

**ADDENDUM TO THE
ENVIRONMENTAL IMPACT REPORT**

**for
SEASIDE RESORT
UP-01-20 MODIFICATIONS**

Prepared for

**City of Seaside
Seaside, California 93955**

November 19, 2014

Prepared by

**Planning Division
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**ADDENDUM TO THE
ENVIRONMENTAL IMPACT REPORT
for
SEASIDE RESORT – UP-01-20 MODIFICATIONS**

1. Purpose

This Addendum is prepared to augment the previously adopted Seaside Resort Environmental Impact Report (EIR) that was certified by the City of Seaside on July 7, 2005 for the Seaside Resort. This certified EIR is hereinafter referred to as “the EIR.” This Addendum, together with the above-mentioned EIR, serve as the environmental review of the proposed project, known generally as the Seaside Resort, and more fully described below, as required pursuant to the provisions of the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 *et seq.* and the State and local CEQA Guidelines.

Pursuant to the provisions of CEQA and the State and local CEQA Guidelines, the City of Seaside is the Lead Agency and is charged with the responsibility of deciding whether or not to approve the proposed use permit UP-01-20 modifications. As part of the decision making process, the City is required to review and consider the potential environmental effects that could result from the modification of the project analyzed in the previously certified EIR.

2. The Previously Approved Project

The project site is on the former Fort Ord military base in the City of Seaside. Figure 1, Project Location, shows the project site location in relation to the City of Seaside and the Monterey Peninsula cities. The project site consists of three parcels designated as Timeshare Parcel A, Timeshare Parcel B, and Timeshare Parcel C, all of which are part of the approved but not yet constructed Seaside Resort. Surrounding the project site are the existing Blackhorse and Bayonet golf courses and the parcel intended for construction of a hotel. Figure 2, Project Site and Vicinity, shows the three timeshare parcels in relation to existing golf courses and planned hotel uses near the project site. There are several golf course maintenance buildings on the project site. Nearby buildings are associated with the Bayonet and Blackhorse Golf Course and clubhouse.

The Seaside Resort was approved by the City of Seaside City Council and Redevelopment Agency on July 7, 2005 by Resolution No. 05-044. The approvals included a vesting tentative map (TM-01-03), design review of the entire project (BAR-01-27), site plan review for the hotel (SPR-01-03), a use permit for on-sale alcoholic beverages (UP-04-22), a use permit for timeshares (UP-01-20), a use permit for residential uses (UP-01-21), and a conveyance agreement and disposition and development agreement between the former Redevelopment Agency of the City of Seaside and the developer (DA-01-01). The approvals authorized development of a 330 room hotel, 170 timeshare units (225 units if each lock-off portion is rented separately), and 125 single family residential lots.

3. The Previous EIR

The City previously certified the EIR for the Seaside Resort project on July 7, 2005. The EIR analyzed the potential environmental impacts of the Seaside Resort project. The draft EIR was circulated for public review from August 19, 2002 to October 2, 2002, and a revised draft EIR (Revised EIR), focusing on new information on traffic and water supply, was circulated from May 6, 2004 to June 7, 2004. The EIR determined that the Seaside Resort would not have the potential for creating a significant environmental effect on any environmental resource except with respect to aesthetics, air quality, biology, cultural resources, geology, hazards and hazardous materials, hydrology, land use planning, noise, police and fire services, transportation, wastewater, solid waste disposal capacity, and water supply. With respect to all of these potentially significant impacted areas and resources, the EIR identified feasible mitigation measures for each impact that reduce the level of impact to less than significant except for transportation impacts, as identified in the EIR. Mitigation measures were imposed to lessen the impacts of the project as described in the Mitigation Monitoring Program.

4. Actions Subsequent to the Adoption of the EIR

Subsequent to the certification of the EIR on July 7, 2005, and the approval of the Seaside Resort project, the City and the developer entered into an amended and restated disposition and development agreement, which was approved on February 5, 2014. The amended and restated disposition and development agreement adds provisions for the developer to pay off a Seaside Redevelopment Agency loan; extends project timelines; and allows for flexibility in the development of the timeshare parcels. The amended and restated disposition and development agreement allows the planned 330 room hotel to be constructed at 275 rooms, which could allow for additional development intensity on the timeshare parcels, although overall development would remain essentially the same. Seaside Resort Development LLC (the “Applicant”) has applied for a modification and revision to the Seaside Resort by way of an amendment to use permit UP-01-20, which was issued for the timeshare parcels.

5. Project Changes Addressed in this Addendum

The amendment to use permit UP-01-20 would modify the permit to align the allowed range of uses with those authorized by the amended and restated disposition and development agreement. Specifically, instead of only timeshare units on the three timeshare parcels, the developer would have the option of constructing hotel rooms, interval units, fractional units, residential units (which may or may not be subject to a formal condominium regime) or lots, other legal forms of ownership permitted by applicable law, or any combination thereof. The number of units could be fewer or more than 170, but must remain within substantial conformance with the environmental constraints described in the EIR and the water allocation for the Resort project previously approved by the Seaside City Council. Based on water supply constraints, the estimated maximum number of units within the timeshare parcels is 225. The proposed project does not include any changes to development standards on the timeshare parcels. Structures constructed under the proposed modifications to the conditional use permit would be physically similar to structures that would be constructed under the approved conditional use permit.

In response to the application, this Addendum to the EIR was prepared to consider the impacts associated with the modifications and changes to the Seaside Resort. This Addendum focuses on the changes between the project as previously evaluated and as approved, and the modifications that the Applicant is proposing and included in the amendment to conditional use permit UP-01-20.

6. Required Findings for Use of an Addendum

Section 15164 of the State CEQA Guidelines states that an Addendum to an earlier Mitigated Negative Declaration or EIR shall be prepared if some changes or additions are necessary to the previously adopted document, but none of the conditions described in Section 15162 calling for preparation of a subsequent Mitigated Negative Declaration or EIR have occurred. Section 15162 of the State CEQA Guidelines identifies the conditions that require preparation of a subsequent EIR. A proposed change in a project will require preparation of a subsequent environmental document if:

- A. *Substantial changes in the project are those that would require major revision of the previous environmental document due to the involvement of new significant environmental effects, or if a substantial increase in the severity of previously identified significant effects has occurred.*
- B. *Substantial changes in circumstances are those defined as those that would require major revisions of the previous environmental document in order to describe and analyze new significant environmental effects, or any changes that would cause a substantial increase in the severity of the previously identified significant effects.*
- C. *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:*

- (1) The project will have one or more significant effects not discussed in the previous environmental document;
- (2) The significant effects previously examined will be substantially more severe than identified in the previous environmental document;
- (3) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponent declines to adopt the mitigation measures or alternatives; or
- (4) Mitigation measures or alternatives that are considerably different from those analyzed in the previous environmental document would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measures or alternatives.

If none of the above conditions are met, the City may prepare an Addendum in order to make minor changes to the previously adopted Environmental Impact Report and to document the City's analysis as to why no further environmental review is required.

In performing the required analysis and determining that the criteria is met for use of an Addendum, this Addendum relies on use of a Modified Environmental Checklist Form, as suggested in Section 15063(d)(3) of the State CEQA Guidelines. Section 8 of this document contains the Modified Environmental Checklist Form and explains the basis for each response to the questions on that Form. This Addendum has evaluated the changes to the Seaside Resort project between the project as proposed under the previously-certified EIR in 2005 and the proposed Seaside Resort now presented, and measures the impacts of those changes against the checklist of questions presented in Section 8 of this document.

