

Exhibit C

This page intentionally left blank.

EXHIBIT C

Addendum Pursuant to the California Environmental Quality Act ARTICLE 11 Section 15164

MONTEREY COUNTY SPCA INC Planning File No. PLN060658-AMD1

1. Introduction

In compliance with Article 11 Section 15164 of the California Environmental Quality Act Guidelines, this addendum has been prepared to address minor changes to the Monterey County SPCA Inc. Mitigated Negative Declaration (MND), which was filed with the County Clerk on November 9, 2007. A Combined Development Permit (PLN060658), Resolution 07058, implemented the Mitigated Negative Declaration and Mitigation Monitoring Report, prepared by Denise Duffy & Associates Inc. The Combined Development Permit consisted of a Lot Line Adjustment to combine four substantial lots into one 5.5 acre lots, a Use Permit to expand an existing kennel and office facilities, a Use Permit for tree removal, and development on slopes in excess of 30%; among other components. The environmental impacts were addressed within the 2007 SPCA Initial Study, SCH No 2007111033, Planning Commission Resolution 07058. The proposed project will take place within a small portion of the original project site, and most of the development will occur on pre-disturbed land. This project does not meet any of the conditions described in Section 15162 of the CEQA Guidelines that call for preparation of a subsequent negative declaration.

2. Scope and Purpose of this Addendum

This addendum describes what minor changes are being made to the original 2007 Mitigated Negative Declaration; additionally, it provides details of the site-specific conditions for the proposed commercial development. The proposed project, PLN060658-AMD1, is an Amendment to the previously approved permit (PLN060658) to allow demolition of a shade structure, office building, and an existing barn, construction a 1,065 square foot addition to an existing 3,883 square foot education building, a 3,200 square foot training building, and a 3,112 square foot accessory building. Analysis of the impacts from development was addressed in the Initial Study prepared by Denise Duffy and Associates in November of 2007. More recently a “Biological Resources Report” relating to the potential biological impacts of the proposed development project was prepared by Matt Johnson of Denise Duffy and Associates in June of 2022 (amended October 21, 2022). This report addressed the revised project scope and concluded that there are no new significant environmental effects or increase in the severity of previously identified significant effects per Section 15162(a)(2) of the CEQA Guidelines. The report concluded that the proposed development may have 6 potential impacts on the surrounding environment, these impacts were previously disclosed

in the original Mitigated Negative Declaration. The previously adopted mitigation measures would reduce these project related impacts to a level of less than significant.

As part of the original 2007 Monterey County SPCA Inc. Mitigated Negative Declaration, development within the proposed project site was analyzed for impacts to biological resources. Potentially impacted special status species mentioned in the original MND consisted of the black and silvery legless lizard, now known as California legless lizard, California coast horned lizard, Southwestern pond turtles, California red-legged frog, California tiger salamander, California horned lark and White-tailed kite. The special status plants listed included Santa Cruz clover, Monterey Manzanita, Pacific Grover clover, Cogdon's tarplant, Eastwood's goldenbush and Jolon clarkia. Each of these species were either found on the property during surveys in 2006 or were known to occur nearby with potential habitat for the species on the SPCA property. The recent Biological Report identified some of the same species which may experience potential impacts from the proposed construction.

The 2007 MND disclosed several special status species that had the potential to occur within the project site, some species were found on the property. It was determined that there was suitable habitat for California coast horned lizards within the project site and the closest sighting of this species was approximately 6.5 miles away. The 2022 Biological Report reviewed more recent sightings and identified the closest sighting to the proposed project site is approximately 8 miles away. The proposed project is less disruptive and further away from where the special status species were spotted in 2007. Based off this information it can be concluded that there will not be a new, or more severe, impact to this species.

Similarly, Western pond turtles were observed on the property during the 2006 and 2007 biological surveys of the project site. However, impacts to these species were not identified and mitigation was not incorporated. The 2022 Biological Report did not report any sightings of Western pond turtles but recommended preconstruction surveys for this species. The recommended Mitigation Measure is based on the previous 2007 sightings and the potential for the turtles to use the proposed project site for nesting. Based on the information provided in the 2007 and 2022 reports, the potential impacts to this species are not new nor more severe in this case.

A new species was mentioned in this 2022 Biological Report. The original MND listed Santa Cruz microseris as unlikely to occur within the project site and was not seen during the 2007 surveys. The 2022 report stated CNDDDB reported two occurrences of this species, with the nearest occurrence being 2.9 miles from the project site. However, after meeting with the project biologist, it was determined that the project would not result in impacts to this species necessitating incorporation of a new mitigation measure. An amendment to the Biological Report prepared on October 21, 2022 reflects this change in impacts and mitigation. No significant environmental changes were identified that would indicate this species is likely to appear now.

