

CITY OF SALINAS
Community Development Department
65 West Alisal Street, Salinas, CA 93901

(MITIGATED) NEGATIVE DECLARATION

The project described below has been reviewed in accordance with the California Environmental Quality Act (CEQA) and has been determined to have an insignificant effect upon the environment.

Project's Common Name: Carr Lake Restoration and Park Development
File No.(s): General Plan Amendment 2020-001, Rezone 2020-001, and Site Plan Review 2020-006
Project Applicant: Big Sur Land Trust
Project Location: 618 Sherwood Drive (APN: 003-212-016-000, 003-212-007-000, 003-212-015-000, 003-821-033-000, 261-191-001-000, and 261-191-007-000)

Project Description: The Big Sur Land Trust is proposing to establish and construct a new park and recreational facility located on 73 acres at 618 Sherwood Drive in the Agricultural – Flood Overlay (A-F) Zoning District. The proposed project consists of three (3) separate applications:

1. General Plan Amendment 2020-001 (GPA 2020-001); Request to amend the General Plan Land Use and Circulation Policy Map by modifying the Bernal Street and Kern Street future extensions;
2. Rezone 2020-001 (RZ 2020-001); Request to rezone six (6) parcels consisting of 73 acres from "Agricultural – Flood Overlay (A-F)" to "Parks – Flood Overlay (P-F)"; and
3. Site Plan Review 2020-006 (SPR 2020-006); Request to construct a new park and recreational facility.

Determination: The attached Initial Study has been prepared for the above project in accordance with the California Environmental Quality Act and procedures established in the *CEQA Guidelines* adopted by the City of Salinas. On the basis of the Initial Study, the City of Salinas makes the following determination:

- ☐ The above project will not have a significant effect on the environment, and a NEGATIVE DECLARATION is hereby approved.
- ☒ The above project could have a significant effect on the environment, but WILL NOT have a significant effect in this case because the attached mitigation measures have been made by or agreed to by the applicant which will avoid the effects or mitigate the effects to a point where clearly no significant effects will occur. Furthermore, there is no substantial evidence before the City of Salinas that the proposed project, as revised, may have a significant effect on the environment. A (MITIGATED) NEGATIVE DECLARATION is hereby approved.

Mitigation measures, if any, included in the project to avoid potentially significant effects: (See attached Mitigation Monitoring and Reporting Program). Further information about this project and about its probable environmental impact will be on file in the Community Development Department, 65 West Alisal Street, Salinas, CA 93901.

COURTNEY GROSSMAN
Planning Manager

By: 
Thomas Wiles
Senior Planner
Date: May 28, 2021

Attach: Mitigation Monitoring and Reporting Program
I:\ComDev\Planning Share Space\Carr Lake - Big Sur Land Trust Applications\ER 2020-013\ER 2020-013 Mitigated Negative Declaration.doc

Exhibit 1

CARR LAKE RESTORATION AND PARK PROJECT
REVISED MITIGATION MONITORING AND REPORTING PROGRAM DATED AUGUST 11, 2021
(Changes in Underline format)
618 SHERWOOD DRIVE
(GENERAL PLAN AMENDMENT 2020-001 AND REZONE 2020-001)

