

# Exhibit D

This page intentionally left blank.

**Notice of Completion**

**Supplementary Document M**

Mail to: State Clearing House, 1400 Tenth Street, Sacramento, CA 95814 (916)445-0613

SEE NOTE BELOW  
SCH #

<b>PROJECT TITLE</b> SPCA Renovation Project Initial Study/Mitigated Negative Declaration		<b>CONTACT PERSON</b> Paula Bradley, Associate Planner	
<b>LEAD AGENCY</b> Monterey County Resource Management Agency		<b>PHONE</b> (831) 755-5158	
<b>STREET ADDRESS</b> 168 W. Alisal Street, 2nd Floor		<b>COUNTY</b> Monterey	
<b>CITY</b> Salinas	<b>ZIP CODE</b> 93901		

<b>PROJECT LOCATION</b>			
<b>COUNTY</b> Monterey		<b>CITY/NEAREST COMMUNITY</b> Monterey	
<b>CROSS STREETS</b> State Route 68			
<b>ASSESSOR'S PARCEL NUMBER</b> 173-001-003, 017, 018, 019, 020		<b>SECTION</b>	<b>TOWNSHIP</b>
<b>WITHIN 2 MILES:</b> STATE ROUTE 68		<b>AIRPORTS</b> NA	<b>SCHOOLS</b> NA
<b>RAILWAYS</b> NA		<b>WATERWAYS</b> NA	

<b>DOCUMENT TYPE</b>					
<b>CEQA</b>	<input type="checkbox"/> NOP	<input type="checkbox"/> Supplement/Subsequent EIR	<b>NEPA</b>	<input type="checkbox"/> NOI	<b>OTHER</b>
	<input type="checkbox"/> Early Cons	(Prior SCH No.) _____		<input type="checkbox"/> FONSI	<input type="checkbox"/> Joint Document
	<input checked="" type="checkbox"/> Neg Dec	<input type="checkbox"/> Other _____		<input type="checkbox"/> Draft EIS	<input type="checkbox"/> Final Document
	<input type="checkbox"/> Draft EIR			<input type="checkbox"/> EA	<input type="checkbox"/> Other _____

<b>LOCAL ACTION TYPE</b>			
<input type="checkbox"/> General Plan Update	<input type="checkbox"/> Specific Plan	<input type="checkbox"/> Rezone	<input type="checkbox"/> Annexation
<input type="checkbox"/> General Plan Amendment	<input type="checkbox"/> Master Plan	<input type="checkbox"/> Prezone	<input type="checkbox"/> Redevelopment
<input type="checkbox"/> General Plan Element	<input type="checkbox"/> Planned Development	<input checked="" type="checkbox"/> Use Permit	<input type="checkbox"/> Coastal Permit
<input type="checkbox"/> Community Plan	<input type="checkbox"/> Site Plan	<input type="checkbox"/> Land Division	<input checked="" type="checkbox"/> Other - Lot Line Adjustment
(Subdivision, Parcel Map, Tract Map, etc.)			

<b>DEVELOPMENT TYPE</b>					
<input checked="" type="checkbox"/> Residential	Units <u>1</u>	Sq. ft. <u>2,000</u>		<input type="checkbox"/> Water Facilities	Type _____ MGD _____
<input checked="" type="checkbox"/> Office	Sq. ft. <u>773</u>	Acres _____	Employees <u>45</u>	<input type="checkbox"/> Transportation	Type _____
<input type="checkbox"/> Commercial	Sq. ft. _____	Acres _____	Employees _____	<input type="checkbox"/> Mining	Mineral _____
<input type="checkbox"/> Industrial	Sq. ft. _____	Acres _____	Employees _____	<input type="checkbox"/> Power	Type _____ Watts _____
<input checked="" type="checkbox"/> Educational	Sq. ft. <u>8,837</u>			<input type="checkbox"/> Waste Treatment	Type _____
<input type="checkbox"/> Recreational	_____			<input type="checkbox"/> OCS Related	
<input checked="" type="checkbox"/> Other - wildlife center, maintenance structure, barn		Sq. ft. <u>6,156</u>			

<b>PROJECT ISSUES DISCUSSED IN DOCUMENT</b>			
<input checked="" type="checkbox"/> Aesthetic/Visual	<input checked="" type="checkbox"/> Forest Land/Fire Hazard	<input type="checkbox"/> Schools/Universities	<input checked="" type="checkbox"/> Water Quality
<input type="checkbox"/> Agricultural Land	<input checked="" type="checkbox"/> Flood Plain/Drainage	<input checked="" type="checkbox"/> Septic Systems	<input checked="" type="checkbox"/> Water Supply
<input checked="" type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Geological/Seismic	<input checked="" type="checkbox"/> Sewer Capacity	<input checked="" type="checkbox"/> Wetland/Riparian
<input checked="" type="checkbox"/> Archaeological/Historical	<input type="checkbox"/> Minerals	<input checked="" type="checkbox"/> Soil Erosion/Grading	<input checked="" type="checkbox"/> Wildlife
<input type="checkbox"/> Coastal Zone	<input checked="" type="checkbox"/> Noise	<input checked="" type="checkbox"/> Solid Waste	<input type="checkbox"/> Growth Inducing
<input checked="" type="checkbox"/> Drainage/Absorbison	<input type="checkbox"/> Population/Housing Balance	<input type="checkbox"/> Toxic/Hazardous	<input checked="" type="checkbox"/> Land Use
<input type="checkbox"/> Economic/Jobs	<input type="checkbox"/> Public Services/Facilities	<input checked="" type="checkbox"/> Traffic/Circulation	<input checked="" type="checkbox"/> Cumulative Effects
<input type="checkbox"/> Fiscal	<input type="checkbox"/> Recreation/Parks	<input checked="" type="checkbox"/> Vegetation	<input checked="" type="checkbox"/> Other Biological Resources

