

EXHIBIT “A”

CEQA FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS OF THE CITY COUNCIL OF THE CITY OF SALINAS FOR THE ECONOMIC DEVELOPMENT ELEMENT, INCLUDING GENERAL PLAN AMENDMENT, MITIGATION MONITORING AND REPORTING PROGRAM ADOPTION

I. INTRODUCTION

The City of Salinas (hereinafter “City”), as lead agency, prepared a Program Environmental Impact Report (hereinafter “EIR”) for the Economic Development Element General Plan Amendment (2013-001) (hereinafter “EDE” or “Project”). In its entirety, the EIR consists of the September 1, 2017 Draft Program EIR (hereinafter “Draft EIR” or “DEIR”) and the November 9, 2017 Final Program EIR (hereinafter “Final EIR” or “FEIR”) (State Clearinghouse No. 2015111036).

The City is proposing the addition of an eighth element to the 2002 Salinas General Plan. The EDE, as a comprehensive, strategic planning document, provides goals, policies and actions to achieve the City’s vision of a prosperous and healthy community defined as jobs, safety and health. Land Use policies in the EDE direct a strong focus on infill development and redevelopment and revitalization in the City Center Core and commercial corridors to create more job and revenue generating infill development opportunities.

The EDE also provides new development capacity to attract larger employment and revenue generating uses. As described in the EIR, the Economic Development Element Project includes the proposed development of six (6) identified “Target Areas.” The Target Areas contain a total of 558 acres of land (hereinafter “Plan Area”). One of the Target Areas, containing 115 acres, is located within the city limits. The remaining five (5) Target Areas, containing 443 acres, are located outside the City’s Sphere of Influence, but adjacent to it. A total of 5,255,959 square feet of new building capacity could be accommodated within the six (6) Target Areas. This development is projected to generate approximately 8,981 jobs.

These findings, as well as the accompanying statement of overriding considerations in Section XI below, have been prepared in accordance with the California Environmental Quality Act (hereinafter “CEQA”) (Pub. Resources Code, § 21000 et seq) and its implementing guidelines (hereinafter “CEQA Guidelines”) (Cal. Code Regs., tit. 14, § 15000 et seq)

II. DEFINITIONS AND ACRONYMS

Like the EIR itself, these findings use a number of acronyms. Key acronyms are defined the first time they are introduced in the text of this document.

III. PROJECT DESCRIPTION

A. Location

As described in the DEIR, the EDE includes the proposed development of six identified Target Areas. The Target Areas contain a total of 558 acres of land (hereinafter “Plan Area”). One of the Target Areas, containing 115 acres, is located within the city limits. The remaining five (5) Target Areas, containing 443 acres, are located outside, but adjacent to, the City’s Sphere of Influence and are part of unincorporated Monterey County (DEIR, p. 2-2).

B. Overview

The proposed project includes the adoption of a proposed new element of the City of Salinas General Plan: the Economic Development Element (EDE). Its purpose is to provide policy-based guidance for economic development designed to promote the long-term future prosperity of the City. The EDE establishes a vision to guide the City as it prepares future General Plan updates. The EDE includes a wide spectrum of economic development programs, projects, policies and implementation actions. EDE policies and actions have potential to affect conditions within the existing city limits, within and outside portions of the City's existing Sphere of Influence (SOI).

The EDE reemphasizes the General Plan's land use strategy of prioritizing infill development and revitalization within the city limits and SOI. However, the EDE also provides for new land supply in order to support the 45,500 new jobs needed through buildout of the existing General Plan. These areas of new land supply are termed “Target Areas” and were derived from the long-term Economic Opportunity Areas (EOA) identified through the EDE development and refinement process and subsequent preparation of the EIR. One Target Area known as EOA V - Carr Lake is comprised of two non-contiguous land segments and located within the SOI. The remaining Target Areas are located outside of, but contiguous to the SOI.

Implementation of a range of EDE policies and actions would result in construction and operation of new land development projects; public facilities; and roads, water supply, storm drainage, and wastewater infrastructure. These activities have potential to directly, or indirectly result in environmental change that is reasonably foreseeable with implementation of the EDE. This EIR includes analysis of the environmental impacts of these reasonably foreseeable changes.

Policies and actions that could result in foreseeable environmental change are found throughout EDE Chapter 2, Economic Development Strategy. A conservative approach was taken for screening EDE policies and actions. Some of the policies and actions that have been identified as having the potential to result in adverse physical environmental change may not ultimately result in physical environmental change. Implementation of these policies and actions could result in individual proposed physical development proposals that will qualify as defined "projects" pursuant to CEQA Guidelines section 15378. Such future site-specific projects would be subject to their own site-specific CEQA review, relying on programmatic analysis from the EDE to the extent appropriate under the circumstances.

C. Project Objectives

The underlying purpose of the EDE is to provide additional land supply needed to meet long-term employment generation needs through General Plan buildout and to promote availability of new sites to support business growth through focused land use planning, utility and infrastructure improvements, and expanded resource availability. This purpose, in turn, has given rise to the following project objectives, which focus on desired outcomes of the EDE in terms of its land use, job generation, and circulation related strategies and policies:

1. Improve the City's attractiveness as an investment destination for employment-generating businesses by reducing land costs through increased land supply;
2. Promote and prepare the Target Areas for private investment;
3. Improve economic diversification and expansion within the City;
4. Support General Plan land use strategies and policies that promote economic growth through infill development and through revitalizing/redeveloping existing developed areas and/or intensifying uses in existing developed areas such as the Focused Growth Areas;
5. Through business expansion and attraction, provide residents with greater opportunities for employment in well-paying, career ladder oriented jobs;
6. Become the recreation, entertainment, and sports destination of the Central Coast through improving, enhancing and attracting additional recreational, entertainment and sports related facilities and uses; and
7. Invest in public infrastructure to improve circulation, connectivity and access.

Based on its own review of the EIR and other information and testimony received in connection with the Project, the City Council finds these objectives to be acceptable and persuasive from a public policy standpoint. In choosing to approve the Project, the City thus embraces these objectives and accords them weight in considering the feasibility of alternatives set forth in the EIR, and in invoking overriding considerations in approving the Project. (See *Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1507-1508.)

D. Discretionary Approvals

Project approval requires the City, as lead agency to take discrete planning and regulatory actions to approve the overall Project. In addition, certain “responsible agencies” may ultimately rely in part on the programmatic analysis in the EDE in making decisions associated with future site-specific projects consistent with the EDE. Described below are the discretionary actions necessary to carry out the Project.

City of Salinas

The current, proposed Project is a General Plan amendment to adopt the EDE and modify existing General Plan text, figures, and tables. This action is solely within the jurisdiction of the City of Salinas.

Monterey County Local Agency Formation Commission (LAFCO)

LAFCO is not required to take any action in the immediate aftermath of the City Council's approval of the EDE. Rather, LAFCO approvals will be required to enable future site-specific development proposals within individual Target Areas that are outside of the City's current Sphere of Influence (SOI). Those actions will be accompanied by individual environmental documents relying in part on the programmatic analysis included within the EDE EIR. These later LAFCO actions will likely include:

- Sphere of Influence Amendments;
- Annexations; and
- Service District Attachments/Detachments.

Future individual development projects proposed within Target Areas would be subject to analysis for their consistency with LAFCO SOI and annexation policies, including policies related to the logical expansion of urban boundaries and logical expansion of urban services and utilities. These policies are identified in LAFCO's Policies and Procedures Relating to Spheres of Influence and Changes of Organization and Reorganization (Monterey County LAFCO 2013). The consistency analysis would occur as part of the LAFCO application and CEQA processes conducted for these future individual projects. Provided the CEQA documentation prepared by the City for each future development proposal meets LAFCO content requirements, LAFCO would utilize the documentation to meet its independent CEQA compliance requirements associated with consideration of an SOI amendment, annexation, and special district attachment/detachment request for the development proposal.

Other Responsible/Trustee Agencies

A trustee agency is a state agency that has jurisdiction by law over natural resources affected by a project that are held in trust for the people of the state (CEQA Guidelines Section 15386). Additional responsible and trustee agencies that may have discretionary review authority or authority over resources that may be affected by future site-specific development proposals within the Target Areas and construction may include, but may not be limited to:

- California Department of Transportation;
- California Department of Fish and Wildlife;
- California Department of Toxic Substances Control;
- Central Coast Regional Water Quality Control Board;

- California Department of Conservation;
- Monterey County Water Resources Agency;
- Monterey Bay Air Resources District;
- Transportation Agency for Monterey County;
- Association of Monterey Bay Area Governments; and
- Monterey County.

Federal Agencies

It is also possible that certain federal agencies, in considering future development within the Target Areas, may use the associated DEIR, at least in part, in order to assist with their compliance with the National Environmental Policy Act, the federal analogue to CEQA. These federal agencies may include the following:

- U.S. Army Corps of Engineers;
- U.S. Fish and Wildlife Service; and
- U.S. Federal Emergency Management Agency.

Future Projects

Subsequent to the City's approval of the EDE General Plan Amendment, individual project developers may propose specific projects within one or more of the Target Areas. To enable these projects to proceed, the City would consider project-specific entitlements and approvals. In addition, other agencies such as the above-mentioned Responsible Agencies, Trustee Agencies, and federal agencies may have approval authority over future development. The approvals for which the programmatic analysis found in the FEIR may be utilized in part include, but may not be limited to, Sphere of Influence amendments, annexations, pre-zoning, General Plan amendments, specific plans, subdivisions, and use permits/site plan approvals.

All individual future development projects proposed within the Target Areas will be reviewed to determine their individual CEQA compliance requirements. The type of CEQA analysis required would be determined at the time a project is proposed based on the preparation of a project-specific initial study prepared pursuant to CEQA Guidelines sections 15060 and 15168, subdivision (c). The analysis in the initial study would lead to a determination about whether a negative declaration/mitigated negative declaration or an EIR may be required. (DEIR, pp. 2-56 through 2-58)

IV. ENVIRONMENTAL REVIEW PROCESS

The Notice of Preparation (hereinafter “NOP”) of an Environmental Impact Report (EIR) was circulated for public review and comment from November 9, 2015 to December 10, 2015 in

accordance with CEQA Guidelines section 15082. Written responses to the NOP were received from the following interests/agencies:

- LandWatch Monterey County (November 30, 2015);
- AgLand Trust of Monterey County (December 7, 2015);
- Building Healthy Communities – East Salinas Land Use Action Team (December 7, 2015);
- Monterey County LAFCO (December 7, 2015); and

The City received the following letters after the end of the 30-day comment period:

- Monterey County Resource Management Agency (December 11, 2015).
- Monterey County Resource Management Agency (December 22, 2015).

As part of the early consultation process and pursuant to the CEQA Guidelines section 15083 regarding early public consultation, a scoping meeting was held at the City of Salinas Rotunda (City Council chamber) on November 23, 2015 at 6:00 PM. Representatives from the Transportation Agency for Monterey County, State Senator Anthony Canella's office, Building Healthy Communities, the Salinas Urban Arts Collaborative, and All Safe Systems attended the meeting. No specific comments were made about the scope of issues to be addressed in the EIR. Questions and comments were primarily focused on the project description and the project consideration process.

Pursuant to CEQA Guidelines sections 15023, subdivision (c), and 15087, subdivision (f), the State Clearinghouse in the Office of Planning and Research was responsible for distributing environmental documents to State agencies, departments, boards, and commissions for review and comment. The City followed required procedures with regard to distribution of the appropriate notices and environmental documents to the State Clearinghouse. The State Clearinghouse was obligated to make, and did make, that information available to interested agencies for review and comment. The NOP was received by the State Clearinghouse (SCH # 2015111036) and a 30-day public review period ended on December 10, 2015. The NOP and all comments received on the NOP are presented in Appendix A of the Draft EIR.

The EIR includes an analysis of the following issue areas:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Climate Change

- Cultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Public Services
- Transportation
- Wastewater
- Water Supply
- Effects Found Not To Be Significant (Including Land Use and Planning, Mineral Resources, Population and Housing, Parks and Recreation, Schools, and Solid Waste). (See DEIR, Section 3)

The City circulated the DEIR for public and agency review on September 5, 2017. A public review period of 45 days was provided on the DEIR and ended on October 19, 2017. This period satisfied the requirement for a 45-day public review period as set forth in Section 15105 of the CEQA Guidelines.

V. RECORD OF PROCEEDINGS

In accordance with Public Resources Code section 21167.6, subdivision (e), the record of proceedings for the City's decision on the Project includes the following documents:

- The NOP and all other public notices issued by the City in conjunction with the Project;
- All comments submitted by agencies or members of the public during the comment period on the NOP;
- The Draft EIR for the Project (September 2017) and all appendices;
- All comments submitted by agencies or members of the public during the comment period on the Draft EIR;
- The Final EIR for the Project, including comments received on the Draft EIR and the responses to those comments and appendices;
- Documents cited or referenced in the Draft EIR and Final EIR;

- The mitigation monitoring and reporting program for the Project;
- All findings and resolutions adopted by the City Council in connection with the Project and all documents cited or referred to therein;
- All reports, studies, memoranda, maps, staff reports, or other planning documents relating to the Project prepared by the City, consultants to the City, or responsible or trustee agencies with respect to the City's compliance with the requirements of CEQA and with respect to the City's action on the Project;
- The Draft Economic Development Element, dated April 2014, and all appendices;
- All documents submitted to the City by other public agencies or members of the public in connection with the Project, up through the close of the Planning Commission public hearing on November 15, 2017, and the close of the City Council public hearing on December 5, 2017;
- Any minutes and/or verbatim transcripts of all information sessions, public meetings, and public hearings held by the City in connection with the Project;
- Any documentary or other evidence submitted to the City at such information sessions, public meetings, and public hearings;
- The City of Salinas General Plan and all environmental documents prepared in connection with the adoption of the General Plan;
- Any and all resolutions approved by the City regarding the Project, and all staff reports, analyses, and summaries related to the adoption of those resolutions;
- Monterey County Local Agency Formation Commission Policies and Procedures (2013);
- Matters of common knowledge to the City, including, but not limited to federal, state, and local laws and regulations;
- Any documents expressly cited in these findings, in addition to those cited above; and
- Any other materials required for the record of proceedings by Public Resources Code section 21167.6, subdivision (e).

