SECTION 4.0

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CHANGES TO THE RECIRCULATED DRAFT EIR

4.1 CEQA REQUIREMENTS

CEQA Guidelines section 15132 requires that a Final EIR contain either the draft EIR or a revision of the Draft EIR. This Final EIR incorporates the 2018 RDEIR, as amended by the 2019 RDEIR (together, the RDEIR), by reference and includes the revisions to the RDEIR, as presented on the following pages. The following changes reflect changes made in responses to public comments on both the 2018 RDEIR and 2019 RDEIR.

4.2 CHANGES MADE

This section contains text, tables, and/or graphics from the RDEIR with changes indicated. Additions to the text are shown with underlined text (underline) and deletions are shown with strikethrough text (strikethrough). Explanatory notes in italic text (italic) precede each revision. A revised Figure 3.11-1 replaces the corresponding figure in the 2018 RDEIR. A new Figure 3.11-2 is added showing fire district boundaries in response to a comment. Also refer to Section 3.0, Revised Summary, for a summary of the RDEIR that reflects changes made as a result of the public review process.

Modify the paragraph in Section 1.5 on 2019 RDEIR page 5 to read as follows:

This 2019 RDEIR was prepared in consultation with CAL FIRE and Mission-Soledad Rural Fire Protection District: Chief David Fulcher and John Owens, as well as the California Board of Forestry and Fire Protection: Edith Hannigan, Land Use Program Manager, and Matt Dias, Executive Officer.

The County makes the following changes throughout the document in response to comments by the Monterey Bay Air Resources District:

Modify all occurrences of the name “Monterey Bay Unified Air Pollution Control District” to the current name of “Monterey Bay Air Resources District.” Modify all occurrences of the acronym “MBUAPCD” to the current acronym of “MBARD.”
The County modifies Table 2.4 on page 2-61 of the 2018 RDEIR, in response to comments by the Monterey Bay Air Resources District, to include two additional bullets as follows:

- Air District Permits may be required for engine generator sets and boilers
- Air District Permits or registration may be required for portable construction equipment

The County adds the following text on page 3-47 of the 2018 RDEIR, at the end of Impact 3.2.3, in response to comments by John Farrow, LandWatch Monterey County.

To ensure that wood-burning stoves/fireplaces/barbecues are prohibited, a condition of approval will be required that prohibits wood-burning stoves/fireplaces/barbecues. A condition of approval is being used as the enforcement tool, as long-term stationary and vehicular emissions impacts are less than significant and do not require mitigation. The condition of approval is as follows:

- Solid fuel heating appliances (i.e., wood-burning fireplaces; wood stoves; barbecues, etc.) shall be prohibited.

This prohibition shall be included as a condition of approval of the Combined Development Permit and reflected on the Use Permit for creation of 77 timeshare units, the Vesting Tentative Subdivision Map, all Final Maps, and on all building permits.

Delete the first bullet in the third paragraph of section 3.7.1, Introduction, on 2019 RDEIR page 47 to read as follows, with the remaining bullets retained:

Previous reports and information used to prepare this section include the following documents:

- California Board of Forestry and Fire Protection. Personal Communication between Edith Hannigan, Land Use Program Manager and Mike Novo, Monterey County Planning; May 3, 2019.

Modify 2019 RDEIR Figure 3.7-1 to add the following text below the figure:

Replace the fifth sentence of the Dead End Road Length paragraph in Impact 3.7-6 on 2019 RDEIR page 62 to read as follows:

As identified in Monterey County Code section 18.56.020.B.2.a, Paraiso Springs Road is a county maintained road built in the 19th century and is not subject to PRC 4290 dead end road requirements (Monterey County Ordinance 3600 as amended). If it is determined that the off site road is subject to the dead end road requirements, the applicant would need to apply for an exception pursuant to Monterey County Code section 18.56.050 or state law, as applicable.

Replace Mitigation Measure 3.7-6a on 2019 RDEIR pages 63 and 64 to read as follows:

The 2019 Fire Protection Plan has been reviewed and approved by the Mission-Soledad Rural Fire Protection District, and shall be approved by the RMA Director prior to clearance of any vegetation or issuance of permits for construction, whichever occurs first. The applicant shall implement the fire protection and safety measures recommended in the approved Fire Protection Plan along with additional measures listed below, including the following:

- Provide a facility Fire Safety Coordinator(s) to oversee implementation of fire protection and safety and overall fire coordination with MSRFPD/CAL FIRE.
- Coordinate an annual fire evacuation drill/fire exercise to ensure proper safety measures have been implemented, facility awareness and preparation of facility-wide “Ready, Set, Go!” plan, consistent with the Monterey County Community Wildfire Protection Plan.
- Provide trained security staff 24 hours per day and 7 days per week at the guard gate to manage an evacuation of the facility by opening the gates and directing traffic out of the area.
- Provide a first-responder (EMT) level staff person and equipment to be on-site at all times.
- Provide a customized one-ton, 4x4 pickup with a skid mounted pump and up to 150 gallon water tank and train multiple staff members and site security staff to utilize this apparatus for the purposes of providing initial suppression for any vegetation ignitions, and initial response to other fires.
- Prior to project operation, designate one or more structures as temporary refuge areas (TRAs) to house the projected population on the project site in the event of a fire emergency. TRA structures shall include specifications listed in the 2019 Fire Protection Plan.
  - The capacity for TRA structures shall be equivalent to shelter the total maximum site population within protected buildings based on 15 square feet per person of habitable space.
  - The Fire Safety Coordinator (aka Site Safety Officer), management staff, and security personnel will quarterly participate in a meeting to review and discuss the evacuation protocols and contingency option for temporarily refuging on site.
- Provide ember-resistant vents and screening for all ventilation for project structures, as specified in the 2019 Fire Protection Plan.
4.0 Changes to the Draft EIR

- Provide a site-wide Public Address (PA)/Intercom system for emergency notifications.
- Prepare and practice site-wide evacuations following the “Ready, Set, Go!” program guidelines. A drill will be conducted at least once per year involving staff.
- Prepare an Emergency Preparation Plan that includes specifications listed in the 2019 Fire Protection Plan, such as pre-fire planning, post-fire recovery, reporting, training, prevention, and communications procedures.
- Enhance traffic flow by not constructing speed bumps/humps and provide an automatic opening device for fire and law enforcement at the entrance gate.
- Restrict vegetation around TRA structures to highly ignition-resistant vegetation planted at low densities and maintained free of all accumulated debris/litter.
- Design and implement a landscaping plan consistent with accepted wildland urban interface fire safe/fire adapted practices.
  - The landscaping plan shall be reviewed and approved by the County, MSRFPD, and/or an experienced fire protection planner, as determined by the County, to ensure that proposed plantings and maintenance meet the required fire safety and screening requirements.
- If planted, manage the vineyard using a professional vintner in an irrigated, maintained condition to act as a modified fuel buffer, utilizing irrigation and operation measures included in the 2019 Fire Protection Plan.
- Conduct an annual inspection of the site by MSRFPD or its designee to ensure that project landscaping is maintained in a wildfire-safe condition.
- Maintain a 1- to 3-foot landscape-free area adjacent to all building structures’ foundations to prevent available fuels for embers at the building base.

*Replace Mitigation Measure 3.7-7b on 2019 RDEIR page 68 to read as follows:*

**MM 3.7-7b** The draft 2019 Construction Fire Prevention Plan, included as an appendix to the Final EIR, shall be reviewed by the Mission-Soledad Rural Fire Protection District, and approved by the RMA Director prior to clearance of any vegetation or issuance of permits for construction, whichever occurs first. This plan addresses training of construction personnel and provides details of fire suppression procedures and equipment to be used during construction. Information contained in the plan shall be included as part of project-related environmental awareness training. The applicant shall implement procedures in the Construction Fire Prevention Plan, including the following:

- Procedures for minimizing potential ignition, including, but not limited to, vegetation clearing, parking requirements/restrictions, idling restrictions, smoking restrictions, proper use of gas-powered equipment, use of spark arrestors, and hot work restrictions;
- Work restrictions during Red Flag Warnings and High to Extreme Fire Danger days;
- Adequate water supply to service construction activities;
- Fire Safety Coordinator (aka Site Safety Officer) role and responsibility;
- Worker training for fire prevention, initial attack firefighting, and fire reporting;
• Emergency communication, response, and reporting procedures;
• Coordination with local fire agencies to facilitate agency access through the project site;
• Emergency contact information;
• Demonstrate compliance with applicable plans and policies established by state and local agencies.
• Initial clearance of native vegetation, or clearance of vegetation within 100 feet of native vegetation, shall require that a staffed water vehicle (water truck or Fire Engine) be located within 200 feet of all operating mechanized equipment. This requirement shall also apply to grading activities within 100 feet of native or flammable vegetation;
• The County, a third-party fire protection consultant, or MSRFPD shall inspect the project site, prior to any site construction activities, to ensure that all required measures are in place.

Replace Mitigation Measure 3.7-7d on 2019 RDEIR page 69 to read as follows:

**MM 3.7-7d** The 2019 Operations Fire Prevention Plan, included as an appendix to the Final EIR, shall be reviewed by the Mission-Soledad Rural Fire Protection District and approved by the RMA Director prior to issuance of occupancy permits or final inspection, whichever occurs first, for any habitable structures. This plan addresses policies and procedures for minimizing wildfire potential. The applicant shall implement procedures in the Operation Fire Prevention Plan, including the following:

• Procedures for minimizing potential ignition during maintenance activities;
• Work restrictions during Red Flag Warnings and High to Extreme Fire Danger days;
• Fuel modification zone and landscape area maintenance procedures, including timing of work to reduce the likelihood of ignition and/or fire spread;
• Communication and reporting procedures with MSRFPD;
• Fire Safety Coordinator (aka Site Safety Officer) role and contact information;
• Applicable recommendations included in the project’s Fire Protection Plan (MM 3.7-6a).
• The Project Operator shall fund a third-party fuel modification inspector or MSRFPD, as chosen by the Fire District, to conduct an annual inspection prior to June to certify that fuel modification maintenance has occurred;

Add the following text to the 2019 RDEIR, on page 72, as the third sentence of Mitigation Measure 3.7-9 to read as follows:

The engineering geologist shall determine areas that should not be utilized until remediation has been completed. The completion of remediation and ability to reuse these areas shall be determined by the engineering geologist and reported to the County Building Official prior to commencing uses in those areas.
The County makes the following changes in the first sentence of the first full paragraph on 2018 RDEIR page 3-297, in response to comments by Joe and Misty Panziera, to read as follows:

Homes on Paraiso Springs Road are situated as close as 30 feet from the edge of the roadway.

