Transit.** All future development and redevelopment shall be designed to promote cost-effective local and regional transit service and minimize dependency on the private automobile for work, shopping, recreation, and other trip purposes by requiring bus stops and/or bays in appropriate locations where there are direct transit access routes for pedestrians and bicyclists.

3.34.6 **New Development and Redevelopment.** New development and redevelopment within the City of Marina should be designed with a network of streets to disperse traffic loads evenly and provide route options and direct travel for pedestrians and bicyclists.

City of Marina Resolution No. 2022-44

Under this resolution, passed and adopted on March 15, 2022, the City of Marina adopted VMT as the principal measure to replace LOS for determining significant transportation impacts and adopted VMT thresholds. The City's thresholds of significance for VMT are summarized below in Table 4.2-1.

Table 4.2-1 City of Marina VMT Thresholds of Significance

Land Use	VMT Threshold	Basis
Residential	10.9 VMT/capita	15% below existing citywide average VMT per capita
Office	6.6 VMT/employee	15% below existing countywide average VMT per employee
Retail	Net regional change	Consistent with the basis of Monterey County
Other Employment	6.6 VMT/employee	15% below existing countywide average VMT per employee for similar land uses
Other	Net regional change	Consistent with the basis of Monterey County

Source: City of Marina 2022

City of Marina Municipal Code

The City of Marina Municipal Code is a collection of City laws and ordinances. The Municipal Code is update periodically to remain consistent with State and Federal laws, City Council policy direction and community standards. The Vehicles and Traffic chapter (Chapter 10) compiles City laws related to transportation, including bicycles, parking requirements, street configuration, speed limits, traffic control, and street and curb marking.

4.2.3 Impact Analysis

a. Methodology and Significance Thresholds

Methodology

The analysis presented herein is derived primarily from the VMT Analysis (Kimley-Horn 2021; Appendix C) and the Traffic Study (Kimley-Horn 2019; Appendix D). The VMT Analysis (Kimley-Horn 2021) addresses VMT resulting from DVSP implementation. An updated Results Review was provided by Kimley-Horn in July 2023, which is included in Appendix C. The VMT Analysis refers to Marina's VMT thresholds as "draft" thresholds, as they were not adopted at the time the VMT Analysis was prepared in 2021; however, as discussed above, the City of Marina passed and adopted these VMT thresholds via Resolution No. 2022-44 in March 2022.

The Traffic Study (Kimley-Horn 2019) assesses the transportation impacts of the proposed DVSP, including impacts to transit and active transportation facilities, as well as level of service (LOS), or traffic delay, which would result from Specific Plan implementation. Pursuant to Section 15064.3 of the CEQA Guidelines, traffic delay resulting from a land use project shall not constitute a significant environmental impact for purposes of CEQA. Because this EIR is intended to identify and mitigate potentially significant impacts of the Specific Plan, LOS is not discussed in the analysis. However, the Traffic Study is provided as Appendix D to this EIR and can be referred to for more information on traffic delay resulting from the Specific Plan.

Association of Monterey Bay Area Governments Regional Travel Demand Model

The VMT Analysis (Kimley-Horn 2021; Appendix C) evaluates potential VMT impacts of the Specific Plan using the AMBAG Regional Travel Demand Model (TDM) as the principal tool to determine VMT. This approach was determined to be the best methodology for the VMT analysis because the Specific Plan can be accurately represented within the AMBAG TDM as it contains a substantial amount of residential land uses. The AMBAG TDM uses a base year of 2015 and future year of 2040, both of which were used to quantitatively determine the VMT impact of the proposed residential and office land uses. Based on the nature of the land use descriptions provided, retail was analyzed qualitatively. With a built-in base year of 2015, the AMBAG TDM incorporates 2015 population estimates to identify existing conditions. Because the model is designed to use 2015 as a base year, 2015 conditions had to be used to determine existing conditions. To adjust for population and demographic changes that have occurred since 2015, the AMBAG TDM includes a "population synthesis" process to incorporate future population in projected, future-year model outputs. This population synthesis step was applied to base year (2015) of the AMBAG TDM to account for population and demographic changes through the current year. Additionally, the base year (2015) of the AMBAG TDM incorporates 2015 land uses to determine existing conditions. Development in the Specific Plan area has been limited since 2015 and land uses in the Specific Plan area have not changed substantially since 2015. Therefore, it is appropriate to use 2015 (with the population synthesis step) as the baseline year for analysis. For complete methodology used in the AMBAG TDM completed for this analysis, refer to Appendix C.

The AMBAG TDM was used in 2021 to prepare the VMT Analysis. Since 2021, AMBAG has released an updated version of the TDM, and Kimley-Horn prepared a Results Review to determine if updated analysis would be required. Because the new version of the AMBAG model still uses a base year of 2015, and because the land uses in the DVSP area have not changed substantially since 2021, it was determined that new analysis would not result in measurably different results. The

analysis completed in 2021 is sufficient and does not require an update. The complete Results Review is included in Appendix C.

Significance Thresholds

In accordance with Appendix G of the CEQA Guidelines, impacts related to transportation would be significant if the proposed DVSP would:

1. Conflict with an applicable plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.
2. Conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b).
3. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment).
4. Result in inadequate emergency access.

CEQA Guidelines Section 15064.3, Subdivision (b)

The purpose of CEQA Guidelines Section 15064.3, subdivision (b) is to describe specific considerations for evaluating a project's transportation impacts. Generally, VMT is the most appropriate measure of transportation impacts, and refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the proposed project on transit and non-motorized travel. Except as provided in subdivision (b)(2) below (regarding roadway capacity), a project's effect on automobile delay shall not constitute a significant environmental impact. The text of CEQA Guidelines section 15064.3, subsection (b) is as follows:

(b) Criteria for Analyzing Transportation Impacts.

(1) **Land Use Projects.** Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact.

(2) **Transportation Projects.** Transportation projects that reduce, or have no impact on, vehicle miles traveled should be presumed to cause a less than significant transportation impact. For roadway capacity projects, agencies have discretion to determine the appropriate measure of transportation impact consistent with CEQA and other applicable requirements. To the extent that such impacts have already been adequately addressed at a programmatic level, such as in a regional transportation plan EIR, a lead agency may tier from that analysis as provided in Section 15152.

(3) **Qualitative Analysis.** If existing models or methods are not available to estimate the vehicle miles traveled for the particular project being considered, a lead agency may analyze the project's vehicle miles traveled qualitatively. Such a qualitative analysis would evaluate factors such as the availability of transit, proximity to other destinations, etc. For many projects, a qualitative analysis of construction traffic may be appropriate.

(4) **Methodology.** A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other

measure. A lead agency may use models to estimate a project's vehicle miles traveled and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section.

Prior to the passage of SB 743, transportation impacts were evaluated in terms of LOS, which measures traffic congestion. As described above in Section 4.2.2, *Regulatory Setting,* and under *Methodology,* SB 743 amended the CEQA Guidelines and mandates the use of VMT as the primary metric for assessing transportation impacts. Therefore, traffic congestion is not considered an environmental impact under CEQA and will not be evaluated in this section.

b. Impact Analysis

Threshold 1:	Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Impact T-1 THE DVSP WOULD CONFLICT WITH GENERAL PLAN POLICIES PERTAINING TO TRANSIT, ROADWAY, BICYCLE, OR PEDESTRIAN FACILITIES. HOWEVER, THESE CONFLICTS WOULD NOT RESULT IN SUBSTANTIAL PHYSICAL ENVIRONMENTAL EFFECTS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

Transit

The DVSP would not result in a disruption of existing transit; rather, it would locate more residents and businesses near transit facilities and thereby increase ridership. In addition, as shown in the Cumulative Projects List (Section 3, *Environmental Setting,* Table 3-1), the SURF! rapid transit line would serve the commute route between Marina to Monterey, which is anticipated to improve transit options in Marina in the future. The DVSP includes specific goals and policies (Goal M-1 and Policies M-1.14 through M-1.16) related to transit that would encourage collaboration with MST to expand the bus routes that serve the Marina Transit Exchange, increase pedestrian access to the Marina Transit Exchange, and facilitate the SURF! bus rapid transit line to help realize downtown's potential to become a multi-modal mixed-use district. Therefore, the DVSP would not conflict with the City's adopted plans and policies as it relates to transit facilities. Impacts related to conflicts with transit access and circulation would be less than significant.

Roadways

According to the City of Marina General Plan, intersections and roadways should operate at LOS D or better. The Traffic Study (Appendix D) includes an LOS analysis and identifies existing and future LOS conditions at intersections in the Specific Plan area. Under existing conditions, no roadways and roadway intersections in the Specific Plan area currently operate below LOS D, especially during peak commute hours in the morning and evenings. In projected future conditions, intersections in the Specific Plan area would continue to operate at LOS C or better, with the exception of the Del Monte Boulevard SR 1 ramp, which would operate at LOS F during peak evening commute hours (Appendix D). The complete results of the LOS analysis are included in Appendix D. Pursuant to Section 15064.3 of the State CEQA Guidelines, traffic delay, which is what LOS measures and describes, shall not constitute a significant environmental impact for land use projects. Therefore, while the DVSP could conflict with plans and policies that address circulation on roadways, the

conflict would not result in physical environmental impacts which are significant. Information about intersection LOS within the Specific Plan area is provided for informational purposes only and does not constitute an environmental impact. This approach has been upheld by the Courts, reiterating Guidelines section 15064.3 that "[g]enerally, vehicle miles traveled is the most appropriate measure of transportation impacts," (*Citizens for Positive Growth & Preservation v. City of Sacramento* (2019) 43 Cal.App.5th 609, 625) and finding arguments that an LOS congestion analysis should be included to be moot under the new statutory requirements (*Ocean Street Extension Neighborhood Assn. v. City of Santa Cruz* (2021) 73 Cal.App.5th 985, 1021). Impacts related to conflicts with a program, plan, ordinance or policy addressing roadways would therefore be less than significant.

Bicycle Facilities

The DVSP would not result in a disruption to existing bicycle facilities; rather, it would locate more residents and businesses near bicycle facilities and thereby increase usership. The DVSP would facilitate expansion of existing bicycle facilities and includes specific goals and policies (Goal M-1 and Programs M-1 and M-2) that call for providing convenient access and circulation for all modes of transportation and enhancing bicycling in the Specific Plan area. Therefore, the DVSP would not conflict with the City's adopted plans and policies as it relates to bicycle facilities. Impacts related to conflicts with a program, plan, ordinance or policy addressing bicycle facilities would be less than significant.

Pedestrian Facilities

The DVSP identifies opportunities to expand the pedestrian realm with parklets and curb extensions, and to increase pedestrian access in the Downtown by developing a complete pedestrian network. The DVSP includes pedestrian network improvements to address the need for safer, more visible crossings on high-speed, high-volume arterial streets and comfortable off-street facilities that provide alternative access routes to local amenities. The future pedestrian facilities improvements envisioned in the DVSP would not conflict with the existing or planned pedestrian facilities because they would either tie into or replace existing facilities. The DVSP includes specific goals (Goal M-1 and Policies M-1.3 through M-1.9) that would encourage increasing pedestrian access throughout the Downtown area, and development of a complete sidewalk system within Downtown. Therefore, the DVSP would not conflict with the City's adopted plans and policies as it relates to bicycle facilities. Impacts related to conflicts with a program, plan, ordinance or policy addressing pedestrian facilities would be less than significant.

Mitigation Measures

No mitigation measures are required.

Threshold 2:	Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Impact T-2 THE DVSP WOULD RESULT IN THE GENERATION OF VMT THAT WOULD EXCEED CITY OF MARINA VMT THRESHOLDS, AND WOULD BE INCONSISTENT WITH CEQA GUIDELINES SECTION 15064.3, SUBDIVISION (B). IMPACTS WOULD BE SIGNIFICANT AND UNAVOIDABLE.

Development facilitated by the DVSP would result in increased population and employment in the Specific Plan area. While people residing in the plan area would be in proximity to other land uses, such as retail and office, it is reasonable to assume some residents would use vehicles to travel to

destinations outside of the plan area. Accordingly, the development envisioned in the DVSP would generate vehicles trips and VMT.

Residential and Employee VMT

Using the methodology described in the VMT Analysis (Appendix C) and summarized above in *Methodology* and *Significance Thresholds*, the VMT generated by the DVSP was estimated. Table 4.2-2 summarizes the VMT per capita and the VMT per employee estimated to be generated by the DVSP. As shown in Table 4.2-2, development facilitated by the DVSP would result in a reduction of VMT per resident and VMT per employee in existing (2015 Plus Project) and future baseline (2040 Plus Project) scenarios; however, this reduction would not reduce VMT to below the City's VMT thresholds of 10.9 VMT per resident and 6.6 VMT per employee. Accordingly, impacts would be significant.

Table 4.2-2 VMT by Land Use and Scenario

Scenario	VMT Per Capita (Residential)	Exceeds Threshold (10.9 VMT per capita)?	VMT Per Employee (Office)	Exceeds Threshold (6.6 VMT per employee)?
2015 Baseline (no project)	12.7	**Yes**	8.5	**Yes**
2015 Plus Project	11.7	**Yes**	8.0	**Yes**
2015 Plus Project (Employee VMT Only)	11.8	**Yes**	8.1	**Yes**
2040 Baseline (No Project)	13.8	**Yes**	8.8	**Yes**
2040 Plus Project	12.8	**Yes**	7.2	**Yes**

Source: Appendix C

Retail VMT

As discussed above in *Methodology,* retail land uses were analyzed qualitatively. Pages 4 and 7 of the Draft City of Marina SB 743 Implementation Guidelines specifically address some of the key issues surrounding how a local serving retail store should be evaluated in terms of its VMT impact. As described, the threshold for significance is "a net increase."

Local-serving retail primarily serves pre-existing needs and do not generate new trips as it meets existing demand. Accordingly, local-serving retail uses can be presumed to reduce trip lengths when a new store is proposed, and can be presumed to have less than significant VMT impacts. The City of Marina SB 743 Implementation Guidelines provides for a general threshold of 50,000 square-feet as an indicator as to whether a retail store can be considered local serving or not. Retail stores exceeding 50,000 square feet are generally categorized as big-box retail shops, which are not envisioned for the Specific Plan area. The Development Code (Appendix A of the DVSP) outlines development standards for projects in the DVSP area, and these standards encourage mixed-use development with commercial uses on the ground floor in and a maximum lot coverage of 70 percent. These standards would limit the potential for large-format retail in the DVSP area. Additionally, the Design Guidelines (Appendix B of the DVSP) describe the desired character of the DVSP area, and state that streetscapes in the DVSP area should be visually interesting, comfortable, and accommodating to people who walk, bike, and use transit. These guidelines would encourage the development of pedestrian-scale buildings and retail stores. Because large-format retail shops would be inconsistent with development envisioned by the DVSP, it is assumed that no single store

within the estimated 875,000 square feet of retail uses would exceed 50,000 square feet in the Specific Plan area, and therefore retail VMT impacts would be less than significant.

Although retail VMT would not exceed VMT significance thresholds, the residential and employment uses would exceed VMT significance thresholds. As such, the DVSP would have a significant impact related to VMT and conflicts with CEQA Guidelines Section 15064.3, subdivision (b), and mitigation would be required.

Mitigation Measure

T-2 Transportation Demand Management Program

Each individual office and residential development project in the Specific Plan area shall have a corresponding transportation demand management (TDM) plan and monitoring program developed by the applicant or developer of the project. The TDM plan shall be prepared prior to issuance of building permits.

The TDM plan shall identify the TDM reductions specific to their project. The monitoring program shall establish goals and policies to ensure the efficient implementation of the TDM plan and demonstrate its effectiveness at reducing VMT such that VMT is below the significance thresholds presented in Table 4.2-2, above. The City shall review and approve the TDM plan prior to approval of building permits. Examples of TDM measures that could be employed, depending on specific project conditions and circumstances, include but are not limited to:

- Provision of bus stop improvements or on-site mobility hubs
- Pedestrian improvements, on-site or off-site, to connect to nearby transit stops, services, schools, shops, etc.
- Bicycle programs including bike purchase incentives, storage, maintenance programs, and on-site education program
- Enhancements to regional bicycle network
- Parking reductions and/or fees set at levels sufficient to incentivize transit, active transportation, or shared modes
- Cash allowances, passes, or other public transit subsidies and purchase incentives
- Enhancements to bus service
- Implementation of shuttle service
- Establishment of carpool, bus pool, or vanpool programs
- Vanpool purchase incentives
- Participation in a future County VMT fee program
- Participate in future VMT exchange or mitigation bank programs
- Carshare/scooter-share/bikeshare facilities or incentives
- On-site coordination overseeing TDM marketing and outreach
- Rideshare matching program

Significance After Mitigation

The DVSP would facilitate multiple individual development projects and therefore is evaluated at a programmatic level in this EIR and in the VMT Analysis (Appendix C). Given the programmatic level data that is available for the DVSP, a detailed TDM plan typically required for each individual project

cannot be developed at this stage. Therefore, the effect of project-level and specific TDM programs that could reduce VMT cannot be accounted for fully as part of this analysis. For this reason, it cannot be guaranteed that VMT associated with future residential and employment development facilitated by the DVSP could be reduced below relevant significance thresholds. As such, the VMT impact of the DVSP would be significant and unavoidable.

Threshold 3:	Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?

Impact T-3 THE DVSP WOULD NOT SUBSTANTIALLY INCREASE HAZARDS DUE TO A DESIGN FEATURE OR INCOMPATIBLE USES. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

There are no project-specific applications for future development within the Specific Plan area at this time. Development facilitated by the DVSP would be required to undergo site plan review and building permit approval prior to construction. This process includes an evaluation of the site plan by the City and local fire district for site circulation, which would ensure that potential project designs do not include hazardous design features, including sharp curves or dangerous intersections. Future land use redevelopment projects would be residential, office, and retail, similar to existing surrounding uses, ensuring that hazards from incompatible uses do not occur. Additionally, the DVSP includes goals and policies (Goal M-1 and Polices M-1.1 through M-1.9) that would promote traffic calming and increase safety for all transportation modes in the Specific Plan area. Therefore, impacts would be less than significant.

Mitigation Measure

No mitigation measures are required.

Threshold 4:	Would the project result in inadequate emergency access?

Impact T-4 THE DVSP WOULD NOT RESULT IN INADEQUATE EMERGENCY ACCESS. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

There are no project-specific applications for future development within the Specific Plan area at this time. The DVSP would facilitate growth as infill and redevelopment within an urbanized area of the City where infrastructure and roads currently exist. Individual projects within the Specific Plan area would be subject at a minimum to administrative site plan review and building permit approvals. The building permit process includes construction design review for fire code compliance and review of emergency access prior to permit issuance. In addition, street network projects shall be designed to comply with adopted city codes regarding street widths, curb widths, turning movements and emergency operations. Therefore, impacts would be less than significant.

Mitigation Measure

No mitigation measures are required.

c. Cumulative Impacts

The geographic scope for cumulative transportation impacts is Monterey County as a whole. This geographic scope is appropriate as development in the Specific Plan area would have an impact on the regional roadway network within Monterey County. Buildout of cumulative development within and near the Specific Plan area, including the projects listed in Table 3-1 in Section 3, *Environmental Setting*, would increase traffic volumes on local roadways and regional VMT. Although the DVSP would reduce VMT compared to future baseline conditions, development facilitated by the DVSP would result in an increase in VMT which would exceed City thresholds. Because buildout of the DVSP would increase VMT, cumulative impacts would be potentially significant. The DVSP would contribute to this cumulative impact because it would add to countywide VMT alongside other development envisioned in the City of Marina and Monterey County. Therefore, the DVSP's contribution to significant cumulative VMT impacts would be cumulatively considerable.

Development facilitated by the DVSP and cumulative development within and near the Specific Plan area would be analyzed for consistency with programs, plans, ordinances or policies addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities at a project level and impacts are generally site-specific. Additionally, impacts related to design hazards and emergency access are generally site-specific. Therefore, cumulative impacts would be less than significant, and development facilitated by the DVSP would not contribute to a cumulatively considerable impact to conflict with programs, plans, ordinances or policies addressing the circulation system; design hazards; or emergency access. As described above, impacts related to these topics resulting from the DVSP would be less than significant.

4.3 Water Supply

This section analyzes the proposed Downtown Vitalization Specific Plan (DVSP)'s potential to substantially deplete groundwater supplies or interfere substantially with groundwater recharge. Included herein is analysis of pertinent thresholds from Appendix G of the CEQA Guidelines for both Hydrology and Water Quality and Utilities and Service Systems.

4.3.1 Setting

The environmental setting provided herein is specific to the topics affecting water supply availability and quality, which are the topics of focus for this section of the EIR.

a. Regional Hydrologic Setting

The California Department of Water Resources (DWR) divides surface watersheds into ten Hydrologic Regions (HR) that cover the entire state. The Specific Plan area is in the Central Coast HR, which covers approximately 7.22 million acres and includes all of Santa Cruz, Monterey, San Luis Obispo, and Santa Barbara counties, as well as parts of San Benito, San Mateo, Santa Clara, and Ventura counties. The Central Coast HR is characterized by major geographic features including the Pajaro, Salinas, Carmel, Santa Maria, Santa Ynez, and Cuyama Valleys. The Central Coast HR is largely defined by the northwest-trending southern Coast Range, with a climate generally classified as Mediterranean. Major drainages in the Central Coast HR include the Salinas, Cuyama, Santa Ynez, Santa Maria, San Antonio, San Lorenzo, San Benito, Pajaro, Nacimiento, Carmel, and Big Sur rivers (Central Coast RWQCB 2019).

The Central Coast HR depends heavily on groundwater, which makes up the vast majority of available water supply in the region. Recycled water is also becoming a more plentiful, supplemental source for agricultural and other non-potable uses (DWR 2013). The Central Coast Regional Water Quality Control Board (RWQCB) governs basin planning and water quality in the Central Coast HR (Central Coast RWQCB 2019). The Specific Plan area includes both undeveloped open space with natural drainage features and urban development with altered drainage systems, such as underground storm water systems and drainage ditches.

This area generally has a cool summer-type Mediterranean climate with precipitation falling exclusively as rain, predominantly between October and May. The nearest official weather station is seven miles away, in Monterey. The Pacific Ocean has a moderating effect in this area and its relatively cold water allows for mild summertime temperatures in Marina. This effect suppresses summertime irrigation demands for landscaping as compared to inland locations, especially when advection fog moves in from the Pacific Ocean. Unlike inland locations, summertime temperatures generally peak in September rather than July. Peak summer temperatures usually occur when high pressure is resident in the Great Basin (Santa Ana conditions), allowing for an offshore flow and compressional heating of the atmosphere (Marina Coast Water District [MCWD] 2020).

b. Groundwater Setting

The Specific Plan area is located within the Monterey Subbasin of the Salinas Valley Groundwater Basin; please see Figure 4.3-1. The Salinas Valley Groundwater Basin includes eight groundwater subbasins designated by the California DWR in Bulletin 118 (DWR 2004). There is a complicated history of water rights agreements in the Specific Plan area; this section provides an overview of

these agreements as they relate to the proposed project location in Central Marina and water sources of the Monterey Subbasin of the Salinas Valley Groundwater Basin.