The documents constituting the record of proceedings are available for review by responsible agencies and interested members of the public during normal business hours at the City of Salinas Community Development Department, 65 West Alisal Street, Salinas, California 93901. The custodian of these documents is the Community Development Director.

VI. CONSISTENCY WITH APPLICABLE PLANS

This section includes a review of the proposed Project's relationship to the General Plan, other land use related documents/agreements, and to regional plans and identifies whether inconsistencies with these plans may exist.

Consistency with the 2002 General Plan

The Salinas General Plan states the City's vision for the community's future and outlines goals, policies and implementation measures to achieve its vision. The General Plan also projects the population, dwelling units, and non-residential building square footage associated with the future buildout of the Land Use Plan, also referred to as General Plan buildout. Typically, General Plan buildout is decades beyond the 20-year General Plan planning cycle.

As described in CEQA Guidelines section 15125, subdivision (d), an EIR must discuss any inconsistencies between the proposed project and applicable general plans, specific plans, and regional plans. Such regional plans include, but are not limited to, the applicable air quality attainment or maintenance plan, area-wide waste treatment and water quality control plans, regional transportation plans, regional housing allocation plans, regional blueprint plans, plans for the reduction of greenhouse gas emissions, habitat conservation plans, and natural community conservation plans.

Text, table, and graphic changes needed to integrate the EDE content into the 2002 General Plan have been identified and provided as Exhibit "B" to the **Resolution 2017- _____(N.C.S.)**, Proposed General Plan Amendment with Errata Sheet, approving the EDE General Plan Amendment (2013-001). As part of the integration process, the EDE content was evaluated against the existing General Plan content to determine whether the EDE conflicts with existing General Plan policies.

One inconsistency with the existing General Plan has been identified. Land Use Element Policy LU-2.1 reads as follows:

"Minimize disruption of agriculture by maintaining a compact city form and directing urban expansion to the North and East, away from the most productive agricultural land."

Target Areas N, B, and F are located to the south and southeast. These Target Areas are located on productive farmland adjacent to the City. Hence, the EDE would be inconsistent with this policy. One of the General Plan amendments consists of a modification of policy LU-2.1 to address this inconsistency. The modification reads as follows (with changes noted in underlined text):

Policy LU-2.1: *"Minimize disruption of agriculture by maintaining a compact city form and directing urban expansion generally to the North and East, away from the most productive agricultural land, except for employment generating development within Target Areas identified in the EDE. The EDE Target Areas represent new Future Growth Areas."*

Consistency with Applicable Regional Plans

Applicable regional plans are described for each environmental topic evaluated in Section 3.0, Analysis, Impacts, and Mitigation. Where applicable, each topic-specific environmental setting section subsection includes information from applicable regional plans and each regulatory setting subsection includes a description of applicable regional plans. Where the proposed project is potentially inconsistent with the direction, policies, and/or regulations contained in an applicable regional plan, this potential inconsistency is so noted in the discussion of potential impacts in each section.

Where a plan inconsistency is considered indicative of a significant environmental effect, mitigation measures are then identified to reduce project impacts to less than significant where feasible.

The General Plan EIR addresses environmental impacts of development within the SOI as envisioned in the General Plan Land Use and Circulation Policy Map and in General Plan policies and programs. EDE policies and actions that would create effects similar to those already assumed to occur with General Plan buildout as addressed in the General Plan EIR are not included in Table 1, *EDE Policies and Actions with Potential to Create Environmental Effects*, of the DEIR. The policies and actions in Table 1 of the DEIR have potential to create new or intensified impacts that were not evaluated in the General Plan EIR. These impacts are most likely to result from new employment-generating development within the proposed Target Areas proposed in the EDE.

The policies and actions in Table 1 of the DEIR provide direction for new land and infrastructure development that commonly has potential to result in adverse environmental impacts. Several policies and actions with this potential are also found under other EDE topic headings.

City/County Greater Salinas Area Memorandum of Understanding

In 2006, the City and the County adopted the Greater Salinas Area Memorandum of Understanding (GSA MOU) to allow for annexation and development of specific parcels that are located outside of the Future Growth Areas as illustrated in the General Plan. These areas were not contemplated for annexation and development at the time the General Plan was adopted. These areas include, but are not limited to, the "Unikool", Boronda Road, and Fresh Express sites. These are represented in the EDE as Economic Opportunity Areas (EOA) A, M, and the eastern portion of N, respectively.

The GSA MOU describes the intent of each agency to consider annexation of the subject growth areas and identifies framework conditions under which annexations could be considered. The following excerpt from the Preface of the GSA MOU identifies its general intent:

"This Memorandum of Understanding (MOU), by and between the County of Monterey (County) and the City of Salinas (City), is to set forth certain agreements between the parties to express their intent to jointly pursue action to assure orderly and appropriate land use development in the area designated in the General Plan of Monterey County as the Greater Salinas Area Plan area and in the City of Salinas. Specific objectives to be achieved through the implementation of

the land use and associated policies included in this MOU are the preservation of certain agriculture land, the provision of future growth areas, and the provision of adequate financing for the services and facilities of benefit to the residents of the Greater Salinas Area Plan area and the City.”

With the adoption of the GSA MOU, both the City and the County acknowledged that additional development outside the City's Future Growth Areas would be considered subject to amendment of the City's SOI and annexation of such areas to the City. The GSA MOU also includes a set of points of agreement that govern future annexations and associated development. Among other topics, the points of agreement address the future direction of City growth, agricultural mitigation, traffic impacts, and storm drainage. The GSA MOU states that the direction of future growth of the City shall be to the north and east of the current city limits, except as otherwise provided for in the GSA MOU.

The EDE includes new development capacity within the Target Areas located in unincorporated areas that has not been previously contemplated by the City or the County. Therefore, the City's interest in amending its SOI to include the Target Areas and to annex one or more of them over time is not addressed in the GSA MOU. As the GSA MOU addresses City and County coordination on planning and development of unincorporated areas adjacent to the City, the City will need to collaborate with the County to amend the GSA MOU to reflect the City's future intention to annex and develop these areas. This is especially true given that the EDE could ultimately pave the way for development that could be inconsistent with the future direction of City growth identified in the GSA MOU. At such time that future development is proposed in the Target Areas, the City and County would also coordinate with LAFCO regarding GSA MOU amendments given LAFCO's discretion over SOI changes and changes of organization including annexations and associated attachments and detachments from the boundaries of special districts.

VII. FINDINGS REQUIRED UNDER CEQA

Public Resources Code section 21002 provides that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]” The same statute provides that the procedures required by CEQA “are intended to assist public agencies in systematically identifying both the significant effects of Projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” Section 21002 goes on to provide that “in the event [that] specific economic, social, or other conditions make infeasible such project alternatives or such mitigation measures, individual projects may be approved in spite of one or more significant effects thereof.”

The mandate and principles announced in Public Resources Code section 21002 are implemented, in part, through the requirement that agencies must adopt findings before approving projects for which EIRs are required. For each significant environmental effect identified in an EIR for a Project, the approving agency must issue a written finding reaching one or more of three permissible conclusions. The first such finding is that changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effect as identified in the final EIR. The second permissible finding is that such changes or alterations are within the responsibility and jurisdiction of another public

agency and not the agency making the finding, and that such changes have been adopted by, or can and should be adopted by, such other agency. The third potential conclusion is that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR. (CEQA Guidelines, § 15091)

As explained elsewhere in these findings, “feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, legal, and technological factors. The concept of “feasibility” also encompasses the question of whether a particular alternative or mitigation measure promotes the underlying goals and objectives of a project. (*Sierra Club v. County of Napa* (2004) 121 Cal.App.4th 1490, 1506-1509 (court upholds CEQA findings rejecting alternatives in reliance on project’s objectives); see also *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957, 1001 (CNPS) (an alternative ‘may be found infeasible on the ground it is inconsistent with the project objectives as long as the finding is supported by substantial evidence in the record’) (quoting *Kostka & Zischke, Practice Under the Cal. Environmental Quality Act* [Cont.Ed.Bar 2d ed. 2009] (*Kostka*), § 17.309, p. 825); *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1165, 1166 (*Bay-Delta*) ([i]n the CALFED program, feasibility is strongly linked to achievement of each of the primary program objectives”; “a lead agency may structure its EIR alternative analysis around a reasonable definition of underlying purpose and need not study alternatives that cannot achieve that basic goal)) Moreover, “‘feasibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, legal, and technological factors.” (*City of Del Mar v. City of San Diego* (1982) 133 Cal.App.3d 410, 417 (*City of Del Mar*); see also *CNPS, supra*, 177 Cal.App.4th 957 (after weighing “‘economic, environmental, social, and technological factors,’ ... ‘an agency may conclude that a mitigation measure or alternative is impractical or undesirable from a policy standpoint and reject it as infeasible on that ground) (quoting *Kostka, supra*, § 17.29, p. 824))

For purposes of these findings (including the table described in Section IX below), the term “avoid” refers to the effectiveness of one or more mitigation measures to reduce an otherwise significant effect to a less than significant level. In contrast, the term “substantially lessen” refers to the effectiveness of such measure or measures to substantially reduce the severity of a significant effect, but not to reduce that effect to a less than significant level.

As explained above, CEQA requires that the lead agency adopt feasible mitigation measures or, in some instances, feasible alternatives to substantially lessen or avoid significant environmental impacts that would otherwise occur. With respect to a project for which significant impacts are not avoided or substantially lessened, a public agency, after adopting proper findings, may nevertheless approve the project if the agency first adopts a statement of overriding considerations setting forth the specific reasons that the agency found that the project’s benefits outweigh its unavoidable adverse environmental effects. The City of Salinas’ Statement of Overriding Considerations for the Project is included herein in Section XI below.

VIII. MITIGATION MONITORING AND REPORTING PROGRAM

A Mitigation Monitoring and Reporting Program (hereinafter “MMRP”) has been prepared for the Project, and is being approved by the City Council by **Resolution 2017-__ (N.C. S.)**. The City will use the MMRP to track compliance with Project mitigation measures. The MMRP will remain available for public review during the compliance period. The Final MMRP is Exhibit “B” of the aforementioned resolution and is approved in conjunction with these Findings of Fact.

IX. SIGNIFICANT EFFECTS AND MITIGATION MEASURES

The Draft EIR identified a number of significant and potentially significant environmental effects (or impacts) that the Project will cause or contribute to. Most of these significant effects can be fully avoided through the adoption of feasible mitigation measures. Other effects, however, cannot be avoided by the adoption of feasible mitigation measures or alternatives, and thus will be significant and unavoidable. Some of these unavoidable significant effects can be substantially lessened by the adoption of feasible mitigation measures. Other significant, unavoidable effects cannot be substantially lessened or avoided. For reasons set forth in Section XI however, the City Council has determined that overriding economic, social, and other considerations outweigh the significant, unavoidable effects of the Project.

The City Council’s findings with respect to the Project’s significant effects and mitigation measures are set forth in the Table of Impacts, Mitigation Measures, and CEQA Findings attached to these findings. The findings set forth in the table are hereby incorporated by reference.

This table does not attempt to describe the full analysis of each environmental impact contained in the EIR. Instead, the table provides a summary description of each impact, describes the applicable mitigation measures identified in the Draft EIR or Final EIR and adopted by the City Council, and states the City Council’s findings on the significance of each impact after imposition of the adopted mitigation measures. A full explanation of these environmental findings and conclusions can be found in the Draft EIR and Final EIR, and these findings hereby incorporate by reference the discussion and analysis in those documents supporting the Final EIR’s determinations regarding mitigation measures and the Projects’ impacts and mitigation measures designed to address those impacts. In making these findings, the City Council ratifies, adopts, and incorporates into these findings the analysis and explanation in the Draft EIR and Final EIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the Draft EIR and Final EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

By **Resolution 2017-__ (N.C. S.)**, the City Council adopts all of the mitigation measures identified in the table. Some of the measures identified in the following section are also within the jurisdiction and control of other agencies. To the extent any of the mitigation measures are within the jurisdiction of other agencies, the City Council finds those agencies can and should implement those measures within their jurisdiction and control.

In several comments on the Draft EIR, commenters suggested reductions in the scope of the EDE and/or modifications to the mitigation measures recommended in the Draft EIR. As is evident from the Final EIR and the above-described table, the City refined several of the original proposed measures in response to such comments, as set forth in the FEIR, Section 3.0. The City Council commends staff for its careful consideration of those comments, agrees with staff in those instances when staff did not accept proposed language, and hereby ratifies, adopts, and incorporates staff's reasoning on these issues.

In considering specific recommendations from commenters, the City has been cognizant of its legal obligation under CEQA to substantially lessen or avoid significant environmental effects to the extent feasible. The City recognizes, moreover, that comments frequently offer thoughtful suggestions regarding how a commenter believes that a particular mitigation measure can be modified, or perhaps changed significantly, in order to reduce the severity of environmental effects. The City is also cognizant, however, that the mitigation measures recommended in the Draft EIR represent the professional judgment and long experience of the City's expert staff and environmental consultants. The City therefore believes that these recommendations should not be lightly altered. Thus, in considering commenters' suggested changes or additions to the mitigation measures as set forth in the Draft EIR, the City, in determining whether to accept such suggestions, either in whole or in part, has considered the following factors, among others: (i) whether the suggestion relates to a significant and unavoidable environmental effect of the Project, or instead relates to an effect that can already be mitigated to less than significant levels by proposed mitigation measures in the Draft EIR; (ii) whether the proposed language represents a clear improvement, from an environmental standpoint, over the draft language that a commenter seeks to replace; (iii) whether the proposed language is sufficiently clear as to be easily understood by those who will implement the mitigation as finally adopted; (iv) whether the language might be too inflexible to allow for pragmatic implementation; (v) whether the suggestions are feasible from an economic, technical, legal, or other standpoint; and (vi) whether the proposed language is consistent with the project objectives.

