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Attachment 4

ENVIRONMENTAL MEMORANDUM

File: A4181
SCH #: 2006101004

EVALUATION OF PRIOR CEQA SUFFICIENCY AND DOCUMENTATION THAT NO ADDITIONAL CEQA REVIEW IS NEEDED FOR THE MONTEREY PENINSULA WATER SUPPLY PROJECT

1.0 INTRODUCTION

This memorandum contains numerous technical terms, abbreviations, and acronyms. Please see Section 4.0 (beginning on page 47) for a full list of abbreviations and acronyms.

1.1 PURPOSE

California State Lands Commission (Commission), as a Responsible Agency under the California Environmental Quality Act (CEQA), prepared this Environmental Memorandum to inform future Commission consideration of CalAm's lease application associated with the Monterey Peninsula Water Supply Project (MPWSP) within the Commission's jurisdiction. In keeping with CEQA's goal of informing decisionmakers and the public, this Memorandum documents that no additional CEQA review is needed for the MPWSP, and provides a summarized comparison of project elements as approved by the California Public Utilities Commission (CPUC) and California Coastal Commission (CCC). Based on staff's review of both the CPUC's Final Environmental Impact Report/Environmental Impact Statement (Final EIR/EIS/ Original Project) and the CCC's conditional Coastal Development Permit (CDP/Phase 1 Project) approval, staff concludes that the Commission may rely on the existing certified Final EIR/EIS and CEQA-equivalent CDP to consider the environmental effects of issuing a lease.

The CCC's CDP approval divided the MPWSP into two phases, as described later in this Memorandum. Phase 1 is the activity now subject to the Commission's lease consideration. The term "MPWSP" is used when describing aspects of the Project common to both the Original Project and the Phase 1 Project.

This Memorandum does not perform any new CEQA environmental analysis, rather it summarizes and highlights the previously performed analyses by the CPUC and CCC. When acting as a CEQA responsible agency, the Commission may only perform subsequent CEQA analysis under certain conditions specified in State CEQA Guidelines section 15162.[1] This Memorandum documents staff's conclusion that none of these conditions currently exist.

Compared to the Original Project, the Phase 1 Project would not cause any new or different significant impacts and would not increase the severity of the previously identified significant impacts. Rather, the Phase 1 Project would result in either an equal or reduced magnitude of potential impacts across resource areas. Specifically, the Phase 1 Project components would minimize the level of impacts and/or reduce the magnitude of impacts for the following resource areas: geology, soils, and seismicity; surface water hydrology and water quality; groundwater resources; marine resources; terrestrial biological resources; hazards and hazardous materials; air quality; public services and utilities; aesthetic resources; energy conservation; population and housing; and growth inducement. Additionally, all mitigation measures proposed in the Original Project are still applicable to the Phase 1 Project, and no new mitigation measures are necessary.

[1] 14 CCR § 15162.

Source: DD&A, 2024

Regional Map	Figure 1

1.2 MPWSP Information and Location

The MPWSP would produce desalinated water to serve CalAm customers on the Monterey Peninsula and replace existing water supplies that have been constrained by legal decisions affecting the Carmel River and Seaside Groundwater Basin (CPUC, 2018).[2]

The MPWSP project area extends approximately 18 miles, from Castroville in the north to the city of Carmel-by-the-Sea in the south (see previous page for **Figure 1 Regional Map**).

The MPWSP would construct a desalination plant in unincorporated Monterey County on Charles Benson Road, northeast of the city of Marina, and new subsurface slant wells and conversion of the existing test slant well to a permanent well at the former CEMEX sand mining area in the northern area of the city of Marina. These slant wells would extend seaward of the Mean High Water (MHW) line into the Commission's jurisdiction.

The MPWSP would also include pump stations, storage tanks, and approximately 21 miles of water conveyance pipelines located throughout unincorporated Monterey County, and the cities of Marina and Seaside.

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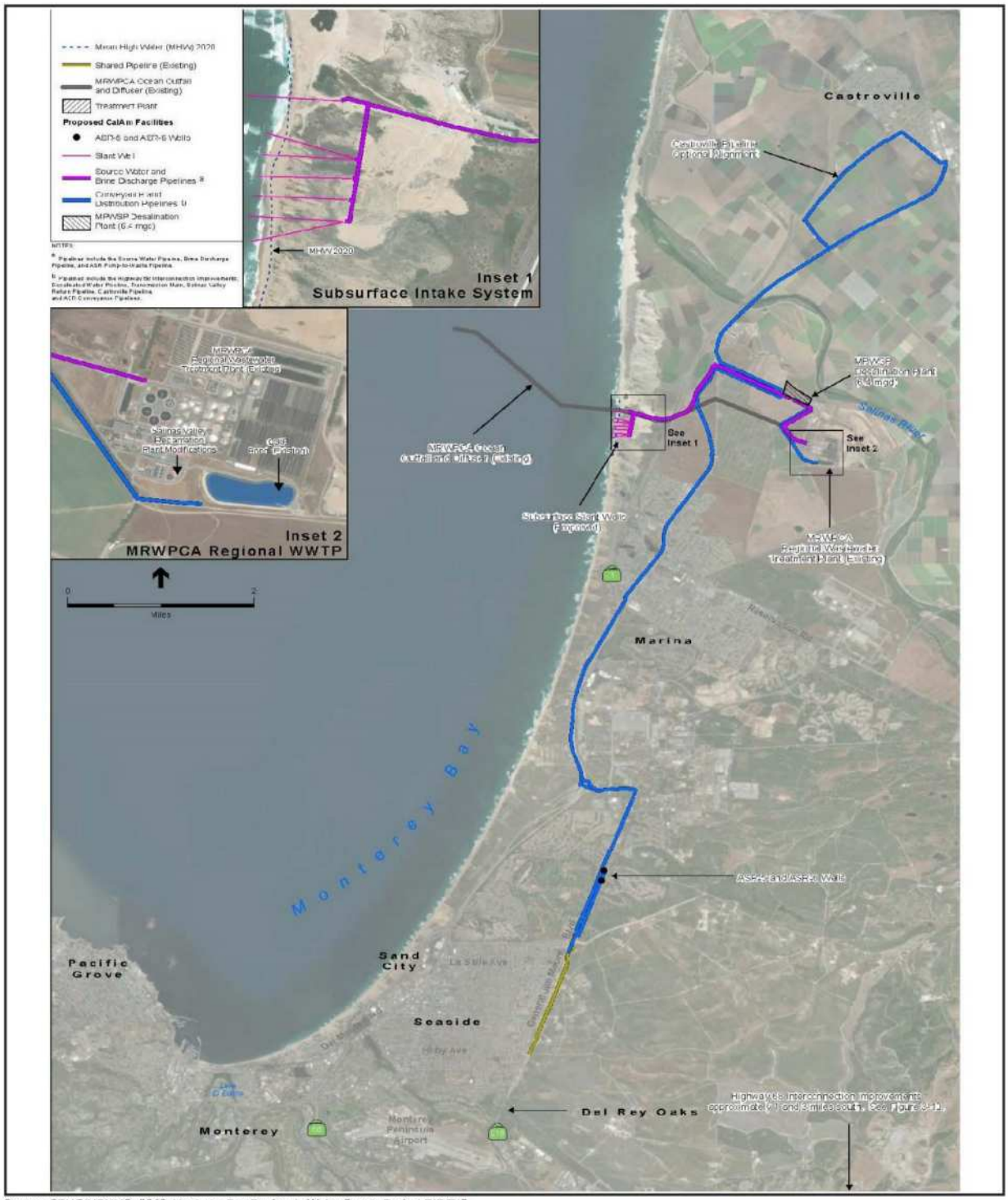
[2] The State Water Resources Control Board (SWRCB) adopted several orders limiting CalAm's diversions from the Carmel River and directing CalAm to secure additional water supply sources for the Monterey Peninsula. Order 95-10 limited authorized diversions from the Carmel River and directed CalAm to find a replacement for 70 percent of its water supply from the river. Order 95-10 further directed CalAm to maximize use of the Seaside Groundwater Basin to reduce Carmel River diversions to the greatest extent practicable (SWRCB, 1995). In October 2009, the SWRCB adopted Cease and Desist Order (CDO) 2009-0060, requiring CalAm to stop its unauthorized diversions from the Carmel River by December 31, 2016 (SWRCB, 2009). In July 2016, the SWRCB adopted Order WR 2016-0016, which amended Orders 95-10 and 2009-0060, extending the date by which CalAm must stop all unauthorized Carmel River diversions to December 31, 2021 (SWRCB, 2016).



Source: CPUC/MBNMS, 2018. Monterey Bay Peninsula Water Supply Project EIR/EIS.

CPUC Approved Project	Figure 2

1.3 Prior Environmental Review

CPUC Action

In April 2012, California-American Water Company (CalAm) filed an application with the CPUC for a Certificate of Public Convenience and Necessity (CPCN) for the MPWSP (CPUC Application No.12-04-019). On January 13, 2017, the CPUC and Monterey Bay National Marine Sanctuary (MBNMS), acting as the CEQA and National Environmental Policy Act (NEPA) lead agencies, respectively, published the MPWSP Draft EIR/EIS (State Clearinghouse No. 2006101004). On March 28, 2018, the CPUC and MBNMS published the MPWSP Final EIR/EIS. On September 20, 2018, the CPUC issued a CPCN for the Original Project, adopted settlement agreements, certified the Final EIR/EIS, adopted CEQA Findings and a Statement of Overriding Considerations and the associated Mitigation Monitoring and Reporting Plan (MMRP), and approved the Original Project.[3] `

The Original Project consists of: the construction and operation of a 6.4 million gallons per day (MGD) desalination facility located 2 miles inland from the coast in unincorporated Monterey County; six new subsurface slant wells, plus conversion of an existing test slant well to a permanent well, located at the former CEMEX sand mining site in Marina, California; pipelines to convey source water to the desalination plant, product water to the CalAm service area, and brine discharge to the existing outfall owned and operated by Monterey One Water (M1W); and improvements to the existing Aquifer Storage and Recovery (ASR) system in Seaside, California (see previous page for **Figure 2 CPUC Approved Project**). For a complete description of the Original Project components, please refer to the Final EIR/EIS, *Section 3.2, Project Components,* and *Section 5.4, Description of Alternatives Evaluated in Detail.*

The Final EIR/EIS identified that implementation of the Original Project without mitigation would result in potentially significant CEQA impacts in the following areas: geology, soils, and seismicity; surface water hydrology and water quality; groundwater resources; terrestrial biological resources; hazards and hazardous materials; land use, land use planning, and recreation; traffic and transportation; air

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[3] Decision 18-09-107, the Final EIR/EIS, and the Mitigation Monitoring and Reporting Plan can be accessed at: https://ia.cpuc.ca.gov/Environment/info/esa/mpwsp/comms_n_docs.html. The Original Project was described as Alternative 5a in the Final EIR/EIS.

quality; greenhouse gas emissions; noise and vibration; public services and utilities; aesthetic resources; cultural and paleontological resources; agricultural resources; and energy conservation.

