

4.8 Land Use, Land Use Planning, and Recreation

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This section analyzes the potential for the Monterey Peninsula Water Supply Project (MPWSP or proposed project) to affect established land uses and recreational facilities, and evaluates project consistency with applicable plans, policies, and ordinances governing land use in the project area. Potential impacts to agricultural land uses are evaluated separately in Section 4.16, Agriculture and Forestry Resources.

4.8.1 Introduction

This assessment of the proposed project’s impacts on land use, land use planning, and recreation describes environmental baseline conditions in terms of existing land uses and recreational resources; presents an evaluation of the potentially affected land uses and recreational resources and facilities in the vicinities of the proposed project components; and evaluates project consistency with plans, policies, and regulations adopted for the purpose of avoiding or mitigating an environmental effect. The subsections that follow describe the project’s land use and recreational resources setting.

4.8.2 Setting

The project area extends approximately 14 miles, from the MPWSP Desalination Plant site located in unincorporated Monterey County in the north to the western terminus of the proposed Monterey Pipeline in the city of Pacific Grove, and east approximately 8 miles to the unincorporated community of Hidden Hills along Highway 68. The project area includes portions of the cities of Marina, Seaside, Sand City, Monterey, and Pacific Grove, unincorporated Monterey County, and federal lands (e.g., Presidio of Monterey, the Ord Military Community,¹ and Naval Postgraduate School). With the exception of the federal lands, land uses in the project area are generally governed by the local coastal programs, general plans, and zoning codes of the local jurisdictions. Land uses on federal lands are governed by the respective managing federal agency (e.g., United States (U.S.) Army and U.S. Navy). Lands within the former Fort Ord military reservation have mostly been transferred to state and local governments and are now subject to state and local land

¹ The *Ord Military Community* refers to those portions of the former Fort Ord military base that are still under the control of the U.S. Army.

use plans and regulations. However, local agency land use decisions affecting transferred lands within the former Fort Ord remain subject to discretionary review by the Fort Ord Reuse Authority.

Land uses in the northern portion of the project area are dominated by agricultural and industrial uses; the remaining portions of the project area are generally urbanized and are dominated by residential, commercial, institutional, quasi-public, and industrial land uses. The westernmost portions of the project area lie within the coastal zone, as defined in the California Coastal Act and regulated by the California Coastal Commission (CCC).² **Figure 4.8-1** shows the various local government jurisdictional boundaries and the extent of the coastal zone relative to the project area. A more detailed overview of established land uses relative to each proposed project component is presented in **Table 4.8-1**, and described in the subsections that follow.

There are a variety of recreational resources throughout Monterey County—from federal preserves to state beaches and small neighborhood parks. These resources include designated parks, trails, and open spaces that provide such opportunities as hiking and bird watching, and water bodies where people can enjoy boating, fishing, and swimming. Public access to the area's unique natural resources is an important component of recreation in Monterey County. The Monterey Bay shoreline hosts one of the most significant and rare dune landforms on the west coast. Public access to beaches, dunes, and hiking trails is available from numerous locations along the coast. There are also several designated bikeways throughout the project area that serve as both recreational facilities and alternative transportation routes.³ A more detailed overview of specific recreational facilities adjacent to or within the vicinity (0.25 mile) of proposed project components is provided in **Table 4.8-1** and described in the subsections below. **Figures 4.8-2** and **4.8-3** show parks and other recreational facilities in the project area.

² The California Coastal Commission is responsible for administering the California Coastal Act, which applies to development within the 1.5-million-acre area along the state's 1,100-mile-long coastline.

³ "Bikeway" is a general term used to refer to facilities that provide primarily for bicycle travel. The Caltrans Bikeway Planning and Design section (Chapter 1000 of the State of California Highway Design Manual) categorizes bikeways into three types:

- Class I bikeways are bike paths and provide a completely separated right-of-way for the exclusive use of bicycle and pedestrian traffic with cross-flow minimized. Class I bikeways exist along General Jim Moore Boulevard between Normandy Road and Coe Avenue. The Monterey Peninsula Recreational Trail (also known as the Monterey Bay Coastal Trail), which extends approximately 18 miles between Castroville and Pacific Grove, is also a Class I bikeway.
- Class II bikeways are bike lanes and are indicated by a striped lane for one-way bike travel on a street or highway, typically with signage placed along the street segment. A Class II bikeway exists along General Jim Moore Boulevard between Coe Avenue and Canyon del Rey Boulevard.
- Class III bikeways are bike routes that involve shared use of the roadway with motor vehicle traffic. Typically these facilities are city streets with signage indicating the designated bike route without additional striping or improvements for bicyclists.

**TABLE 4.8-1
OVERVIEW OF DESIGNATED LAND USES AND RECREATIONAL FACILITIES WITHIN 0.25 MILE OF THE PROPOSED FACILITIES**

Proposed Facility	Location	Jurisdiction	Adjacent Land Uses	Recreational Land Uses Located Within 0.25 mile
Subsurface Slant Wells	On a 376-acre coastal parcel in north Marina, within the CEMEX active mining area.	City of Marina (coastal zone)	Publicly accessible beach, west of CEMEX property	Publicly accessible beach, west of CEMEX property
MPWSP Desalination Plant	On the upper 25-acre terrace of a 46-acre vacant parcel on Charles Benson Road, northwest of the Monterey Regional Water Pollution Control Agency (MRWPCA) Regional Wastewater Treatment Plant.	Monterey County (coastal zone)	None within 0.25 mile	None within 0.25 mile
Brine Discharge Pipeline	Between the MPWSP Desalination Plant and the headworks to the MRWPCA ocean outfall at the MRWPCA Regional Wastewater Treatment Plant.	Monterey County (Inland)	None within 0.25 mile	None within 0.25 mile
Source Water Pipeline	Between the proposed subsurface slant wells in the CEMEX active mining area and the CEMEX building located approximately 0.5 mile inland.	City of Marina (coastal zone)	None within 0.25 mile	None within 0.25 mile
	Between the CEMEX building and the intersection of Del Monte Boulevard and Charles Benson Road.	Monterey County (coastal zone)	Monterey Peninsula Recreational Trail	Monterey Peninsula Recreational Trail
	Between the intersection of Del Monte Boulevard and Charles Benson Road to the proposed MPWSP Desalination Plant site.	Monterey County (inland)	Monterey Peninsula Recreational Trail	Monterey Peninsula Recreational Trail
Salinas Valley Return Pipeline	Between the proposed MPWSP Desalination Plant site and the existing CSIP pond located at the southern end of the MRWPCA Regional Wastewater Treatment Plant.	Monterey County (inland)	None within 0.25 mile	None within 0.25 mile
Desalinated Water Pipeline	Between the proposed MPWSP Desalination Plant, west along Charles Benson Road, and south along Del Monte Boulevard to the boundary between the city of Marina and unincorporated Monterey County.	Monterey County (inland and coastal zone)	Monterey Peninsula Recreational Trail	Monterey Peninsula Recreational Trail
Desalinated Water Pipeline	From the boundary between the city of Marina and unincorporated Monterey County, south along Del Monte Boulevard to Reservation Road.	City of Marina (inland and coastal zone)	Residential, Office, Light Industrial, Parklands	Monterey Peninsula Recreational Trail, Locke-Paddon Park, and Vince DiMaggio Park

**TABLE 4.8-1 (Continued)
OVERVIEW OF DESIGNATED LAND USES AND RECREATIONAL FACILITIES WITHIN 0.25 MILE OF THE PROPOSED FACILITIES**

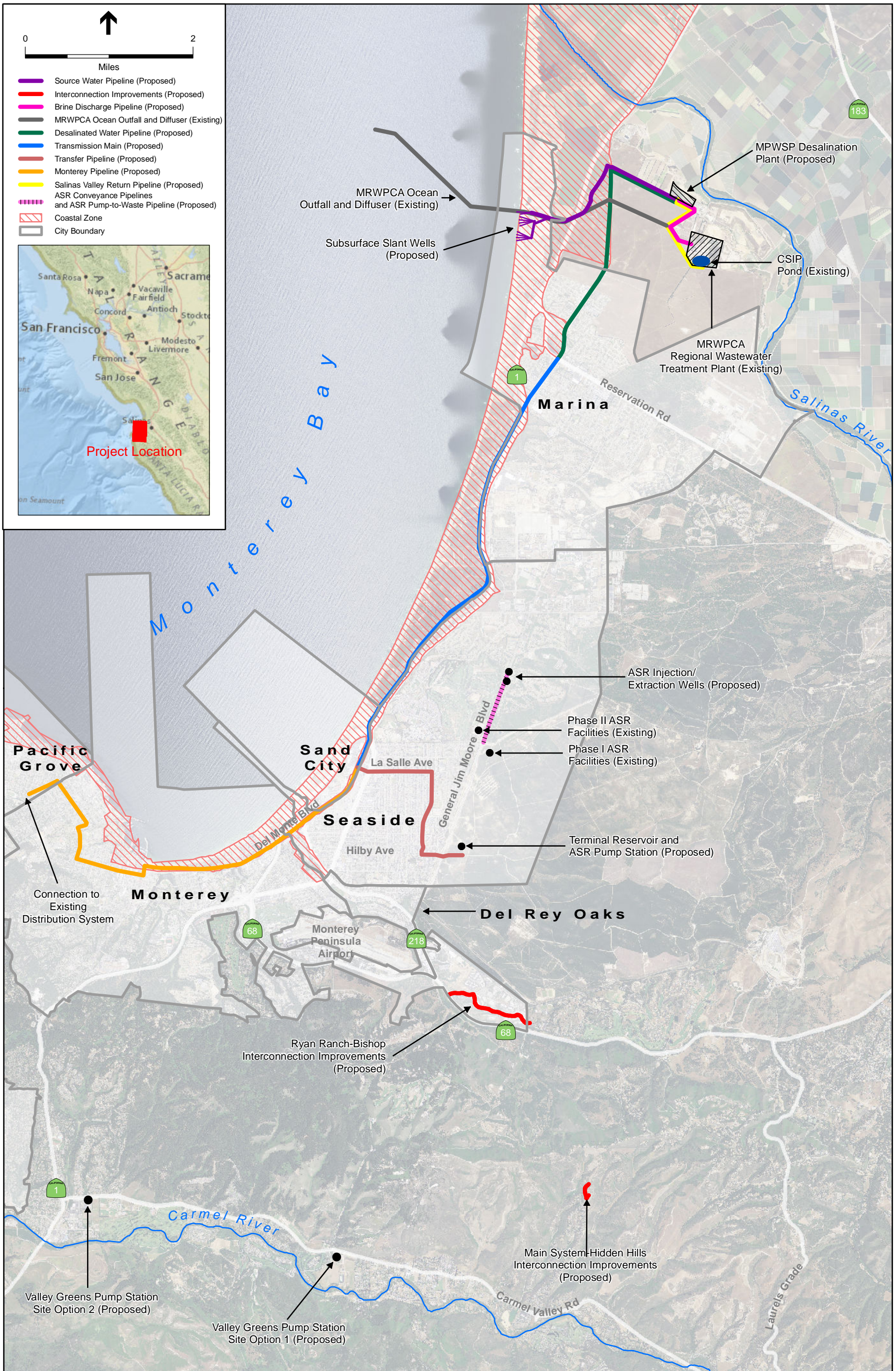
Proposed Facility	Location	Jurisdiction	Adjacent Land Uses	Recreational Land Uses Located Within 0.25 mile
Transmission Main	From Reservation Road along the west side of Del Monte Boulevard to the Highway 1 undercrossing/onramp.	City of Marina (inland)	Residential, Office, Light Industrial, Public facilities (libraries), Parklands	Monterey Peninsula Recreational Trail, Locke-Paddon Park, Marina Del Mar Elementary School, Marina State Beach
Transmission Main	From the Highway 1 undercrossing/ on-ramp to the boundary between the city of Marina and city of Seaside, near the Divarty Street undercrossing of Highway 1.	City of Marina (coastal zone)	Parklands, Railroad, Highway, Public Facilities (old Wastewater Treatment Plant)	Fort Ord Dunes State Park
	Along the west side of Del Monte Boulevard, between the Highway 1 interchange in Marina to the Fremont Boulevard/Highway 1 interchange in Sand City.	Fort Ord Dunes State Park	Parklands, Railroad, Highway,	Fort Ord Dunes State Park, Monterey Peninsula Recreational Trail
	Lands generally to the east of and adjacent to the Transportation Agency for Monterey County (TAMC) right-of-way, from the Fremont Boulevard and Highway 1 interchange south to Auto Center Parkway.	Sand City (coastal zone)	Railroad, Commercial/Retail, Light Industrial, Lodging	Monterey Peninsula Recreational Trail, Class II bikeway along California Avenue
	Lands generally to the east of and adjacent to the TAMC right-of-way, from the Fremont Boulevard and Highway 1 interchange south to Auto Center Parkway.	City of Seaside (inland)	Railroad, Commercial/Retail, Light Industrial, Lodging	Monterey Peninsula Recreational Trail
Transfer Pipeline	From the intersection of Del Monte Boulevard and Auto Center Parkway east along La Salle Avenue, south along Yosemite Street, east along Hilby Avenue, and across General Jim Moore Boulevard to the Terminal Reservoir and ASR Pump Station site.	City of Seaside (inland)	Commercial, Residential, Parkland, Public Facilities	Monterey Peninsula Recreational Trail, Portola Leslie Park, David Cutino Park, Sabado Park, Lincoln Cunningham Park, Havana Soliz Park, Manzanita Stuart Park, Highland Otis Park, Martin Park, Mescal Neil Park, Durant Park, Encanto Park, Beta Park, Capra Park, Fernando-Montgomery Park, Farallones Park, Class I bike path (General Jim Moore Boulevard), and a Class III bike route (Hilby Avenue)
		Fort Ord Reuse Authority (inland)	Open Space	
Terminal Reservoir and ASR Pump Station	East of the intersection of General Jim Moore Boulevard and Hilby Avenue, in the former Fort Ord military base.	City of Seaside (inland)	Open Space	Fort Ord National Monument, Class II bike path (General Jim Moore Boulevard), and a Class III bike route (Hilby Avenue)
		Fort Ord Reuse Authority (inland)	Open Space	
Monterey Pipeline	Along the west side of Del Monte Boulevard, between Auto Center Parkway and Contra Costa Street.	City of Sand City (coastal zone)	Commercial/Retail, Light Industrial	Monterey Peninsula Recreational Trail, Eolian Dunes Preserve, and Calabrese Park

TABLE 4.8-1 (Continued)
OVERVIEW OF DESIGNATED LAND USES AND RECREATIONAL FACILITIES WITHIN 0.25 MILE OF THE PROPOSED FACILITIES