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
AES-1 Aesthetics	A photometric lighting plan shall be submitted for review and approval to the Community Development Department demonstrating compliance with City Standards with regards to light and glare.	Minimize light impacts to adjacent properties.	Applicant, or Successor in Interest.	Community Development Department – Current Planning Division.	Prior to issuance of a building permit.
AG-1 Agricultural Resources	A Notice of Right to Farm Agreement shall be recorded on the project site. Recordation of the Notice of Right to Farm Agreement shall be coordinated with the Public Works Department (200 Lincoln Avenue, 831-758-7241).	Minimize impacts to adjacent agricultural uses.	Applicant, or Successor in Interest.	Public Works Department – Community Development Department.	<u>Prior to issuance of a building or grading permit.</u>
AG-2 <u>Agricultural Resources</u>	<u>A Long-Term Adaptive Management Plan for the park and restoration area shall be submitted for review and approval to the Community Development Department. The plan shall include vegetation management, insect and pest control, weed control, and sediment removal. The plan shall also identify proposed funding sources and anticipated annual budget for proposed management activities.</u>	<u>Minimize impacts to adjacent agricultural uses.</u>	<u>Applicant, or Successor in Interest.</u>	<u>Community Development Department – Current Planning Division.</u>	<u>Prior to issuance of a building or grading permit.</u>
AG-3 <u>Agricultural Resources</u>	<u>A Fencing Management Plan shall be submitted for review and approval to the Community Development Department. The plan shall identify the location and design of fencing appropriate for placement within a floodway. The plan shall also identify the type and location of temporary wildlife exclusion fencing that is located along perimeters of the project site that abuts farmland during the dry season when active farming is occurring, as needed.</u>	<u>Minimize impacts to adjacent agricultural uses.</u>	<u>Applicant, or Successor in Interest.</u>	<u>Community Development Department – Current Planning Division.</u>	<u>Prior to issuance of a building or grading permit.</u>
AQ-1 Air Quality	During construction, the applicant or successor in interest shall: a) Limit grading to 8.1 acres per day, and limit grading and excavation to 2.2 acres per day. b) Provide watering trucks on site to maintain adequate soil moisture during grading and water graded/excavated areas at least twice daily, thus minimizing dust generation. In addition,	Minimize air quality impacts.	Applicant, or Successor in Interest.	Community Development Department – Permit Services Division.	During construction phase.

	the water trucks shall be used to wash down trucks and tractors, including earth loads, prior to entering public roadways. c) Prohibit all grading activities during periods of high wind. d) Maintain a minimum of two feet for freeboard for all haul trucks. e) Cover all trucks hauling dirt, sand, or loose materials. f) Cover inactive storage piles. g) Enforce a 15-mph speed limit for all unpaved surfaces when visible dust clouds are formed by vehicle movement. h) Place gravel base near site entrances to clean tires prior to entering public roadways.				
AQ-2 Air Quality	Consult with the Monterey Bay Air Resources District regarding the potential need for a diesel health risk assessment and shall mitigate diesel impacts to a less than significant level in accordance with the Air District requirements.	Minimize air quality impacts.	Applicant, or Successor in Interest.	Community Development Department – Permit Services Division.	During construction phase.
AQ-3 Air Quality	All applicable permits from the Monterey Bay Air Resources District shall be obtained for building demolition and construction.	Minimize air quality impacts.	Applicant, or Successor in Interest.	Community Development Department – Permit Services Division.	During construction phase.
BIO-1 Biological Resources	The following measures shall be implemented to protect adjacent retained herbaceous riparian/wetlands and downstream waters from inadvertent impacts during construction and to mitigate for impacts to on-site wetland and riparian resources temporarily impacted by the project. a. Prior to construction, obtain all necessary permits from regulating agencies, such as the US Army Corps of Engineers (USACE), California Department of Fish and Game (CDFW), Regional Water Quality Control Board (RWQCB), and City of Salinas; b. Install temporary construction fencing at the edge of the construction area to prevent inadvertent impacts to herbaceous riparian/wetlands located outside the project area. This fencing should remain in-place until all project construction is complete; c. Install erosion control measures/construction Best Management Practices (BMP's) during construction to prevent any inadvertent impacts to downstream sections of Gabilan Creek, Hospital Ditch, or nearby Natividad Creek. Such measures shall include use of silt fencing, straw wattles, and seeding/revegetation of disturbed area with	Minimize impacts on biological resources.	Applicant or successor in interest.	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Division	Prior to issuance of a building or grading permit or during construction, as applicable.