**PRESENT LAND USE/ZONING/GENERAL PLAN USE** Animal Shelter Facility/ Rural Density Residential/Agricultural Conservation/Visually Sensitive (20')/Rural Density Residential/Visually Sensitive (20')

**PROJECT DESCRIPTION** The proposed project is a Combined Development Permit consisting of: (1) a Use Permit for the removal of 30 protected oak trees; (2) a Use Permit for development on slopes in excess of 30%; (3) an Administrative Permit for development in a visual sensitivity district; and (4) a Lot Line Adjustment to combine four substandard lots, on a 5.5 acre area of a total 219.43 acre property. The project is an upgrade, renovation and expansion of the SPCA existing facilities, an increase from 26,107 to 36,275 square feet, no additional services are proposed. Grading is proposed to require approximately 3,600 cubic yards cut and 5,040 cubic yards of fill. The properties are located at 1002 Highway 68, Monterey (Assessor's Parcel Numbers 173-011-003-000, 017, 018, 019, and 020), Greater Monterey Peninsula Area in Monterey County.

Note: Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. from a Notice of Preparation or previous draft document) please fill it in.

# Reviewing Agencies Checklist

- Resources Agency
- Boating & Waterways
- Coastal Commission
- Coastal Conservancy
- Colorado River Board
- Conservation
- Fish & Game
- Forestry
- Office of Historic Preservation
- Parks & Recreation
- Reclamation
- S.F. Bay Conservation & Development Commission
- Water Resources (DWR)
- Business, Transportation & Housing
- Aeronautics
- California Highway Patrol
- CALTRANS District # 5
- Department of Transportation Planning (headquarters)
- Housing & Community Development
- Food & Agriculture
- Health & Welfare
- Health Services
- State & Consumer Services
- General Services
- OLA (Schools)

Key:

- S = Document Sent by Lead Agency
- X = Document Sent by SCH
- T = Suggested Distribution

- Cal-EPA
- Air Resources Board
- APCD/AQMD
- California Waste Management Board
- SWRCB: Clean Water Grants
- SWRCB: Delta Unit
- SWRCB: Water Quality
- SWRCB: Water Rights
- Regional WQCB # \_\_\_\_\_ ( \_\_\_\_\_ )
- Youth & Adult Corrections
- Corrections
- Independent Commissions & Offices
- Energy Commission
- Native American Heritage Commission
- Public Utilities Commission
- Santa Monica Mountains Conservancy
- State Lands Commission
- Tahoe Regional Planning Agency
- Other: US Dept Interior Fish and Wildlife Service

**Public Review Period (to be filled in by lead agency)**

Starting Date November 9, 2007 Ending Date December 10, 2007  
 Signature *Paula Bradley* Date 11/7/07

**Lead Agency (Complete if applicable)**

Consulting Firm: **PMC**  
 Address: 2729 Prospect Park Drive, Suite 220  
 City/State/Zip: Rancho Cordova, CA 95670  
 Contact: Michael McCormick, Project Manager  
 Phone: (916) 361-8384

**Applicant:** Tyler Potter, Denise Duffy & Associates Inc.  
 Address: 947 Cass Street, Suite 5  
 City/State/Zip: Monterey CA 93 940  
 Phone: (831) 373-4341

**For SCH Use Only:**

Date Received at SCH  
 Date Review Starts  
 Date to Agencies  
 Date to SCH  
 Clearance Date

Notes:

# MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY  
PLANNING DEPARTMENT  
168 W. Alisal St., 2<sup>nd</sup> Floor, Salinas, CA 93901  
(831) 755-5025 FAX: (831) 757-9516