Significant and unavoidable impacts: The Final EIR/EIS concluded that all potentially significant impacts could be reduced to a less than significant level with mitigation except in the following areas:

- Inconsistencies with local policies or ordinances protecting terrestrial biological resources
- Temporary construction-related air quality emissions
- Conflict with implementation of the applicable air quality plan during construction
- Temporary increases in ambient noise levels during construction

Significant and unavoidable cumulative impacts: The Final EIR/EIS also identified cumulatively significant and unavoidable impacts in the following areas: terrestrial biological resources, traffic and transportation, air quality, noise and vibration, and growth inducement.

On August 28, 2019, the California Supreme Court denied two petitions for writ of mandate, declining to review challenges to the CPUC's decision and the sufficiency of the Final EIR/EIS. *The CPUC's decision and Final EIR/EIS are final, valid, and not subject to further challenge*.

COASTAL COMMISSION ACTION 2022

Four years after the CPUC approval, at the request of the CCC as part of CDP Application No. 9-20-0603 and Appeal No. A-3-MRA-19-0034, CalAm proposed a two-phase MPWSP to minimize potential inconsistencies with the Coastal Act for project components located in the Coastal Zone. This included minimizing potential impacts on Environmentally Sensitive Habitat Areas (ESHA), reducing potential impacts to groundwater, and addressing changes in water supply and demand estimates (CCC, 2022a, pg. 3). Phase 1 was proposed as a smaller initial phase that would produce 4.8 MGD and include conversion of the test well to a permanent well on the site, as well as four main pipelines. Under this phase only three well pads (including the well pad for the existing test slant well) would be required. Phase 2 would construct the remainder of the full Project, increasing production to 6.4 MGD, and bringing the total number of slant wells to a maximum of six, to be

located within CalAm's easement on part of the former CEMEX sand mining facility in Marina, near the Monterey Bay.[4]

Further approval from the CCC would be required for CalAm to move forward with Phase 2, which would not proceed unless CalAm demonstrates a need for the additional water supply and that the first phase was operating in a manner that is protective of local groundwater supplies and nearby wetlands. The CDP for Phase 1, along with additional conditions, was approved on November 17, 2022.[5] The CCC staff report, as a CEQA-equivalent document, analyzed the MPWSP through the CCC's certified regulatory program (CCC, 2022a, pg. 53, note 16).

The CDP for Phase 1 contains a total of 20 special conditions to ensure that potential Coastal Act impacts would be minimized to the maximum extent feasible. The special conditions are consistent with or impose more restrictive requirements than the mitigation identified in the Final EIR/EIS.

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[4] The additional wells would be constructed on the well pads built as part of Phase 1 unless it would be hydrogeologically infeasible to do so.

[5] CCC Final Adopted Findings are available at https://slcprdwordpressstorage.blob.core.windows.net/wordpressdata/sites/355/2026/03/Final-Adopted-Findings-CalAm-Nov-2022_acc.pdf.

1.4 PHASE 1 PROJECT – CCC APPROVED 4.8 MGD PER YEAR

The following sub-sections compare the Phase 1 Project to the Original Project. Although most Phase 1 Project components are physically outside of the Commission's jurisdiction, they could nonetheless potentially affect resources or visitors within the Commission's jurisdiction due to their proximity to the beach and ocean. See Table 1 for a comparison of the Original Project and Phase 1 Project components.

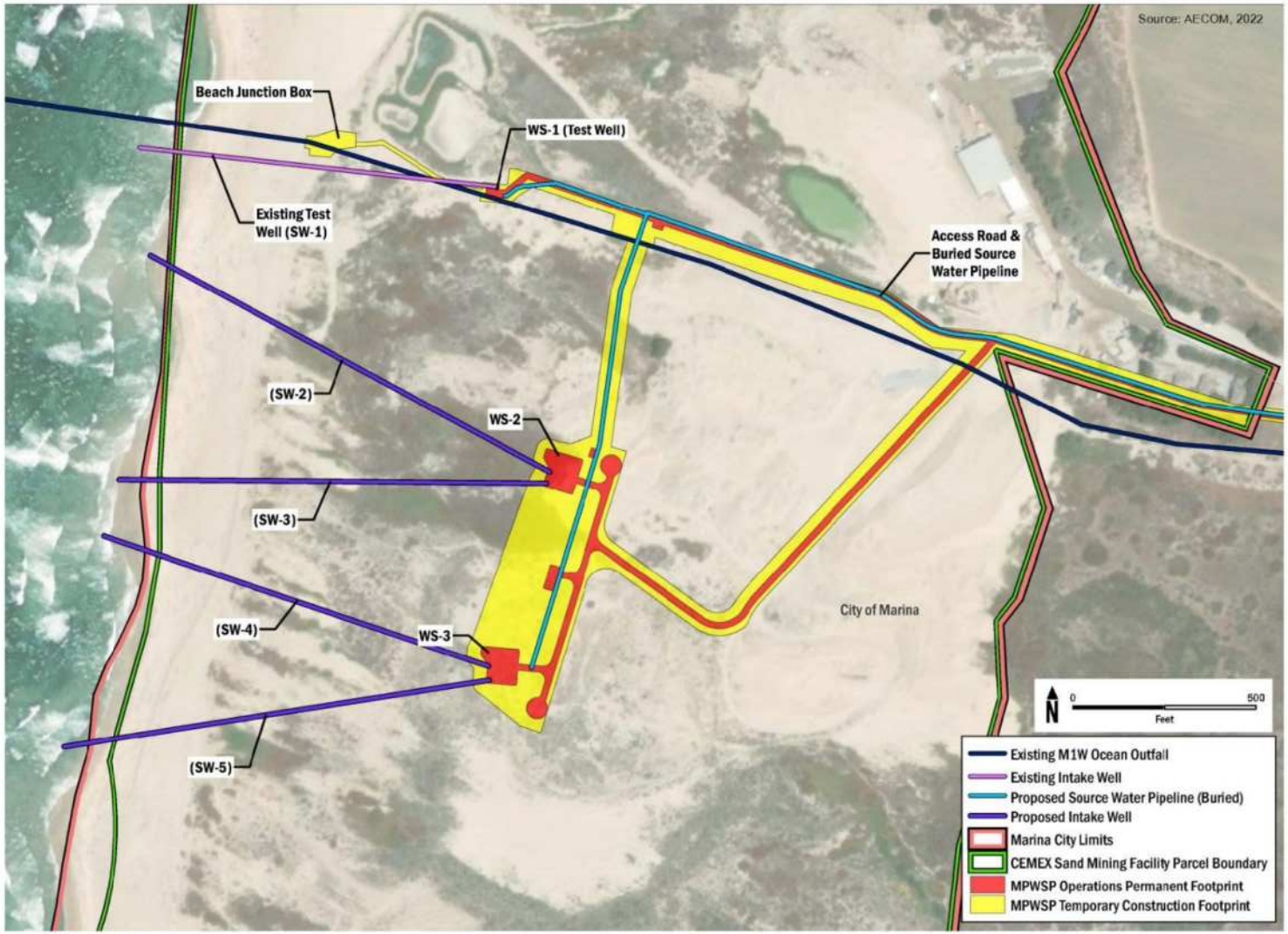
Table 1. Comparison of Original Project and Phase 1 Project Components

	Original Project	Phase 1 Project
Production Capacity	6.4 MGD	4.8 MGD
Annual Production in Acre Feet per Year	Up to 7,167	5,372
Slant Well Network	Seven subsurface slant wells (six new wells and conversion of the existing test slant well)	Five subsurface slant wells (four new wells and conversion of the existing test slant well)
Slant Well Installation	Approximately 1,600 cubic yards of spoils, spread across CEMEX site.	Approximately 1,000 cubic yards of spoils would be sent to the Monterey Peninsula Landfill for disposal.
Well Pads	Five well pads (including one for the existing test slant well)	Three well pads (including one for the existing test slant well)
Total Permanent Aboveground Infrastructure Footprint on CEMEX	2.32 acres	1.89 acres
Total Temporary Construction Disturbance on CEMEX	6.61 acres	5.73 acres
Total Potential ESHA Footprint in Coastal Zone	32.18 acres	22.22 acres

	Original Project	Phase 1 Project
Habitat Mitigation Requirements	2:1 or greater for permanent ESHA impacts (except 3:1 for permanent western snowy plover habitat impacts) 1:1 for temporary ESHA impacts No dune habitat creation requirement specified	3:1 for ESHA impacts. 1:1 minimum dune habitat creation requirement for permanent impacts in coastal dune habitat.
Pipeline Installation Location and Methods	The Project included the following pipelines with portions in the Coastal Zone: ▪ Source Water Pipeline ▪ Desalinated Water Pipeline ▪ Transmission Main Pipeline ▪ Castroville Pipeline Pipelines would be installed using conventional open-trench technology. Approximately 6.6 acres of staging areas would be required.	Includes the following pipelines with portions in the Coastal Zone: ▪ Source Water Pipeline ▪ Desalinated Water Pipeline ▪ Transmission Main Pipeline ▪ Castroville Pipeline Proposed alignment changes for the Source Water and Desalinated Water Pipelines within the Transportation Agency of Monterey County corridor would reduce the Project's footprint in potential ESHA by approximately 8.64 acres. Installation methods to reduce ESHA impacts would use tunneling techniques instead of trenching and would include reduced construction staging areas.
Slant Well Length	Approximately 970 feet seaward from the well head beneath Monterey Bay.	At least 1,000 feet seaward from the well head beneath Monterey Bay.

	Original Project	Phase 1 Project
Coastal Hazards	Based on information available in 2019, it was thought that most of the slant well network, except the test slant well, would avoid coastal erosion until 2060.	However, using the updated Ocean Protection Council's 2020 sea level rise projections, the slant well network could be at risk by 2045 to 2050. (CCC, 2022a, page 99)
Desalination Plant	Includes source water receiving tanks; pretreatment, reverse osmosis, and post-treatment systems; chemical feed and storage facilities; brine storage and facilities; and other associated non-process facilities.	No change.
Other Infrastructure	Desalinated water conveyance facilities, including pipelines, pump stations, and treated water storage tanks, as well as an expanded aquifer storage and recovery system.	No change.

	Original Project	Phase 1 Project
M1W Outfall	The Final EIR/EIS analyzed potential impacts from the Project to M1W's existing outfall. The Final EIR/EIS also analyzed potential secondary impacts on the environment resulting from potential modifications as part of mitigation measures designed to protect and reinforce the outfall. These included installation of a protective lining inside the land-side portion of the outfall, corrosion-resistant clamps inside a segment of the offshore portion of outfall, and modifications to the outfall diffusers and end-cap.	No change.
Electricity Use	Approximately 38,000 megawatt-hours per year.	Approximately 28,500 megawatt-hours per year.



Phase 1 Project

Figure 3

DESALINATION PLANT

The Phase 1 Project would not result in any increase in construction activity relative to the Original Project's desalination plant facilities, but it would include operational changes by reducing plant capacity from 6.4 MGD to 4.8 MGD. The desalination plant would include the following facilities: a pre-treatment system, a Reverse Osmosis (RO) treatment system, a post-treatment system, backwash supply and filtered water equalization tanks, desalinated product water storage and conveyance facilities, brine storage and disposal facilities, and an administration building and laboratory facility. Construction of the desalination plant would take 24 months, and workers would access the site via Charles Benson Road.