Salinas Valley Groundwater Basin

The Salinas Valley Groundwater Basin is located within Monterey and San Luis Obispo Counties, along the central California coast approximately 100 miles south of San Francisco. This basin is a northwest-trending, elongated, intermontane valley formed by the Salinas River and its tributaries. The basin extends from the northwest at Monterey Bay to the southeast for about 80 miles inland, and is bound on the west by the Sierra De Salinas and Santa Lucia Range, on the east by the Gabilan and Diablo Ranges, on the northeast by the San Andreas Fault, and by a series of aligned and interconnected faults on the southwest. The Salinas Valley ranges in width from approximately 10 to 14 miles on its northwestern end near the city of Salinas, to approximately three miles at its southeastern end near Bradley. The altitude of the valley floor increases from zero to about 400 feet above sea level as it extends north to south from Monterey Bay to Bradley (Monterey County Water Resources Agency [MCWRA] 2006).

The California DWR produces its Bulletin 118 with information on all of California's DWR-delineated groundwater basins, including Salinas Valley Groundwater Basin (*Bulletin No. 52, Salinas Basin Investigation*). Bulletin 118 indicates that the City of Marina is located in the Seaside Subbasin (No. 3-4.08); however, as discussed throughout this analysis, the proposed project is located within the Monterey Subbasin, not the Seaside Subbasin. The reason for this discrepancy is that the Seaside Subbasin was adjudicated in 2006, after DWR's publication of Bulletin 118 for the Salinas Valley Groundwater Basin, but before the Marina Coast Water District (MCWD) adopted their current Urban Water Management Plan (UWMP) in 2020. Additionally, at the time of preparation of this EIR, the California DWR has yet to update the Bulletin 118 section for the now-adjudicated Seaside Subbasin, or the groundwater basin boundaries for the Seaside and Monterey Subbasins (discussed further below). Monterey County Water Resources Agency also uses terminology and boundaries that do not conform to the DWR's Bulletin 118 information, in the County's Groundwater Management Plan (MCWRA 2006). For the purposes of this EIR, terminology consistent with the 2020 UWMP is used, unless specified otherwise.

The Salinas Valley Groundwater Basin has generally been separated into five hydrologically-linked subareas, defined based on their respective sources of groundwater recharge and the nature of the stratigraphy. Of the five subareas, the project's water supply would be provided from two existing production wells in the Deep Aquifer (Pressure 900-Foot Aquifer). The Monterey County Groundwater Management Plan describes that the Monterey Subbasin of the Salinas Valley Groundwater Basin extends from offshore beneath Monterey Bay to Gonzales, including the Specific Plan area in Central Marina. In the Monterey Subbasin, massive clay units of estuarine origin divide the unconsolidated deposits into three distinct, confined aquifers (MCWRA 2006):

- The Upper Aquifer, or "Pressure 180-Foot Aquifer"
- The Lower Aquifer, or "Pressure 400-Foot Aquifer"
- The Deep Aquifer, or "Pressure 900-Foot Aquifer"

Marina Coast Water District

MCWD is the water supplier for Marina and the Specific Plan area. MCWD has two separate service areas: the Central Marina Service Area, which encompasses the portion of the City of Marina outside the former Fort Ord, and the former Fort Ord, also referred to as the "Fort Ord Community

Area." The Specific Plan area is located within Central Marina, which relies upon groundwater wells in the Deep Aquifer (Pressure 900-Foot Aquifer) of the Monterey Subbasin; these wells are separate from the Fort Ord Community Area wells. For the purposes of this EIR, the Fort Ord Community Area is only discussed where needed to provide clarification for the Central Marina Service Area.

The Central Marina Service Area is further divided into the three "parties" that were subject to the *1996 Zone 2/2A Annexation Agreement*:

- The portion of the City of Marina that is not within the former Fort Ord property (the City of Marina party),
- Armstrong Ranch property (undeveloped land north of the City, east of State Route [SR] 1), and
- CEMEX property (formerly RMC-Lonestar property, north of the City, west of SR 1).

The DVSP area is located within the City of Marina party area. The City of Marina party (to the *1996 Zone 2/2A Annexation Agreement*) is allocated 3,020 acre-feet per year (AFY) of Salinas Valley Groundwater Basin water. Accordingly, groundwater used in the Central Marina Service Area is monitored and tracked against the area's allocation of 3,020 AFY (MCWD 2020).

Figure 4.3-1 shows the Specific Plan area and underlying and surrounding groundwater sources. Figure 4.3-2 shows the Specific Plan area, the service territory of MCWD, and the service areas of surrounding water agencies.

1996 Zone 2/2A Annexation Agreement

The 1996 Zone 2/2A Annexation Agreement authorizes MCWD to pump up to 3,020 AFY of Salinas Valley Groundwater from the Monterey County Zones of Benefit 2 and 2A, areas of the former Fort Ord, for delivery to the Central Marina Service Area. Zones of Benefit 2 and 2A surround Marina to the north, east, and south. MCWD's current jurisdictional boundary (as defined by the Local Area Formation Commission [LAFCO] of Monterey County), including the Central Marina Service Area and MCWD's sphere of influence, encompasses 13.9 square miles (MCWD 2020). In 1996, MCWD entered into the *Annexation Agreement and Groundwater Mitigation Framework for Marina Area Lands*, an agreement between MCWD, MCWRA, J.G. Armstrong family, and RMC Lonestar (now CEMEX), to annex into Monterey County Zones of Benefit 2 and 2A. Under that agreement, MCWD receives Central Marina's allocation of 3,020 AFY of Salinas Valley Groundwater Basin water (MCWD 2020). In 2017, MCWD annexed former Fort Ord military lands, including areas of unincorporated Monterey County and the cities of Marina and Seaside.

Central Marina Water Supply

MCWD does not purchase wholesale water supply or imported surface water, and instead relies entirely upon the water supply in the Salinas Valley Groundwater Basin. MCWD owns and operates its own groundwater production wells within its service areas, and has redundant well pumping capacity to accommodate maintenance shutdowns during peak days (MCWD 2020). MCWD has two groundwater production wells in the Central Marina Service Area, which produce groundwater from the Deep Aquifer (900-Foot Pressure Area) of the Monterey Subbasin.

Other than MCWD, only a small number of wells tap the Deep Aquifer (900-Foot Pressure Area), some of which also draw from the 180/400 Foot Aquifer. These are agricultural wells that are currently only used to meet supplemental needs during peak summer demand periods and are also part of the monitoring network overseen by MCWRA (MCWD 2020). These agricultural wells historically were used more often; however, due to water supply development efforts throughout

Figure 4.3-1 Groundwater Basins: Monterey Subbasin/Salinas Valley Groundwater Basin

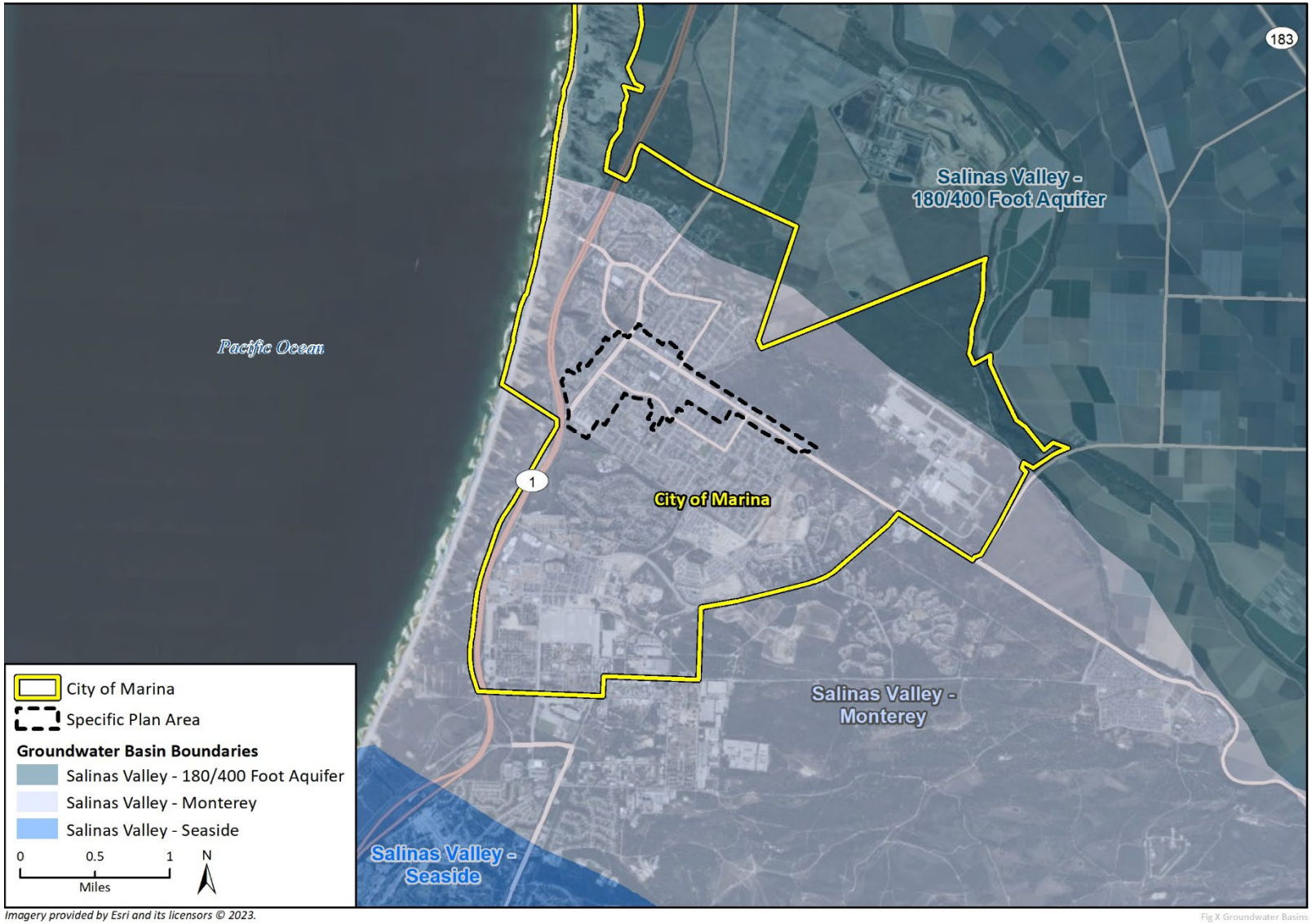
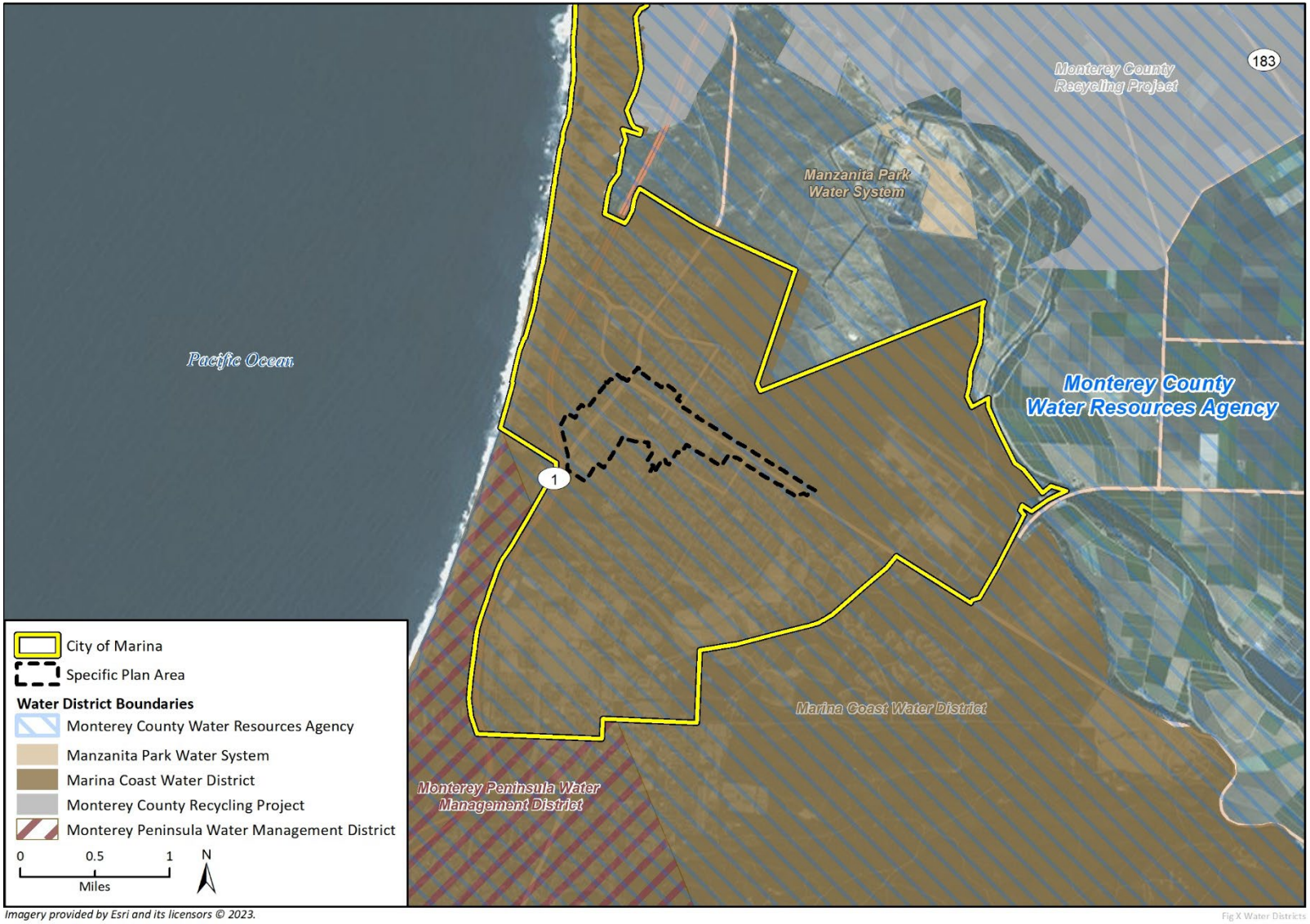


Figure 4.3-2 Marina Coast Water District Service Territory



the area that have provided increased recycled water for crop irrigation, reliance on local groundwater for agricultural uses has been reduced. As such, delivery of recycled water to this area has replaced groundwater pumping from the Deep Aquifer (900-Foot Pressure Area). Completion of the Salinas Valley Water Project in 2010 further reduced groundwater pumping by agricultural users. MCWD is now the only substantial water user that produces from the Deep Aquifer (900-Foot Pressure Area) (MCWD 2020).

MCWD also has four wells in the Fort Ord Community Area, which produce groundwater from the 180/400 Foot Aquifer. This is an important distinction, because the Deep Aquifer (900-Foot Pressure Area) and the 180/400 Foot Aquifer are both confined, and have generally been understood to be hydrologically separate. In 2019, the MCWRA and Salinas Valley Basin Groundwater Sustainability Agency (GSA), which are responsible for monitoring and regulating groundwater extraction in the seawater-intruded portions of the Salinas Valley Groundwater Basin (inland of the Specific Plan area), have stated that the hydraulic separation between the 180/400 Foot Aquifer and the Deep Aquifer (900-Foot Pressure Area) is uncertain, and these agencies have therefore prohibited the expansion of groundwater extraction in the Deep Aquifer (900-Foot Pressure Area) (City of Marina GSA 2019). The proposed Specific Plan, however, does not represent expansion of groundwater extraction in the Deep Aquifer (900-Foot Pressure Area), because groundwater pumping associated with the DVSP has been accounted for in long-range planning documents, including the MCWD 2020 UWMP.

Central Marina Service Area – Groundwater Management

The Sustainable Groundwater Management Act (SGMA) of 2014, discussed further in Section 4.3.2, *Regulatory Setting*, requires that all groundwater basins and subbasins in California are managed in accordance with a Groundwater Sustainability Plan (GSP). GSPs are developed and implemented by a designated GSA, in accordance with a sliding schedule identified in SGMA with deadlines corresponding to DWR Basin Priority rankings, where the most critical basins have the earliest deadlines. This overview of groundwater basin management respective to the proposed Specific Plan area in Central Marina is provided as background information to the impact analysis provided in Section 4.3.3.

As mentioned, SGMA deadlines occur in accordance with DWR Basin Priority rankings. The Monterey Subbasin, where the Specific Plan area is located, is ranked by the DWR as a Medium-Priority Basin, and the deadline for adoption of a GSP was January 31, 2022. MCWD, as a GSA, and the Salinas Valley Groundwater Basin GSA prepared the GSP for the Monterey Subbasin, which was adopted on January 13, 2022 and submitted to DWR on January 24, 2022. DWR approved the GSP on April 27, 2023. Also as previously mentioned, the Fort Ord Community Area is only addressed in this EIR as necessary to characterize the project's setting or impacts in the Central Marina Service Area; DWR had previously ranked the 180/400 Foot Aquifer (where Fort Ord Community Area receives its water supply) as a High-Priority subbasin, until January 2016, when it further designated the subbasin as Critically Overdrafted. This designation required that a GSP be adopted for this subbasin by January 31, 2020, in accordance SGMA. A GSP for the 180/400 Foot Aquifer was jointly prepared by the City of Marina/MCWD GSA, the County of Monterey GSA, and the Salinas Valley Basin GSA. The 180/400 Foot Aquifer GSP was approved by the DWR on January 9, 2020.

DWR's official maps have not been updated to reflect current subbasin boundaries in the Specific Plan area. Separate hydrologic studies of the Marina and Seaside areas have indicated that the northern portion of the Seaside Subbasin is connected to the 180/400 Foot Aquifer, while the southern portion of the Seaside Subbasin is disconnected from the Salinas Valley due to a ridge in

the subsurface water-bearing formations. Due to this disconnect, the southern portion of the Seaside Subbasin was formally adjudicated in 2006 and is now managed by the Seaside Basin Watermaster (MCWD 2020). A basin boundary modification request has been submitted to DWR to revise the official boundaries of the Seaside Subbasin and the Coral de Tierra Subarea (part of the Central Marina Subarea/Service Area in the Monterey Subbasin, discussed below) to match the adjudicated boundary and to make the Adjudicated Seaside Groundwater Basin a new groundwater basin that is separate and apart from the Salinas Valley Groundwater Basin and the subbasins contained therein, including the Monterey Subbasin; the remaining northern portion of the Seaside Area Subbasin would be designated as the Marina Area Subbasin (MCWD 2020).

Buildout and Water Demand Projections

Water demand projections for a given area are typically based upon population growth projections and buildout projections, which are included in long-range planning documents including General Plans and UWMPs. MCWD prepared a Water Supply Assessment (WSA, Appendix F) for the proposed DVSP in 2020, based upon information and projections included in the 2015 UWMP. However, since preparation of the WSA, MCWD has released the 2020 UWMP, which forecasts planned development through 2040 and supersedes the 2015 UWMP. A Water Supply Gap Analysis (included in Appendix F) was prepared to assess whether any differences between the 2015 UWMP and 202 UWMP would affect the conclusions of the 2020 WSA. The WSA as well as the Water Supply Gap Analysis will be used to inform the analysis of this EIR.

The WSA and supporting Water Supply Gap Analysis (Appendix F) analyzed projected water demands associated with the DVSP with estimated supply determined by the 2015 and 2020 UWMPs. The 2020 UWMP projected a substantial increase in water demand within the Central Marina Service Area corresponding with anticipated infill development, based upon earlier drafts of the Specific Plan (as mentioned above), as well as the City's General Plan, Zoning Ordinance, and a planned subdivision on the north edge of the City referred to as the Marina Station subdivision (MCWD 2020).

The 2020 UWMP projected that water demand in the MCWD Central Marina Service Area would increase from 3,367 AFY in 2020 (actual) to 9,574 AFY in 2040 (projected) (Appendix F). The increased demand is projected to be met with existing groundwater resources. The 2020 UWMP found that most of the projected Central Marina water demand could be met using the available groundwater supply, but some jurisdictions within the Ord Community have projected shortfalls and others have projected surpluses. MCWD's water supply plans include recycled water and desalination to address these shortfalls in the Ord Community area.

4.3.2 Regulatory Setting

This regulatory setting is specific to water supply availability and reliability, which is the focus of this EIR section. All other potential issues related to hydrology and water quality were addressed in the Initial Study, provided as Appendix A to this EIR.

a. Federal and State Regulations

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (Division 7 of the California Water Code) is the primary statute covering the quality of waters in California. Under the act, the SWRCB has the ultimate authority over the State's water quality policy. The SWRCB administers water rights, water

pollution control, and water quality functions throughout the state, while the nine RWQCBs conduct planning, permitting, and enforcement activities. The RWQCBs also regulate water quality under this act through the regulatory standards and objectives set forth in Water Quality Control Plans (also referred to as Basin Plans) prepared for each region.

The Specific Plan area is located in the jurisdiction of the Central Coast RWQCB. The most current version of the Central Coastal Basin Plan was adopted in 2019 (Central Coast RWQCB 2019). The Basin Plan has five major components: 1) identifies the waters of the region; 2) designates beneficial uses of those waters; 3) establishes water quality objectives for the protection of those uses; 4) prescribes an implementation plan; and 5) establishes a monitoring and surveillance program to assess implementation efforts.

California Safe Drinking Water Act

USEPA has delegated to the California Department of Public Health the responsibility for administering California's drinking-water program. In 1976, two years after the federal Safe Drinking Water Act was passed, California adopted its own safe drinking water act (contained in the Health and Safety Code) and adopted implementing regulations (contained in Title 22 California Code of Regulations). California's program sets drinking water standards that are at least as stringent as the USEPA standards. Each community water system also must monitor for a specified list of contaminants, and the monitoring results must be reported to the state. Responsibility for the state's Drinking Water Program was transferred from the Department of Public Health to the Division of Drinking Water.

California Water Code, as amended by Senate Bill 610

Statewide legislation relevant to groundwater supply management includes Senate Bill 610, which revised California Water Code to require the preparation of a WSA for certain types of projects that are subject to CEQA and would rely in part or full on groundwater resources to meet project-related water demands. In accordance with SB 610, a WSA must be attached to a project's CEQA document and considered in making a decision on whether to approve the project. The proposed project is subject to CEQA, is located in the Monterey Subbasin of the Salinas Valley Groundwater Basin, and would use groundwater to meet its water demands. This subbasin is managed by the MCWD and MCWD prepared a WSA for the proposed DVSP. The WSA is provided as Appendix F to this EIR, and is used to inform the analysis of water supply provided herein.

