

# **County of Monterey**

County of Monterey Government Center  
1441 Schilling Place, Salinas, CA 93901



## **Meeting Agenda - Final**

**Wednesday, March 6, 2024**

**8:00 AM**

**Government Center  
1441 Schilling Place  
Salinas, CA 93901**

### **Administrative Permit**

The Recommended Action indicates the staff recommendation at the time the agenda was prepared. That recommendation does not limit the Chief of Planning's alternative actions on any matter before it.

Notice is hereby given that on March 6, 2024 the Chief of Planning of the County of Monterey Housing and Community Development, is considering the project described on the following pages.

Any comments or requests that any of the applications be scheduled for public hearing must be received in writing in the office of the County of Monterey Housing and Community Development by 5:00 pm Tuesday, March 5, 2024. A public hearing may be required if any person, based on a substantive issue, so requests.

Si necesita la traducción de esta agenda, comuníquese con el Departamento de Vivienda y Desarrollo Comunitario del Condado de Monterey ubicado en el Centro de Gobierno del Condado de Monterey, 1441 Schilling Place, segundo piso, Salinas, o por teléfono al (831) 755-5025. Después de su solicitud, la Secretaria asistirá con la traducción de esta agenda.

If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132) and the federal rules and regulations adopted in implementation thereof. For information regarding how, to whom and when a person with a disability who requires a modification or accommodation in order to participate in the public meeting may make a request for disability-related modification or accommodation including auxiliary aids or services or if you have any questions about any of the items listed on this agenda, please call the County of Monterey Housing and Community Development at (831) 755-5025.

NOTE: All agenda titles related to numbered items are live web links. Click on the title to be directed to corresponding Staff Report

**SCHEDULED MATTERS****1. PLN230169 - CASA ONDULADO LLC**

Restoration Plan to clear Code Enforcement violation (22CE00229) and restore the site from unpermitted removal of 3 Coast live oaks and 77 Monterey pines, totaling 80 protected trees.

**Project Location:** 1451 Ondulado Road & 1467 Padre Lane, Pebble Beach

**Proposed CEQA action:** Find the project Categorical Exempt pursuant to CEQA Guidelines Section 15308.

**Attachments:**     [Staff Report](#)  
                          [Exhibit A - Draft Resolution](#)  
                          [Exhibit B - Vicinity Map](#)



# County of Monterey

Item No.1

## Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: AP 24-014

March 06, 2024

**Introduced:** 2/29/2024

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Administrative Permit

### **PLN230169 - CASA ONDULADO LLC**

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**Project Location:** 1451 Ondulado Road & 1467 Padre Lane, Pebble Beach

**Proposed CEQA action:** Find the project Categorically Exempt pursuant to CEQA Guidelines Section 15308.

### RECOMMENDATIONS:

It is recommended that the HCD Chief of Planning adopt a resolution to:

- a. Find that the protection of the environment qualifies for a Class 8 Categorical Exemption pursuant to CEQA Guidelines section 15308, and there are no exceptions pursuant to section 15300.2; and
- b. Approve a Restoration Plan to clear Code Enforcement violation (22CE00229) and restore the site from unpermitted removal of 3 Oaks and 77 Monterey Pine tree stumps totaling 80 protected trees, including recommended replanting of 68 trees consisting of 45 Monterey Pine and 23 Oaks to restore the affected forested areas.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to 6 conditions of approval.

### PROJECT INFORMATION:

**Agent:** Cassandra August

**Property Owner:** Stephen Soske

**APNs:** 008-441-033-000 & 008-441-035-000

**Parcel Size:** The two parcels combined are 6.4 acres (278,784 square feet)

**Zoning:** Low-Density Residential with 1.5 acres per unit with a Design Control overlay within the Coastal Zone or "LDR/1.5-D (CZ)"

**Plan Area:** Del Monte Forest Land Use Plan, Coastal Zone.

**Flagged and Staked:** No

### SUMMARY:

Staff is recommending approval of a Restoration Plan subject to the findings and evidence in the attached Resolution (see **Exhibit A**), and subject to the conditions of approval attached to the Resolution. Please read these carefully and contact the planner if you have any questions. Unless otherwise noted in the conditions, the applicant will be required to satisfy all permit conditions prior to the issuance of a building/grading permit and/or commencement of the approved use.

On March 6, 2024, an administrative decision will be made. A public notice has been distributed for this project. The deadline for submittal of written comments in opposition to the project, its findings, or conditions based on a substantive issue is 5:00 p.m. on Tuesday, March 5, 2024. The permit will be administratively approved the following day if we do not receive any written comments by the deadline. You will receive a copy of your approved permit in the mail. We will notify you as soon as possible in the event that we receive correspondence in opposition to your project or if the application is referred to a public hearing.

Note: This project will be referred to the Monterey County Zoning Administrator if a public hearing is necessary. The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

HCD-Planning

HCD-Building

Prepared by: Kayla Nelson, Associate Planner, x6408

Reviewed and Approved by: Anna Ginette Quenga, AICP, Principal Planner

The following attachments are on file with HCD:

Exhibit A - Draft Resolution including:

- Recommended Conditions of Approval
- Site Plan
- Restoration Plan and Arborist Report

Exhibit B - Vicinity Map

cc: Front Counter Copy; Pebble Beach Community Services District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Kayla Nelson, Planner; Anna Ginette Quenga, Principal Planner; Stephen Soske, Property Owner; Cassandra August, Agent; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Planning File PLN230169.



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March 06, 2024

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- a. Find that the protection of the environment qualifies for a Class 8 Categorical Exemption pursuant to CEQA Guidelines section 15308, and there are no exceptions pursuant to section 15300.2; and
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The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to 6 conditions of approval.

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**Plan Area:** Del Monte Forest Land Use Plan, Coastal Zone.

**Flagged and Staked:** No

### SUMMARY:

Staff is recommending approval of a Restoration Plan subject to the findings and evidence in the attached Resolution (see **Exhibit A**), and subject to the conditions of approval attached to the Resolution. Please read these carefully and contact the planner if you have any questions. Unless otherwise noted in the conditions, the applicant will be required to satisfy all permit conditions prior to the issuance of a building/grading permit and/or commencement of the approved use.

On March 6, 2024, an administrative decision will be made. A public notice has been distributed for this project. The deadline for submittal of written comments in opposition to the project, its findings, or conditions based on a substantive issue is 5:00 p.m. on Tuesday, March 5, 2024. The permit will be administratively approved the following day if we do not receive any written comments by the deadline. You will receive a copy of your approved permit in the mail. We will notify you as soon as possible in the event that we receive correspondence in opposition to your project or if the application is referred to a public hearing.

Note: This project will be referred to the Monterey County Zoning Administrator if a public hearing is necessary. The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.

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HCD-Building

Prepared by: Kayla Nelson, Associate Planner, x6408

Reviewed and Approved by: Anna Ginette Quenga, AICP, Principal Planner

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cc: Front Counter Copy; Pebble Beach Community Services District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Kayla Nelson, Planner; Anna Ginette Quenga, Principal Planner; Stephen Soske, Property Owner; Cassandra August, Agent; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Planning File PLN230169.

# Exhibit A



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## DRAFT RESOLUTION

### Before the Housing and Community Development Chief of Planning in and for the County of Monterey, State of California

In the matter of the application of:

**CASA ONDULADO LLC (PLN230169)**

**RESOLUTION NO. 24--**

Resolution by the Monterey County HCD Chief of Planning:

- 1) Finding that the protection of the environment qualifies for a Class 8 Categorical Exemption pursuant to CEQA Guidelines section 15308; and there are no exceptions pursuant to section 15300.2; and
- 2) Approving a Restoration Plan to clear Code Enforcement violation (22CE00229) and restore the site from unpermitted removal of 3 Oaks and 77 Monterey Pine tree stumps totaling 80 protected trees, including recommended replanting of 68 trees consisting of 45 Monterey Pine and 23 Oaks to restore the affected forested areas.

[CASA ONDULADO LLC, 1451 Ondulado Road & 1467 Padre Lane, Pebble Beach (Assessors Parcel Numbers: 008-441-033-000 & 008-441-035-000) Del Monte Forest Land Use Plan, Coastal Zone]

**The CASA ONDULADO LLC application (PLN230169) came on for an administrative decision hearing before the Monterey County HCD Chief of Planning on March 6, 2024. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Monterey County HCD Chief of Planning finds and decides as follows:**

#### RECITALS

**BACKGROUND of the proposed Restoration Plan (PLN230169) to correct Code Violation 22CE00229 for the removal of protected trees without a permit:**

1. The property is located at 1451 Ondulado Road & 1467 Padre Lane, Pebble Beach (Assessor's Parcel Numbers 008-441-033-000 & 008-441-035-000), Del Monte Forrest Land Use Plan. A violation was reported to the County on July 18, 2022.
2. On September 6, 2022, HCD-Building Services issued an Administrative Citation Letter requiring that the property owner apply for and gain approval of a Restoration Plan for the removal of 80 protected trees.
4. On November 14, 2022, qualified arborist, Frank Ono, submitted a Restoration Plan with associated assessments (see attached) to the County for consideration of clearing the existing violation. Assessment of the site consisted of counting tree stumps and rating each

stump by a range of age from 0-5 years for young trees, 5-10 years for medium-aged, and 10 years or over for old trees. According to the assessment, there were 84 stumps found which consisted of 4 acacias (which are unprotected and should not be counted), 3 oak stumps, and 77 pine stumps with the following range of age:

- 10 pines were obvious failures - these should not be counted (6 are over 24 inches in diameter)
- 36 pine stumps were very old and degraded - these should not be counted (17 were larger than 24 inches in diameter, 19 were between 19-23 inches in diameter)
- 28 pine stumps in the moderate age class (16 were under 24 inches, 12 were over 24 inches in diameter)
- 3 pines at the young age class (between 7-13 inches in diameter)
- 3 oak stumps (1 young, 1 moderate, and 1 old all under 13 inches in diameter)

The assessment concluded that only 34 total stumps should be counted as trees removed in the last 10 years, and therefore, are included in the replanting calculations. Overplanting of the site would be detrimental to the health and survival of the forest resources. The assessment concluded that clearing of the property resulted in the loss of 31 pines and 3 oak trees in the moderate to young category. The proposed plan is to restore the site with replanted trees while maintaining a fire-safe buffer area and consider areas that may be developed in the future. Recommended tree replacement will be a 2:1 ratio for a total of 68 trees throughout the properties. Credit will be given for the 20 trees that have been planted during the formulation of this plan, making the new total of 48 trees to be planted.