SUBSURFACE SLANT WELLS

Consistent with the Original Project, the subsurface slant well infrastructure would occur within CalAm's 30-acre easement on the approximately 400-acre former CEMEX sand mining site. Compared to the Original Project, the Phase 1 Project would result in the construction of fewer well pads, reduce the length of the access road serving the well pads, and reduce the extent of source water pumping from subsurface aquifers by about one-third (CCC, 2022a, page 42).

CalAm reduced the number of Phase 1 well pads on the CEMEX site from five pads to three pads by modifying their design. Instead of one well head per pad, each new well pad would now accommodate two well heads. The existing slant well would continue alone on its existing pad. The Phase 1 Project would include the construction and operation of five subsurface slant wells (four new wells and the conversion of the existing test well) on three concrete well pads as well as a single access road (see preceding page for **Figure 3 Phase 1 Project** and following pages for **Figure 4 Overview of Slant Wells** and **Figure 5 Slant Well Cross Section**).

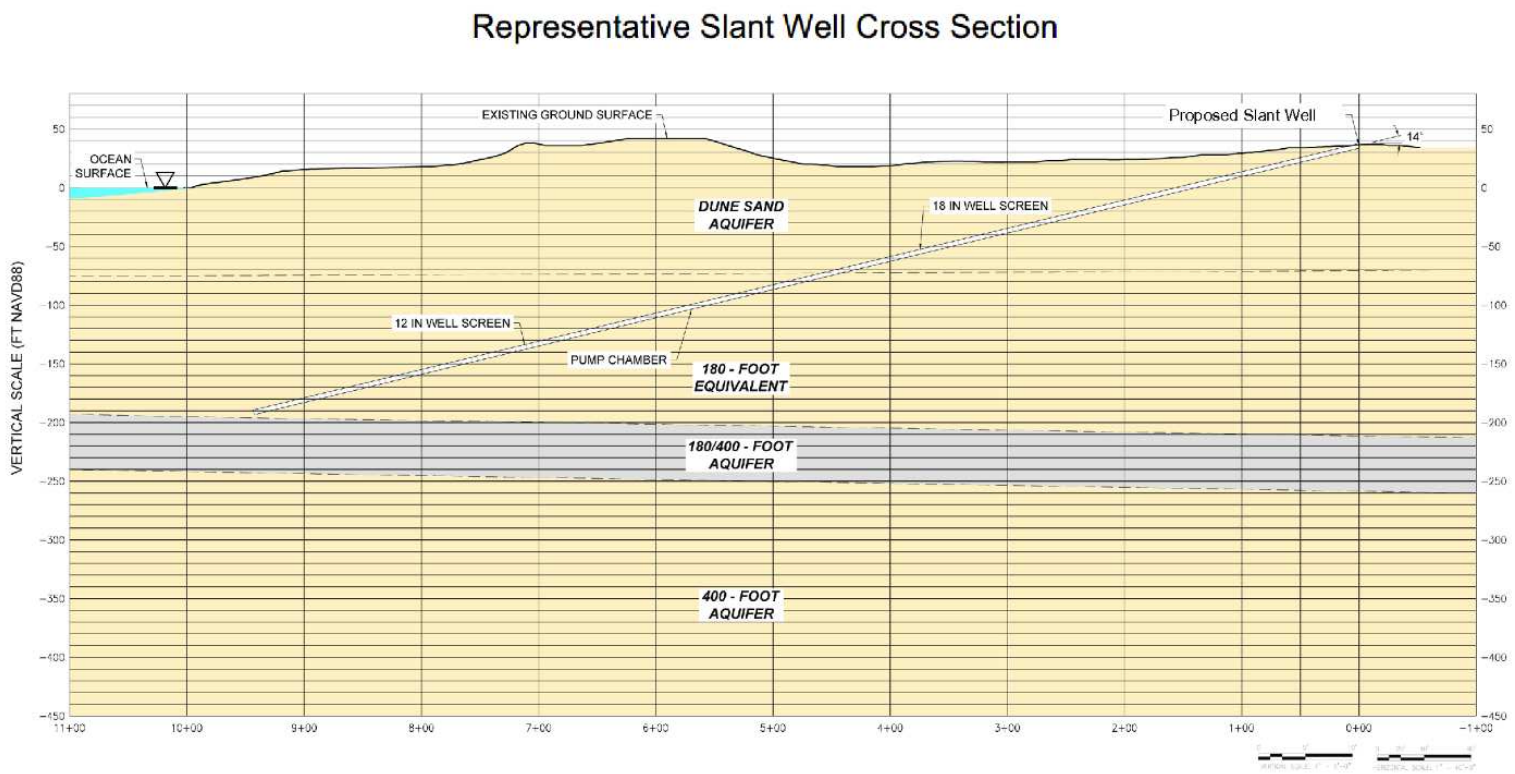
Each well pad would include a concrete pad, an enclosure for electrical equipment, mechanical piping, and a rip-rap basin for disposing of pumped water during maintenance activities. Each pad would be within a graded area of between about 5,200 and 6,000 square feet. The well system would also include two surge tanks. Approximately 2,000 linear feet of graded access road would lead to each well pad from the existing CEMEX access road. Temporary construction on the CEMEX site for the Phase 1 Project would disturb approximately 5.73 acres, while the expected permanent aboveground infrastructure would cover approximately 1.89 acres. Moreover, construction of the Phase 1 Project would

result in the removal of 1,000 cubic yards of spoils during well drilling. Spoils would be transported to the Monterey Peninsula Landfill for disposal.

Source: Geoscience, 2023

Overview of Slant Wells

Figure 4



Source: Geoscience, 2023

Slant Well Cross Section

Figure 5

PIPELINES

The Original Project includes a network of pipelines that would be constructed throughout Monterey County (see **Figure 2 CPUC Approved Project**), including the source water pipeline, the desalination pipeline, transmission pipeline, and the Castroville pipeline. CalAm has incorporated a few minor modifications to the pipeline alignments evaluated in the Final EIR/EIS to avoid potential physical conflicts with the proposed Monterey-Salinas Transit (MST) SURF! Project (located in the Transportation Agency of Monterey County (TAMC) corridor) and to minimize potential impacts on ESHA. For example, CalAm has modified the location of Source Water and the Desalination Water Pipelines within the TAMC corridor to avoid or reduce impacts on ESHA (CCC, 2022a, pages 44, 76-77). Similarly, CalAm proposed modifications to the pipeline installation methods to use various tunneling techniques instead of trenching to reduce surface impacts on ESHA (CCC, 2022a, pages 44-45, 73).

Pipelines would be constructed concurrently with other Project components and multiple pipelines would be constructed simultaneously. See the Final EIR/EIS, 2018, at pages 3-53 and 3-57 for more information about specific pipeline installation.

ADDITIONAL INFRASTRUCTURE

Aquifer Storage and Recovery

The Original Project authorizes CalAm to construct and operate aquifer storage and recovery (ASR) wells 5 and 6 to increase injection and extraction capacity in the Seaside Groundwater Basin. Located east of General Jim Moore Boulevard in the Fitch Park area of Army jurisdiction in Seaside, both ASR wells would extend up to 1,250 feet deep and have a combined injection capacity of 2.2 MGD and extraction capacity of 4.3 MGD. The Phase 1 Project would not modify these proposed ASR facilities.

Hidden Hills Interconnection Improvements

The Original Project includes installation of a 1,200-foot, 6-inch diameter pipeline that would run along Tierra Grande Drive. Additionally, the Middle Tierra Grande Booster Station would increase its pump capacity to 400 gallons per minute (GPM) with the addition of a 350 GPM pump. The Phase 1 Project would not modify these activities.

1.5. California State Lands Commission Jurisdiction

The Commission's jurisdiction includes all ungranted natural, navigable waterways, and tide and submerged lands within California. While the Commission does not regulate the water itself, it does have State sovereign ownership and management authority over the land beneath the water from the ordinary high-water mark, as generally shown by the mean high tide line, for tidal waterways (CSLC, 2024). The only components of the Phase 1 Project that are within Commission jurisdiction are the subsurface slant wells.

Surface water rights and groundwater rights determinations are under the purview of the State Water Resources Control Board. For this reason, the Commission does not have authority to determine whether CalAm has a legal right to withdraw subsurface water.

In June 2025, the State Water Resources Control Board Administrative Hearing Office issued a Final Report as Referee in *City of Marina v. RMC Lonestar*, Superior Court of California, County of Monterey, Case No. 20CV001387. The report was issued pursuant to the court's order of October 7, 2021, seeking the expert opinion of the State Water Resources Control Board. The Superior Court will consider the report as evidence in the ongoing litigation, as provided in section 2019 of the Water Code.

Components within California State Lands Commission Jurisdiction

Potential modifications to M1W's outfall to accommodate brine discharges from the MPWSP would be within Commission jurisdiction, but are still being evaluated by M1W and have not been finalized. As a result, evaluation of those modifications and potential impacts are beyond the analysis contained in the certified Final EIR/EIS and would be speculative at the time of this writing. Further, M1W is the current lessee of State land where the outfall is located pursuant to Lease No. PRC 6091.9. If an amendment to the Lease is required to address potential modifications to the outfall, M1W would apply to the Commission for such an amendment in the future.

As discussed in Section 2.0, below, there are project components outside of Commission jurisdiction that may result in impacts to lands under Commission jurisdiction due to the proximity of construction and operation and/or to the extent of potential impacts. These components include portions of the slant wells that are inland of the Mean High Tide (MHTL) line and segments of the Source Water Pipeline connecting the well heads on the CEMEX property.

2.0 ENVIRONMENTAL COMPARISON

This section compares the CPUC approved Original Project and the CCC approved Phase 1 Project in more detail, organized by resource area. As discussed in Section 1.1, *Purpose,* Commission staff has prepared this summarized comparison to document that no subsequent or supplemental EIR or mitigated negative declaration is required for the Commission's consideration of a lease for the Phase 1 Project. The comparison also acts as a road map to help inform the public and the Commission as decisionmaker, since the CPUC Final EIR/EIS and the CCC Final Adopted Findings are lengthy, making a side-by-side comparison challenging. In addition, relevant to the Commission's role as a CEQA responsible agency, following subsections discuss whether implementation of components of the Phase 1 Project would result in: (1) potential impacts on State lands due to activities occurring on State lands (i.e., seaward of the MHW line); (2) potential impacts on lands outside of Commission jurisdiction due to activities occurring on State lands; and/or (3) potential impacts on State lands due to activities occurring outside of Commission jurisdiction (i.e., inland of the MHW line).

2.1 GEOLOGY, SOILS, AND SEISMICITY

FINAL EIR/EIS

The Final EIR/EIS for the Original Project found that impacts to geology and soils, including seismic-related ground shaking, liquefaction, expansive soils, erosion, and related coastal hazard impacts, from slant well and Source Water Pipeline construction would be significant and could result in temporary, construction-related loss of topsoil (Impact 4.2-1), and that the slant wells could contribute to accelerating future coastal erosion (Impact 4.2-10). However, implementation of **Mitigation Measure (MM) 4.6-2b** and **MM 4.2-10** would reduce these impacts to less than significant by minimizing the loss of topsoil in sensitive natural communities and requiring CalAm to monitor coastal retreat rates and initiate well decommissioning before any beach migration inland reaches the slant well network.