Sustainable Groundwater Management Act

In 2014 a package of bills referred to as the Sustainable Groundwater Management Act (SGMA) was passed to require that certain priority groundwater basins throughout the state are managed under a GSP per the direction of a GSA. SGMA provides deadlines for the development and implementation of GSPs, according to priority rankings of groundwater basins provided by the California DWR. The Monterey Subbasin is ranked as a Medium Priority basin, and a GSP was required to be prepared by January 31, 2022, with the ultimate goal of providing sustainable groundwater conditions by the year 2040. The GSP for the Monterey Subbasin was adopted on January 13, 2022 and submitted to DWR on January 24, 2022. DWR approved the GSP on April 27, 2023.

b. Regional and Local Regulations

MCWD Urban Water Management Plan

The California Urban Water Management Planning Act (Section 10610 et. seq. of the California Water Code) requires urban water suppliers providing over 3,000 AFY of water or having a minimum of 3,000 service connections to prepare and implement an UWMP and to update the UWMP on a five-year, ongoing basis. An UWMP must demonstrate the continued ability of the provider to serve customers with water supplies that meet current and future expected demands under normal, single dry, and multiple dry year scenarios. These plans must also include the assessment of urban water conservation measures and wastewater recycling.

Pursuant to Section 10632 of the California Water Code, an UWMP must also include a water shortage contingency plan outlining how the water provider will manage water shortages, including shortages of up to fifty percent of their normal supplies, and catastrophic interruptions of water supply. The MCWD's most recent UWMP was adopted in June 2021, and projects MCWD demands and supplies for 20 years through the year 2040 (MCWD 2020).

City of Marina General Plan

The City of Marina General Plan addresses water supply under Element 3, Community Infrastructure, Section 2, Water Supply and Management (City of Marina 2000). The General Plan Community Infrastructure Element contains a number of goals and policies for water supply, as presented below and discussed in Section 4.3.3 as applicable to the proposed project.

Goal 3.41 The Marina Coast Water District (MCWD) is the water purveyor for the incorporated portion of the Marina Planning Area. However, the service area presently excludes the 366-acre Lonestar property, Armstrong Ranch, and former Fort Ord. The District currently operates and maintains both the water and sewer systems on former Fort Ord as part of a "caretaker" agreement with the U.S. Army, and will ultimately obtain ownership of them through conveyance.

Goal 3.42 Major changes in the management of water resources will be required in the area in the future due to the water demands of future urban users, Monterey County's nationally significant agricultural industry, and increasing problems of saltwater intrusion into local aquifers. Water conservation and water reclamation and reuse must constitute a major component of future water management efforts. The policies and programs of the General Plan are designed to promote both water conservation and the use of recycled water to protect water quality and to ensure that the demand of future community development does not exceed the capacity to provide water in an environmentally acceptable way.

Goal 3.43 The City's potable water supply is provided by the Marina Coast Water District (MCWD). The primary water sources are wells tapping the deep aquifer of the Salinas Valley Water Basin. MCWD also operates a desalinization plant with a limited capacity of 300 acre-feet of water per year.

The total potable water supply from these sources is estimated at 5,845 acre-feet per year (afy), of which approximately 55 percent, or 3,230 acre feet per year, is available to support new development in the planning area, accounting for the 15 percent reserve set forth by this plan. However, the actual use and distribution of Marina's water supply is limited pursuant to a 1996 agreement under which the Marina Coast

Water District received separate allocations from the Monterey County Water Resources Agency of 3,020, 920 and 500 afy, respectively, for the City of Marina (excluding former Fort Ord), Armstrong Ranch and RMC Lonestar property. Under this Annexation Agreement, the MCWD is limited to using the 3,020 afy within the identified service area; the Agreement prohibits the use of any portion of this allocation to serve new development in other areas of the City such as former Fort Ord. Similarly, allocations to the Armstrong Ranch and RMC Lonestar properties must be used within the boundaries of those separate allocation entities as specified by this Agreement.

Goal 4.44 The total demand for potable water by 2020 is estimated at approximately 7,720 acre-feet per year, of which an estimated 5,470 afy would be the demand generated by new land uses and development within the planning area. This estimate assumes a total build-out of all residential designated areas. For commercial and industrial lands, the estimate is based on potential market demand for these uses by 2020. With use of recycled water for irrigation of large areas of turf, the total demand for potable water could drop to a level roughly commensurate with total available supply and assuming the long-term reliability of existing deep aquifer wells. However, current limitations on the use of specified water allocations within the Marina Planning Area – pursuant to the 1996 Annexation Agreement – result in individual water use deficits for certain allocation entities – i.e., former Fort Ord, the MBEST Center and Armstrong Ranch. At the present time, the most feasible ways of reducing these water demand deficits appear to be increased reliance on water conservation, expansion of the existing desalinization facility, construction of a new desalinization facility, and/or reclaimed water for irrigation of large areas of turf and City parks.

Goal 3.45 In no event shall the City permit new development requiring water allocations in excess of the available supply or in excess of its designated water allocation for that portion of former Fort Ord within the City. Toward that end, the City shall employ a sound water resource management program which (1) protects the quality of the water supply; (2) promotes replenishment of water sources; (3) minimizes water consumption; and (4) makes maximum use of recycled wastewater for large areas of turf. The primary responsibility for water resource management rests with the Marina Coast Water District, as the water purveyor, and the Monterey County Water Resources Agency (MCWRA), which is responsible for managing the surface and groundwater resources of the Salinas River basin. The policies and programs of the General Plan are designed to be consistent with the policies and objectives of these two agencies, and where within the legal authority of the City, promote these policies and objectives in land use and development decisions and in the adoption and enforcement of related development standards.

Goal 3.46 Enumerated below are specific land use and development policies which address the City's roles and responsibilities in terms of assisting MCWD and MCWRA in managing the area's water resources.

Goal 3.47 With the exception of the City's allocation for former Fort Ord, a minimum 15 percent reserve shall be retained to ensure the long-term protection of the City's water supply for Marina residents and businesses. If no new water sources are in place by the time the City has reached 85 percent of its available supply, new development, may not proceed until reclamation and reuse and conservation efforts are sufficient to offset

the demand created by new development or other supplementary sources of water are made available to the City.

Goal 3.48 On an annual basis, the City shall request that MCWD provide the most current information on the supply of available water by specific allocation area in order to enable the City and MCWD to determine the extent to which new development or uses which have occurred during the previous 12 month period have affected the supply of available water in each allocation area. The City will also request that MCWD provide the most current water use rates by type of activity or land use, in order to provide a reliable basis for estimating future water demand rates associated with potential activities and land uses which may be allowed by this plan.

Additionally, when an annual report demonstrates that the City has reached 65 percent of its available water allocation within an allocation area for which a project is being considered, the City shall request that MCWD issue Provision of Service letters for all new or rehabilitated residential (projects including more than one dwelling unit) or commercial projects. The letters will include the water requirement for irrigated landscaping and turf plans which are part of these projects and not immediately scheduled for recycled water. These letters will outline the amount of water required for said project, the water district's commitment to provide such water, and what that commitment will do to the remaining water balance for that part of the City. These letters should be submitted as part of the planning process and should be part of any development application scheduled for presentation before the City Council, Planning Commission or Design Review Board.

Goal 3.50 The City and the Marina Coast Water District shall reserve adequate water from its available allocations to serve new schools, expansion of the civic center and public safety facilities, and other community uses such as designated park sites (exclusive of landscaping, including turf, which will eventually be irrigated with non-potable water).

Goal 3.51 The City will continue to work with the Marina Coast Water District, FORA and other regional agencies to seek securement of sufficient water resources to meet the expected needs of projected growth and development as allowed by this Plan beyond the year 2015. (2005-82)

Goal 3.52 Environmental review shall be required for all proposed subdivisions, schools and new commercial and industrial projects which might generate significant water demands. The objective of such review is to disclose projected water demand relative to available supply and to explore effective means of achieving water savings. Additionally, all major new development entailing parcels or sites with substantial landscaping shall utilize recycled water for irrigation once the MCWD's distribution system for reclaimed or recycled water becomes available. Projects approved prior to such availability shall make provisions to accommodate water reuse at such time that it is available. The City and Marina Coast Water District shall ensure that existing Marina residents do not pay for the cost of providing recycled water to new commercial development within Marina or in other jurisdictions.

Goal 3.53 The City of Marina, in conjunction with MCWD, shall continue to promote and require water-saving devices. Specifically, the following measures shall be required:

1. All new multi-family units shall be required to install water meters for each unit.
2. A study shall be undertaken to determine the feasibility of requiring separate metering of spaces within new commercial and industrial buildings and existing

duplexes, triplexes, and other multifamily structures. Metering shall be required if found to be physically and economically feasible.

3. All new construction shall use low-flow water fixtures and ultra-low-flush toilets. The MCWD and the City should continue to require that all existing residential units and commercial properties be retrofitted with low-flow fixtures upon resale.
4. The City shall support MCWD rebate programs to replace older, more water consumptive fixtures.

Goal 3.54 All infrastructure required for adequate water supply shall be in place prior to or concurrent with new development. The cost for providing water to new development shall be paid by impact fees set at a rate sufficient to cover the annual debt service of the new water supply system. This provision may be especially critical in areas of former Fort Ord, where water-distribution and storage facilities are in need of repair.

4.3.3 Impact Analysis

a. Methodology and Significance Thresholds

The Initial Study for the proposed Specific Plan (Appendix A) assessed potential impacts of the project against all significance thresholds identified in Appendix G of the CEQA Guidelines, and determined that impacts associated with water supply could potentially be significant and are therefore assessed in detail in this EIR. Accordingly, impacts related to water supply are assessed herein, and would be considered potentially significant if the proposed DVSP would meet one or more of the following significance thresholds:

1. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.
2. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.
3. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.
4. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.

The significance thresholds listed above are those from Appendix G of the CEQA Guidelines that were determined in the Initial Study to result in potentially significant impacts with implementation of the DVSP and are therefore addressed in detail in this EIR. Thresholds 1 and 2 above are (b) and (e), respectively, from Section X (10), Hydrology and Water Quality, of Appendix G of the CEQA Guidelines. Thresholds 3 and 4 above are (a) and (b), respectively, from Section XIX (19), Utilities and Service Systems, of Appendix G of the CEQA Guidelines. All other Hydrology and Water Quality and Utilities and Service Systems impacts were determined in the Initial Study (Appendix A) to be less than significant and are therefore not analyzed further in this EIR. CEQA significance Thresholds 1 through 4, as listed above, are addressed in the impact analysis below.

b. Project Impacts and Mitigation Measures

Threshold 1:	Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
Threshold 2:	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?
Threshold 4:	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Impact HYD-1 THE DVSP WOULD INCREASE WATER DEMAND IN THE SPECIFIC PLAN AREA. SUFFICIENT WATER SUPPLY IS AVAILABLE TO MEET PROJECTED DEMANDS AND DVSP BUILDOUT WOULD NOT SUBSTANTIALLY INTERFERE WITH GROUNDWATER RECHARGE OR OTHERWISE ADVERSELY AFFECT GROUNDWATER SUPPLY OR RECHARGE. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

The Specific Plan area is located in the MCWD Central Marina Service Area, and this area is already largely built out and developed with impermeable surfaces. Buildout of the DVSP would primarily involve redevelopment projects, and accordingly would not introduce a substantially new amount of impermeable surfaces that would significantly alter, diminish, or otherwise affect groundwater recharge rates to the underlying groundwater basin. Therefore, the proposed Specific Plan would not interfere substantially with groundwater recharge such that it may impede sustainable groundwater management of the basin. However, the proposed Specific Plan would require a long-term water supply, which would be drawn against MCWD's existing allocation of Salinas Valley Groundwater Basin water, as assessed below.

MCWD prepared a WSA for the DVSP in 2020 and Rincon Consultants prepared a gap analysis in 2023; both reports are provided in Appendix F. The WSA identified the DVSP's water demands as approximately 1,016.9 AFY through a buildout year of 2040, including 726 AFY for multi-family residential uses and 290.9 AFY for commercial uses. The WSA compared the water demands of the DVSP to a current and future water supply availability, based upon projections provided by MCWD in its 2015 UWMP, which was the most current version of the UWMP available at the time of preparations of the WSA. Analysis provided in the 2020 WSA determined that sufficient water supply is available through MCWD to reliably meet the needs of the proposed project over a 20-year planning horizon and with consideration to normal-year, single-dry (drought) year, and multiple-dry-year conditions (MCWD 2021).

The WSA was prepared in compliance with California Water Code as revised by Senate Bill 610. The Water Supply Gap Analysis was conducted to determine if differences between the 2015 and 2020 UWMPs affect the analysis or findings of the WSA. The Water Supply Gap Analysis determined that the water demand of projects considered in the 2020 UWMP have decreasing water demands in the Central Marina Service area through 2035. Additionally, the magnitude of these decreases is larger than the magnitude of water demands associated with growth facilitated by the DVSP; in other words, the new water demand generated by the DVSP would not exceed the additional water supply made available via lower demand in the Central Marina Service Area. As concluded in the Water Supply Gap Analysis (Appendix F), the differences between the two versions of the UWMP do not alter the conclusions of the 2020 WSA, and that sufficient water supply availability and reliability can be provided by MCWD to meet the needs of the proposed project. Therefore, there would be sufficient water supplies available to serve development envisioned by the DVSP during normal, dry

and multiple dry years, and accordingly, the DVSP would not conflict with or obstruct implementation of the GSP for the Monterey Subbasin.

Overall, the DVSP would increase water demand in the Specific Plan area, but would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. Additionally, the DVSP would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan, and would have sufficient water supplies for normal, dry, and multiple dry years. Impacts would be less than significant.

Mitigation Measures

No mitigation measures are required.

Threshold 3:	Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Impact HYD-2 DVSP BUILDOUT WOULD REQUIRE NEW WATER SERVICE CONNECTIONS, THE CONSTRUCTION OF WHICH COULD INCLUDE GROUND DISTURBANCE. NO EXPANSION OF EXISTING WATER ENTITLEMENTS OR ALLOCATIONS WOULD OCCUR AS A RESULT OF THE PROPOSED PROJECT. IMPACTS WOULD BE LESS THAN SIGNIFICANT.

This significance threshold, as it pertains to wastewater, natural gas, electricity, and telecommunication service, was addressed in the Initial Study (Appendix A) for the DVSP, which determined that potential impacts would be less than significant and are therefore not addressed further in this EIR. The Initial Study also determined that this threshold, as it related to water service, would be potentially significant and is therefore addressed in the EIR, as follows.

The Specific Plan area consists of the downtown portion of the City of Marina, which is currently developed and connected to utilities, including water. Connecting new development to water infrastructure would require ground disturbance and Specific Plan buildout would also contribute to the need for new facilities that provide these utilities. Environmental effects associated with ground disturbance are discussed in Section 4.4, *Less Than Significant with Mitigation,* and in Initial Study Section 4, *Biological Resources*, Section 5, *Cultural Resources*, and Section 7, *Geology and Soils*; these sections of the Initial Study also identify best management practices (BMPs) and regulatory requirements associated with the proposed DVSP, including but not limited to the preparation of a SWPPP for NPDES compliance as authorized by the Clean Water Act. Ground disturbance associated with utility connections would be minor, as the Specific Plan area is developed and presently connected to utilities. In addition, also as discussed in the Initial Study, the proposed DVSP includes design guidelines to increase percolation and prevent water pollution, including requirements for the use of permeable materials and requirements for street trees and planted park strips (see Appendix B of the DVSP, *Design Guidelines*). Therefore, while the DVSP would result in the relocation or construction of new or expanded water facilities, the construction or relocation of these facilities would not cause significant environmental effects. Impacts would be less than significant.

Mitigation Measures

No mitigation measures are required.

c. Cumulative Impacts

The geographic scope of analysis for cumulative impacts to water supply is the Salinas Valley Groundwater Basin. This is an appropriate scope for analysis of cumulative water supply impacts because the DVSP's water supply would be entirely provided by MCWD's existing allocation of Salinas Valley Groundwater Basin water for the Central Marina Service Area. In addition to the DVSP, cumulative development projects (Table 3-1 in Section 3, *Environmental Setting*) and development in the greater Salinas Valley Groundwater Basin area, including but not limited to the Monterey peninsula and Monterey County, would further increase demand for water supplies from this basin. Because much of the groundwater supply is already accounted for and is allocated to existing development, cumulative impacts related to sustainable groundwater management, implementation of groundwater sustainability plans, and water supply in normal, dry, and multiple dry years would be significant. Construction or relocation of new or expanded water facilities would occur on a project-by-project basis and would be subject to regulatory requirements, including but not limited to the preparation of a SWPPP for NPDES compliance as authorized by the Clean Water Act. Cumulative impacts related to new water facilities would be less than significant.

As discussed throughout this section, the DVSP would increase water demand in the Specific Plan area, but would be sufficiently served by existing water supplies. However, substantial excess supply is not anticipated. There would not be sufficient water supply for all cumulative development in normal and dry years. As such, cumulative water supply impacts would be potentially significant. While the DVSP itself would result in less than significant impacts to water supply, the DVSP would contribute to the cumulative impact. Therefore, the DVSP would result in a cumulatively considerable contribution to cumulative sustainable groundwater management and water supply impacts.

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4.4 Less than Significant with Mitigation

The sections below include the checklist questions listed in Appendix G of the *CEQA Guidelines* and a brief discussion of environmental impacts that were determined to be less than significant with mitigation. This includes checklist questions pertaining to the following environmental issue areas: Biological Resources (special status species and wetlands), Cultural Resources, Geology and Soils (paleontological resources), Hazards and Hazardous Materials, Noise, and Tribal Cultural Resources.

The project would result in less than significant impacts to: Aesthetics, Agriculture and Forestry Resources, Air Quality (obstructing with implementation of air quality plan, exposure of sensitive receptors to pollutants, or other emissions such as those leading to odors), Biological Resources (riparian or other sensitive habitat, wildlife movement, and conflicts with a policy, ordinance, or habitat conservation plan), Energy, Geology and Soils (seismic and soil related hazards), Greenhouse Gas Emissions, Hydrology and Water Quality, Mineral Resources, Population and Housing, Public Services, Recreation, Transportation, Utilities and Service Systems (wastewater, stormwater, drainage, electric power, natural gas, telecommunications and solid waste), and Wildfire. The less than significant impacts to these environmental issue areas would not require mitigation. These checklist questions are included and analyzed in the Initial Study prepared for this project, included as Appendix A.

Air Quality (criteria pollutants), Transportation, and Water Supply, which result in potentially significant impacts, are addressed in Sections 4.1 through 4.3 of this EIR.

4.4.1 Biological Resources

Significance Thresholds

Impacts to biological resources would be significant if implementation of the project would:

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 Wildlife or U.S. Fish and Wildlife Service?

c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Biological Resources thresholds (b), (d), (e), and (f) are addressed in Table 1-3 of this EIR as well as in Appendix A (Initial Study, page 41) and it was determined that there would be no significant impacts associated with these checklist questions.

Impact Analysis

a. Would the project have 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 Wildlife or U.S. Fish and Wildlife Service?

Rincon conducted a field reconnaissance survey of the Specific Plan area on June 17, 2019. The purpose of the survey was to document the existing biological conditions within the Specific Plan

area, including plant and wildlife species, vegetation communities, the potential for occurrence of sensitive species and/or habitats, and jurisdictional waters. A Biological Resources Assessment (BRA) was completed by Rincon Consultants, Inc. in July 2019, and is included as Appendix E. Because the biological setting of the DVSP area has not changed substantially since 2019, the BRA is adequate for use in this analysis. The results of the survey subsequent biological resources assessment are presented in the BRA report and summarized below. The following analysis is based on the findings of the BRA.

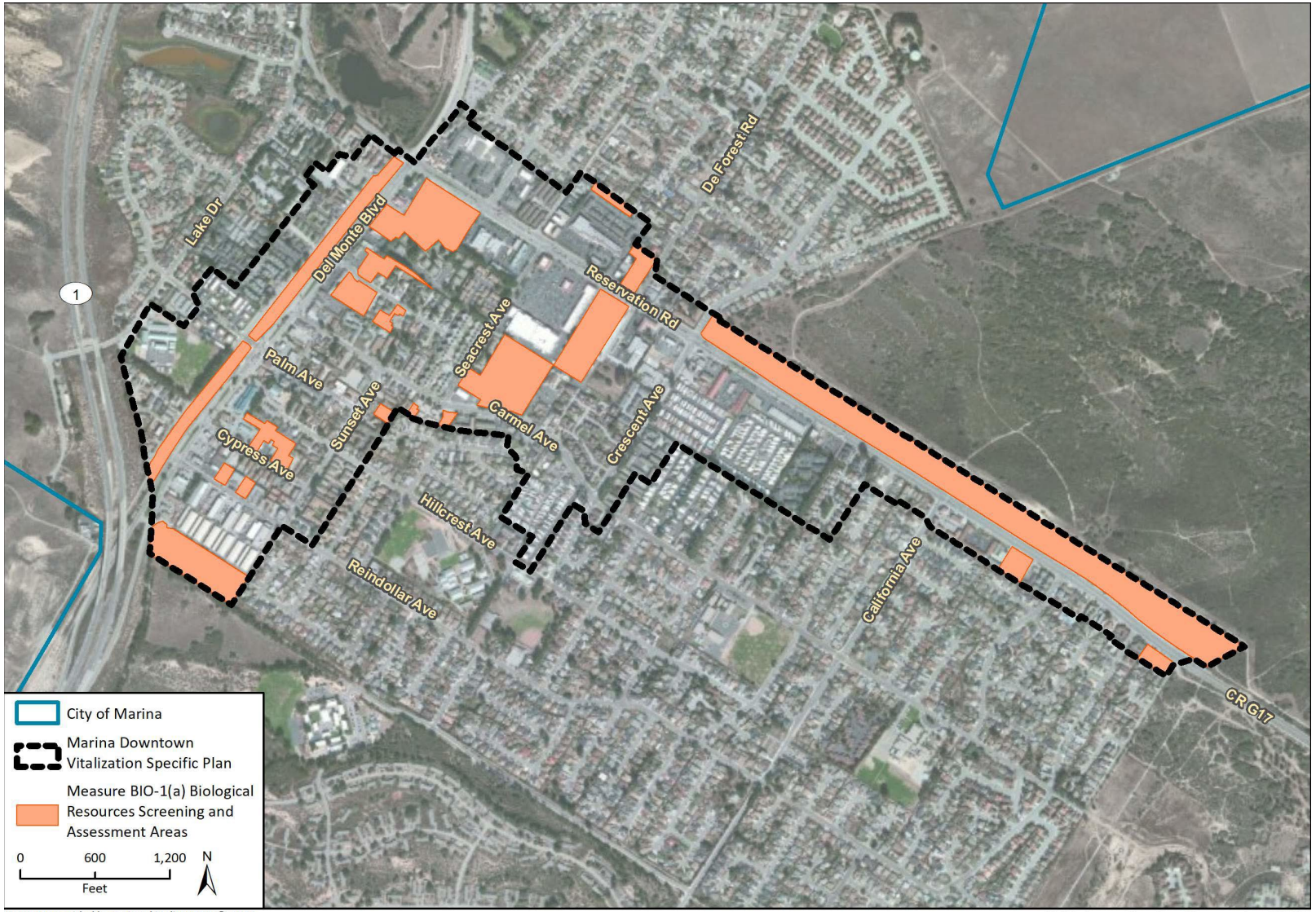
Special status plant species are those plants and animals listed, proposed for listing, or candidates for listing as threatened or endangered by the United States Fish and Wildlife Service (USFWS) under the federal Endangered Species Act (FESA) (7 U.S.C. § 136, 16 U.S.C. § 1531 *et seq*.); those listed or proposed for listing, or candidates for listing as rare, threatened, or endangered by the California Department of Fish and Wildlife (CDFW) under the California Endangered Species Act (CESA); and/or species on the *Special Vascular Plants, Bryophytes, and Lichens List* (CDFW 2018). This latter document includes the *California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California* (CNPS 2019) as updated online. Those plants contained on the CNPS CRPR Lists 1, 2, 3, and 4 are considered special status species, in accordance with the CNPS code definitions:

- **List 1A** = Plants presumed extinct in California;
- **List 1B.1** = Rare or endangered in California and elsewhere; seriously endangered in California (over 80% of occurrences threatened/high degree and immediacy of threat);
- **List 1B.2** = Rare or endangered in California and elsewhere; fairly endangered in California (20-80% occurrences threatened);
- **List 1B.3** = Rare or endangered in California and elsewhere, not very endangered in California (<20% of occurrences threatened or no current threats known);
- **List 2** = Rare, threatened or endangered in California, but more common elsewhere;
- **List 3** = Plants needing more information (most are species that are taxonomically unresolved; some species on this list meet the definitions of rarity under CNPS and CESA);
- **List 4.2** = Plants of limited distribution (watch list), fairly endangered in California (20-80% occurrences threatened); and
- **List 4.4** = Plants of limited distribution (watch list), not very endangered in California (<20% occurrences threatened or no current threats known).