Staff has determined that restoration of the property to its pre-violation state is not necessary in this case to correct the violation due to concerns of overplanting. The Restoration Plan with associated impact assessments recommends:

- To have a healthy forest, the replacement will result in 10 trees per acre consisting of replanting of Oaks (1/3) and Pines (2/3).
- The Acacia and other invasive plants should be mowed or controlled to allow for a minimum of competition for the new plants.
- Re-sprouting Acacia stumps should be treated with herbicide to prevent any sprouting of new trees, with stumps flush cut and left in the ground for slope stabilization.
- Seedling/sapling identification should also occur after the acacia or other non-native shrubs are removed to encourage small seedlings and/or saplings to grow and prevent damage during tree work and mowing.
- Whether trees are transplanted on-site or planted from nursery stock, individual seedlings/saplings/trees should not be planted within 10 feet of other seedlings, sprouted oak stumps, or mature trees.
- A Certified Arborist should supervise the placement of replanting for the landowner and where a detailed map of tree locations may be created when planting is completed. Exact locations for plantings are not specified at this time but must occur in disturbed areas, especially along property borders.
- New plantings will need to be hand-watered during the spring and summer months after planting, additional watering may be needed particularly if dry conditions prevail. Temporary drip irrigation on an automatic timer is highly advised. Soil should be damp at the time of planting and during the initial establishment period

for the juvenile oak and pine trees. Invasive annual grasses and other non-native vegetation should be removed from the planting areas directly adjacent (within five to six feet) to newly planted plants.

- A qualified Forester or Arborist shall inspect the planted or regenerated trees annually for three years after the plantings are installed to ensure that all of the trees survive. If less than 68 trees are alive at the time of annual inspection, the trees that did not survive will be replaced and survive for an additional three years after installation.

A field review was conducted by Ono Consulting to analyze the proposed Restoration Plan efforts prior to submittal. Staff agrees with the analysis and recommendations made by the consultant regarding the restoration of the two adjoining properties affected by unpermitted tree removal.

No evidence was indicated that the recommended restoration on the subject property would endanger public health and safety or that the restoration is unfeasible due to circumstances beyond the control of the applicant. As a result, HCD-Planning requires the restoration of the area affected.

Therefore, the Chief of HCD-Planning, having considered the Restoration Plan with associated impact assessments and the evidence presented relating thereto, hereby finds that restoration of the site to its pre-violation status is feasible and, in this case, does not have the potential to endanger the public health, safety, and welfare. The Chief of HCD-Planning finds as follows:

## FINDINGS

- 1. FINDING:**                    **CONSISTENCY** – Restoration of the site to its determined pre-violation status is consistent with the applicable plans and policies. Restoration of the site to its pre-violation status is feasible and does not have the potential to endanger public health, safety, and welfare. A result of this action will be the restoration of the property to its pre-violation state. The subject property shall be considered in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the Monterey County Zoning Ordinance Title 20.
- EVIDENCE:**
- a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
    - The 1982 Monterey County General Plan;
    - Del Monte Forest Area Land Use Plan (LUP);
    - Monterey County Coastal Implementation Plan Part 5 (CIP); and
    - Monterey County Zoning Ordinance (Title 20);
  - b) No conflicts were found to exist. No communications were received during the course of the review of the project indicating any inconsistencies with the text, policies, and/or regulations of the applicable Monterey County Code (MCC). The subject property is located within the coastal zone; therefore, the 2010 Monterey County General Plan does not apply.
  - c) The properties are located at 1451 Ondulado Road and 1467 Padre Lane, Pebble Beach (Accessors Parcel Numbers: 008-441-033-000 & 008-441-

035-000), Del Monte Forest Land Use Plan. The parcels are zoned Low-Density Residential, 1.5 acres per unit with a Design Control overlay, coastal zone or “LDR/1.5-D (CZ)”. The proposal to restore the property back to its natural state is consistent with the residential use for this site. Therefore, the project is an allowed land use.

- d) Lot Legality. The subject parcels are shown in their current configuration as Lot 99 & 100 on “Amended Map of Pebble Beach” filed in Volume 2 of Maps, “Cities and Towns” on Page 31 in Monterey County Records. The parcel has been previously developed with a single-family dwelling and is recognized by the County as a legal lot of record.
- e) Tree Removal History. On November 14, 2022, qualified arborist, Frank Ono, performed a site visit to assess tree removal activity at the subject property. According to the arborist, tree removal has occurred over the last 20 years which was indicated by remnant tree stumps. The observed stumps varied in age and many remnants were found to be in deteriorated condition. Stumps vary in spacing anywhere between 10 to 20 feet apart with some areas being 50 feet apart or more.

The arborist determined that out of the 80 protected tree stumps, documentation was found for the proposed removal of 26 protected trees from the Pebble Beach Company to Monterey County dating back to 2010. However, no evidence of replanting was provided to the County in clearing the following tree removal authorization from the Pebble Beach Company which are included in this Restoration Plan:

- On April 15, 2010, a Pebble Beach Company Tree Removal Authorization consisted of 2 Monterey Pine trees.
- On May 3, 2013, a Pebble Beach Company Tree Removal Authorization consisted of 7 Monterey Pine trees.
- On October 28, 2014, a Pebble Beach Company Tree Removal Authorization consisted of 7 Monterey Pine trees.
- June 23, 2015, a Pebble Beach Company Tree Removal Authorization consisted of removing 4 Monterey pine trees.

The following tree removal permits were found on file with Monterey County which are included in this Restoration Plan:

- On July 9 & 11, 2019, tree removal permit TRM190218 consisted of removing 2 Coast live oaks and 2 Monterey pine trees. The Arborist recommended replanting 3 oak and 3 pine trees which have been completed and are not part of this restoration permit.
- On October 7, 2022, tree removal permit TRM220232 consisted of removing one Coast live oak and 3 Monterey pine trees. The Arborist recommended replanting one oak and 3 pine trees which have been completed and are not part of this restoration permit.
- On November 2, 2022, tree removal permit TRM220230 consisted of removing 5 Coast live oak and one Monterey pine

trees. The Arborist recommended replanting 7 oak or pine trees. In October 2022, there were 14 trees replanted.

- On March 7, 2023, tree removal permit TRM230066 consisted of removing 2 Coast live oaks and one Monterey pine. The Arborist recommended replanting 2 oak and 2 pine trees. In May 2023, there were 6 trees replanted.

The following tree removal permit is not part of this Restoration Plan:

- On August 4, 2023, tree removal permit TRM230254 consisted of removing one Coast live oak. Tree replacement will occur separately under this permit and therefore it is not included in the completion of this restoration plan.

The property owner has planted 20 out of the proposed 68 trees according to a report dated November 22, 2023. Replanting consists of 20 trees related to outstanding permit conditions. Planting to be reported annually should start as of May 6, 2023, when the 20 trees were planted. This resolution and restoration plan is to clear all past tree removal code violations and clarify tree removal history for the project site.

- f) Land Use Advisory Committee (LUAC) Review. Based on the Land Use Advisory Committee (LUAC) procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application does not meet any of the criteria in the guidelines requiring LUAC review because the project is for restoration and does not propose to build any new structures at this time.
- g) The project planner conducted a site inspection on February 16, 2024, to verify that the project on the subject parcel conforms to the plans listed above.
- h) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN230169.

**2. FINDING:**

**SITE SUITABILITY** – A result of this action will be the restoration of the property to its pre-violation state. The subject property shall be considered in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the Monterey County Zoning Ordinance Title 20.

**EVIDENCE:**

- a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning and HCD-Building Services. There has been no indication from these departments/agencies that the site is not suitable for the proposed development (i.e., demolition and site restoration). Conditions recommended have been incorporated.
- b) The following report has been prepared for this restoration project:
  - “Stump Assessment and Site Restoration Plan” (LIB240043) prepared by Ono Consulting, Inc., Pacific Grove, CA, November 14, 2022; revised December 21, 2023.
- c) County staff independently reviewed this report and concurred with its conclusions. No physical or environmental constraints would indicate that the site is not suitable for restoring the site with new plantings while maintaining a fire-safe buffer area. Additionally, there is no need for

grade restoration or soil improvement; the site (as evidenced by surrounding sites) is level and does not contain slopes in excess of 30 percent.