Based on this analysis and the information contained in this Addendum, there is no evidence that the proposed project requires major changes to the EIR. Comparison of the previous project with the proposed project, as described in Section 5 of this document, indicates that there are no new significant environmental impacts associated with implementation of the Seaside Resort. In addition, there is no substantial evidence that the circumstances under which the project is undertaken have substantially changed and there is no evidence of new or more severe environmental impacts arising out of the proposed changes to the Seaside Resort. There is also no evidence of new information which was not known and could not have been known at the time the EIR was certified.

7. Evaluation of Environmental Impacts

As indicated above, the Modified Environmental Checklist Form included in Section 8 of this Addendum was used to identify the potential environmental effects of the proposed project changes. Each project change was referenced against the standard environmental categories listed in Appendix G of the State CEQA Guidelines. In this case, the proposed project changes do not include any change to the development standards on the timeshare units, and the proposed modifications to the use permit UP-01-20 would result in structures physically similar to structures that would have been constructed under the approved timeshare use permit UP-01-20. Additionally, the proposed project would result in similar or fewer vehicular trips. Consequently, the changes lessen the potential impacts of the project, and do not create new or more severe impacts from the project.

8. Modified Environmental Checklist Form

This Checklist Form is used to compare the anticipated environmental effects of the project with those disclosed in the previous EIR and to review whether any of the conditions set forth in Section 15162 of the State CEQA Guidelines requiring preparation of a subsequent environmental document are met. The Form is used to review the potential environmental effects of the proposed project for each of the following areas:

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- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

There are six possible responses to each of the questions included on the Form:

- A. *This response is used when the project has changed to such an extent that major revisions of the previous EIR are required due to the involvement of new significant environmental effects or an increase in the severity of the previously identified significant effects.*
- B. *This response is used when the circumstances under which the project is undertaken have changed to such an extent that major revisions of the previous EIR are required because such changes would result in the project having new significant environmental effects or would substantially increase the severity of the previously identified significant effects.*
- C. *This response is used when new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted, shows that the project would have a new significant environmental effect or more severe significant effect than identified in the previous EIR.*
- D. *This response is used when new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was adopted, shows:*
 - (1) The significant environmental effects of the project could be substantially reduced through imposition of mitigation measures or alternatives that although previously found to be infeasible are in fact now feasible, but the project proponent declines to adopt them; or
 - (2) The significant environmental effects of the project could be substantially reduced through imposition of mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR, but the project proponent declines to adopt them.
- E. *This response is used when: (1) the potential impact of the project is determined to be below known or measurable thresholds of significance and would not require mitigation; or (2) there are no changes in the project or circumstances and no new information that would require the preparation of a new EIR and/or EIR pursuant to Public Resources Code Section 21166 and Section 15162 of the State CEQA Guidelines.*
- F. *This response is used when the proposed project does not have any measurable environmental impact.*

The Form, and accompanying evaluation of the responses, provide the information and analysis upon which the City of Seaside makes its determination that no subsequent environmental document is required for the Seaside Resort and proposed modifications to use permit UP-01-20.

Figure 1

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Figure 2

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Issues and Supporting Information Sources	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing New or Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce, but not Eliminate Significant Effects in Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
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I. AESTHETICS. Would the project:

a) Have a substantial adverse effect on a scenic vista? (6, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (6, 8, 10)	<input type="checkbox"/>	✓				
c) Substantially degrade the existing visual character or quality of the site and its surroundings? (6, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (6, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>

The City reviewed each of the aesthetics checklist questions in light of proposed modifications to use permit UP-01-20, as discussed below:

- The EIR indicates that the timeshare units would not significantly affect scenic vistas – only a few of the timeshare buildings would be visible to travelers on General Jim Moore Boulevard, and only briefly. The proposed project could result in more or fewer timeshare (or physically similar) buildings – the upper limit is 225 units. However, the buildings, even if there were more units, would be only briefly visible and have a less-than-significant impact on scenic vistas.
- The project site is not within a State scenic highway corridor.
- The EIR indicates that a few of the timeshare units might be briefly visible to travelers on General Jim Moore Boulevard, but would have a less-than-significant impact on visual character. The proposed project could result in more or fewer timeshare (or physically similar) buildings – the upper limit is 225 units. However, the buildings, even if there were more units, would be only briefly visible and have a less-than-significant impact on visual character.
- The EIR did not identify any impacts from light or glare. The proposed project would not result in significant new light or glare.

The EIR indicates that the Seaside Resort could result in visual impacts. The modification to use permit UP-01-20 could slightly alter the number of units within the three timeshare parcels, but buildings would be of similar character, and none would be taller or bulkier than those already approved. The potential impacts were considered in the EIR and nothing contained in the proposed changes to the Seaside Resort alters the type or degree of impact that the Seaside Resort will have on aesthetics. Therefore, the City finds:

- Substantial changes in the project and project circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects have not occurred;
- New information of substantial importance with respect to this environmental resource/impact resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified; and
- None of the proposed project changes would significantly affect this environmental resource.

II. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

Issues and Supporting Information Sources	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing New or Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce, but not Eliminate Significant Effects in Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (2, 6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (3, 6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
d) Result in the loss of forest land or conversion of forest land to non-forest use? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (1, 4, 5, 6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

The City reviewed each of the agricultural and forestry resources checklist questions in light of proposed modifications to use permit UP 01-20, as discussed below:

- a. The project site is within golf courses and is not classified as Prime Farmland.

- b. The project site is not under a Williamson Act contract.
- c. The project site is within golf courses, and is not classified as or zoned as forestland or timberland.
- d. There is no forest land on the project site.
- e. The project site was first developed with a golf course in the 1950s and has never been in agricultural use. The proposed project would not have direct or indirect adverse effects on farmland. There is no farmland within the City of Seaside

The EIR indicates that there are no agricultural or forestry resources on the project site. Based on the absence of these resources, the City finds:

- A. Substantial changes in the project and project circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects have not occurred;
- B. New information of substantial importance with respect to this environmental resource/impact resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified; and
- C. None of the proposed project changes would significantly affect this environmental resource.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

Issues and Supporting Information Sources	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing New or Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce, but not Eliminate Significant Effects in Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (1, 2, 6, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (6, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (6, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations? (6, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
e) Create objectionable odors affecting a substantial number of people? (6, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

The City reviewed each of the air quality checklist questions in light of proposed modifications to use permit UP 01-20, as discussed below:

- a. The EIR indicates that the overall Seaside Resort project was found to be consistent with the air quality plan in effect at the time. The Monterey Bay Unified Air Pollution Control District (Air District) adopted the 2012 Triennial Plan Update (Air Quality Plan) in April 2013. Because residential population has a direct causal relationship with air quality, population and housing forecasts adopted by the Association of Monterey Bay Area Governments are used to forecast population-related emissions, and these are used through the air quality attainment planning process, to develop basin-wide controls on stationary, area, and transportation sources of air pollution, to offset emission growth. If a proposed project's housing and population growth are consistent with the population forecasts, related emissions have been accounted for, and the project is considered consistent with the Air Quality Plan. Non-population inducing projects have no effect on population levels and are considered consistent with the Air Quality Plan. Therefore, the addition of hotel, interval, and related visitor-serving land uses to the conditional use permit for the timeshare parcels would not affect consistency with the Air Quality Plan. Furthermore, as discussed in Section 16 Transportation/Traffic, total daily trips would not increase, and could decrease, which could reduce associated air emissions.