	a native erosion control seed mix prior to the onset of the winter rainy season; d. Implement features of the Restoration Plan that pertain to the restored creeks, including erosion control seeding, planting of native wetland species, and allowing recruitment of other native wetland and riparian plant species. Monitor plan implementation and success of revegetation for a five (5) year period after construction; e. Control occurrences of invasive, non-native plant species. Monitor removal and control measures for a five (5) year period after construction; f. All refueling, maintenance, and staging of equipment and vehicles will occur at least 100-feet from any riparian habitat or water body, unless protective spill measures are implemented; g. The number of access routes, number and size of staging areas, and the total area of the activity shall be limited to the minimum necessary to achieve the project goal. These areas shall be outside of the riparian/wetland areas; h. To control erosion during and after project implementation, the Applicant or successor-in-interest shall implement BMP's, as may be identified by the RWQCB; and i. Restore areas of temporary impacts with an appropriate assemblage of native riparian, wetland, and upland vegetation suitable for the areas of temporary impacts.				
BIO-2 Biological Resources	To avoid impacts to migratory birds and raptors that may be present in the project area, it is preferable that ground disturbance (including stripping, vegetation removal, grading, and excavation) shall be scheduled for the period of September 1 to February 1 of any given year. If project activities during the nesting season (February 1 through September 1) of protected raptors and other avian species are unavoidable and are scheduled during the nesting season, a focused survey for active nests of such birds shall be conducted by qualified biologist within three (3) days prior to the beginning of project activities. Surveys shall be conducted in all suitable habitat located at project work sites, in staging, storage and soil stockpile areas, and along transportation routes. The minimum survey radii surrounding the work area shall be the following: i) 250 feet for passerines; ii) 500	Minimize impacts to biological resources.	Applicant or successor in interest.	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Division.	Prior to construction.

	feet for other small raptor such as accipiter's; and iii) 1,000 feet for larger raptors such as buteos. Surveys shall be conducted at the appropriate times of day, and during appropriate nesting times and shall concentrate on areas of suitable habitat. If a lapse in project activities of seven (7) days or longer occurs, another focused nesting bird survey will be required before project activities can be reinitiated. If nesting birds are identified during pre-construction surveys, an appropriate buffer shall be imposed within which no construction activities or disturbance will take place (generally 300 feet in all directions). A qualified biologist shall be on-site during work re-initiation in the vicinity of the nest offset to ensure that the buffer is adequate and that the nest is not stressed or abandoned to comply with the Fish and Game Code (FGC) of California and the federal Migratory Bird Treaty Act (MBTA) of 1918. No work shall proceed in the vicinity of an active nest until such time as all young are fledged, as determined by the qualified biologist, or until after September 1 (when young are assumed fledged).				
BIO-3 Biological Resources	The following measures shall be implemented to avoid, minimize and mitigate for impacts to special status wildlife species during project construction: - Prior to construction, obtain all necessary permits and authorizations from CDFW, Service and NMFS. - Implement all avoidance, minimization and mitigation measures as outlined by regulating agencies; - The following measures shall be implemented to avoid, minimize and mitigate potential impacts to listed California red-legged frog and California tiger-salamander (listed species): - At least 30 days prior to the onset of activities, the Applicant or Project Proponent shall submit the name(s) and credentials of qualified biologists to the United States Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW). The Applicant or Project Proponent shall submit the name(s) and credentials of the biologists who would conduct activities specified in the following measures. No project activities shall begin until proponents have received written approval from the USFWS and CDFW that the biologist(s) is qualified	Minimize biological resource Impacts.	Applicant or successor in interest.	Community Development Department – Current Planning Division and Public Works Department – Development Engineering Division.	Prior to and during construction phase, as applicable.