- d) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN230169.

**3. FINDING:**

**HEALTH AND SAFETY** – The establishment, maintenance or operation of the Restoration Plan will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed activity, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

**EVIDENCE:**

- a) The project was reviewed by HCD-Planning and HCD-Building Services. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
- b) Staff conducted a site inspection on February 16, 2024, to verify that the restoration work would not have the potential to endanger public health, safety, and welfare.
- c) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning are found in Project File PLN230169.

**4. FINDING:**

**VIOLATIONS** – The subject property currently has a code enforcement violation. As a result of this action to restore the property to its pre-violation state, the subject property shall be considered in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the Monterey County Zoning Ordinance Title 20.

**EVIDENCE:**

- a) Staff reviewed Monterey County HCD-Planning and HCD-Building Services records and are aware of a violation existing on the subject property reported to the County on July 18, 2022.
- b) On September 6, 2022, Housing and Community Development (HCD) – Code Enforcement issued an Administrative Citation for the unpermitted construction and removal of oak trees without approval.
- c) On June 23, 2023, the applicant submitted a Restoration Permit (PLN230169) application to clear a Code Enforcement violation (22CE00229).
- d) The proposed Restoration Plan corrects an existing violation regarding the removal of 3 Coast live oak and 77 Monterey pine trees, totaling 80 protected trees, which were removed over time. Based on the recommendation of the arborist, it is not advisable to over-plant the site with additional planting since many of the areas are stumps that will decompose nutrients to the soil and the surrounding younger trees.
  - The removal of trees averaged about 13 trees per acre.
  - To have a healthy forest, the replacement will result in 10 trees per acre consisting of replanting of oaks (1/3) and pines (2/3).

The plan will restore the site with new plantings while maintaining a fire-safe buffer area when implemented. See Finding No. 1, Evidence “e”.

- e) A Restoration Permit (HCD-Planning File No. PLN230169) has been reviewed and approved by the Chief of Planning. Implementation of said Permit brings the subject property into compliance with all planning and zoning rules and regulations pertaining to the property.
- f) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning are found in Project File PLN230169.

**5. FINDING:**

**CEQA (Exempt)** – The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

**EVIDENCE:**

- a) California Environmental Quality Act (CEQA) Guidelines Section 15308 categorically exempts actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration, or enhancement of natural resources where the regulatory process involves procedures for protection of the environment.
- b) This restoration plan includes a Restoration Permit to clear a Code Enforcement violation (22CE00229) and restore the site from unpermitted removal of 3 oaks and 77 Monterey pine tree stumps totaling 80 protected trees, including replanting to restore the forested areas. Therefore, the restoration qualifies for a categorical exemption as a restoration activity pursuant to Section 15308 of the CEQA guidelines.
- c) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not involve a designated historical resource, a hazardous waste site, development located near or within view of a scenic highway, unusual circumstances that would result in a significant effect, or development that would result in a cumulative significant impact.
- d) No adverse environmental effects were identified during staff review of the development application during a site visit on February 16, 2024.
- e) See supporting Finding Nos. 1 and 2. The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning are found in Project File PLN230169.

**6. FINDING:**

**PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

**EVIDENCE:**

- a) No public access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.147.130 of the Monterey County Coastal Implementation Plan can be demonstrated.
- b) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
- c) The subject property is not described as an area where the Local Coastal Program requires visual or physical public access (Figure 3, Visual



Resources, and Figure 8, Major Public Access and Recreational Facilities, in the Del Monte Forest Land Use Plan).

- d) See supporting Finding Nos. 1 and 2. The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning are found in Project File PLN230169.

**7. FINDING:**

**APPEALABILITY** – The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.

**EVIDENCE:**

- a) Board of Supervisors: Pursuant to Section 20.86.030 of the Monterey County Zoning Ordinance (Title 20), an appeal may be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.
- b) California Coastal Commission: Pursuant to Section 20.86.080.A of the Monterey County Zoning Ordinance (Title 20), the restoration project is subject to appeal by/to the California Coastal Commission because it does involve development between the sea and the first through public road paralleling the sea.

## DECISION

**NOW THEREFORE BE IT RESOLVED** that the Chief of HCD-Planning finds that full restoration of the site shall be required to address the violation in accordance with attached conditions and in accordance with the approved Restoration Plan for the site.

**BE IT FURTHER RESOLVED** that, in addition to these required findings, the Chief of HCD-Planning has determined that complete restoration of the site would not result in greater impacts to forest resources. Said Chief of HCD-Planning, having considered the Restoration Plan and the evidence presented relating thereto, concludes that full restoration of the site to its pre-violation state is feasible and required in this case and does not have the potential to endanger the public health, safety, and welfare.

**BE IT FURTHER RESOLVED** that it is the decision of said Chief of HCD-Planning to approve the Restoration Plan (**Exhibit B**) with the following terms and conditions (**Exhibit A**) and approved plan (**Exhibit B**), all being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 6th day of March 2024.

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Melanie Beretti, AICP  
Acting HCD Chief of Planning

COPY OF THIS DECISION MAILED TO APPLICANT ON \_\_\_\_\_

THIS ADMINISTRATIVE DECISION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE \_\_\_\_\_

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

### NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County HCD-Planning and HCD-Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

# County of Monterey HCD Planning

## DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN230169

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** This Restoration Permit (PLN230169) allows a Restoration Plan to clear Code Enforcement violation (22CE00229) and restore the site from unpermitted removal of 3 Oaks and 77 Monterey Pine tree stumps totaling 80 protected trees, including recommended replanting of 68 trees consisting of 45 Monterey Pine and 23 Oaks to restore the affected forested areas. The property is located at 1451 Ondulado Road & 1467 Padre Lane, Pebble Beach (Assessor's Parcel Numbers 008-441-033-000 & 008-441-035-000), Del Monte Forest Land Use Plan, Coastal Zone. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of HCD - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD - Planning)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

## 2. PD002 - NOTICE PERMIT APPROVAL

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall record a Permit Approval Notice. This notice shall state:  
"A Restoration Permit] (Resolution Number \_\_\_\_\_) was approved by the Chief of Planning for Assessor's Parcel Numbers 008-441-033-000 & 008-441-035-000 on March 6, 2024. The permit was granted subject to 6 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

Proof of recordation of this notice shall be furnished to the Director of HCD - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the HCD - Planning.

## 3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County HCD - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.  
(HCD - Planning)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall adhere to this condition on an on-going basis.  
Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County HCD - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

**4. PD006(A) - CONDITION COMPLIANCE FEE**

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

**Compliance or Monitoring Action to be Performed:** Prior to clearance of conditions, the Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.

**5. PD016 - NOTICE OF REPORT**

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states:  
"A Stump Assessment and Site Restoration Plan (Library No. LIB240043), was prepared by Ono Consulting, Inc., on November 14, 2022; revised December 21, 2023, and is on file in Monterey County HCD - Planning. All development shall be in accordance with this report."  
(HCD - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of grading and building permits, the Owner/Applicant shall submit proof of recordation of this notice to HCD - Planning.

Prior to occupancy, the Owner/Applicant shall submit proof, for review and approval, that all development has been implemented in accordance with the report to the HCD - Planning.

## 6. PD048 - TREE REPLACEMENT/RELOCATION

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** Within 60 days of permit approval, the applicant shall replace and or relocate each tree approved for removal as follows:

- Replacement ratio: 2:1

- Replacement ratio recommended by arborist: 2:1 consisting of Oaks (23) and Pines (45)

- Other: Follow recommendations in the "Stump Assessment and Site Restoration Plan" (LIB240043) prepared by Ono Consulting, Inc., Pacific Grove, CA, November 14, 2022; revised December 21, 2023.

Replacement tree(s) shall be located within the same general location as the tree being removed. (HCD - Planning)