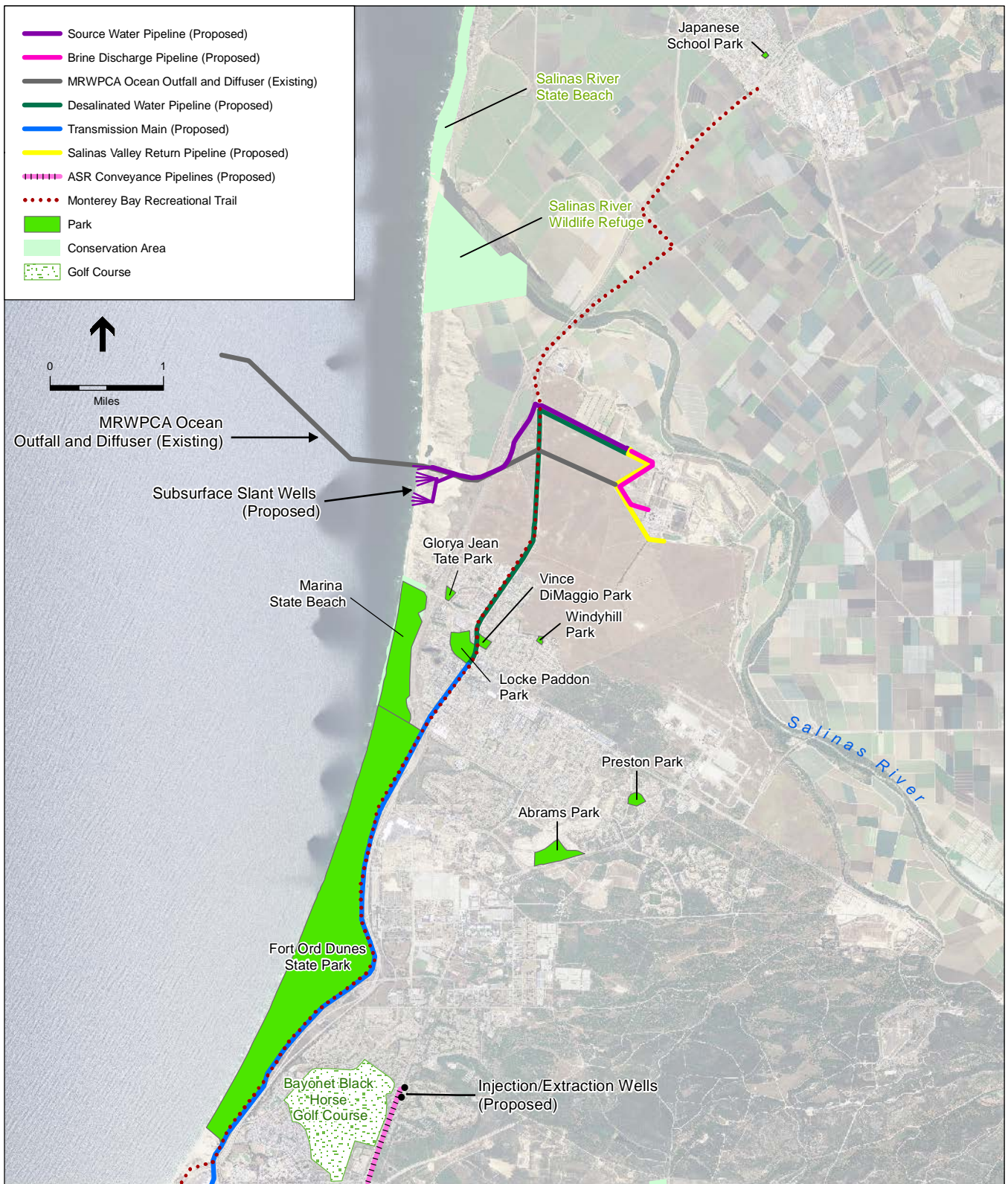
Proposed Facility	Location	Jurisdiction	Adjacent Land Uses	Recreational Land Uses Located Within 0.25 mile
Monterey Pipeline (cont.)	Along the west side of Del Monte Boulevard (west of the TAMC right-of-way), between Auto Center Parkway to the Contra Costa Street.	City of Seaside (inland)	Commercial/Retail, Light Industrial	Monterey Peninsula Recreational Trail, Eolian Dunes Preserve, and Calabrese Park
	Along the west side of Del Monte Boulevard (east of the TAMC right-of-way), between Contra Costa Street and Roberts Avenue.	City of Seaside (Coastal zone)	Commercial/Retail, Light Industrial	Roberts Lake (Laguna del Rey), Laguna Grande, Monterey Peninsula Recreational Trail, and Monterey State Beach
	Along Del Monte Boulevard, between Laguna de Rey (e.g., Roberts Avenue) and Figueroa Street.	City of Monterey (coastal zone)	Lodging, Open Space/Parkland, Commercial/Retail, Light Industrial, Residential, Military (Naval Postgraduate School)	Monterey Peninsula Recreational Trail, Monterey State Beach, Del Monte Beach, El Estero Park, Ball Park, Municipal Beach
	From the intersection of Del Monte Boulevard and Figueroa Street to the intersection of High Street and Stillwell Avenue.	City of Monterey (inland)	Commercial/Retail, Parkland, Office, Institutional, Residential, Lodging	Monterey Peninsula Recreational Trail, Jack's Park, Larkin Park, and Cannery Row Park Plaza. Class II bikeway (Figueroa Street)
	Along Stillwell Avenue, between High Street and Private Bollo Road.	Presidio of Monterey (U.S. Army; inland)	Military (Presidio of Monterey)	Lower Presidio Historic Park, Larkin Park, Hoffman Park, Oak-Newton Park
	From the intersection of Stillwell Avenue and Private Bollo Road to the Eardley Pump Station.	Pacific Grove (inland)	Residential	Lower Presidio Historic Park, Larkin Park, Hoffman Park, Oak-Newton Park
Valley Greens Pump Station Site Option 1	In Carmel Valley, on the south side of Carmel Valley Road near Valley Greens Drive.	Monterey County (inland)	Commercial/Retail, Agricultural, Residential, Recreational	The Golf Club at Quail Point
Valley Greens Pump Station Site Option 2	In Carmel Valley, on the south side of Carmel Valley Road, in the Carmel Rancho Shopping Center.	Monterey County (inland)	Commercial/Retail, Residential	None within 0.25 mile
Ryan Ranch–Bishop Interconnection Improvements	Along Ragsdale Drive, Lower Ragsdale Drive, and Wilson Road.	City of Monterey (inland)	Residential, Office Park, Open Space/Parkland	Ryan Ranch Park, Class II bikeways (Ragsdale Drive, Lower Ragsdale Drive, and Wilson Road)
Main System–Hidden Hills Interconnection Improvements	Tierra Grande Drive	Monterey County (inland)	Residential, Open Space	None within 0.25 mile

TABLE 4.8-1 (Continued)
OVERVIEW OF DESIGNATED LAND USES AND RECREATIONAL FACILITIES WITHIN 0.25 MILE OF THE PROPOSED FACILITIES

Proposed Facility	Location	Jurisdiction	Adjacent Land Uses	Recreational Land Uses Located Within 0.25 mile
ASR-5 and ASR-6 Wells, ASR Pump-to-Waste System, and ASR Conveyance Pipelines	Along the east side of General Jim Moore Boulevard between Ardennes Circle and Coe Avenue in the Fitch Park military housing area.	City of Seaside (the ASR-5 and ASR-6 Well sites are owned by U.S. Army; local land use regulations have limited application; inland) Fort Ord Reuse Authority (inland) Presidio of Monterey – Ord Military Community (U.S. Army)	Residential, Open Space, Recreational	Class I bike path (General Jim Moore Boulevard), and Bayonet Black Horse Golf Course



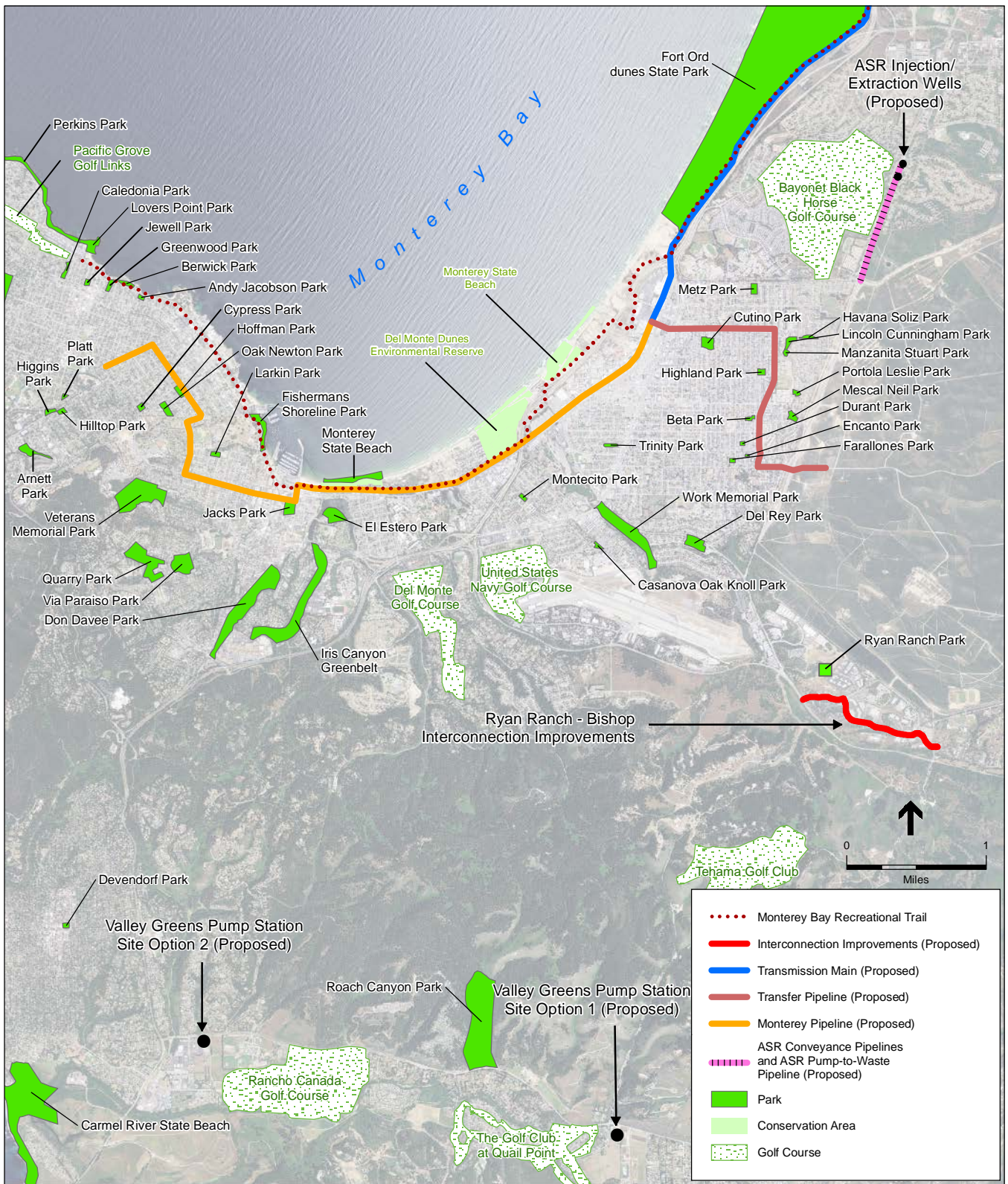
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SOURCE: GlobeXplorer, 2006; ESRI, 2007; ESA, 2014

205335.01 Monterey Peninsula Water Supply Project

Figure 4.8-2
Recreational Opportunities in the Northern Project Area



SOURCE: GlobeXplorer, 2006; ESRI, 2007; ESA, 2014

205335.01 Monterey Peninsula Water Supply Project

Figure 4.8-3
Recreational Opportunities in the Southern Project Area

4.8.2.1 Subsurface Slant Wells

Land Use. The subsurface slant wells would be located at the 376-acre CEMEX sand mining facility located on the coast in north Marina, within the CEMEX active mining area. CEMEX owns the coastal land above mean high tide; the California State Lands Commission owns the land below mean high tide. The sand mining operations at the CEMEX facility have been in existence since 1906. The sand mining facility is bounded to the west by beach and the Pacific Ocean, to the north and south by vegetated sand dunes, and to the east by open space, grazing and croplands, and Highway 1.

Recreation. The subsurface slant wells would be constructed within the CEMEX active mining area, above the maximum high-tide elevation, on land owned by CEMEX. Although the closest publicly accessible paths to the beach from the nearest public roads are located approximately 1 mile south at Marina Dunes Preserve and 1.25 miles north at the Salinas River National Wildlife Refuge, the beach bordering the western edge of the proposed slant well site is publicly accessible. The Monterey Peninsula Recreational Trail is located approximately 1 mile east of the slant well site. There are no other recreational resources in the vicinity of the subsurface slant wells.

4.8.2.2 Source Water Pipeline

Land use. The proposed Source Water Pipeline would traverse portions of northern Marina and unincorporated Monterey County. From the subsurface slant wells at the CEMEX active mining area in Marina, the proposed pipeline would extend east along the CEMEX access road to Lapis Road, northeast along Lapis Road to Charles Benson Road, and then east within Charles Benson Road to the MPWSP Desalination Plant site in unincorporated Monterey County. Lands adjacent to the proposed alignment are used primarily for open space, grazing, and row crop farming and agricultural operations.

Recreation. The Source Water Pipeline would cross the Monterey Peninsula Recreational Trail at the intersection of Del Monte Boulevard and Charles Benson Road. There are no parks or other recreational facilities in the vicinity of the proposed Source Water Pipeline alignment.

4.8.2.3 MPWSP Desalination Plant

Land Use. The MPWSP Desalination Plant (including the clearwells, clearwell pump station, and desalinated water pump station facilities) would be constructed on an upper 25-acre portion of a 46-acre vacant parcel located on Charles Benson Road, in unincorporated Monterey County. The site of the proposed MPWSP Desalination Plant is bounded to the west and north by open space, grazing, and agricultural lands, and to the east and south by the Monterey Regional Environmental Park and the Monterey Regional Water Pollution Control Agency (MRWPCA) Regional Wastewater Treatment Plant.

Recreation. There are no parks or recreational facilities in the vicinity of the MPWSP Desalination Plant site.

4.8.2.4 Brine Discharge Pipeline

Land Use. The Brine Discharge Pipeline would extend from the MPWSP Desalination Plant to a new connection with the MPWPCA outfall at the existing MRWPCA Regional Wastewater Treatment Plant. The proposed pipeline alignment is within unincorporated Monterey County. Lands in the vicinity of the Brine Discharge Pipeline alignment are used for open space, grazing, and the industrial operations of the Monterey Regional Environmental Park and MRWPCA Regional Wastewater Treatment Plant.