	to conduct the work. 2.A USFWS and CDFW-approved biologist shall survey the work site no more than 48-hours before the onset of activities. If species are found, the approved biologist shall relocate the animals to any area of suitable habitat either upstream or downstream and well away from the project work area. Only USFWS and CDFW-approved biologists shall participate in activities associated with the capture, handling, and moving of listed species. 3.Before any activities begin on a project, a USFWS and CDFW-approved biologist shall conduct a training session for all construction personnel. At a minimum, the training shall include a description of listed species and its habitat, the importance of the species and its habitat, general measures that are being implemented to conserve the species as they relate to the project, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session, provided that a qualified person is on hand to answer any questions. 4.A USFWS and CDFW-approved biologist shall be present at the work site until such time as all removal of the listed species, instruction of workers, and habitat disturbance have been completed. After this time, the contractor or permittee shall designate a person to monitor on-site compliance with all minimization measures. The USFWS and CDFW-approved biologist shall ensure that this individual receives training outlined in above No. 3 of Mitigation Measure BIO-3 and in the identification of California red-legged frogs and California tiger salamander. The monitor and the USFWS and CDFW-approved biologist shall have the authority to halt any action that might result in impacts that exceed the levels anticipated by the United States Army Corps of Engineers (USACE) and USFWS during review of the proposed action. If work is stopped, the USACE and USFWS shall be notified immediately by the USFWS and				
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	CDFW-approved biologist or on-site biological monitor. 5. During project activities, all trash that may attract predators shall be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas. 6. All refueling, maintenance, and staging of equipment and vehicles shall occur at least 20 meters from any riparian habitat or water body. The permittee shall ensure contamination of habitat does not occur during such operations. Prior to the onset of work, the permittee shall prepare a plan to allow a prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur. 7. A USFWS and CDFW-approved biologist shall ensure that the spread or introduction of invasive exotic plant species shall be avoided to the maximum extent possible. When practicable, invasive exotic plants in the project areas shall be removed. 8. Project sites shall be revegetated with an appropriate assemblage of native riparian, wetland, and upland vegetation suitable for the area. A species list and restoration and monitoring plan shall be included with the project proposal for review and approval by the USFWS and USACE. Such a plan must include, but not be limited to, location of the restoration, species to be used, restoration techniques, time of the year the work will be done, identifiable success criteria for completion, and remedial actions if the success criteria are not achieved. 9. The number of access routes, number and size of staging areas, and the total area of the activity shall be limited to the minimum necessary to achieve the project goal. Routes and boundaries shall be clearly demarcated, and these areas shall be outside of riparian and wetland areas. 10. Work activities shall occur during periods specified by above listed permitting agencies.				
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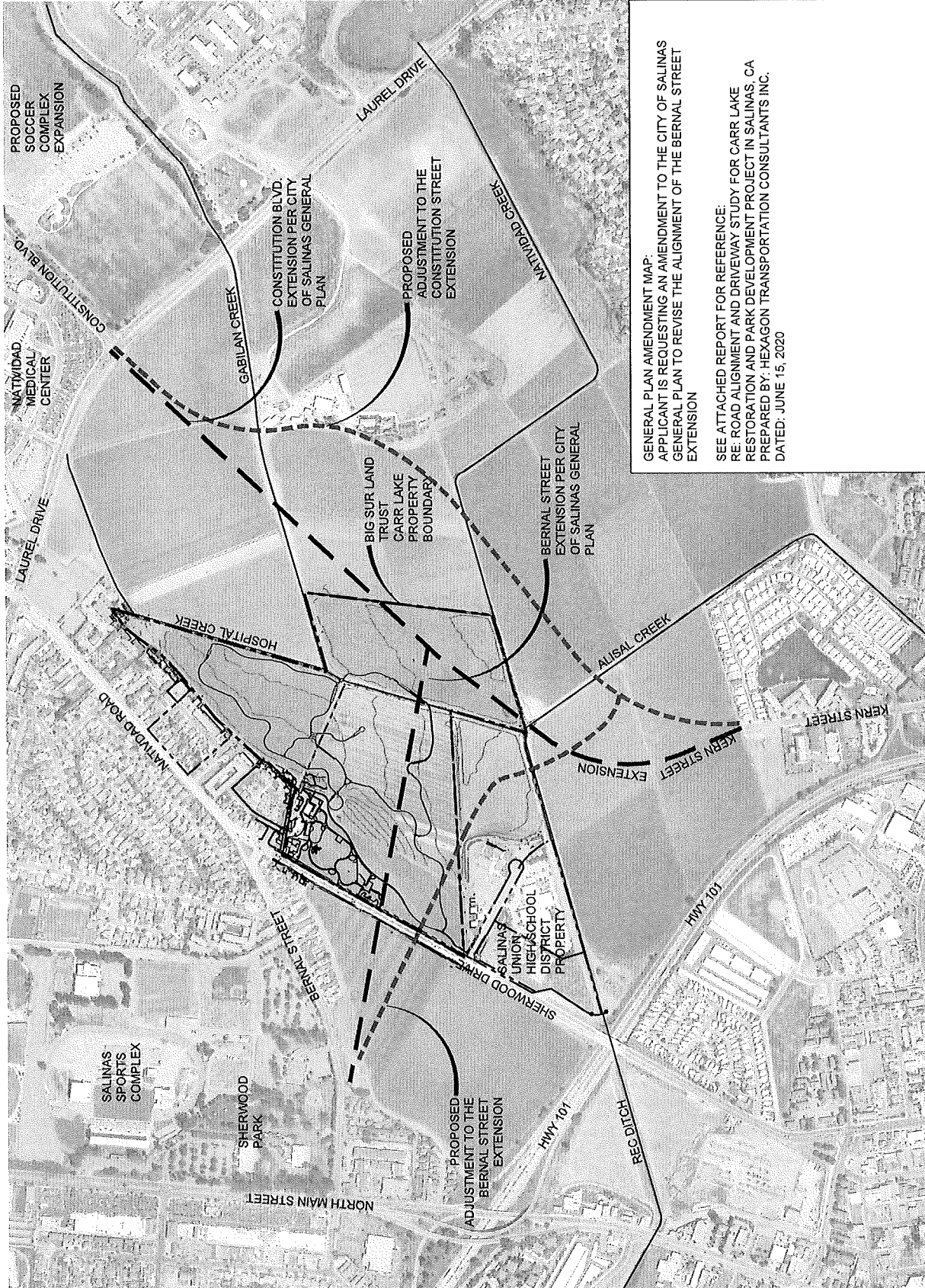
	11.To control erosion during and after project implementation, the Applicant shall implement best management practices, as may be identified by RWQCB. 12.Where the work site is to be temporarily dewatered by pumping, intakes shall be completely screened with wire mesh not larger than five (5) millimeters (mm) to prevent the listed species from entering the pump system. Water shall be released or pumped downstream at an appropriate rate to maintain downstream flows during construction. Upon completion of construction activities, any barriers to flow shall be removed in a manner that would allow flow to resume with the least disturbance to the substrate. d. The following measures shall be implemented to avoid and minimize potential impacts to steelhead and chinook salmon (listed species): 1.During construction, a USFWS or National Marine Fisheries Service (NMFS)-approved biologist shall remove from within the project area, any individuals of exotic species, such as bullfrogs, crayfish, and centrarchid fishes that are encountered. 2.A dewatering structure shall be installed and water will be directed away from the instream work area through a minimum 10-inch diameter pipe. Water will be diverted downstream into a reach of creek below the work area. The project's engineering plans will identify the diversion structure, cross-section diagram, diversion pipe location, and dewatering plan details. 3.Dewatering activities may require the temporary relocation of fish and larval or neotonic salamanders. In case any fish are found on the project site, the following measures will be implemented to minimize potential fish mortality during relocation activities: a. Block nets will be placed at the upper and lower extent of the diversions to ensure that salmonids upstream and downstream do not enter the areas proposed for dewatering. Keep the intake/inlet screened for the duration of construction to prevent fish passage into the diversion pipe.				