The conditional use permit modification also allows residential uses to be constructed within the timeshare parcels. Water allocations limit residential development to 225 condominium units or 112 single family units (refer to Section 17, Utilities and Service Systems). Air pollutant emissions related to the structures themselves (construction emissions,

utility emissions, appliance emissions) would be roughly similar between the various uses within the timeshare parcels. The only significantly elastic air pollutant factor between visitor serving and residential uses, and the largest air emission contributing factor from any of those uses, is air emissions from vehicles. The 225 potential residential condominiums would equal the full lock-off count of timeshare units; however, air emissions from automobile trips would be less for the condominium units since the Institute of Transportation Engineers' trip generation rate for condominiums is less than the trip generation rate for timeshare units (refer to Section 16, Transportation/Traffic). The Institute of Transportation Engineers' trip generation rate for single family residential uses is about 25 percent higher than the timeshare rate, but the 112 potential single-family residences would result in reduced emissions because the count of single family residential units would be half that of the timeshare unit count. Therefore, if residential units are built within the timeshare parcels, air emissions will not increase, and the proposed project would remain consistent with the Air Quality Plan.

- b. The EIR only identified air emissions violations for the construction phase of the overall Seaside Resort project. The EIR determined that ongoing operational air emissions would be less than significant. The proposed project could increase or decrease the number of units, and would allow several alternative uses that are physically similar. As concluded in item "a" above, potential changes in use within the timeshare parcels would not result in any significant increases in air emissions, and could result in reduced air emissions. The proposed project is modification of an approved use permit, which could result in a maximum increase from 170 timeshare units to up to 225 timeshare, condominium or similar units, for a potential net increase of up to 55 units. The Air District's air emission impact threshold for condominium/townhouse projects is 1,195 units, so the maximum impact of the proposed project would fall well below the threshold.
- c. The Air District is in non-compliance for ozone and particulate matter (PM10). The ozone precursors of volatile organic compounds and nitrogen oxide are measured for contributions to ozone emissions. The EIR indicates that the overall Seaside Resort project would not exceed the Air District's emissions thresholds. As concluded in item "a" above, potential changes in use within the timeshare parcels would not result in any significant increases in air emissions, and could result in reduced air emissions. The proposed project's contribution to cumulative air emission would not be cumulatively considerable.
- d. Exposure of sensitive receptors to high pollutant concentrations is a concern for toxic air contaminants, in particular diesel particulate matter. Significant exposure occurs when a sensitive receptor is located close to a concentrated source. The project site is not located in an area of heavily congested traffic, or along a freeway with very high traffic volumes. Therefore, the proposed project would not be subjected to substantial pollutant concentrations.
- e. The proposed project does not have any attributes that would result in the emission of odors.

The EIR indicated that the Seaside Resort could have air quality effects during construction of the proposed project. Based on the modifications to use permit UP-01-20, no additional level of construction would occur, so no change in anticipated air emissions during construction would occur, and the City finds:

- A. Substantial changes in the project and project circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects have not occurred;
- B. New information of substantial importance with respect to this environmental resource/impact resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified; and
- C. None of the proposed project changes would significantly affect this environmental resource.

IV. BIOLOGICAL RESOURCES. Would the project:

Issues and Supporting Information Sources	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing New or Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce, but not Eliminate Significant Effects in Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (4, 5, 6, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (1, 3, 6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (1, 2, 4, 5, 6, 8)

The City reviewed each of the biological resources checklist questions in light of proposed modifications to use permit UP 01-20, as discussed below:

- a. The EIR indicates that the overall Seaside Resort project, as well as the timeshare component, could have significant effects on several special-status wildlife species, including Monterey dusky-footed woodrat (*Neotoma fuscipes luciana*), black legless lizard (*Anniella pulchra nigra*), and California horned lizard (*Phrynosoma coronatum frontale*). The EIR recommends mitigation measures to reduce impacts to these species to a less-than-significant level, and these mitigation measures have been incorporated into project approvals as conditions of approval. The Installation-Wide Fort Ord Multi Species Habitat Management Plan (HMP) (USACE 1997) identifies the project site as a development area with no restrictions. Nonetheless, developers of the project site are subject to HMP requirements relating to any special status species that might be encountered, for example, avoidance or relocation of special status plants.

The proposed project would permit several different types of similar development within the same general development area (the location of Timeshare Parcel C was previously shifted by the City, but to an area that has fewer biological resources). Wildlife habitat of marginal value would be removed when the timeshare or similar buildings are constructed; however, effects on wildlife would not be significantly altered as a result of the proposed project.

- b. The project site does not contain any riparian habitat or other sensitive natural community; therefore the proposed project would not impact any sensitive natural community.
- c. The project site does not contain federally protected wetlands or waterways; therefore no federally protected wetlands or waterways will be impacted by the proposed project. No impacts to wetland or waterway resources within the jurisdiction of the U.S. Army Corps of Engineers (USACE), the CDFW, or the Regional Water Quality Control Board (RWQCB) would occur.
- d. The EIR does not identify a wildlife movement corridor on the project site, and the proposed project is not expected to interfere with regional or local wildlife movement. The proposed project would not impede the use of any known native wildlife nursery site.
- e. The City of Seaside Tree Ordinance prohibits the removal of mature trees in the City without a permit. Any tree removed must be replaced with a species and at a location approved by the Board of Architectural Review (BAR) or other appropriate authority. Some oak trees would likely be removed during construction on the timeshare parcels regardless of the land use. The EIR recommends mitigation measures to reduce impacts to trees to a less-than-significant level, and these mitigation measures have been incorporated into project approvals as conditions of approval.
- f. Under the Fort Ord Base Reuse Plan, the Fort Ord Reuse Authority (FORA) is responsible for preparation and implementation of the HMP and a habitat conservation plan as part of the mitigation process for impacts on biological resources from implementing the Fort Ord Reuse Plan.

The HMP establishes habitat conservation areas and habitat corridors, and details land use categories and management requirements for the reuse of land on the former military base. The HMP identifies four general categories of parcel-specific land uses: habitat reserve, habitat corridor, development with reserve areas or restrictions, and development with no restrictions. The HMP identifies 18 special-status species (HMP management species). To minimize the impacts of developmental reuse on HMP management species, the HMP establishes approximately 16,000 acres of habitat reserves with approximately 400 acres of connecting habitat corridors. The HMP is a legally binding document, and all recipients of former Fort Ord lands are required to abide by its management requirements and procedures.

The Draft Installation-Wide Multi Species Habitat Conservation Plan (HCP) and subsequent Implementing Agreement based on the HMP are currently being finalized and if approved, will be signed by the USFWS and CDFW. After HCP adoption and implementation, the direct loss of covered biological resources due to habitat modification would be fully mitigated by measures approved in the HCP, including the preservation in perpetuity of special-status species and natural communities in designated open space areas on former Fort Ord.

The project site is located within an HMP area mapped as development (with no restrictions), and within a Draft HCP Designated Development Area. A portion of the FORA development impact fee is used to fund habitat management within the Habitat parcels on the former Fort Ord, Therefore, implementation of the proposed project would not conflict with either the HMP or Draft HCP.