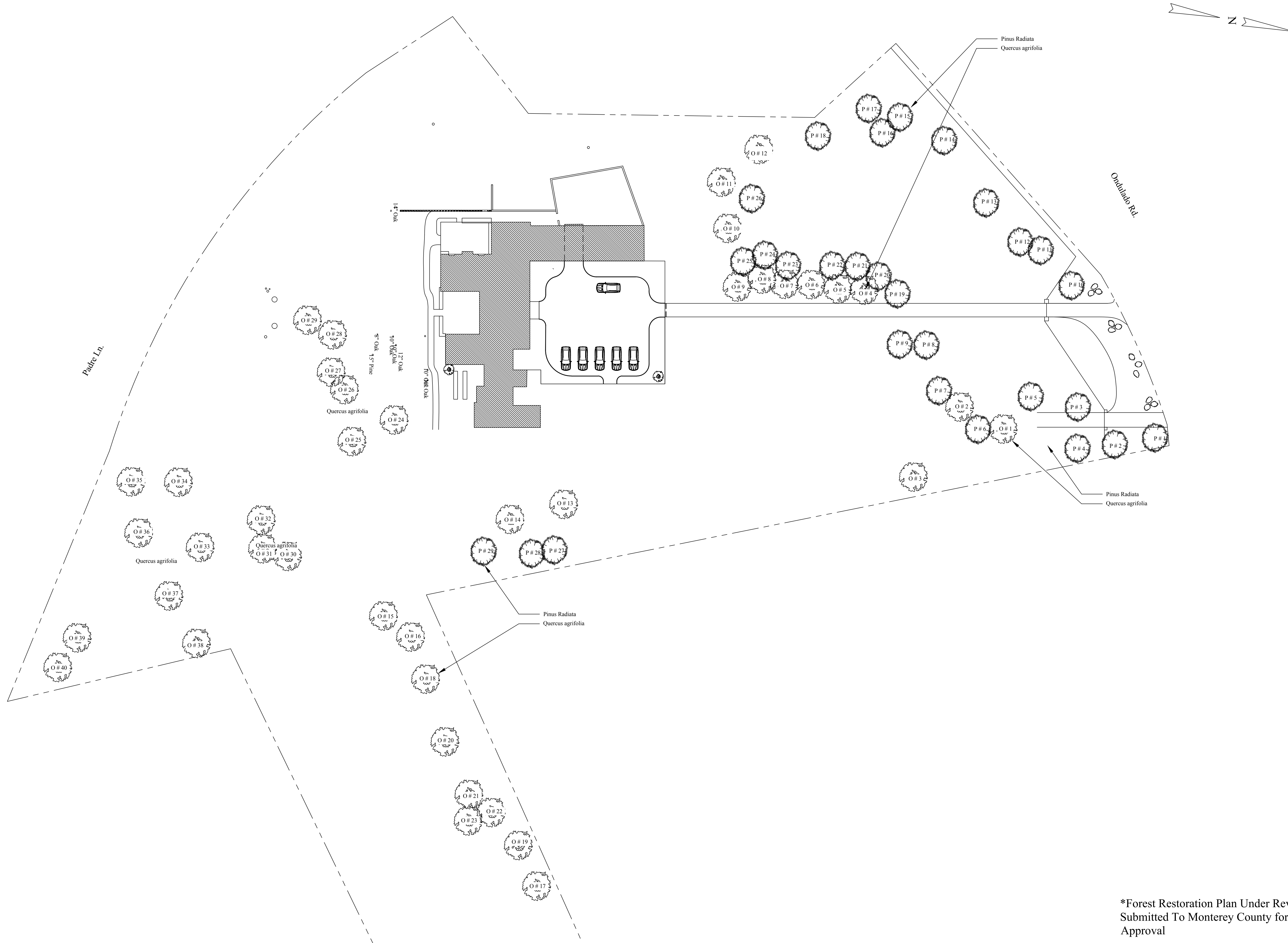
**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall submit evidence of tree replacement to HCD -Planning for review and approval. Evidence shall be a receipt for the purchase of the replacement tree(s) and photos of the replacement tree(s) being planted.

Six months after the planting of the replacement tree(s), the Owner/Applicant shall submit evidence demonstrating that the replacement tree(s) are in a healthy, growing condition.

One year after the planting of the replacement tree(s), the Owner/Applicant shall submit a letter prepared by a County-approved tree consultant reporting on the health of the replacement tree(s) and whether or not the tree replacement was successful or if follow-up remediation measures or additional permits are required.







Residence:  
 Soske's Residence  
 1451 Ondulado Rd.  
 Pebble Beach, Ca. 93953

Sheet Title  
 Reforestation Plan

Date: 09.15.2023

Revision:

Scale:  $\frac{1}{32}'' = 1'-0''$

Drawn By: GM

Sheet: L-5

Of: 12

\*Forest Restoration Plan Under Review  
 Submitted To Monterey County for  
 Approval

**Ono Consulting**  
**International Society of Arboriculture**  
**Certified Arborist # 536**  
**Society of American Foresters Professional Member 48004**  
**311 Forest Avenue**  
**P.O. Box 508**  
**Pacific Grove CA, 93950**

November 14, 2022

Stephen Soske  
PO Box 412  
Westwood, MA 02090

RE: Stump Assessment and Site Restoration –Padre Lane and/or Ondulado  
Assessor's Parcel Numbers: 008-441-033-000 and 008-441-035-000

Mr. Soske;

You requested that I visit the above-referenced property (located at 1451 Padre Lane, sometimes referred to as 1451 Ondulado Road) to observe the site and perform a study of stumps of trees that have been previously removed. I am to segregate stumps into classifications of trees that failed and attempt to classify an age bracket for those that were cut down; then secondly prepare a report for the restoration of the site to address the unrecorded removal of trees and to recommend mitigation for removed trees protected by County Code as requested by the County of Monterey.

Sincerely,



Frank Ono  
Certified Arborist #536

The following report is based on a visual inspection of the tree's condition and for obvious defects. It is not intended to constitute a complete health and hazard evaluation. Further investigation would be required to more definitively evaluate the health and hazards posed by the subject trees, some of which may not be disclosed by visual inspections. Investigations include but are not limited to core samples, root crown excavation, and visual inspection of the entire trees by climbing. Please be advised that healthy trees and/or limbs may fail under certain conditions and that the above recommendations are based on industry standards of tree care. This report is made with the understanding that no representations or warranties, either expressed or implied are made that any trees referred to in the report or located on or adjacent to the subject property are sound or safe. Acceptance and use of this report constitutes the acknowledgment of the following stated facts, and that the Client shall pay to Consultant consulting fees following the Fee Schedule attached hereto and made a part hereof as Exhibit A for the services performed and shown on such statement within thirty (30) days after receipt thereof.

# Soske Stump Assessment and Restoration Plan

## ASSIGNMENT/SCOPE OF WORK

I was asked to observe, and comment on previously removed County protected trees and recommend restoration regarding past and current tree removal. You requested that we conduct a study of tree stumps to formulate a plan for the restoration of forested areas to assist in the transitioning of the site into more natural oak and conifer tree coverage.

## LIMITATIONS OF THE ASSIGNMENT

The findings of this report are limited to a visual assessment of the vegetation on the property and a study of remnant tree stumps. Previous site visits have occurred on this property documenting the need for tree removal, however, for reasons unknown, those tree reports do not appear to be recorded by the County of Monterey. It is important to note that the previously documented tree removals included locations of the trees that were mapped according to approximate locations, but these locations were not geo-referenced, therefore may not match those of stumps that were recently located during our study. This new assessment is based partially on those documented reports for tree removal and includes new geo-referenced aerial photographs with stump locations (some may match up with the new study some may not). The entirety is used to deduce past canopy cover and crown density, using GPS geo-referenced locations of stumps. The condition of these remaining removed trees is inferred by an ocular study of found stump condition and used to rate the condition of the tree stump. This report is written to document observations and findings associated with the obvious prior tree removals in the areas shown to me. The potential for mitigation is based upon findings taken from the previous reports documenting proposed tree removal and current stumps found on site. No advanced tests such as complete root collar examinations were taken; assessment diagnosis is visual only, as complete root collar and structural integrity tests were not requested nor considered necessary. No tree hazard evaluation sheets could be or are prepared for the restoration plan because the trees observed were previously fallen, removed, or sawn into smaller pieces, consequently, the fallen or removed trees could not be evaluated for height, lean, upper stem decay, etc.

## Disclosure Statement

Urban Foresters/Arborists are tree specialists who use their education, knowledge training, and experience to examine trees, recommend measures to enhance their health and beauty, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the Arborist or to seek additional advice. Trees and other plant life are living, changing organisms affected by innumerable factors beyond our control. Trees fail in ways and because of conditions we do not fully understand. Urban Foresters/Arborists cannot detect or anticipate every condition or event that could lead to the structural failure of a tree. Conditions are often hidden within the trees and below ground. Urban Foresters/Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, for any specific period or when a tree or its parts may fail. Further, remedial treatments, as with any treatment or therapy, cannot be guaranteed. Treatment,

pruning, bracing and removal of trees may involve considerations beyond the scope of the Arborists' skills and usual services such as the boundaries of properties, property ownership, site lines, neighbor disputes and agreements, and other issues. Therefore, urban foresters/arborists cannot consider such issues unless complete and accurate information is disclosed in a timely fashion. Then, the urban forester/Arborist can be expected, reasonably, to rely upon the completeness and accuracy of the information provided. Trees can be managed but not controlled. To live near trees, regardless of their condition, is to accept some degree of risk. The only way to eliminate all risks associated with trees is to eliminate all trees.

Hazard/hazard potential: For this evaluation and/or report, a tree or tree part presents a threat to humans, livestock, vehicles, structures, landscape features, or other entities of civilization from uprooting, falling, breaking or growth development (e.g., roots). While all large landscape trees in proximity to such targets present some degree of hazard regardless of their condition, such inherent hazard is not intended as within this definition and its usage in this evaluation and report.

Inspection limitations: The inspection of these trees consisted solely of a visual inspection from the ground. As trees and other plant life are living, changing organisms affected by innumerable factors beyond our control, Frank Ono (dba F. O. Consulting) and its personnel offer no guarantees, stated or implied, as to tree, plant, or general landscape safety, health, condition or improvement, beyond that specifically stated in writing in accepted contracts. This report is based on a visual inspection of the tree's condition and for obvious defects. It is not intended to constitute a complete health and hazard evaluation. Further investigation would be required to more definitively evaluate the health and hazards posed by the subject trees, some of which may not be disclosed by visual inspections. Investigations include but are not limited to core samples, root crown excavation, and visual inspection of the entire trees by climbing. Please be advised that healthy trees and/or limbs may fail under certain conditions and that any recommendations given are based on industry standards of tree care.