Recreation. There are no parks or recreational facilities in the vicinity of the proposed Brine Discharge Pipeline alignment.

4.8.2.5 Salinas Valley Return Pipeline

Land Use. The Salinas Valley Return Pipeline would extend from the MPWSP Desalination Plant to a point of connection with the Castroville Seawater Intrusion Project, located within the MRWPCA Regional Wastewater Treatment Plant. The proposed alignment is within unincorporated Monterey County. As with the Brine Discharge Pipeline, lands adjacent to the Salinas Valley Return Pipeline alignment are used for open space, grazing, and the industrial operations of the Monterey Regional Environmental Park and MRWPCA Regional Wastewater Treatment Plant.

Recreation. There are no parks or recreational facilities in the vicinity of the proposed Salinas Valley Return Pipeline alignment.

4.8.2.6 Desalinated Water Pipeline

Land Use. The Desalinated Water Pipeline would begin at the MPWSP Desalination Plant site on Charles Benson Road, turn south at Del Monte Boulevard and continue along the Monterey Peninsula Recreational Trail and Transportation Agency for Monterey County (TAMC) right-of-way to Reservation Road. The northern portion of the proposed alignment crosses both coastal and inland portions of unincorporated Monterey County. Land uses in the vicinity of the Monterey County portion of the Desalinated Water Pipeline include primarily open space, grazing, and row crop farming. The southern portion of the proposed alignment crosses portions of inland and coastal Marina. Land uses in the vicinity of the Marina portion of the proposed alignment include residential, light industrial, commercial, parks, and public facilities.

Recreation. As noted above, the segment of the Desalinated Water Pipeline located along Del Monte Boulevard would generally parallel the Monterey Peninsula Recreational Trail. Locke-Paddon (within Marina's coastal zone) and Vince DiMaggio Parks are located adjacent to the west and east, respectively, of the proposed pipeline's junction with the transmission main near Reservation Road.

4.8.2.7 Transmission Main

Land Use. The Transmission Main would extend approximately 6 miles from its connection to the Desalinated Water Pipeline at the intersection of Del Monte Boulevard and Reservation Road in

Marina to its connections with the Transfer Pipeline and Monterey Pipeline at the intersection of Del Monte Boulevard and Auto Center Parkway in Seaside. The proposed alignment passes through the cities of Marina, Sand City, and Seaside, which contain urban uses on developed sites. Depending on the final pipeline alignment, the Transmission Main may traverse the western boundary of Fort Ord Dunes State Beach.

The Transmission Main would generally be aligned along the TAMC right-of-way and Monterey Peninsula Recreational Trail. Land uses along the northern 0.7 mile of the Transmission Main alignment between Reservation Road and Reindollar Avenue (outside of Marina's coastal zone) include residential, retail, and public facilities. The pipeline would also pass to the east of Marina Del Mar Elementary School.

South of Reindollar Avenue, the Transmission Main alignment would cross beneath Highway 1 and enter Marina's coastal zone. The alignment would continue along the west side of Highway 1, generally following the Monterey Peninsula Recreational Trail and TAMC right-of-way for approximately 2 miles. The lands along this pipeline segment are used primarily for parklands and open space. Along this segment, Fort Ord Dunes State Beach is located on land immediately west of, but outside of, the TAMC right-of-way and Monterey Peninsula Recreational Trail.

From the Highway 1 interchange for 1st Street, the TAMC right-of-way continues south through Fort Ord Dunes State Beach, and the Monterey Peninsula Recreational Trail continues south through Seaside (non-coastal zone),⁴ for approximately 2 miles. Land uses along this stretch of the alignment include parks, recreation, and open space.

At the Highway 1 interchange for Fremont Boulevard, the proposed Transmission Main alignment would veer southeast and follow the TAMC right-of-way between California Avenue and Del Monte Boulevard to its connections with the proposed Transfer Pipeline and Monterey Pipeline at the intersection of Del Monte Boulevard/Auto Center Parkway. In this area, the TAMC right-of-way generally follows the Sand City-Seaside municipal boundary. A portion of Sand City's coastal zone also occurs in this area. In the absence of detailed design information, it is assumed that this section of the Transmission Main could be aligned in either of these jurisdictions. Land uses along this portion of the Transmission Main alignment become more urban than those to the north. To the west, along California Avenue, land uses are comprised largely of big-box retail and car dealerships. To the east, along Del Monte Boulevard, land uses consist mainly of small-scale commercial, retail, and light industrial operations, many of which are associated with automobile service and repair.

Recreation. The Transmission Main would generally follow the Monterey Peninsula Recreational Trail and would border Fort Ord Dunes State Park for several miles. The pipeline would also pass within 0.25 mile of Lock-Paddon Park, Marina Del Mar Elementary School, and Marina State Beach. In Sand City, a portion of California Avenue along the proposed Transmission Main alignment, north of La Playa Avenue, contains a designated Class II bikeway.

⁴ The park boundary is located between the trail and the TAMC right-of-way.

4.8.2.8 Transfer Pipeline

Land Use. The proposed 3-mile-long Transfer Pipeline would be located entirely within Seaside. The proposed alignment would begin at the intersection of Del Monte Boulevard/Auto Center Parkway and continue east along La Salle Avenue to Yosemite Street. Here, the alignment turns south and continues along Yosemite Street to the intersection with Hilby Avenue, then veers east and continues along Hilby Avenue and across General Jim Moore Boulevard, terminating at the proposed Terminal Reservoir/ASR Pump Station site. With the exception of the 0.25-mile-long segment located east of General Jim Moore Boulevard, the alignment would be constructed within road rights-of-way and in existing urban areas. East of the retail, commercial, and light industrial land uses along Del Monte Boulevard, the Transfer Pipeline route passes through predominantly residential areas. However, the portion of the pipeline proposed along Yosemite Street also passes lands used for parks, schools, and a fire station. Lands in the vicinity of the pipeline east of General Jim Moore Boulevard consist of undeveloped open space.

Recreation. The Transfer Pipeline alignment would pass within 0.25 mile of the Monterey Peninsula Recreational Trail, Portola Leslie Park, David Cutino Park, Sabado Park, Lincoln Cunningham Park, Havana Soliz Park, Manzanita Stuart Park, Highland Otis Park, Martin Park, Mescal Neil Park, Durant Park, Encanto Park, Beta Park, Capra Park, Fernando-Montgomery Park, and Farallones Park (see **Table 4.8-1** and **Figure 4.8-3**). The pipeline would be constructed along existing Class III bike routes on La Salle Avenue, Yosemite Street, and Hilby Avenue, and would cross a Class I bike route on General Jim Moore Boulevard.

4.8.2.9 Terminal Reservoir and ASR Pump Station

Land use. The proposed Terminal Reservoir and ASR Pump Station would be co-located in the former Fort Ord military base, east of General Jim Moore Boulevard, within the city of Seaside. The site of the proposed project components is located approximately 0.3 mile north of Watkins Gate Road in a mostly undeveloped area, with the exception of a dirt access road and utilities. The Bureau of Land Management (BLM) manages 14,600 acres of land known as the BLM Natural Resource Management Area to the east of the site.

Recreation. A Class II bikeway exists along General Jim Moore Boulevard between Coe Avenue and Canyon Del Rey Boulevard. There are no existing parks adjacent to the proposed Terminal Reservoir/ASR Pump Station site. However, the lands immediately north of the site are designated for Parks and Open Space (POS) and zoned for Open Space and Recreation (OSR) (City of Seaside, 2004; 2010). To the east of the Terminal Reservoir site lies the Fort Ord National Monument. Comprised of former Fort Ord military reservation lands, a substantial portion of this National Monument, including the portion nearest the project site, remains under U.S. Army management and is closed to the public due to munitions hazards. However, approximately 3 miles north and east of the Terminal Reservoir/ASR Pump Station site, the public has access to roughly 86 miles of hiking trails over some 7,200 acres of the portion of Fort Ord National Monument under the BLM's authority (BLM, 2012; 2014).

4.8.2.10 Monterey Pipeline

Land Use. The Monterey Pipeline would traverse the cities of Sand City, Seaside, Monterey, and Pacific Grove. The proposed pipeline alignment begins in Sand City at the intersection of Del Monte Boulevard and Auto Center Parkway, where the Monterey Pipeline would connect with the Transmission Main and Transfer Pipeline. The Monterey Pipeline would continue south along the west side of Del Monte Boulevard, generally following the TAMC right-of-way and Monterey Peninsula Recreational Trail. In this portion of the project area, the TAMC right-of-way generally follows the Sand City-Seaside municipal boundary. As such, the northern portion of the Monterey Pipeline alignment, between Auto Center Parkway and Contra Costa Street, may be sited within either or both of Seaside (non-coastal zone) to the east and Sand City (coastal zone) to the west. Lands adjacent to the proposed alignment in this area are used primarily for regional-serving commercial uses, including automobile retail and service, building materials supply, and lodging, among others. Portions of the TAMC right-of-way area are paved and used for the storage of commercial building materials and parking for the car dealerships.

The portion of the Monterey Pipeline alignment proposed between Contra Costa Street and Roberts Avenue would occur entirely within Seaside's coastal zone. As with those to the north, land uses adjacent to this portion of the alignment include automobile service, big-box retail, lodging, and parks and open space. This pattern continues south to the Seaside-Monterey municipal boundary.

South of Canyon del Rey Boulevard, the proposed Monterey Pipeline alignment enters the city of Monterey. The pipeline segment proposed between Roberts Lake and Municipal Wharf II is within the coastal zone. The alignment would generally follow the Monterey Peninsula Recreational Trail in this area. Land uses to the north consist of public parklands, single- and multiple-family residential development, Naval Postgraduate School and former Monterey wastewater treatment plant, and parks and open space. Land uses become more urban in the vicinity of the wharf, with more parking, retail, and light industrial uses.

Beyond the wharf area, the alignment continues south on Figueroa Street, west on Franklin Street, and then north on High Street. These inland areas have densely-developed urban land use patterns, comprised primarily of commercial uses in the downtown core area (east of Pacific Avenue), transitioning into institutional, public, and residential uses as the pipeline alignment extends west. At High Street, the alignment would bear north across the Presidio of Monterey (land owned and managed by the U.S. Army) to Spencer Street at the western boundary of the Presidio of Monterey.

Beyond the Presidio, the proposed Monterey Pipeline would continue northwest along Spencer Street within the city of Monterey to Eardley Avenue in the city of Pacific Grove. The proposed alignment extends west on Eardley Avenue until its terminus near the existing Eardley Pump Station. The land uses along these western reaches of the proposed Monterey Pipeline route are predominantly residential.

Recreation. A considerable reach of the Monterey Pipeline would be constructed alongside the Monterey Peninsula Recreational Trail in the cities of Seaside and Monterey. The northern portion of the Monterey Pipeline traverses Seaside's coastal zone. This area is adjacent to Roberts Lake (Laguna Del Rey) and Laguna Grande. The proposed alignment continues west along the bayside of Del Monte Avenue, across approximately 2 miles of the city's coastal zone, and next to Del Monte Lake, El Estero, and several beach areas. In Monterey, the portion of the proposed Monterey Pipeline alignment located along Figueroa Street includes a Class II bikeway. More than a dozen recreational facilities exist within 0.25 mile of the pipeline alignment, including: Monterey State Beach, Del Monte Beach, Del Monte Lake, Roberts Lake, Monterey Peninsula Recreational Trail, Municipal Beach, El Estero Park, Jacks Park, Larkin Park, Presidio of Monterey, Hoffman Park, Oak-Newton Park, and Cypress Park.

4.8.2.11 Valley Greens Pump Station

Land Use. Two sites are currently being considered for the pump station, both of which are located in unincorporated Monterey County. Valley Greens Pump Station site Option 1 is located southeast of Carmel Valley Road and Valley Greens Drive, in a disturbed area behind the Hacienda Hay and Feed Store, and surrounded by commercial land uses to the north and west, and agricultural uses to the east and south. Valley Greens Pump Station site Option 2 is located at Carmel Valley Road within the Carmel Rancho Shopping Center.

Recreation. There are no parks or recreational facilities adjacent to either of the Valley Greens Pump Station site options. The Quail Lodge Golf Club, located 800 feet west, is the closest recreational facility to site Option 1; the Rancho Canada Golf Club, located 2,000 feet east, is the closest recreational facility to site Option 2.

4.8.2.12 Interconnection Improvements for Highway 68 Satellite Systems

Land Use. The Ryan Ranch–Bishop Interconnection Improvements would be located within the city of Monterey adjacent to lands used for office park, light industrial, and parks and open space uses. The proposed Main System–Hidden Hills Interconnection Improvements would be located in unincorporated Monterey County adjacent to low-density residential development, surrounded by open space.

Recreation. The proposed Ryan Ranch–Bishop Interconnection Improvements are located adjacent to Ryan Ranch Park (accessible via Ryan Ranch Road), an open space area with a network of unpaved hiking trails that is managed by the City of Monterey Parks Department. The Laguna Seca Recreation Area is within 3 miles of the proposed Main System–Hidden Hills Interconnection Improvements.

4.8.2.13 Aquifer Storage and Recovery Facilities

Land Use. The proposed ASR injection/extraction wells (ASR-5 and ASR-6 Wells) and ASR Settling Basin would be located immediately east of General Jim Moore Boulevard and south of Normandy Road, in the Fitch Park military housing area. These project components would be

constructed in the former Fort Ord military base (Ord Military Community) on land owned by the U.S. Army. The sites of the proposed facilities are presently undeveloped. The ASR-5 and ASR-6 Wells would be constructed within 50 feet of existing residences. The ASR settling basin would be constructed in an open space area, approximately 0.75 mile to the south of the Fitch Park military housing area.

The two ASR Conveyance Pipelines and the ASR Pump-to-Waste Pipeline would be installed along the east side of General Jim Moore Boulevard between the proposed ASR-5 and ASR-6 Wells and Eucalyptus Avenue. These pipelines would traverse lands under the jurisdiction of the U.S. Army (northern extent, near the Fitch Park Military Community) and the City of Seaside (southern extent, opposite Seaside Middle School). As described above, the proposed ASR Pump Station would be co-located with the Terminal Reservoir in the former Fort Ord military base, east of General Jim Moore Boulevard, on an undeveloped parcel approximately 0.3 mile north of Watkins Gate Road.

Recreation. The proposed ASR-5 and ASR-6 Wells would be located across General Jim Moore Boulevard from Bayonet Black Horse Golf Course. A Class I bike path exists along General Jim Moore Boulevard, between Coe Avenue and Normandy Road.

4.8.3 Regulatory Framework

This section describes the federal, state, and local regulatory framework governing land use and recreational resources management within the project area. This section introduces applicable plans, including general plans, master plans, area plans, and local coastal programs, as well as policies and regulations that pertain to land use and recreation.