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	b. If electrofishing techniques are utilized during fish relocation activities, activities will comply with NMFS' Backpack Electrofishing Guidelines (June 2000) available at http://www.fwspubs.org/doi/suppl/10.3996/112016-JFWM-083/suppl_file/fwma-08-01-30_reference+s02.pdf. c. Field supervisors and crew members must have appropriate training and experience with electrofishing techniques. Training for field supervisors can be acquired from programs such as those offered from the U.S. Fish and Wildlife Service – National Conservation Training Center (Principles and Techniques of Electrofishing course). d. A crew leader having at least 100 hours of electrofishing experience in the field using similar equipment must train the crew. The crew leader's experience must be documented and available for confirmation; such documentation may be in the form of a logbook. e. Electrofishing may not be performed if water temperatures exceed 18-Celsius, or could reasonably be expected to rise above this temperature during the activities. f. At least one (1) assistant shall aid the biologist during the electrofishing by netting stunned fish and other aquatic vertebrates. g. Each electrofishing session must start with all equipment settings (voltage, pulse width, and pulse rate) set to the minimums needed to capture fish. These setting should be gradually increased only to the point where fish are immobilized and captured, and not allowed to exceed the specified maxima: Voltage = 100V (Initial) – 400V (Max); Pulse width = 500 mS (Initial) – 5 mS (Max); Pulse rate = 30 Hz (Initial) – 70 Hz (Max). h. A minimum of three (3) passes with the electrofisher will be utilized to ensure maximum capture probability of salmonids within the area proposed for dewatering, unless the number of fish captured in the second pass is less than 10-percent of the first pass. In that case, two (2) passes are adequate. If				
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	fish are present on any pass, a minimum of 20 minutes will separate the beginning of each pass through the project reach to allow time for fish that are not captured to become susceptible to the electrofishing again. i. All captured fish will be held in water with temperatures not greater than ambient in-stream temperatures. If cooling is used, water temperatures will be maintained not more than three (3) degrees Celsius less than ambient in-stream temperatures. All captured fish will be held in well-oxygenated water, with a dissolved oxygen level of not less than seven (7) parts per million. j. Prior to release, the following information shall be recorded: 1) list fish species, 2) visual determination of age, 3) describe injuries and fatalities by age class, 4) document successfully relocated fish by age class for each relocation site, and 5) document date and time of release of fish to each relocation site. k. Fish shall be subject to the minimum handling and holding times required. All captured fish will be allowed to recover from electrofishing and other capture gear before being returned to the stream. All captured fish will be processed and released prior to any subsequent electrofishing pass or netting effort. l. All captured fish will be released in the best available habitat in closest proximity to the work area, preferably upstream of the block nets to facilitate redistribution into dewatered areas following construction activities.				
CU-1 Cultural Resources and TCR-1 Tribal and Cultural Resources	In the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated and mitigation measures put in place for the disposition and protection of any find pursuant to Public Resources Code Section 21083.2.	Ensure protection of on-site cultural resources.	Applicant, or Successor in Interest.	Public Works Department and Community Development Department.	During construction phase.
CU-2 Cultural Resources and TCR-2 Tribal and Cultural Resources	A qualified archaeologist and a representative from an applicable Tribal Cultural Nation shall monitor initial ground-disturbing activities associated with project elements located in the traditional park area (the historic lake shoreline) in a manner outlined in the Archaeology Monitoring Plan to be developed prior to construction. The cost of	Ensure protection of on-site cultural resources.	Applicant, or Successor in Interest.	Public Works Department and Community Development Department.	During construction phase.