As is often evident from the specific responses given to specific suggestions, City staff and consultants spent large amounts of time carefully considering and weighing proposed mitigation language. In some instances, the City refined mitigation language to address the same issue that was of concern to a commenter. In no instance, however, did the City fail to take seriously a suggestion made by a commenter or fail to appreciate the sincere effort that went into the formulation of suggestions.

X. PROJECT ALTERNATIVES

A. Basis for Analysis of the Feasibility of Alternatives

Public Resources Code section 21002, a key provision of CEQA, provides that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects[.]" The same statute states that the procedures required by CEQA "are intended to assist public agencies in systematically identifying both the significant effects of proposed Projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects."

Where a lead agency has determined that, even after the adoption of all feasible mitigation measures, a project as proposed will still cause one or more significant environmental effects that cannot be substantially lessened or avoided, the agency, prior to approving the project as mitigated, must first determine whether, with respect to such impacts, there remain any project alternatives that are both environmentally superior and feasible within the meaning of CEQA. Although an EIR must evaluate this range of *potentially* feasible alternatives, an alternative may ultimately be deemed by the lead agency to be “infeasible” if it fails to fully promote the lead agency’s underlying goals and objectives with respect to the project. (*City of Del Mar, supra*, 133 Cal.App.3d at p. 417) “[F]easibility’ under CEQA encompasses ‘desirability’ to the extent that desirability is based on a reasonable balancing of the relevant economic, environmental, social, and technological factors.” (*Ibid.*; see also *CNPS, supra*, 177 Cal.App.4th at p. 1001.) Thus, even if a project alternative will avoid or substantially lessen any of the significant environmental effects of the project, the decision-makers may reject the alternative if they determine that specific considerations make the alternative infeasible.

Under CEQA Guidelines section 15126.6, the alternatives to be discussed in detail in an EIR should be able to “feasibly attain most of the basic objectives of the project [.]” For this reason, the Objectives described above provided the framework for defining possible offsite alternative Project locations. (See *Bay-Delta, supra*, 43 Cal.4th at p. 1166) The project objectives are set out above in section III.C. Based on the requirements of CEQA Guidelines section 15126.6 and the Project’s Objectives, the following alternatives to the Project were identified:

Alternative 1: No Project/No Development

As the proposed project is a revision/amendment to the existing General Plan, the no project alternative analysis focuses on the impacts that would occur from potential future development within the Target Areas under the existing plan land use designations that apply to them. In the case of Target Area V, the existing General Plan designation is Park. This land use designation allows for public and private recreation, such as parks and golf courses, multipurpose fields and courts, community event spaces, nature study centers, etc. In the absence of the proposed project, Target Area V could be nominally developed with one of the noted use types. Projecting the types and intensity of impacts that could result would be speculative in the absence of a specific proposed project type. However, it is likely that most, if not all, impacts of such uses would be reduced relative to impacts from the substantially more intensive development that could occur under the Retail land use designation that applies to Target Area V. Target Area V contain 115 acres, or approximately 21 percent, of the 558 total acres within all Target Areas.

Target Areas F, B, N, L2 and K comprise approximately 443, or approximately 79 percent, of the total of 558 acres within all Target Areas. These Target Areas are within unincorporated Monterey County. They are designated Agriculture in the Monterey County General Plan. This designation essentially limits their use to agricultural production and ancillary improvements that support the primary function of agricultural production. Therefore, in the absence of the proposed project, no new urban development would be permitted within these Target Areas. The land within Carr Lake is designated Park in the City of Salinas General Plan. The Park designation does allow development in form of multi-purpose fields for community events, areas for active sports play, picnic areas, sports fields and courts, golf courses, concessions, etc. In the

following analyses of how this alternative compares to the proposed project, the effects of developing Target Area V with retail uses is compared to the effects of developing the Target Area with uses permitted per the Park designation.

Alternative 2: GSA MOU Amendment

Alternative 2 – GSA MOU Amendment is designed to address the County’s primary concern about the proposed project’s inconsistency with the GSA MOU. This alternative assumes that the City and County would negotiate amendments to the GSA MOU would enable to proposed project to proceed as proposed but with the following modifications:

- eliminate Target Area N from the proposed project;
- relocate the Target Area N Retail building capacity of 337,590 square feet based on 40 gross acres, and its associated employment generation potential to Target Area K; and
- to reduce the overall Retail development footprint within Target Area K, the average FAR of 0.25 for Retail use shown in General Plan Table LU-2 is increased to 0.40. This change applies only to future development within Target Area K. The specific plan required for future development within Target Area K would be used as the tool for enabling the higher FAR within this area only. This change would reduce gross Retail land demand within Target Area K from 70 acres (40 acres from Target Area N plus 30 acres from Target Area K) to 43 acres while retaining the 337,590 square feet of building potential transferred from Target Area N. This results in an overall decrease of 27 gross acres.

The market feasibility for attracting new Retail development to Target Area K based on the increased FAR has not been evaluated. The FAR increase could enable different types of retail development such as lifestyle centers designed as retail focused destinations (e.g., Santana Row in San Jose) than that typically associated with lower FAR standards. These types of development often require flexible design standards with FARs that permit higher intensity use. Incentive to develop retail buildings of more than one story could be created, thereby reducing the overall building development footprint and reducing the gross acreage of agricultural land converted to urban use.

Alternative 3: GSA MOU Consistency

Alternative 3 – GSA MOU Consistency reflects changes in the proposed project that would be required to ensure that it is fully consistent with limits on City growth that are articulated in the GSA MOU. This alternative is evaluated to reflect conditions should the County determine that it is unwilling to amend the GSA MOU to enable the project to proceed as proposed or to proceed with GSA MOU amendments identified in Alternative 2 – GSA MOU Amendment. Under Alternative 3, the project would be modified to eliminate Target Areas N, K, F, and B from the proposed project.

The elements of the proposed project that would be retained with this alternative include new development capacity as proposed within Target Area L2 and Target Area V. Areas L2 and V would remain unchanged with this alternative.

Alternative 4: Target Area V Alternative

This Target Area V alternative proposes a land use designation change and a development envelope change that applies only within Target Area V as a basis to avoid and/or substantially lessen site-specific impacts of increasing land supply within the Target Area location as included in the proposed project. All other elements of the proposed project would remain the same. The features of this alternative are as follows:

- relocate a 79-acre portion of Target Area V, represented by the southeastern most of the two polygons included in the Target Area, to an alternative location within Carr Lake adjacent to Laurel Drive. The 79-acre portion of Target Area V would be retained at the alternative location.
- delete 6.8 acres of the portion of Target Area V located to the west (west of Sherwood Drive) and redistribute that acreage to two separate polygons located along the southern boundary of Laurel Drive.
- change the proposed land use designation for Target Area V from Retail to Mixed Use. The environmental benefits of this change are related to reducing vehicle trip generation and reducing related environmental effects. The change would also provide enhanced flexibility for economic development whose tax benefits can be used to offset costs for infrastructure improvements that catalyze the City's recreation destination vision for Carr Lake as expressed in the EDE.

The net development capacity of 810,448 square feet of building capacity included in Target Area V for the proposed project would be retained as would the total of 115 acres included in the Target Area. The Mixed-Use land use designation permits a mix of retail, office, and/or residential use. It is assumed for purposes of this alternative that Target Area V would be developed with a sufficient mix and intensity of retail and professional/office uses such that the employment generating capacity of Target Area V assumed for the proposed project would also be retained. To maximize the potential to meet employment generation needs, it is also assumed that this alternative does not include residential uses.

The City Council finds that that a good faith effort was made to evaluate all potentially feasible alternatives in the EIR that are reasonable alternatives to the Project and could feasibly obtain the basic objectives of the Project, even when the alternatives might impede the attainment of the Project objectives and might be more costly. As a result, the scope of alternatives analyzed in the EIR is not unduly limited or narrow. The City Council also finds that all reasonable alternatives were reviewed, analyzed and discussed in the review process of the EIR and the ultimate decision on the Project. (See, e.g., DEIR, pp. 6-5 to 6-55)

1. Significant, Unavoidable Impacts of the Project

The significant and unavoidable impacts of the project are set out in detail below in Section XI.A.

2. Scope of Necessary Findings and Considerations for Project Alternatives

As noted above, these findings address whether the various alternatives substantially lessen or avoid any of the significant unavoidable impacts associated with the Project and also consider the feasibility of each alternative. Under CEQA, “(f)feasible means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.” (CEQA Guidelines § 15364) As explained earlier, the concept of feasibility permits agency decision makers to consider the extent to which an alternative is able to meet some or all of a project’s objectives. In addition, the definition of feasibility encompasses “desirability” to the extent that an agency’s determination of infeasibility represents a reasonable balancing of competing economic, environmental, social, and technological factors supported by substantial evidence.

In identifying potentially feasible alternatives to the proposed Project, the following Project objectives were considered:

1. Improve the City's attractiveness as an investment destination for employment-generating businesses by reducing land costs through increased land supply;
2. Promote and prepare the Target Areas for private investment;
3. Improve economic diversification and expansion within the City;
4. Support General Plan land use strategies and policies that promote economic growth through infill development and through revitalizing/redeveloping existing developed areas and/or intensifying uses in existing developed areas such as the Focused Growth Areas;
5. Through business expansion and attraction, provide residents with greater opportunities for employment in well-paying, career ladder oriented jobs;
6. Become the recreation, entertainment, and sports destination of the Central Coast through improving, enhancing and attracting additional recreational, entertainment and sports related facilities and uses; and
7. Invest in public infrastructure to improve circulation, connectivity and access.

Since the General Plan was adopted, the City has come to recognize that a comprehensive Economic Development Element to the General Plan is needed as a tool to focus and direct its economic development efforts. The EDE represents that tool. The purpose of the EDE is to augment the economic development strategy included in the General Plan, and to guide future decisions of the City Council in all aspect of City policy and economic development activities. (DEIR, pp. 2-10)

B. Alternative 1: No Project/No Development

In general, a CEQA “No Project Alternative” must “discuss the existing conditions ..., as well as what would be reasonably expected to occur in the foreseeable future if the project were not

approved, based on current plans and consistent with available infrastructure and community services.” (CEQA Guidelines, § 15126.6, subd. (e)(2).). When the proposed project is the revision of an existing land use or regulatory plan, policy or ongoing operation, the “no project” alternative will be the continuation of the existing plan, policy or operation into the future. In such an instance, the no project alternative consists of evaluating the projected impacts of the proposed plan to the impacts that would occur under the existing plan. “Typically, this is a situation where other projects initiated under the existing plan will continue while the new plan is developed. Thus, the projected impacts of the proposed plan or alternative plans would be compared to the impacts that would occur under the existing plan. (Id., subd. (e)(3)(A).)

1. Analysis of Alternative 1’s Ability to Reduce Significant Unavoidable Project Impacts

Aesthetics

This alternative would have less-than-significant aesthetics impacts (change in visual character and increase in sky glow) associated with development within Target Area V, as only low-intensity recreational-related uses consistent with the existing General Plan Park designation would be permitted and these uses would be subject to review by the City for consistency with General Plan polices and Zoning Code design and development standards regarding visual resources and aesthetics. This alternative would have no effect on visual resource or sky glow conditions within Target Areas F, B, N, L2 and K, as existing agricultural uses permitted per the Monterey County General Plan would be maintained. The impact of this alternative on visual resources is less than significant.

This alternative would have no visual resource impacts relative to development of Target Areas F, B, N, L2, and K proposed as part of the proposed project. It would avoid the significant, unavoidable aesthetic impacts of the proposed project associated with development of Target Areas B and K. This alternative is superior to the proposed project from an aesthetics impact perspective.

Agricultural Resources

This alternative is assumed have significant impacts on agricultural resources associated with Target Area V, as under the existing City of Salinas General Plan, some increment of agricultural land conversion could occur under the Park designation that applies to it. No loss of agricultural land would occur within Target Areas F, B, N, L2, or K from urban development as none of these areas would be converted to urban use. This alternative substantially lessens the significant unavoidable impact of the proposed project that would otherwise occur from conversion of this land to non-agricultural use. However, the alternative still results in a significant unavoidable impact on agricultural resources as it would convert agricultural land within Target Area V to non-agricultural use, even with implementation of compensatory mitigation to partially mitigate for the permanent loss of agricultural land. With this alternative, the significant, but mitigatable impacts of conflict of development with Williamson Act zoning within Target Area B and conflict with an agricultural conservation easement with Target Area B would remain.

This alternative would avoid the significant unavoidable impacts of converting approximately result 387 acres of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland found within Target Areas F, B, N, L2, and K that would not be developed under this alternative. The alternative is superior to the proposed project from an agricultural resources impact perspective.

Air Quality

This alternative is assumed to have significant, but mitigatable air quality impacts associated with development of Target Area V consistent with the City of Salinas General Plan Park designation. This stems from potential impacts associated with exceeding particulate emissions thresholds during construction. No change regarding air quality conditions would occur within Target Areas F, B, N, L2, and K.