## **BACKGROUND**

Ono Consulting's involvement with this property started in 2013 when I, Frank Ono was contacted by Mr. Josh Soske, the property owner, to observe and document trees that were dying or in a dangerous condition for removal. It was naturally assumed that this information would be submitted, by the property owner or their agent, to the County of Monterey and Pebble Beach as part of the tree removal permit process. Unfortunately, this did not appear to happen and We (Ono Consulting) were recently contacted by Mr. Stephan Soske, son of Mr. Soske, who informed us that the County did not have a record of the past tree reporting and removal requests. Questions arose as to what trees were documented to be removed for the permit process. The trees that Ono Consulting studied were performed over the last nine years and are listed on the following page. Additionally, there is confusion on the address of the site where I was under the assumption that the property address to be used was 1451 Ondulado, the past reports used that address. My understanding is that the property address is 1451 Padre Lane.

## DOCUMENTED TREE REMOVAL REPORTS

The following trees (26) for removal were documented, however, the reports assign them to the 1451 Ondulado address, not realizing that the address on the County GIS is 1451 Padre Lane, not Ondulado road.

4/30/2013:

- #955 dying 31" diameter pine 11
- #956 dead 32" diameter pine 11
- #957 dead 25" diameter pine 10
- #958 splitting 34" diameter pine 11
- #959 poor vigor 16" diameter pine 10
- #960 dead 24" diameter 10.
- #961 dying 19" diameter Monterey pine 10.

10/14/2014:

- #2616 dead 14" diameter pine 9.
- #2617 dead 18" diameter pine 10.
- #2618 dead 14" diameter pine 9.
- #2619 dead 19" diameter pine 11.
- #2620 dead 16" diameter pine 10.
- #2621 dead 22" diameter pine 10.
- #2622 dead 26" diameter pine 10.

06/22/2015:

- #2114 21 MP Dying Beetles 10
- #2115 29 MP Dying Hip canker, Beetles 10
- #2116 14 MP Dead Beetles 9
- #2117 39 MP Dead Beetles 11

07/09/2019

- #1 11 Coast live oak dead 9
- #2 58 Monterey pine uprooting, snapped roots, lean 12
- #3 35, 19 Coast live oak declining with dying crown 11
- #4 18 Monterey pine dying, lean to neighboring home 11

07/13/2021

- #89 15 85 15 Monterey pine Dead 9
- #90 27 85 20 Monterey pine Dying 10
- #91 36 85 30 Monterey pine Dead 12
- #92 20 30 45 Coast live oak Dead 10

## CURRENT SITE INFORMATION AND CONDITIONS

- 1) Assessor's Parcel Numbers: 008-441-033-000 and 008-441-035-000
- 2) Location: 1451 Padre Lane (or Ondulado) (008-441-033-000) and 1466 Susan Way or Padre, Pebble Beach CA (008-441-035-000)
- 3) Parcel size: 008-441-033-000 is 5.20026834 acres, 008-441-035-000 is 1.14146565 acres.
- 4) Existing Land Use: The parcel on 008-441-033-000 is developed and is zoned for residential use. The parcel at 008-441-035-000 is vacant.
- 5) Slope: Neither parcels have slopes over 25%
- 6) Soils: The parcel is located on soils identified as SoE/NcC which is a Sheridan/Narlon mixture, NcC is a Narlon soil

Sheridan (SoE) is a coarse sandy loam found on moderately steep soil on rounded hills. Runoff is rapid, and the erosion hazard is moderate with this soil type.

Narlon (NcC) is loamy fine sand about 12-20" deep. Clay subsoil is found generally at a depth of 15 to 20 inches. This is considered a moderately productive Monterey Pine soil type. Site index averages 75, which means that on average an 100-year old tree will be 75 feet tall. The clay subsoil is at a depth of 15 to 20 inches. Slopes are mostly 3 to 6 percent. Runoff is slow to medium, and temporary shallow ponds form in swales in wet winters. The erosion hazard is moderate. The seedling mortality is low, but the wind throw hazard is severe. The soil has moderate productivity for Monterey pine. The equipment limitation is moderate or severe.

- 7) Vegetation: The vegetation is of the Monterey Pine Forest type. Much of the vegetation consists of Monterey pine, Coast Live Oak, Monterey Cypress, Clusters of Wattle (*Acacia longifolia*), small fruit trees, Mayten trees, and Planted redwood. Groundcover consists of either mowed grasses or ivy beds.
- 8) Forest Condition and Health: The forest condition and health are evaluated with the use of the residual trees and those of the surrounding wooded areas as a stand. The area is a fragmented stand that was once a Monterey pine forest. Currently, this lot as well as surrounding landscapes are managed as a semi-rural residential community comprised of scattered Coast live oak, Monterey pines, and Monterey cypresses. The native vegetation formally was of a closed cone pine forest with Coast live oak trees as an understory. The landscape has transitioned into a former horse corral area surrounded by planted ornamental plants and shrubs, now in a state of deferred maintenance. The area over the past years, in and around the site, has been allowed to become overcrowded with lower-story vegetation and heavily populated by the introduced acacia wattle trees. The area around the house is cleared of mature native plantings and was formerly an English-style garden.

## OBSERVATIONS

The following are observations taken on-site:

- Tree removal has occurred over the last 20 years indicated by many remnant stumps. Observed stumps vary in age, many of which are in very deteriorated condition. Stumps vary in spacing anywhere between 10 to 20 feet apart with some areas being 50 feet apart or more. Stumps were indiscriminately cataloged, then again studied by species and age.
- Much of the overstory or upper canopy has been removed. Currently, the site has a medium-sized height canopy throughout most of the site with a younger understory composed of recently planted pines and oaks. Portions of the lower stands are trees that have regenerated and stand approximately 30 feet high or less with canopy spreads of approximately 20 to 30 feet. For the most part, these look healthy and in some sections are very densely clustered.
- The two sites (a combined total of 6.4 acres) are currently stocked with approximately 300 trees; approximately 1/3 of the trees are conifers the remainder are oaks.
- Starting with the northern section there are approximately 10 over-mature trees that are in the process of crown fragmentation. Located under these trees are groves of Acacia that are currently being removed, thus revealing the regeneration of small oak seedlings/saplings. The taller oaks in these areas are either dead or very sparsely foliated.
- The southwestern section of the property contains toyon, Monterey Cypress, Monterey pine, stone pine, and smaller understory Oaks. The mature Monterey Cypress appears to be in good health; however, the Coast live oak range from poor to fair condition. Many of the oaks are defoliated from oak worm activity or have some sort of fungal activity at the base.
- The southern portion of the property crown cover consists of maturing oaks, a mature redwood, with small, replanted pines, oaks, and holly. There is a planted acacia hedge that runs along Padre Lane along the southeastern portion of the property fence line. The site also has an appendage (APN008-441-035-000) that jets out to the east between residences on Susan Way and Padre Lane where pine trees and oak trees have been removed; this area now consists mainly of oaks and acacia understory.
- The northeastern section of the property is planted mainly with Acacia small Monterey Cypress and smaller Oaks. The northwestern section of the property has the tallest and most sparse-looking Monterey Pines their longevity is expected to last somewhere between the next 3 to 7 years.

## DISCUSSION

There are previous tree removal permits and tree replacement that must be given credit for tree removal on the site. These will be included in the replanting restoration plan will be formulated for the identified removed trees. The plan is to be prepared to utilize strategies to bring native tree coverage that will bring back the area to a more natural and native landscape. The first and most important goal to manage any property for restoration is to re-establish existing canopy cover to promote native plant growth and to create a condition like or exceeding the stocking of the surrounding forested area. After determining the number of trees that have been removed, new trees may be replanted with ongoing monitoring of the disturbed areas of the site to ensure criteria for success.

To determine the number of trees that were removed the site was evaluated by looking at specific trunk characteristics and establishing a benchmark to formulate the number of trees that have been removed in a 10-year period. This number is to be included as part of the Pine and Oak site restoration plan. It was very difficult to assign age classes due to different site dynamics, the condition of older stumps, and the hidden locations of stumps. Most stumps older than 10 years old are often too deteriorated to intelligently determine what condition the trees were in, if they were dead, or failed.

## TREE STUMPS COUNTED

Again, it is very difficult to distinguish age classes but overall, tree stumps that appeared five years old or less are considered fresh or young (Y), stumps that appeared to be approximately 5-10 years old are considered moderated or medium-aged (M), and anything over 10 years old is considered too old to count because they would be so degraded (O). Stumps were not prescribed to be ground down as the site is within a high archeological area requiring minimal soil disturbance.

- 84 stumps were found. These consist of 4 acacias (should not be counted), 3 oak (1 Young) stumps, and 77 pine stumps as follows.
  - 10 pines were obvious failures -these should not be counted (6 are over 24" in diameter)
  - 36 pine stumps were very old and degraded – these should not be counted (17 were larger than 24" in diameter, 19 are between 19-23" in diameter)
  - 28 stumps in the moderate age class
  - 3 pines in the young class

34 Total stumps should be counted as the trees removed over the last 10 years.

## CANOPY COVERAGE (Trees/Acre)

The current canopy coverage is approximately 48 trees/acre (many of the heavily wood sites in the area range between 50 to 75 trees /acre; the home sites adjacent to this site are far less forested). Approximately 80 stumps were found, meaning that over the years, the removal of trees averaged about 13 trees/acre; of the 13 trees/acre removed, 5 trees/acre are trees 10 years old or less and are the trees that should be counted for replacement. The replacement ratio will be at 2:1 and result in a replacement value of 10 trees/acre. The site has many oaks so it should consist of oaks (1/3) and pines (2/3) for replanting. This will raise the canopy coverage to approximately 58 trees/acre an amount typically found in a wooded park.