	all related monitoring shall be covered by the Applicant or successor-in-interest.				
TR-1 Transportation	The proposed project is required to install a raised median on Sherwood Drive as shown in the "Road Alignment and Driveway Study for Carr Lake Restoration and Park Development in Salinas, CA" (Road Alignment Study) from Hexagon Transportations Consultants Incorporated dated September 11, 2020. The project includes two new driveways onto Sherwood Drive which could create substantial hazards. The project is required to install a raised median, otherwise the impact would be significant and unavoidable. To maintain consistency with the existing General Plan, no structures can be built within the proposed alternative alignment of Bernal Road Extension, as shown in the Road Alignment Study. To maintain consistency with the existing General Plan and to allow for the analysis of whether future development of the Bernal Road Extension is needed a "No-Build Agreement" shall be recorded on the project site which will prohibit the construction of permanent structures or facilities (e.g., structures or parking lots) within the area of the proposed alternative alignment. The "No-Build Agreement" will be entered into by the City and the Applicant, or its successor in interest, prior to the issuance of grading or building permit from the City.	Minimize transportation impacts.	Applicant, or Successor in Interest.	Public Works Department and Community Development Department.	During construction phase.

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GENERAL PLAN AMENDMENT MAP:
APPLICANT IS REQUESTING AN AMENDMENT TO THE CITY OF SALINAS
GENERAL PLAN TO REVISE THE ALIGNMENT OF THE BERNAL STREET
EXTENSION
SEE ATTACHED REPORT FOR REFERENCE:
RE: ROAD ALIGNMENT AND DRIVEWAY STUDY FOR CARR LAKE
RESTORATION AND PARK DEVELOPMENT PROJECT IN SALINAS, CA
PREPARED BY: HEXAGON TRANSPORTATION CONSULTANTS INC.
DATED: JUNE 15, 2020