State and/or federally listed plant species with the potential to occur in areas of species-specific, suitable natural habitat within the Specific Plan area include seaside bird's-beak, Monterey gilia, robust spineflower, Yadon's rein orchid, and Monterey spineflower. Additionally, non-listed special status plants have the potential to occur in areas of natural habitat and ruderal areas of the Specific Plan area. Special status species are most likely to occur in undeveloped or ruderal areas; however, Monterey spineflower and Monterey gilia may occur in sandy openings within landscaped areas.

Construction activity associated with individual projects developed under the Specific Plan could include demolition, grading, vegetation removal, equipment and vehicle staging, parking. Most of the Specific Plan area is comprised of developed or other modified land cover types that do not provide suitable habitat for rare plants; however, at the individual project level the above described activities have the potential to directly impact special status plant species for any projects situated in areas of suitable natural habitat as displayed in Figure 4.4-1.

Figure 4.4-1 Biological Screening and Assessment Areas



Impacts may also occur if the quality of habitat were degraded by development in adjacent areas through the introduction of invasive weeds, human disturbance, and altered hydrology. Impacts to CRPR 1B and 2B plants are generally considered significant under CEQA if the loss of individuals represented a population-level impact that resulted in a loss of, or risk to an entire local or regional population. The impacts to the sensitive biological resources listed above and resulting from projects developed under the Specific Plan would potentially be significant under CEQA without mitigation.

State and/or federally listed animal species with the potential to occur in areas of species-specific, suitable natural habitat within the Specific Plan area include tricolored blackbird and Smith's blue butterfly. Non-listed special status species that may also occur in the Specific Plan area include; 1) northern California legless lizard; 2) coast horned lizard; 3) burrowing owl; 4) white-tailed kite; 5) Monterey shrew; and 6) birds protected by CFGC. In addition to the construction activities described above, construction noise and human presence may also cause impacts to special status species if present. Implementation of Mitigation Measures BIO-1(a) through BIO-1(h) would reduce these impacts to a less than significant level.

Mitigation Measures

BIO-1(a) Biological Resources Screening and Assessment

For individual projects proposed for development within undeveloped or partially developed areas containing natural or ruderal areas within the DVSP area (Figure 4.4-1), the City or their designee shall engage a qualified biologist to perform a preliminary biological resource screening. The purpose of the screening and assessment is to determine whether the project has any potential to impact special status biological resources, inclusive of special status plants and animals, sensitive vegetation communities, jurisdictional waters (including creeks, drainages, streams, ponds, vernal pools, riparian areas and other wetlands), or biological resources protected under local or regional ordinances. If it is determined that the project has no potential to impact biological resources, no further action is required. If the project would have the potential to impact biological resources, prior to construction, a qualified biologist shall conduct a project-specific biological analysis to document the existing biological resources within a project footprint plus a minimum buffer of 100 feet around the project footprint, as is feasible, and to determine the potential impacts to those resources. If the project would have the potential to impact biological resources, the following mitigation measures [BIO-1(b) through BIO-1(f)] shall be incorporated, as determined to be applicable by the qualified biologist, to reduce impacts to a less than significant level. Pending the results of the project-specific biological analysis, design alterations, further technical studies (e.g., protocol surveys) and consultations with the USFWS, National Marine Fisheries Service (NMFS), CDFW, and/or other local, state, and federal agencies may be required. Note that specific surveys described in the mitigation measures below may be completed as part of the project-specific biological analysis where suitable habitat is present.

BIO-1(b) Special Status Plant Pre-Construction Survey

Projects identified as having potential to impact special status plant species during the biological screening and assessment under Mitigation Measure BIO-1(a) shall implement the Mitigation Measure BIO-1(b). Surveys for special status plants shall be completed by the project proponent prior to any vegetation removal, grubbing, or other construction activity (including staging and mobilization). The surveys shall be floristic in nature, that is, every plant observed shall be identified to species, subspecies, or variety, sufficient to identify listed plants. The surveys shall be seasonally

timed to coincide with the target Federal and State listed species and rare plants identified above. All plant surveys shall be conducted by a City-approved biologist during the appropriate blooming period during the year prior to initial ground disturbance. All special status plant species identified on-site shall be mapped onto a site-specific aerial photograph or topographic map with the use of Global Positioning System (GPS) unit. Surveys shall be conducted in accordance with the most current protocols established by the CDFW, USFWS, and the local jurisdictions if said protocols exist. A report of the survey results shall be submitted to the implementing agency. If impacts to federal or state-listed species are identified for an individual project, consultation with CDFW and/or USFWS, as appropriate, may be required.

BIO-1(c) Special Status Plant Species Avoidance, Minimization, and Mitigation

If Federal and/or State listed species are found during special status plant pre-construction surveys [required under Mitigation Measure BIO-1(b)], avoidance of, or mitigation for impacts to, occupied habitat shall be required. If populations of CRPR List 1B or 2 species are found during special status plant pre-construction surveys, the City-approved biologist shall evaluate whether the loss of occupied areas would result in a local or regional population-level impact (i.e., jeopardize the continued existence of a local or regional population). Mitigation for regional population level impacts to rare plants shall be required by the City. If feasible, individual development projects shall be re-designed to avoid development in locations of Federal and/or State listed or CRPR List 1B or 2 species. Federal and/or State listed or CRPR List 1B or 2 species occurrences that are not within the immediate disturbance footprint and would be avoided, but which are located within 50 feet of disturbance limits, shall have bright orange protective fencing installed at an appropriate distance (as determined by a qualified biologist) to ensure they are protected during construction activities.

If development cannot avoid Federally or State listed plants species, then mitigation shall involve either salvage and conservation for any relocated individual plants, or compensation (minimum compensation ratio of 1:1 for individuals and impact areas, with a conservation area of a similar density of individuals) for the loss of these individuals or their habitat either in an on-site or off-site preserve, through payments to an appropriate mitigation bank, or as otherwise may be determined in coordination with USFWS and CDFW permitting. Impacts to, and salvage of, individual plants would be considered a “take” under the ESA and/or CESA. “Take” of listed species is illegal under the ESA and CESA without formal authorization from USFWS and/or CDFW. Impacts to Federal and/or State listed or CRPR List 1B or 2 species would require adherence to Mitigation Measure BIO-1(c).

BIO-1(d) Restoration and Monitoring

If development cannot avoid Federal or State listed plant species, all impacts shall be mitigated by the project applicant at a minimum ratio of 1:1 for areas occupied by the species. Ratios may be higher pending consultation with CDFW and/or USFWS for listed species. Restoration areas shall be of a similar density of individuals as areas impacted project activities. A restoration plan shall be prepared by the project applicant and submitted to the City for review and approval. Documentation demonstrating consultation with CDFW and USFWS regarding impacts to federal or state listed species shall be submitted to the City. Population level impacts to CRPR List 1B or 2 species shall also be mitigated at a 1:1 ratio for occupied areas, and shall also require a restoration plan in coordination with the City. The restoration plan(s) shall include, at a minimum, the following components:

- Description of the project/affected species location(s) (i.e., location, responsible parties, areas to be impacted by habitat type)
- Compensatory mitigation (type[s] and area[s] species to be established, restored, enhanced, and/or preserved; specific functions and values of species type[s] to be established, restored, enhanced, and/or preserved)
- Description of the proposed compensatory mitigation site (location and size, ownership status, existing functions and values)
- Implementation plan for the compensatory mitigation site (rationale for expecting implementation success, responsible parties, schedule, site preparation, planting plan)
- Maintenance activities during the monitoring period, including weed removal as appropriate (activities, responsible parties, schedule)
- Monitoring plan for the compensatory mitigation site, including no less than quarterly monitoring for the first year (performance standards, target functions and values, target acreages to be established, restored, enhanced, and/or preserved, annual monitoring reports)
- Success criteria based on the goals and measurable objectives; said criteria to be, at a minimum, at least 80 percent survival of container plants and 30 percent relative cover by vegetation type
- An adaptive management program and remedial measures to address any shortcomings in meeting success criteria
- Notification of completion of compensatory mitigation and agency confirmation
- Contingency measures (initiating procedures, alternative locations for contingency compensatory mitigation, funding mechanism)

BIO-1(e) Special Status Wildlife Pre-Construction Surveys

Projects that identify potential impacts to special status wildlife species during the biological screening and assessment under Mitigation Measure BIO-1(a) shall implement Mitigation Measure BIO-1(e).

GENERAL WILDLIFE SURVEYS

Pre-construction clearance surveys for northern California legless lizard and coast horned lizard shall be conducted within 14 days prior to the start of construction (including staging and mobilization) in areas of suitable habitat. The surveys shall cover the entire disturbance footprint plus a minimum 200-foot buffer within suitable habitat, where permissible, and shall identify all special status animal species that may occur on-site. California legless lizard and coast horned lizard shall be relocated from the site to a safe location within suitable habitat as near to the project area as possible by a qualified biologist.

BURROWING OWL SURVEYS

A qualified biologist shall conduct pre-construction clearance surveys prior to ground disturbance activities within suitable natural habitats and ruderal areas to confirm the presence/absence of burrowing owls. The surveys shall be consistent with the recommended survey methodology provided by CDFW (2012). Clearance surveys shall be conducted within 14 days prior to construction and ground disturbance activities. If no burrowing owls are observed, no further actions are required. If burrowing owls are detected during the pre-construction clearance surveys, the following measures shall apply:

- Avoidance buffers during the breeding and non-breeding season shall be implemented in accordance with the CDFW (2012) and Burrowing Owl Consortium (1993) minimization mitigation measures.
- If avoidance of burrowing owls is not feasible, then additional measures such as passive relocation during the nonbreeding season and construction buffers of 200 feet during the breeding season shall be implemented, in consultation with CDFW. In addition, a Burrowing Owl Exclusion Plan and Mitigation and Monitoring Plan shall be developed by a qualified biologist in accordance with the CDFW (2012) and Burrowing Owl Consortium (1993).

SMITH'S BLUE BUTTERFLY HOST PLANT SURVEYS

Prior to grading and construction in undeveloped areas, an approved biologist shall conduct surveys for seacliff buckwheat (*Eriogonum parvifolium*) and seaside buckwheat (*Eriogonum latifolium*), host plants of Smith's blue butterfly in areas of suitable habitat.

If Smith's blue butterfly host plants are not located, no further action is required. If host plants are located within proposed disturbance areas, they shall be avoided if feasible. If avoidance is not feasible, focused surveys shall be conducted to determine presence or absence of the butterfly species. This may include surveys during the adult flight period (mid-June through early September), and/or inspection of host plants for all life forms (egg, larva, pupa, and adult). Impacts to individuals of any life stage would be considered "take" under the ESA. Relocation of smith's blue butterfly and occupied host plants can only be legally authorized by the USFWS, and only a USFWS permitted biologist is legally allowed to relocate host plants and individuals.

REPORTING

A report of all pre-construction and pre-demolition survey results shall be submitted to the City for its review prior to the start of demolition. The report shall include a description of the survey methodology for each species, the environmental conditions at the time of the survey(s), the results of the survey, any requirements for addressing special status species identified during surveys, and the biological qualifications of the surveyors. The report shall be accompanied by maps and figures showing the location of any special status species occurrences and associated avoidance buffers.

BIO-1(f) Biological Resources Avoidance and Minimization

Projects that identify potential impacts to special status species during the biological screening and assessment under Mitigation Measure BIO-1(a) shall implement Mitigation Measure BIO-1(f). The following measures shall be applied to avoid impacts to sensitive species and biological resources. The project applicant shall be responsible for implementing selected measures.

- Ground disturbance shall be limited to the minimum necessary to complete the project. The limits of disturbance for each construction phase shall be flagged. Areas of special biological concern within or adjacent to the limits of disturbance shall have highly visible orange construction fencing installed between said area and the limits of disturbance.
- All construction occurring within or adjacent to natural habitats that may support Federally and/or State listed endangered/threatened species, State fully protected species, and/or special status species shall have a qualified biological monitor present during all initial ground disturbing/vegetation clearing activities.
- No endangered/threatened species shall be captured and relocated without express permission from the CDFW and/or USFWS.

- If at any time during construction an endangered, threatened, or fully protected species enters the construction site or otherwise may be impacted, all construction activities shall cease. A CDFW/USFWS-approved biologist shall document the occurrence and consult with the CDFW and USFWS, as appropriate, to determine whether it was safe for project activities to resume.
- At the end of each workday, excavations shall be secured with cover or a ramp provided to prevent wildlife entrapment.
- All trenches, pipes, culverts or similar structures shall be inspected for animals prior to burying, capping, moving, or filling.
- If night work is required, all construction lighting shall be pointed down and directed only on the work area.
- The City shall approve one or more qualified biologists to oversee and monitor biological compliance for the project. At least one qualified biologist shall be present during all initial ground disturbing activities, including vegetation removal to recover special status animal species unearthed by construction activities.

BIO-1(g) Pre-Construction Nesting Birds Surveys

All projects developed under the Specific Plan shall implement Mitigation Measure BIO-1(g). Project activity shall restrict ground disturbance, building demolition, and vegetation removal activities to the non-breeding season (September 16 to January 31) when feasible. For ground disturbance, building demolition, and vegetation removal activities that must be conducted during the bird nesting season (February 1 to September 15), general pre-construction nesting bird surveys shall be conducted by a qualified biologist, including for, but not limited to, the tricolored blackbird and White-tailed kite, not more than 14 days prior to construction activities involving ground clearing, vegetation removal/trimming, or building demolition. The surveys shall include the disturbance area plus a 200-foot buffer around the site if feasible, and a 500-foot buffer for tricolored blackbird and White-tailed kite. If active nests are located, an appropriate avoidance buffer shall be established within which no work activity shall be allowed which would impact these nests. The avoidance buffer would be established by the qualified biologist on a case-by-case basis based on the species and site conditions. In no cases shall the buffer be smaller than 50 feet for non-raptor bird species, 200 feet for raptor species, or a 500-foot buffer for White-tailed kite. Larger buffers may be required depending upon the status of the nest and the construction activities occurring in the vicinity of the nest. If fully protected White-tailed kites are documented nesting within 500 feet of construction activities, CDFW shall be consulted on appropriate avoidance and minimization methods. The buffer area(s) shall be closed to all construction personnel and equipment until juveniles have fledged and the nest is inactive. City-approved Biologist shall confirm that breeding/nesting is completed and young have fledged the nest prior to removal of the buffer.

BIO-1(h) Worker Environmental Awareness Program (WEAP)

All projects developed under the Specific Plan shall implement Mitigation Measure BIO-1(h). Prior to initiation of construction activities (including staging and mobilization), the project proponent shall arrange for all personnel associated with project construction for the applicable phase to attend WEAP training, conducted by a qualified biologist, to aid workers in recognizing special status resources that may occur in the construction area. The specifics of this program shall include identification of the sensitive species and habitats, a description of the regulatory status and general ecological characteristics of sensitive resources, and review of the limits of construction and mitigation measures required to reduce impacts to biological resources within the work area. A fact

sheet conveying this information shall also be prepared for distribution to all contractors, their employers, and other personnel involved with construction. All employees shall sign a form provided by the trainer indicating they have attended the WEAP and understand the information presented to them. The form shall be submitted to the City to document compliance.

Significance After Mitigation

Implementation of mitigation measures BIO-1(a) through BIO-1(h) would minimize potential impacts to biological resources, as determined to be applicable by the qualified biologist, and reduce impacts to a less than significant level.

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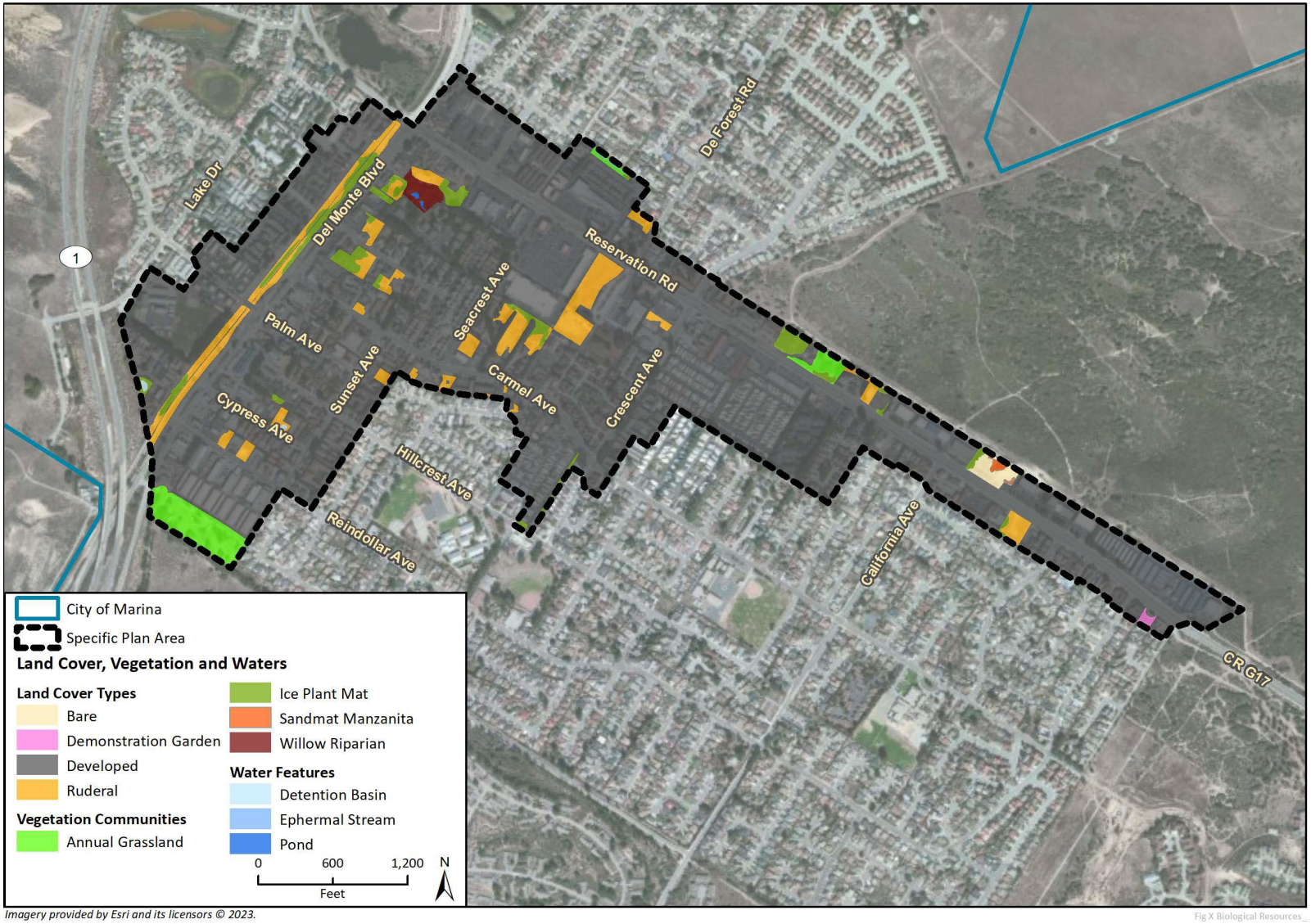
c. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

The Specific Plan area is located within the Salinas River watershed, which covers approximately 4,600 square miles from San Luis Obispo to Monterey County. No CDFW or USACE jurisdictional wetlands or waters are present in the Specific Plan area. Two small, isolated stormwater retention basins were observed north of Cypress Avenue and southwest of San Pablo Court, which appear to be properly maintained (Figure 4.4-2). These stormwater features drain water from the street and surrounding development, no "bed," "Bank," "channel," or riparian vegetation was observed at either basin. They are therefore not likely to be USACE or CDFW jurisdictional but would potentially be considered a RWQCB jurisdictional stormwater feature under the Porter-Cologne Water Quality Control Act, which regulates discharge to waters of the State, including discharge of stormwater.

A "pond" in the central part of the Plan area (Figure 4.4-2) may be USACE, RWQCB, or CDFW jurisdictional. Historical topographic maps of the area depict a wetland in this area prior to the surrounding development (USGS 2019). Additionally, a stormwater drainage runs above ground approximately 325 feet south of Viking Lane.

Alteration of the two stormwater basins and the drainage would require authorization from the City of Marina and evaluation under the City's NPDES permit. The Specific Plan would include storm drainage improvements, which would likely be implemented under the City's NPDES permit. Impacts to these features that resulted from development under the Specific Plan would therefore be less than significant. If alteration of the "pond" is proposed, a jurisdictional delineation would be required to fully assess the extent of impacts to waters of the state and/or waters of the U.S. Impacts to waters of the state or waters of the U.S. would potentially require regulatory permitting. Impacts to this feature may be significant but would be reduced to less than significant with mitigation.