PHASE 1 PROJECT

Consistent with the Original Project, the Phase 1 Project activities occurring on State lands would not result in any loss of topsoil or coastal erosion related effects, but well pad and Source Water Pipeline construction, occurring outside of Commission jurisdiction, could potentially result in direct or indirect impacts on State lands.

However, compared to the Original Project, the Phase 1 Project would require the construction of fewer slant wells and reduce the overall Project footprint. Moreover, as with the Original Project, the Phase 1 Project must comply with mitigation identified in the Final EIR, including **MM 4.6-2b** and **MM 4.2-10.**

CCC Special Conditions

The Phase 1 Project also includes CCC **Special Condition 6** (Permit Term) to ensure consistency with the Coastal Act. **Special Condition 6** does not change the Phase 1 Project's physical footprint or construction methods. Rather, it provides that the CCC must assess the most recent sea level rise and coastal erosion information and review the future impacts of potential well removal or relocation if CalAm seeks a CDP amendment to continue operating the Phase 1 Project after 25 years. Compliance with **Special Condition 6** further ensures no adverse impacts from coastal erosion.

The discussion above documents that there are no changed circumstances surrounding the Phase 1 Project or new information of substantial importance that would affect the Final EIR/EIS's conclusions related to geology, soils, and seismicity. The Phase 1 Project would not generate a new impact related to geology, soils, and seismicity or substantially increase the severity of a previously identified impact. No additional mitigation measures are necessary.

2.2 Surface Water Hydrology and Water Quality

Final EIR

The Final EIR for the Original Project found that impacts to surface water hydrology and water quality would be significant from activities occurring on or affecting State Lands: namely, degradation of water quality resulting from construction-related discharges of dewatering effluent from open excavation and water produced during well drilling and development (Impact 4.3-2). However, implementation of **MM 4.7-2b** would reduce these impacts to less than significant.

Phase 1 Project

The Phase 1 Project would not result in any surface water hydrology and water quality effects from activities occurring on State lands. While highly unlikely, potential activities occurring outside of Commission jurisdiction could result in impacts on State lands, either directly or indirectly, and on lands outside of

Commission jurisdiction, as discussed in the Final EIR. However, compared to the Original Project, the Phase 1 Project would reduce the extent of ground-disturbing activities due to the construction of fewer slant wells, a reduced Project footprint, and other related modifications. The reduced footprint would lessen the magnitude of potential impacts that might occur from Phase 1 Project activities occurring outside of Commission jurisdiction. Additionally, the Phase 1 Project would be required to comply with mitigation identified in the Final EIR/EIS, including **MM 4.7-2b**.

CCC Special Conditions

The Phase 1 Project includes CCC **Special Condition 3** (Construction Best Management Practices), **Special Condition 4** (Spill Prevention and Response Plan), and **Special Condition 14** (No Future Shoreline Protective Device) to ensure the Phase 1 Project's consistency with the Coastal Act. These special conditions do not change the Final EIR/EIS's analysis or conclusions under CEQA. Moreover, the special conditions impose more restrictive requirements than imposed by the Final EIR/EIS, which had determined that impacts would be less than significant or less than significant with mitigation. The special conditions do not change the Phase 1 Project's physical footprint or its construction and operation methods in a manner inconsistent with the Original Project analyzed in the Final EIR/EIS.

The discussion above documents that there are no changed circumstances surrounding the Phase 1 Project or new information of substantial importance that would affect the Final EIR/EIS's conclusions related to surface water hydrology and water quality. The Phase 1 Project would not generate a new impact related to surface water hydrology and water quality or substantially increase the severity of a previously identified impact. No additional mitigation measures are necessary.

2.3 Groundwater Resources

Final EIR

The Final EIR/EIS determined the Original Project could result in potential groundwater impacts related to the operation of the subsurface slant wells located on State lands. As a result, the Final EIR/EIS identified **MM 4.4-4** to avoid interfering with groundwater remediation plumes and reduce potential groundwater impacts to a less than significant level by requiring the development and implementation of a groundwater monitoring plan and identifying steps to avoid impacts on groundwater remediation plumes, thereby minimizing impacts to groundwater

quality during operations. In addition, CalAm proposed **Applicant Proposed Measure 4.4-3** to expand the Monterey County Water Resources Agency's existing regional groundwater monitoring program to monitor changes in the groundwater surface elevations caused by slant well pumping. If it is determined that the slant wells are causing groundwater levels to adversely affect local active wells, the measure requires CalAm to implement a remedial course of action. Although not required to address a potentially significant CEQA impact, **Applicant Proposed Measure 4.4-3** would further reduce the Original Project's effects on groundwater supplies in the Salinas Valley Groundwater Basin.

PHASE 1 PROJECT

Consistent with the Original Project, the Phase 1 Project construction-related activities would not result in any potentially significant impacts on groundwater resources outside of State lands due to construction-related activities occurring either on State lands or resulting from the Commission's approval of Project components within its jurisdiction. Compared to the Original Project, the Phase 1 Project would reduce the magnitude of ground-disturbing impacts because of the Project's reduced footprint. The Phase 1 Project would require the construction of fewer slant wells and associated infrastructure, thereby resulting in fewer potential construction-related effects. While operation of the Phase 1 Project would result in potential impacts on groundwater resources that are consistent with the Original Project, the magnitude of potential impacts would be less than the Original Project due to the operation of fewer subsurface slant wells, the corresponding reduction in the capacity of the desalination plant, and the extraction of less source water during project operation. Moreover, the Phase 1 Project must comply with measures identified in the Final EIR/EIS, including **MM 4.4-4** and **Applicant Proposed Measure 4.4-3**.

The Phase 1 Project would also include the construction and operation of Project components located further outside of Commission jurisdiction (e.g., desalination plant, pipelines, ASR wells, system interconnection improvements, etc.). These components would not result in any impacts on groundwater resources, either directly or indirectly, on State lands or due to activities on State lands given the distance between these components and State lands (approximately two miles). The Final EIR/EIS previously considered the potential groundwater impacts associated with these project components, and no further analysis is necessary. Overall, operation of the Phase 1 Project would result in the same or lesser impacts on groundwater resources when compared to the Original Project.

CCC Analysis and Special Conditions

The CCC evaluated the potential groundwater-related impacts associated with the Phase 1 Project to determine consistency with the Coastal Act and applicable LCP provisions. The CCC specifically examined whether the slant wells would adversely affect the City of Marina's groundwater supplies and increase seawater intrusion. The CCC analyzed potential groundwater-related impacts that included a comprehensive independent peer review of technical analyses prepared on behalf of CalAm and project opponents. The CCC concluded that the Phase 1 Project would conform to the relevant Coastal Act and LCP provisions regarding groundwater with implementation of special conditions. Specifically, the CCC included **Special Condition 11** (Groundwater Protection), which requires CalAm to install new slant wells so that they extend at least 1,000 feet seaward of the wellheads to maximize the amount of seawater the wells extract. The CCC also included **Special Condition 12** (Monitoring and Remedial Measures to Protect Groundwater), which requires monitoring and reporting beyond **Applicant Proposed Measure 4.4-3** to provide an early warning system to ensure no potentially adverse changes to groundwater supplies could result from CalAm's water extractions. The CCC concluded that the Phase 1 Project, as conditioned, would be consistent with the Coastal Act. The Phase 1 Project includes CCC **Special Conditions 11** and **12** to ensure consistency with the Coastal Act. The CCC confirmed that neither the Final EIR/EIS nor the CCC's independent hydrogeologist found evidence that impacts to groundwater from Phase 1 Project operation are reasonably foreseeable (CCC, 2022b, page 25).[6] These special conditions would not change the Final EIR/EIS's analysis or conclusions under CEQA. Moreover, **Special Condition 12** does not change the Phase 1 Project's physical footprint or its construction and operation methods in a manner inconsistent with the Original Project analyzed in the Final EIR/EIS. In addition, the special conditions impose more restrictive requirements than imposed by the Final EIR/EIS, which had determined that impacts would be less than significant with the implementation of **MM 4.4-4**.

The discussion above documents that there are no changed circumstances surrounding the Phase 1 Project or new information of substantial importance that would affect the Final EIR/EIS's conclusions related to groundwater resources. The Phase 1 Project would not generate a new impact related to groundwater

[6] Available at https://documents.coastal.ca.gov/reports/2022/11/Th7a8a/Th7a8a-11-2022-addendum.pdf

resources or substantially increase the severity of a previously identified impact. No additional mitigation measures are necessary.

2.4 TERRESTRIAL BIOLOGICAL RESOURCES

FINAL EIR/EIS

The Final EIR/EIS for the Original Project found that impacts to terrestrial biological resources would be significant from construction and operation of the slant wells (portions of which are located on State lands) which could degrade or disturb special status species and critical habitat. However, the implementation of **MM 4.6-1a** though **MM 4.6-1j, MM 4.61l, MM 4.6-1n, MM 4.6-1o, MM 4.6-1p, MM 4.6-2a, MM 4.6-2b, MM 4.6-3, MM 4.6-4, MM 4.6-6, MM 4.12-1b,** and **MM 4.14-2** would reduce most impacts to less than significant by requiring pre-construction surveys, protective measures and monitoring, avoidance and minimization measures for special status species, and construction worker environmental awareness training.

PHASE 1 PROJECT

Consistent with the Original Project, construction and operation of the slant wells for the Phase 1 Project could impact special status species and habitats due to ground disturbance associated with drilling, staging, and construction access. Similarly, impacts on waters of the U.S. or waters of the State could occur due to soil erosion and water quality degradation during conversion of the existing test slant well and construction of above ground slant well infrastructure, and during routine maintenance during operation of the slant wells. The Final EIR/EIS also determined that construction and operation of the slant wells could spread or introduce invasive species. Due to the location of the slant wells, construction could also disturb sensitive biological resources, potentially conflicting with the City of Marina's LCP. However, compared to the Original Project, the Phase 1 Project would reduce the construction-related activities for slant wells that are occurring outside of State lands, including ground-disturbing activities, because the Phase 1 Project would require the construction of fewer slant wells and associated infrastructure. Regarding operations, the overall footprint on the CEMEX site would be smaller for the Phase 1 Project compared to the Original Project. In addition, and consistent with the Original Project, the Phase 1 Project must comply with mitigation identified in the Final EIR, including all the mitigation measures listed in the previous paragraph 2.

The Phase 1 Project would also include the construction and operation of other improvements located further outside of Commission jurisdiction (e.g., desalination plant, pipelines, ASR wells, system interconnection improvements, etc.). These components would not result in any terrestrial biological resource impacts, either directly or indirectly, on State lands or due to activities on State lands given the distance between these components and State lands (approximately 2 miles). The Final EIR/EIS previously considered the potential environmental effects associated with the construction and operation of these project components, and no further analysis is necessary.

CCC Analysis and Special Conditions

The CCC also evaluated potential impacts on terrestrial biological resources and the Phase 1 Project's consistency with the provisions of the Coastal Act and applicable LCPs. In particular, the City of Marina's LCP establishes two types of habitats — "primary" and "secondary" — and describes different levels of required habitat protection and allowable uses in each. The LCP also states that "primary habitat areas shall be protected and preserved against any significant disruption of habitat values and only uses dependent on those resources shall be allowed within the areas." The LCP requires that direct and potential impacts to both primary and secondary habitat be fully mitigated.