4.8.3.1 Federal Regulations

Real Property Master Plan – Presidio of Monterey

The U.S. Army's Real Property Master Plan – Presidio of Monterey (1983) provides for the orderly development and maintenance of land, facilities, and infrastructure within the Presidio of Monterey Installation, which includes the Presidio of Monterey and the Ord Military Community. The Master Plan depicts Army Land Use Categories assigned to lands within these military planning areas. Use categories identified within these military planning areas include: Community, Professional/Institutional, Troop, and Residential. The Master Plan also describes the types of uses appropriate within each category. The document does not prohibit development of utilities in any of the land use categories. In February 2013, the U.S. Army Corps of Engineers completed an environmental impact statement (EIS) analyzing the potential environmental consequences of implementing a revised Real Property Master Plan. The EIS evaluates three alternatives for the Real Property Master Plan. The alternatives focus almost entirely on facilities improvements and new construction and would not involve revisions to existing land use designations. The U.S. Army is in the process of revising the Real Property Master Plan, based upon the findings of the EIS. The completion date for the revised Real Property Master Plan remains unknown.

4.8.3.2 State Regulations

Fort Ord Reuse Authority and Fort Ord Reuse Plan

The 1994 Fort Ord Reuse Authority Act (California Government Code section 67650-67700); hereafter referred to as the “FORA Act”) was passed with the goals of facilitating the transfer, reuse, and management of lands within the former Fort Ord military reservation. Pursuant to the Act, on May 20, 1994, the Fort Ord Reuse Authority (FORA) was established as a corporation of the State of California. The purpose of the FORA is to prepare, adopt, finance, and implement a plan for the land formerly occupied by Fort Ord. The FORA is governed by a 13-member board (FORA Board) comprised of representatives from the Monterey County Board of Supervisors, and city council members from each of the cities of Marina, Seaside, Carmel, Del Rey Oaks, Sand City, Monterey, Pacific Grove, and Salinas (member agencies). The FORA Act directs the Board to prepare and adopt a plan (Reuse Plan) for the future use and development of lands within the former Fort Ord Territory (FORA, 1997a).

The FORA Act requires that, with a few exceptions for universities, all Fort Ord land that has been transferred from the federal government must be used in a manner consistent with the Reuse Plan. This provision is affirmed and explained further in the Fort Ord Master Resolution, adopted in March of 1997 (FORA, 1997b). For member agencies with jurisdiction over lands within the former Fort Ord territory, the Master Resolution (Section 8.01.010(c)) requires all general plans, and “all policies and programs relating to the land use or the construction, installation, or maintenance of capital improvements or public works within the Fort Ord Territory, shall be consistent with the Reuse Plan...” Before any such plans or regulations may take effect, the member agency must first obtain from the FORA Board a determination that the plan or regulation is consistent with the Reuse Plan. Upon certification by the Board, development review authority is transferred to the member agency with jurisdiction over the FORA lands. However, pursuant to the FORA Act and Master Resolution (Section 8.01.030(c)), after certification of said general plan, policies, and programs, the Board may continue to review for consistency member agencies’ development entitlement decisions in the former Fort Ord territory (FORA, 1997b).

The FORA adopted the Fort Ord Reuse Plan on June 13, 1997. The Reuse Plan is divided into four main sections. Section 1 provides an overview of the plan. Section 2 describes the historic, economic, and legal context of the Reuse Plan. The FORA Act envisioned the Reuse Plan as being developed in a way that would allow local agencies with jurisdiction over lands within the territory of Fort Ord to adopt and rely on the Reuse Plan as the local agencies’ general plan. Accordingly, the third and fourth sections of the Reuse Plan include the information normally found in a general plan. Section 3 of the Reuse Plan establishes the general plan context and rationale, addressing matters of community visioning, existing setting, use concepts, and implementation. Section 4 includes the Reuse Plan Elements, setting forth goals, objectives, policies, and programs by land use and jurisdiction for: land use, circulation, recreation and open space, conservation, noise, and safety (FORA, 1997a).

MPWSP components proposed for lands within former Fort Ord territory and subject to the Reuse Plan include the Transfer Pipeline, Terminal Reservoir, and ASR Pump Station. Each of these

components would occur within Seaside's jurisdiction and be subject to the Seaside General Plan. On December 12, 2004, the FORA Board found the Seaside General Plan to be consistent with the Fort Ord Reuse Plan (FORA, 2012). Therefore, Seaside has development review authority for these project components. However, as noted above, the FORA Board may, at its discretion, decide to review the City's decision with respect to Fort Ord Reuse plan consistency.

California Coastal Act

The California Coastal Act (Public Resources Code Section 30000 et seq.) was enacted by the State Legislature in 1976 to provide long-term protection of the State's 1,100-mile coastline for the benefit of current and future generations. The Coastal Act provides for the long-term management of lands within California's coastal zone boundary, as established by the Legislature and defined in Coastal Act (Section 30103). The width of the coastal zone varies across the State, extending inland a couple hundred feet in some locations to 5 miles in others, and offshore out to 3 miles. A map of the coastal zone in the project vicinity is shown in **Figure 4.8-1**.

The Coastal Act created a unique partnership between the State (acting through the CCC) and local government entities (15 coastal counties and 61 coastal cities) to manage the conservation and development of coastal resources through a comprehensive planning and regulatory program. This is accomplished primarily through the preparation of sets of policies and regulations adopted by coastal local governments to carry out Coastal Act policies at the local level, known as local coastal programs. Upon CCC certification of a local coastal program, authority for issuance of Coastal Development Permits is transferred from the State (via the CCC) to the certified local government. Until such time, responsibility for issuance of Coastal Development Permits remains with the CCC. The agency also retains jurisdiction over certain coastal areas, such as tidelands and public trust lands. Local Coastal Programs applicable to the MPWSP are discussed below. The Coastal Act includes specific policies for management of natural resources and public access within the coastal zone (see Division 20 of the Public Resources Code). These policies constitute the statutory standards applied to coastal planning and regulatory decisions made by the CCC and by local governments, pursuant to the Coastal Act. Coastal Act policies related to land use and recreation and adopted for the purpose of avoiding or mitigating an environmental effect are presented in **Table 4.8-2** and discussed further in Section 4.8.4, Impacts and Mitigation Measures. Coastal Act policies related to other types of coastal resources are addressed in their respective topical sections of this EIR.

Local Coastal Programs

The local coastal program typically includes a land use plan and implementing regulations (also referred to as an "implementation plan"). The land use plan that is part of the local coastal program sets forth the types, locations, and intensities of land uses, along with applicable resource protection and development policies for lands within the coastal zone. The implementation plan typically consists of zoning regulations, zoning map, and permit procedures. In general, a local coastal program is not considered certified until the CCC approves both the land use plan and implementation plan.

Within the project area, several jurisdictions have certified local coastal programs, including: Monterey County and the cities of Marina, Seaside, and Sand City (described below in Section 4.8.3.2). The city of Monterey has obtained certification of coastal land use plans for four of its five coastal zone subareas, including Cannery Row, Del Monte Beach, the Harbor, and Skyline. The *Laguna Grande/Roberts Lake Coastal Land Use Plan* remains to be certified. In addition, the City has yet to obtain certification of an implementation plan. Therefore, the City does not have a certified local coastal program. The CCC retains jurisdiction for issuance of Coastal Development Permits within the City's coastal zone and the Coastal Act remains the standard of review for Coastal Development Permit applications; the City's certified land use plan policies serve as guidance, where applicable.

4.8.3.2 Local Plans, Policies, and Regulations

County and City General Plans, Ordinances, and Regulations

California state law requires each county and city to adopt “a comprehensive, long-term general plan for the physical development of the county or city, and any land outside its boundaries which bears relation to its planning” (Government Code Section 65300). State planning and zoning law (Government Code Section 65800 et seq.) also provides for local government adoption and administration of zoning laws, ordinances, rules and regulations to implement such general plans. A summary of general plans and ordinances applicable to the project area is provided below.

Plans and Policies of Monterey County

The following sections describe documents prepared by Monterey County that govern land use decisions in the project area. Monterey County policies related to land use and recreation and adopted for the purpose of avoiding or mitigating an environmental effect are presented in **Table 4.8-2**. A discussion of the project's consistency with established land use plan and zoning designations within the project area is provided below.

2010 Monterey County General Plan

The *2010 Monterey County General Plan* includes area or master plans for 14 regional planning areas, including the four coastal land use plans (see “Local Coastal Programs,” below) and ten inland area or master plans. The proposed project would involve development within several of these 14 planning areas Greater Monterey Peninsula, Carmel Valley, and Fort Ord planning areas (described below). The *2010 Monterey County General Plan* consists of policies that apply countywide and policies unique to specific regions. The Land Use Element contains countywide policies that are applicable to the entire unincorporated area. Area plans contain more focused policies that address specific regional or local issues (Monterey County, 2010).

Monterey County Local Coastal Program

The County's coastal zone is divided into four areas governed by land use plans and coastal implementation plans, which together comprise the County's Local Coastal Program. The four land use plans include those for Big Sur Coast, Carmel Area, Del Monte Forest (coastal portion), and North County (which also includes the Moss Landing Community Plan). The four land use

plans stand alongside the *2010 Monterey County General Plan* and function as the general plan for the respective areas of the coastal zone. A portion of the proposed project's Source Water Pipeline, as well as components of the Alternatives (discussed in Chapter 7, Alternatives), would be within the area of the coastal zone subject to the *North County Land Use Plan*. The Big Sur Coast, Carmel Valley, and Del Monte Forest area land use plans are not applicable to lands within the project area.

Monterey County Zoning Ordinance

The Zoning Ordinance is the primary implementation tool for the land use policies identified in the *2010 Monterey County General Plan and North County Land Use Plan*. Land uses within the project area would be subject to the requirements of the Inland Zoning Ordinance (Title 21) and the Coastal Zoning Ordinance (Title 20). The Zoning Ordinance implements the goals and policies of the *General Plan and North County Land Use Plan* by identifying specific types of land uses, intensity of uses and development standards to be used in guiding the development and use of land within unincorporated areas of the County. The Zoning Ordinance is applicable to unincorporated areas of the county and provides for zoning districts to accommodate development where adequate services and facilities exist to support such development.

Monterey County Municipal Health and Safety Code (Title 10) Section 10.72 (Not Applicable to MPWSP)

Although not applicable to the proposed project (described below), this discussion is provided for informational purposes. In 1989, Monterey County adopted an ordinance governing the issuance, suspension and revocation of permits for the construction and operation of desalination facilities. Sections 10.72.010 et seq. establishes:

No person, firm, water utility, association, corporation, organization, or partnership, or any city, county, district, or any department or agency of the State shall commence construction of or operate any Desalination Treatment Facility (which is defined as a facility which removes or reduces salts from water to a level that meets drinking water standards and/or irrigation purposes) without first securing a permit to construct and a permit to operate said facility. Such permits shall be obtained from the Director of Environmental Health of the County of Monterey, or his designee, prior to securing any building permit.

Applicants for desalination construction permits must give notice of an intent to construct; provide preliminary feasibility studies; show conformance with local land use zoning; and submit "specific detail engineering, construction plans and specifications;" submit a chemical analysis of the intake water, a study of groundwater extraction impacts, studies and plans for brine and other by-products disposal, and an alternative water supply contingency plan (Section 10.27.020A-F). The ordinance further requires public ownership of desalination plants and requires that each plant have a dual system, where one side is held in reserve in the event of a breakdown on the other side. Section 10.72.030(B) requires applicants to: "Provide assurances that each facility would be owned and operated by a public entity."

On September 21, 2012, CPUC Administrative Law Judge Gary Weatherford issued a proposed “Decision Declaring Preemption of County Ordinance and the Exercise of Paramount Jurisdiction,” stating in the first paragraph:

This decision determines that the authority of the Commission in regard to this application preempts Monterey County Code of Ordinance, Title 10, Chapter 10.72, concerning construction, operation, and ownership of desalination plants. This decision further determines that the findings, conclusions, and orders herein are an exercise of jurisdiction that is paramount to that of a county Superior Court concerning the same subject (CPUC, 2012a).

On October 31, 2012, the CPUC issued a decision affirming the ALJ’s ruling (CPUC, 2012b). On December 4, 2012, CalAm, the County of Monterey, and Monterey Water Resources Agency entered into a settlement agreement to resolve pending lawsuits, among other matters. The settlement agreement acknowledges the CPUC Decision as final and binding, and also acknowledges that the Ordinance in question shall not apply to CalAm or the MPWSP (CalAm, 2012).

Plans and Policies of Local Jurisdictions

The following sections describe documents prepared by the local jurisdictions (i.e., cities) that govern land use decisions in the project area. A list of local government policies applicable to the project and relevant to land use and recreation is provided in **Table 4.8-2**. A discussion of the project’s consistency with established land use plan and zoning designations within the project area is provided below.

City of Marina General Plan

The *City of Marina General Plan* was adopted on October 31, 2000 and last amended on December 2005. The two major purposes of the City of Marina General Plan are to guide long-term planning and development decisions by the City in a manner consistent with City goals, and to provide clear documentation of the City’s goals and commitments. The City of Marina General Plan is not applicable to the pipeline portions of the project outside of the coastal zone; these components would not require a use permit (Szymanis, 2014). Marina General Plan Policies related to land use and recreation and applicable to the project are presented in **Table 4.8-2**.

City of Marina Local Coastal Land Use Plan

The *City of Marina Local Coastal Land Use Plan*, certified by the CCC in 1982, establishes appropriate land uses by type and density, and establishes a policy framework for plan implementation. The policy framework of the land use plan includes the policy statements, the plan guidelines, the land use map, narrative descriptions of the land use map, and the recreational access component. Marina Local Coastal Land Use Plan Policies related to land use and recreation and applicable to the project are presented in **Table 4.8-2**.

City of Marina Zoning Ordinance

The purpose of the Zoning Ordinance of the City of Marina (Title 17 of the Marina Municipal Code) is to “promote and protect the public health, safety, peace, morale, comfort, convenience

and general welfare, and for the accomplishment thereof...” (Chapter 17.02.030). The document sets forth a plan of development for the city and establishes districts and standards to guide, control, and regulate the city’s future growth and development. The Zoning Ordinance also implements the city’s Local Coastal Program.

City of Seaside General Plan

The *Seaside General Plan* was adopted by City Council Resolution 04-59, on August 5, 2004. The Seaside General Plan provides goals, policies, and a framework for decision-making and coordinated planning. The Land Use Element describes the balance of land uses, examines patterns of development, and considers water supply. Seaside General Plan Policies related to land use and recreation and applicable to the project are presented in **Table 4.8-2**.