Figure 4.4-2 Vegetation Communities and Land Cover Types



Mitigation Measures

BIO-2 Jurisdictional Delineation

If a proposed project under the Specific Plan would impact any of the ephemeral drainages and/or the ponds (as shown in Figure 4.4-2), a qualified biologist shall complete a jurisdictional delineation. The jurisdictional delineation will determine the extent of the jurisdiction for CDFW, USACE, and/or RWQCB, and shall be conducted in accordance with the requirement set forth by each agency. The result will be a preliminary jurisdictional delineation report that shall be submitted to the implementing agency, USACE, RWQCB, and CDFW, as appropriate, for review and approval. Jurisdictional areas should be avoided to the maximum extent possible. If jurisdictional areas are expected to be impacted, then the RWQCB would require a Waste Discharge Requirements (WDRs) permit and/or Section 401 Water Quality Certification (depending upon whether or not the feature falls under federal jurisdiction). If CDFW asserts its jurisdictional authority, then a Streambed Alteration Agreement pursuant to Section 1600 et seq. of the CFGC would also be required prior to construction within the areas of CDFW jurisdiction. If the USACE asserts its authority, then a permit pursuant to Section 404 of the CWA would likely be required. Furthermore, a compensatory mitigation program should be implemented, and the measures set forth by the regulatory agencies during the permitting process. Compensatory mitigations for all permanent impacts to waters of the U.S. and waters of the state shall be completed at a ratio as required in applicable permits, but should not be less than a minimum ratio of 1:1. All temporary impacts to waters of the U.S. and waters of the state should be fully restored to natural condition.

Significance After Mitigation

Implementation of Mitigation Measure BIO-2 would reduce potential impacts to jurisdictional waters to a less than significant level.

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4.4.2 Cultural Resources

CEQA requires that a lead agency determine whether a project may have a significant effect on historical resources (Public Resources Code [PRC], Section 21084.1) and tribal cultural resources (PRC Section 21074 [a][1][A]-[B]). A historical resource is a resource listed in, or determined to be eligible for listing, in the California Register of Historical Resources (CRHR), a resource included in a local register of historical resources, or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant (State CEQA Guidelines, Section 15064.5[a][1-3]).

Rincon conducted a records search of the California Historical Resources Information System at the Northwest Information Center (NWIC), located at Sonoma State University, on April 8, 2019, and received the results of an updated records search of the NWIC on August 10, 2022. Both records searches were completed for the DVSP Area and a 0.5-mile radius buffer. The searches were performed to identify previously recorded cultural resources (archaeological and historic-era resources), as well as previously conducted cultural resources studies within the Plan area and a 1.6-kilometer (0.5-mile) radius surrounding it. The CHRIS search included a review of available records at the NWIC, as well as the National Register of Historic Places (NRHP), the California Register of Historical Resources (CRHR), the Office of Historic Preservation Historic Properties Directory, the California Inventory of Historic Resources, the Archaeological Determinations of Eligibility list, and

historic maps. Table 4 and Table 5 in Appendix A (Initial Study, starting on page 57) outline the cultural resource studies within 0.5 mile of the Specific Plan area.

On August 23, 2022, Rincon contacted the Native American Heritage Commission (NAHC) and requested a search of the Sacred Lands File (SLF) for the DVSP area. The NAHC emailed a response on October 4, 2022 stating that the SLF search was negative.

Significance Thresholds

Impacts to cultural resources would be significant if implementation of the project would:

a. *Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?*

b. *Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

Cultural Resources threshold (c) is addressed in Table 1-3 of this EIR as well as in Appendix A (Initial Study, page 47), and it was determined there would be no significant impacts to human remains.

Impact Analysis

a. *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?*

Future development activities that could be facilitated by adoption of the Specific Plan could have a significant impact on historical resources if such activities would cause a substantial adverse change in the significance of a historical resource. Historical resources include properties eligible for listing on the NRHP, CRHR, or for a local register. In addition, as explained in Section 15064.5, "[s]ubstantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired."

Although there are no specific development projects associated with the proposed Specific Plan, implementation of the plan would guide development in the Specific Plan area through the year 2040. Areas planned for future development under the Specific Plan potentially contain historical resources. According to the NWIC results, previous survey efforts in the Specific Plan area have been limited and only resulted in the previous evaluation of seven properties. As much of the Specific Plan area has not been subject to historical resources surveys, it may contain resources which have not yet been identified. Historic maps and aerial photographs indicate there are numerous properties which are of historic age and have the potential to be qualifying historical resources as defined by CEQA. Further, the Specific Plan area contains properties which will pass the age threshold (45 years of age) generally signaling the need for evaluation over the life of the Specific Plan.

Areas that may contain concentrations of buildings dating from before 1941 include the west side of Del Monte Boulevard throughout the Specific Plan area and areas on both sides of Carmel and Palm Avenues roughly between Del Monte Boulevard and Sunset Avenue. Residential properties dating from the 1940s through the mid-1950s may be located west of Marina Drive, on either side of Paddon Place. Residential properties constructed between 1956 and 1971 are potentially located in the southeastern section of the Specific Plan area, including the south side of Carmel Avenue, between Crescent and Seacrest Avenue. Areas likely to contain concentrations of properties

constructed in the 1970s and 1980s include Reservation Road throughout the Specific Plan area and the part of the Specific Plan area lying south of Hillcrest Avenue.

Development under the proposed Specific Plan could impact presently unknown historical resources through construction activities associated with buildout. Pursuant to §15064.5, impacts to historical resources would be significant if a future project demolished or physically altered in a negative manner the physical characteristics that justify a resource's eligibility in the CRHR. Under §15064.5(b)(3) however, a project which is found to comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Weeks and Grimmer 1995), is generally considered to be mitigated to a level of less than significant. Application of the mitigation measures provided below would ensure impacts to historical resources are less than significant by identifying historical resources during the project planning process and avoiding or minimizing potential impacts as needed.

Mitigation Measures

CR-1 Historical Resources Evaluation and Treatment Procedures

If a project involves a built environment resource which is over the age of 45 years old, the Community Development Director or their designee, supported by an architectural historian as needed, shall make a preliminary determination as to whether the building qualifies as a historical resource. "Historical resource" shall mean a property listed or found eligible for listing in the National Register of Historic Places or the California Register of Historical Resources. A property that is eligible for listing in the National Register of Historic Places or the California Register of Historical Resources must retain its historic integrity and meet one of the following eligibility criteria:

- Is associated with events that have made a significant contribution to the broad patterns of our history.
- Is associated with the lives of persons significant in our past.
- Embodies the distinctive characteristics of a type, period or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction.
- Has yielded, or may be likely to yield, information important in history or prehistory.

If the Community Development Director or their designee determines the built environment resource may have to potential to qualify as a historic resource, then a historical resources evaluation shall be required.

- **Qualified Historian**. The evaluation will be prepared by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualifications Standards (PQS) in architectural history or history.
- **Guidelines for Preparation**. The qualified architectural historian or historian will conduct an intensive-level evaluation in accordance with the guidelines and best practices promulgated by the State Office of Historic Preservation to identify any potential historical resources within the proposed project area. All properties 45 years of age or older will be evaluated within their historic context and documented in a technical report. All evaluated properties will be documented on Department of Parks and Recreation Series 523 Forms. The report will be submitted to the City for review.

If the property is found ineligible for the NRHP or CRHR it shall be considered non-historical for the purposes of CEQA and no additional review or mitigation is required. If the property is identified as historical, the project applicant shall retain a qualified preservation professional meeting the PQS in Architectural History, History, or Historic Architecture. The qualified preservation professional shall provide design input to facilitate compliance with the *Secretary's Standards* to lessen, avoid, or mitigate direct or indirect impacts to historical resources. The qualified preservation professional shall review design plans to identify whether the project complies with the *Secretary's Standards.* The results of this review and impacts screening shall be memorialized in a *Secretary's Standards* compliance memorandum and approved by the City prior to the schematic phase. If the project is found to comply with the *Secretary's Standards,* no further mitigation is required.

If the project is found not to comply, the City shall require the completion of a Relocation Study and Preservation Plan for the historical resource. The Study shall consider partial retention of the resource as well as relocation; the Plan shall identify at least two potential nearby receiver sites, with similar settings and characteristics, for the relocation. The Relocation Study and Preservation Plan shall be completed by a preservation professional meeting the Secretary of the Interior's Professional Qualifications Standards for architectural history, history, or historic architecture and approved by the City prior to issuance of building permits.

If the Relocation Study and Preservation Plan determines that partial retention or relocation is feasible, the recommendations of the study shall be implemented. If the Relocation Study and Preservation Plan determines that such measures are infeasible, the project shall not be implemented, or the City may require project-level CEQA review, such as an EIR prior to project approval.

Significance After Mitigation

Implementation of Mitigation Measure CR-1 would reduce potential impacts to historic resources to a less than significant level.

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b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

The cultural resources records search and Native American scoping did not result in the identification of known archaeological resources on the Plan area. However, the Plan area has not been fully surveyed for archaeological resources and their presence cannot be ruled out. The Plan area is underlain by soils that date to periods of potential human occupation, thus archaeological sites have the potential to be present both on the surface and subsurface of the Plan area. In addition, previous work has noted buried cultural resources within the region. This impact could result in potentially significant impacts.

Effects on archaeological resources can only be determined once a specific project has been proposed because the effects are highly dependent on both the individual project site conditions and the characteristics of the proposed ground-disturbing activity. Ground-disturbing activities associated with development facilitated by the Specific Plan, particularly in areas that have not previously been developed with urban uses, have not been studied through a cultural resources investigation, or when excavation depths exceed those previously attained, have the potential to damage or destroy previously-unknown historic or prehistoric archaeological resources that may be present on or below the ground surface. Consequently, damage to or destruction of previously-

unknown sub-surface cultural resources could occur as a result of development under the proposed Specific Plan. No goals or policies currently exist in the Specific Plan to protect archaeological resources, thus impacts to archaeological resources are potentially significant. The following mitigation measures are required to bring potential impacts to less than significant levels.

Mitigation Measures

CR-2 Archaeological Resources Investigation

At the time of application for discretionary land use permits that involve grading, trenching, or other ground disturbance in native soil with the potential for encountering unknown archaeological resources, the project applicant shall retain a qualified archaeologist meeting the Secretary of the Interior standards in archaeology to complete a Phase 1 cultural resources assessment of the development site. A Phase 1 cultural resources assessment shall include an archaeological pedestrian survey of the development site, if possible, and sufficient background archival research and field sampling to determine whether subsurface prehistoric or historic remains may be present. Archival research shall include a current (no more than one-year old) records search from the Northwest Information Center (NWIC) and a Sacred Lands File (SLF) search conducted with the Native American Heritage Commission (NAHC).

Identified prehistoric or historic archaeological remains shall be avoided and preserved in place where feasible. Where preservation is not feasible, the significance of each resource shall be evaluated for significance and eligibility for listing in the CRHR through a Phase 2 evaluation. A Phase 2 evaluation shall include any necessary archival research to identify significant historical associations as well as mapping of surface artifacts, collection of functionally or temporally diagnostic tools and debris, and excavation of a sample of the cultural deposit to characterize the nature of the sites, define the artifact and feature contents, determine horizontal boundaries and depth below surface, and retrieve representative samples of artifacts and other remains.

Cultural materials collected from the sites shall be processed and analyzed in the laboratory according to standard archaeological procedures. The age of the materials shall be determined using radiocarbon dating and/or other appropriate procedures; lithic artifacts, faunal remains, and other cultural materials shall be identified and analyzed according to current professional standards. The significance of the sites shall be evaluated according to the criteria of the CRHR. The results of the investigations shall be presented in a technical report following the standards of the California Office of Historic Preservation publication “Archaeological Resource Management Reports: Recommended Content and Format (1990 or latest edition)” (http://ohp.parks.ca.gov/pages/1054/files/armr.pdf). Upon completion of the work, all artifacts, other cultural remains, records, photographs, and other documentation shall be curated an appropriate curation facility. All fieldwork, analysis, report production, and curation shall be fully funded by the applicant.

If the resources meet CRHR significance standards, the City shall ensure that all feasible recommendations for mitigation of archaeological impacts are incorporated into the final design and permits issued for development. If necessary, Phase 3 data recovery excavation, conducted to exhaust the data potential of significant archaeological sites, shall be carried out by a qualified archaeologist meeting the SOI standards for archaeology according to a research design reviewed and approved by the City prepared in advance of fieldwork and using appropriate archaeological field and laboratory methods consistent with the California Office of Historic Preservation Planning Bulletin 5 (1991), Guidelines for Archaeological Research Design, or the latest edition thereof.

As applicable, the final Phase 1 Inventory, Phase 2 Testing and Evaluation, and/or Phase 3 Data Recovery reports shall be submitted to the City prior to issuance of construction permit. Recommendations contained therein shall be implemented throughout all ground disturbance activities.

Significance After Mitigation

Implementation of Mitigation Measure CR-2 would reduce potential impacts to archaeological resources to a less than significant level.

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4.4.3 Geology and Soils

Significance Thresholds

Impacts related to geology and soils would be significant if implementation of the project would:

f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Geology and Soils thresholds (a) through (e) are addressed in Table 1-3 of this EIR as well as in the Initial Study (Appendix A), and it was determined there would be no significant impacts to other geology and soils checklist questions.

Impact Analysis

f. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The paleontological sensitivity of the geologic units that underlie the Plan area was evaluated using the results of the paleontological locality search and review of existing information in the scientific literature concerning known fossils within those geologic units. Rincon examined fossil collections records from the University of California Museum of Paleontology (UCMP) online database, which contains known fossil localities in Monterey County.

Following the literature review and museum record search, a paleontological sensitivity classification was assigned to the geologic units within the Plan area. The potential for impacts to significant paleontological resources is based on the potential for ground disturbance to directly impact paleontologically sensitive geologic units. The Society of Vertebrate Paleontology (SVP) (2010) has developed a system for assessing paleontological sensitivity and describes sedimentary rock units as having high, low, undetermined, or no potential for containing scientifically significant nonrenewable paleontological resources. This criterion is based on rock units within which vertebrate or significant invertebrate fossils have been determined by previous studies to be present or likely to be present.

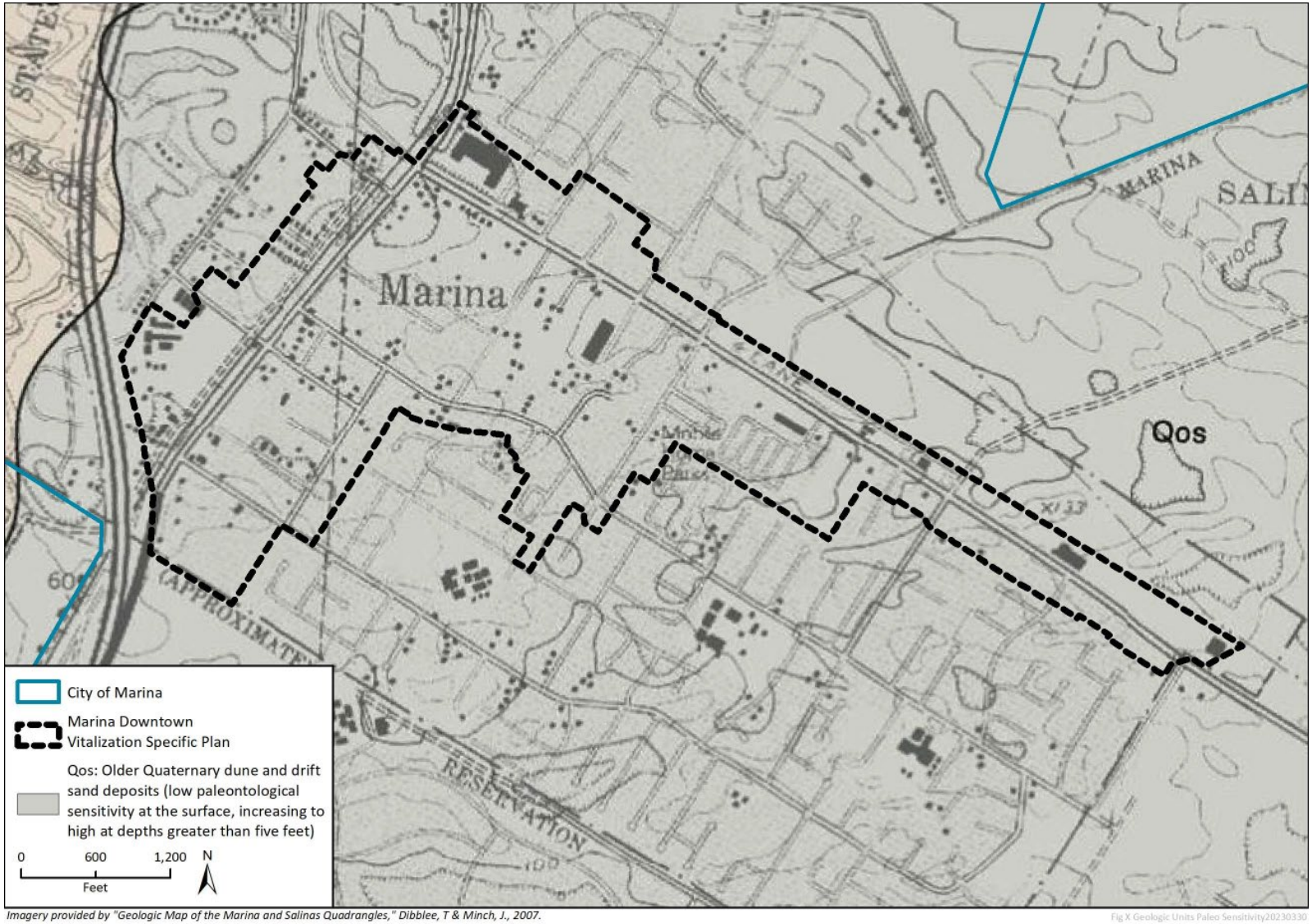
The Plan area is situated in the Coast Ranges Geomorphic Province, one of eleven major provinces in California (California Geological Survey 2002). A geomorphic province is a region of unique topography and geology that is distinguished from other regions based on its landforms and geologic history. The Coast Ranges province is bounded to the east by the Great Valley, to the northeast by the Klamath Mountains, to the south by the Transverse Ranges, and to the west by the Pacific Ocean. According to geologic mapping by Dibblee and Minch (2007), the Plan area is entirely underlain by older Quaternary dune and drift sand deposits (Qos). Characterized by poorly or

medially-developed soils, older stabilized dune sands comprise the majority of the surficial geology of the City of Marina. These sediments date to the late Holocene or early Pleistocene, and consist of weakly-consolidated, well-sorted sand that has been stabilized through erosional action and soil formation (Dupre and Tinsley 1980).

Older Quaternary sedimentary deposits have a well-documented record of abundant and diverse vertebrate fauna throughout California, including Monterey County. A search of the paleontological locality records at the UCMP resulted in no previously recorded fossil localities in the Plan area; however, several vertebrate localities have been recorded nearby in similar deposits. The UCMP has records of seventeen fossil specimens from Pleistocene-aged sediments in Monterey County. The closest of these include a camel (Camelops) recovered from Moss Landing and oysters (Osteria) from Elkhorn Slough, just north of Marina (UCMP 2019). Other Pleistocene-aged fossils recovered from Monterey County are horses (Equus), ground sloth (Glossotherium), and bison (Bison), among others (Hoppe et al. 2003; UCMP 2019). Depth of recovery is unreported for any of these localities. Older Quaternary dune and drift sand deposits (Qos) have the potential to contain buried intact paleontological resources at moderate depths because the unit has been proven to yield significant vertebrate fossils near the Plan area (UCMP 2019). The depths at which these units become conducive for fossil preservation is highly variable, but generally does not occur at depths of less than five feet. Consequently, aeolian sediments within the project site (Qos) are assigned a low paleontological sensitivity at the surface, increasing to a high paleontological sensitivity at depths greater than five feet (SVP 2010). Figure 4.4-3 depicts the surficial geologic unit within the Plan area and its immediate vicinity, as well as the paleontological sensitivity within the bounds of the Plan area. As shown therein, the entire Plan area is underlain by Qos.

Ground disturbance to intact geologic units within project areas mapped as Older Quaternary sedimentary deposits (Qos) have the potential to impact paleontological resources at depths greater than five feet. Because the entire Plan area is underlain by Qos, construction activities associated with any future project pursuant to the Specific Plan may result in the destruction, damage, or loss of undiscovered scientifically-important paleontological resources. The implementation of Mitigation Measure GEO-1 would reduce impacts to paleontological resources to a less than significant level by including an implementation program requiring paleontological resource studies for projects that would require excavation greater than five feet and implementation of further requirements to avoid or reduce impacts to such resources on a project-by-project basis.

Figure 4.4-3 Geological Unit and Paleontological Sensitivity of the Plan Area



Imagery provided by "Geologic Map of the Marina and Salinas Quadrangles," Dibblee, T & Minch, J., 2007.

Fig X Geologic Units Paleo Sensitivity20230330

Mitigation Measure

GEO-1 Paleontological Resources Monitoring and Mitigation

The City of Marina shall require the following specific requirements for individual projects in the DVSP that would require excavation exceeding five feet:

1. Prior to excavations exceeding five feet, a qualified professional paleontologist shall be retained to direct all mitigation measures related to paleontological resources. A qualified professional paleontologist is defined by the SVP standards as an individual preferably with an M.S. or Ph.D. in paleontology or geology who is experienced with paleontological procedures and techniques, who is knowledgeable in the geology of California, and who has worked as a paleontological mitigation project supervisor for a least two years (SVP 2010).
2. The qualified professional paleontologist shall design a Paleontological Resources Mitigation and Monitoring Program (PRMMP) for the project, which outlines the procedures and protocol for conducting paleontological monitoring and mitigation. Monitoring shall be conducted by a qualified paleontological monitor who meets the minimum qualifications per standards set forth by the SVP. The PRMMP shall address the following procedures and protocols:
   - Timing and duration of monitoring
   - Procedures for work stoppage and fossil collection
   - The type and extent of data that should be collected with any recovered fossils
   - Identify an appropriate curatorial institution
   - Identify the minimum qualifications for qualified paleontologists and paleontological monitors
   - Identify the conditions under which modifications to the monitoring schedule can be implemented
   - Details to be included in the final monitoring report.
3. Prior to the start of construction, the qualified paleontologist or his or her designee shall conduct a paleontological Worker Environmental Awareness Program (WEAP) training for construction personnel regarding the appearance of fossils and the procedures for notifying paleontological staff should fossils be discovered by construction staff.
4. Full-time paleontological monitoring shall be conducted during ground disturbing construction activities (i.e., grading, trenching, foundation work) exceeding five feet, pursuant to the PRMMP. Paleontological monitoring is not required for any construction activities that do not exceed depths of less than five feet. If the qualified paleontologist determines that full-time monitoring is no longer warranted, based on the specific geologic conditions at the surface or at depth, he/she may recommend that monitoring be reduced to periodic spot-checking or cease entirely.
5. In the event of a fossil discovery by the paleontological monitor or construction personnel, all work in the immediate vicinity of the find shall cease. The qualified paleontologist shall evaluate the find before restarting construction activity in the area. If it is determined that the fossil(s) is (are) scientifically significant, the qualified paleontologist shall complete the following conditions to mitigate impacts to significant fossil resources:

a. The paleontological monitor shall evaluate the discovery and determine if the fossil may be considered significant. If the fossils are determined to be potentially significant, the qualified paleontologist shall recover them following standard field procedures for collecting paleontological resources as outlined in the PRMMP. If fossils are discovered, the qualified paleontologist shall recover them as specified in the project's PRMMP.
b. Once salvaged, significant fossils shall be prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection.
c. Upon completion of ground disturbing activity (and curation of fossils if necessary) the qualified paleontologist should prepare a final mitigation and monitoring report outlining the results of the mitigation and monitoring program. The report shall be submitted to the City of Marina.