## *Mitigated Negative Declaration*

### **I. BACKGROUND INFORMATION**

<b>Project Title:</b>	SPCA of Monterey County
<b>File No.:</b>	PLN060658
<b>Lead Agency:</b>	County of Monterey
<b>Project Location(s):</b>	1002 Highway 68, Monterey, California
<b>Name of Property Owner:</b>	SPCA of Monterey County
<b>Name of Applicant:</b>	Tyler Potter, Denise Duffy & Associates Inc.
<b>Assessor's Parcel Number(s):</b>	173-001-003, 017, 018, 019, 020
<b>Project Description:</b>	Combined Development Permit consisting of: (1) a Use Permit for the removal of 30 protected oak trees; (2) a Use Permit for development on slopes in excess of 30%; (3) an Administrative Permit for development in a visual sensitivity district; and (4) a Lot Line Adjustment to combine four substandard lots, on a 5.5 acre area of a total 219.43 acre property. The project is an upgrade, renovation and expansion of the SPCA existing facilities, an increase from 26,107 to 36,275 square feet, no additional services are proposed. Grading is proposed to require approximately 3,600 cubic yards cut and 5,040 cubic yards of fill. The properties are located at 1002 Highway 68, Monterey (Assessor's Parcel Numbers 173-011-003-000, 017, 018, 019, and 020), Greater Monterey Peninsula Area in Monterey County.
<b>Public Review Period:</b>	Begins <b>Friday, November 9, 2007</b> ends <b>Monday, December 10, 2007.</b>
<b>Address where copy of Initial Study is Available for Public Review:</b>	Monterey County Resource Management Agency 168 W. Alisal St., 2 <sup>nd</sup> Floor, Salinas, CA 93901
<b>Address Where Written Comments Should be Sent:</b>	Paula Bradley, MCP, AICP, Associate Planner Monterey County Resource Management Agency 168 W. Alisal St., 2 <sup>nd</sup> Floor, Salinas, CA 93901

THIS PROPOSED PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS IT HAS BEEN FOUND:

- a. That said project would not have the potential to significantly degrade the environment;
  - b. That said project will have no significant impact on long-term environmental goals;
  - c. That said project will have no significant cumulative effect upon the environment;
  - d. That said project would not cause substantial adverse effects on human beings, either directly or indirectly.
- 

**Mitigation Measure #1:** Prior to start of construction, pre-construction surveys shall be conducted for nesting birds within 300 feet of proposed construction activities if construction is to be initiated between February 15 and August 1. If nesting raptors (or any other nesting birds) are identified during the pre-construction surveys, CDFG shall be contacted for an appropriate buffer that will be imposed within which no construction activities or disturbance can take place (generally 300 feet in all directions for raptors; other avian species may have species specific requirements) until the young of the year have fledged, as determined by a qualified biologist. Alternatively, construction activities that may affect nesting raptors or other protected avian species can be timed to avoid the nesting season.

**Mitigation Measure #2:** Prior to start of construction, a qualified biologist shall conduct a worker training session for all construction personnel regarding habitat sensitivity, identification of special-status species, and required practices. The training will include a brief review of the biology of these species, the general measures that are being implemented to conserve these species as they relate to the project, guidelines to avoid impacts to these species during the construction period, and the penalties for non-compliance, and the boundaries of the project area. A fact sheet or other supporting materials containing this information will be prepared and distributed to all of the workers onsite. Upon completion of training, employees shall sign a form stating that they attended the training and understand all the conservation and protection measures. Educational programs will be conducted for new personnel before they join construction activities. The crew foreman will be responsible for ensuring that all crew members comply with the guidelines.

**Mitigation Measure #3:** Prior to start of construction, a qualified biologist shall conduct surveys for black and silvery legless lizards within the project site. If either of these species is identified within the project site they shall be moved by a qualified biologist holding a valid Scientific Collecting Permit to appropriate habitat outside of the project site. Prior to handling these species, the California Department of Fish and Game shall be contacted as to the necessity for a Memorandum of Agreement.

**Mitigation Measure #4:** Prior to start of construction, the applicant shall obtain a letter from the Service documenting concurrence that the project is not likely to result in a take of California tiger salamander or California red-legged frog, or the applicant shall submit an application for take authorization to the Service. Consultation with the Service shall occur prior to construction regarding the necessity of presence/absence surveys for California red-legged frog and if required, surveys shall take place prior to construction.

**Mitigation Measure #5:** A qualified biologist will monitor all ground disturbing construction activity. After ground disturbing project activities are complete, the qualified biologist will train an individual to act as the on-site construction monitor. The on-site monitor will have attended the training described in Mitigation 3 above. Both the qualified biologist and the construction monitor will have the authority to stop and/or redirect project activities to ensure protection of resources and compliance with all

environmental permits and conditions of the project. The qualified biologist and construction monitor will complete a daily log summarizing activities and environmental compliance.

**Mitigation Measure #6:** During construction, heavy equipment and vehicle use shall be restricted to designated construction areas outside of wetland, riparian habitat, and identified sensitive habitat throughout the duration of construction activities by the use of orange cyclone fencing.

**Mitigation Measure #7:** Cleaning and refueling of equipment and vehicles will occur only within designated staging areas on previously paved or graded parking areas. No maintenance, cleaning or fueling of equipment will occur within wetland or riparian areas, or within 50 feet of such areas and, at a minimum, all equipment and vehicles will be checked and maintained on a daily basis to ensure proper operation and avoid potential leaks or spills. During construction, all project-related spills of hazardous materials within or adjacent to project sites will be cleaned up immediately. Spill prevention and clean-up materials will be onsite at all times during construction. Construction materials/debris will also be stored within the designated staging areas. No debris, soil, silt, sand, oil, petroleum products, cement, concrete, or washings thereof will be allowed to enter into, or be placed where they may be washed by rainfall or runoff, into wetland habitats.

**Mitigation Measure #8:** Ground disturbing construction activities shall be limited to the period from May 1 through October 1.