City of Seaside Local Coastal Program Land Use Plan

Seaside’s Local Coastal Program Land Use Plan was comprehensively updated in 2012. The Land Use Plan provides specific goals, policies, and implementation actions that govern land and water use within Seaside’s coastal zone. The Land Use Plan is organized into subareas, including a general coastal zone chapter, supported by the Laguna Grande, Roberts Lake, Beach, and Del Monte subarea chapters that focus on specific issues in each subarea. Seaside Local Coastal Program Land Use Plan Policies related to land use and recreation and applicable to the project are presented in **Table 4.8-2**.

City of Seaside Zoning Ordinance

The City of Seaside adopted its existing Zoning Ordinance (Title 17 of the Seaside Municipal Code) in 2006, and adopted substantial revisions in February of 2014. The purpose of the Seaside Zoning Ordinance is “to protect and to promote the public health, safety, comfort, convenience, prosperity, and general welfare of residents, and businesses in the City (Chapter 17.10.10).” This is accomplished through the provision of standards and guidelines for the continuing orderly growth and development of Seaside. The Zoning Ordinance is used by the City to carry out the goals, objectives, and policies of the General Plan and Local Coastal Program. The City’s Coastal Zoning Ordinance (Title 18, Section 18.10) serves as the City’s Local Coastal Program - Coastal Implementation Plan, and sets forth additional regulations for properties within Seaside’s coastal zone.

City of Sand City General Plan (Not Applicable to MPWSP)

The *Sand City General Plan: 2002-2017* is organized into seven chapters covering all of the elements required by state law and optional issues of concern to the community. The Plan identifies several themes to achieve the community vision, including economic diversification, active redevelopment, enhanced community appearance and image, organized and well-planned growth, elimination of land use conflicts, and cohesive residential neighborhoods. The General Plan was updated in 2002 with the purpose of incorporating new information and data, generating new technical data, and incorporating a Land Use Diagram and text changes designed to reflect community issues, trends, and values. The Sand City General Plan is not applicable to the proposed project because none of the project components that would be located in Sand City would require a use permit (Pooler, 2014).

City of Sand City Local Coastal Program Land Use Plan

The *Sand City Local Coastal Program Land Use Plan* was incorporated into the Sand City General Plan by reference and readopted through the 2002 General Plan update. The Local Coastal Program Land Use Plan was adopted by Sand City and certified by the CCC in 1982. In 1996, the City signed a memorandum of understanding with the Sand City Redevelopment Agency, California Department of Parks and Recreation, and Monterey Peninsula Regional Park District to designate much of the Sand City coastline for open space and recreational uses. Sand City Local Coastal Land Use Plan Policies related to land use and recreation and applicable to the project are presented in **Table 4.8-2**.

City of Sand City Zoning Ordinance

The Sand City Zoning Ordinance is codified in Title 18 of the Sand City Municipal Code. The Zoning Ordinance establishes zoning districts, standards, and regulations to guide future development within the City. The regulations set forth in the Sand City Zoning Ordinance implement the policies of the General Plan and the Sand City Local Coastal Program Land Use Plan.

City of Monterey General Plan (Not Applicable to MPWSP)

The *City of Monterey General Plan* is a statement of the community's vision for the future. Adopted in 2005 and amended through 2010, the General Plan is a long-range, comprehensive plan that coordinates all major components of the community's physical development for 10-20 years. The Land Use and Open Space Elements contain goals, policies, and programs for land use designations, infrastructure and public services, and open space conservation. The City of Monterey General Plan is not applicable to the project as no project components propose for the City of Monterey would require a use permit (Caraker, 2014).

City of Monterey Local Coastal Program Land Use Plans

The City of Monterey has obtained CCC certification of coastal land use plans for four of its five coastal zone subareas, including the Cannery Row, Monterey Harbor, Del Monte Beach, and Skyline areas. The City has yet to obtain certification of the Laguna Grande/Roberts Lake Land Use Plan, or an implementation plan for any subarea. Therefore, the City does not have a certified local coastal program and the CCC retains Coastal Development Permit review authority within the city of Monterey's coastal zone. Nonetheless, applicable policies of Harbor and Del Monte Beach land use plans, both certified by the CCC in 2003, are considered in this document as they continue to influence land use planning and development decisions within the project area.

The Monterey Harbor subarea is bounded to the north by Private Bolio Road and Monterey Bay, to the south by Del Monte Boulevard, to the west by Van Buren Street, and to the east by the U.S. Naval Postgraduate School (at Sloat Avenue). The Monterey Harbor subarea encompasses portions of the Presidio of Monterey, Fisherman's Wharf, and Municipal Beach. The Del Monte Beach subarea encompasses shoreline property along Monterey Bay from the U.S. Naval Postgraduate School (at Sloat Avenue), east to the city of Monterey's eastern limits at Humboldt Street. The subarea is bounded to the north and south by Monterey Bay and Del Monte Boulevard, respectively, and includes the MRWPCA Regional Wastewater Treatment Plant, the

Del Monte Beach subdivision, the Monterey Beach Hotel, and commercial land along the north side of Del Monte Boulevard.

The Harbor and Del Monte Beach land use plans (City of Monterey, 2003a; 2003b) call for protection of physical and visual access to and along the coast, and enhancement of recreational opportunities, including increased beach parking and widening of the Monterey Peninsula Recreational Trail. These land use plans also establish policies regarding habitat preservation, coastal erosion, transportation, and marine resources, among other topics. City of Monterey Local Coastal Program Land Use Plan Policies related to land use and recreation and applicable to the project are presented in **Table 4.8-2**.

City of Monterey Zoning Ordinance

The purpose of the City of Monterey Zoning Ordinance (Chapter 38 of the City Charter) is to protect and promote the public health, safety, and general welfare of Monterey, and to implement the policies of the General Plan. This is done through the establishment of land use, development, and administrative regulations to control the use and development of property. The Zoning Ordinance applies equally to coastal and inland areas of the City.

City of Pacific Grove General Plan⁵ (Not Applicable to MPWSP)

The *Pacific Grove General Plan* was adopted in 1994. The General Plan is the City's principal policy document for guiding future conservation and development within the City. The Land Use and Public Facilities Element describes the City's available water sources, historic water constraints, and how water shortages have affected community growth. A primary goal of the Pacific Grove General Plan is to secure adequate water supply to meet the needs of existing and future development. The Pacific Grove General Plan is not applicable to the proposed project as no project components proposed for Pacific Grove would require a use permit (Kuehl, 2014).

City of Pacific Grove Zoning Ordinance

The primary purposes of the Pacific Grove Zoning Ordinance (Title 23 of the City's Municipal Code) are to promote and protect the public health, safety, peace, comfort, and general welfare, and promote the growth and redevelopment of the city of Pacific Grove in an orderly manner. The City's Zoning Ordinance implements the Pacific Grove General Plan and Local Coastal Program. This is done through the establishment of land use, development, and administrative regulations to control the use and development of property.

MPWSP Consistency with Applicable Land Use and Recreation Plans and Policies

Table 4.8-2 includes a list of land use and recreation plans, policies, and regulations relevant to the MPWSP and that were adopted for the purpose of avoiding or mitigating an environmental effect. Also included in **Table 4.8-2** is an analysis of project consistency with such plans, policies, and regulations. Where the analysis concludes that the project would not conflict with the applicable plan, policy, or regulation, the finding is noted and no further discussion is

⁵ There are no project components proposed within the Pacific Grove coastal zone. Therefore, the Pacific Grove Local Coastal Program Land Use Plan is not discussed in this section.

provided. Where the analysis concludes that the project may conflict with the applicable plan, policy, or regulation, the reader is referred to Section 4.8.4, Impacts and Mitigation Measures, for additional discussion.

MPWSP Consistency with Land Use Plan and Zoning Designations

This subsection includes an evaluation of the project's potential to conflict with existing land use plan and zoning designations, as identified in the general plans, local coastal programs, and zoning of the local jurisdictions.

Subsurface Slant Wells. The subsurface slant wells are proposed in the CEMEX active mining area in northern Marina. This area is identified on the land use plan as Habitat Reserve and Other Open Spaces, and zoned for Coastal Conservation and Development (CD) uses. According to the *City of Marina General Plan*, lands designated as Habitat Reserve and Other Open Spaces are "intended for permanent retention in open space to protect significant plants and wildlife inhabiting these areas" (City of Marina, 2000). The *City of Marina General Plan* recognizes the presence of the CEMEX sand mining facility and provides for the continuation, modification, and expansion of sand mining activities on the property in accordance with the provisions of the Local Coastal Program and Reclamation Plan (City of Marina, 2000). The *City of Marina Local Coastal Program* and zoning regulations provide for conditional approval of coastal-dependent industrial land uses, including, but not limited to surf zone and offshore sand extraction and dune mining, within the CD district (City of Marina, 1982; 2009). CalAm would need to obtain a Coastal Development Permit from the City of Marina for implementation of the subsurface slant wells. The Coastal Development Permit review process would ensure that the proposed facilities are consistent with applicable plans, policies, and ordinances governing land uses at the site. Therefore, implementation of the proposed subsurface slant wells would not conflict with land use plan and zoning designations.

MPWSP Desalination Plant. The MPWSP Desalination Plant would be located in unincorporated Monterey County. The site is identified on the land use plan as Permanent Grazing (PG) in both the *Monterey County General Plan Land Use Map and Zoning Map*. Per the *Monterey County General Plan*, the PG designation allows a range of uses that conserve and enhance productive grazing lands. According to the *Monterey County General Plan*, greenhouse operations notwithstanding, building coverage on PG lands shall be limited to 5 percent of the property (Monterey County, 2010). The Monterey County Zoning Ordinance provides for public and quasi-public uses, such as public utilities, within PG districts provided applicants obtain a use permit (Monterey County, 1997). The minimum building site is 40 acres. A variance would be required to allow building coverage in excess of the 5 percent limit. The use permit and variance review process would further ensure that the proposed facilities are consistent with the requirements for PG districts and would not conflict with any other applicable plans, policies, and regulations. For these reasons, the MPWSP Desalination Plant is not expected to conflict with land use plan and zoning designations.

Pipelines North of Reservation Road. Conveyance facilities north of Reservation Road would include the Source Water Pipeline, Salinas Valley Return Pipeline, Brine Discharge Pipeline, and Desalinated Water Pipeline. These facilities would cross portions of Marina and unincorporated

Monterey County. These pipeline alignments would generally follow the TAMC right-of-way, Monterey Peninsula Recreational Trail, and existing road rights-of-way. Land uses along these pipeline alignments are identified on the land use plans as Habitat Reserve and Other Open Space Preserve (coastal Marina), Agricultural Preservation and Light Industrial (coastal Monterey County), and Permanent Grazing (inland Monterey County). Zoning for the lands along these alignments include Coastal Conservation and Development (coastal Marina); Resource Conservation, Coastal Agricultural Preservation, and Light Industrial (coastal Monterey County); and Permanent Grazing and Public/Quasi-Public Uses (inland Monterey County). Marina (Section 17.06.020.D) and Monterey County (Sections 20.64.160.C and 21.64.160.C) zoning regulations allow public utility distribution and transmission facilities in all zoning districts. Marina and Monterey County require project applicants to obtain one or more approvals (such as a Use Permit or a Coastal Development Permit, and/or planning commission review) prior to construction of any portion of the pipelines. While pipelines are allowed in all zoning districts, the Use Permit, Coastal Development Permit and/or planning commission review processes, as applicable, would further ensure that such facilities are consistent with any applicable plans, policies, or zoning regulations.

Pipelines South of Reservation Road. Conveyance facilities south of Reservation Road would include the Transmission Main, Transfer Pipeline, Monterey Pipeline, ASR Pump-to-Waste Pipeline, ASR Conveyance Pipelines, ASR Pump Station, Main System-Hidden Hills Interconnection Improvements, and Ryan Ranch-Bishop Interconnection Improvements. These components would cross portions of the cities of Marina, Seaside, Sand City, Monterey, and unincorporated Monterey County. The proposed pipeline alignments would generally follow the Monterey Peninsula Recreational Trail, TAMC right-of-way, and other road rights-of-way. Land use plan designations for property within or adjacent to these pipeline alignments range from Parks and Open Space Preserve to Military and Industrial. Zoning along the pipeline alignments also varies widely, from Open Space to Light Industrial. As noted for conveyance pipelines north of Reservation Road, Marina and Monterey County zoning regulations allow public utilities in all zoning districts with a Use Permit, Coastal Development Permit, and/or planning commission review. This is also the case with Sand City (Section 18.62.140). Zoning for the cities of Seaside, Monterey, and Pacific Grove also allows major public utilities in all such districts with a Use Permit. The U.S. Army analyzed the potential land use effects of the portion of the Monterey Pipeline proposed for the Presidio of Monterey in its *Final Environmental Assessment and Finding of No Significant Impact, Monterey Bay Regional Desalination Project- Monterey Presidio Pipeline Crossing* (March 2010). The *Environmental Assessment* concluded the proposed pipeline segment would have no impact with respect to conflict with any applicable land use plans, policies, or regulations (RBF Consulting, 2012). As the proposed project components would be constructed entirely within lands under federal jurisdiction, no impact with respect to project conflicts with land use plans, policies, or regulations is anticipated. As applicable, the Coastal Development Permit, Use Permit, and/or planning commission review processes would further ensure the proposed facilities are consistent with any applicable zoning regulations. Therefore, no conflicts with land use plan and zoning designations are anticipated.

ASR-5 and ASR-6 Wells and ASR Settling Basin. The proposed ASR-5 and ASR-6 Wells and ASR Settling Basin would be constructed along the east side of General Jim Moore Boulevard in Seaside, on federally-owned land within the former Fort Ord military base. As noted previously, land use decisions in this area are under the jurisdiction of the U.S. Army and are guided by the *Real Property Master Plan*. The U.S. Army analyzed the potential land use effects of the proposed ASR-5 and ASR-6 Wells in the *Final Environmental Assessment and Finding of No Significant Impact, Monterey Bay Regional Water Project – Aquifer Storage and Recovery* (September 2010). The *Environmental Assessment* concluded the proposed ASR-5 and ASR-6 Wells would have no impact with respect to conflict with any applicable land use plans, policies, or regulations (RBF Consulting, 2010). As the proposed project components would be constructed entirely within lands under federal jurisdiction, no impact with respect to project conflicts with state or local land use plans, policies, or regulations is anticipated.

Terminal Reservoir and ASR Pump Station. The proposed Terminal Reservoir and ASR Pump Station would be co-located in Seaside, east of General Jim Moore Boulevard, in the former Fort Ord military base. The Terminal Reservoir/ASR Pump Station site has a land use plan designation of Low Density Residential and is zoned for Single Family Residential (RS-8) uses. The Seaside Zoning Code (Section 17.22.030) allows utility facilities in Residential districts with a Use Permit. The Seaside Zoning Code considers water supply infrastructure to be utility facilities. The Use Permit process would ensure the proposed Terminal Reservoir/ASR Pump Station are consistent with the RS-8 requirements. No conflict is anticipated.