**TREE STUMPS. Key-Y (0-5 years), M (5-10 years), O (10+ years)**

Label	Description	Comment	Species	Latitude	Longitude
278	Y	7" Pine	Pine	36.56827	-121.956
279	M	7"8" Pine	Pine	36.56826	-121.956
280	Y	27"15"9" Pine	Pine	36.56825	-121.956
281	M	26" Pine 3' Medium	Pine	36.56824	-121.956
282	M	12" Pine 2' Medium	Pine	36.56813	-121.956
283	M	15" Pine 4' Medium	Pine	36.56808	-121.956
284	M	17" Pine 5.5' Medium	Pine	36.56797	-121.956
285	M	16" Pine 5.5' Medium	Pine	36.56771	-121.956
286	M	22" Pine 2.5' Medium	Pine	36.56767	-121.956
287	M	7' oak 2' Medium	Oak	36.56776	-121.956
288	O	UNK -too degraded	Pine	36.5675	-121.957
289	Y	10" oak 3' High	Oak	36.56746	-121.957
290	Y	13" pine Flush Young	Pine	36.56761	-121.957
291	M	15" pine 2' Medium	Pine	36.56767	-121.957
292	M	26" Pine 5.5' Medium	Pine	36.56772	-121.957
293	M	11" Pine 2' Medium	Pine	36.56807	-121.956
294	M	14" Pine 2.5 Medium	Pine	36.56811	-121.956
382	M	22" Monterey Pine	Pine	36.56879	-121.958
383	M	26" diameter Monterey pine 10-15 3' high	Pine	36.56846	-121.958
384	M	25" Monterey pine 10-15 Flush	Pine	36.5685	-121.958
385	M	25" Monterey pine 10-15 years 4' high	Pine	36.56822	-121.957
386	M	27" Monterey pine 10-15 years 3' high Failure	Pine	36.56821	-121.957
488	O	31" MP	Pine	36.56811	-121.958
489	O	24" MP	Pine	36.5681	-121.958
490	M	8"13" Pine	Pine	36.56818	-121.958
491	O	18" MP	Pine	36.56824	-121.958
492	O	32" P	Pine	36.56828	-121.958
493	M	29" PINE	Pine	36.56814	-121.958
494	O	36 Pine	Pine	36.56819	-121.958
650	M	27" Pine	Pine	36.56905	-121.958
651	FAILED	33" Pine	Pine	36.56903	-121.958
652	O	24" P	Pine	36.56898	-121.958
653	FAILED	26" P	Pine	36.56891	-121.958
654	O	18" P	Pine	36.56887	-121.958
655	FAILED	16 Pine	Pine	36.56878	-121.958
656	M	37" Pine	Pine	36.56896	-121.958
657	M	19" Pine	Pine	36.56889	-121.958
658	FAILED	15" Pine	Pine	36.56883	-121.958
659	O	21" Pine	Pine	36.56877	-121.958
660	O	15 Pine	Pine	36.56866	-121.958
661	O	21" Pine	Pine	36.56863	-121.958

**TREE STUMPS (continued)**

Label	Description	Comment	Species	Latitude	Longitude
662	O	16" Pine	Pine	36.56855	-121.958
663	O	19" Pine	Pine	36.5685	-121.958
664	O	33" Pine	Pine	36.56847	-121.958
665	O	26" Pine	Pine	36.56842	-121.958
666	O	29 Pine	Pine	36.56837	-121.958
667	O	32" Pine	Pine	36.56859	-121.958
668	O	14" Pine	Pine	36.56847	-121.958
669	FAILED	28" Pine	Pine	36.56875	-121.958
670	M	14" PINE	Pine	36.56864	-121.958
671	M	14" PINE	Pine	36.56861	-121.958
672	FAILED	35" PINE	Pine	36.56865	-121.958
673	FAILED	32" PINE	Pine	36.56856	-121.958
674	M	37" PINE	Pine	36.5686	-121.958
674.1	O	23" PINE	Pine	36.56843	-121.958
674.2	M	21" PINE	Pine	36.5686	-121.958
674.2	O	21" PINE	Pine	36.5684	-121.958
675	FAILED	14" PINE	Pine	36.56857	-121.958
676	FAILED	18" PINE	Pine	36.56849	-121.958
677	O	39" PINE	Pine	36.5684	-121.958
678	O	29" PINE	Pine	36.56869	-121.958
678.1	O	21" PINE	Pine	36.56873	-121.958
679	O	25" PINE	Pine	36.56716	-121.957
680	M	29" PINE	Pine	36.56719	-121.957
681	M	25" PINE	Pine	36.56719	-121.957
682	O	29" PINE	Pine	36.56722	-121.957
683	NA	ACACIA	Acacia	36.56722	-121.957
684	NA	ACACIA	Acacia	36.56732	-121.957
685	NA	ACACIA	Acacia	36.56739	-121.957
686	O	13" OAK	Oak	36.56733	-121.957
687	O	21" PINE	Pine	36.56734	-121.958
688	O	21" PINE	Pine	36.56776	-121.958
689	O	16" PINE	Pine	36.56777	-121.958
690	O	14" PINE	Pine	36.56785	-121.958
691	O	30" PINE	Pine	36.5679	-121.958
692	O	19" PINE	Pine	36.56793	-121.958
693	O	35" PINE	Pine	36.56778	-121.958
694	O	12" PINE	Pine	36.56796	-121.958
695	FAILED	36" PINE	Pine	36.568	-121.958
696	M	13" PINE	Pine	36.56796	-121.958
697	O	37" PINE	Pine	36.56801	-121.958
698	O	15" PINE	Pine	36.56785	-121.958
699	O	28" PINE	Pine	36.56804	-121.958
700	NA	ACACIA	Acacia	36.56805	-121.958

## RESTORATION PLAN

### Restoration Action Plan

The clearing of the Soske property resulted in the loss of 31 pines and 3 oak trees in the moderate to fresh category. The plan is to restore the site with new plantings while maintaining a fire-safe buffer area and consider areas that may be developed, the removed trees will be replaced at a 2:1 ratio for a total of 68 trees throughout the properties. Credit will be given for the 20 trees that have been planted during the formulation of this plan making the new total 48 trees to be planted. New trees will be of Monterey pine and Coast live oak stock, replanting should be 2/3 pine and 1/3 oaks.

The following additional steps need to be implemented immediately to have success in site restoration;

1. The Acacia and other invasive plants should be mowed or controlled to allow for a minimum of competition for the new plants.
2. Re-sprouting Acacia stumps should be treated with herbicide to prevent any sprouting of new trees, with stumps flush cut and left in the ground for slope stabilization.
3. Seedling/sapling identification should also occur after the acacia or other non-native shrubs are removed to encourage small seedlings and/or saplings to grow and prevent damage during tree work and mowing.
4. Whether trees are transplanted on-site or planted from nursery stock individual seedlings/saplings/trees should not be planted within 10 feet of other seedlings, sprouted oak stumps, or mature trees.
5. A Certified Arborist should supervise the placement of replanting for the land owner and where a detailed map of tree locations may be created when planting is completed. Exact locations for plantings are not specified at this time but must occur in disturbed areas, especially along property borders.
6. New plantings will need to be hand-watered during the spring and summer months after planting, additional watering may be needed particularly if dry conditions prevail. Temporary drip irrigation on an automatic timer is highly advised. Soils should be damp at the time of planting and during the initial establishment period for the juvenile oak and pine trees. Invasive annual grasses and other non-native vegetation should be removed from the planting areas directly adjacent (within five to six feet) to newly planted plants.

### Success Criteria and Monitoring Schedule

Seedlings/saplings/planted should be monitored regularly by the land owners and any signs of herbivory or weakness addressed immediately. A qualified Forester or Arborist should inspect the planted or regenerated trees annually for three years after the plantings are installed to ensure that all of the trees survive. If less than 68 trees are alive at the time of annual inspection, the trees that did not survive will be replaced and survive for an additional three years after installation. The annual inspection reports should be mailed to the Monterey County Director of Planning.

To ensure the survivability and proper growth of the replacement trees if planted, success criteria will be defined to meet a 100% survival rate and implemented as follows:

A qualified professional (Monterey County approved Certified Arborist or forester) shall monitor the following

- Tree health and growth rates of new or relocated planting must be assessed by a qualified forester or Certified Arborist after one year.
- Trees suffering poor growth rates or declining health are to be identified and documented as to the reason it was not successful.
- Invigoration Treatments will be recommended and implemented if deemed feasible.
- Dead trees or trees identified in an irreversible state of decline will be replaced after a written recommendation is made by a qualified forester or Certified Arborist identifying the type and location of replacement. The replant monitoring would be required again if the previous planting were not successful. Trees found that need replacement will be replaced on a 1:1 ratio with larger sizes to ensure sustainability. Replant material shall be a minimum container grown fifteen gallon-size or greater.
- Near the end of the monitoring period, the status of the plantings will be again assessed to make certain that success criteria have been met and all mitigation trees planted are performing well.
- At the end of the monitoring period, a report shall be prepared by a Monterey County qualified forester or Certified Arborist and submitted to the Planning Department for review and approval of the Director of Planning, describing reforestation activities, success rates, and adjustments for previous failures or unsuccessful transplanting.