Significance After Mitigation

Implementation of Mitigation Measure GEO-1 would reduce potential impacts to paleontological resources to a less than significant level.

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4.4.4 Hazards and Hazardous Materials

Significance Thresholds

Impacts related to hazards and hazardous materials would be significant if implementation of the project would:

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.

d. Be located on a site that is included on a list of hazardous material 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.

Hazards and Hazardous Materials thresholds (a), (b), (e), (f), and (g) are addressed in Table 1-3 of this EIR as well as in Appendix A (Initial Study, page 89), and it was determined there would be no significant impacts to other hazards and hazardous materials checklist questions.

Impact Analysis

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

d. Would the project be located on a site that is included on a list of hazardous material 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?

J.C. Crumpton Elementary, Marina Vista Elementary, Los Arboles Middle, Marina High, George Patton Senior Elementary, and Pegasus Montessori are within 0.25-mile of the Specific Plan area and the Marina Children's Center Preschool is located within the Specific Plan area.

The following databases compiled pursuant to Government Code Section 65962.5 were checked for known hazardous materials contamination in the Plan area:

- EnviroStor Database, DTSC
- GeoTracker Database, California State Water Resources Control Board (SWRCB)
- USEPA Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS) Superfund Site database (2019)

The EnviroStor database indicated three open DTSC cleanup sites within 0.25-mile of the Plan area: Central Coast High School Expansion Site at 2995 Rendova Road (case 60000346), Reservation Road High School located at the southwest corner of the intersection of Reservation Road and Salinas Avenue (case 60000344), and Olson Elementary School Expansion Site at 261 Beach Road (case 60000345). These cases are described in further detail below.

- Central Coast High School Expansion site is listed as inactive and in need of evaluation associated with subsurface anomalies encountered during a geophysical survey to identify potential munitions and explosives of concern from historical military use of the property.
- The Reservation Road High School site is located adjacent to the east of the Specific Plan area and is listed as inactive and in need of evaluation. The site is located on the former Fort Ord and may have been utilized as a firing range. The site is undeveloped but was being considered for development as a public high school. DTSC identifies explosives, metals, pesticides, and polychlorinated biphenyls in soil and soil vapor as potential contaminants of concern. The site was inactivated by DTSC when the school district was no longer considering the site for development as a school.
- Olson Elementary School Expansion site is listed as inactive and in need of evaluation associated with nearby underground storage tanks and groundwater contamination plumes. The expansion site is undeveloped and was being considered for development as ball fields. The site was inactivated by DTSC when the school district was negotiating district boundaries with a neighboring school district.

According to the GeoTracker database there are multiple hazardous materials cleanup sites in the Specific Plan area that have been addressed. Resolved leaking underground storage tank cleanup (LUST) sites in the Specific Plan area include the Shell Service Station at 3030 Del Monte Boulevard (case T0605300245), Tommy's Gas & Foodmart at 3044 Del Monte Boulevard (case T0605300218), Beacon Station No. 730 at 3144 Del Monte Boulevard (case T0605300330), Arco Station #2141 at 3184 Del Monte Boulevard (case T0605300366), 7-Eleven #17488 at 320 Reservation Road (case T10000005318), and Monterey Peninsula Garbage & Refuse at 3114 Crescent Avenue (case T0605300322). There is one completed military underground storage tank cleanup site at 4493 8th Avenue, Fort Ord Building 4493-4 (case T0605300108), and one completed groundwater cleanup site at 215 C Reservation Road of Don's One Hour Dry Cleaners (case SLT3S2061339). Although the sites are classified as closed, residual soil, groundwater, and/or soil vapor contamination may remain on site that may be encountered during redevelopment activities. In addition, the closure of the site may be based upon the condition of the site use at the time of closure and/or deed restrictions may have been placed that limit the type of future development without additional assessment or cleanup activities.

The USEPA CERCLIS database did not identify a superfund site in the Specific Plan area; however, the former Fort Ord, located adjacent to the Specific Plan area, is listed as a National Priorities List (NPL) site. The SWRCB GeoTracker databases depicts two open military cleanup sites associated with the former Fort Ord that are adjacent to the Specific Plan area: Fort Ord OU1 (Fritzche Army Airfield Fire Drill Area, On-Site Plume DOD100220500) and Ford Ord – OUCTP (DOD100196800):

- The Fort Ord OU1 site is associated with flammable solvents that leached into soil and groundwater from a former fire drill area. The soil and groundwater cleanups were completed, the remedial objectives were achieved, and the site was closed.
- The Ford Ord – OUCTP is associated with carbon tetrachloride contamination in groundwater from a surface release. The carbon tetrachloride groundwater plume extends from within the dormer Ford Ord site boundary to within the Specific Plan area north of Reservation Road west to approximately Eucalyptus Street (Ahtna Environmental 2019). In addition, the groundwater plume is present adjacent to the east of the Specific Plan areas south of Reservation Road and east of Salinas Avenue and the groundwater flow direction is to the northwest, toward the Specific Plan area.

Redevelopment of portions of the Specific Plan area with known or potential contamination of soil, groundwater, and/or soil vapor (subsurface contamination) may result in the disturbance of hazardous materials, presenting a risk of human exposure. New development could also present potential risk of exposure to contamination associated with commercial and/or industrial land use. Hence, development and redevelopment pursuant to the Specific Plan would increase the potential for exposure to subsurface contamination hazards. To reduce health risks to a less than significant level, mitigation measure HAZ-1 is required to reduce impacts to a less than significant level.

HAZ-1 Project-Level Hazardous Materials Assessment

Prior to the obtaining grading permits or starting other ground disturbing work for individual projects, the Community Development Director or their designee shall hire a qualified environmental professional to conduct a Phase I environmental assessment (ESA), consistent with the American Society for Testing Materials standards (ASTM E1527). The Phase I ESA shall evaluate the likelihood that hazardous chemicals are present and whether soil sampling is necessary. If the Phase I ESA indicates that contamination is unlikely, no further mitigation is necessary other than any recommendations identified in the Phase I ESA (such as stopping work if stained soil is encountered).

If the Phase I ESA indicates that additional soil sampling or other further evaluation is necessary, the City shall hire a qualified environmental professional to conduct a Phase II ESA to determine the presence and extent of contamination. If the results indicate that contamination exists at levels above regulatory action standards, then the site shall be remediated in accordance with recommendations made by applicable regulatory agencies, including RWQCB and DTSC. The agencies involved shall depend on the type and extent of contamination. If remediation is necessary, the City or their designee shall hire a qualified environmental professional prior to obtaining grading permits or ground disturbance to prepare a work plan that identifies necessary remediation activities, including excavation and removal of on-site contaminated soils, appropriate dust control measures, and redistribution of clean fill material on the project site. The plan shall include measures that ensure the safe transport, use, and disposal of contaminated soil removed from the site. The plan shall also identify when and where soil disturbing construction activities may safely commence.

Significance After Mitigation

Implementation of Mitigation Measure HAZ-1 would reduce potential impacts associated with hazards and hazardous materials to a less than significant level.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

4.4.5 Noise

Noise Background

Fundamentals of Noise

Sound is a vibratory disturbance created by a moving or vibrating source, which is capable of being detected by the hearing organs. Noise is defined as sound that is loud, unpleasant, unexpected, or undesired and may therefore be classified as a more specific group of sounds. Noise levels are commonly measured in decibels (dB) using the A-weighted sound pressure level (dBA). Decibels are measured on a logarithmic scale that quantifies sound intensity in a manner similar to the Richter scale used to measure earthquake magnitudes. A doubling of the energy of a noise source, such as doubling of traffic volume, would increase the noise level by 3 dB; dividing the energy in half would result in a 3 dB decrease (Crocker 2007). It is widely accepted that the average healthy ear can barely perceive changes of 3 dBA, increase or decrease (i.e., twice the sound energy); that a change of 5 dBA is readily perceptible (8 times the sound energy); and that an increase (or decrease) of 10 dBA sounds twice (half) as loud (10.5x the sound energy) (Crocker 2007).

Noise levels from a point source typically attenuate, or drop off, at a rate of 6 dBA per doubling of distance (e.g., construction, industrial machinery, ventilation units). Noise from a line source (e.g., roadway, pipeline, railroad) typically attenuates at about 3 dBA per doubling of distance (Caltrans 2013a). Noise levels may also be reduced by intervening structures; the amount of attenuation provided by this "shielding" depends on the size of the object and the frequencies of the noise levels. Natural terrain features such as hills and dense woods, and man-made features such as buildings and walls, can significantly alter noise levels. Generally, any large structure blocking the line of sight would provide at least a 5-dBA reduction in source noise levels at the receiver (Federal Highway Administration [FHWA] 2018). Structures can substantially reduce exposure to noise as well. The FHWA's guidelines indicate that modern building construction generally provides an exterior-to-interior noise level reduction of 20 to 35 dBA with closed windows.

The time of day when noise occurs and the duration of the noise are also important factors of project noise impact. One of the most frequently used noise metrics is the equivalent noise level (L_{eq}); it considers both duration and sound power level. L_{eq} is defined as the single steady A-weighted level equivalent to the same amount of energy as that contained in the actual fluctuating levels over time. Typically, L_{eq} is summed over a one-hour period. L_{max} is the highest root mean squared (RMS) sound pressure level within the sampling period, and L_{min} is the lowest RMS sound pressure level within the measuring period (Crocker 2007). Noise that occurs at night tends to be more disturbing than that occurring during the day. Community noise is usually measured using Day-Night Average Level (L_{DN}), which is the 24-hour average noise level with a +10 dBA penalty for noise occurring during nighttime hours (10:00 p.m. to 7:00 a.m.); it is also measured using Community Noise Equivalent Level (CNEL), which is the 24-hour average noise level with a +5 dBA penalty for noise occurring from 7:00 p.m. to 10:00 p.m. and a +10 dBA penalty for noise occurring from 10:00 p.m. to 7:00 a.m. (Caltrans 2013a). Noise levels described by L_{DN} and CNEL usually differ by about 1 dBA. The relationship between the peak-hour L_{eq} value and the L_{DN}/CNEL depends on the distribution of traffic during the day, evening, and night.

Some land uses are more sensitive to ambient noise levels than other uses due to the amount of noise exposure and the types of activities involved. For example, residences, motels, hotels, schools, libraries, churches, nursing homes, auditoriums, museums, cultural facilities, parks, and outdoor recreation areas are more sensitive to noise than commercial and industrial land uses.

CONSTRUCTION NOISE

The primary source of temporary noise associated with implementation of the project would be construction activities. Construction for each project in the DVSP would typically involve several stages including grading, foundation construction, and finish construction. Noise generated by construction equipment can vary in intensity and duration during each phase of construction. The potential noise levels associated with typical construction equipment that may be used during construction of the proposed project are identified in Table 4.4-1. As shown in the table, construction noise levels at 50 feet from individual equipment would range from approximately 73 to 83 dBA L_{eq}, depending on the type of construction equipment.

Table 4.4-1 Typical Construction Equipment Noise Levels

Equipment	Usage Per Day (Percentage)	Maximum Noise Level at 50 Feet (dBA L_{eq})
Backhoe	40	74
Compactor	20	76
Concrete Saw	20	83
Dozer	40	78
Dump Truck	40	73
Excavator	40	77
Generator	50	78
Loader	40	75
Paver	40	80

Source: FHWA 2008

Reasonable conservative construction scenarios would be from the simultaneous operation of an excavator, loader, and dump truck during grading, which is the construction activity that typically generates the highest noise levels. These pieces of equipment would be used during grading to remove or modify soil, with the loaders and dump trucks removing the debris. These three pieces of equipment would generate a noise level of 79.9 dBA L_{eq} at 50 feet, with a 60 dBA L_{eq} noise contour located at 500 feet.

TRAFFIC NOISE

Baseline traffic noise levels from major roadways within the DVSP area were calculated using the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model, RD-77-108. The FHWA Model is an analytical method utilized for traffic noise prediction. The FHWA Model assumes a clear view of traffic with no shielding (e.g., from buildings or topography) at the receiver location; In reality, varied topography, in combination with the presence of buildings and other barriers, would reduce the distance from the noise source to the dB contours in many instances. Therefore, the traffic noise levels presented in this analysis should therefore be considered conservative estimates of future roadway noise levels.

Volumes used for modeling traffic noise from the project were estimated using peak hour intersection data from the Marina Downtown Traffic Study (Appendix D). The PM peak hour trip rates were used due to generally higher traffic volumes in that timeframe. Table 4.4-2 shows the peak hour traffic volumes under baseline and future conditions, and the roadway miles per hour

(mph) entered into the model. Based on traffic counts and observations, vehicle composition was assumed as 96 percent automobiles, 2 percent medium trucks, and 2 percent heavy trucks on Reservation Road and Del Monte Boulevard, and 98.5 percent automobiles, 1 percent medium trucks, and 0.5 percent heavy trucks on the rest of the streets. The defaults of 84 percent traffic during the day and 16 percent during the night were also used.

Table 4.4-2 Baseline and Future Traffic Volumes

		Traffic Counts (Peak Hour PM Trips)		
Roadway	**Segment**	**MPH**	**Baseline (2019) [1,2]**	**Future (included DVSP buildout)**
Del Monte Blvd	SR 1 to Reindollar Ave	35	2,135	2,493
	Reindollar Ave to Palm Ave	35	1,663	1,959
	Palm Ave to Reservation Rd	35	1,510	1,714
Reservation Rd	Del Monte Blvd to Vista Del Camino Cir	35	1,763	2,139
	Vista Del Camino Cir to Seacrest Ave	35	1,759	2,018
	Seacrest Ave to De Forest Rd	35	1,696	1,995
	De Forest Rd to Crescent Ave	35	1,720	1,993
	Crescent Ave to California Ave	40	1,669	1,917
	California Ave to Salinas Ave	40	1,515	1,840
	Salinas Ave to out of DVSP	40	1,518	1,880
Reindollar Ave	Del Monte Blvd to east	25	678	945
Cypress Ave[1]	Del Monte Blvd to east	25	177	248
Palm Ave	Del Monte Blvd to east	25	177	248
Carmel Ave[1]	Del Monte Blvd to east	25	678	945
Mortimer Ln[1]	Del Monte Blvd to east	25	177	248
Vista Del Camino Cir	Reservation Road to north	25	584	757
Seacrest Ave	Reservation Road to south	25	550	774
De Forest Rd	Reservation Road to north	25	225	322
Crescent	Reservation Road to north	25	203	246
	Reservation Road to south	25	422	584
California Ave	Reservation Road to south	35	378	547
Lynscott Dr[1]	Reservation Road to south	25	378	547
Bayer St[1]	Reservation Road to south	25	378	547
Salinas Ave	Reservation Road to south	25	34	136
Sunset Avenue[1]	Reindollar Ave to Carmel Ave	25	177	248
Hillcrest Ave[1]	End of street towards Zanetta Dr	25	177	248

[1] Traffic volumes for these roadways were not provided in the traffic study; volumes on these roadways were assumed to be similar to the nearest, similar-sized collector street.

Source: Kimley-Horn and Associates 2019

STATIONARY NOISE

Projects facilitated by the DVSP, including but not limited to commercial uses and multi-family residential uses, would involve construction and operation of buildings which would likely use commercial-sized heating, ventilation, and air conditioning (HVAC) units. For the purposes of this analysis, the specifications for Carrier 48PG 14-ton HVAC units, which have a sound power level (SWL) of 83.3 dBA, are used to analyze the noise impact from the proposed project buildings. The manufacturer's noise data for the HVAC units is provided below in Table 4.4-3; more detailed data can be found in Appendix H.

Table 4.4-3 HVAC Noise Data

Product	Nominal Tons	Noise Levels in Decibels[1] (dB) Measured at Octave Frequencies							Overall Noise Level in dBA[1]
		125 Hz	250 Hz	500 Hz	1 KHz	2 KHz	4 KHz	8 KHz	
Carrier 48PG	14	85.9	85.3	81.8	78.2	72.2	67.9	59.9	83.3

[1] Sound Power Levels (S_{WL})

KHz = kilohertz; Hz = hertz

Source: Appendix H

Noise Thresholds

Table 4.4-4 outlines the City of Marina's noise standards.

Table 4.4-4 City of Marina Allowable Noise Standards Measured in Ldn (dBA)

Land Use	Maximum Acceptable Exterior	Maximum Conditionally Acceptable Exterior	Maximum Acceptable Interior[1]
Residential	60	70	45
Live/Work	65	75	50
Hotel/Motel	65	75	50
Office	67	77	55
Other Commercial	70	80	60
Industrial/Agriculture	70	80	60
Schools, Libraries, Theaters, Churches, Nursing Homes	60	70	45
Parks and Playfields	65	70	NA
Golf Courses, Riding Stables, Cemeteries	70	75	NA

[1] It is preferred that the interior noise standard be attained with open windows. However, where the interior noise standard is attainable only with closed windows and doors, mechanical ventilation shall be required.

Source: City of Marina 2000

Significance Thresholds

Impacts related to noise would be significant if implementation of the project would result in:

a. *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.*

Noise thresholds (b) and (c) are addressed in Table 1-3 of this EIR as well as in Appendix A (Initial Study, page 105), and it was determined there would be no significant impacts to other noise checklist questions.

Impact Analysis

a. *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

Construction

If construction occurs next to an existing property line, construction equipment could at times be located as close as 10 feet to the nearest structures over the course of a typical construction day, but would typically be located at an average distance further away due to the nature of construction where equipment is mobile throughout the day. Therefore, it is conservatively assumed that equipment would operate at an average distance of 50 feet from neighboring property lines.

As described under Methodology, at a distance of 50 feet, an excavator, loader, and dump truck would generate a noise level of 79.9 dBA L_{eq}. The 60 dBA L_{eq} noise contour for these pieces of equipment is located at a distance of 500 feet; therefore, construction occurring within 500 feet of nearby property lines may exceed Marina's 60 dBA L_{eq} threshold. Section 9.24.040 of the Marina Municipal Code limits the operation of construction equipment to after 7:00 a.m. and before 7:00 p.m. on a daily basis except for Sundays and holidays when their use is prohibited before 10:00 a.m. and after 7:00 p.m. During daylight savings, this equipment may be operated until 8:00 p.m. These limitations would reduce the impact of construction noise in the evenings. However, due to exceeding the construction noise threshold during daylight hours, impacts would be potentially significant.

Operation

ON-SITE TRAFFIC NOISE

Exterior

The traffic noise contours under full DVSP buildout (future condition) are shown in Table 4.4-5. The roadway centerline to the beginning of the property lines bordering the streets is approximately 60 feet on Del Monte Boulevard and Reservation Road, and 30 feet on the rest of the streets. Therefore, if the noise level contours that extend out from Del Monte Boulevard and Reservation Road at a distance of 60 feet or greater exceed 60 dBA L_{dn} at future residential land uses, 67 dBA L_{dn} at future office uses, or 70 dBA L_{dn} at future commercial uses (retail), impacts to exterior areas of the future projects would be significant. Similarly, if the noise level contours that extend out from the rest of the streets at a distance of 30 feet or greater exceed 60 dBA L_{dn} at future residential land

uses, 67 dBA L_{dn} at future office uses, or 70 dBA L_{dn} at future commercial uses (retail), impacts to exterior areas of the future projects would be potentially significant.

As shown in Table 4.4-5, noise level contours on Reservation Road and Del Monte Boulevard would exceed the specified distances for residential (60 dBA L_{dn}) and office (67 dBA L_{dn}) exterior areas. Noise level contours on Reindollar Avenue, Carmel Avenue, Crescent Avenue to the south of Reservation Road, Lynscott Drive, and Bayer Street would exceed the specified distance for residential areas. Noise level contours would not exceed any of the specified distances for Cypress Avenue, Palm Avenue, Mortimer Lane, Crescent Avenue north of Reservation Road, Salinas Avenue, Sunset Avenue, or Hillcrest Avenue. Therefore, as exterior areas for planned residential and office development in the DVSP may exceed Marina noise thresholds, impacts would be potentially significant.

Interior

Building facades for future buildings may be located as close as 60 feet to the centerlines of Del Monte Boulevard and Reservation Road, and 30 feet to the centerlines of the rest of the analyzed streets. Assuming a 20 dBA exterior-to-interior noise reduction (the most conservative value from FHWA guidelines for modern building construction exterior-to-interior noise reductions, as described above under *Fundamentals of Noise*), if the noise level contours that extend out from Del Monte Boulevard and Reservation Road at a distance of 60 feet or greater exceed 65 dBA L_{dn} at future residential land uses, 75 dBA L_{dn} at future office uses, or 80 dBA L_{dn} at future commercial uses (retail), impacts to interior areas of the future projects would be significant. Similarly, if the noise level contours that extend out from the rest of the streets at a distance of 30 feet or greater exceed 65 dBA L_{dn} at future residential land uses, 75 dBA L_{dn} at future office uses, or 80 dBA L_{dn} at future commercial uses (retail), impacts to interior areas of the future projects would be potentially significant.

As shown in Table 4.4-5, no noise level contours would exceed the distances necessary for a noise level of 75 dba L_{dn} or 80 dBA L_{dn} at future office or retail uses. However, the noise level contours would exceed the distances necessary for 65 dBA L_{dn} at future residential uses on Del Monte Boulevard, Reservation Road, Reindollar Avenue, Carmel Avenue, and California Avenue. Therefore, impacts to residential interior noise would be potentially significant.