Valley Greens Pump Station. Both site options for the proposed Valley Greens Pump Station are located in unincorporated Monterey County. The Option 1 site, which is located 400 feet southeast of the intersection of Carmel Valley Road and Valley Greens Drive, has a land use plan designation of Planned Commercial and is zoned for Light Commercial (LC). The Option 2 site is located on the south side of Carmel Valley Road near Carmel Rancho Boulevard, in the northeast corner of the Carmel Rancho Shopping Center, approximately 100 feet west of the Cottages of Carmel senior assisted living facility. The Option 2 site also has a land use plan designation of Planned Commercial and is also zoned for Light Commercial. The Valley Greens Pump Station would be consistent with the Planned Commercial land use designations. The County of Monterey Zoning Ordinance for Inland Areas (Section 21.18.060.N) allows public and quasi-public uses, including public utility facilities, in the LC zone with a Use Permit. Public utility facilities include facilities for the “production, storage, transmission, distribution, and recovery of water...” (21.06.910). Therefore, with a Use Permit, either option for the proposed Valley Greens Pump Station would be consistent with the LC zoning requirements. No conflict is anticipated.

Special Districts

Transportation Agency for Monterey County (TAMC)

Portions of the Desalinated Water Pipeline, Transmission Main, and Monterey Pipeline would be located generally within the TAMC right-of-way. For these segments an easement or encroachment permit may be required from TAMC (refer to Chapter 3, Project Description). TAMC has identified potential future plans to utilize its existing right-of-way to extend commuter

service in Salinas and passenger service to and from the Monterey Peninsula. TAMC has expressed support for the use of the TAMC right-of-way for the proposed MPWSP facilities, but recognizes that there is a potential for the MPWSP facilities to conflict with TAMC's plan to use the right-of-way for light rail transit services in the future. However, TAMC's future plan for the TAMC right-of-way is not an existing condition; therefore, it is not considered in the environmental baseline conditions for analysis of potential conflicts with existing plans, policies, and regulations. CalAm would need to coordinate with, and obtain approval from, TAMC on utilization of the TAMC right-of-way. This coordination process would ensure the proposed CalAm facilities would be compatible with the future rail service.

Monterey Peninsula Water Management District

The Monterey Peninsula Water Management District (MPWMD) manages the production of surface water supplies from the Carmel River and groundwater pumped from municipal and private wells in Carmel Valley and the Seaside coastal area. The MPWMD's jurisdictional boundary generally corresponds to CalAm's Monterey District service area, with the exception of an area north and east of Seaside and Sand City that is within the MPWMD's jurisdiction but is served by the Marina Coast Water District. MPWMD was created by the California Legislature in 1977 as a special district and approved by local voters in 1978. MPWMD regulates water allocation, delivery, and use within its jurisdictional boundary. The location of the facility or water source, quantity of water, and delivery determine the type of permit required from MPWMD and conditions of approval. Even if the proposed treatment facility is not located within MPWMD jurisdiction, the delivery and use of the desalinated water produced by the project ("product water") within the jurisdiction is still subject to MPWMD regulations. That is, if any of the proposed facility components are within the MPWMD's jurisdictional boundary, CalAm must apply for a Water System Expansion Permit (MPWMD, 2001). MPWMD establishes its Rules and Regulations through a series of ordinances. The following rules, under Regulation II, are applicable to the proposed project: Rule 20, Permits Required; Rule 21, Applications; Rule 22, Action on Application for Permit to Create/ Establish a Water Distribution System; and Rule 30, Determination of Water Allocations. Rule 20-A requires an applicant to obtain a Water System Distribution Expansion permit from MPWMD prior to creation and installation of a water distribution system. Rule 20 clearly applies to desalination facilities; therefore, the proposed project would be subject to these permit provisions.

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**TABLE 4.8-2
APPLICABLE STATE, REGIONAL AND LOCAL LAND USE PLANS AND POLICIES RELEVANT TO LAND USE AND RECREATION**

Project Planning Region	Applicable Plan	Plan Element/ Section	Subject Project Component(s)	Specific Plan, Policy, or Ordinance	Relationship to Avoiding or Mitigating a Significant Environmental Impact	Project Consistency with Plan, Policy, or Ordinance
Cities of Marina and Monterey (coastal zone)	California Coastal Act	Public access	Subsurface Slant Wells and Monterey Pipeline	Section 30211 <i>Development not to interfere with access:</i> Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.	This policy is intended to protect the public's right of access to and along the shoreline – a public recreational resource.	Consistent: Project construction may have short-term indirect effects on shoreline access (i.e., increased traffic) during the construction period. Most project components proposed within the coastal zone would ultimately be buried underground and would not preclude public access to or along the coast. With coastal erosion, there is potential for portions of the subsurface slant wells to become exposed, which could affect access along the shoreline. This issue is addressed further in Section 4.2, Geology, Soils, and Seismicity. Specifically, please refer to Table 4.2-6 for additional discussion of the project's conformity with applicable Coastal Act policies related to beach erosion.
Cities of Marina and Monterey (coastal zone)	California Coastal Act	Public access	Subsurface Slant Wells and Monterey Pipeline	Section 30212 <i>New development projects:</i> (a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.	This policy is intended to protect and enhance the public's right of access to and along the shoreline – a public recreational resource.	Consistent: The subsurface slant wells and Monterey Pipeline would not obstruct vertical or lateral access to or along the shoreline. The proposed subsurface slant wells site is presently and would continue to be used for sand mining activities. Due to the industrial nature of these activities, the inclusion of new public access would be inconsistent with public safety needs. Nevertheless, any future access would not be precluded by the subsurface slant wells, as they would be buried completely below ground. The Monterey Pipeline would ultimately be buried below ground and not preclude access to the numerous access points that exist in the vicinity of the proposed alignment.
City of Marina (coastal zone)	City of Marina Local Coastal Land Use Plan	Policies	Subsurface Slant Wells, Transmission Main, Source Water Pipeline, Desalinated Water Pipeline	Policy 1: To insure access to and along the beach, consistent with the recreational needs and environmental sensitivity of Marina Coastal area.	This policy is intended to protect the public's right of access to and along the shoreline – a public recreational resource.	Consistent: Project construction may have short-term indirect effects on shoreline access (i.e., increased traffic) during the construction period. Most project components proposed within the coastal zone would ultimately be buried underground and would not preclude public access to or along the coast. With coastal erosion, there is potential for portions of the subsurface slant wells to become exposed, which could affect access along the shoreline. This issue is addressed in Section 4.2, Geology, Soils, and Seismicity. Specifically, please refer to Table 4.2-6 for additional discussion of the project's conformity with applicable Marina Local Coastal Land Use Plan policies related to beach erosion.
City of Marina (coastal zone)	City of Marina Local Coastal Land Use Plan	Policies	Subsurface Slant Wells, Transmission Main, Source Water Pipeline, Desalinated Water Pipeline	Policy 8: To prohibit further degradation of the beach environment and conserve its unique qualities.	This policy is intended to protect the beach environment and associated uses from impacts of development.	Consistent: The proposed project is designed to avoid, to the extent feasible, the beach environment by co-locating the slant well system within the CEMEX active mining area. With coastal erosion, there is potential for portions of the subsurface slant wells to become exposed, which could degrade the beach environment. This issue is addressed further in Section 4.2, Geology, Soils, and Seismicity. Specifically, please refer to Table 4.2-6 for additional discussion of the project's conformity with applicable Marina Local Coastal Land Use Plan policies related to beach erosion.
City of Marina (coastal zone)	City of Marina Local Coastal Land Use Plan	Policies	Subsurface Slant Wells, Transmission Main, Source Water Pipeline, Desalinated Water Pipeline	Policy 32: To minimize adverse environmental affects, by concentrating new development within or adjacent to areas of existing development in the coastal zone.	This policy is intended to protect coastal resources from the impacts of sprawling new development.	Consistent: The proposed subsurface slant well site is in the vicinity of existing sand mining operations; pipelines would be located primarily in existing utility corridors and roadway rights-of-way.

**TABLE 4.8-2 (Continued)
 APPLICABLE STATE, REGIONAL, AND LOCAL PLANS AND POLICIES RELEVANT TO LAND USE AND RECREATION**

Project Planning Region	Applicable Plan	Plan Element/ Section	Subject Project Components	Specific Goal, Policy, or Program	Relationship to Avoiding or Mitigating a Significant Environmental Impact	Project Consistency with Policies and Programs
City of Marina (coastal zone)	City of Marina Local Coastal Land Use Plan	Policies	Subsurface Slant Wells, Transmission Main, Source Water Pipeline, Desalinated Water Pipeline	Policy 41: To give priority to coastal-dependent development on or near the shoreline and ensure that environmental effects are mitigated to the greatest extent possible.	This policy is intended to protect Marina's existing coastal land uses and resources from incompatible land uses, and to preserve future opportunities for use of shoreline areas for developments that are compatible with those uses and resources.	<u>Consistent:</u> The Seawater Intake System is the only project component proposed for a parcel adjacent to Marina's shoreline. The proposed development is coastal dependent as it requires proximity to the shore to function. The Seawater Intake System would not conflict with existing adjacent land uses. With coastal erosion, there is potential for portions of the subsurface slant wells to become exposed, which could affect access along the shoreline. This issue is addressed further in Section 4.2, Geology, Soils, and Seismicity. Specifically, please refer to Table 4.2-6 for additional discussion of the project's conformity with applicable Marina Local Coastal Land Use Plan policies related to beach erosion.
City of Marina (coastal zone)	City of Marina General Plan	Community Design and Development	Subsurface Slant Wells, Transmission Main, Source Water Pipeline, Desalinated Water Pipeline	Policy 4.112: The policies of the Community Land Use Element are designed to protect areas with significant agricultural or natural-habitat value from being displaced by development, and they are designed to protect and conserve air, water and energy resources.	This policy is intended to protect important agricultural, biological, air, water, and energy resources from impacts of development.	The project's implications for agricultural, biological, air, and energy resources are discussed in EIR Sections 4.16, 4.6, 4.10, and 4.18, respectively. The project's implications for surface water and groundwater resources are discussed in EIR Sections 4.3 and 4.4. Specifically, please refer to Tables 4.16-2, 4.6-2, 4.10-3, 4.18-2, 4.3-5, and 4.4-6 for additional discussion of the project's conformity with applicable Marina General Plan policies related to these resource areas, respectively.
City of Marina (coastal zone)	City of Marina General Plan	Community Infrastructure	Subsurface Slant Wells, Transmission Main, Source Water Pipeline, Desalinated Water Pipeline	Primary Policy 3.3.14: Support water resource programs, including desalinization and reclamation efforts, to provide an adequate water supply to accommodate General Plan permitted growth.	This policy is intended to ensure water availability within the planning area to accommodate future growth.	<u>Consistent:</u> The subsurface slant wells, Source Water Pipeline, Desalinated Water Pipeline, and Monterey Pipeline would facilitate the production and transmission of desalinated water, which would be available for use within the Marina General Plan area.
City of Monterey (coastal zone)	California Coastal Act	Public Access	Monterey Pipeline	Section 30210: Access; recreational opportunities; posting. In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.	This policy is intended to maintain public access to recreational areas and resources.	<u>Consistent:</u> Project construction may have short-term indirect effects on shoreline access (i.e., increased traffic) during the construction period. However, the Monterey Pipeline would be buried underground and would not substantially affect long-term public access to or along the coast.
City of Monterey (coastal zone)	California Coastal Act	Development	Monterey Pipeline	Section 30250 Location; existing developed area. (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.	This policy is intended to protect coastal resources from the impacts of sprawling new development.	<u>Consistent:</u> The Monterey Pipeline would be constructed below ground and within an existing developed area. The Monterey Pipeline would impose no long-term demands on area public services.
City of Monterey (coastal zone)	California Coastal Act	Development	Monterey Pipeline	Section 30252 Maintenance and enhancement of public access: The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.	This policy is intended to protect the public's right of access to and along the shoreline – a public recreational resource.	<u>Consistent:</u> Project construction may have short-term indirect effects on shoreline access (i.e., increased traffic) during the construction period. However, the Monterey Pipeline would be buried underground and would not substantially affect long-term public access to or along the coast.