**Mitigation Measure #9:** Before ground disturbing work activities begin each day, a biological monitor will inspect under construction equipment and materials to look for California tiger salamanders and California red-legged frog. If a California tiger salamander or California red-legged frog is found during these checks or during construction, construction activities will cease until the Service is consulted and appropriate actions are taken to allow project activities to continue.

**Mitigation Measure #10:** To prevent inadvertent entrapment of California red-legged frogs or California tiger salamanders during the proposed project, all excavated, steep-walled holes or trenches more than 2 feet deep will be covered at the close of each working day with plywood or similar materials. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals.

**Mitigation Measure #11:** Only tightly woven fiber netting or similar material may be used for erosion control at the project site. Coconut coir matting is an acceptable erosion control material. No plastic mono-filament matting will be used for erosion control, as this material may ensnare wildlife, including California red-legged frogs and California tiger salamanders.

**Mitigation Measure #12:** Since dusk and dawn are often the times when California red-legged frogs and California tiger salamanders are most actively foraging and dispersing, all construction activities shall cease one half hour before sunset and shall not begin prior to one half hour after sunrise. These timeframes cannot be altered due to timelines outlined in other conditions of approval for the project unless said timelines are more restrictive than are stated here.

**Mitigation Measure #13:** Prior to start of construction activities, presence/absence surveys for Congdon's tarplant, Eastwood's goldenbush and Jolon clarkia shall be conducted within the blooming period to identify if the species is present.

**Mitigation Measure #14:** The known occurrence of Carmel Valley bush mallow will be fenced off using orange cyclone fencing. The fencing will be installed under the supervision of a qualified biological monitor and checked weekly at a minimum to ensure its maintenance throughout the duration of construction activities.

**Mitigation Measure #16:** Prior to the initiation of construction activities a qualified biologist will provide an educational presentation to the contractor and landowner that identifies the location of the fenced special status plant species, provides information in regard to the type and status of the plant species, and instructs the contractor to keep all construction activities outside of the fencing.

**Mitigation Measure #17:** Prior to final inspection, 30 coast live oak trees shall be planted to replace at a 1:1 ratio the 30 coast live oaks to be removed by project construction. Replacement trees may come from native area stock (5 gallon size) or onsite volunteer seedlings onsite that can either be transplanted to appropriate locations or caged to protect them from foraging animals.

**Mitigation Measure #18:** Prior to start of demolition activities, Tree Protection Zones shall be established for all trees to remain as identified in the Staub *Forestry Management Plan* dated May 2007 to minimize root system impacts. Metal link fencing (minimum 6 feet high), supported by wood or metal stakes shall be placed around each tree or group of trees generally following the dripline of the trees. In the event protection fencing would encroach into the dripline of the tree, placement shall be done under direction of a qualified forester or certified arborist.

**Mitigation Measure #19:** Prior to and during construction, No storage of equipment or construction materials, parking of vehicles, or operation of equipment is permitted within the Tree Protection Zone unless specifically reviewed and authorized by a qualified forester or certified arborist and additional protective measures such as fabric overlain by 6" of wood chips, are used to protect the affected root zones.

**Mitigation Measure #20:** For the life of the project, no soil may be removed from the dripline of any tree and no additional fill soil shall exceed two inches within the dripline of oak trees unless it is a part of new construction and is reviewed by a qualified forester or certified arborist. Excavated material must either be removed from the site or retained at least one foot away from oak trunks.

**Mitigation Measure #21:** During construction, no significant tree as defined by Monterey County code may be removed or trimmed unless authorized by the *Forest Management Plan* for the project.

**Mitigation Measure #22:** Prior to start of excavation and construction (including demolition), any tree as identified in the *Forest Management Plan* that leans into the construction area shall be pruned under direction of a qualified forester or certified arborist to minimize potential for inadvertent damage.

**Mitigation Measure #23:** During excavation and trenching near Trees #15, 31, 34, 66, any roots exposed by excavation shall be properly cared for as follows: gently expose and cleanly sever roots one foot further from the tree than the final limit of grading and then handdig the final foot of width. Roots should then be cleanly pruned to the side wall of excavation with a sharp tool. Exposed roots shall be draped immediately with at least two layers of untreated burlap or carpet to cover the excavated surface to a depth of 3 feet. The covering shall be soaked nightly and kept in place until the excavated surface is backfilled and watered.

**Mitigation Measure #24:** During removal of Tree #3, located within 15 feet of retained trees, roots of the removed tree should be severed by grinding the stump at, or slightly below grade rather than excavating, or, if grinding cannot be done, by making sharp vertical cuts at limits of approved excavation before pushing over or excavating the rootwad and trunk.

**Mitigation Measure #25:** If archaeological resources or human remains are accidentally discovered during construction, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented.

**Mitigation Measure #26:** Prior to, during and following construction, the project is required to comply with all geologic recommendations (1-4) as stated in the May 2007 *Geologic and Soils Engineering Report* prepared by Landset Engineers.

**Mitigation Measure #27:** Prior to, during and following construction, the project is required to comply with all soil engineering, site preparation, grading, and foundation recommendations (1-38) as stated in the May 2007 *Geologic and Soils Engineering Report* prepared by Landset Engineers.