#### Future Tree Pruning

Any future pruning on this site shall be done following American National Safety Institute Standards (ANSI- A300) best management practices (BMP) pruning specifications. Any tree near potential targets such as roadways or structures shall first be inspected, then treated according to current policies and processes.

The following are offered as guidelines when pruning.

#### Best Management Practices (BMP) Guidelines when pruning

- In general trees near structures and roadways will be pruned first for safety, next for health, and finally for aesthetics.
- The type of pruning is determined by the size of the branches to be removed. General guidelines for branch removal are:
  1. Fine Detail pruning- limbs under 2-inch diameter are removed
  2. Medium Detail Pruning – Limbs between 2 and 4-inch diameter
  3. Structural Enhancement – limbs greater than 4-inch diameter.
  4. Broken and cracked limbs-removed will be removed in high-traffic areas of concern.

## Future Tree Removal

Future tree removal shall require proper Monterey County and Pebble Beach authorization. They must be inspected, documented, and submitted for the permit process. Once authorized, trees shall be removed by a licensed insured professional tree service. Tree removal shall be consistent with safe arboricultural work practices utilizing the removal of trees and their parts in smaller manageable pieces and roped down carefully so as not to damage any surrounding trees or plants. The use of specialized equipment may be authorized if it can be shown that no damage to the surrounding ecosystem will be sustained. At no time shall the trees be dropped in one piece to damage any surrounding trees or property. Tree wood and clippings are to be disposed of consistent with current California Department of Forestry guidelines which would include stockpiling of material on-site or disposal at an approved refuse site.

### **Agreement by Landowner**

The following standard conditions are made a part of all Monterey County Forest Management Plans:

#### A. Management Objectives

1. Minimize erosion to prevent soil loss and siltation.
2. Preserve natural habitat including native forest, understory vegetation, and associated wildlife.
3. Prevent forest fire.
4. Preserve scenic forest canopy as located within the Critical View shed (any public viewing area).
5. Preserve landmark trees to the greatest extent possible as defined below.

#### B. Management Measures

1. Tree Removal: No tree will be removed without a Forest Management Plan or an Amended Forest Management Plan.
2. Application Requirements: Trees proposed for removal will be conspicuously marked by flagging or by paint. The proposed removal of native trees greater than six inches will be the minimum necessary for the proposed development. Removal not necessary for the proposed development will be limited to that required for the overall health and long-term maintenance of the forest, as verified in this plan or subsequent amendments to this plan.
3. Landmark Trees: All landmark trees will be protected from damage if not permitted to be removed as a diseased tree, which threatens to spread the disease to nearby healthy trees, or as a dangerous tree, which presents an immediate danger to human life or structures. Landmark oaks are trees that are visually, historically, or botanically significant specimens or are greater than 24 inches or more in diameter at breast height (DBH), or more than 1,000 years old.

4. Dead Trees: Because of their great value for wildlife habitat (particularly as nesting sites for insect-eating birds) large dead trees will normally be left in place as habitat when far enough away from structures. Smaller dead trees will normally be removed to reduce the fire hazard. Dead trees may be removed at the convenience of the owner.

5. Thinning: Trees less than six inches in diameter breast height may be thinned to promote the growth of neighboring trees, without first developing a Forest Management Plan.

6. Protection of Trees: All trees other than those approved for removal shall be retained and maintained in good condition. Trimming, not injurious to the health of the tree, may be performed wherever necessary in the judgment of the owner, particularly to reduce personal safety and fire hazards. Retained trees that are located close to any construction site shall be protected from inadvertent damage by construction equipment through wrapping of trunks with protective materials, bridging or tunneling under major roots where exposed in foundation or utility trenches, and other measures appropriate and necessary to protect the well-being of the retained trees.

7. Fire prevention: In addition to any measures required by the local California Department of Forestry fire authorities, the owner will;

- A) Maintain a spark arrester screen atop each chimney.
- B) Maintain spark arresters on gasoline-powered equipment.
- C) Establish a "greenbelt" by keeping vegetation in a green growing condition to a distance of at least 50 feet around the house.
- D) Break up and clear away any dense accumulation of dead or dry underbrush or plant litter, especially near landmark trees and around the greenbelt.

8. Use of fire (for clearing, etc.): Open fires will be set or allowed on the parcel only as a forest management tool under the direction of the Department of Forestry authorities, according to local fire ordinances and directives.

9. Clearing Methods: Brush and other undergrowth, if removed, will be cleared through methods, which will not materially disturb the ground surface. Hand grubbing, crushing, and mowing will normally be the methods of choice

10. Irrigation: To avoid further depletion of the groundwater resource, prevent root diseases and otherwise maintain favorable conditions for the native forest, the parcel will not be irrigated except within developed areas. Caution will be exercised to avoid over-watering around trees.

11. Exotic Plants: Care will be taken to eradicate and avoid the introduction of the following pest species:

- A) Pampas grass
- B) Genista (Scotch broom, French broom)
- C) Eucalyptus (large types)

**Amendments**

The Monterey County Director of Planning may approve amendments to this plan, provided that such amendments are consistent with the provisions of the discretionary permit or building submittal. Amendments to this Forest Management Plan will be required for proposed tree removal not shown as part of this Plan when the proposed removal falls within the description of a Forest Management Plan or Amendment to an existing Forest Management Plan.

Amended Forest Management Plan

A) An amended Forest Management Plan shall be required when:

- 1. The Monterey County Director of Planning has previously approved a Forest Management Plan for the parcel.
- 2. The proposed tree removal as reviewed as part of a development has not been shown in the previously approved Forest management plan

B) At a minimum, the Amended Forest Management Plan shall consist of:

- 1. A plot showing the location, type, and size of each tree proposed for removal, as well as the location and type of trees to be replanted,
- 2. A narrative describing reasons for the proposed removal, alternatives to minimize the amount and impacts of the proposed tree removal, tree replanting information, and justification for the removal of trees outside of the developed area is proposed.

**Compliance**

It is further understood that failure to comply with this Plan will be considered a failure to comply with the conditions of the Use Permit.

**Transfer of Responsibility**

This plan is intended to create a permanent forest management program for the site. It is understood, therefore, that in the event of a change of ownership, this plan shall be as binding on the new owner as it is on the present owner. As a permanent management program, this Plan will be conveyed to the future owner upon the sale of the property.

Report Prepared By:

 November 14, 2022  
 Frank Ono, SAF Forester #48004 & ISA Certified Arborist #WE-0536A Date

Recommendations Agreed by the landowner:

 NOVEMBER 18, 2022  
 Landowner INVESTMENT TRUSTEE Date  
SOSKE FAMILY TRUST

Forest Management Plan approved by:

\_\_\_\_\_  
 Director of Planning Date





**Frank Ono**  
**International Society of Arboriculture**  
**Certified Arborist # 536**  
**Society of American Foresters Professional Member 48004**  
**1213 Miles Avenue**  
**Pacific Grove CA, 93950**  
**Telephone (831) 373-7086**

December 21, 2023

Monterey County  
Housing and Community Development (HCD)  
1441 Schilling Place  
Salinas, CA 93901

SUBJECT: Replanting for Previously Removed Trees and Stumps (including Permit TRM190218 (2019) and Permit TRM220232 (August 2022)  
APN: 008-441-033-000 and 008-441-035-000

HCD;


I have been requested by Mr. Stephen Soske to assist the county with the reforestation and verification process for the subject properties. The process involves documenting replanting performed due to previous tree removals occurring on this property and the initial implementation of the restoration plan. No TRM or PLN were found recorded for many of the tree removals even though reports were prepared for the property regarding tree conditions and recommended removal.

To remedy this unfortunate error, a site study was prepared to discover what remnants of trees could be found associated with the past removals and is listed in a recently prepared forest management and restoration plan with findings of the past clearing of the Soske property. This forest management and restoration plan is being implemented to restore the site with new plantings while maintaining defensible fire-safe buffer areas when considering open areas of the forest canopy that may be developed. The trees are replaced throughout the two properties to have a healthy canopy stocking as mentioned in a subsequent restoration plan. These new trees are of five-gallon stock Monterey pine and Coast live oak stock, consisting of 2/3 pine and 1/3 oaks, planted throughout the properties which includes completion of replanting conditions for TRM 220230 and TRM230066, but not for TRM230254. This letter also includes evidence of tree removal replacement for Permit TRM190218 (2019) to remove 3 Coastal Live Oak and 2 Monterey Pine trees and Permit TRM220232 (August 2022) to remove 1 Coastal Live Oak and 3 Monterey Pine trees. Completion of replant conditions for TRM230254 will be completed later.

Mr. Soske has submitted invoices for the purchase of the tree stock. The trees are all in good health and condition. To ensure the longevity of the planted trees, the newly planted trees have been planted with roots protected with wire baskets to prevent gopher damage, staked upright, and have wire cages to prevent deer or rodent browsing. A system of drip hose emitters irrigates the newly planted trees and are now and will be monitored for success for the next three years. They must be kept weed-free, inspected for health, and irrigated until established. They will be maintained for fire defensibility and conform to ANSI A300 planting and pruning standards. Should any tree be in decline new trees will be re-planted.

Following this letter report are select photographs of trees that are planted. Typically, pictures of each planted tree are submitted, however, this is impractical for this confirmation letter. Instead, select pictures are attached showing the overall planting areas, staking, and general appearance. The locations of the planted trees conform to an attached site map. At this time replanting is successful and further monitoring with annual reports is required to ensure planting success.