Table 4.4-5 Future Traffic Noise Contours (Buildout)

Roadway	Segment	Noise Level at 50 Feet (dBA L_{dn})	Noise Contours (feet)			
			75 dBA L_{dn}	70 dBA L_{dn}	65 dBA L_{dn}	60 dBA L_{dn}
Del Monte Blvd	HW1 to Reindollar Ave	71	26	57	122	262
	Reindollar Ave to Palm Ave	70	22	48	103	222
	Palm Ave to Reservation Rd	69	21	44	95	205
Reservation Rd	Del Monte Blvd to Vista Del Camino Cir	70	24	51	109	236
	Vista Del Camino Cir to Seacrest Ave	70	23	49	106	229
	Seacrest Ave to De Forest Rd	70	23	48	104	225
	De Forest Rd to Crescent Ave	70	23	48	104	225
	Crescent Ave to California Ave	71	27	57	124	266
	California Ave to Salinas Ave	71	26	56	120	258
	Salinas Ave to out of DVSP	71	26	57	122	262
Reindollar Ave	Del Monte Blvd to east	62	7	14	31	66
Cypress Ave[1]	Del Monte Blvd to east	56	3	6	13	27
Palm Ave	Del Monte Blvd to east	56	3	6	13	27
Carmel Ave[1]	Del Monte Blvd to east	62	7	14	31	66
Mortimer Ln[1]	Del Monte Blvd to east	56	3	6	13	27
Vista Del Camino Cir	Reservation Rd to north	61	6	12	27	57
Seacrest Ave	Reservation Rd to south	61	6	12	27	57
De Forest Rd	Reservation Rd to north	57	3	7	15	32
Crescent Ave	Reservation Rd to north	56	3	6	13	27
	Reservation Rd to south	60	5	10	22	48
California Ave	Reservation Rd to south	63	7	16	35	75
Lynscott Dr[1]	Reservation Rd to south	59	5	10	21	46
Bayer St[1]	Reservation Rd to south	59	5	10	21	46
Salinas Ave	Reservation Rd to south	53	2	4	8	18
Sunset Ave[1]	Reindollar Ave to Carmel Ave	56	3	6	13	27
Hillcrest Ave[1]	End of street towards Zanetta Dr	56	3	6	13	27

See Appendix H for model printout

[1] Noise contours are from the roadway centerline.

Traffic Noise Impacts to Baseline Uses

A significant impact would occur from DVSP buildout traffic noise if it results in noise increases that exceed the Maximum Acceptable Exterior limits specified by the Marina General Plan as shown in Table 4.4-4. If baseline conditions are already above those limits, a significant increase would occur if the project generates a perceptible change (3 dBA) over baseline conditions.

Table 4.4-6 shows the traffic noise increase from the baseline to the future scenario. As shown in the table, there are several segments where traffic noise is increased by 1 or 2 dBA that would cause noise levels to exceed the Maximum Acceptable Exterior limits for certain land uses (e.g., residential uses on Carmel Avenue). However, none of these segments would have the project generate a 3 dBA or greater increase. One roadway, Salinas Avenue, would have an increase of 3 dBA or greater; however, even with the increase, the roadway would be well below the Maximum Acceptable.

Exterior limit for residential uses. Therefore, the DVSP's increase to traffic noise levels would be less than significant.

Table 4.4-6 Traffic Noise Increases

Roadway	Segment	Baseline	Future	Increase from Baseline to Future
Del Monte Blvd	SR 1 to Reindollar Ave	70	71	1
	Reindollar Ave to Palm Ave	69	70	1
	Palm Ave to Reservation Rd	69	69	0
Reservation Rd	Del Monte Blvd to Vista Del Camino Cir	69	70	1
	Vista Del Camino Cir to Seacrest Ave	69	70	1
	Seacrest Ave to De Forest Rd	69	70	1
	De Forest Rd to Crescent Ave	69	70	1
	Crescent Ave to California Ave	70	71	1
	California Ave to Salinas Ave	70	71	1
	Salinas Ave to out of DVSP	70	71	1
Reindollar Ave	Del Monte Blvd to east	60	62	2
Cypress Ave[1]	Del Monte Blvd to east	55	56	1
Palm Ave	Del Monte Blvd to east	55	56	1
Carmel Ave[1]	Del Monte Blvd to east	60	62	2
Mortimer Ln[1]	Del Monte Blvd to east	55	56	1
Vista Del Camino Cir	Reservation Road to north	60	61	1
Seacrest Ave	Reservation Road to south	60	61	1
De Forest Rd	Reservation Road to north	56	57	1
Crescent	Reservation Road to north	55	56	1
	Reservation Road to south	58	60	2
California Ave	Reservation Road to south	61	63	2
Lynscott Dr[1]	Reservation Road to south	58	59	1
Bayer St[1]	Reservation Road to south	58	59	1
Salinas Ave	Reservation Road to south	47	53	6
Sunset Ave[1]	Reindollar Ave to Carmel Ave	55	56	1

Roadway	Segment	Baseline	Future	Increase from Baseline to Future
Hillcrest Ave[1]	End of street towards Zanetta Dr	55	56	1

[1] Noise contours are from the roadway centerline.

See Appendix H for model printout

STATIONARY NOISE

Operational noise generated by the proposed project may affect off-site sensitive receivers. Potential noise-generating land uses of the project include the HVAC units for the multi-family residential, retail, and office uses, and potential loading docks associated with retail uses.

HVAC UNITS

Mechanical HVAC units located on the ground or on rooftops of new multi-family apartment, retail, or office buildings would have the potential to generate noise levels that run continuously during the day and night. For modeling, the units were conservatively assumed not to include noise attenuation provided by a parapet wall. Specific planning information is not available for the HVAC units at this time; modeling assumed the use of Carrier 48PG 14-ton HVAC units, which have a sound power level (SWL) of 83.3 dBA as these units are representative of typical HVAC units. In a conservative noise scenario where eight HVAC units are operating at a distance of 50 feet, they would generate a noise level of 61 dBA.

Depending on where they are located, HVAC units could exceed Marina's stationary noise limit for 55 dBA L_{eq} from 7:00 a.m. to 10:00 p.m. and 45 dBA L_{eq} from 10:00 p.m. to 7:00 a.m. at nearby property lines. For a point source such as a piece of mechanical equipment, the sound level normally decreases by about 6 dBA for each doubling of distance from the source. Therefore, it is assumed that HVAC equipment would generate noise levels that exceed 45 dBA within 320 feet of the equipment and 50 dBA within approximately 180 feet of the equipment. Consequently, noise levels to residences or other sensitive receivers located in close proximity to a building that requires an HVAC system could result in a significant impact.

LOADING DOCKS

Retail (commercial) land uses also have the potential to generate noise from truck deliveries, such as engines idling and beeping from backing warning signals at commercial loading docks. State law currently prohibits heavy-duty diesel delivery trucks from idling more than five minutes; therefore, noise from idling would be limited to five minutes during truck deliveries (CCR Title 13, Section 2485). Truck trips would be periodic throughout the DVSP area and would not be concentrated in one location. Given the intermittent and short duration of noise from truck deliveries in a given location, truck deliveries would not be a source of excessive ambient noise. Therefore, impacts related to truck deliveries would be less than significant.

Summary

As described above, construction noise would exceed established thresholds at a distance of 500 feet. Therefore, mitigation is required to reduce the impact to a less than significant level. Operational impacts, including traffic-related exterior and interior noise impacts to DVSP uses and stationary noise from HVAC units, would also be potentially significant and require mitigation. Mitigation Measures NOI-1(a) through NOI-1(d) would be required.

Specific Plan-generated traffic noise impacts to baseline land uses would be less than significant, as would operational impacts related to truck deliveries. Mitigation would not be required for these specific impacts.

Mitigation Measures

NOI-1(a) Construction Noise Reduction Measures

The following measures shall be implemented if construction is to occur within 500 feet of a residential property line:

- The City shall ensure that notes for grading plans and/or site improvement plans clearly state the noise limitation requirements of Municipal Code Section 15.04.055.
- Construction activities shall occur as to not exceed the 60 dBA L_{EQ} noise limit at a receiving property line. Measures to reduce noise levels below the 60 dBA L_{EQ} noise limit include, but are not limited to, the following:
  - **Mufflers.** During project site excavation and grading, construction equipment, fixed or mobile, shall be operated with closed engine doors and shall be equipped with properly operating and maintained mufflers consistent with manufacturers' standards.
  - **Stationary Equipment.** Stationary construction equipment shall be located and oriented so that emitted noise is directed away from the nearest noise sensitive receivers.
  - **Equipment Staging Areas.** Equipment staging shall be located in areas that will create the greatest distance feasible between construction-related noise sources and noise sensitive receivers.
  - **Electrically-Powered Tools and Facilities.** Where available, electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or caretaker facilities.
  - **Sound barriers.** Temporary noise barriers shall be implemented between the construction equipment and the receiving property lines. The noise barriers shall be constructed of material with a minimum weight of two pounds per square foot with no gaps or perforations. Noise barriers may be constructed of, but not limited to, 5/8-inch plywood, 5/8-inch oriented strand board, and hay bales. Noise barriers may consist of sound blankets affixed to construction fencing along the construction site boundary facing potentially sensitive receivers
  - **Idling.** Construction vehicles shall be prohibited from idling in excess of five minutes.

NOI-1(b) Site-Specific Acoustic Analysis – Multi-Family Residences

This mitigation measure applies to future multi-family residential development on Reservation Road, Del Monte Boulevard, Reindollar Avenue, Reindollar Avenue, Carmel Avenue, California Avenue, Crescent Avenue to the south of Reservation Road, Lynscott Drive, and Bayer Street. Prior to the approval of multi-family residential building permits in these locations, the City shall require an acoustical analysis 1) demonstrating to the satisfaction of the Community Development Director (or their designee) that the proposed building plans ensure that interior noise levels due to exterior noise sources will be at or below Marina's interior noise standard of 45 dBA L_{dn} for residential uses in any habitable room, and 2) required exterior areas are not exposed to noise levels in excess of the City's maximum acceptable exterior noise level of 60 dBA L_{dn}. Design-level architectural plans shall be available during design review and will permit the accurate calculation of transmission loss for

habitable rooms. If necessary, the analysis shall identify measures to reduce noise levels to within City standards, which may include, but would not be limited to:

- Design of the project to include exterior areas shielded from the roadways by the project buildings;
- Sound walls to reduce noise to exterior areas; and/or
- Windows with increased Sound Transmission Class [STC] ratings for interior areas, etc.).

It is preferred that the interior noise standard be attained with open windows. However, where the interior noise standard is attainable only with closed windows and doors, mechanical ventilation shall be required.

NOI-1(c) Site-Specific Acoustic Analysis – Office Uses

Concurrent with Design Review and prior to the approval of building permits for office uses on Reservation Road and Del Monte Boulevard, the City shall require an acoustical analysis 1) demonstrating to the satisfaction of the Development Services Director (or their designee) that the required exterior areas are not exposed to noise levels in excess of the City's maximum acceptable exterior noise level of 67 dBA L_{dn} for office uses. If necessary, the analysis shall identify measures to reduce noise levels to within City standards, which may include, but would not be limited to design of the project to include exterior areas shielded from the roadways by the project buildings or sound walls to reduce noise to exterior areas.

NOI-1(d) HVAC Mechanical Equipment Shielding

Concurrent with Design Review and prior to the approval of building permits, the City shall require a design plan demonstrating to the satisfaction of the Development Services Director (or their designee) that the noise level from operation of mechanical equipment shall not cumulatively exceed the following noise level limits for a designated receiving land use category as specified in Table 4.2 in the Marina General Plan:

- From 7 a.m. to 10 p.m.:
  - 50 dBA L_{eq}
  - 70 dBA L_{max}
  - 65 dBA L_{max}, impulsive
- From 10 p.m. to 7 a.m.:
  - 45 dBA L_{eq}
  - 65 dBA L_{max}
  - 60 dBA L_{max}, impulsive

Noise control measures may include, but are not limited to, the selection of quiet equipment, equipment setbacks, parapet walls, silencers, and/or acoustical louvers. Marina shall require noise attenuation features that would reduce sound levels to allowable noise levels.

Significance After Mitigation

Implementation of Mitigation Measures NOI-1(a) through NOI-1(d) would reduce potential impacts associated with noise to a less than significant level.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

4.4.6 Tribal Cultural Resources

PRC Section 21074 (a)(1)(A) and (B) define tribal cultural resources as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and is:

1. 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
2. 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 these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

Assembly Bill (AB) 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. Under AB 52, lead agencies are required to "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

On August 23, 2022, Rincon contacted the Native American Heritage Commission (NAHC) and requested a search of the Sacred Lands File (SLF) for the DVSP Area. The NAHC emailed a response on October 4, 2022, stating that the SLF search was negative.

Under AB 52 and Senate Bill 18 of 2004 (SB 18), the City sent letters to the following Native American groups on February 13, 2023: Kakoon Ta Ruk Band of Ohlone-Costanoan Indians of the Big Sur Rancheria, Costanoan Rumsen Carmel Tribe, Amah Mutsun Tribal Band, Ohlone/Costanoan-Esselen Nation, Esselen Tribe of Monterey County, Indian Canyon Mutsun Band of Costanoan, Wuksache Indian Tribe/Eshom Valley Band, and Rumsen Am:a Tur:ataj Ohlone (Appendix G). The period to request tribal consultation under AB 52 ended on March 15, 2023, and the period to request tribal consultation under SB 18 ended on May 15, 2023. The City did not receive requests for tribal consultation under AB 52 or SB 18.

Significance Thresholds

Impacts to tribal cultural resources would be significant if implementation of the project would:

a. *Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 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:*

   i. *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*

   ii. *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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

Impact Analysis

Although no known tribal cultural resources are present on the Plan area, there is the possibility of encountering unknown tribal cultural resources or known cultural resources that may be identified as tribal cultural resources. Ground disturbance associated with projects facilitated by the Specific Plan has the potential to significantly impact tribal cultural resources. Mitigation is required to ensure that any unanticipated discoveries of tribal cultural resources are avoided or, where avoidance is infeasible, mitigated to a less than significant level.

Mitigation Measures

TCR-1 Unanticipated Discovery of Tribal Cultural Resources

In the event that cultural resources of Native American origin are identified during development facilitated by the DVSP, all earth-disturbing work within 50 feet of the find shall be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find as a cultural resource and an appropriate local Native American representative is consulted. If the City, in consultation with local Native American tribes, determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with state guidelines and in consultation with local Native American group(s). The plan shall include avoidance of the resource or, if avoidance of the resource is infeasible, the plan shall outline the appropriate treatment of the resource in coordination with the appropriate local Native American tribal representative and, if applicable, a qualified archaeologist. The plan shall include measures to ensure the find is treated in a manner that respectfully retains, to the degree feasible, the qualities that render the resource of significance to the local Native American group(s). Examples of appropriate mitigation for tribal cultural resources include, but are not limited to, protecting the cultural character and integrity of the resource, protecting traditional use of the resource, protecting the confidentiality of the resource, or heritage recovery.

Significance After Mitigation

Implementation of Mitigation Measure TCR-1 would reduce potential impacts to tribal cultural resources to a less than significant level.

LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED

5 Alternatives

As required by Section 15126.6 of the CEQA Guidelines, this EIR examines a range of reasonable alternatives to the proposed Downtown Vitalization Specific Plan (DVSP) that would attain most of the basic project objectives but would avoid or substantially lessen the significant adverse impacts.

As discussed in Section 2, *Project Description*, the DVSP establishes the following guiding principles and objectives for Downtown Marina:

- Establish a safe, walkable, and vibrant Downtown that attracts diverse business opportunities, encourages appropriate mixed uses, and integrates adjoining neighborhoods, parks, and trails.
- Provide a variety of affordable, high-quality housing options for people of all incomes, ages, abilities, races, and cultures to live in Downtown.
- Create an environment that attracts and sustains economic activity.
- Establish a Downtown with safe and efficient pedestrian and vehicular circulation that encourages alternative modes of transportation.

As mentioned above, the CEQA Guidelines advise that an alternatives discussion in an EIR should be limited to alternatives that would avoid or substantially lessen any of the significant effects of the project and would achieve most of the project objectives. As discussed in Section 6, *Other CEQA Required Discussions*, and throughout the EIR, the proposed DVSP would result in significant unavoidable impacts related to air quality and transportation. These impacts are primarily due to the population increase that would be facilitated by the DVSP, and an associated increase in consumer product and vehicle use. As discussed in the respective sections of this EIR, with implementation of mitigation measures as required, the DVSP would not result in other significant and unavoidable impacts.

Included in this analysis are two alternatives, including the CEQA-required “no project” alternative and one alternative that involves changes to the project that may reduce the project-related environmental impacts as identified in this EIR. Alternatives have been developed to provide a reasonable range of options to consider that would help decision makers and the public understand the general implications of revising or eliminating certain components of the proposed project.

The following alternatives are evaluated in this EIR:

- Alternative 1: No Project
- Alternative 2: Reduced Development

Detailed descriptions of the alternatives are included in the impact analysis for each alternative. The potential environmental impacts of each alternative are analyzed in Sections 5.2 through 5.4.

5.1 Alternatives Considered but Rejected

The CEQA Guidelines state that an EIR should identify any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process and briefly explain the reasons underlying the lead agency’s determination (CEQA Guidelines Section 15126.2(c)). Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are (i)

failure to meet most of the basic project objectives, (ii), infeasibility, or (iii) inability to avoid significant environmental impacts. (CEQA Guidelines Section 15126.6(c).)

There were three alternatives that were considered by the City and rejected as infeasible during the alternatives scoping process. These alternatives and their reason for rejection are described below.

5.1.1 Reduced Office Development Alternative

The City considered an alternative in which the DVSP and its associated land use designations and development guidelines would allow substantially less office development in the Specific Plan area compared to the proposed DVSP. In the absence of office uses, this alternative would allow additional residential and retail development, beyond the net increase of 2,904 residential units and 874,669 square feet of retail currently envisioned by the DVSP. Goals, policies, and development standards contained in the DVSP related to other land uses, mobility, infrastructure, and sustainability would continue to apply to this alternative. Similarly, design guidelines within the Specific Plan would also continue to apply.

This alternative was intended to reduce the VMT per employee in the Specific Plan area to reduce overall VMT impacts while still allowing full buildout of the Specific Plan area. However, reducing office uses would only minimally reduce the overall VMT per capita within the Specific Plan area, as most proposed land uses would be residential and retail. Retail land uses would be assumed to have less than significant VMT impacts (see Section 4.2, *Transportation*), so allowing additional retail uses in place of office uses may reduce overall VMT in the Specific Plan area. However, the additional residential development allowed in the absence of office uses would generate additional VMT and would increase the VMT per capita in the Specific Plan area. Additionally, with fewer office uses in the DVSP, employees residing in the Specific Plan area would commute longer distances to offices outside of the Specific Plan area. A reduced office development alternative would be unable to avoid significant impacts related to VMT. In addition, this alternative would not meet the first objective of the project, which is to create a Downtown that attracts diverse business opportunities with appropriate mixed uses. For these reasons, this alternative was rejected.

5.1.2 Transit-Focused Residential Alternative

The City considered an alternative in which multi-family residential development would be concentrated within 0.5-mile of the Marina Transit Exchange. Residential development near the Marina Transit Exchange would be higher-density than development proposed near the transit exchange by the DVSP. This alternative would not increase the overall residential buildout of the Specific Plan area; rather, land use designations and development guidelines would allow multi-family residential development near the transit exchange and would discourage residential development in portions of the Specific Plan area that are further than 0.5-mile of the Marina Transit Exchange.

This alternative was intended to reduce VMT per capita by encouraging use of transit while still allowing full buildout of the Specific Plan area. However, as discussed in Section 4.2, *Transportation,* the Marina Transit Exchange is served by two bus routes: Line 20 connects Monterey and Salinas via Seaside and Marina with bus service every 30 minutes, and Line 61 connects Marina and Salinas via State Route 68 with bus service every other hour. These transit headways are not frequent enough to qualify the roadways surrounding the Marina Transit Exchange as a high-quality transit corridor pursuant to California Public Resources Code Section 21155. Accordingly, it cannot be assumed that residential development near the Marina Transit Exchange would reduce residential VMT per capita.

Additionally, the DVSP already plans for higher-density, multi-family residential near and within 0.5-mile of the Marina Transit Exchange, and additional residential development would not reduce VMT per capita to a less than significant level. Therefore, a transit-focused residential alternative would be unable to avoid significant impacts related to VMT, and this alternative was rejected.

5.1.3 Alternative Location

The City did not consider an alternative location for the proposed DVSP. The primary objective of the DVSP is to revitalize the city's downtown area, and implementation of the DVSP in an area other than the city's existing downtown area, where land uses are primarily residential or undeveloped, would not achieve this objective. Additionally, existing specific plans, including but not limited to the Marina Station Specific Plan, the University Villages Specific Plan, and the Sea Haven Specific Plan already apply to other areas of Marina. Therefore, alternatives involving an alternative location for the proposed DVSP were not considered.

5.2 Alternative 1: No Project

Section 15126.6(e) of the CEQA Guidelines requires a specific alternative of "no project" be evaluated in an EIR to allow decision makers to compare the impacts of approving a proposed project with the impacts of not approving that project. CEQA Guidelines Section 15126.6(e)(3) describes the two general types of no project alternative: (1) when the project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the no project alternative would be the continuation of that plan; and (2) when the project is not a land use/regulatory plan, such as a specific development on an identifiable property, the no project alternative is the circumstance under which that project is not processed (i.e., no development occurs). Alternative 1 represents the former alternative type of no project and assumes the DVSP is not adopted or implemented, and instead there is continued implementation of the City's current General Plan for the plan area.

Typical development assumptions are included in the below analysis of this alternative, including compliance with applicable regulations or typical City-required measures.

5.2.1 Description

The No Project Alternative assumes that the current land use and zoning designations would not change from the City's adopted 2005 General Plan, and the DVSP would not be adopted or implemented. Existing development in the Specific Plan area includes approximately 1,005,000 square feet of commercial, retail, and office uses and approximately 2,301 dwelling units. Under the No Project Alternative, existing land use designations would remain the same, but additional development could occur as currently allowed under these designations. Because the Downtown area is already largely developed, there is very little vacant land in the urban core of the city. This alternative does not preclude future development within the downtown area, but much of its development potential has already been realized. Additionally, without the DVSP, there would be no opportunity for streamlined review and approval of projects within Marina's Downtown area. Accordingly, less development would occur under this alternative than under the DVSP.

Buildout in accordance with the existing 2005 General Plan would not meet project objectives. Under the No Project Alternative, there would be no physical modifications to the downtown that would promote a walkable and vibrant downtown with mixed uses and integration with adjoining neighborhoods, parks, and trails. Additionally, the No Project Alternative would not facilitate the

development of a variety of affordable, high-quality housing options. The dispersed locations of vacant and underutilized lots that would be available for development under this alternative would not be conducive to establishing a downtown core area.

5.2.2 Impact Analysis

a. Air Quality

The No Project Alternative would result in less dense development downtown, and it would also generally keep or maintain existing conditions in the Specific Plan area, which is almost entirely developed and urbanized. Because less development would occur compared to the proposed DVSP, the No Project Alternative would result in less construction activity in the Specific Plan area. As discussed in Section 4.1, *Air Quality,* construction air quality impacts of the DVSP would be potentially significant due to the emissions of $PM_{2.5}$ during construction activities. The No Project Alternative would involve substantially less new development than the Specific Plan; therefore, the No Project Alternative would have reduced impacts related to construction air quality compared to the proposed DVSP. However, individual development projects in the Downtown area under the No Project Alternative may still potentially exceed MBARD emissions thresholds. Mitigation Measure AQ-1 would still be required if construction projects under this alternative would disturb 8.1 acres per day with minimal earth moving or disturb 2.2 acres per day with substantial earthmoving. Construction air quality impacts would be reduced compared to the proposed DVSP and impacts would be less than significant with mitigation.