TABLE 4.8-2 (Continued)
APPLICABLE STATE, REGIONAL, AND LOCAL PLANS AND POLICIES RELEVANT TO LAND USE AND RECREATION

Project Planning Region	Applicable Plan	Plan Element/ Section	Subject Project Components	Specific Goal, Policy, or Program	Relationship to Avoiding or Mitigating a Significant Environmental Impact	Project Consistency with Policies and Programs
City of Monterey (coastal zone)	California Coastal Act	Development	Monterey Pipeline	Section 30254 Public works facilities. New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.	This policy is intended to protect coastal resources from impacts associated with development resulting from growth-inducing public works projects.	<u>Consistent:</u> Discussed more fully in Chapter 2, Water Demand, Supplies, and Water Rights, the proposed project is sized to meet the requirements of SWRCB Orders 95-10 and 2009-0060, and the 2006 groundwater basin adjudication, along with existing and anticipated future demands of existing water entitlement holders, the anticipated economic recovery of the local hospitality industry, and development of existing legal lots of record.
City of Monterey (coastal zone)	California Coastal Act	Recreation	Monterey Pipeline	Section 30221 Oceanfront land; protection for recreational use and development. Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.	This policy is intended to protect recreational uses of oceanfront lands from development that may not be compatible with such uses.	<u>Consistent:</u> Project construction may have short-term indirect effects on recreational use upland areas near the beach (i.e., increased traffic and sidewalk closures) during the construction period. However, the Monterey Pipeline would be buried underground and would not preclude long-term opportunities for oceanfront recreation.
City of Monterey (coastal zone)	California Coastal Act	Recreation	Monterey Pipeline	Section 30223 Upland areas. Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.	This policy is intended to protect coastal-related recreational uses of upland areas of the coastal zone from development that may not be compatible with such uses.	<u>Consistent:</u> Project construction may have short-term indirect effects on recreational use upland areas near the beach (i.e., increased traffic and sidewalk closures) during the construction period. However, the Monterey Pipeline would be buried underground and would not substantially impede opportunities for oceanfront recreation.
City of Monterey (coastal zone)	Del Monte Beach Land Use Plan	Public and Coastal Related Use and Access	Monterey Pipeline	Policy 1: The existing vertical access in the LCP area shall be protected, including, but not limited to, the available access to the beach at Sand Dunes Drive, along Tide Street and at the ends of Surf and Beach Ways. The formalized parking areas along Beach Way and at the corner of Beach Way and Tide Avenue, as well as existing signage, shall be maintained.	This policy is intended to protect the public's right of access to and along the shoreline – a public recreational resource.	<u>Consistent:</u> Project construction may have short-term indirect effects on vertical access (i.e., increased traffic and sidewalk closures) during the construction period. However, the Monterey Pipeline would be buried underground and would not substantially impede public access to or along the coast.
City of Monterey (coastal zone)	Del Monte Beach Land Use Plan	Public and Coastal Related Use and Access	Monterey Pipeline	Policy 8: The vertical access linkage outside the LCP area along Canyon Del Rey Boulevard connecting Del Monte Boulevard and the former Southern Pacific Railroad right-of-way to the beach shall be strengthened with appropriate signage and pedestrian/bicycle improvements in conformance with policies in the <i>Laguna Grande/Roberts Lake Local Coastal Program Land Use Plan</i> .	This policy is intended to protect the public's right of access to shoreline access points– a public recreational resource.	<u>Consistent:</u> The proposed Monterey Pipeline alignment crosses Canyon del Rey Boulevard and bisects the area between Roberts Lake and Laguna Grande. The pipeline would be buried below ground and would not present a barrier to access along Canyon Del Rey Boulevard.
City of Monterey (coastal zone)	Del Monte Beach Land Use Plan	Public and Coastal Related Use and Access	Monterey Pipeline	Policy 3.7: Off-road vehicles shall be prohibited from the public sand dunes and beach areas of the LCP area due to environmental damage and safety hazards that result from their use. The prohibition of all motorized vehicles on the public beach, except for beach maintenance vehicles, as set forth in Section 20-45 of the Monterey City Code, shall be strictly enforced. The State shall be encouraged to increase enforcement, as they have planned.	This policy is intended to protect sensitive dune habitats and beach areas from impacts associated with off-road vehicle use.	<u>Consistent:</u> Discussed more fully in Chapter 3, Project Description, pipeline construction and equipment staging would generally occur within the TAMC right-of-way and/or along the Monterey Peninsula Recreational Trail. No construction activity or equipment staging is anticipated within Monterey city dune areas.
City of Monterey (coastal zone)	Monterey Harbor Land Use Plan	Natural Coastal	Monterey Pipeline	Policy 3.c. For bayfront properties, site specific geotechnical studies submitted as part of the application, shall be conducted to determine storm wave reach and tsunami runup, based on an engineering analysis for each project. Wave runup shall be analyzed for an eroded shoreline, combined with a 100-year storm event. Tsunami runup may be analyzed on an average beach profile, with consideration for, at a minimum, the 100-year event.	This policy is intended to protect infrastructure from shoreline erosion and exposure to wave action, as well as to protect the shoreline from accelerated erosion impacts resulting from exposed infrastructure or new shoreline protection devices.	<u>Consistent:</u> The proposed project incorporates design measures, including setback from the shoreline and elevation (depth) of the pipeline, to avoid shoreline erosion impacts. This issue is addressed further in Section 4.2, Geology, Soils, and Seismicity. Specifically, please refer to Table 4.2-6 for additional discussion of the project's conformity with applicable Monterey Harbor Land Use Plan policies related to beach erosion.
City of Monterey (coastal zone)	Monterey Harbor Land Use Plan	Public Access	Monterey Pipeline	Policy 3(b): Existing vertical access points, as described in Figure 5, shall be protected, improved, or replaced with equal or better access as new development is proposed.	This policy is intended to protect the public's right of access to shoreline access points – a public recreational resource.	<u>Consistent:</u> Project construction may have short-term indirect effects on vertical access (i.e., increased traffic and sidewalk closures) during the construction period. However, the Monterey Pipeline would be buried underground and would not substantially impede public access to or along the coast.
City of Monterey (coastal zone)	Monterey Harbor Land Use Plan	Public Access	Monterey Pipeline	Policy 3(e): No intervening development shall block potential visual access or physical access to the beach.	This policy is intended to protect the public's ability to see and right of access to the beach – a public recreational resource.	<u>Consistent:</u> The Monterey Pipeline would be buried below ground and would not obstruct visual or physical access to the shoreline.

**TABLE 4.8-2 (Continued)
 APPLICABLE STATE, REGIONAL, AND LOCAL PLANS AND POLICIES RELEVANT TO LAND USE AND RECREATION**

Project Planning Region	Applicable Plan	Plan Element/ Section	Subject Project Components	Specific Goal, Policy, or Program	Relationship to Avoiding or Mitigating a Significant Environmental Impact	Project Consistency with Policies and Programs
City of Sand City (coastal zone)	Sand City Local Coastal Program Land Use Plan	Circulation and Public Facilities	Transmission Main, Transfer Pipeline, and Monterey Pipeline	Policy 4.3.26: All off-road vehicles shall be prohibited on the dunes, except those necessary for emergency and to support coastal dependent uses and shall be limited to existing paths and stockpiles in order to protect dune vegetation.	This policy is intended to protect sensitive dune habitats and beach areas from impacts associated with off-road vehicle use.	<u>Consistent:</u> Discussed more fully in Chapter 3, Project Description, pipeline construction and equipment staging would generally occur within the TAMC right-of-way and/or along the Monterey Peninsula Recreational Trail. No construction activity or equipment staging is anticipated within Sand City dune areas.
City of Sand City (coastal zone)	Sand City Local Coastal Program Land Use Plan	Public Safety and Noise	Transmission Main, Transfer Pipeline, and Monterey Pipeline	Policy 6.4.7: Ensure compatibility between existing coastal dependent and industrial uses with visitor serving and residential uses. Require buffers between uses and regulate landscaping access, parking, and on-site circulation in order to mitigate traffic impacts and other potential problems.	This policy is intended to ensure compatibility of adjacent land uses.	<u>Consistent:</u> The Transmission Main, Transfer Pipeline, and Monterey Pipeline would be buried below ground and would not interfere with existing land uses adjacent to the pipeline alignments.
City of Seaside (coastal zone)	City of Seaside Local Coastal Program Land Use Plan	Public Access and Recreation	Monterey Pipeline	Policy PAR-DM 1.3 – Management of Public Access and Recreational Opportunities – Southern Pacific Railroad: The City shall maintain (keep free of debris, trash, etc.) the portions of the Southern Pacific Railroad right-of way transportation corridor that are within the Del Monte Subarea (III.B.3.b.3).	This policy is intended to protect public access to and use of recreational facilities.	<u>Consistent:</u> Project construction may have short-term, temporary, and direct effects on the TAMC right-of-way and/or Monterey Peninsula Recreational Trail access (i.e., closures during pipeline installation). However, the Monterey Pipeline would be buried underground and would not substantially impede long-term public access and recreation to or along the right-of-way and/or trail.
City of Seaside (coastal zone)	City of Seaside Local Coastal Program Land Use Plan	Coastal Zone	Monterey Pipeline	Policy NCR-CZ 1.1.C – Coastal Resources: New development shall be located in areas where it will not have a significant adverse effect either individually or cumulatively on natural coastal resources and public access and recreation.	This policy is intended to protect coastal resources, public access, and recreation from significant adverse effects associated with new development.	<u>Consistent:</u> The Monterey Pipeline alignment bisects the area between Roberts Lake and Laguna Grande. Recreational opportunities within this area may be temporarily restricted during pipeline construction. However, the Monterey Pipeline would be buried underground and would not substantially impede long-term public access and recreation.
City of Seaside (coastal zone)	City of Seaside Local Coastal Program Land Use Plan	Coastal Zone	Monterey Pipeline	Policy PAR-CZ 1.1.B – Protection of Public Access and Recreational Opportunities: Maximize and protect public access including pedestrian and bicycle connectivity and recreational opportunities in the coastal zone consistent with resource conservation principles, public safety, public rights, and the rights of private property owners.	This policy is intended to protect the public's right of access to shoreline access points – a public recreational resource.	<u>Consistent:</u> The Monterey Pipeline alignment bisects the area between Roberts Lake and Laguna Grande. Recreational opportunities within this area may be temporarily restricted during pipeline construction. However, the Monterey Pipeline would be buried underground and would not substantially impede long-term public access and recreation.
City of Seaside (coastal zone)	City of Seaside Local Coastal Program Land Use Plan	Coastal Zone	Monterey Pipeline	Policy LUD-CZ 2.1.B – Compliance with Land Use Plan Policies: New development shall be required to demonstrate compliance with the Land Use Plan policies applicable to the particular project under consideration.	This policy is intended to ensure new development is compatible with adjacent land uses and that coastal resources and public access are protected.	<u>Consistent:</u> The Monterey Pipeline would be buried below ground and would not present any land use conflicts. Furthermore, CalAm would be required to demonstrate land use plan policy consistency through the Coastal Development Permit application process, prior to project implementation.
City of Seaside (coastal zone)	City of Seaside Local Coastal Program Land Use Plan	Coastal Zone	Monterey Pipeline	Policy LUD-CZ 2.1.D - Coastal Development Permit Required: A Coastal Development Permit shall be required for all development within the coastal zone.	This policy is intended to ensure that all development proceeds in a manner that is consistent with the coastal resource planning and management policies of the Seaside Local Coastal Program and the Coastal Act.	<u>Consistent:</u> As noted in Chapter 3, Project Description, CalAm would apply for all necessary local permits, including a Coastal Development Permit.
City of Seaside (coastal zone)	City of Seaside Local Coastal Program Land Use Plan	Roberts Lake Subarea	Monterey Pipeline	Policy PAR-RL 1.1.A – Protection of Public Access and Recreational Opportunities: The City shall maintain, and enhance pedestrian and bicycle connectivity within the Roberts Lake Subarea and to Laguna Grande, and the beach to maximize public access and recreation opportunities to these coastal resources.	This policy is intended to protect and enhance recreational opportunities and public access within Seaside's coastal zone.	<u>Consistent:</u> The Monterey Pipeline alignment bisects the area between Roberts Lake and Laguna Grande. Recreational opportunities within this area may be temporarily restricted during pipeline construction. However, the Monterey Pipeline would be buried underground and would not substantially impede long-term public access and recreation.
City of Seaside (coastal zone)	City of Seaside Local Coastal Program Land Use Plan	Roberts Lake Subarea	Monterey Pipeline	Policy PAR-DM 1.1.B – Management of Public Access and Recreational Opportunities: The City shall maintain and enhance the street rights-of-way for bicycle and pedestrian use. The City shall maintain (keep free of debris, trash, etc.) the portions of the Southern Pacific Railroad right-of-way transportation corridor that are within the Del Monte Subarea.	This policy is intended to protect and enhance recreational opportunities and public access within Seaside's coastal zone.	<u>Consistent:</u> Project construction may have short-term, temporary, and direct effects on the TAMC right-of-way and/or Monterey Peninsula Recreational Trail access (i.e., closures during pipeline installation). However, the Monterey Pipeline would be buried underground and would not substantially impede long-term public access and recreation to or along the right-of-way and/or trail.

TABLE 4.8-2 (Continued)
APPLICABLE STATE, REGIONAL, AND LOCAL PLANS AND POLICIES RELEVANT TO LAND USE AND RECREATION

Project Planning Region	Applicable Plan	Plan Element/ Section	Subject Project Components	Specific Goal, Policy, or Program	Relationship to Avoiding or Mitigating a Significant Environmental Impact	Project Consistency with Policies and Programs
County of Monterey	Carmel Valley Master Plan	Land Use	Valley Greens Pump Station (both site options) and Main System-Hidden Hills Interconnection Improvements	Policy CV-1.9: Structures proposed in open grassland areas that would be highly visible from Carmel Valley Road or Laureles Grade shall be minimized in number and be clustered near existing natural or man-made vertical features.	This policy is intended to protect the open and scenic character of the Carmel Valley Master Plan area.	<u>Consistent:</u> Neither the Valley Greens Pump Station nor the Main System-Hidden Hills Interconnection Improvements would be sited within an open grassland area.
County of Monterey	Greater Monterey Peninsula Area Plan	Public Services and Facilities	Source Water Pipeline, MPWSP Desalination Plant, Desalinated Water Pipeline, Brine Discharge Pipeline, Salinas Valley Return Pipeline, Ryan Ranch-Bishop Interconnection Improvements	Policy GMP-5.2: Each development proposal shall be evaluated to determine the extent to which such development may help further the County's park and recreation facility goals, objectives, and policies.	This policy is intended to protect and enhance the County's parklands and recreational facilities.	<u>Consistent:</u> MPWSP construction would temporarily affect parklands and restrict access to recreational facilities. However, project components that could disrupt park access and recreation would be buried underground. As a result, the project would not adversely affect long-term park access or use.
County of Monterey	Monterey County Code	Chapter 10.72 – Desalination Treatment Facility	MPWSP Desalination Plant	Sections 10.72.010 et seq. establishes: No person, firm, water utility, association, corporation, organization, or partnership, or any city, county, district, or any department or agency of the State shall commence construction of or operate any Desalination Treatment Facility (which is defined as a facility which removes or reduces salts from water to a level that meets drinking water standards and/or irrigation purposes) without first securing a permit to construct and a permit to operate said facility. Such permits shall be obtained from the Director of Environmental Health of the County of Monterey, or his designee, prior to securing any building permit.	This policy is intended to regulate ownership of desalination facilities within Monterey County.	<i>Pursuant to CPUC Administrative Law Judge (ALJ) Gary Weatherford's September 12, 2012 proposed "Decision Declaring Preemption of County Ordinance and the Exercise of Paramount Jurisdiction" and the CPUC's October 31, 2012 decision affirming ALJ Weatherford's proposed decision, this ordinance is not applicable to the MPWSP.</i>
County of Monterey	Monterey County General Plan	Land Use	Source Water Pipeline, MPWSP Desalination Plant, Desalinated Water Pipeline, Brine Discharge Pipeline, Salinas Valley Return Pipeline, Valley Greens Pump Station (both site options), Main System—Hidden Hills and Ryan Ranch—Bishop Interconnection Improvements	Policy LU-5.7: Industrially designated areas shall be compatible with surrounding land uses.	This policy is intended to ensure compatibility of adjacent land uses.	<u>Consistent:</u> The proposed MPWSP Desalination Plant would be sited next to the existing Monterey Regional Environmental Park and the MRWPCA Regional Wastewater Treatment Plant, and would not preclude continued use of nearby lands for agriculture and grazing.
County of Monterey	Monterey County General Plan	Land Use	Source Water Pipeline, MPWSP Desalination Plant, Desalinated Water Pipeline, Brine Discharge Pipeline, Salinas Valley Return Pipeline, Valley Greens Pump Station (both site options), Main System—Hidden Hills and Ryan Ranch—Bishop Interconnection Improvements	Policy LU-1.11: Development proposals shall be consistent with the General Plan Land Use Map designation of the subject property and the policies of this plan.	This policy is intended to ensure development proceeds in a manner that is compatible with existing and anticipated future development.	<u>Consistent:</u> Lands with a General Plan land use designation of Permanent Grazing may need to be redesignated to accommodate the proposed MPWSP Desalination Plant. As necessary, such conversion would occur through the requisite local planning and permit review processes. The proposed MPWSP Desalination Plant would be compatible with the adjacent Monterey Regional Environmental Park and the MRWPCA Regional Wastewater Treatment Facility.
County of Monterey	Monterey County General Plan	Public Services	Source Water Pipeline, MPWSP Desalination Plant, Desalinated Water Pipeline, Brine Discharge Pipeline, Salinas Valley Return Pipeline, Valley Greens Pump Station (both site options), Main System—Hidden Hills and Ryan Ranch—Bishop Interconnection Improvements	Policy PS-13.2: All new utility lines shall be placed underground, unless determined not to be feasible by the Director of the Resource Management Agency.	This policy is intended to protect the existing visual and architectural character of the planning area.	<u>Consistent:</u> All proposed pipelines would be placed below ground.