The slant well network and a portion of the Source Water Pipeline would be on a 30-acre easement within the CEMEX site. Although the CEMEX site is previously disturbed, the CCC determined that the site provides dune habitat for special-status species that are known to exist or have potential to exist. The CCC therefore concluded that the full CEMEX site constitutes ESHA primary habitat.

To protect terrestrial biological resources to the maximum extent feasible pursuant to the Coastal Act, the CCC imposed several special conditions, including **Special Condition 5**, **Special Condition 7**, **Special Condition 8**, **Special Condition 9**, and **Special Condition 10**. Although the CCC determined that the Phase 1 Project, as conditioned, would not conform with the City of Marina's LCP policies, the CCC determined that it could nonetheless approve the Phase 1 Project as a coastal-dependent industrial facility.

The discussion above documents that there are no changed circumstances surrounding the Phase 1 Project or new information of substantial importance that would affect the Final EIR/EIS's conclusions related to terrestrial biological resources. The Phase 1 Project would not generate a new impact related to terrestrial

biological resources or substantially increase the severity of a previously identified impact. No additional mitigation measures are necessary.

2.5 Hazards and Hazardous Materials

Final EIR/EIS

The Final EIR/EIS for the Original Project found that impacts to hazards and hazardous materials could be significant due to the potential to encounter existing, as-yet undiscovered contaminated soil and/or groundwater during construction of all proposed project components. This potential release of hazardous materials could occur during slant well construction. However, implementation of **MM 4.7-2a** and **MM 4.7-2b** would reduce the potential for exposure to hazardous materials in soil and groundwater during construction to less than significant. In addition, as described in the Final EIR/EIS, compliance with hazardous materials laws and regulations would further minimize potential impacts from hazards and hazardous materials. (CPUC, 2018, pages 4.7-29 and 4.7-30.)

Phase 1 Project

Consistent with the Original Project, with the mitigation specified above, the Phase 1 Project would not result in any construction-related hazards or hazardous materials related effects due to Phase 1 Project-related activities occurring on State lands. While highly unlikely, Phase 1 Project-related activities occurring outside of Commission jurisdiction could potentially result in impacts to State lands, either directly or indirectly, and on lands outside of Commission jurisdiction. However, the Final EIR/EIS previously evaluated these effects in connection with the Original Project. The Phase 1 Project would reduce the extent of construction-related activities compared to the Original Project analyzed in the Final EIR/EIS due to the construction of fewer slant wells and reduced Project footprint.

CCC Special Conditions

Although the CCC did not identify any increase potential hazard and hazardous materials related impacts associated with the Phase 1 Project compared to the Original Project, the CCC imposed **Special Condition 4**, which requires that CalAm develop a Spill Prevention and Response Plan to avoid and minimize the potential for spills and release of hazardous materials and ensure an adequate response if these events were to occur.

The discussion above documents that there are no changed circumstances surrounding the Phase 1 Project or new information of substantial importance that would affect the Final EIR/EIS's conclusions related to hazardous materials. The Phase 1 Project would not generate a new impact related to hazardous materials or substantially increase the severity of a previously identified impact. No additional mitigation measures are necessary.

2.6 Traffic and Transportation

Final EIR/EIS

The Final EIR/EIS determined that construction of the Original Project could result in potentially significant impacts due to temporary increases in regional and local traffic, reduced roadway capacities, increased safety hazards, impaired emergency access, temporary disruptions to public transportation facilities, wear-and-tear on haul routes, and parking interference during construction. Specific to slant well construction that would directly affect State lands, the Final EIR/EIS determined that the activity could result in potentially significant impacts related to increased safety hazards during construction and impacts related to increased wear-and-tear on designated haul routes during construction. The Final EIR/EIS also determined that the Original Project could potentially result in cumulative traffic and transportation impacts. However, the Final EIR/EIS determined that each of these impacts, except for the cumulative impacts, could be reduced to a less than significant level with the implementation of **MM 4.9-1, MM 4.9-6**, and **MM 4.9-7**. These measures would reduce potentially significant construction-related impacts to a less-than-significant level, but cumulative impacts would remain significant and unavoidable. The Final EIR/EIS conservatively concluded that concurrent construction of the Original Project and other projects would result in a potentially significant cumulative impact on traffic and transportation access and facilities. Such impacts would include a short-term increase in vehicle traffic, reduction in the number of travel lanes on roads, increased wear-and-tear on designated haul routes, and increased demand for parking spaces. In addition, concurrent construction could create traffic safety hazards for bicyclists and pedestrians on public roadways. The Final EIR/EIS explained that the Original Project's contributions to these impacts would occur along routes adjacent to most pipelines and above-ground Original Project components south of Reservation Road and concentrated in the cities of Marina, Seaside, and Sand City. In addition to **MM 4.9-1, 4.9-6**, and **4.9-7**, the Final EIR/EIS included **MM 4.9-C**, which requires CalAm to develop a

construction traffic coordination plan with the appropriate planning agency within each affected jurisdiction.

Separately, the Final EIR/EIS concluded that the addition of traffic associated with Original Project operation and maintenance would not contribute substantially to potentially significant cumulative traffic impacts.

PHASE 1 PROJECT

Consistent with the findings of the Final EIR/EIS, slant well construction for the Phase 1 Project could result in potential traffic-related impacts outside of Commission jurisdiction. The Phase 1 Project also would result in additional temporary construction-related traffic impacts due to the disposal of well drilling spoils, which would no longer be spread across the CEMEX site as evaluated in the Final EIR/EIS (CCC, 2022a, page 70). However, as described in the CCC's Findings, the disposal of spoils off-site would result in a negligible increase in temporary construction traffic. There would be approximately one additional truck trip every 2-3 days during slant well development. Nonetheless, the temporary construction traffic associated with slant well construction for the Phase 1 Project would be reduced by approximately 60-70 percent compared to the Original Project due to the development of fewer slant wells. Moreover, the implementation of **MM 4.9-1** and **MM 4.9-6** would ensure that potential construction-related traffic impacts for the Phase 1 Project would be less than significant with mitigation, consistent with the findings of the Final EIR/EIS. Although significant cumulative traffic impacts are unlikely to occur from slant well construction, CalAm still must comply with **MM 4.9-C** to reduce all potential cumulative construction-related traffic impacts to the extent feasible.

CCC Special Conditions

The CCC evaluated the potential traffic and transportation-related impacts associated with the Phase 1 Project and no Special Conditions were added to this resource area.

The discussion above documents that there are no changed circumstances surrounding the Phase 1 Project or new information of substantial importance that would affect the Final EIR/EIS's conclusions related to traffic and transportation. The Phase 1 Project would not generate a new impact related to traffic and transportation resources or substantially increase the severity of a previously identified impact. No additional mitigation measures are necessary.

2.7 AIR QUALITY

FINAL EIR

The Final EIR/EIS determined the Original Project would have the following significant air quality impacts: (1) emissions of criteria air pollutants during construction could contribute to a violation of an ambient air quality standard; (2) construction activities could conflict with implementation of the applicable air quality plan; and (3) cumulative construction-related air quality impacts could occur associated with the potential to contribute to a violation of ambient air quality standards or conflict with an applicable air quality plan. The Final EIR/EIS identified **MM 4.10-1a** through **MM 4.10-1e** to address potential construction-related air quality impacts. These measures include certain construction equipment standards and idling restrictions, development of a Construction Fugitive Dust Control Plan, and off-site mitigation funding. Nevertheless, the Final EIR/EIS concluded that even following the implementation of all feasible mitigation, temporary construction-related air quality impacts would remain significant and unavoidable.

The Final EIR/EIS concluded that construction of all Project-related improvements would contribute to an exceedance of a state and/or federal standard for ozone, NOx, and PM_{10}. With respect to the ozone and NOx standards, the Final EIR/EIS determined that the impact would be significant and unavoidable even with mitigation since the air quality emissions would not support the primary goals of the clean air plan, thereby conflicting with implementation of an applicable air quality plan. As a result, the Final EIR/EIS concluded that temporary construction impacts would result in a significant and unavoidable impact due to violation of applicable air quality standards, as well as potential conflicts with implementation of the applicable air quality plan. The Final EIR/EIS included mitigation measures to minimize potential temporary construction impacts, but impacts would remain significant and unavoidable.

PHASE 1 PROJECT

The CCC evaluated the potential for increased energy use in connection with the operation of construction equipment and indirect impacts through energy use during Phase 1 Project operation to result in greenhouse gas emissions. The CCC noted that greenhouse gas emissions and climate change may affect coastal resources, including impacts to air quality. However, the CCC did not identify any

potential impact related to air quality associated with Phase 1 Project implementation.

Construction of the slant wells as part of Phase 1, including the portion extending into State lands, would result in temporary air quality impacts due to activities occurring outside of Commission jurisdiction. As identified in the Final EIR/EIS, construction would involve the use of a variety of diesel-fueled equipment, including graders, backhoes, excavators, and loaders, that would emit exhaust containing air pollutants. Additionally, construction vehicles and workers' vehicles would generate exhaust emissions offsite and generate fugitive dust through ground disturbing activities. These activities would generate temporary air quality emissions that would result in significant and unavoidable construction-related air quality impacts.

The Phase 1 Project would not result in any construction directly on State lands that would result in localized air quality emissions. The construction of the portion of the slant wells extending into State lands could, however, result in temporary construction-related impacts. In addition, activities occurring outside of Commission jurisdiction could potentially result in temporary localized air quality effects that could affect State lands and lands outside of Commission jurisdiction. However, the Phase 1 Project would reduce the extent of construction-related activities and operational emissions compared to the Original Project due to the Phase 1 Project's reduced footprint and construction of fewer slant wells. As a result, the Phase 1 Project would generally reduce the magnitude of temporary construction-related, as well as operation-related, air quality impacts compared to the Original Project. Nonetheless, consistent with the conclusions in the Final EIR/EIS, temporary construction-related impacts would remain significant and unavoidable even with implementation of **MM 4.10-1a** through **MM 4.10-1e**.

CCC Special Conditions

The CCC evaluated the potential air quality related impacts associated with the Phase 1 Project and no Special Conditions were added to this resource area.

The discussion above documents that there are no changed circumstances surrounding the Phase 1 Project or new information of substantial importance that would affect the Final EIR/EIS's conclusions related to air quality. The Phase 1 Project would not generate a new impact related to air quality or substantially increase the severity of a previously identified impact. No additional mitigation measures are necessary.

2.8 Greenhouse Gas Emissions

Final EIR/EIS

The Final EIR/EIS concluded that the Original Project's GHG-related impacts would be potentially significant. Specifically, the Final EIR/EIS identified the following potentially significant GHG impacts: (1) incremental contribution to climate change from GHG emissions; (2) conflict with Executive Order B-30-15 Emissions Reduction Goal; (3) conflict with AB 32 Climate Change Scoping Plan; and (4) cumulative impacts related to greenhouse gas emissions. The Final EIR/EIS concluded that implementation of mitigation could reduce the impacts related to GHG emissions to less than significant, specifically **MM 4.11-1** and **MM 4.18-1**.