**Mitigation Measure #28:** Prior to, during and following construction, all measures identified in the Erosion Plan, Drainage Plan prepared for the project by Bestor Engineers, and all drainage measures (39-43) as stated in the May 2007 *Geologic and Soils Engineering* report prepared by Landset Engineers shall be implemented.

**Mitigation Measure #29:** Construction traffic shall be limited to off-peak hours (start before 7:00 a.m. and finish prior to 4:00 pm) to avoid impacting traffic operations during peak hours.

**Mitigation Measure #30:** **Prior to issuance of a building permit,** the applicant shall prove to Environmental Health that the well meets quantity and quality requirements of Chapter 15.04 of the Monterey County Code and Title 22 of California Code of Regulations.

# MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY – PLANNING DEPARTMENT  
168 WEST ALISAL, 2<sup>ND</sup> FLOOR, SALINAS, CA 93901  
(831) 755-5025 FAX: (831) 757-9516



## NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION MONTEREY COUNTY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that the Monterey County Resource Management Agency – Planning Department has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for a Combined Development Permit consisting of: (1) a Use Permit for the removal of 30 protected oak trees; (2) a Use Permit for development on slopes in excess of 30%; (3) an Administrative Permit for development in a visual sensitivity district; and (4) a Lot Line Adjustment to combine four substandard lots, on a 5.5 acre area of a total 219.43 acre property. (SPCA, File Number PLN060658) at 1002 Highway 68, Monterey, California (APN 173-001-003, 017, 018, 019, 020) (see description below). The Mitigated Negative Declaration and Initial Study, as well as referenced documents, are available for review at the Monterey County Resource Management Agency – Planning Department, 168 West Alisal, 2<sup>nd</sup> Floor, Salinas, California. The Planning Commission will consider this proposal at a meeting on December 12, 2007 at 9:00 AM in the Monterey County Board of Supervisors Chambers, 168 West Alisal Street, Salinas, California. Written comments on this Negative Declaration will be accepted from November 9, 2007 to December 10, 2007. Comments can also be made during the public hearing.

**Project Description:** The proposed project is a Combined Development Permit consisting of: (1) a Use Permit for the removal of 30 protected oak trees; (2) a Use Permit for development on slopes in excess of 30%; (3) an Administrative Permit for development in a visual sensitivity district; and (4) a Lot Line Adjustment to combine four substandard lots, on a 5.5 acre area of a total 219.43 acre property. The project is an upgrade, renovation and expansion of the SPCA existing facilities, an increase from 26,107 to 36,275 square feet, no additional services are proposed. Grading is proposed to require approximately 3,600 cubic yards cut and 5,040 cubic yards of fill. The properties are located at 1002 Highway 68, Monterey (Assessor's Parcel Numbers 173-011-003-000, 017, 018, 019, and 020), Greater Monterey Peninsula Area in Monterey County.

We welcome your comments during the 30-day public review period. You may submit your comments in hard copy to the name and address above. The Department also accepts comments via e-mail or facsimile but requests that you follow these instructions to ensure that the Department has received your comments. To submit your comments by e-mail, please send a complete document including all attachments to:

[CEQAcomments@co.monterey.ca.us](mailto:CEQAcomments@co.monterey.ca.us)

An e-mailed document should contain the name of the person or entity submitting the comments and contact information such as phone number, mailing address and/or e-mail address and include any and all attachments referenced in the e-mail. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please send a second e-mail requesting confirmation of receipt of comments with enough information to confirm that the entire document was received. If you do not receive e-mail confirmation of receipt of comments, then please submit a hard copy of your comments to ensure inclusion in the environmental record or contact the Department to ensure the Department has received your comments.

Facsimile (fax) copies will be accepted with a cover page describing the extent (e.g. number of pages) being transmitted. A faxed document must contain a signature and all attachments referenced therein. Faxed document should be sent to the contact noted above at (831) 757-9516. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please contact the Department to confirm that the entire document was received.

**For reviewing agencies:** The Resource Management Agency – Planning Department requests that you review the enclosed materials and provide any appropriate comments related to your agency's area of responsibility. The space below may be used to indicate that your agency has no comments or to state brief comments. In compliance with Section 15097 of the CEQA Guidelines, please provide a draft mitigation monitoring or reporting program for mitigation measures proposed by your agency. This program should include specific performance objectives for mitigation measures identified (CEQA Section 21081.6(c)). Also inform this Department if a fee needs to be collected in order to fund the mitigation monitoring or reporting by your agency and how that language should be incorporated into the mitigation measure.