Operational emissions within the Specific Plan area would also be reduced under this alternative compared to the DVSP as there would be less residential and commercial development, and fewer vehicle trips in the Specific Plan area. As described in Section 4.1, *Air Quality,* operational emissions of the DVSP would result in significant and unavoidable air quality impacts due to volatile organic compounds (VOCs) emissions. VOC emissions associated with the proposed DVSP would exceed the MBARD threshold of 137 pounds per day due to increased vehicle use and consumer product use in the Specific Plan area. The No Project Alternative would not involve a substantial increase in vehicle trips and consumer product use, as much of the Specific Plan area's development potential has already been realized, and substantial residential and commercial development would not occur under this alternative. Development would occur in accordance with the City of Marina's General Plan; as determined in the Marina General Plan EIR (City of Marina 2000), the operational air quality impacts of development in Marina would be less than significant with mitigation. Because substantially less development would occur under this alternative, and buildout would occur according to the Marina General Plan, operational air quality impacts would be reduced and impacts would be less than significant without mitigation, compared to significant and unavoidable for the DVSP.

Overall, the No Project Alternative would result in fewer emissions from both construction and operation of new development in the Specific Plan area compared to the proposed Specific Plan. This alternative would result in less than significant air quality impacts with mitigation, and impacts would be reduced compared to the DVSP.

b. Transportation

As discussed in Section 4.2, *Transportation,* the DVSP would result in significant and unavoidable impacts to residential and office-based vehicle miles traveled (VMT). Under the No Project Alternative, buildout of an additional 2,904 residential units and 510,528 square feet of office use would not occur, and further development in the Downtown area would occur according to the Marina General Plan. However, proposed Specific Plan development and policies related to promoting non-automobile transportation and public transit would also not be implemented under this alternative. As a result, VMT generated by residential and office uses would be greater than that of the DVSP and would further exceed VMT thresholds established by the City of Marina. As shown in Table 5-1, residential and office-based VMT per capita would exceed City thresholds under a no project scenario.

Table 5-1 VMT by Land Use and Scenario

Scenario	VMT Per Capita (Residential)	Exceeds Threshold (10.9 VMT per capita)?	VMT Per Employee (Office)	Exceeds Threshold (6.6 VMT per employee)?
2015 Baseline (no project)	12.7	**Yes**	8.5	**Yes**
2015 Plus Project	11.7	**Yes**	8.0	**Yes**
2015 Plus Project (Employee VMT Only)	11.8	**Yes**	8.1	**Yes**
2040 Baseline (No Project)	13.8	**Yes**	8.8	**Yes**
2040 Plus Project	12.8	**Yes**	7.2	**Yes**

Source: Appendix C

As shown in Table 5-1, under a no project scenario, residential and office-based VMT would exceed draft VMT thresholds established by the City of Marina and would be greater than that of the DVSP. Therefore, under the No Project Alternative, impacts would be greater than the proposed Specific Plan and would be significant and unavoidable.

Development within the Downtown area under the No Project Alternative would be required to undergo site plan review and building permit approval prior to construction. This process includes an evaluation of the site plan by the City and local fire district for site circulation, which would ensure that potential project designs do not include hazardous design features, including sharp curves or dangerous intersections, and that potential project designs include adequate emergency access. Similar to the proposed DVSP, impacts related to hazards due to design features and emergency access would be less than significant.

c. Water Supply

As discussed in Section 4.3, *Water Supply,* the DVSP would have sufficient water supplies during all project phases, and Specific Plan buildout would not substantially decrease groundwater supplies or interfere with groundwater recharge. Additionally, the DVSP would not obstruct implementation of a water quality control plan or sustainable groundwater management plan, and would not result in significant impacts related to the relocation or construction of new water facilities.

The No Project Alternative would facilitate development currently allowed by Marina's 2005 General Plan. Because adequate water supplies would be available for the proposed Specific Plan at full buildout, adequate water supplies would also be available for the reduced development that

occurs under the No Project Alternative. Similarly, the No Project Alternative would involve less development and less intense buildout, and would have lesser impacts to groundwater recharge, water quality, and sustainable groundwater management compared to the proposed project. Therefore, impacts would be reduced compared to the DVSP and would be less than significant.

Because the No Project Alternative would facilitate development currently allowed by Marina's 2005 General Plan, projected growth and development in Marina is already accounted for by the Marina Coast Water District. The No Project Alternative would not require the relocation or construction of new or expanded water facilities. Impacts would be reduced compared to the DVSP and would be less than significant.

5.3 Alternative 2: Reduced Development

5.3.1 Description

The Reduced Development Alternative would reduce the number of new residential units and the total square footage of non-residential development that could be constructed in the Specific Plan area. The purpose of this alternative is to reduce significant impacts to air quality and VMT associated with the DVSP. The Reduced Development Alternative would facilitate approximately 25 percent less development than the proposed Specific Plan, and would involve a net increase of 2,178 residential units and approximately 1,039,000 square feet of non-residential development compared to existing conditions.

Based on an average of 2.65 people per household, the Reduced Development Alternative would result in a population increase of 5,772 people in the Downtown area (2.65 multiplied by 2,178 residential units). Additionally, with approximately 25 percent less non-residential development, this alternative would result in 25 percent less employment opportunities compared to the proposed project, or 2,014 jobs. Therefore, the service population of the Reduced Development Alternative would be 4,192 people.

Although new development would be reduced by 25 percent under this alternative, the proposed Specific Plan boundary would remain the same. The reduction in buildout would be achieved through a corresponding reduction in density allowances. Goals, policies, and development standards contained in the Downtown Vitalization Specific Plan related to land use, mobility, infrastructure, and sustainability would continue to apply to this alternative. Similarly, design guidelines within the Specific Plan would also continue to apply.

Buildout facilitated by the Reduced Development Alternative would meet the project objectives, but to a lesser extent than the proposed Specific Plan. The Reduced Development Alternative would promote a walkable and vibrant downtown with mixed uses and integration with adjoining neighborhoods, parks, and trails, and would facilitate the development of a variety of affordable, high-quality housing options. However, since 25 percent less development would be facilitated under this alternative compared to the DVSP, fewer improvements and less affordable housing would be developed under this alternative.

5.3.2 Impact Analysis

a. Air Quality

The Reduced Development Alternative would facilitate 25 percent less development than the proposed Specific Plan, including development of 726 fewer residential units and approximately 1,352,000 fewer square feet of non-residential development. Because less development would occur under this alternative, construction and operational air emissions would be reduced. The Reduced Development Alternative would result in the emission of 8 percent less $PM_{2.5}$ during construction compared to the DVSP (see Appendix I for CalEEMod modeling results for this alternative). Similar to the proposed Specific Plan, $PM_{2.5}$ emissions associated with construction of the Reduced Development Alternative would not exceed MBARD thresholds. However, individual development projects in the Downtown area under the Reduced Development Alternative may still potentially exceed MBARD emissions thresholds, and Mitigation Measure AQ-1 would be required if construction projects would disturb 8.1 acres per day with minimal earth moving or disturb 2.2 acres per day with substantial earthmoving. Construction impacts would be reduced and would be less than significant with mitigation.

In operation, the Reduced Development Alternative would result in the emission of 26 percent less VOCs as there would be fewer consumer products used and fewer vehicles operating in the Specific Plan area. The Reduced Development Alternative would result in the average emission of 132 pounds per day of VOCs, which would be below the MBARD significance threshold of 137 pounds per day (Appendix I). Therefore, this alternative would have a less than significant impact to air quality in operation, thereby eliminating the significant and unavoidable operational air quality impact for the DVSP. Mitigation would not be required under this alternative.

b. Transportation

As shown in Table 5-1 under Alternative 1, VMT generated by the DVSP would exceed City VMT thresholds in each project scenario. Because VMT thresholds would be exceeded in the No Project Alternative, it can be assumed that VMT generated by the Reduced Development Alternative would also exceed City VMT thresholds. However, this alternative would still include DVSP development goals and policies that intend to reduce VMT. Therefore, VMT would be reduced compared to the proposed Specific Plan under this alternative, but impacts related to VMT would remain significant and unavoidable.

Similar to the DVSP, development within the Specific Plan area under the Reduced Development Alternative would be required to undergo site plan review and building permit approval prior to construction. This process includes an evaluation of the site plan by the City and local fire district for site circulation, which would ensure that potential project designs do not include hazardous design features, including sharp curves or dangerous intersections, and that potential project designs include adequate emergency access. Similar to the DVSP, impacts related to hazards due to design features and emergency access would be less than significant.

c. Water Supply

As discussed in Section 4.3, *Water Supply,* the proposed Specific Plan would have sufficient water supplies during all project phases, and the DVSP would not substantially decrease groundwater supplies or interfere with groundwater recharge. Additionally, the DVSP would not obstruct implementation of a water quality control plan or sustainable groundwater management plan, and

would not result in significant impacts related to the relocation or construction of new water facilities.

Because the Reduced Development Alternative would involve approximately 25 percent less buildout than the DVSP, this alternative would also have sufficient water supplies during all project phases. Additionally, the Reduced Development Alternative would involve less development and less intense buildout than the DVSP, and would accordingly have less impacts to groundwater recharge, water quality, and sustainable groundwater management compared to the proposed project. Therefore, impacts would be reduced compared to the DVSP and would be less than significant.

Similar to the proposed project, the Reduced Development Alternative would require new water service connections to be installed to provide the water demand associated with buildout. Construction of new connections would be required to implement Best Management Practices and comply with laws and regulations to avoid or minimize adverse effects to water supply from the installation of new water service connections, and impacts would be less than significant. The Reduced Development Alternative would have less than significant impacts associated with the construction of new water facilities, similar to the DVSP.

5.4 Environmentally Superior Alternative

CEQA requires the identification of an environmentally superior alternative among the alternatives evaluated in an EIR. CEQA Guidelines Section 15126.6(e)(2) provides that, if the No Project Alternative is the environmentally superior alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives.

This discussion identifies the environmentally superior alternative by assessing the degree to which each alternative avoids significant and unavoidable environmental impacts. The CEQA Guidelines do not define a specific methodology for determining the environmentally superior alternative. For the purposes of this analysis, the project alternatives have been compared within each issue area to the proposed Specific Plan, and a determination has been made as to whether the potential environmental effects of each alternative would be reduced, increased, or are similar in comparison to the DVSP. For this EIR, each impact is equally weighted. Decision makers and the community in general may choose to emphasize one issue or another, which could lead to differing conclusions regarding environmental superiority.

Table 5-2 indicates whether each alternative's environmental impact is greater than, less than, or similar to that of the DVSP for each of the issue areas studied. Based on the alternatives analysis provided above, Alternative 2 (Reduced Development) would be the environmentally superior alternative. Alternative 2 would reduce significant and unavoidable impacts related to air quality to a less than significant level, and would result in reduced impacts related to VMT and water supply. Additionally, although Alternative 1 (No Project) would result in reduced impacts to air quality and water supply, it would result in greater impacts to VMT. Therefore, Alternative 2, the Reduced Development Alternative, would be the environmentally superior alternative.

Table 5-2 Impact Comparison of Alternatives

Impact	Proposed Project Impact Classification	Alternative 1: No Project Alternative	Alternative 2: Reduced Development
Impact AQ-1: 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	SU	< (LTS)	< (LTS)
Impact T-1: Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities	LTS	= (LTS)	= (LTS)
Impact T-2: Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)	SU	> (SU)	< (SU)
Impact T-3: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)	LTS	= (LTS)	= (LTS)
Impact T-4: Result in inadequate emergency access	LTS	= (LTS)	= (LTS)
Impact HYD-1: Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin; conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan; have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years	LTS	< (LTS)	< (LTS)
Impact HYD-2: Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects	LTS	< (LTS)	< (LTS)
Overall		**3 <** **1 >** **3 =**	**4 <** **0 >** **3 =**

> Impacts are greater than the DVSP

< Impacts are less than the DVSP

= Similar level of impact to the DVSP

NI = No Impact

LTS = Less than Significant Impact

LTSM = Less than Significant Impact After Mitigation

SU = Significant and Unavoidable Impact

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6 Other CEQA Required Discussions

This section discusses growth-inducing impacts and irreversible environmental impacts that would result from the proposed DVSP. This section also summarizes the significant and unavoidable impacts of the DVSP.

6.1 Growth Inducement

Section 15126(d) of the CEQA Guidelines requires a discussion of a proposed project's potential to foster economic or population growth, including ways in which a project could remove an obstacle to growth. Growth does not necessarily create significant physical changes to the environment. However, depending upon the type, magnitude, and location of growth, it can result in significant adverse environmental effects. The proposed project's growth inducing potential is therefore considered significant if project-induced growth could result in significant physical effects in one or more environmental issue areas.

6.1.1 Population Growth

The Initial Study prepared for this EIR (Appendix A) identifies a maximum buildout for the DVSP, which is a conservative assumption developed for this analysis and is not meant to be a predictor of future growth. Overall, maximum growth would be dependent on multiple factors, including local economic conditions, market demand, and other financing considerations. The following estimate of population growth is a conservative estimate based on the maximum buildout scenario. As discussed in Section 2, *Project Description,* the DVSP would facilitate an increase of 2,904 residential units, 1,566,374 square feet of retail uses, and 824,581 square feet of office uses over the approximately 20-year planning horizon and beyond. As discussed in Section 14, *Population and Housing*, of the Initial Study (Appendix A), DVSP buildout is accounted for in regional growth projections and would contribute to the City's projected population of 28,433 residents by 2040.[1]

Population increases associated with the Specific Plan have been accommodated in regional growth projections, including the Association of Monterey Bay Area Governments Regional Growth Forecast released in 2022. Additionally, the DVSP itself anticipates and plans for this growth in the Specific Plan area. Several chapters, goals, and policies of the DVSP provide guidance for development and growth within the Specific Plan area, including Chapter 4, *Land Use and Development*; Chapter 5, *Mobility*; Chapter 6, *Public Facilities and Infrastructure*; and Chapter 7, *Implementation*. These chapters establish guiding policies and goals for orderly development, and aim to ensure that growth does not outpace the capacity of existing infrastructure, services, and facilities. Specifically, Chapter 4, *Land Use and Development*, as well as Appendix A, *Development Code*, and Appendix B, *Design Guidelines*, of the DVSP establishes land use designations that would be implemented to ensure orderly, compact development in the Specific Plan area. Additionally, Chapter 5, *Mobility*, outlines the vision and framework for improving and growing the pedestrian, bicycle, vehicle, and transit network in the Specific Plan area. Lastly, Chapter 6, Public *Facilities and Infrastructure*,

[1] As described fully in Section 14, *Population and Housing,* of the Initial Study (Appendix A), the Association of Monterey Bay Area Governments' most recent growth projections for Marina accounts for the DVSP. Marina is projected to have a population of 28,433 people by 2040 (AMBAG 2022).

addresses the planned distribution, location, extent, and intensity of public facilities. Therefore, the DVSP would not result in significant physical effects due to population growth.

6.1.2 Removal of Obstacles to Growth

The land use plan and policies in the DVSP prioritize infill development, reuse of limited underutilized parcels, reimagined mobility options, mixed-use design, and preservation of key elements that make downtown Marina unique while supporting growth in areas already well-served by existing public facilities and services. These policies include but are not limited to Policy LU-1.7, which would encourage the consolidation of small, contiguous lots to allow for cohesive redevelopment; Policy M-1.3, which would encourage development of blocks to provide access to landlocked and limited-access parcels; and Program PF-2, which would facilitate monitoring the rate of development in the Specific Plan area to anticipate upgrades to utility systems. New development would occur where existing roads, water, sewer, and other utilities are in place and in a manner that minimizes the impact of development on existing infrastructure and services. Despite the proposed change in land use designations, the Specific Plan would generally preserve the existing pattern of land uses in the Downtown area. Therefore, the DVSP would not result in significant physical effects due to a removal of obstacles to growth.

6.2 Irreversible Environmental Effects

An EIR must identify any significant irreversible environmental changes that would be caused by the proposed project being analyzed. Irreversible environmental changes may include current or future commitments to the use of non-renewable resources, or secondary or growth-inducing impacts that commit future generations to similar uses. In addition, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified. The CEQA Guidelines describe three categories of significant irreversible changes that should be considered, as further detailed below.

6.2.1 Land Use Changes Which Would Commit Future Generations

As described throughout this EIR, the DVSP is long-range plan that focuses on revitalizing the Downtown area of Marina by allowing higher density infill development in areas with unbuilt and underutilized parcels of land and replacement of underutilized uses. Growth and development envisioned in the DVSP would occur as infill development of similar types as existing uses, though at times higher densities than at present. Such growth and revitalization would not commit future generations to changes in land use which would be substantial.

6.2.2 Irreversible Changes from Environmental Actions

Irreversible changes to the physical environment could occur from accidental release of hazardous materials associated with development envisioned in the DVSP. However, compliance with hazardous materials regulations and policies, as outlined in the Initial Study (see Section 9, *Hazards and Hazardous Materials,* of Appendix A), would reduce this potential impact to less than significant.

6.2.3 Consumption of Nonrenewable Resources

Consumption of nonrenewable resources includes increased energy consumption, conversion of agricultural lands to urban uses, and lost access to mineral reserves. The DVSP envisions development within primarily vacant or underutilized parcels in the Downtown area of Marina. No agricultural lands would be converted and no access to mining reserves would be lost with implementation of DVSP because these resources do not exist in the Specific Plan area (see Section 2, *Agriculture and Forestry Resources,* of the Initial Study [Appendix A]). While development facilitated by the DVSP would require additional energy of several types for construction and operation, it would not require the construction of major new lines or infrastructure to deliver energy as development would occur in an area where electricity infrastructure already exists (see Section 6, *Energy,* of the Initial Study [Appendix A]). The DVSP includes Policy LU-5.2, which encourages energy-efficient building design features such as high-efficiency fixtures and passive heating and cooling; Policy LU-5.6, which encourages meaningful energy conservation measures to reduce the carbon footprint of development; and a "Climatic Consideration" design guideline, which encourages consideration of climate factors to maximize energy conservation in new development. Furthermore, to the extent that growth throughout Marina, the Monterey peninsula, and Monterey County is partly an expression of regional demand, development within the Downtown area of Marina would represent a more efficient allocation of non-renewable resources than many other types or patterns of growth. For example, placing residential units downtown would locate people in proximity to other land uses, such as employment or shopping/retail, as well as transit. One of the overarching goals of the DVSP is to locate residential development near services and to develop a walkable, pedestrian-oriented Downtown area. This proximity between residences and services would allow people to walk, bicycle, or take transit to these uses, as opposed to more rural or suburban development outside of the Specific Plan area, which would typically require a personal vehicle and consume fuel.

6.3 Mandatory Findings

CEQA Guidelines Section 15065 requires the following specific Mandatory Findings of Significance be addressed as part of the environmental review for the project:

- The potential for the project to substantially 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;
- Project 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); and
- Environmental effects of the project which will cause substantial adverse effects on human beings, either directly or indirectly.

As discussed in Section 4.4.1, *Biological Resources*, development facilitated by the Specific Plan would have the potential to impact special status species and waters. However, these impacts would be less than significant with implementation of Mitigation Measures BIO-1(a) through BIO-1(h) and BIO-2, requiring, as needed, surveys, avoidance, and monitoring for biological resources

and jurisdictional delineation(s) as necessary. As discussed in Section 4.4.5, *Cultural Resources*, implementation of the Specific Plan could impact historic buildings and archaeological resources. Mitigation Measure CR-1 would ensure impacts to historical resources are less than significant by identifying historical resources during the project planning process and avoiding or minimizing potential impacts as needed and Mitigation Measure CR-2 would require an archaeological resources investigation, reducing impacts to a less than significant level. Therefore, as mitigated, the DVSP would not have the potential to substantially 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. Impacts would be less than significant with implementation of identified mitigation measures. Cumulative impacts of several resource areas have been addressed in the individual resource sections for air quality, transportation, and water supply (Sections 4.1 through 4.3 of this EIR). As concluded in Section 4.1, *Air Quality,* of this EIR, the project would generate operational volatile organic compounds (VOC) emissions that exceed Monterey Bay Air Resources District thresholds, and the DVSP would result in a cumulatively considerable contribution to significant cumulative air quality impacts. As concluded in Section 4.2, *Transportation,* of this EIR, the project would generate VMT that exceeds the City of Marina's thresholds and the DVSP would result in a cumulatively considerable contribution to significant cumulative transportation impacts. Additionally, as discussed in Section 4.3, *Water Supply,* of this EIR, the project would increase water demands such that there would not be sufficient water supply for all cumulative development in normal and dry years and the DVSP would result in a cumulatively considerable contribution to cumulative sustainable groundwater management and water supply impacts. As discussed in Section 4.4, *Effects Less Than Significant with Mitigation,* and in the Initial Study (Appendix A), impacts to other resource areas would be less than significant with mitigation as required, and these less than significant impacts would not result in a cumulatively considerable contribution to cumulative impacts.

In general, substantial adverse effects on human beings are associated with impacts to air quality, hazards and hazardous materials, and noise impacts. As discussed in Section 4.1, Air Quality, of this EIR, the project would result in operational VOC emissions that would exceed thresholds established by the Monterey Bay Air Resources District, and this impact would be significant and unavoidable. As discussed in Section 4.4.4, *Hazards and Hazardous Materials,* impacts from development of projects would not result in any adverse hazards related to hazardous materials. As detailed in Section 4.4.5, *Noise,* the development facilitated by the Specific Plan would not result, either directly or indirectly, in significant noise impacts. Because the project would result in significant and unavoidable impacts to air quality, the project would result in substantial adverse effects to human beings.

6.4 Significant and Unavoidable Impacts

As discussed in Section 4, *Environmental Impact Analysis*, of this EIR, implementation of the DVSP would result in the following significant and unavoidable impacts:

- **Impact AQ-1:** Project operation would exceed MBARD thresholds for VOC, which the majority are from consumer product use. Impacts would be significant and unavoidable.
- **Air Quality Cumulative Impact:** The DVSP's contribution to significant cumulative air quality impacts would be cumulatively considerable.
- **Impact T-2:** The DVSP would result in the generation of VMT that would exceed City of Marina VMT thresholds, and would be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). Impacts would be significant and unavoidable.
- **Transportation Cumulative Impact**: The DVSP's contribution to significant cumulative VMT impacts would be cumulatively considerable.
- **Water Supply Cumulative Impact:** Although the DVSP would be sufficiently served by existing water supplies, substantial excess supply is not anticipated. The DVSP's contribution to significant cumulative water supply impacts would be cumulatively considerable.

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7 References

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