Relative to the proposed project, this alternative would have no impacts on air quality associated with proposed development within Target Areas F, B, N, L2, and K. Air emissions would be reduced by approximately 79 percent by volume as compared to the proposed project. This alternative would substantially lessen the significant, but mitigatable impacts of the proposed project. Therefore, this alternative is superior to the proposed project from an air quality impact perspective.

Biological Resources

This alternative is conservatively assumed to have potentially significant, but mitigatable impacts on biological resources from development of Target Area V per the City of Salinas General Plan. This determination is based on the assumption that a detailed biological resources evaluation for this Target Area would find protected special-status plant and/or wildlife species to be present, and conservatively that natural communities would also be identified as present. The same mitigation measures applied to this alternative would also reduce its impacts to less than significant. This alternative would have no effect on biological resource conditions within the remaining Target Areas.

This alternative would avoid impacts on biological resources that may be present within Target Areas F, B, N, L2, and K, which represent 79 percent of the land area included in the proposed project. Therefore, the significant, but mitigatable biological resources impacts of the proposed project would be substantially lessened with this alternative. This alternative is; therefore, superior to the proposed project from a biological resources impact perspective.

Climate Change

This alternative is conservatively assumed to result in significant unavoidable impacts from GHG emissions resulting from development of Target Area as permitted per the City of Salinas General Plan Park designation. It is possible that such uses could result in significant traffic generation and creation of a significant volume of mobile source GHG emissions. This alternative is conservatively assumed to have significant unavoidable impacts on climate change from generation of a significant volume of GHG emissions. This alternative would generate no GHG emissions relative to the remaining Target Areas.

Development of park related uses within Target Area V per the existing Park designation is likely to result in fewer GHG emissions than would its development with retail uses as included in the proposed project. However, with no development in the remaining Target Areas, this alternative would result in an approximately 79 percent reduction in the total GHG emissions volume projected for the proposed project. This alternative would substantially lessen the significant and unavoidable impacts of the proposed project. Therefore, this alternative is superior to the proposed project from a climate change impact perspective.

Cultural Resources

This alternative is assumed to have potentially significant, but mitigatable impacts on historical resources, unique archaeological resource, human remains, and paleontological resources within Target Area V if determined to be present. It is assumed that the potentially significant impacts of this alternative can be mitigated to less than significant through implementation of mitigation measures contained in this EIR and/or that may be recommended through site specific cultural resources evaluations that would be required for individual development projects.

This alternative would avoid potential impacts on cultural resources and paleontological resources within Target Areas F, B, N, L2, and K. Therefore, this alternative could substantially lessen the significance of these impacts relative to the proposed project because it avoids development on 443 acres, or 79 percent, of the land area included in the proposed project. This alternative is superior to the proposed project from a cultural resources perspective.

Geology and Soils

As described in Section 3.7, Geology and Soils, the California Supreme Court recently held in the 2015 “California Building Industrial Association (CBIA)” case that agencies subject to CEQA generally are not required to analyze the impact of existing environmental conditions on a project’s future users or residents. Prior to the CBIA case, CEQA analyses of potential geology and soils impacts of a project typically focused on existing geologic hazards that have potential to cause risk to public health and safety. Subsequent to this case, exposure to existing geologic hazards conditions is not considered under CEQA unless a proposed project has potential to exacerbate existing geologic hazards conditions and increase risks to structures and public safety. While Section 3.7 of the DEIR includes these analyses, they are included only for informational purposes and the information is to be considered outside the purview of CEQA. As described in Section 4.0, Cumulative Impacts, development within the Target Areas, including Target Area V, is not expected to exacerbate existing geologic hazards conditions. This alternative would avoid development on the approximately 443 acres of land located within Target Areas F, B, N, L2, and K. Therefore, this alternative would reduce potential risks associated with exposure of structures and people to existing geologic hazards. This alternative is superior to the proposed project from a geology and soils perspective.

Hazards and Hazardous Materials

This alternative is conservatively assumed to have potentially significant, but mitigatable impacts related to potential hazardous materials conditions within Target Area V. Land within this Target

Area has historically been used for agricultural production and it is possible that agricultural chemical residues may remain in the soils that would pose a public health risk if disturbed during development of urban uses. Similarly, this Target Area is located adjacent to U.S. Highway 101 where potential exists for aerially deposited lead to have contaminated soils near the highway. Development of park related uses per the General Plan Park designation could disturb these soils.

Relative to the proposed project, this alternative would create potential risks to public safety from potentially hazardous materials conditions (agricultural chemical residues or aerially deposited lead) only within Target Area V; similar risks and potentially significant, but mitigatable impacts from these conditions within the remaining Target Areas would be avoided, as it is assumed that agricultural operations would not result in the magnitude of soil disturbance involved in constructing urban development. Therefore, this alternative substantially lessens the potentially significant impacts of the proposed project and is superior to the proposed project from a hazards and hazardous materials impact perspective.

Hydrology and Water Quality

Surface Water Quantity/Flooding and Exposure to Flood Hazards

This alternative would have less-than-significant flood hazard impacts from development of park related uses within Target Area V as may be permitted by the City of Salinas General Plan. Target Area V is located both within a flood hazard zone and within a regulatory floodway, but risks are less than significant with conformance of new development with the City's flood hazard regulations.

This alternative would avoid the flood hazard risks within Target Area F as identified for the proposed project. It would also avoid potential dam failure inundation effects associated with development of all Target Areas other than Target Area V. Therefore, this alternative is superior to the proposed project from a flood hazard perspective.

Surface Water Quality (Soil Erosion/Sedimentation and Urban Pollutants)

This alternative would result less-than-significant soil erosion or urban pollutant-related water quality impacts from development of Target Area V with park related uses. Impacts are less than significant with conformance of development with a range of City regulations including SWDS and NPDES requirements. Related surface water quality impacts would not occur within the remaining Target Areas as no change to existing conditions would occur. This alternative would have a less-than-significant impact on soil erosion and urban pollutant related surface water quality.

This alternative would avoid less than significant water quality impacts associated with the proposed project for development within the 443 acres contained within Target Areas F, B, N, L2, and K. Therefore, this alternative is superior to the proposed project from a surface water quality perspective.

Noise

Recreational uses currently permitted within Target Area V per the General Plan Park designation are not considered to be noise sensitive; potential impacts on these uses from

ambient noise are assumed to be less than significant. Such uses could generate a sufficient volume of traffic with an associated increase in traffic noise that could expose noise sensitive uses in the immediate Target Area V vicinity to noise volumes that exceed thresholds of significance. This alternative is assumed to substantially lessen the significant unavoidable traffic noise impact of the proposed project by reducing overall trip generation by 79 percent, but the impact is not assumed to be avoided. This alternative has potentially significant, but mitigatable impacts from exposure of people/structures to groundborne vibration.

This alternative avoids or substantially lessens significant, but mitigatable and significant unavoidable impacts of the proposed project. This alternative is superior to the proposed project from a noise perspective.

Police and Fire Protection

This alternative is conservatively assumed to nominally increase demand for police and fire protection from development of park related uses within Target Area V as permitted under the Park designation. No increase in demand would occur for the remaining Target Areas, as none would be developed with urban uses. This alternative would not result in demand for new or expanded police or fire facilities and would have no impacts resulting from construction of new or expanded police or fire facilities. This alternative is equivalent to the proposed project from a police and fire protection perspective.

Population and Housing

Like the proposed project, this alternative includes no new residential development capacity and as such, would have no direct effects related to housing development or population. Effects of this alternative are equivalent to those of the proposed project.

Transportation

The proposed project has significant unavoidable impacts on the performance of County controlled and Caltrans operated roadway segments. If it is conservatively assumed that Park uses within Target Area V would generate as much traffic as would the retail uses included in the proposed project for this Target Area, this alternative would eliminate 61,025 trips of the proposed project total daily volume of 82,922 trips. This reduction is the trip generation volume assigned to Target Areas F, B, N, L2, and K. This represents a reduction of 74 percent relative to the proposed project. A project specific traffic impact analysis for this alternative would be necessary to determine its individual impacts. To be conservative, it is assumed that this alternative would have significant impacts on City controlled circulation facilities that are mitigated through payment of the City's TFO impact fees, and potentially on Caltrans U.S. Highway 101 facilities that are mitigated through payment of the TAMC Regional Fee program fees. Impacts on County facilities are conservatively assumed to be significant and unavoidable even with substantially reduced traffic volumes and the fact that trips would originate near the center of the City – traffic distribution to County facilities would likely be minor. Despite these effects, the substantial reduction in trip volume is expected to substantially lessen and/or avoid many of the significant, but mitigatable, and significant and unavoidable impacts of the proposed

project on the performance of the affected road network. This alternative is superior to the proposed project from a traffic perspective.

Wastewater

This alternative would result in wastewater generation demand from recreation related uses within Target Area V as may be permitted under the existing City of Salinas General Plan. This alternative results in a substantial reduction in wastewater requiring treatment, as no wastewater generation from development within the remaining Target Areas would occur. This alternative would not require construction of new wastewater treatment facilities, the construction of which may otherwise result in significant environmental impacts. Therefore, it would have less-than-significant related environmental impacts.

Relative to the proposed project, this alternative would avoid generation of a minimum of about 0.51 MGD of wastewater, as it eliminates need to treat wastewater generated within Target Areas F, B, N, L2, and K. This reduction is in part based on a conservative assumption that park related uses within Target Area V would produce an equivalent amount wastewater as retail uses included in the proposed project. The wastewater reduction calculation is derived from Table 44, *Target Area Wastewater Generation*, in Section 3.13 of the DEIR, and on wastewater generation factors applied to the 115-acre area within Target Area V. The proposed project would have a less-than-significant impact from wastewater generation, as the capacity of the regional treatment plant to process the wastewater is adequate without requiring construction of new capacity. This alternative would also have a less-than-significant impact for the same reason. This alternative is equivalent to the proposed project from a wastewater perspective.

Water Supply

This alternative would limit development to park related land uses within Target Area V. These uses would generate demand for water supply that is derived from groundwater drawn from a groundwater basin that is in overdraft. This alternative would result in no water demand from development within Target Areas F, B, N, L2, and K, as none would occur. As described in Section 3.14, Water Supply, agricultural water demand is generally higher per acre than is water demand from retail, industrial, and business park uses. Water demand from recreation related uses is likely to be lower than from these three use types. Nevertheless, this alternative is also expected to have a beneficial effect by converting agricultural use to urban development. For these reasons, for Target Area V only, this alternative is assumed to have a reduced beneficial impact from increasing groundwater in storage.

Relative to the proposed project, this alternative would result in a substantial increase in demand for groundwater from an impacted groundwater basin because the groundwater demand decrease from converting existing agricultural uses within Target Areas F, B, N, L2, and K to urban use would not occur. As summarized in Table 48, Net Project Water Demand, in Section 3.14 Water Supply, the proposed project would increase groundwater in storage by about 556 acre-feet per year. With a 79 percent reduction in agricultural land converted to urban use as would occur under this alternative, 735 acre-feet per year of groundwater would not be saved. Nevertheless, because conversion of Target Area V to urban use is still expected to result in an increase in

groundwater in storage, this alternative is assumed to have a beneficial impact on the groundwater basin. (DEIR pp. 6-10 through 6-16)

2. Feasibility of Alternative 1

As stated above, the No Project/No Development Alternative is the Environmentally Superior Alternative because it would avoid or substantially lessen many of the significant, and significant and unavoidable impacts of the proposed project. Further, this alternative results in less building capacity and developed land area than any other alternative; all effects of this alternative would be reduced to a greater extent than for any other alternative. However, the No Project/No Development Alternative does not attain any of the City's objectives for the proposed project. For example, sufficient land supply to meet employment needs through General Plan buildout would not be provided, land costs would not be reduced for employment generating development, and economic diversification and expansion would not be improved. (DEIR pp. 6-16 and 6-55)

The City Council finds Alternative 1 to be infeasible for the above stated reasons, and rejects it as a viable alternative to the Project.

C. Alternative 2: GSA MOU Amendment

1. Analysis of Alternative 2: Ability to Reduce Significant Unavoidable Project Impacts

The general environmental effects of the GSA MOU Amendment Alternative relative to the proposed project are summarized below.

Aesthetics

The proposed project would have significant unavoidable visual impacts associated with development within Target Areas B and K regarding change in visual character. Impacts of converting Target Area N to urban development were found in Section 3.1, *Aesthetics*, of the DEIR to be less than significant. The GSA MOU Amendment Alternative would reduce the overall gross acreage committed to Retail development proposed as part of the EDE through the proposed increase in FAR for this use. However, this alternative would increase the footprint of Retail development within Target Area K. Therefore, it does not avoid or substantially lessen the significant unavoidable visual resources impact of proposed development within Area K. Nor does this alternative substantially lessen or avoid the significant unavoidable impact of development within Target Area B. Its visual impacts regarding these Target Areas remain significant and unavoidable. This alternative is equivalent to the proposed project from a visual resources impact perspective.

Agricultural Resources

With this alternative, conversion of 27 fewer acres of Important Farmland (Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) would occur than for the proposed project. Therefore, this alternative would lessen the significant unavoidable impacts of the

proposed project from loss of farmland, but the impact would remain significant and unavoidable. This alternative would have no effect on the significant, but mitigatable impact of the proposed project from conflict with Williamson Act zoning as neither Target Area N, nor Target Area K include land under Williamson Act contract. The potentially significant, but mitigatable impact of the proposed project regarding facilitating conversion of agricultural land to non-urban use would be avoided relative to Target Area N, and the overall project impact would be lessened, but not substantially.

The GSA MOU Amendment Alternative would substantially lessen the significant and unavoidable impact of the proposed project on agricultural land conversion and is superior to the proposed project for this reason. However, the impact would remain significant and unavoidable.