All written comments on the Initial Study should be addressed to:

County of Monterey  
Resource Management Agency – Planning Department  
Attn: Paula Bradley, MCP, AICP, Associate Planner  
168 West Alisal, 2<sup>nd</sup> Floor  
Salinas, CA 93901

Re: SPCA; File Number PLN060658

From: Agency Name: \_\_\_\_\_  
Contact Person: \_\_\_\_\_  
Phone Number: \_\_\_\_\_

- No Comments provided
- Comments noted below
- Comments provided in separate letter

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DISTRIBUTION**

1. State Clearinghouse (15 copies)—include Notice of Completion
2. CalTrans – District 5, San Luis Obispo office

3. Calif. Dept. of Fish and Game
4. US Dept of Interior Fish and Wildlife Service
5. County Clerk's Office
6. Association of Monterey Bay Area Governments
7. Monterey Bay Unified Air Pollution Control District
8. Salinas Rural Fire Protection District
9. Monterey County Water Resources Agency
10. Monterey County Public Works Department
11. Monterey County Division of Environmental Health
12. Monterey County Sheriff's Office
13. Libraries
14. SPCA of Monterey County, Owner
15. Tyler Potter, Denise Duffy & Associates, Agent
16. Property Owners within 300 feet (Notice of Intent only)

*Revised 02-05-2007*

**MONTEREY COUNTY**  
RESOURCE MANAGEMENT AGENCY  
PLANNING DEPARTMENT

168 WEST ALISAL ST., 2<sup>nd</sup> FLOOR, SALINAS, CA 93901  
PHONE: (831) 755-5025 FAX: (831) 755-9516



**INITIAL STUDY**  
**MITIGATED NEGATIVE DECLARATION**

**I. BACKGROUND INFORMATION**

<b>Project Title:</b>	SPCA Renovation Project
<b>File No.:</b>	PLN060658
<b>Project Location:</b>	1002 Highway 68, Monterey, California
<b>Name of Property Owner:</b>	SPCA of Monterey County
<b>Name of Applicant:</b>	Tyler Potter, Denise Duffy & Associates Inc.
<b>Assessor's Parcel Number(s):</b>	173-001-003, 017, 018, 019, 020
<b>Acreage of Property:</b>	219.43 acres
<b>General Plan Designation:</b>	Rural Density Residential/Agricultural Conservation/Visually Sensitive (20')
<b>Zoning District:</b>	Rural Density Residential/Visually Sensitive (20')
<b>Lead Agency:</b>	Monterey County Resource Management Agency
<b>Prepared By:</b>	PMC under contract to Monterey County
<b>Date Prepared:</b>	November 7, 2007
<b>Contact Person:</b>	Paula Bradley, MCP, AICP, Associate Planner
<b>Phone Number/email:</b>	(831) 755-5158; <a href="mailto:Bradleyp@co.monterey.ca.us">Bradleyp@co.monterey.ca.us</a>

## **II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING**

### **A. Background.**

The Society for the Prevention of Cruelty to Animals of Monterey County (hereinafter SPCA) is an animal shelter organization that has historically placed emphasis on housing a large number of dogs and cats. Similar organizations have moved beyond this to a more active and intensive advocacy program for a wider range of animals. The SPCA also intends to work with the community towards a proactive, preventative approach in caring for at-risk animals. The existing facility has a total of 45 full-time personnel, 4 part-time personnel and approximately 275 volunteers. The reason for the proposed project is to upgrade existing facilities to provide a more modern facility that can be used to coordinate SPCA's activities. No intensification of use is proposed beyond what exists on the site today.

### **B. Project Description:**

The proposed project is a Combined Development Permit consisting of: (1) a Use Permit for the removal of 30 protected oak trees; (2) a Use Permit for development on slopes in excess of 30%; (3) an Administrative Permit for development in a visual sensitivity district; and (4) a Lot Line Adjustment to combine four substandard lots, on a 5.5 acre area of a total 219.43 acre property. The project is an upgrade, renovation and expansion of the SPCA existing facilities, an increase from 26,107 to 36,275 square feet, no additional services are proposed. Grading is proposed to require approximately 3,600 cubic yards cut and 5,040 cubic yards of fill. The properties are located at 1002 Highway 68, Monterey (Assessor's Parcel Numbers 173-011-003-000, 017, 018, 019, and 020), Greater Monterey Peninsula Area in Monterey County.

Proposed improvements to, or replacement of, existing facilities include: expansion by approximately 773 square feet to the main shelter/administrative building, 1,411 square feet to the veterinary clinic, and expansion of the wildlife center resulting in a 2,888 square foot building. New structures include a 7,426 square foot adoption pavilion, a 2,000 square foot single family home for to serve as the caretaker's residence, a new 200,000 gallon water tank, a 1,008 square foot maintenance structure, and a 2,260 square foot horse barn to be constructed along the entrance road. In order to construct the new facilities, several buildings will need to be removed including the existing caretaker unit, maintenance building, and isolation facility. An 807 square foot portion of the existing barn will also be demolished, which will result in a reduction of 373 square feet from the original barn. The existing water tower will be demolished when the new tank is constructed. Overall, there will be an increase of built square footage on the property of 28% from the existing 26,107 square feet to the proposed 36,275 square feet, resulting in 0.38% coverage of the 219.43 acre site. Improvements to septic, water distribution and storage, roadway circulation, and parking facilities are also proposed.