The EIR indicated that the Seaside Resort could disturb habitat and potentially disturb protected species. Based on the modification to use permit UP-01-20 not altering development footprints or overall development density, the City finds:

- A. Substantial changes in the project and project circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects have not occurred;
- B. New information of substantial importance with respect to this environmental resource/impact resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified; and

None of the proposed project changes would significantly affect this environmental resource.

V. CULTURAL RESOURCES. Would the project:

Issues and Supporting Information Sources	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing New or Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce, but not Eliminate Significant Effects in Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (1, 2, 6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
d) Disturb any human remains, including those interred outside of formal cemeteries? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>

The City reviewed each of the cultural resources checklist questions in light of proposed modifications to use permit UP 01-20, as discussed below:

- a. The EIR did not identify historic resources on the project site.
- b. The EIR indicates that, although no known archaeological resources are located within the project site, there is the potential for disturbance of unknown archaeological resources during construction. The EIR presented mitigation measures to reduce the impact to unknown resources to a less-than-significant level, and these mitigation measures have been incorporated into project approvals as conditions of approval. The proposed project would not significantly change the potential for discovery of unknown archaeological resources.
- c. There are no known paleontological or geologic features on the project site.
- d. The EIR indicates that, although no known burial places are located within the project site, there is the potential for disturbance of unknown human remains during construction. The EIR presented mitigation measures to reduce the impact to unknown resources to a less-than-significant level, and these mitigation measures have been incorporated into project approvals as conditions of approval. The proposed project would not significantly change the potential for discovery of buried human remains.

The EIR found that the Seaside Resort could disturb unknown cultural resources. Based on the modifications to use permit UP-01-20 not altering development footprints or overall development density, the City finds:

- A. Substantial changes in the project and project circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects have not occurred;
- B. New information of substantial importance with respect to this environmental resource/impact resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified; and
- C. None of the proposed project changes would significantly affect this environmental resource.

VI. GEOLOGY AND SOILS. Would the project:

Issues and Supporting Information Sources	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing New or Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce, but not Eliminate Significant Effects in Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:						
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (1, 2, 6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
ii) Strong seismic ground shaking? (1, 2, 6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (1, 2, 6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
iv) Landslides? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? (6, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

The City reviewed each of the geology and soils checklist questions in light of proposed modifications to use permit UP 01-20, as discussed below:

- a. The EIR identified the potential for ground shaking and most other seismic effects as less than significant. There are no earthquake faults crossing the project site. However, some soils on the project site are sandy and lack cohesion, so could experience dynamic densification during an earthquake, potentially causing structural settlement and damage. The EIR presented mitigation measures to reduce the impact from dynamic densification to a less-than-significant level, and these mitigation measures have been incorporated into project approvals as conditions of approval. The proposed project would result in similar types of structures, on the same soil types, so no new or increased impact would occur.
- b. The EIR identified potentially significant short-term impacts from soil erosion during the grading phase. The EIR presented mitigation measures to reduce erosion impacts to a less-than-significant level, and these mitigation measures have been incorporated into project approvals as conditions of approval. The proposed project would result in similar types of structures in the same or similar locations, so no new or increased impact would occur.
- c. Except for the potential for dynamic densification, (discussed in item “a”), there is no indication that locations within the project site would experience significant soils failures.
- d. The EIR determined that the project site soils have a low expansion potential.
- e. The proposed project would connect to the existing sewer system; septic systems would not be used.

The EIR indicated that the Seaside Resort would be subjected to less-than-significant ground shaking from seismic events and that construction activities would result in short-term erosion. Based on the modifications to use permit UP-01-20 not changing seismic characteristics or general building locations or methods, the City finds:

- A. Substantial changes in the project and project circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects have not occurred;
- B. New information of substantial importance with respect to this environmental resource/impact resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified; and
- C. None of the proposed project changes would significantly affect this environmental resource.

VII. GREENHOUSE GAS EMISSIONS. Would the project:

Issues and Supporting Information Sources	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing New or Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce, but not Eliminate Significant Effects in Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (9, 10, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (1, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The City reviewed each of the greenhouse gas emissions checklist questions in light of proposed modifications to use permit UP 01-20, as discussed below:

- a. Greenhouse gas emissions were not addressed in the EIR because this was not a subject considered in CEQA documents at the time the EIR was prepared and certified. The Air District has not adopted greenhouse gas emissions guidance or thresholds, but rather, refers to the CEQA Air Quality Handbook from the adjacent San Luis Obispo County Air Pollution Control District. The proposed project is modification of an approved use permit, which could result in an increase from 170 timeshare units to up to 225 timeshare, condominium or similar units, for a potential net increase of up to 55 units, but a decrease from 255 to 225 if the approved timeshare lock-off units are rented individually. Based on the San Luis Obispo County thresholds, a condominium/townhouse project under 72 units is considered to have a less-than-significant impact on greenhouse gas emissions, so the change in the number of units would be below the threshold. Additionally, based on a comparison of vehicular trips generated, the proposed modifications to use permit UP-01-20 would result in similar or fewer trips, and therefore a reduction in mobile source greenhouse gas emissions. The proposed project would have a less-than-significant impact on greenhouse gas emissions.
- b. Assembly Bill 32 (AB32) established a requirement for preparation of a State greenhouse gas emissions reduction strategy known as the AB32 Scoping Plan. Based on the Scoping Plan, the Office of Planning and Research prepared CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act (CEQA) Review, which outlines the objectives of the AB 32 Scoping Plan and how they can be addressed in projects and analyzed in CEQA documents. The overall Seaside Resort project achieves reductions in greenhouse gas emissions by clustering development around the golf clubhouse and proposed hotel building; by providing access to pedestrian, bicycle, and public transit facilities; by utilizing energy efficient design measures and technology; and by preserving natural resources such as existing trees. Because the Seaside Resort project is implementing measures that will reduce greenhouse gas emissions, the Seaside Resort project would not conflict with the implementation of AB32. The proposed project would increase the variety of uses that could be developed within the timeshare parcels, but would not increase, and could potentially decrease, vehicular trips and their associated greenhouse gas emissions. Therefore, the proposed project would not conflict with the implementation of AB 32.

The EIR did not address greenhouse gas emissions because that was not a topic addressed by CEQA at the time the EIR was prepared. Therefore, the City screened the modifications to use permit UP-01-20 against appropriate greenhouse gas emissions thresholds and analysis of the Seaside Resort traffic generation (as the largest contributor to greenhouse gas emissions) to determine that there would be no significant impact on greenhouse gas emissions from the modifications. Based on this analysis, the City finds:

- A. Substantial changes in the project and project circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects have not occurred;
- B. New information of substantial importance with respect to this environmental resource/impact resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified; and
- C. None of the proposed project changes would significantly affect this environmental resource.