Given the cumulative nature of GHG-related impacts, the Final EIR/EIS evaluated potential GHG emissions based on the sum of amortized construction emissions and operational emissions associated with the whole of the Original Project. As a result, the Final EIR/EIS did not specifically evaluate the potential GHG effects for each Original Project component. The Final EIR/EIS concluded that most GHG-related emissions would occur in connection with the construction and operation of the desalination plant in unincorporated Monterey County. The Final EIR/EIS also concluded that slant well construction and operation would not exceed applicable thresholds of significance related to GHG emissions, but total operational GHG emissions associated with electrical power consumption, vehicle travel, emergency generator use, and off-road equipment would be potentially significant. Construction-related GHG emissions would result primarily from equipment exhaust, construction worker vehicles, and haul trucks.

Phase 1 Project

Construction-related GHG emissions associated with the Phase 1 Project would be approximately 30 percent less than the Original Project due to the construction of fewer slant wells. Similarly, the Phase 1 Project involves the operation of fewer slant wells. Therefore, actual GHG emissions directly attributable to slant well construction and operation for the Phase 1 Project would be substantially less than the Original Project analyzed in the Final EIR. Additionally, the Phase 1 Project must comply with the mitigation measures identified in the Final EIR, **MM 4.11-1** and **MM 4.18-1**. Implementation of these measures would minimize potential impacts to less than significant levels, consistent with the findings of the Final EIR.

The Phase 1 Project would also include the construction and operation of components located outside of Commission jurisdiction (e.g., desalination plant, pipelines, ASR wells, system interconnection improvements, etc.). The Phase 1 Project does not include any changes or modifications to these components that would affect State lands or lands outside of Commission jurisdiction such that there would be a significant increase in severity of a previously identified significant impact or a new significant impact. The Final EIR/EIS previously considered the potential environmental effects associated with the construction and operation of these project components, and no further analysis is necessary.

CCC Special Conditions

The CCC evaluated potential GHG-related impacts and concluded that the Phase 1 Project would generate impacts through energy use of construction equipment, and indirectly through energy use during operation. The Phase 1 Project, with a 25-year expected operating life, would result in an annualized emission of 547 tons of carbon dioxide equivalent (CO_2e) per year. However, the CCC expected emissions to decrease as reduction measures are implemented pursuant to AB 32 and other state laws, such as increasing the use of lower emitting energy sources. Additionally, to ensure consistency with the Coastal Act, the CCC **imposed Special Condition 19**, which would require CalAm to submit an Energy Minimization and Greenhouse Gas Reduction Plan to minimize energy consumption.

The Phase 1 Project also includes CCC **Special Condition 19**, which requires CalAm to develop a GHG reduction plan to further ensure that the Phase 1 Project meets the "net zero" standard. The CCC adopted **Special Condition 19** to ensure the Phase 1 Project's consistency with the Coastal Act. **Special Condition 19**'s requirements are consistent with those required by **MM 4.11-1** and would not change the Final EIR/EIS's analysis or conclusions under CEQA. **Special Condition 19** does not change the Phase 1 Project's construction and operation methods in a manner inconsistent with the Original Project analyzed in the Final EIR/EIS.

The discussion above documents that there are no changed circumstances surrounding the Phase 1 Project or new information of substantial importance that would affect the Final EIR/EIS's conclusions related to greenhouse gas emissions. The Phase 1 Project would not generate a new impact related to greenhouse gas emissions or substantially increase the severity of a previously identified impact. No additional mitigation measures are necessary.

2.9 Public Services and Utilities

Final EIR/EIS

The Final EIR/EIS determined that impacts on public services and utilities would be potentially significant. Specifically, the Final EIR/EIS identified potentially significant construction-related impacts due to the Original Project's potential to disrupt or relocate regional or local utilities, and potentially significant impacts due to landfill capacity or compliance with federal, state, and local statutes and regulations related to solid waste. The Final EIR/EIS identified that **MM 4.13-1a** through **MM 4.13-1f,** and **MM 4.13-2** would reduce impacts to less-than-significant levels by requiring relocation of existing utility lines, coordination regarding construction plans, and employee safety and emergency response plans.

Regarding operations, the Final EIR/EIS determined that the Original Project could result in potentially significant impacts related to exceeding wastewater treatment requirements and increased corrosion of the M1W Outfall as a result of brine discharge. The Final EIR/EIS identified **MM 4.3-4**, **MM 4.3-5**, **MM 4.13-5a**, and **MM 4.13-5b** to ensure that potential impacts would be reduced to less-than-significant levels.

Phase 1 Project

As part of the Phase 1 Project, CalAm would dispose of spoils from construction of the slant wells at the Monterey Peninsula Landfill rather than spreading them across the CEMEX Site (CCC, 2022a, page 70). Although this redirection of spoils to the Monterey Peninsula Landfill would be beyond what was analyzed in the Final EIR/EIS, this change contemplated in the Phase 1 Project would not exceed the permitted capacity of the landfill. Drilling of the slant wells would produce 1,000 cubic yards of soil that would represent less than two one-thousandth of one percent of the landfill's remaining capacity. This would constitute a negligible increase in solid waste generation. The Monterey Peninsula Landfill can receive up to 3,500 tons of waste per day and currently receives less than 1,100 tons of waste per day. The landfill has a remaining capacity of 72 million cubic yards and an expected life of approximately 150 years.

Moreover, for the Phase 1 Project, the initial impacts resulting from the volume of spoils from only constructing the four new slant wells for a 4.8 mgd desalination facility would be reduced by up to about 60 to 70 percent compared to the full 6.4 mgd facility (CCC, 2022a, page 70).

The Phase 1 Project would not result in any construction-related public services and utilities impacts due to activities occurring on State lands. Phase 1 Project-related construction activities occurring outside of Commission jurisdiction, including the slant wells extending into State lands, could result in potential impacts on public services and utilities. These impacts would be consistent with the impacts identified in connection with the Original Project. In addition, no changes to the M1W Outfall are proposed as part of the Phase 1 Project. Thus, no substantial changed circumstances surrounding the Phase 1 Project or new information of substantial importance related to public services and utilities exist that affect that Final EIR/EIS's conclusions. Additionally, Phase 1 Project construction and operation would be required to comply with mitigation identified in the Final EIR/EIS, including **MM 4.13-1a** through **MM 4.13-1f, MM 4.13-2**, **MM 4.3-4**, **MM 4.3-5**, **MM 4.13-5a**, and **MM 4.13-5b**. As a result, the level of significance compared to the Original Project as analyzed in the Final EIR/EIS would remain unchanged.

CCC Special Conditions

The CCC did not make any findings as to public services and utilities but nonetheless evaluated the Phase 1 Project's potential impact on landfill capacity as shown above. No Special Conditions were added to this resource area.

The discussion above documents that there are no changed circumstances surrounding the Phase 1 Project or new information of substantial importance that would affect the Final EIR/EIS's conclusions related to public services and utilities. The Phase 1 Project would not generate a new impact related to public services and utilities or substantially increase the severity of a previously identified impact. No additional mitigation measures are necessary.

2.10 Aesthetic Resources

Final EIR/EIS

The Final EIR/EIS determined that impacts on aesthetics would be potentially significant and that construction and operation of the slant wells could result in temporary and permanent impacts on aesthetic resources. Implementation of mitigation could reduce potentially significant impacts to less than significant levels. The Final EIR/EIS identified that the implementation of **MM 4.14-1**, **MM 4.14-2**, **MM 4.14-3a**, and **MM 4.14-3b** would reduce impacts to less than significant levels by maintaining clean and orderly construction sites; installing site specific nighttime lighting measures; and providing appropriate facility design and screening.

PHASE 1 PROJECT

Construction activities associated with slant well improvements extending into State lands could result in potential aesthetic-related impacts indirectly to State lands and outside of Commission jurisdiction. The Phase 1 Project construction would require temporary nighttime construction-related activities for slant well development, consistent with the findings of the Final EIR. These construction-related activities would result in potentially significant impacts to lands outside Commission jurisdiction due to nighttime lighting associated with slant well construction. The magnitude of potential temporary construction impacts would be slightly less for the Phase 1 Project compared to the Original Project due to the construction of fewer slant wells that would reduce the overall duration and locations of construction. Further, the implementation of mitigation identified in the Final EIR/EIS, including **MM 4.14-1**, **MM 4.14-2**, **MM 4.14-3a**, and **MM 4.14-3b**, would ensure potential construction-related effects remain less than significant.

The Phase 1 Project could result in potentially significant impacts due to temporary construction-related nighttime lighting, as well as permanent impacts due to new above-ground facilities associated with the slant wells that would be located 825 feet landward of the MHW line. As a result, the Phase 1 Project could have an adverse impact on scenic resources or the existing visual character, consistent with the findings of the Final EIR. These impacts would, however, be somewhat less than the Original Project due to the construction of fewer slant wells and related infrastructure. Additionally, the Phase 1 Project must comply with mitigation identified in the Final EIR, including **MM 4.14-1**, **MM 4.14-2**, **MM 4.14-3a**, and **MM 4.14-3b**. The implementation of mitigation measures identified in the Final EIR/EIS would ensure that potential impacts remain less than significant. Further, there are no changed circumstances surrounding the Phase 1 Project or new information of substantial importance that affect the Final EIR's conclusions.

CCC Special Conditions

The CCC evaluated aesthetic resource impacts to determine Coastal Act and LCP consistency. The CCC determined that the Phase 1 Project components within the Coastal Zone would consist primarily of pipelines, which would be subgrade and have little, if any, visual impact once constructed (CCC, 2022a, page 141). Above grade components would include the well heads and pads (and associated infrastructure), the height of which would be less than 10 feet and constructed with muted tones intended to blend into the surrounding areas of dune habitat. The slant well network would, however, remain visible from public access areas during

construction and operation. The CCC imposed **Special Condition 3** and **Special Condition 20** to minimize visibility during construction and address the visibility of the above-ground Phase 1 Project features and ensure lighting-related effects are consistent with the Coastal Act.

In addition, the Final EIR/EIS identified potentially significant impacts on visual character due to permanent above-ground features associated with the slant wells. These potential impacts would be slightly less than the Original Project due to the construction of fewer slant wells and related above-ground improvements. Mitigation identified in the Final EIR/EIS would ensure that potential impacts from new permanent above-ground features would be less than significant. To ensure consistency with the Coastal Act, the Phase 1 Project includes **Special Condition 3** and **Special Condition 20**, which require CalAm to submit simulations of above-ground Phase 1 Project components to show that the design and color are muted and would blend into the surrounding areas and to direct lighting during Phase 1 Project construction and operation inward and downward toward work areas (CCC, 2022a, pages 40, 141-142.). These special conditions would not change the Final EIR/EIS's analysis or conclusions under CEQA. Moreover, the special conditions impose more restrictive requirements than imposed by the Final EIR/EIS, which had determined that impacts would be less than significant or less than significant with mitigation. Finally, the special conditions do not change the Phase 1 Project's physical footprint or its construction and operation methods in a manner inconsistent with the Original Project analyzed in the Final EIR/EIS.

The discussion above documents that there are no changed circumstances surrounding the Phase 1 Project or new information of substantial importance that would affect the Final EIR/EIS's conclusions related to terrestrial aesthetic resources. The Phase 1 Project would not generate a new impact related to terrestrial aesthetic resources or substantially increase the severity of a previously identified impact. No additional mitigation measures are necessary.