The Lot Line Adjustment (LLA) is required by the Resource Management Agency (RMA) for Assessor's Parcel Numbers 173-011-003-000, 017, 018, 019, and 020 and in order to comply with County and State Health Code requirements. The LLA will require the recordation of a deed and a certificate of compliance. The LLA would result in a single parcel from these four, totaling 28.6 acres, in which the 5.5 acre portion of the site currently developed would be located. The LLA is being requested for the following reasons: to legalize buildings that have non-conforming

setbacks, to legalize non-conforming lots that are too small (less than 5 acres), and comply with State law requiring waste water systems be located on one lot. Figure 2 shows the lot lines that will be adjusted to create the single 28.6 acre parcel.

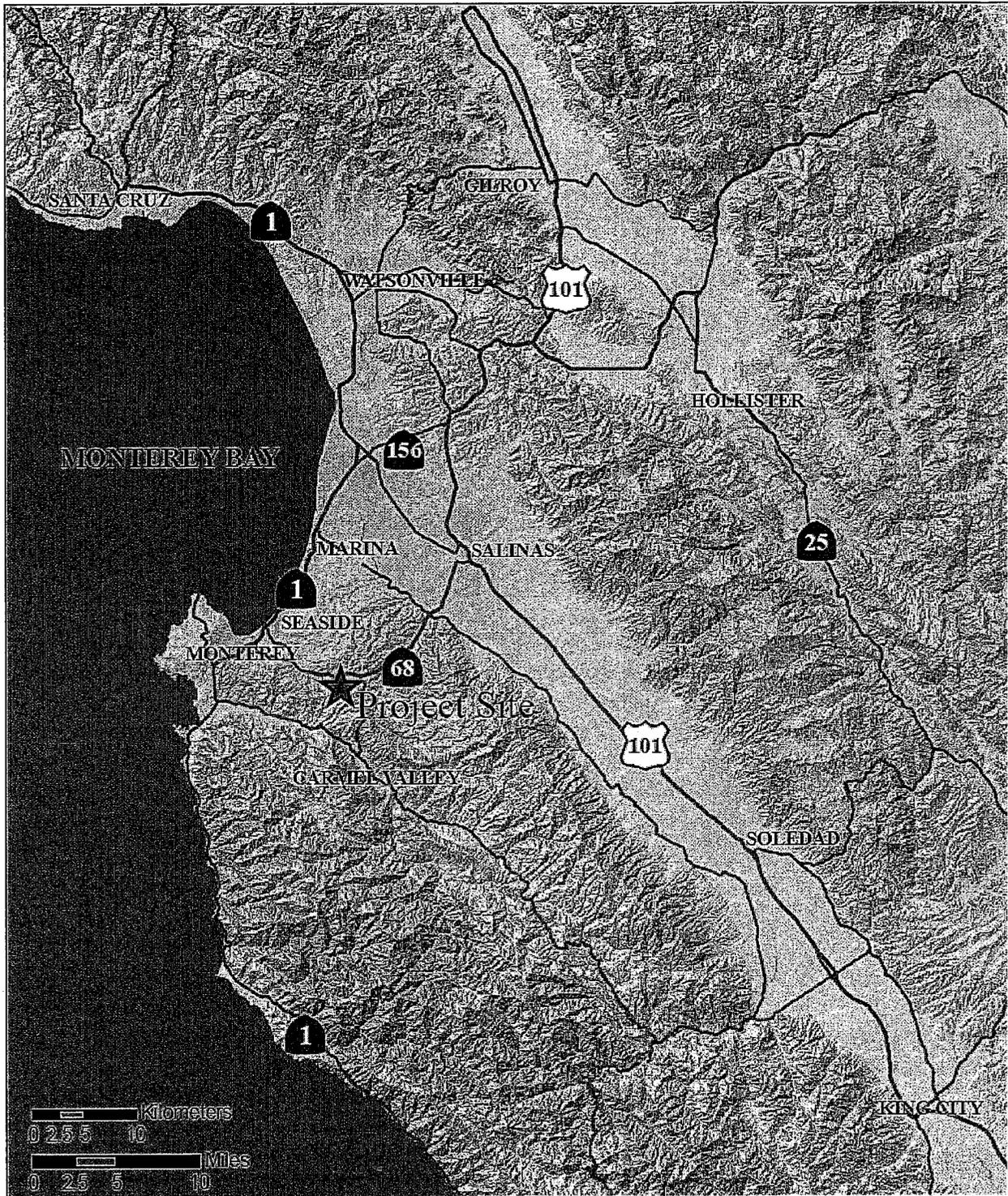
**C. Environmental Setting and Surrounding Land Uses:**

The parcel consists of approximately 219 acres located eight miles southwest of Salinas and eight miles east of Monterey on the south side of State Route 68 (Figure 1). Developed areas on the project site are within a 5.5 acre footprint and include the SPCA primary building and shelter, spay and neuter clinic, caretaker's house, maintenance building, a barn, an education building, wildlife center, and animal care clinic (Figure 2, 3, and 4). All project activities, excluding export of fill and construction/demolition waste, would occur within previously disturbed or developed areas onsite and outside of Oak Woodlands, with an overall building footprint increase of approximately 10,168 square feet.

A small portion of the development would occur on 30% slopes to accommodate additional parking, internal road realignment, administration building addition, the water tank, and a small portion of the Wildlife Center. Some of the 30% slope area is a result of man-made cuts. The proposed project includes removal of 30 coast live oak trees, including five Landmark oaks (oaks 24 inches in diameter or larger measured at two feet above ground) located within or adjacent to the existing developed area and outside of the area delineated as "Oak Woodlands."