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

Issues and Supporting Information Sources	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing New or Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce, but not Eliminate Significant Effects in Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (6, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (4, 5, 6, 8, 10, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (1, 2, 6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? ((1, 2, 6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (6, 8)

The City reviewed each of the hazards and hazardous materials checklist questions in light of proposed modifications to use permit UP 01-20, as discussed below:

- a. The proposed project would not transport, use, or dispose of hazardous materials or result in hazardous emissions.
- b. The proposed project would not release hazardous materials into the environment.
- c. A portion of the project site (Timeshare Parcel C) is located within one-quarter of a mile of Fitch Middle School. However, the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste.
- d. The former Fort Ord is a federally-designated Superfund clean-up site with specific areas of concern within its boundaries. The EIR identified Site 33, located within Timeshare Parcel A, as a location that has significant soil contamination from pesticides used for golf course maintenance. The Army and Department of Toxic Substances Control have determined the appropriate cleanup methodology for continued golf course use and a land use covenant was recorded in 2004. For residential use (or for similar habitable uses), additional cleanup is required. The EIR presented a mitigation measure to reduce this impact to a less-than-significant level, and this mitigation measure has been incorporated into project approvals as a condition of approval. Cleanup of this site is expected to occur after the golf course maintenance facility is re-located. The proposed project would result in similar types of uses that would require the additional cleanup already prescribed, so no new or increased impact would occur.
- e. The project site is not within the airport land use plan for either the Monterey Peninsula or Marina airport.
- f. There are no landing strips in the vicinity of the project site.
- g. The project site is not located on an emergency access route. General Jim Moore Boulevard is an emergency access and evacuation route, but the proposed project would not interfere with its use as such.
- h. The project site is in an urban area and the EIR found no impact from wildlands fires.

The EIR indicated that Timeshare Parcel C includes a site that requires toxic soils cleanup and remediation prior to occupancy by the approved uses. Based on the modifications to use permit UP-01-20 no significantly different uses, that would require a greater level of soils remediation are proposed, and therefore, the City finds:

- A. Substantial changes in the project and project circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects have not occurred;
- B. New information of substantial importance with respect to this environmental resource/impact resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified; and

None of the proposed project changes would significantly affect this environmental resource.

IX. HYDROLOGY AND WATER QUALITY. Would the project:

Issues and Supporting Information Sources	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing New or Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce, but not Eliminate Significant Effects in Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Violate any water quality standards or waste discharge requirements? (6, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (4, 5, 6, 7, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
f) Otherwise substantially degrade water quality? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>

Seaside Resort – UP-01-20 Modifications

- | | | | | | | |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|---|
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (1, 2, 6, 8) | <input type="checkbox"/> | ✓ |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (6, 8, 10) | <input type="checkbox"/> | ✓ |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (1, 2, 6, 8) | <input type="checkbox"/> | ✓ |
| j) Inundation by seiche, tsunami, or mudflow? (1, 2, 6, 8) | <input type="checkbox"/> | ✓ |

The City reviewed each of the hydrology and water quality checklist questions in light of proposed modifications to use permit UP 01-20, as discussed below:

- a. The EIR indicates that the overall Seaside Resort project could have significant short-term (construction phase) and long-term (operations) impacts on surface water quality. The EIR presented mitigation measures to reduce these impacts to a less-than-significant level, and these mitigation measures have been incorporated into project approvals as conditions of approval. The proposed project would result in similar types of development in the same general locations, and no new or more extensive water quality impacts would result from the proposed project.
- b. The EIR indicates that the Seaside Resort would obtain water from the Marina Coast Water District, which extracts water from the lower Salinas Valley Groundwater Basin. Provision of water within the former Fort Ord is based on an allocation system that originated with an agreement between the U.S. Army and the Monterey County Water Resources Agency in conjunction with the closure of the former Fort Ord. The City of Seaside originally obtained an allocation of 710 acre-feet, later amended to 748 acre-feet, and the EIR and Revised EIR concluded that the overall Seaside resort project would have adequate water from this allocation without adversely affecting groundwater reserves.

The Salinas River Groundwater Basin has experienced overdraft, with records of overdraft dating back at least 60 years. A primary result of overdraft has been the introduction of seawater into groundwater aquifers. Seawater has intruded to within several miles of Salinas in some locations within the 180-foot deep groundwater aquifer. Groundwater pumping in coastal areas has mostly been discontinued, and the Monterey County Water Resources Agency has implemented several programs to stall further intrusion. However, the groundwater that would be used by the Seaside Resort is considered to be within the baseline withdrawals for the aquifer, since it is water use transferred from prior Army activities.

The proposed project would not increase water use (refer to Section 17. Utilities and Service Systems), and therefore, would not affect the groundwater basin water levels or reserved storage.

- c. The EIR determined that the overall Seaside Resort project would not affect drainage to the point of causing increased erosion. Water draining off the project’s impervious surfaces would drain to basins within the golf courses and percolate into the ground. The proposed project would not alter the overall project’s drainage characteristics, so no new or increased impact would occur.
- d. The EIR determined that the overall Seaside Resort project would not affect drainage to the point of causing downstream flooding. Water draining off the project’s impervious surfaces would drain to basins within the golf courses and percolate into the ground without causing flooding. The proposed project would not alter the overall project’s drainage characteristics, so no new or increased impact would occur.
- e. The EIR determined that the overall Seaside Resort project would be served by adequate storm water run-off conveyances within the proposed development area and storm water basins within the golf courses. The proposed project would not alter the overall project’s drainage characteristics, so no new or increased impact would occur.

- f. The EIR did not identify any other sources or types of water quality contamination, and the proposed project does not have any characteristics that would lead to other adverse effects on water quality.
- g- None of the timeshare parcels is within a 100-year flood zone, so no houses would be at risk of inundation.
- h. None of the timeshare parcels is within a 100-year flood zone, so flood flows would not be affected.
- i. The project site is not in a location that is at risk for flooding from a dam failure.
- j. The project site is not in a location that is subject to tsunami or siche.

The EIR indicated that the Seaside Resort would not have significant adverse effects on groundwater or on drainage and flooding, and that the site is not within a flood zone. Based on the modifications to use permit UP-01-20 not affecting the flooding status of the project site, and resulting in reduced water demand,, the City finds:

- A. Substantial changes in the project and project circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects have not occurred;
- B. New information of substantial importance with respect to this environmental resource/impact resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified; and
- C. None of the proposed project changes would significantly affect this environmental resource.

X. LAND USE AND PLANNING. Would the project:

Issues and Supporting Information Sources	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing New or Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce, but not Eliminate Significant Effects in Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Physically divide an established community? (6, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (1, 2, 3, 4, 5, 6, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (1, 2, 6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

The City reviewed each of the land use and planning checklist questions in light of proposed modifications to use permit UP 01-20, as discussed below:

- a. The proposed project would modify an existing conditional use permit to allow additional similar uses. The proposed project would not divide an established community.
- b. The additional uses proposed in the conditional use permit application are similar to those already approved, and are uses consistent with the General Plan and zoning for the project site. The Seaside Resort project was found consistent with the Fort Ord Reuse Plan, and the proposed project makes minor revisions to the allowed land uses on one portion of the overall Seaside Resort project site.
- c. Refer to the discussion of item “f” in Section 4, Biological Resources.

The EIR indicated that the Seaside Resort land uses were consistent with the Seaside General Plan and the Fort Ord Reuse Plan. Based on the modifications to use permit UP-01-20 not introducing significantly different land uses, the City finds:

- A. Substantial changes in the project and project circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects have not occurred;
- B. New information of substantial importance with respect to this environmental resource/impact resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified; and
- C. None of the proposed project changes would significantly affect this environmental resource.