Air Quality

For land use development projects, criteria air emissions from mobile sources (primarily cars and trucks) typically represent the largest percentage of the air emissions inventory of such projects. Indirect air emissions created by burning fossil fuel to produce electricity consumed by a project and from combusting natural gas consumed by a project (e.g. for space heating) are generally lesser emissions volume sources. Therefore, air emissions from projects that generate fewer vehicle trips and fewer overall vehicle miles traveled can generally be assumed to generate fewer air emissions than projects with higher vehicle trip volumes and vehicle miles traveled. This alternative would not reduce development capacity associated with the proposed project. As a result, the vehicle trip volume generation characteristics of this alternative and the proposed project would be similar.

The proposed project has significant, but mitigatable impacts related to construction phase particulate matter. Other air quality effects are either less than significant or the project has no impact. The GSA MOU Amendment Alternative would lessen, but not substantially, potential construction phase particulate matter impacts by reducing gross acreage to be developed by 27 acres or five percent relative to the proposed project. The impact of the proposed project would remain significant, but mitigatable for construction within the remainder of the Target Areas. This alternative is superior to the proposed project for its lessening of air quality impacts.

Biological Resources

The proposed project has significant, but mitigatable impacts on biological resources. This alternative would reduce the gross acreage of undeveloped land that is required to accommodate Retail employment generating uses by increasing the Retail FAR within Target Area K only. Gross land demand acreage would be reduced by approximately 27 acres or five percent relative to the proposed project, with elimination of development capacity within Target Area N and an increase in Retail capacity within Target Area K. Biological resource conditions within Target Area K and within Target Area N are similar (both are predominantly in cultivated agricultural use and likely to support similar plant and wildlife habitat types). The reduced land demand for urban development associated with the GSA MOU Amendment Alternative would lessen potentially significant direct and indirect impacts of the proposed project on special-status plant and/or wildlife species or their habitats, but would not substantially lessen the impact. This

alternative is superior to the proposed project for its ability to lessen biological resources impacts.

Climate Change

The proposed project has a significant unavoidable impact on climate change. Like criteria air emissions as described above, GHG emissions volumes from mobile sources (primarily cars and trucks) typically represent the largest percentage of the GHG emission inventory for land use projects. Indirect GHG emissions created by burning fossil fuel to produce electricity consumed by a project and from combusting natural gas consumed by a project (e.g. for space heating) are generally lesser GHG emissions volume sources. Therefore, GHG emissions from projects that generate fewer vehicle trips can generally be assumed to generate fewer air emissions than projects with higher vehicle trip volumes (as the difference typically translates into fewer overall vehicle miles traveled (VMT)). As described in the Transportation section below, total trip volume from this alternative is assumed to be similar to that of the proposed project. Therefore, the GHG emissions characteristics of each regarding mobile sources would be similar.

Both the GSA MOU Amendment Alternative and the proposed project are also assumed to generate similar volumes of GHG emissions due to electricity demand and natural gas consumption. This owes to the fact that the total Retail square footage of building development capacity for both remains the same; electricity demand and natural gas demand are likely to be similar.

With mobile, indirect (electricity based) and direct (natural gas consumption) assumed to be similar with the GSA MOU Amendment Alternative, this alternative would also have a significant unavoidable impact on climate change and it would be equivalent to the proposed project from a climate change impact perspective.

Cultural Resources

The proposed project would have significant, but mitigatable cultural resources impacts. Neither Target Area N nor Target Area K contains recorded historical or unique archaeological resources. Like much of the land with and adjacent to the City, the Target Areas are located within areas of medium to high sensitivity for the presence of cultural resources based on information contained in Section 3.6, *Cultural Resources*, of the DEIR. The GSA MOU Amendment Alternative would avoid land disturbance on 27 fewer acres than would the proposed project. Therefore, it would lessen the potentially significant impacts of the proposed project, but not substantially. The GSA MOU Amendment Alternative would still result in significant, mitigatable impacts within the remainder of the Target Areas, but is superior to the proposed project from a cultural resources impact perspective.

Geology and Soils

The California Supreme Court recently held in the 2015 “California Building Industrial Association (CBIA)” case that agencies subject to CEQA generally are not required to analyze the impact of existing environmental conditions on a project’s future users or residents. Prior to the CBIA case, CEQA analyses of potential geology and soils impacts of a project typically

focused on existing geologic hazards that have potential to cause risk to public health and safety. Subsequent to this case, exposure to existing geologic hazards conditions is generally not considered under CEQA unless a proposed project has potential to exacerbate existing geologic hazards conditions and increase risks to structures and public safety. While Section 3.7 of the DEIR includes these analyses, they are included only for informational purposes and the information is to be considered outside the purview of CEQA. As described in Section 4.0, *Cumulative Impacts*, of the DEIR, development within the Target Areas is not expected to exacerbate existing geologic hazards conditions.

This alternative would avoid development on the approximately 27 acres of land. Therefore, this alternative would reduce potential risks associated with exposure of structures and people to existing geologic hazards, but not substantially relative to development that would occur within the remaining Target Areas. This alternative is considered to be equivalent to the proposed project from a geology and soils effects perspective.

Hazards and Hazardous Materials

The proposed project has potentially significant, but mitigatable impacts regarding potential exposure to agricultural chemical residues and to aerially deposited lead in soils. There are no known hazardous materials conditions within either Target Area N or Target Area K. Both Target Areas have similar potential to contain hazardous soils conditions due to the historic and continued application and storage of agricultural chemicals. Hazards impacts from relocating Retail development capacity to Target Area K would avoid potential for exposure to agricultural chemical residues, if present, within the 27 acres total acres that would not be developed under this alternative. This lessens the overall potentially significant impact, but not substantially. The impact remains potentially significant, but mitigatable. Target Area N is not expected to contain soils with potential contamination with lead; this alternative would not substantially lessen this impact as associated with the proposed project.

This alternative is superior to the proposed project from a hazardous materials conditions perspective for its ability to lessen potentially significant impacts from exposure to agricultural chemical residues in soils.

Hydrology and Water Quality

The hydrology and water quality impacts of the proposed project are less than significant. The GSA MOU Amendment Alternative would lessen several hydrology and water quality effects. The relocation of Retail development capacity from Target Area N to Target Area K would result in 27 fewer acres of agricultural land being converted to urban use. Impervious surface area would be reduced, with a corresponding incremental reduction on loss of groundwater recharge. Reduced potential for soil erosion during construction is possible due also to the reduced area of land conversion. The GSA MOU Alternative would be superior to the proposed project for its ability to further lessen hydrology and water quality effects.

Land Use and Planning

The GSA MOU Amendment Alternative eliminates a component of the proposed project (development within Target Area N) that would conflict with the GSA MOU. Therefore, this alternative would reduce inconsistencies of the proposed project with the GSA MOU and through so doing, lessen a range of environmental impacts of the proposed project. LAFCO approvals to amend the City's SOI and to allow annexation of Target Areas B, F, L2, and K would still be required.

Noise

Proposed project impacts from exposure of development within specific Target Areas to traffic noise is significant, but mitigatable; impacts from generation of traffic noise and its effects on sensitive receptors are significant and unavoidable; and impacts of exposure of people and structures to groundborne vibration is significant, but mitigatable. The GSA MOU Amendment Alternative would avoid exposure of development within Target Area N to traffic noise that exceeds General Plan applicable standards; reduce traffic volumes in the vicinity of Target Area N that could in turn lessen traffic noise impacts on noise sensitive uses in that area; and avoid potentially significant impacts of groundborne vibration on residents living adjacent to Target Area N and/or buildings in the immediate area of Target Area N. These impacts of the proposed project would be lessened, but not substantially, because there is no change in development capacity with this alternative and only a five percent decrease in developed land area.

While this alternative would concentrate a greater intensity of Retail use within Target Area K, related stationary noise sources, if included in future development, would be located at greater distance from existing noise sensitive residential areas than would similar noise sources near Target Area N. Effects of an increase in traffic generation from development within Target Area K would be contingent on the traffic distribution. To be conservative, it is assumed that this alternative does not avoid or substantially lessen the significant unavoidable traffic noise impacts of the proposed project.

Due to this alternative's potential to lessen several potentially significant noise impacts of the proposed project associated with Target Area N, it would be superior to the proposed project from a noise impact perspective.

Police and Fire Services

The proposed project was found to have unknown impacts from construction of fire service facilities and no impact from construction of police facilities. Demand for fire and police services for this alternative would be similar to the proposed project, as this alternative results in the same level of development with potential to require these services. Like the proposed project, no new facilities would be required, and this alternative would also have unknown impacts and no impacts from construction of fire and police facilities, respectively. This alternative is equivalent to the proposed project regarding police and fire facility impacts.

Population and Housing

Like the proposed project, this alternative includes no new residential development capacity and as such, would have no direct effects related to housing development or population. Effects of this alternative are equivalent to those of the proposed project.

Transportation

The proposed project has unavoidable impacts on County and Caltrans road segments. While myriad variables affect the analysis of transportation impacts of new development, at the most general, land use plan level of analysis, traffic generation can be used as a proxy for comparing the relative potential impacts of land use plan options. The higher the vehicle trip volumes generated by an option, the greater the potential that operational performance of circulation facilities and networks could be impacted by the traffic volume increase.

The Target Area N Retail use was included in the proposed project in significant part to capture potential demand for retail uses from commuters traveling the State Route 68 between Salinas and the Monterey Peninsula. To the extent that new development within Target Area N were to successfully function in this capacity, it could reduce vehicle trip volumes by enabling commuters to avoid independent trips to retail uses that may be located in other parts of the City and/or in locations on the Monterey Peninsula; it could function to capture “pass-by” trips and reduce trip origins.

Though the GSA MOU Amendment Alternative would result in higher traffic generation from Target Area K, that increase could be somewhat moderated by increasing the mix of uses within Target Area K. This has potential to result in increased internal trip capture, as people employed within this area would have increased retail offerings available to them. Their need to make independent trips outside the Target Area to meet their needs for retail oriented uses could be diminished. Nevertheless, to be conservative, it is assumed that this alternative would, at a minimum, likely result in significant and unavoidable traffic impacts on County road segments. It is assumed that impacts on the City road network could be less than significant through payment of the City’s TFO impact fee. Significant unavoidable impacts on Caltrans controlled roadway facilities are also possible if impacted roadways are not included in the TAMC Regional Fee program. Specific impacts would need to be assessed through a traffic impact analysis.

Given the above noted factors, the GSA MOU Amendment Alternative and the proposed project are assumed to be equivalent from a transportation impact perspective.

Wastewater

Impacts of the proposed project regarding wastewater are less than significant. The GSA MOU Amendment Alternative would not result in a net change in development capacity relative to the proposed project. Wastewater generation from the alternative is expected to be similar to that of the proposed project. As described in Section 3.13, Wastewater, no need to construct new wastewater conveyance or treatment facilities is expected due to the proposed project itself. This

would also be the case for the GSA MOU Amendment Alternative. Therefore, the GSA MOU alternative would be equivalent to the proposed project from a wastewater impact perspective.

Water Supply

The proposed project has a net beneficial impact on the impacted Salinas Groundwater Basin by increasing water in storage. This results from conversion of agricultural land with its more intensive water demand requirements to urban uses with lower water demand requirements. The GSA MOU Amendment Alternative would not result in a net change in development capacity relative to the proposed project, but would result in less “groundwater beneficial” conversion of agricultural land to urban use, as 27 fewer acres of agricultural land would be converted to urban use. This alternative would, nevertheless, have a beneficial impact on groundwater overdraft conditions, but the benefit would be lessened relative to the proposed project. (DEIR pp. 6-21 through 6-27)

2. Feasibility of Alternative 2

The GSA MOU Amendment Alternative largely attains the objectives for the proposed project, though to a reduced degree because less acreage would be available for economically beneficial new development. In particular, the employment generation potential of the proposed project would largely be retained by relocating the Retail building development capacity proposed in Target Area N to Target Area K. This alternative would also improve economic diversification and expansion within the City, though to a lesser degree than the proposed project or alternatives that would allow for a greater overall amount of economically beneficial development. Overall, this alternative would not conflict with the City’s ability to attain the other project objectives. (DEIR pp. 6-27) This does not mean, however, that the alternative is feasible. As discussed below, the City Council has concluded that the alternative would not be fully consistent with certain General Plan policies.

While Alternative 2 would attain the objectives of the proposed Project (though to a reduced degree), Alternative 2 would not substantially lessen or avoid significant, or significant and unavoidable environmental effects beyond what is anticipated with the proposed Project. Environmentally, the alternative is not substantially superior to the proposed project or other alternatives that would allow a greater level of development.

As City Staff noted in its Staff Report for the Council’s December 5, 2017, meeting, the EDE, consistent with the General Plan, emphasizes infill development and identifies multiple opportunity areas concentrated around the Downtown and key commercial corridors. City policies, including much of the Zoning Code, encourage development that is compact, located around transportation corridors, and incorporates a mix of land uses.

As City Staff further emphasized, shifting development capacity from Target Area N to Target Area K as outlined in Alternative 2 would be inconsistent with these City policies. Area N is more than 2.5 miles closer to Downtown than Target Area K. Target Area N is surrounded on three sides by existing commercial development and is adjacent to South Main Street with strong transportation connections to Downtown. This area is a natural continuation of an already established commercial corridor, which is walkable. Target Area K while located close to the

freeway lacks the connectivity to Main Street and due to several physical barriers including a nearby freeway bridge, creates barriers to walkability. There is much less commercial activity along this part of North Main and therefore a reduced likelihood of drawing from local shoppers. Unfortunately, absent, Target Area N, retail development in Target Area K will likely attract more shoppers driving a farther distance to services.