Sincerely,



Frank Ono

Certified Arborist #536

Society of American Foresters member #48004

C.C. Stephen Soske,  
Attachments

## PHOTOGRAPHS

Photographs looking to the southeast portion of the parcel planted oaks.



View looking to the southeast of planted oaks.

View looking to the south toward Padre Lane.



Closer look to the south of planted oaks.

View looking to the east toward behind Susan Way with planted oaks and pines.



View looking from the south toward the existing structure, planted oaks.

View from the east side of the structure looking to the south with planted pines



View of planted oaks adjacent to the south side of the structure.

View looking at the south side of the structure of planted oaks.



View of planted oaks and pines near the north side of the structure.

View of planted oaks and pines on the north side of the property from the house



View of planted oaks and pines to the northwest



View from the northwest to the east of planted pines and oaks

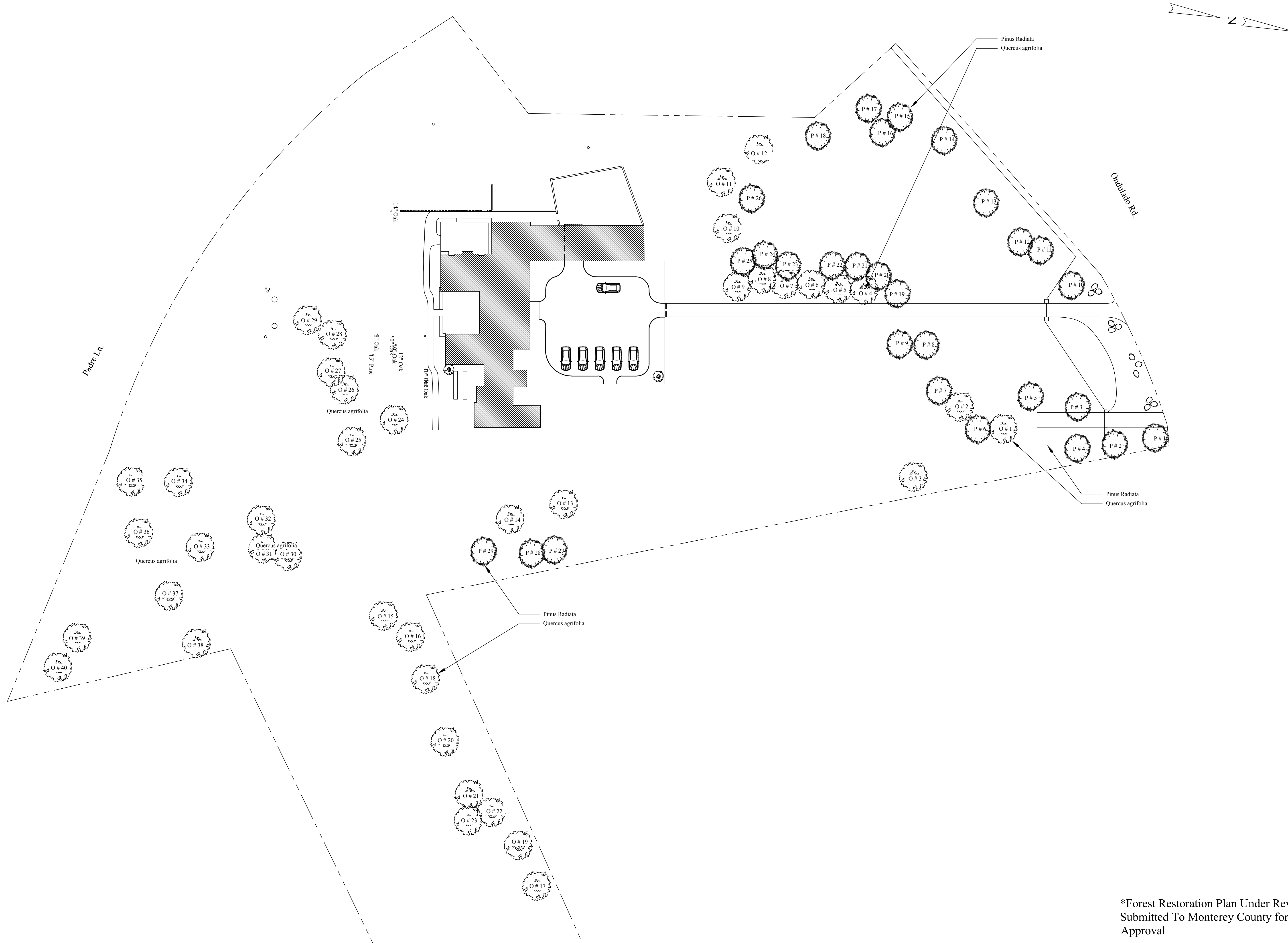


View looking to the east from the driveway.

View looking to the northeast of planted pines and oaks.



View of planted oaks and pines f to the northeast.



Residence:

**Soske's Residence**  
**1451 Ondulado Rd.**  
**Pebble Beach, Ca. 93953**

Sheet Title

Reforestation Plan

Date: 09.15.2023

Revision:

Scale:  $\frac{1}{32}'' = 1'-0''$

Drawn By: GM

Sheet: L-5

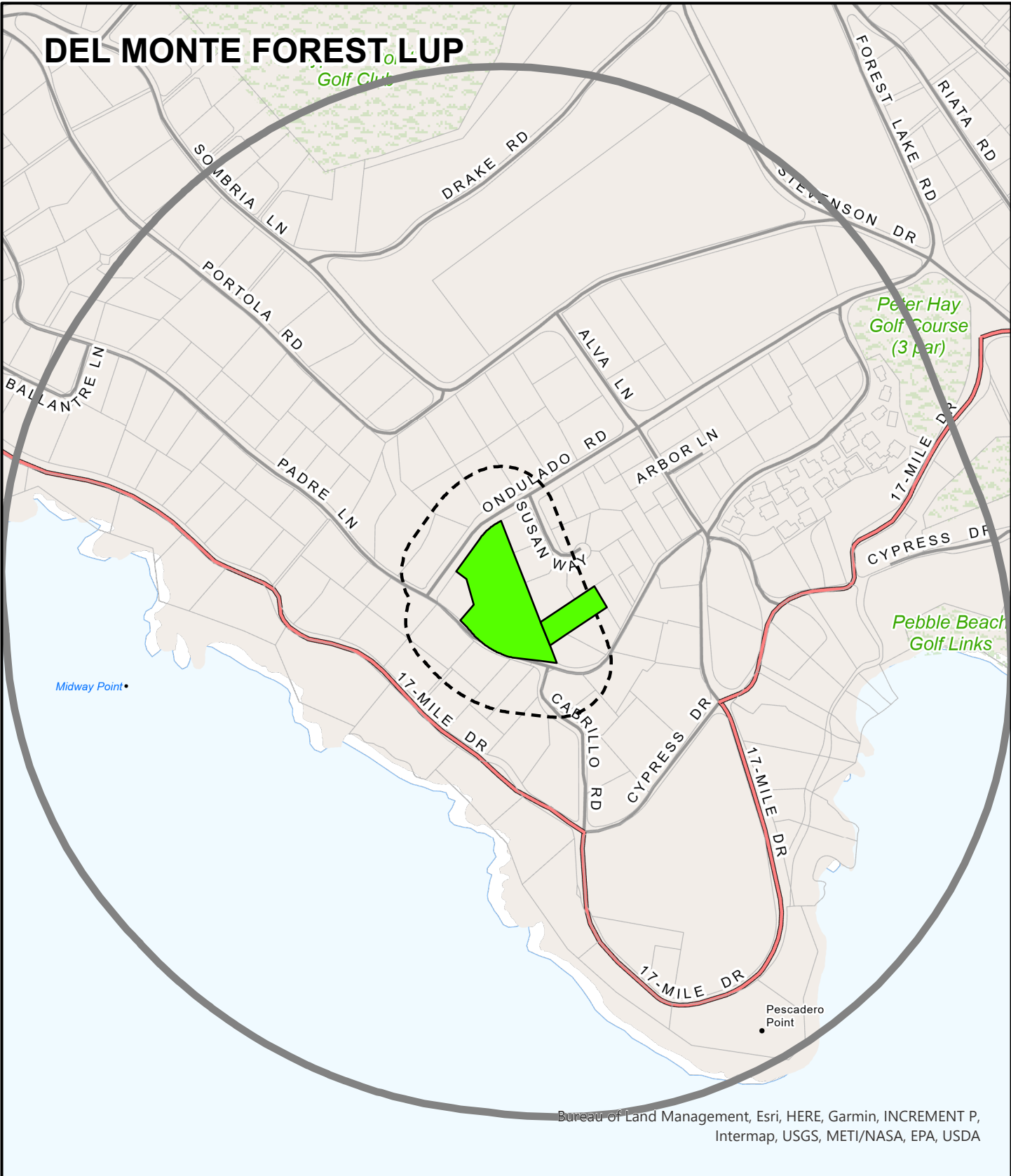
Of: 12

\*Forest Restoration Plan Under Review  
 Submitted To Monterey County for  
 Approval

# Exhibit B

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# DEL MONTE FOREST LUP



Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA


**APPLICANT:** CASA ONDULADO LLC

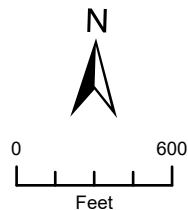
**APN:** 008441033000,008441035000

**FILE #** PLN230169

 Project Site

 300 FT Buffer

 2500 FT Buffer



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