XI. MINERAL RESOURCES. Would the project:

Issues and Supporting Information Sources	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing New or Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce, but not Eliminate Significant Effects in Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (1, 2, 4, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

The City reviewed each of the mineral resource checklist questions in light of proposed modifications to use permit UP 01-20, as discussed below:

- a. Construction aggregates (sand, gravel) are mined in Monterey County, but the project site has not been used for that purpose. The project site is not identified as a significant mineral resource.
- b. Neither the Fort Ord Reuse Plan nor the Seaside General Plan identifies mineral resources on the project site.

The EIR indicated that no significant mineral resources were located on the project site]. Based on the absence of these resources, the City finds:

- A. Substantial changes in the project and project circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects have not occurred;
- B. New information of substantial importance with respect to this environmental resource/impact resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified; and
- C. None of the proposed project changes would significantly affect this environmental resource.

XII. NOISE. Would the project result in:

Issues and Supporting Information Sources	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing New or Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce, but not Eliminate Significant Effects in Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (6, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

The City reviewed each of the noise checklist questions in light of proposed modifications to use permit UP 01-20, as discussed below:

- a. The EIR identified noise levels in excess of the City’s standards at two of the residential areas. No noise impacts were identified on the timeshare parcels. The proposed project would not increase traffic and traffic noise nor otherwise affect noise levels at the timeshare parcels or elsewhere.
- b. The EIR did not identify any sources of ground borne noise or vibration at or near the project site.

- c. The EIR did not identify any project-generated noise that would increase ambient noise levels. The most significant source of project-generated noise would be vehicle traffic. The proposed project would not increase trips and traffic noise would not result in significant noise level increases.
- d. The EIR states that construction of the Seaside Resort would result in short-term elevated noise levels, which could exceed City standards at the nearest sensitive noise receptors. The EIR presented mitigation measures to reduce this impact to a less-than-significant level, and these mitigation measures have been incorporated into project approvals as conditions of approval.
- e. The project site is not within the airport land use plan for either the Monterey Peninsula or Marina airport.
- f. There are no landing strips in the vicinity of the project site.

The EIR indicated that noise could affect two residential areas. Based on the modifications to use permit UP-01-20 not affecting the areas where noise issues were identified, the City finds:

- A. Substantial changes in the project and project circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects have not occurred;
- B. New information of substantial importance with respect to this environmental resource/impact resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified; and
- C. None of the proposed project changes would significantly affect this environmental resource.

XIII. POPULATION AND HOUSING. Would the project:

Issues and Supporting Information Sources	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing New or Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce, but not Eliminate Significant Effects in Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (6, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (6, 8, 9, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

The City reviewed each of the population and housing checklist questions in light of proposed modifications to use permit UP-01-20, as discussed below:

- a. The proposed project would allow up to 225 condominiums or 112 single-family residences, but these, if built, would be built in place of, or partially in place of, timeshare units on land already approved for timeshare use. The proposed project would not extend infrastructure not already approved, nor induce growth.
- b. The project site is not developed with any residences. No housing would be displaced.
- c. The project site is not occupied. No persons would be displaced.

The EIR indicated that the Seaside Resort would not result in population and housing impacts. Based on the modifications to use permit UP-01-20 not making significant changes to the land uses, the City finds:

- A. Substantial changes in the project and project circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects have not occurred;
- B. New information of substantial importance with respect to this environmental resource/impact resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified; and
- C. None of the proposed project changes would significantly affect this environmental resource.

XIV. PUBLIC SERVICES.

Issues and Supporting Information Sources	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing New or Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce, but not Eliminate Significant Effects in Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:						
Fire protection? (1, 2, 6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Police protection? (1, 2, 6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Schools? (1, 2, 6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Parks? (1, 2, 4, 5, 6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
Other public facilities? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

The City reviewed each of the public services checklist questions in light of proposed modifications to use permit UP 01-20, as discussed below:

- a. The EIR determined that an additional fire station, additional fire equipment, and more direct access from the City’s Broadway Avenue fire station would be required to mitigate significant impacts of the Seaside Resort project. The EIR also identified the need to provide adequate fire vehicle turn-arounds at the timeshare units. The EIR presented mitigation measures to reduce these impacts to a less-than-significant level, and these mitigation measures have been incorporated into project approvals as conditions of approval. The proposed project would allow additional, but similar, types of uses and would not significantly alter the demands for fire department services.
- b. The EIR determined that an expanded police station, police substation, additional police equipment, and more direct access between the developed portions of the City and the Fort Ord territory would be required to mitigate significant impacts of the Seaside Resort project. The EIR presented mitigation measures to reduce these impacts to a less-than-significant level, and these mitigation measures have been incorporated into project approvals as conditions of approval. The proposed project would allow additional, but similar, types of uses and would not significantly alter the demands for police department services.
- c. The EIR determined that the Monterey Peninsula Unified School District has adequate school facilities to serve the 125 residential units already approved at the Seaside Resort. The applicant will be required to pay State-mandated school

impact fees for the residential units within the proposed project, which would off-set the effects of any increased demand for schools. If additional residential units are constructed on the timeshare parcels, these development impact fees would provide mitigation for additional demands on schools.

- d. The EIR determined that the Seaside Resort project should pay fees to off-set increased demand for parkland and parkland required under the Fort Ord Reuse Plan. The EIR presented mitigation measures to reduce this impact to a less-than-significant level, and these mitigation measures have been incorporated into project approvals as conditions of approval. The proposed project would not significantly alter the demands for parkland and if there were any additional demands, those would be mitigated by the fees.
- e. The EIR did not identify any other public facilities impacts.

The EIR indicated that the Seaside Resort would require additional public services facilities, infrastructure improvements, and equipment. Based on the modifications to use permit UP-01-20 not resulting in any additional public services needs, the City finds:

- A. Substantial changes in the project and project circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects have not occurred;
- B. New information of substantial importance with respect to this environmental resource/impact resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified; and
- C. None of the proposed project changes would significantly affect this environmental resource.

XV. RECREATION Would the project:

Issues and Supporting Information Sources	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing New or Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce, but not Eliminate Significant Effects in Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (1, 2, 6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b) include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (1, 2, 6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>

The City reviewed each of the recreation checklist questions in light of proposed modifications to use permit UP 01-20, as discussed below:

- a. Refer to item “d” in Section 14 Public Services.
- b. Refer to item “d” in Section 14 Public Services.

The EIR indicated that the Seaside Resort would need to pay fees to off-set the cost of parkland called for in the Fort Ord Reuse Plan. Based on the modifications to use permit UP-01-20 not resulting in any parks demands out of proportion to the fees paid, the City finds:

- A. Substantial changes in the project and project circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects have not occurred;
- B. New information of substantial importance with respect to this environmental resource/impact resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified; and
- C. None of the proposed project changes would significantly affect this environmental resource.

XVI. TRANSPORTATION/TRAFFIC Would the project:

Issues and Supporting Information Sources	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing New or Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce, but not Eliminate Significant Effects in Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (1, 2, 6, 7, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? (1, 2, 6, 7, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
e) Result in inadequate emergency access? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (1, 2, 6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

The City reviewed each of the transportation/traffic checklist questions in light of proposed modifications to use permit UP 01-20, as discussed below:

- a. The Revised EIR identified significant and unavoidable traffic impacts at several intersections and on several highway segments. Analysis of potential development scenarios under the modified conditional use permit indicates that traffic volumes would not increase with the proposed project, and could decrease. Therefore, no increased congestion or new level of service impacts would occur.