In addition, land use policy specifically in the General Plan stated goal is to: “develop a balanced land use pattern that provides a wide range of jobs, housing, shopping, services, and recreation”. This includes ensuring that retail is geographically distributed throughout Salinas. Increased retail in Target Area K above that proposed in the Project would overly concentrate retail land use in North Salinas. Currently, North Salinas has multiple major shopping centers such as Westridge, Harden Ranch, and Northridge Mall, and a new Lowe’s store under construction. While 22.67% of land in North Salinas (Districts, 4, 5 and 6) has a retail designation, only 4.2% land in South Salinas (District 3), where Target Area N is located, has the same designation. By providing opportunity for retail development in South Salinas (Target Area N), the City can ensure a balanced land use pattern with the added benefit of reducing vehicle miles traveled for services and retail leakage by South Salinas residents that shop outside the City because it is more convenient. In short, the City Council concludes that Alternative 2 represents an undesirable policy outcome, and rejects the alternative as infeasible for that reason.

In comparison, Alternative 4 is most consistent with city infill policies in that the change to Target Area V allows for a mix of uses, and with the relocation of the Target Area, has better access to transportation. Retaining Target Area N in its current location as part of Alternative 4 also supports the city policies of development that is compact, near the urban center, and located around transportation corridors for the reasons stated above.

In sum, the City Council finds Alternative 2 to be infeasible for the above stated reasons, and rejects it as a viable alternative to the Project and Alternative 4.

D. Alternative 3: GSA MOU Consistency

The GSA MOU between the City and County is summarized in 2.4.1, Land Use Pattern and Potential for Change. As described in Alternative 2 – GSA MOU Amendment Alternative, the County has raised concerns about the proposed project in its comments on the NOP and in subsequent communications with the City. The County’s primary concern is about the relationship of specific components of the proposed project with the GSA MOU.

1. Analysis of Alternative 3’s Ability to Reduce Significant Unavoidable Project Impacts

Aesthetics

The GSA MOU Consistency Alternative would result in reduced aesthetic impacts from a change in visual character given that it would result in a 77 percent reduction in land acreage that would be converted from agricultural to urban use. In particular, this alternative would avoid the significant unavoidable impacts of the proposed project associated with a substantial change in

visual character from development of Target Areas B and K. The residual impact from development of Target Areas L2 and V would be less than significant.

This alternative is superior to the proposed project from a visual character impact perspective.

Agricultural Resources

With the GSA MOU Consistency Alternative, 427 acres of Important Farmland (Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) included in Target Areas N, K, F, and B would be retained in agricultural use rather than converted to urban use. The Important Farmland that would be retained constitutes 85 percent of the total of 502 acres of Important Farmland that would be lost with the proposed project. This alternative would avoid the significant unavoidable impacts of the proposed project from loss of farmland within these Target Areas and substantially lessen the significant unavoidable impact of the proposed project. However, loss of farmland within Target Areas L2 and V would remain as a significant unavoidable impact.

This alternative would also avoid the significant, but mitigatable impact of the proposed project from conflict with an agricultural conservation easement associated with Target Area B and would substantially lessen the proposed project impact. This impact as associated with development of Target Area V would remain significant, but mitigatable. In addition, the potentially significant, but mitigatable impact of facilitating conversion of agricultural land to non-urban use associated with proposed development of Target Areas N, K, F, and B would be avoided. The overall project impact would be substantially lessened, but would remain potentially significant, but mitigatable for proposed development associated with Target Areas L2 and V.

For the reasons noted above, this alternative is superior to the proposed project from an agricultural resources impact perspective.

Air Quality

The proposed project has significant, but mitigatable impacts related to generation of particulate matter during construction. Other air quality effects are less than significant, or the project has no impact. For land use development projects, criteria air emissions from mobile sources (primarily cars and trucks) typically represent the largest percentage of the air emissions inventory of such projects. Indirect air emissions created by burning fossil fuel to produce electricity consumed by a project and from combusting natural gas consumed by a project (e.g. for space heating) are generally lesser emissions volume sources. By eliminating 3,824,781 square feet of building development capacity and the associated substantial increase in traffic generation from such development, mobile source air emissions would substantially decline with this alternative. Similarly, area source and energy source related air emissions would decline substantially relative to the proposed project. In addition, the potential for exposure of sensitive receptors to elevated pollutant concentrations at newly congested intersections (intersections that operate below acceptable LOS standards) could be decreased, as impacts on the performance of the road network would be substantially reduced relative to the proposed project. By eliminating 427 acres from potential for development, this alternative avoids the potentially significant,

mitigatable impacts of the proposed project related to generation of particulate matter during construction within Target Areas N, K, F, and B and substantially lessens this impact. This impact would remain as associated with development of Target Areas L2 and V.

This alternative is superior to the proposed project from an air quality impact perspective.

Biological Resources

The proposed project has significant, but mitigatable impacts on biological resources including special-status plants and wildlife within multiple Target Areas, on wetlands within Target Area V, and natural communities within Target Area V. This alternative would eliminate urban development on 427 acres of primarily agricultural land within Target Areas N, K, F, and B. Though agricultural land typically is not considered valuable habitat for most special status species, it nevertheless would have higher habitat value than land that is converted to urban use. This alternative would avoid significant, but mitigatable impacts on special-status plants and wildlife with potential to occur within these Target Areas and would substantially lessen the overall project impact. This alternative would not avoid or substantially lessen significant, but mitigatable impacts on special-status species that may occur within Target Areas L2 or V, or substantially lessen significant, but mitigatable impacts on wetlands or natural communities with potential to occur only within Target Area V.

The GSA MOU Consistency Alternative is superior to the proposed project for its ability to substantially lessen significant biological resources impacts.

Climate Change

The proposed project has a significant, unavoidable impact on climate change. Like criteria air emissions as described above, GHG emissions volumes from mobile sources (primarily cars and trucks) typically represent the largest percentage of the GHG inventory of land development projects. Indirect GHG emissions created by burning fossil fuel to produce electricity consumed by a project and from combusting natural gas consumed by a project (e.g. for space heating) are generally lesser GHG emissions volume sources. Therefore, projects that generate fewer vehicle trips can generally be assumed to generate fewer GHG emissions than projects with higher vehicle trip volumes. With approximately 73 percent less building development capacity, this alternative would result in a substantial reduction in vehicle trip generation and a substantial reduction in mobile source GHG emissions relative to the proposed project. Similarly, it would result in a substantial reduction in area source and energy source GHG emissions relative to the proposed project. Thus, this alternative would substantially lessen the significant unavoidable impact of the proposed project on climate change.

Due to the uncertainty about whether future development within Target Areas L2 and V will exceed thresholds of significance applicable to it at the time development is proposed and/or whether significant impacts can be reduced to less than significant, it is conservatively assumed that this impact would remain significant and unavoidable for this alternative.

Nevertheless, this alternative is considered to be superior to the proposed project for its ability to substantially lessen the significant unavoidable project impact on climate change.

Cultural Resources

The proposed project would have significant but mitigatable cultural resources impacts, and significant but mitigatable impacts on paleontological resources. With a 77 percent reduction in land area that would be converted to urban use relative to the proposed project, the potential for this alternative to impact historical and/or unique archaeological resources and paleontological resources within Target Areas F, B, N, and K, if present, would be avoided. Potentially significant, but mitigatable impacts from development of Target Areas L2 and V would remain with this alternative. This alternative would substantially lessen impacts of the proposed project on these resources.

This alternative is considered to be superior to the proposed project for its ability to substantially lessen impacts on cultural resources and paleontological resources.

Geology and Soils

As described in Section 3.7, Geology and Soils, the California Supreme Court recently held in the 2015 “California Building Industrial Association (CBIA)” case that agencies subject to CEQA generally are not required to analyze the impact of existing environmental conditions on a project’s future users or residents. Prior to the CBIA case, CEQA analyses of potential geology and soils impacts of a project typically focused on existing geologic hazards that have potential to cause risk to public health and safety. Subsequent to this case, exposure to existing geologic hazards conditions is generally not considered under CEQA unless a proposed project has potential to exacerbate existing geologic hazards conditions and increase risks to structures and public safety. While Section 3.7 includes these analyses, they are included only for informational purposes and the information is to be considered outside the purview of CEQA. As described in Section 4.0, Cumulative Impacts, development within the Target Areas is not expected to exacerbate existing geologic hazards conditions.

With a 77 percent reduction in land area that would be converted to urban use relative to the proposed project, this alternative would substantially lessen potential risks associated with exposure of structures and people to existing geologic hazards. This alternative is considered to be superior to the proposed project from a geology and soils effects perspective.

Hazards and Hazardous Materials

The hazards and hazardous materials effects of the proposed project include potentially significant, but mitigatable impacts from exposure to agricultural chemical residues in soils and exposure to aerially deposited lead in soils located adjacent to U.S. Highway 101. This GSA MOU Consistency Alternative would substantially lessen these impacts by avoiding disturbance of 427 acres of land within Target Areas F, B, N, and K that is largely in agricultural use and all of the land within these Target Areas that is located adjacent to U.S. Highway 101. The significant, but mitigatable impacts would remain as associated with proposed development within Target Areas L2 and V. This alternative is considered to be superior to the proposed project for its ability to substantially lessen potentially significant project impacts to public health and safety from exposure to hazards and hazardous materials.

Hydrology and Water Quality

The hydrology and water quality impacts of the proposed project are less than significant. Because it would result in conversion of 427 fewer acres of agricultural land to urban use, the GSA MOU Consistency Alternative would reduce the hydrology and water quality effects of the proposed project. Less-than-significant impacts associated with development of Target Areas L2 and V would remain. This alternative is considered to be superior to the proposed project from a water quality perspective for its ability to reduce potential for adverse water quality effects.

Land Use and Planning

The GSA MOU Consistency Alternative is designed to avoid all conflicts with the GSA MOU. It was crafted in based on input from the Monterey County Resource Management Agency. This alternative would eliminate the inconsistencies of the proposed project with the GSA MOU and through so doing, substantially lessen a range of environmental impacts of the proposed project. LAFCO approvals to amend the City's SOI and to allow annexation of Target Area L2

Noise

Proposed project impacts from exposure of development within specific Target Areas to traffic noise is significant, but mitigatable; impacts from generation of traffic noise and its effects on sensitive receptors are significant and unavoidable; and impacts of exposure of people and structures to groundborne vibration is significant, but mitigatable. The GSA MOU Consistency Alternative would substantially lessen these impacts of the proposed project. With elimination of Target Areas N, K, F, and B, potential for development within these Target Areas to be exposed to elevated traffic noise levels would be avoided, but potentially significant impacts would remain for Target Areas L2 and V. Generation of traffic noise would be substantially reduced due to a substantial reduction in traffic generation, but this impact is conservatively assumed to remain significant and unavoidable as associated with effects of noise generated by traffic from development within Target Areas L2 and V. Impacts associated with groundborne vibration would also remain as associated with development of these two Target Areas. This alternative is considered to be superior for its ability to substantially lessen significant noise and vibration impacts.

Police and Fire Services

The proposed project was found to have unknown impacts from construction of fire service facilities and no impact from construction of police facilities. Demand for fire and police services would substantially decline under the GSA MOU Consistency Alternative due to a 73 percent reduction in development capacity potential and the related potential need for new fire and/or police services facilities to serve the proposed project would decline. Like the proposed project, this alternative would also have unknown impacts and no impacts from construction of fire and police facilities, respectively. This alternative is equivalent to the proposed project regarding police and fire facility impacts.

Population and Housing

Like the proposed project, the GSA MOU Consistency Alternative includes no new residential development capacity and as such, would have no direct effects related to housing development or population. Effects of this alternative are equivalent to those of the proposed project.

Transportation

The proposed project has unavoidable impacts on County and Caltrans road segments. While myriad variables affect the analysis of transportation impacts of new development, at the most general, land use plan level of analysis, traffic generation can be used as a proxy for comparing the relative potential impacts of land use plan options. The higher the vehicle trip volumes generated by an option, the greater the potential that operational performance of circulation facilities and networks could be impacted by the traffic volume increase.

This alternative would result in 73 percent less building development capacity than the proposed project. The proposed project would generate approximately 82,922 daily vehicle trips. The volume of traffic generated by this alternative would decline by roughly 60,500 trips per day with the reduction in building development capacity. Circulation impacts would be more limited in geographic scope and traffic would be generated from only two, rather than six Target Areas. Until such time as traffic impact analyses are prepared for future development within Target Areas L2 and V, it would be speculative to conclude that this alternative avoids all of the significant mitigatable and/or significant and unavoidable traffic impacts of the proposed project. Therefore, it is conservatively assumed that this alternative would also result in significant and unavoidable impacts on County and/or Caltrans road segments, but that impacts on City facilities and Caltrans U.S. Highway 101 facilities can be mitigated through payment of traffic fees through the City's TFO program and TAMC Regional Fee program, respectively. Nevertheless, it is highly likely that this alternative will avoid and/or substantially many of the significant, but mitigatable, and the significant and unavoidable impacts of the proposed project. This alternative is superior to the proposed project from a traffic and circulation impact perspective.

Wastewater

Impacts of the proposed project regarding wastewater are less than significant. The GSA MOU Consistency Alternative would result in a substantial reduction in wastewater generation relative to the proposed project. As described in Section 3.13, Wastewater, no need to construct new wastewater conveyance or treatment facilities is expected due to the proposed project itself. This would also be the case for the GSA MOU Consistency Alternative. This alternative is equivalent to the proposed project from a wastewater effects perspective.