2.11 Cultural and Paleontological Resources

Final EIR/EIS

The Final EIR/EIS concluded that most impacts on cultural and paleontological resources would be potentially significant primarily because of potential disturbance to unknown human remains that could occur during Original Project construction, including slant well construction. The Final EIR/EIS determined that

mitigation could reduce potentially significant impacts to less than significant levels. Specifically, the Final EIR/EIS identified **MM 4.15-2b** and **MM 4.15-4** to establish protocols for inadvertent discovery of cultural resources and human remains.

Project-related construction activities outside of Commission jurisdiction, including associated with slant well improvements extending into State lands, could result in potential impacts on cultural and paleontological resources. More specifically, construction-related activities could potentially result in the inadvertent uncovering of human remains. The Final EIR/EIS concluded that mitigation would ensure that this impact would be less than significant. In addition, the Final EIR/EIS also identified that construction-related activities, although unlikely, could also result in the inadvertent discovery of a previously unknown archaeological resource. The Final EIR/EIS concluded that while no impacts to archaeological impacts are likely due to slant well construction, implementation of **MM 4.15-2b** and **MM 4.15-4** would ensure that potential impacts are less than significant.

PHASE 1 PROJECT

The Phase 1 Project would reduce the magnitude of ground-disturbing impacts compared to the Original Project due to the construction of fewer slant wells, reduced footprint, and related modifications. However, the Phase 1 Project could still result in potential impacts on cultural and paleontological resources during ground disturbing activities. Construction of the slant wells could potentially result in an adverse impact due to the disturbance of human remains, including those interred outside of a formal cemetery. Phase 1 Project construction could also result in the inadvertent discovery of a previously unknown archaeological resource. The Phase 1 Project would result in substantially the same impacts as the Original Project. The Phase 1 Project must comply with **MM 4.15-2b** and **MM 4.15-4**, which would ensure that potential impacts remain less than significant.

The Phase 1 Project would also include the construction and operation of Project-related components located further outside of Commission jurisdiction (e.g., desalination plant, pipelines, ASR wells, system interconnection improvements, etc.). These components would not result in any cultural and paleontological impacts, either directly or indirectly, on State lands or due to activities on State lands given the distance between these components and State lands (approximately two miles). The Final EIR/EIS previously considered the potential environmental effects associated with the construction and operation of these project components, and no further analysis is necessary. Overall, the Phase 1

Project would result in substantially the same level of impacts as the Original Project, albeit slightly reduced.

CCC Special Conditions

The CCC evaluated the potential cultural related impacts associated with the Phase 1 Project. The CCC initiated formal Tribal consultation consistent with the CCC's Tribal Consultation Policy. The CCC reached out to nine Tribal representatives by email and telephone. The CCC received responses from two Tribes. Although the CCC did not identify any potential cultural resources impacts beyond those identified in the Final EIR/EIS, the CCC imposed **Special Condition 18** in response to comments received from Tribal representatives to ensure that Tribal Cultural Monitors are present for any ground disturbing activities that may affect Tribal cultural resources. The CCC concluded that the Phase 1 Project, as conditioned, would be consistent with the Coastal Act.

The Phase 1 Project also includes CCC **Special Condition 18**, described above, to ensure consistency with the Coastal Act. **Special Condition 18** would not change the Final EIR/EIS's analysis or conclusions under CEQA. Moreover, **Special Condition 18** imposes more detailed requirements than imposed by the Final EIR/EIS, which had determined that impacts would be less than significant or less than significant with mitigation. Finally, the special conditions do not change the Phase 1 Project's physical footprint or its construction and operation methods in a manner inconsistent with the Original Project analyzed in the Final EIR/EIS.

The discussion above documents that there are no changed circumstances surrounding the Phase 1 Project or new information of substantial importance that would affect the Final EIR/EIS's conclusions related to cultural and paleontological resources. The Phase 1 Project would not generate a new impact related to cultural and paleontological resources or substantially increase the severity of a previously identified impact. No additional mitigation measures are necessary.

2.12 Energy Conservation

Final EIR/EIS

The Final EIR/EIS concluded that most impacts on energy conservation would be less than significant, but that energy use during construction could be potentially significant. Implementation of **MM 4.18-1** and **MM 4.10-1b** would reduce this impact to less than significant levels. Additionally, **MM 4.11-1** would further minimize potential impacts by improving the Original Project's energy efficiency.

PHASE 1 PROJECT

Phase 1 Project construction-related activities outside of Commission jurisdiction could potentially result in impacts on State lands, either directly or indirectly, and on lands outside of Commission jurisdiction. The Final EIR/EIS evaluated the potential environmental effects associated with the Original Project and concluded that construction could use large amounts of fuel and energy in an unnecessary, wasteful, or inefficient manner. In addition, the Final EIR/EIS also identified that direct energy use during construction would include electricity required to power equipment, as well as indirect energy use associated with the extraction, manufacturing, and transportation of raw materials to make construction materials.

The Phase 1 Project would reduce the magnitude of construction-related energy demand due to the construction of fewer slant wells and less associated energy consumption. As a result, the Phase 1 Project would cause fewer potential indirect effects due to temporary construction-related energy use occurring outside of State lands. While the Phase 1Project would reduce the overall magnitude of potential impacts compared to the Original Project, the Phase 1 Project could still result in impacts on energy conservation. Specifically, construction of the slant wells could require large amounts of fuel and energy, including indirect energy use associated with extraction, manufacturing, and transporting of raw materials to make construction materials. Implementation of mitigation identified in the Final EIR, including **MM 4.18-1**, **MM 4.10-1b**, and **MM 4.11-1** would ensure potential impacts on energy conservation are less than significant.

CCC Special Conditions

The CCC evaluated energy related impacts to determine the Phase 1 Project's consistency with the Coastal Act and LCP provisions. The CCC determined that operation of the Original Project would use approximately 63,000 megawatt-hours of electricity per year, which would be an increase of almost 52,000 megawatt-hours per year over CalAm's existing baseline electrical use for its water portfolio. Based on CalAm's projections, the Phase 1 Project would require 28,500 megawatt-hours per year. While energy procurement could vary (e.g., fossil fuel, wind, solar), the indirect GHG emissions would likely decrease over time as CalAm implements emission reduction measures. The CCC also explained that the desalination plant, which would require the most energy, would be located outside of the Coastal Zone. Nevertheless, to ensure CalAm minimizes the Phase 1 Project's energy consumption consistent with the Coastal Act, the CCC imposed **Special Condition 19**, which requires CalAm to submit an Energy Minimization and Greenhouse Gas

Reduction Plan for CCC Executive Director review and approval prior to the start of construction. Among other requirements, the Reduction Plan requires CalAm produce an annual report identifying all measures CalAm will implement to ensure that the Project operates as "net carbon neutral" on an annual basis. The measures shall, to the maximum extent feasible, provide for onsite production of renewable energy and procurement of off-site renewable energy from within California. (CCC, 2022a, page 39.)

The discussion above documents that there are no changed circumstances surrounding the Phase 1 Project or new information of substantial importance that would affect the Final EIR/EIS's conclusions related to energy conservation. The Phase 1 Project would not generate a new impact related to energy conservation or substantially increase the severity of a previously identified impact. No additional mitigation measures are necessary.

2.13 Socioeconomics and Environmental Justice

Final EIR

Although not required under CEQA, the Final EIR/EIS analyzed potential socioeconomic and environmental justice impacts associated with the Project.[7] The Final EIR/EIS determined that construction activities could temporarily impact tourists' access to businesses and recreational opportunities in portions of Monterey County by temporarily affecting public access to streets, parking spaces, and trails, causing potential impacts on socioeconomic and environmental justice. The Final EIR/EIS identified **MM 4.9-1** to minimize this impact to less than significant by requiring (1) circulation and detour plans to minimize impacts on local streets, (2) a public information program for businesses, residents, and visitors, and (3) restoring roads and streets to normal operations.

Phase 1 Project

The Final EIR/EIS did not specifically evaluate the individual socioeconomic and environmental justice related effects of each Original Project component. As a

[7] The Final EIR/EIS's significance determinations apply only to the NEPA analysis since CEQA does not require analysis of economic and social impacts/effects of a project (Final EIR/EIS, page 4.20-1 and -2).

result, the Final EIR/EIS did not specifically evaluate potential socioeconomic and environmental justice effects associated with slant well construction and operation, including the portion extending into State lands. Moreover, the Final EIR/EIS's significance determinations apply to the NEPA analysis only (Final EIR/EIS, pages 4.20-1 and -2). This is because CEQA documents may, but are not required to, discuss economic and social impacts/effects of a project. The Phase 1 Project would result in substantially the same level of impacts as the Original Project and must comply with the mitigation identified in the Final EIR/EIS to reduce potentially significant impacts to less than significant levels.

The Final EIR/EIS included a comprehensive assessment of potential socioeconomic and environmental justice related effects pursuant to NEPA. In addition, the CCC also analyzed potential environmental justice impacts associated with the Phase 1 Project pursuant to the Coastal Act. The Phase 1 Project would result in substantially the same level of impacts as the Original Project. Additionally, the Phase 1 Project must comply with mitigation identified in the Final EIR, including **MM 4.9-1** to minimize potential socioeconomic and environmental justice impacts to less than significant under NEPA. Accordingly, the Phase 1 Project would not result in any new significant impact or substantially increase the severity of a previously identified impact related to socioeconomics and environmental justice. No additional mitigation measures are necessary.

CCC Special Conditions

Pursuant to its adopted Environmental Justice Policy, the CCC also analyzed potential socioeconomic and environmental justice related impacts associated with the Phase 1 Project.[8] Additionally, the CCC conducted additional public outreach and engagement to address potential environmental justice concerns. As part of this process, the CCC created a FAQ on the Project in English and Spanish, sent an infographic about the CCC and how to participate in public meetings that the community could share, and regularly engaged with Marina officials to answer questions and provide guidance on how they could enable community members to participate in the CCC proceedings. CalAm also provided Spanish interpretation and translation services for the hearing.

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[8] The CPUC's Decision on the Original Project also identifies the extensive outreach to the City of Marina that was performed in connection with the CPUC's proceedings, including many meetings with the City to the discuss the Original Project and its potential impacts (CPUC, 2018, Appx. J, page 37.)

Additionally, CalAm conducted community outreach and engagement as part of the CCC's review of the Phase 1 Project. CalAm repeatedly met with CCC staff to discuss further outreach to environmental justice communities in the area. CalAm also submitted a detailed outreach and engagement plan to the CCC identifying CalAm's current and proposed community engagement and outreach activities. As part of these outreach efforts, CalAm conducted a total of 12 additional community meetings in Marina, Seaside, Sand City, Castroville, and Salinas. CalAm advertised these meetings in multiple languages via email and on social media, radio, and their website. Following these meetings, CalAm responded to community questions in writing, and then distributed a handout in English, Spanish, Vietnamese, and Korean to event participants and posted it on the Project website.