The modification of the use permit would allow several types of development on the timeshare parcels along with or in place of timeshare units. The modified conditional use permit would also allow fewer or more than 170 timeshare units, as long as water demand is within substantial conformance with that projected by the EIR. Based on these allowed uses and the water use parameter, several scenarios were developed and analyzed for traffic generation. The following development scenarios were considered: 1) 225 condominium units; 2) 170 timeshare units and 55 condominiums; 3) 112 single-family residences; and 4) 68 hotel rooms and 153 timeshare units. The adjacent hotel could be built at either 275 or 330 rooms under any of these scenarios without affecting this traffic analysis, so traffic from the main hotel is not included in the analysis. Table 1, Representative Scenario Trip Generation Estimates, presents the projected traffic generation from these uses, compared to the traffic generation estimates in the Revised EIR.

Table 1 Representative Scenario Trip Generation Estimates

Scenario	Quantity/Use	Daily Trip Factor	Daily Trips	Total Daily Trips
EIR Baseline	255 timeshares	7.20 trips per unit	1,836	1,836
1)	225 condominiums	5.81 trips per unit	1,307	1,307
2)	173 timeshares 55 condominiums	7.20 trips per unit 5.81 trips per unit	1,246 320	1,566
3)	112 single family houses	9.52 trips per unit	1,066	1,066
4)	68 hotel rooms 153 timeshares	8.00 trips per unit 7.20 trips per unit	544 1,102	1,646

Source: City of Seaside, Institute of Transportation Engineers

Note: Timeshare and hotel trip generation rates are from Revised EIR; Other trip generation rates are from Institute of Traffic Engineers Trip Generation 9th Edition. For the EIR Baseline Scenario, the 255 timeshare units include all lock-off units as separate units to present a worst-case traffic generation scenario, consistent with the EIR. Scenario 2) assumes that 55 condominium units replace timeshare units, so that the timeshare unit count would be 170 – 55 (=115) plus lock off units at one-half lock-off per timeshare unit (115 x 1.5 = 173). Scenario 4) assumes that 68 hotel units (based on Amended and Restated Disposition and Development Agreement Stage Two hotel obligation) replace timeshare units, so that the timeshare count would be 170 - 68 (=102) plus lock off units at one-half lock-off per timeshare unit (102 x 1.5 = 153). All scenarios assume the same number of hotel rooms, which are not included in the table.

All four representative development scenarios reduce traffic compared to that projected for the timeshare parcels in the Revised EIR. The closest scenario (Scenario 4) would generate 10 percent fewer trips. Therefore, the proposed project would not result in new or increased traffic impacts, and may reduce the severity of some traffic impacts identified in the Revised EIR.

- b. The proposed project would contribute traffic to regionally-designated transportation arteries including State Route 1 and State Route 68. The proposed project would not increase traffic on these routes beyond what was analyzed in the EIR. Refer to item “a.”
- c. The proposed project would not affect air traffic patterns or air traffic levels.

- d. The proposed project does not involve project designs or modification to approved designs. The proposed project allows additional types of uses on the timeshare parcels.
- e. Adequate access to the project site would be provided through the main entry on McClure Way, and an emergency ingress/egress route from Monterey Road, which is a condition of project approval. The proposed project does not involve project designs or modification to approved designs. The proposed project allows additional types of uses on the timeshare parcels.
- f. The EIR determined that the overall Seaside Resort did not adequately meet all of the City's policy direction regarding alternative transportation modes (bicycle, pedestrian, transit). The EIR presented a mitigation measure to reduce this impact to a less-than-significant level, and this mitigation measure has been incorporated into project approvals as a condition of approval. The proposed project would not affect implementation of alternative transportation policies.

The EIR indicated that the Seaside Resort would result in significant traffic impacts on highway segments and at several intersections. Impacts would remain significant and unavoidable at some locations due to lack of funding for necessary improvements. Based on analysis that shows that the modifications to use permit UP-01-20 would reduce trip generation from the project site, the City finds:

- A. Substantial changes in the project and project circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects have not occurred;
- B. New information of substantial importance with respect to this environmental resource/impact resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified; and
- C. None of the proposed project changes would significantly affect this environmental resource.

XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:

Issues and Supporting Information Sources	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing New or Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce, but not Eliminate Significant Effects in Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (1, 2, 4, 5, 6, 7, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (6, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
g) Comply with federal, state, and local statutes and regulations related to solid waste? (1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

The City reviewed each of the utilities and service systems checklist questions in light of proposed modifications to use permit UP 01-20, as discussed below:

- a. The EIR found that wastewater would be adequately treated.

- b. The EIR found that the Monterey Regional Water Pollution Control Agency’s treatment plant had adequate capacity and the overall Seaside Resort project would have a less-than-significant impact on wastewater disposal. The EIR determined that one conveyance pipe would require capacity upgrades, and a mitigation measure was presented in the EIR and included as a condition of approval. The proposed project would not affect wastewater discharges. Wastewater discharges are proportional to water use, and water use would not exceed that projected in the EIR and Revised EIR. The EIR and the Revised EIR did not identify the need for expanded water supply treatment facilities.
- c. The EIR determined that the overall Seaside Resort project would have no impact on storm drainage. Refer to Hydrology and Water Quality, items “c,” “d,” and “e.”
- d. The EIR indicates that the Seaside Resort would obtain water from the Marina Coast Water District, which extracts water from the lower Salinas Valley Groundwater Basin. Provision of water within the former Fort Ord is based on an allocation system that originated with an agreement between the U.S. Army and the Monterey County Water Resources Agency in conjunction with the closure of the former Fort Ord. Fort Ord as a whole is allocated 6,600 acre-feet of water each year from the Salinas Valley Groundwater Basin. Note, however, that full buildout of the planned uses within the former Fort Ord does require additional water supplies.

The City of Seaside originally obtained an allocation of 710 acre-feet per year. The allocation was later increased to 748 acre-feet per year. The EIR water supply discussion was updated in the Revised EIR on the basis of two notable changes: the increased allocation, and the City’s allocation of water to the First Tee project. Since the EIR was certified, the First Tee project has been withdrawn, and that water became available to the City again. The EIR and the Revised EIR concluded that the overall Seaside resort project would have adequate water from this allocation. As described in the following paragraphs, the proposed project would not increase water use, and therefore, would not affect the groundwater basin reserves or require new water entitlements.

Based on review of data from the Fort Ord Reuse Authority, Monterey Peninsula Water Management District, and Marina Coast Water District, the EIR identifies published hotel room water consumption factors that vary from 0.15 to 0.25 acre-feet per year. The EIR based its projection of project water use on a water consumption factor of 0.21 acre-feet per year for each hotel room, which is slightly above the average and likely selected to provide a slightly conservative estimate. The EIR used a water demand factor of 0.20 acre-feet per year for each timeshare unit. The water consumption factors are exclusive of landscape irrigation, which is separately accounted for in the EIR.