Water Supply

The proposed project has a net beneficial impact on the impacted Salinas Groundwater Basin by increasing water in storage. This results from conversion of agricultural land with its more intensive water demand requirements to urban uses with lower water demand requirements. The GSA MOU Consistency Alternative would result in substantially reduced net demand for groundwater relative to the proposed project given its substantially reduced development capacity. As a result, this alternative would result in less "groundwater beneficial" conversion of agricultural land to urban use. Therefore, the net beneficial effect of this alternative would be

substantially lower than for the proposed project, but would remain beneficial. The GSA MOU Consistency Alternative is equivalent to the proposed project given its beneficial impact on groundwater overdraft. (DEIR pp. 6-31 through 6-37)

2. Feasibility of Alternative 3

With the implementation of Alternative 3, the 558 acres of gross land demand within the Target Areas assumed for the proposed project would be reduced by 427 acres, or about 77 percent. The total building capacity of 5,255,959 square feet within the Target Areas would be reduced by 3,824,781 square feet, or about 73 percent, with a correspondingly similar substantial percentage decrease in employment generation potential. Further, the diversity of employment opportunities would be substantially limited, as only Retail employment growth opportunity would remain; new employment potential in the industrial and business park sectors would be eliminated. A total of 427 acres that is largely in agricultural use would be retained in that use rather than converted to urban uses.

Although the GSA MOU Consistency Alternative is the environmentally superior alternative, it would not attain the proposed project objective of providing new land capacity to meet the City's projected long-term demand for new employment generation needed through General Plan buildout. Only 23 percent of the required land capacity for this purpose is included in this alternative. This alternative may not attain the objective of reducing land costs as it may not provide sufficient land supply to reduce land costs. Further, this alternative does not attain the objective of improving economic diversification because it provides only for additional retail development capacity. Other project objectives would generally be attained. (DEIR, p. 6-37)

The City Council finds Alternative 3 to be infeasible for the above stated reasons, and rejects it as a viable alternative to the Project and Alternative 4

E. Alternative 4: Target Area V Alternative

1. Analysis of Alternative 4's Ability to Reduce Significant Unavoidable Project Impacts

The net development capacity of 810,448 square feet of building capacity included in Target Area V for the proposed project would be retained as would the total of 115 acres included in the Target Area. The Mixed-Use land use designation permits a mix of retail, office, and/or residential use. It is assumed for purposes of this alternative that Target Area V would be developed with a sufficient mix and intensity of retail and professional/office uses such that the employment generating capacity of Target Area V assumed for the proposed project would also be retained. To maximize the potential to meet employment generation needs, it is also assumed that this alternative does not include residential uses. The general impacts of the Target Area V Alternative relative to the proposed project are summarized below.

Aesthetics

The proposed project results in significant unavoidable impacts associated with development of Target Areas B and K. The Target Area V Alternative not avoid or substantially reduce these

impacts as neither pertain to Target Area V. Relocation of a portion of the Target Area would not result in new significant impacts. This alternative is equivalent to the proposed project from an aesthetics perspective. The scale of development is assumed to be similar to that of the proposed project.

Agricultural Resources

This alternative would convert a similar number of acres of agricultural land to urban use as would the proposed project, and its impact would remain significant and unavoidable. The proposed project conflict with Williamson Act contracted land would be substantially lessened, as the relocation of a portion of Target Area V would eliminate a conflict with a parcel of land under Williamson Act contract. A conflict with development of Target Area B would remain, so this impact of this alternative would remain significant, but mitigatable. The significant, but mitigatable impact of the proposed project regarding facilitating conversion of agricultural land to non-agricultural use would remain with this alternative. This alternative is superior to the proposed project for its ability to substantially lessen a significant impact associated with conflict with Williamson Act zoning.

Air Quality

The proposed project has significant, but mitigatable impacts related to generation of particulate matter during construction. Other air quality effects are less than significant or the project has no impact. This Target Area V Alternative does not reduce the land area that would be graded during construction as this alternative simply relocates an equivalent acreage of developable land. This alternative would not avoid or substantially lessen this impact of the proposed project.

For land use development projects, criteria air emissions from mobile sources (primarily cars and trucks) typically represent the largest percentage of the air emissions inventory of such projects. Indirect air emissions created by burning fossil fuel to produce electricity consumed by a project and from combusting natural gas consumed by a project (e.g. for space heating) are generally lesser emissions volume sources. Therefore, projects that generate fewer vehicle trips can generally be assumed to generate fewer air emissions than projects with higher vehicle trip volumes. As described in the Transportation section below, the Target Area V Alternative has potential to incrementally reduce daily vehicle trips associated with the proposed project due to the higher internal trip capture exhibited by mixed use projects than by more uniform development types (e.g., commercial centers). Consequently, this alternative also could result in a minor reduction in criteria air emissions volumes relative to the proposed project. This alternative is equivalent to the proposed project from an air quality impact perspective as it would not avoid or substantially lessen significant air quality impacts of the proposed project.

Biological Resources

The proposed project has significant, but mitigatable impacts on biological resources including special-status plants and wildlife within multiple Target Areas, on wetlands within Target Area V, and natural communities within Target Area V. This alternative relocates an approximately 79-acre portion of Target Area V that is mapped in Figure 12 in the DEIR as being within freshwater emergent wetland to a location along Laurel Drive that is substantially outside of this

protected habitat type. Based on the general biological resources reconnaissance and research conducted for the proposed project, freshwater emergent wetland may only occur within proposed Target Area V. Therefore, this alternative substantially lessens the impact of the proposed project on freshwater emergent wetland. Other biological resources impacts of the proposed project would not be avoided or substantially lessened with this alternative and would remain significant, but mitigatable. This alternative is superior to the proposed project for its ability to substantially lessen impacts on protected wetland habitat.

Climate Change

The proposed project has a significant, unavoidable impact on climate change. Like criteria air emissions as described above, GHG emissions volumes from mobile sources (primarily cars and trucks) typically represent the largest percentage of the GHG inventory of land use projects. Indirect GHG emissions created by burning fossil fuel to produce electricity consumed by a project and from combusting natural gas consumed by a project (e.g. for space heating) are generally lesser GHG emissions volume sources. Therefore, projects that generate fewer vehicle trips can generally be assumed to generate fewer GHG emissions than projects with higher vehicle trip volumes. As described in the Transportation section below, total trip volume from this alternative is assumed to be incrementally lower than that of the proposed project. While the Target Area V alternative may result in a small reduction in mobile source GHG emissions relative to the proposed project, it is likely to generate similar volumes of indirect GHG emissions from electricity and natural gas consumption demand and to generate a similar overall volume of GHG emissions. Therefore, the impact of this alternative on climate change would remain significant and unavoidable and its climate change impacts would be equivalent to the proposed project

Cultural Resources

The proposed project would have significant, but mitigatable cultural resources impacts. There are no historical resources or unique archaeological resources, or known paleontological resources recorded within Target Area V or within the alternative Target Area V development footprint. However, it is possible that such resources exist within the alternative footprint area. Therefore, this alternative would not avoid or substantially lessen the significant, but mitigatable impacts of the proposed project. This alternative is equivalent to the proposed project from a cultural resources and paleontological resource impact perspective.

Geology and Soils

As described in Section 3.7, Geology and Soils, the California Supreme Court recently held in the 2015 “California Building Industrial Association (CBIA)” case that agencies subject to CEQA generally are not required to analyze the impact of existing environmental conditions on a project’s future users or residents. Prior to the CBIA case, CEQA analyses of potential geology and soils impacts of a project typically focused on existing geologic hazards that have potential to cause risk to public health and safety. Subsequent to this case, exposure to existing geologic hazards conditions is generally not considered under CEQA unless a proposed project has potential to exacerbate existing geologic hazards conditions and increase risks to structures and public safety. While Section 3.7 includes these analyses, they are included only for informational

purposes and the information is to be considered outside the purview of CEQA. As described in Section 4.0, Cumulative Impacts, development within the Target Areas is not expected to exacerbate existing geologic hazards conditions.

This alternative would not substantially lessen potential risks associated with exposure of structures and people to existing geologic hazards. This alternative is considered to be equivalent to the proposed project from a geology and soils effects perspective.

Hazards and Hazardous Materials

The hazards and hazardous materials effects of the proposed project are either less than significant or potentially significant, but mitigatable. This alternative would not avoid or substantially lessen the potentially significant, but mitigatable impact of the proposed project regarding risks to public health from exposure to residual agricultural chemical in soils; much of the alternative Target Area footprint has historically been in agricultural use. The risk for exposure during construction in this area would remain potentially significant, but mitigatable. This alternative lessens the potentially significant, but mitigatable impact from risk of exposure to aurally deposited lead because the alternative Target Area footprint is located approximately 3,500 feet from U.S Highway 101 where no related risk would occur. However, this risk would remain within the remainder of the Target Areas such that the impact remains potentially significant, but mitigatable. This alternative is superior to the proposed project from a hazards and hazardous materials perspective for its ability to lessen the aurally deposited lead impact.

Hydrology and Water Quality

The hydrology and water quality impacts, including flood hazard impacts, of the proposed project are less than significant. Target Area V is located within a flood hazard zone and a regulatory floodway. Flood hazard impacts of the proposed project associated with Target Area V are reduced to less than significant through required compliance of future development with the City's flood management regulations. However, this alternative relocates a portion of the Target Area V footprint to a location that is largely outside of both the flood hazard zone and the regulatory floodway. The new location was selected based on information contained in a study entitled Carr Lake Floodplain Modification Analysis (RBF Consulting 2007). That analysis included investigation into options for flood and floodplain management within Carr Lake. Figure 26, Carr Lake Flood Study, shows areas within Carr Lake that are above the 100-year flood elevation (as well as the regulatory floodway) and areas that could be raised above that elevation as part of a conceptual design approach for flood hazard management. The alternative development footprint contains about 38.8 acres that are both above the flood elevation and outside of the regulatory floodway, and 40.5 acres that could be raised above the flood elevation.

This alternative does not avoid or substantially lessen a significant impact. However, by relocating a significant portion of the future development capacity within Target Area V to a location that is partially outside of a flood hazard zone and regulatory floodway, this alternative reduces exposure of future development within Target Area V to flood hazards and better complies with the City's flood management regulations. For this reason, this alternative is considered to be superior to the proposed project from a hydrology and water quality perspective.

Land Use and Planning

This alternative affects the only Target Area within the city limits. As such, its development is not addressed in the GSA MOU, and does not give rise to inconsistencies with the GSA MOU.

Noise

Proposed project impacts from exposure of development within specific Target Areas to traffic noise is significant, but mitigatable; impacts from generation of traffic noise and its effects on sensitive receptors are significant and unavoidable; and impacts of exposure of people and structures to groundborne vibration is significant, but mitigatable. The Target Area V Alternative would retain the development capacity for this Target Areas as included in the proposed project. Traffic volumes and traffic noise levels from this alternative would be similar to the proposed project such that significant and unavoidable traffic noise impacts of the proposed project would not be avoided or substantially lessened; the significant and unavoidable impact would remain. Without site specific information, it would be speculative to assume that significant, but mitigatable impacts from exposure of outdoor areas within retail uses in the alternative Target Area V location would be avoided or substantially lessened; it is assumed this impact remains potentially significant, but mitigatable. The alternative Target Area V location is not adjacent to developed land uses. Therefore, the impact of this alternative from exposing people or structures to groundborne vibration would be lessened relative to the proposed project, but not substantially. This alternative is equivalent to the proposed project from a noise impact perspective.

Population and Housing

Like the proposed project, this alternative includes no new residential development capacity and as such, would have no direct effects related to housing development or population. Effects of this alternative are equivalent to those of the proposed project.

Police and Fire Services

The proposed project was found to have no impact from construction of police facilities and unknown impacts from construction of fire service facilities. Demand for police services and fire services would be the same under this alternative as for the proposed project. This alternative is equivalent to the proposed project regarding police and fire facility impacts.

Transportation

The proposed project has unavoidable impacts on County and Caltrans road segments. Myriad variables affect the analysis of transportation impacts of new development. At the most general, land use plan level of analysis, traffic generation can be used as a proxy for comparing the relative potential circulation impacts of land use plan options. The higher the vehicle trip volumes generated by an option, the greater the potential that the operational performance of existing circulation facilities and networks could be adversely impacted by the traffic volume increase.

Mixed use projects have potential to generate fewer vehicle trips than projects containing uniform end use types (e.g., predominantly retail end uses). Mixing land use types within the same project enables users of one land use type to take advantage of the close proximity of other land use types to meet more of their daily functional needs within close proximity to their place of employment or home. In the case of the Target Area V Alternative, office use employees and/or visitors would be able to access land uses meeting a portion or perhaps most of their average daily functional needs (e.g., shops, grocery stores, restaurants, commercial services, etc.) within the same project site. Conversely, employees and customers of retail oriented type uses would have access to professional services as well as commercial services. This breadth of choice reduces the need for employees and visitors to make additional, independent vehicle trips to other destinations to meet their functional needs. In summary, mixed-use projects have higher rates of internal trip capture than do developments containing more uniform end use types.

Internal trip capture from mixed use project commonly ranges from about five to 15 percent. If an internal trip capture rate of 10 percent is applied to the 21,897 daily trip generation volume assigned to Target V in Table 8 of the TIA found in Appendix I of this EIR, this alternative would reduce trip generation by about 2,190 trips per day relative to the proposed project. While the shift in land use type from Retail to mixed use would likely reduce total trip volumes associated with this alternative, the reduction represents less than three percent of the proposed project daily trip volume. Therefore, this alternative is likely to have similar impacts as the proposed project – County and Caltrans facilities would be significantly and unavoidably impacted, but impacts on City facilities and Caltrans' U.S. Highway 101 segments would be less than significant with payment of impact fees per the City's TFO and TAMC's Regional Fee program, respectively. This alternative would not likely avoid or substantially lessen significant, but mitigatable, or significant and unavoidable impacts of the proposed project.

Given the above noted factors, this alternative and the proposed project are assumed to be equivalent relative to impacts on the performance of the affected road network.

Wastewater

Impacts of the proposed project regarding wastewater are less than significant. The Target Area V Alternative retains similar development capacity within the modified Target Area V as is included in the proposed project. No significant change in wastewater generation or treatment demand is anticipated such that this alternative would also have less-than-significant environmental impacts from the need to construct new wastewater treatment facilities.