As part of its review of the Phase 1 Project, the CCC identified potential environmental justice concerns related to 1) increased costs for water, 2) benefits to Castroville's water supply through the Return Water Agreement at the expense of CalAm ratepayers, and, 3) environmental burdens that will contribute to cumulative environmental impacts to the City of Marina, including groundwater impacts (CCC, 2022a, page 112). To address these concerns, the CCC imposed **Special Condition 16** (Low-Income Ratepayer Relief), which requires the implementation of a low-income ratepayer relief program, to effectuate ratepayer assistance. The CCC also imposed **Special Condition 17** (Community Engagement and Public Access Plans and Implementation), which requires CalAm to submit a Public Access and Amenities Plan to ensure certain public benefits to the City of Marina.

The discussion above documents that there are no changed circumstances surrounding the Phase 1 Project or new information of substantial importance that would affect the Final EIR/EIS's conclusions related to socioeconomic and environmental justice. The Phase 1 Project would not generate a new impact related to socioeconomic and environmental justice or substantially increase the severity of a previously identified impact. No additional mitigation measures are necessary.

2.14 Growth Inducement

Final EIR

The Final EIR/EIS evaluated the Original Project's potential growth-inducing impacts and determined such impacts would be less than significant because the Original Project alone would not provide enough water to support growth (Final EIR/EIS, page 5.5-384). The Final EIR/EIS concluded that supplies provided by the Original Project (7,167 AFY),[9] plus CalAm's other supplies (5,544 AFY),[10] would total 12,711 AFY, which is less than existing service area demands and entitlements of 12,845 AFY (ibid.). Therefore, because the Original Project alone would not provide sufficient water to support future growth, the Original Project itself would not remove an obstacle to growth (ibid.).

Cumulative Impacts

The Final EIR/EIS determined that the Original Project, when operated in combination with the Pure Water Monterey Project (3,500 AFY), would result in a significant and unavoidable cumulative growth impact (Final EIR/EIS, page 5.5-385). Water supplies from the Original Project and Pure Water Monterey Project together would total 16,211 AFY (ibid.). After meeting existing service area demand and entitlements, the Original Project in combination with the Pure Water Monterey Project would result in water available for other use, such as additional development (Final EIR/EIS, page 5.5-386). Therefore, the Final EIR/EIS concluded that the Original Project in combination with the Pure Water Monterey Project would indirectly enable growth under the approved general plans of the land use jurisdictions served by CalAm. While these jurisdictions ultimately would have the authority to approve or deny future development and impose mitigation measures to address the potential secondary impacts associated with growth (see Final EIR/EIS, pages 6-44 to 6-55), the Final EIR/EIS nevertheless concluded that some

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[9] In its decision approving the Original Project, the CPUC determined that the Original Project would produce approximately 7,167 AFY in drought years and only 6,250 AFY in non-drought years (CPUC, 2018, page 70). Nevertheless, the Final EIR/EIS evaluated growth inducing impacts based on the Original Project's potential supply of 7,167 AFY.

[10] Other water supply sources in the Final EIR/EIS's analysis included Carmel River (3,376 AFY), Seaside Groundwater Basin (774 AFY), Aquifer Storage and Recovery Project (1,300 AFY), Sand City Desalination Plant (94 AFY) (Final EIR/EIS, page 6-19).

significant and unavoidable cumulative growth-inducing impacts could occur (Final EIR/EIS, page 5.5-386).

CCC Special Conditions

In considering the Phase 1 Project, the CCC explained that M1W, in collaboration with the Monterey Peninsula Water Management District (MPWMD) and CalAm, has pursued the Pure Water Monterey Expansion Project (PWM Expansion Project) to provide a supplemental source of water supply to serve the Monterey Peninsula. The PWM Expansion Project was under construction at the time of CPUC approval of the Original Project and CCC approval of the Phase 1 Project and was completed in October 2025.[11] It is anticipated to provide up to 2,250 AFY of purified recycled water in addition to the 3,500 AFY of purified recycled water provided by the base Pure Water Monterey Project. Accordingly, the Pure Water Monterey Project and PWM Expansion Project together could provide up to 5,750 AFY of purified recycled water to the Monterey Peninsula.[12]

The CCC concluded that, while the PWM Expansion Project would provide a supplemental source of water supply to serve the Monterey Peninsula in the short-term, additional supplies are necessary to meet long-term supply and demand (CCC, 2022a, page 147). The CCC relied on estimates from Cal Advocates,[13] which estimated total long-term supplies in 2040 and beyond at 10,254 AFY (CCC, 2022a, pages 152-154). Combining the 5,372 AFY of water from the Phase 1 Project with Cal Advocates' total estimated long-term supply of 10,254 AFY yields a total long-

[11] Monterey Peninsula Water Management District, Pure Water Monterey webpage, (https://www.mpwmd.net/water-supply/pure-water-monterey/), last visited April 27, 2026.

[12] The CCC acknowledged there is some uncertainty as to whether the Pure Water Monterey and PWM Expansion Projects will yield a combined supply of 5,750 AFY (CCC, 2022a, page 155). Combined actual annual water yields from the Pure Water Monterey and PWM Expansion Projects are not yet available because the PWM Expansion Project was only recently completed (October 2025).

[13] As explained in the CCC's Findings, Cal Advocates is the independent entity within the CPUC representing the interests of water customers (CCC, 2022a, page 152).

term supply of 15,626 AFY—less than the 16,211 AFY of cumulative total water supplies estimated in the Final EIR/EIS.[14]

Further, the Seaside Groundwater Basin Watermaster identified a need for additional replenishment water to protect the Seaside Groundwater Basin from seawater intrusion beyond original estimates. In response, CalAm must provide 700 AFY of water per year for 25 years to the Seaside Groundwater Basin. (CCC, 2022a, page 47, 155)

Consistent with the Original Project, the Phase 1 Project would not result in any secondary growth-related impacts on State lands. Operation of the slant wells, including the portion extending into State lands, could, however, indirectly facilitate potential cumulative secondary growth-inducing impacts outside of Commission jurisdiction consistent with the findings of the Final EIR/EIS – specifically, the Phase 1 Project in combination with other planned and approved water supply projects would result in potential secondary (or indirect) growth impacts outside of Commission jurisdiction in the land use jurisdictions served by CalAm by removing some water supply obstacles to future development.

Like the Original Project, which by itself would not provide enough water to support growth (Final EIR/EIS, page 5.5-384), the Phase 1 Project's individual secondary growth-inducing impacts would be less than significant given its capacity, and resulting water supply would be reduced compared to the Original Project. The annual production capacity of the Phase 1 Project would be 5,372 AFY, compared to 7,167 AFY for the Original Project. Therefore, the Phase 1 Project's individual impacts related to growth would be within the scope of impacts analyzed and disclosed in the Final EIR/EIS.

However, since the CPUC certified the Final EIR/EIS, M1W has completed the PWM Expansion Project, which is anticipated provide up to 2,250 AFY of purified recycled water in addition to the 3,500 AFY provided by the base Pure Water Monterey Project that was analyzed for cumulative growth purposes in the Final EIR/EIS (see Final EIR/EIS, page 5.5-385). Notwithstanding new information concerning the PWM Expansion Project, the Phase 1 Project would not substantially increase the severity

[14] In its Final Decision issued on May 12, 2025, the court in *City of Marina et al. v. California Coastal Commission*, Monterey Super. Ct. Case No. 22CV004063, determined that the CCC, as a CEQA responsible agency, was entitled to rely on the CPUC's growth-inducing impacts findings and was not required to reassess potential growth-inducing impacts associated with the Phase 1 Project.

of a previously identified cumulatively significant secondary growth impact or result in a new significant impact beyond those identified in the Final EIR/EIS. Total cumulative long-term water supplies of the Phase 1 Project in combination with the Pure Water Monterey and PWM Expansion Projects (15,626 AFY) would remain less than the total cumulative water supplies estimated in the Final EIR/EIS (16,211 AFY).

Additionally, as the Final EIR/EIS explained, land use jurisdictions served by CalAm would be responsible for reviewing, approving, and mitigating potential environmental impacts of future development (Final EIR/EIS, pages 6-42 to 6-44). Moreover, other resource agencies may also impose further restrictions on future development, thereby further minimizing potential secondary impacts associated with growth to the maximum extent feasible (ibid.).

Overall, the Phase 1 Project would result in substantially the same level of impacts as the Original Project, albeit slightly reduced.

3.0 CONCLUSION

As detailed above, the Commission, as a CEQA Responsible Agency, prepared this Memorandum to document its evaluation and comparison of previous CEQA analysis performed by the CPUC in approving the Original Project and the CCC in conditionally approving the Phase 1 Project. The Memorandum documents the conclusion that the Phase 1 Project would not result in any new significant environmental effects or any substantial increases in the severity of previously identified environmental effects that would trigger additional CEQA analysis by the Commission. The Memorandum also documents that the Phase 1 Project would not result in new or more severe effects or that previously infeasible mitigation measures are now feasible and would substantially reduce impacts. Specifically, based on substantial evidence considering the whole record, none of the following circumstances exist regarding the Phase 1 Project and the previously certified Final EIR/EIS:

- Substantial changes proposed in the project which would require major revisions of the Final EIR/EIS due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects (CEQA Guidelines, § 15162, subd. (a)(1)).
- Substantial changes that would occur with respect to the circumstances under which CalAm undertakes the Phase 1 Project, which would require major revisions of the Final EIR/EIS due to the involvement of new significant

environmental effects or a substantial increase in the severity of previously identified significant effects (CEQA Guidelines, § 15162, subd. (a)(2)).

- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of certification of the Final EIR/EIS by the CPUC (CEQA Guidelines, § 15162, subd. (a)(3)).

Given that none of the conditions described in State CEQA Guidelines section 15162 have occurred, no subsequent or supplemental EIR is necessary.

4.0 List of Abbreviations and Acronyms

Abbreviation / Acronym	Term
AB	Assembly Bill
AFY	Acre Feet Per Year
ASR	Aquifer Storage and Recovery
BMPs	Best Management Practices
CalAm	California American Water
CCC	California Coastal Commission
CCSD	Castroville Community Services District
CDFW	California Department of Fish and Wildlife
CDO	Cease and Desist Order
CDP	Coastal Development Permit
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CPCN	Certificate of Public Convenience and Necessity
CPUC	California Public Utilities Commission
CSIP	Castroville Seawater Intrusion Project
Commission	California State Lands Commission
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EO	Executive Order
ESHA	Environmentally Sensitive Habitat Areas
Final EIR/EIS	Final Environmental Impact Report/ Environmental Impact Statement
GHG	Greenhouse Gas

Abbreviation / Acronym	Term
GPM	Gallons Per Minute
HDD	Horizontal Directional Drilling
HMMP	Habitat Mitigation and Monitoring Plan
LCP	Local Coastal Program
M1W	Monterey One Water
MBNMS	Monterey Bay National Marine Sanctuary
MGD MHW	Million Gallon Per Day Mean High Water
MPWSP	Monterey Peninsula Water Supply Project
NEPA	National Environmental Policy Act
NMFS	National Marine Fisheries Service
NPDES	National Pollution Discharge Elimination System
PWM	Pure Water Monterey
RO	Reverse Osmosis
RWQCB	Regional Water Quality Control Board
SCH	State Clearinghouse
SWRCB	State Water Resources Control Board
TAMC	Transportation Authority of Monterey County
USFWS	United States Fish and Wildlife Service

5.0 ENVIRONMENTAL MEMORANDUM PREPARATION AND RESOURCES

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