The modification of the use permit would allow several types of development on the timeshare parcels along with or in place of timeshare units. The modified conditional use permit would also allow fewer or more than 170 units. Applicable to any changes in land use related to the modified conditional use permit is a requirement that water demand remain within substantial conformance with that projected by the EIR; i.e. no greater than the 103.3 acre-feet per year for combined hotel and timeshare buildings (the two uses are combined because some of the hotel rooms could be built within the timeshare parcels). Landscape water demand is not expected to change because the development footprint is remaining the same. Based on these allowed uses, and keeping total hotel/timeshare development at 500 units (consistent with the approved plans, but not a requirement of the conditional use permit), several scenarios were developed and analyzed for water demand. The following development scenarios were considered: 1) 275 hotel rooms/225 condominium units; 2) 275 hotel rooms/170 timeshare units/55 condominiums; 3) 275 hotel rooms/112 single-family residences; and 4) 279 hotel rooms in the main hotel/68 hotel rooms on timeshare parcels/153 timeshare units. Table 2, Representative Scenario Water Use Estimates, presents the projected water use from these development scenarios, compared to the projected water use estimates in the EIR. A reduction in hotel rooms from 330 to 275, as allowed by the Disposition and Development Agreement is necessary in order to keep two of the scenarios within the total timeshare/hotel water use projections from the EIR.

Since certification of the EIR, significant new water conservation efforts have been promulgated at the state level, and water use is declining. The California Green Building Standards Code, which became effective in 2011, establishes maximum fixture flow rates that are expected to reduce water consumption in new buildings by about 20 percent. The water use factors used in projecting water demand for the development scenarios were based on factors in the Marina Coast Water District’s 2010 Urban Water Management Plan. Comparison of the 2010 Urban Water Management Plan demand factors to the demand factors used in EIR, indicates that the current hotel and timeshare per unit water use factors are about 20 percent less than was projected in the EIR.

Table 2 Representative Scenario Water Use Estimates

Scenario	Quantity/Use	Water Use Factor	Annual Use	Total Annual Use
EIR Baseline	330 hotel rooms	0.21 af per room	69.3 af	103.3 af
	255 timeshares	0.20 af per unit	34.0 af	
1)	275 hotel rooms	0.17 af per room	46.8 af	103.1 af
	225 condominiums	0.25 af per unit	56.3 af	
2)	330 hotel rooms	0.17 af per room	56.1 af	99.3 af
	173 timeshares	0.17 af per unit	29.4 af	
	55 condominiums	0.25 af per unit	13.8 af	
3)	275 hotel rooms	0.17 af per room	46.8 af	102.8 af
	112 single family houses	0.50 af per unit	56.0 af	
4)	279 hotel rooms	0.17 af per room	47.4 af	85.0 af
	68 hotel rooms	0.17 af per room	11.6 af	
	153 timeshares	0.17 af per unit	26.0 af	

Source: City of Seaside, Marina Coast Water District

Note: af = acre-feet. For the EIR Baseline Scenario, the 255 timeshare units include all lock-off units as separate units to present a worst-case water demand scenario, consistent with the EIR, and the water demand factor of 0.020 acre-feet per unit is consistent with that used in the EIR. Scenario 2) assumes that 55 condominium units replace timeshare units, so that the timeshare unit count would be 170 – 55 (=115) plus lock off units at one-half lock-off per timeshare unit (115 x 1.5 = 173). Scenario 4) assumes that 68 hotel units on the timeshare parcels (based on Amended and Restated Disposition and Development Agreement Stage Two hotel obligation) replace timeshare units, so that the timeshare count would be 170 - 68- (=102) plus lock off units at one-half lock-off per timeshare unit (102 x 1.5 = 153).

- e. Refer to item “a.”
- f. The EIR determined that the Monterey Regional Waste Management District’s landfill had adequate capacity for at least 90 years (to about 2095). The proposed project would not result in significant increases in solid waste generation.
- g. The City of Seaside and the Monterey Regional Waste Management District have recycling programs established.

The EIR indicated that the Seaside Resort would not have a significant impact on utilities and service systems. Based on the modifications to use permit UP-01-20 resulting in equal or reduced water use, the City finds:

- A. Substantial changes in the project and project circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects have not occurred;
- B. New information of substantial importance with respect to this environmental resource/impact resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified; and
- C. None of the proposed project changes would significantly affect this environmental resource.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.

Issues and Supporting Information Sources	Substantial Change in Project Requiring Major EIR Revisions	Substantial Change in Circumstances Requiring Major EIR Revisions	New Information Showing New or Greater Significant Effects than Previous EIR	New Information Showing Ability to Reduce, but not Eliminate Significant Effects in Previous EIR	Less than Significant Impact/No Changes or New Information Requiring Preparation of an EIR	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓	<input type="checkbox"/>

The City reviewed each of the mandatory findings checklist questions in light of proposed modifications to use permit UP 01-20, as discussed below:

- a. The overall Seaside Resort project could have significant impacts on biological and cultural resources. Mitigation measures presented in the EIR and incorporated as conditions of approval would reduce impacts to a less-than-significant level. The proposed project would not result in new or increased impacts.
- b. The overall Seaside Resort project would contribute to cumulative impacts for public services and transportation. The proposed project’s contribution to cumulative impacts would be less than cumulatively considerable with implementation of mitigation measures identified, and/or other regulatory requirements discussed.
- c. The overall Seaside Resort project would cause substantial adverse effect on human beings from exposure to noise. The proposed project would not result in new or increased impacts.

The EIR indicated that the Seaside Resort could have significant impacts on biological and cultural resources, contribute to cumulative impacts, and potentially have noise effects that could cause adverse effects on human beings. Based on the analysis provided in this addendum, the modifications to use permit UP-01-20 would not result in new or increased impacts in these areas, and the City finds:

- A. Substantial changes in the project and project circumstances resulting in new significant effects or a substantial increase in the severity of previously identified significant effects have not occurred;
- B. New information of substantial importance with respect to this environmental resource/impact resulting in new significant effects or a substantial increase in the severity of previously identified effects has not been identified; and
- C. None of the proposed project changes would significantly affect this environmental resource.

9. Sources

1. City of Seaside. *Seaside General Plan*. August 5, 2003.
2. City of Seaside. *Seaside General Plan EIR*. January 2004.
3. Seaside Title 17 Zoning Code. December 4, 2006 with updates through May 1, 2010.
4. Fort Ord Reuse Authority. *Fort Ord Reuse Plan*. June 13, 1997, republished August 2001.
5. Fort Ord Reuse Authority. *Fort Ord Reuse Plan EIR*. June 13, 1997.
6. City of Seaside. *Seaside Resort Draft EIR*. August 2002.
7. City of Seaside. *Seaside Resort Revised Draft EIR*. May 2004.
8. City of Seaside. *Seaside Resort Final EIR*. August 2004.
9. Revised and Restated Disposition and Development Agreement by and between the Successor Agency of the Redevelopment Agency of the City of Seaside, a public body, corporate and politic, and Seaside Resort Development, LLC, an Arizona limited liability company. February 2014.
10. Use Permit 01-20 Modification Application. Submitted October 15, 2014.
11. San Luis Obispo County Air Quality Control District. *CEQA Air Quality Handbook*. April 2012.
12. Letter from Department of Toxic Substances Control to Lance Houston, Fort Ord Community Advisory Group. November 5, 2004.
13. Marina Coast Water District. *2010 Urban Water Management Plan*. June 14, 2011.

All documents indicated with bold numbers are available for review at the City of Seaside Resource Management Services, Planning Division; 440 Harcourt Avenue, Seaside, CA 93955; (831) 899-6726, during normal business hours.

All documents listed above are available for review at EMC Planning Group Inc., 301 Lighthouse Avenue, Suite C, Monterey, California 93940, (831) 649-1799 during normal business hours.

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