This alternative and the proposed project are equivalent from this environmental impact perspective.

Water Supply

The proposed project has a net beneficial impact on the Salinas Groundwater Basin by increasing water in storage. This results from conversion of agricultural land with its more intensive water demand requirements to urban uses with lower water demand requirements. The Target Area V Alternative would not result in a net change in development capacity relative to the proposed project and would result in conversion of a similar acreage of agricultural land relative to the

proposed project. The impact of this alternative on the groundwater basin would also be beneficial.

This alternative is equivalent to the proposed project from a groundwater impact perspective. (DEIR pp. 6-38, 6-41 through 6-44, 6-47, and 6-48)

2. Feasibility of Alternative 4

Alternative 4 attains the project objectives of employment generation and diversification and does not conflict with ability to achieve project objectives. Alternative 4 is most consistent with City infill policies in that the change to Target Area V allows for a mix of uses, and with the relocation of the Target Area, has better access to transportation. Retaining Target Area N in its current location as part of Alternative 4 also supports the City policies of development that is compact, near the urban center, and located around transportation corridors for the reasons stated above under Alternative 2.

Mixed Use inherently promotes higher density and multiple uses in comparison to the Retail designation of the Project and Alternatives 2 and 3. Mixed Use projects have the potential to generate fewer vehicle trips than projects containing uniform use types such as retail (DEIR p. 6-47). This reduction in vehicle trips, can result in generally lesser greenhouse gas (GHG) and criteria air emissions from mobile sources. (DEIR, p. 6-41). In addition, Alternative 4 substantially lessens the significant impact of the proposed project from conflict with a Williamson Act contract; and it lessens biological resources, hazards and hazardous materials, hydrology and water quality and noise impacts of the proposed project. (DEIR pp. 6-37 to 6-38)

While Alternative 3 is the environmentally superior alternative, relative to Alternative 4, Alternative 3 would not achieve several project objectives such as providing new land capacity to meet the City's projected long-term demand for new employment generation and economic diversification.

The City Council finds Alternative 4 to be feasible for the above stated reasons, and accepts it as a viable alternative to the Project.

XI. STATEMENT OF OVERRIDING CONSIDERATIONS

As set forth in the preceding sections, the City of Salinas' approval of the Economic Development Element Project (Alternative 4) will result in significant adverse environmental effects that cannot be avoided even with the adoption of all feasible mitigation measures; yet the City Council has opted to approve a Project alternative – Alternative 4 – that would mitigate or substantially lessen some of the significant impacts associated with the Project as proposed in the Draft EIR. Even so, Alternative 4 has some of its own significant unavoidable effects. Despite the occurrence of these effects, however, the City Council, in accordance with CEQA Guidelines section 15093, chooses to approve the Project (Alternative 4) because, in the Council's view, the economic, social, and other benefits that the Project (Alternative 4) will produce will render the significant effects acceptable.

A. Significant and Unavoidable Impacts

As discussed in Section X.A.1, above, the Economic Development Element Project (Alternative 4) will result in the following potentially significant and unavoidable impacts, even with the implementation of all feasible mitigation measures:

- **Substantial Change in Visual Character.** Development of Target Areas B and K would result in the substantial change in visual character due to the conversion of agricultural land to urban use and loss of important existing views of valuable visual resources in the form of agricultural landscapes and potentially of more distant mountain views. (DEIR, pp. 6-1, 6-38)
- **Loss of Important Farmland.** The proposed Project would convert up to 502 acres of Important Farmland (Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) to non-agricultural use. (DEIR, pp. 6-1, 6-38)
- **Cumulatively Substantial Increase in GHG Emissions that Contribute to Climate Change.** While identified mitigation measures would result in reduced GHGs, individual projects may not achieve GHG reductions needed for their individual impacts to be less than significant such that the cumulative emissions from all such development would not meet the trajectory of reducing cumulative emissions to below the 2045 emissions reduction target. This is a significant and potentially unavoidable impact. (DEIR, pp. 3-134, 6-41 to 6-42)
- **Generate Substantial Traffic Noise.** Given the scope of the proposed Project and expected noise level increases resulting from project traffic, it may not be feasible to reduce substantial traffic noise increases generated by the proposed Project at all affected receptors. Measures available to reduce the project noise level increases may not be reasonable or feasible in all locations where noise reduction is needed. This impact is significant and unavoidable. (DEIR pp. 3-234,4-21 and 6-44)
- **Transportation Impacts:** The proposed Project could reduce the following County and Caltrans road segments to unacceptable levels of service:
 - Alisal Road between E. Alisal Street and Hartnell Road (County)
 - Crazy Horse Canyon Road south of U.S. Highway 101 (County)
 - Espinosa Road west of U.S. Highway 101 (Partial/Both)
 - Harris Road west of Abbott Street (County portion outside the city limits)
 - San Juan Grade Road between Hebert Road and Crazy Horse Canyon Road (County)
 - Castroville Road (SR 183) between Espinosa Road and SR 156 (Caltrans)
 - U.S. Highway 101 between John Street (SR 68) and Market Street (Caltrans)
 - U.S. Highway 101 between Main Street (SR 183) and Laurel Drive (Caltrans)
 - U.S. Highway 101 between Laurel Drive and Boronda Road (Caltrans)
 - U.S. Highway 101 between Market Street and Main Street (SR 183) (Caltrans)

The impacts listed above also represent cumulatively considerable (i.e., significant) and unavoidable impacts of the proposed project as discussed in Section 4.0, *Cumulative Impacts*, of the DEIR.

The visual resource impact is cumulatively considerable given the large number of acres of scenically valuable farmland that would be lost to urban use and the high frequency by which the perception of visual change will be noticeable (e.g., from U.S. Highway 101). The farmland impact is cumulatively considerable in light of other conversion of farmland occurring throughout the County. The greenhouse gas emissions impact is cumulatively considerable in the context of statewide and global conditions. The transportation impacts are cumulatively considerable because the impacts are identified in light of cumulative development within the counties of Monterey, Santa Cruz, and San Benito. (DEIR pp. 6-1 to 6-2, 6-44-6-45)

B. Overriding Considerations

In the City Council's judgment, the Project is acceptable because mitigation measures have been required in order to reduce these impacts to the extent feasible. The following statement identifies the specific reasons why, in the City Council's judgment, the benefits of the Project as approved (Alternative 4) outweigh its unavoidable significant effects. Any one of these reasons is sufficient to justify approval of the Project. Thus, even if a court were to conclude that not every reason is supported by substantial evidence, the City Council would stand by its determination that each individual reason is sufficient. The substantial evidence supporting the various benefits can be found in the preceding findings, which are incorporated by reference into this section (XI), and in the documents found in the Record of Proceedings, as defined in section V.

EDE strategies directly address the City's chronic high unemployment rate, high poverty rate, and low average median income compared to the County and State. The EDE recognizes that economic development is more than creating jobs and generating revenue. Economic development is the foundation of a community's prosperity. Prosperity comes from economic opportunity that promotes educational and employment opportunities that results in wages sufficient to support a high quality of life. Prosperity also comes from the generation of revenue and investment to improve infrastructure and provide public services that support a safe and healthy environment for residents.

The EDE, building off strategies in the 2002 Salinas General Plan, is a comprehensive, strategic planning document, that provides the vision, context, and focus for the community's economic development efforts. The EDE's goals, policies and implementation actions encourage a diverse economy that allows for the continued economic success of the community. As described in Chapter 2 of the EDE, the City's overarching economic development strategies for implementing the economic development vision include:

- executing development strategies and making land use and infrastructure investments that foster prosperity;
- creating living wage jobs that benefit local residents and businesses;

- facilitating workforce training and education to develop skills needed to meet the needs of existing and future employers; and
- enhancing the quality of life for residents through programs and resources that promote healthy living and well-being.

1. The project will substantially expand employment opportunities for local residents.

In 2016, the City's annual job growth rate of 1.4 percent trailed behind the state (1.9 percent) and other regional cities (Hollister, 2.4 percent and Watsonville, 1.8 percent). Historically, the City's chronically high unemployment rate has been 3.0 to 4.0 percent higher than Monterey County and up to 6.0 percent higher than the state unemployment rate (2002 -2012). This rate increases dramatically, by up to 12 percent with the seasonal nature of the agricultural industry, which employs 24 percent of the Salinas' employed population over age 16 years. (U.S. Bureau of Labor Statistics)

The EDE addresses job retention and expansion by focusing on retaining and expanding existing businesses, diversifying employment opportunities, creating higher paying year-round employment opportunities, attracting new industry and investment, and promoting innovation and entrepreneurship. The Project will deliver significant economic benefits to the City and its residents through the provision of additional land supply to support the creation of approximately 8,981 jobs. The projected 1,503 industrial and 3,490 office/business park jobs, based on the industry type, are expected to be year round higher paying jobs. (DEIR, p. 2-49, Table 10) There is the potential that the City's chronic high unemployment rate will decline, likely reducing related social problems.

The creation new jobs have a variety of other co-benefits that lead to improved quality of life. These benefits include enhancing overall economic activity in the City, which leads to increased revenue to fund and maintain city services and facilities such as public safety, parks, recreation centers and libraries and related programs that support a high quality of life. Benefits also include improving community health through crime reduction, improving economic productivity, decreasing traffic congestion and greenhouse gas emissions by reducing the number of residents that must travel out of the city to find employment.

2. The project will help attract economic investment.

Currently, Salinas lags behind the region in private economic investment. This lack of investment can be quantified in terms of the number of building permits pulled and the associated building valuation. For example, from November 2016 to 2017, 598 building permits with a building valuation of \$53,485,548 were pulled in Salinas. This is a fraction, 60 percent, of the private investment in the City of Monterey totaling a valuation of \$87,988,888 (513 permits). This is especially significant considering Salinas (157,218) has more than five times the population of the City of Monterey (28,454). (Jurisdictional permit history recorded by Trakit as of November 22, 2017)

The EDE addresses this imbalance through policies focused on attracting economic investment, by adding land supply to provide more revenue-generating opportunities, promoting the City's

positive attributes and amenities; changing negative perceptions of the City as an unsafe destination; creating attractive gateways to the City; targeting opportunities for new retail uses and creating place themed commercial/cultural districts; and attracting new retail development.

3. The project will help improve workforce development.

Lower education attainment levels in the City are correlated to its lower median household income level. The EDE addresses increasing economic opportunity and prosperity through the creation of opportunities for upward mobility. EDE education and workforce development policies focus on creating jobs that benefit the local workforce and on facilitating the ability of the local workforce to obtain the skills needed to meet job requirements of existing and future businesses. It is anticipated that a more skilled workforce would be able to secure higher paying jobs. The anticipated result would be a reduction in the City's high poverty rate of 20 percent, and an increase in the average median income of \$49,840, which is almost \$10,000 less than the County. (American Community Survey (ACS) 2015)

4. The project will help improve neighborhood and commercial areas.

Regarding existing neighborhoods, EDE policies focus on maintaining and enhancing the health of neighborhoods, as the City understands that doing so is an important factor in supporting economic development. Policies address creating incentives for investment in residential neighborhoods, improving the appearance of residential neighborhoods, and empowering citizens to take an active role in neighborhood revitalization. In terms of commercial areas, EDE policies address investment in disinvested commercial corridors and incentivize redevelopment of underperforming neighborhood shopping centers. As stated above, under Consideration 2, there currently is a lack of private investment in the City. It is anticipated that EDE policies will encourage private investment, and provide residents with increased income to improve their quality of life.

5. The project will help improve the quality of life for City residents.

The City is experiencing significant retail leakage to surrounding communities and the region resulting in the loss of sales tax revenue. The 2008 Buxton Retail Leakage and Surplus Analysis, estimated that as much as \$250 million in annual retail sales could be recaptured by the City through targeted retail development which offers goods and services now sought from businesses located outside the City. The City's total revenue per capita figures demonstrate the impacts of this leakage. In 2016, Salinas' total revenue per capita was \$752 dollars compared to Monterey at \$2,224 dollars per capita. (California Controller, 2016)

The EDE contains new policies and actions to capture this retail leakage to increase the City's resources to provide the necessary services to enhance residents' quality of life. The EDE addresses the notion that cities need revenue from economic development to improve the quality of life of residents through the provision of government services.

Quality of life is also an important factor in the ability of the City to attract and retain businesses. EDE policies address improving community safety, narrowing social and

economic disparities in the community, improving community access to open space and recreational opportunities, improving community health and reducing health inequities through access to healthy food, recreational amenities, and the adequate provision of emergency services.

If currently unemployed residents become employed and increase their earnings either through new businesses resulting from infill, or Target Area development, it is expected that their income level and standard of living will improve.

6. The project will revitalize the local infrastructure.

EDE circulation and infrastructure policies and associated implementation actions promote investment in infrastructure systems including water supply, wastewater and storm drainage conveyance and disposal facilities that are critical to support the desired job-generating economic development.

C. Conclusion

As explained above, the City Council has balanced these benefits and considerations against the significant unavoidable environmental effects of the Project and has concluded that the impacts are outweighed by these benefits, among others. After balancing environmental costs against Project benefits, the City Council has concluded that the benefits the City of Salinas community and economy will derive from the Project outweigh the risks. The City Council believes the Project benefits outlined above override the significant and unavoidable environmental costs associated with the Project.

References

Monterey County Local Agency Formation Commission Policies and Procedures. 2013. Available at: <http://www.monterey.lafco.ca.gov/Updates/2016/June%202016/Policies%20and%20Procedures%20-%20Adopted%20%20022513.pdf>. Accessed November 2, 2017.

Attachment

Impacts, Mitigation Measures and CEQA Findings Summary Table