TABLE 4.8-2 (Continued)
APPLICABLE STATE, REGIONAL, AND LOCAL PLANS AND POLICIES RELEVANT TO LAND USE AND RECREATION

Project Planning Region	Applicable Plan	Plan Element/ Section	Subject Project Components	Specific Goal, Policy, or Program	Relationship to Avoiding or Mitigating a Significant Environmental Impact	Project Consistency with Policies and Programs
County of Monterey (coastal zone)	North County Land Use Plan	Land Use and Development	Source Water Pipeline and Desalinated Water Pipeline	Key Policy 4.3.4: All future development within the North County coastal segment must be clearly consistent with the protection of the area's significant human and cultural resources, agriculture, natural resources, and water quality.	This policy is intended to provide long-term resource management and protection.	<i>Impacts related to cultural, agricultural, and biological resources and water quality, are discussed in EIR Sections 4.15, 4.16, 4.6, 4.3, respectively. Specifically, please refer to Tables 4.15-6, 4.16-2, 4.6-2, and 4.3-5 for additional discussion of the project's conformity with applicable North County Land Use Plan policies related to these resource areas, respectively.</i>
County of Monterey (coastal zone)	North County Land Use Plan	Land Use and Development	Source Water Pipeline and Desalinated Water Pipeline	Policy 4.3.5.4: Where there is limited land, water, or public facilities to support development, coastal dependent agriculture, recreation, commercial and industrial uses shall have priority over residential and other non-coastal dependent uses.	This policy is intended to preserve and protect opportunities for coastal-related and coastal-dependent uses within coastal areas where the availability of land, water, or public facilities is limited.	Consistent: The Source Water Pipeline and Desalinated Water Pipeline are coastal-dependent or coastal-related, due to their reliance on coastal areas for water intake and transmission. These facilities would be buried below ground and would not otherwise limit use of land, water, or public facilities in the coastal zone.
County of Monterey (coastal zone)	North County Land Use Plan	Land Use and Development	Source Water Pipeline and Desalinated Water Pipeline	Policy 2.3.5.6: Industrial uses shall be located near major transportation facilities and population centers. The only industrial facilities appropriate for the area are coastal or agriculture-dependent industries which do not demand large quantities of fresh water and contribute low levels of air and water pollution. Industries not compatible with the high air quality needed for the protection of agriculture shall be restricted.	This policy is intended to protect air quality and water availability in the coastal zone, and the agricultural operations dependent thereon.	Consistent: The Source Water Pipeline and Desalinated Water Pipeline are not industrial facilities, would be buried below ground, and would have no long-term impact on air quality, water availability, or traffic within the North County Land Use Plan area. Traffic and air quality impacts are addressed in EIR Sections 4.9 and 4.10, respectively. Water availability impacts are addressed in EIR Sections 4.3 and 4.4. Specifically, please refer to Tables 4.9-2, 4.10-3, 4.3-5, and 4.4-6 for additional discussion of the project's conformity with applicable North County Land Use Plan policies related to these resource areas, respectively.
County of Monterey (coastal zone)	North County Land Use Plan	Land Use and Development	Source Water Pipeline and Desalinated Water Pipeline	Policy 4.3.5.8: Development within the North County coastal zone shall be consistent with the land uses shown on the plan map and as described in the text of this plan.	This policy is intended to protect coastal resources and direct development is a way that is consistent with the Coastal Act.	Consistent: The Source Water Pipeline and Desalinated Water Pipeline would be sited along existing roadway rights-of-way and would not preclude land uses shown on the plan map.
County of Monterey (coastal zone)	North County Land Use Plan	Land Use and Development	Source Water Pipeline and Desalinated Water Pipeline	Specific Policy 4.3.6 F4: A basic standard for all new or expanded industrial uses is the protection of North County's natural resources. Only those industries determined to be compatible with the limited availability of freshwater and the high air quality required by agriculture shall be allowed. New or expanded industrial facilities shall be sited to avoid impacts to agriculture of environmentally sensitive habitats.	This policy is intended to protect air quality and water availability in the coastal zone, and the agricultural operations dependent thereon.	Consistent: The Source Water Pipeline and Desalinated Water Pipeline are not industrial facilities, would be buried below ground, and would have no long-term impact on natural resources, air quality, or water availability within the North County Land Use Plan area. Biological resources and air quality impacts are addressed in EIR Sections 4.6 and 4.10, respectively. Water availability impacts are addressed in EIR Sections 4.3 and 4.4. Specifically, please refer to Tables 4.6-2, 4.10-3, 4.3-5, and 4.4-6 for additional discussion of the project's conformity with applicable North County Land Use Plan policies related to these resource areas, respectively.
Fort Ord Reuse Authority (Seaside)	Fort Ord Reuse Plan	Land Use	ASR Conveyance Pipeline, ASR Pump-to-Waste Pipeline, ASR Settling Basin, ASR Pump Station, Terminal Reservoir	Residential Land Use Policy B-1: The City of Seaside shall encourage land uses that are compatible with the character of the surrounding districts or neighborhoods and discourage new land use activities which are potential nuisances and/or hazards within and in close proximity to residential areas.	This policy is intended to minimize nuisance and hazards that could result from incompatible land uses.	Consistent: The Terminal Reservoir and ASR Pump Station would be constructed in a mostly undeveloped area designated for single-family residential development. The facility would not conflict with existing or future land uses, as there presently exist several water storage tanks and pump stations within Seaside neighborhoods. Pursuant to the Seaside Municipal Code (Title 17), which applies to the proposed Terminal Reservoir site and has been certified by FORA as consistent with the Base Reuse Plan Policies, Utility Facilities are permitted in Seaside's Residential Zones with a Use Permit. Other project components subject to the Base Reuse Plan's Seaside planning area would be constructed at or below ground, and therefore would be compatible with existing land use character.

SOURCES: City of Marina, 1982; City of Marina, 2000; City of Monterey, 2003a; City of Monterey, 2003b; City of Sand City, 1982; City of Seaside, 2012; FORA, 1997a; Monterey County, 1982; Monterey County, 2010.

4.8.4 Impacts and Mitigation Measures

4.8.4.1 Significance Criteria

Appendix G of the CEQA Guidelines recommends the following significance criteria for the evaluation of land use, land use planning, and recreational resources impacts. Implementation of the proposed project would have a significant impact related to land use, land use planning, and recreational resources if it would:

- Physically divide an established community;
- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect;
- Conflict with any applicable habitat conservation plan or natural community conservation plan;
- 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; or
- Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Based on the nature of the proposed project, the following significance criteria are not addressed further in the section:

Physically divide an established community. All of the linear facilities that are proposed as part of the MPWSP (e.g., pipelines) would be located underground, and the overlying areas would be restored after construction. Aboveground structures that would be constructed under the proposed project include the MPWSP Desalination Plant, Terminal Reservoir, ASR Pump Station, the ASR-5 and ASR-6 Wells (pump houses), and Valley Greens Pump Station. None of the aboveground facilities would divide an established community or established land uses. Thus, the criterion related to the division of an established community is not applicable to the proposed project and is not discussed further.

Conflict with any applicable habitat conservation plan or natural community conservation plan. This criterion is addressed in Section 4.6, Terrestrial Biological Resources, of this EIR. See Impact 4.6-8 in Section 4.6, Terrestrial Biological Resources for the pertinent discussions.

Increase the use of existing neighborhood and regional parks or other recreational facilities. The proposed project does not propose to construct new homes or businesses and would not increase the number of residents in the project area. Thus, implementation of the proposed project would not increase the use of recreational parks or other recreational facilities in the area. Therefore, this significance criterion is not applicable to the proposed project and is not discussed further.

Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. The proposed project does not include recreational facilities and would not result in the need for new or expanded recreational facilities. Thus, the significance criterion related to the construction or expansion of recreational facilities is not applicable to the proposed project and is not discussed further.

4.8.4.2 Approach to Analysis

The analysis considers the proposed project’s potential to conflict with applicable plans, policies, and regulations governing land use decisions in the project area that were adopted for the purpose of avoiding or mitigating an environmental effect. This analysis addresses the potential for temporary, indirect impacts on land use and recreation during construction, as well as long-term impacts resulting from project siting and operations.

4.8.4.3 Summary of Impacts

Table 4.8-3 summarizes the proposed project’s impacts and significance determinations related to land use and recreation.

**TABLE 4.8-3
 SUMMARY OF IMPACTS – LAND USE AND RECREATION**

Impacts	Significance Determinations
Impact 4.8-1: Consistency with applicable plans, policies, and regulations related to land use and recreation that were adopted for the purpose of mitigating an environmental effect.	LS

LSM = Less than Significant impact

4.8.4.4 Impacts and Mitigation Measures

Impact 4.8-1: Consistency with applicable plans, policies, and regulations related to land use and recreation that were adopted for the purpose of mitigating an environmental effect. (*Less than Significant*)

Section 15125(d) of the CEQA Guidelines requires analysis of potential “conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.” There are numerous plans, policies, and regulations that either are implicated by relevant significance criteria or were adopted for environmental purposes and thus are evaluated under the appropriate topical sections of this EIR. These include Sections 4.6, Terrestrial Biological Resources; 4.9, Traffic and Transportation; 4.10, Air Quality; 4.11, Greenhouse Gas Emissions; 4.12, Noise and Vibration; 4.14, Aesthetic Resources; 4.16, Agriculture and Forestry Resources; 4.17, Mineral Resources; and 4.18, Energy Conservation. As an example, Section 4.6, Terrestrial Biological Resources, evaluates whether the project would

conflict with the provisions of an adopted Habitat Conservation Plan or similar plan. As such, consistency with applicable Habitat Conservation Plans is discussed in Section 4.6.

This impact evaluates overall project consistency with applicable plans, policies, and regulations pertaining to land use and recreation. The applicable plans, policies, and regulations related to these topics are presented in **Table 4.8-2**, above. The table also establishes the relationship of the plan, policy, or regulation to avoiding or mitigating an environmental effect. Recognizing that the affected jurisdiction has the ultimate say over consistency, the table was prepared in consultation with the potentially affected jurisdictions.

As shown in **Table 4.8-2**, the proposed project would be subject to several plans, policies, and regulations related to land use and recreation that were adopted for the purpose of avoiding or mitigating an environmental effect. The range of issues represented in **Table 4.8-2** include: land use compatibility and protection of land use values, development clustering, protection of public access and recreational opportunities, and coastal-dependency and priority land uses in the coastal zone. As presented in the table, the proposed project would not be expected to conflict with plans, policies, and regulations related to these issue areas. Because many of the proposed pipelines would be installed along recreational trails, bike routes, and pedestrian paths, additional discussion regarding the proposed project's effects on recreational resources is provided below to support the analysis of project consistency with plans, policies, and regulations pertaining to recreational resources.

Construction activities associated with the Source Water Pipeline, Desalinated Water Pipeline, Transmission Main, Transfer Pipeline, Monterey Pipeline, Ryan Ranch-Bishop Interconnection Improvements, ASR Conveyance Pipelines, and ASR Pump-to-Waste Pipeline would overlap geographically with recreational trails, bicycle routes, and pedestrian pathways and could directly affect the use of such recreational facilities during the construction period. As discussed in Section 4.9, Traffic and Transportation (Impact 4.9-5), pipeline construction activities, including vehicle ingress and egress, equipment and materials staging, trenching, and stockpiling, could disrupt established bicycle and pedestrian facilities located along the pipeline alignments. However, since pipeline construction would proceed at a rate of 150 to 250 feet per day, the total duration of disturbance at any one location would generally be less than a week. Upon completion of construction, the areas disturbed during pipeline installation activities would be returned to their approximate pre-construction condition.

Construction of Terminal Reservoir/ASR Pump Station would occur over 18 months. The proposed Terminal Reservoir/ASR Pump Station is located just east of the Fort Ord National Monument; however, this portion of the National Monument is closed to the public due to munitions hazards. As a result, indirect impacts (i.e., fugitive dust, construction noise, etc.) to recreational resources at the National Monument during construction of Terminal Reservoir/ASR Pump Station are not anticipated. The lands immediately north of the Terminal Reservoir/ASR Pump Station site are designated for Parks and Open Space (POS) and zoned for Open Space and Recreation (OSR); however, this area is currently closed to the public and it is not anticipated that this area will become publicly accessible prior to completion of construction activities at the

Terminal Reservoir/ASR Pump Station site. As a result, it is unlikely that construction of the Terminal Reservoir/ASR Pump Station would result in substantial adverse effects on nearby recreational resources or uses.

The plans, policies, and regulations related to land use and recreation in **Table 4.8-2**, above, reflect the long-term visions of the respective jurisdictions with respect to land use and development and are not directly relevant to temporary construction activities. Further, construction-related effects on adjacent land uses and on recreational facilities would be temporary and no long-term disruptions would result. None of the MPWSP components would substantially conflict with plans, policies, or regulations that were adopted for the purpose of avoiding or mitigating an adverse environmental effect related to land use or recreation. Therefore, the proposed project would have a less-than-significant effect with respect to land use and recreational policy conflicts.

Impact Conclusion

Based upon an initial review of consistency, the proposed project would not be expected to substantially conflict with applicable land use policies related to land use and recreation that were adopted for the purpose of avoiding or mitigating an environmental effect. Although construction of the Source Water Pipeline, Desalinated Water Pipeline, Transmission Main, Transfer Pipeline, Monterey Pipeline, Ryan Ranch-Bishop Interconnection Improvements, Terminal Reservoir/ASR Pump Station, ASR Conveyance Pipelines, and ASR Pump-to-Waste Pipeline could affect recreational facilities and resources, any disruptions would be temporary and limited to the project's construction phase. Therefore, the MPWSP would not substantially conflict with plans, policies, or regulations that were adopted for the purpose of avoiding or mitigating an adverse environmental effect related to land use or recreation. The impact would be less than significant for all project facilities.

Mitigation Measures

None required.

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