The County adds the following after the second sentence of the first full paragraph on 2018 RDEIR page 3-297, in response to comments by Joe and Misty Panziera:

The groundborne vibration identified for the heaviest vehicles at 25 miles per hour is 0.014 in/sec PPV at five feet from the edge of the travelled roadway (RDEIR Appendix I, Illingworth and Rodkin, 2016, page 17).

Figure 3.11-1, Regional Fire Protection Facilities presented on page 3-305 of the 2018 RDEIR, has been revised to include the fire facility at the Soledad Correctional Facility. The figure is presented on the last page of this section.

Add Figure 3.11-2, Fire District Boundaries, to follow Figure 3.11-1 on 2018 RDEIR page 3-305. The figure is presented following revised Figure 3.11-1 at the end of this section.

The County makes the following change on 2018 RDEIR page 3-309, third paragraph, in response to comments from the Monterey County Sheriff’s Office:

Change the reference from “Beat #10” to “Beat 10A”

The County adds the following text after the third paragraph on 2018 RDEIR page 3-309, in response to comments from the Monterey County Sheriff’s Office:

There is a day shift (7 a.m. to 5 p.m.) with deputies that work out of the South County substation. There are 3-5 deputies working on a daily basis. One deputy would cover Beat 10A area during the day shift. During swing shift, which is from 3 p.m. to 1 a.m., there are two deputies assigned to work South County. These two deputies come out of the Central Station in Salinas Office. They are known as the 45 unit and cover all the beat areas of 10A/10B/11/12. Their briefing starts at 3 p.m. and they will drive down to South County and be in the area well before the day shift goes off duty at 5 p.m. The midnight shift works 9 p.m. to 7 a.m. The weekend days are always covered with two deputies that also come out of the Central Station in Salinas and work South County as the 45 unit and cover beats 10A/10B/11/12.

During the week, there are normally two deputies who come over from the Salinas office to cover. However, due to vacations and training, etc., staffing coverage may not always allow that. In those instances, where a call comes out and there is no 45 unit, the Salinas Beat 3 or
Beat 4 unit would be dispatched. In a life threatening situation (resident is home and someone is breaking in) the call would also be dispatched to the closest city department (Soledad or Greenfield) and/or the California Highway Patrol.

The 2018 RDEIR has been revised to correct the title name of a reference. The County modifies section 3.12.5, Page 3-339, third paragraph, first sentence under Roadways Hazards to read as follows:


Table ES.1, Executive Summary of Significant Project Impacts, presented on pages ES-5 through ES-39 has been revised to include Impact 3.8-9 and Mitigation Measure 3.8-9, inadvertently excluded from the RDEIR table. Impact and Mitigation Measure 3.8-9 were included in the RDEIR on pages 3-254 through 3-256. The revised table is found in Final EIR section 3, Table ES.1.

RDEIR Appendix H inadvertently included an earlier version of the comprehensive hydrogeologic report. The County issued an Errata/Addition to Appendix H on March 16, 2018 incorporating the Comprehensive Hydrogeologic Report, Todd Groundwater, dated January 16, 2018, into the RDEIR. Appendix H has been revised to include the 2018 hydrogeologic report.

Replace Figure 3.11-1, Regional Fire Protection Facilities on page 3-305 as shown on the next page:
Figure 3.11-1
Regional Fire Protection Facilities
Paraiso Springs Resort EIR

Source: RBF Consulting 2010, Monterey County 2006
Add Figure 3.11-2, Fire District Boundaries, as shown on the next page:
Figure 3.11-2 Fire District Boundary

LAFCO of Monterey County
LOCAL AGENCY FORMATION COMMISSION

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FIRE PROTECTION DISTRICTS
MISSION SOLEDAD RURAL
FIRE PROTECTION DISTRICT
Sphere of Influence Affirmed: 3/26/2012
Map Produced: 4/12/2012

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FIRE PROTECTION DISTRICTS
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FIRE PROTECTION DISTRICT
Sphere of Influence Affirmed: 3/26/2012
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Paraiso
SOLEDAD
CITY OF SOLEDAD FD
525 MONTEREY ST.

FORT ROMIE RD
FOOTHILL RD
ARROYO SECO RD
ALAMO ST
101

GREENFIELD FPD
1380 OAK AVE

GREENFIELD

Note: Sphere of Influence and District boundary are the same.