There are some impacts that were mentioned in the 2007 MND but are not relevant to the proposed project. The development that occurred in 2007 included the removal of 30

protected oak trees, the proposed development does not include tree removal. Monterey County has a standard condition of approval that has been applied to this permit (Condition No. 7) and would ensure there are no impacts to any protected tree species near and within the project site. An archaeological report was prepared for this project site in 2007, the report concluded that the surveyed area did not contain surface evidence of potentially significant archaeological resources, and did not recommend further analysis. The original MM regarding Cultural Resources was applied to the 2007 project as “On-going”, however, it will not be carried over. The purpose of this MM was to ensure the applicant would halt work if any potentially significant cultural resources were discovered during construction until a qualified archaeologist could evaluate the resource. The County has a standard condition that has been applied to this project as a replacement (Condition No. 3), this condition mimics the language and intent of the MM mentioned above and is a suitable replacement. The mitigation measures regarding geology and soils, hazardous materials, hydrology, and utilities were specific to the original permit and have been met, therefore they will not be carried forward to this amendment. Potential impacts to traffic and onsite utilities were identified and analyzed by the County and the project has been conditioned to address them. (Condition Nos. 12, 13, 15)

3. Mitigation Language

Pursuant to Section 15074.1 of the CEQA guidelines, substitution of mitigations is proposed which are equivalent or more effective in addressing potential impacts. The substituted mitigations are edits of the original mitigations addressing biological impacts. None of the analysis of the Initial Study or Mitigated Negative Declaration has been changed. The changes to the mitigations are non-substantial and are not considered a major revision pursuant to section 15162.

The scope of the edits include changes which modify language contained in Mitigation Measures adopted as Condition Nos. 3, 10, 13 and 14 in Planning Commission Resolution No. 07058 in order to clarify the intent of the mitigation measures and update the language as it relates to this amendment.

Mitigation Measure 3 - The 2022 Biological Report recommends a pre-construction survey for specifically “*California legless lizards, Western pond turtles, and coast horned lizards*”. As adopted through the 2007 MND, the mitigation required a pre-construction survey specifically for “*black legless lizards and silvery legless lizards*”. These common names are no longer used, these subspecies of legless lizards have been combined and are now referred to as California legless lizards. As such, the mitigation language has been clarified and requires a qualified biologist conduct a pre-construction survey for “*any special status species*” prior to start of construction.

Mitigation Measure 10 - The 2022 Biological Report recommends covering holes and trenches at the close of each working day to prevent inadvertent entrapment of “*special status wildlife*”. As adopted through the 2007 MND, the mitigation was specific to only “*California red-legged frogs*” and “*California tiger salamanders*”. This language allows the mitigation measure to be more consistent, as the last sentence states “[the trenches] will be thoroughly

inspected for trapped animals”, indicating any wildlife that may wonder onto the site could avoid potential impacts. Previously only California red-legged frogs and California tiger salamanders were mitigated for, and not the other disclosed special status species from 2007.

Mitigation Measure 13 – As adopted through the 2007 MND, this mitigation required a qualified biologist conduct surveys to confirm the presence/absence for “*Codgdon’s tarplant, Eastwood’s goldenbush and Jolon clarkia*”. The 2022 Biological Report did not identify a potential impact to these specific plant species as a result of implementation of the project as amended. Instead, the biologist recommended were found on the property during June of 2022; however, the 2022 Biologist Report recommended surveys be conducted to confirm the presence/absence of “*special-status plant species*” and if presence is confirmed, protective fencing (see Mitigation Measure 14 below) be installed. Due to the absence of all special status species during the June 2022 survey, the intent of the original mitigation has not changed, and this alteration does not increase the severity of any previously disclosed impacts.

Mitigation Measure 14 – As adopted through the 2007 MND, this mitigation required protective fencing to reduce potential impacts to the Carmel Valley bush mallow plant, a previous CNPS List 1B plant species. The 2022 Biological Report did not identify any special status plant species within the project site; however, it was recommend to fence off any special status species that may occur. As such, this mitigation has been updated to replace the specific identification of “*Carmel Valley bush mallow*” to “*any special status species*”. This alteration of language includes all special status plant species that may occur and does not single any species out since there were none found within the project site. In addition, the mitigation now clearly works in conjunction with Mitigation Measure 13.

4. Conclusion:

The purpose of this addendum is to explain the minor changes that are being made to the 2007 Mitigated Negative Declaration prepared for the SPCA and provide details of the site-specific conditions for the proposed commercial development. Staff has reviewed the Monterey County SPCA Inc. Initial Study, SCH No. 2007111033, Resolution 07058, the 2022 Biological Resources Report, LIB220268, and the proposed commercial development for consistency with the environmental considerations contained within. The site-specific conditions and the scope of work proposed on the site, including the demolition of three structures, and construction of two structures and addition to an existing structure, are not substantial changes and therefore do not warrant the preparation of a subsequent environmental document.

IX. REFERENCES

1. Planning Commission Resolution No. 07058
2. SPCA Initial Study/Mitigated Negative Declaration, SCH No. 2007111033
3. The amendment application, plans and associated documents (file No. PLN060658-AMD1).

4. “Biological Resources Report” (LIB220268) prepared by Denise Duffy & Associates, Inc., Monterey, California, June 2022.

This page intentionally left blank.