The property is characterized by rolling hills vegetated with coast live oak, chaparral, and grassland as shown in Figure 5. Numerous intermittent drainages flow north from higher elevations on the property, toward Toro Creek, with surface flows supported during the rainy season between November and April. One naturally-occurring pond and two drainage ponds are located on the property, as well as an artificially fed pond with a fountain. Habitat types on the property include oak woodland, coastal scrub, chaparral, coastal prairie, riparian/wetland and grassland. The proposed project is located within an approximately 5.5 acre developed portion of the property, and would not disturb sensitive habitat.

The site is designated Rural Density Residential/Agricultural Conservation/Visitor Serving under the Monterey County General Plan. Surrounding land uses consist of rural residential development to the west and east, State Route 68 and Laguna Seca Recreation Area to the north, and grazing and rangeland to the south.



Source: Denise Duffy and Associates, 2007

Figure 1  
Vicinity Map



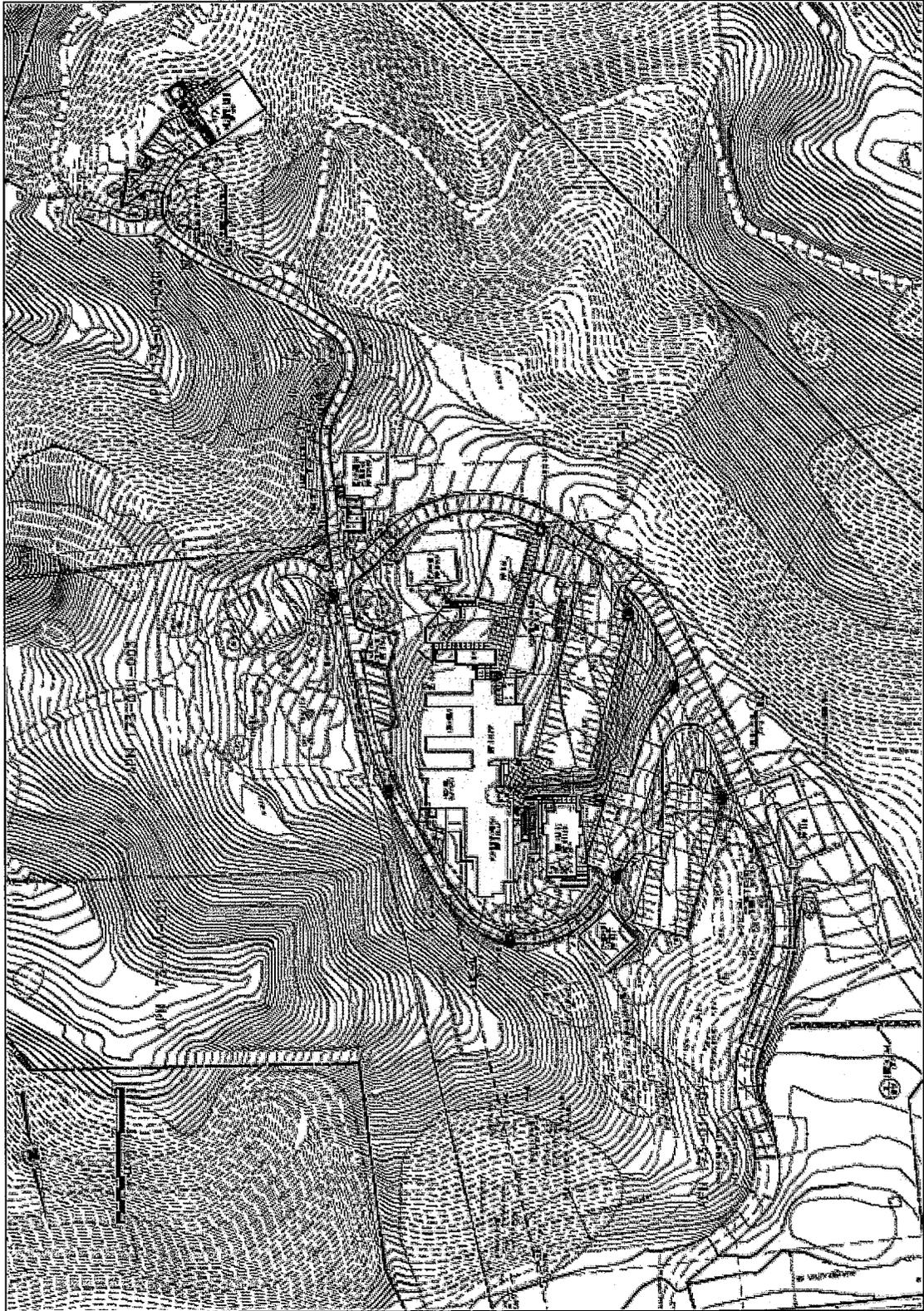
Source: Denise Duffy and Associates, 2007

Figure 2  
Project Area

Figure 3  
Proposed Project  
and  
Existing Site  
Aerial

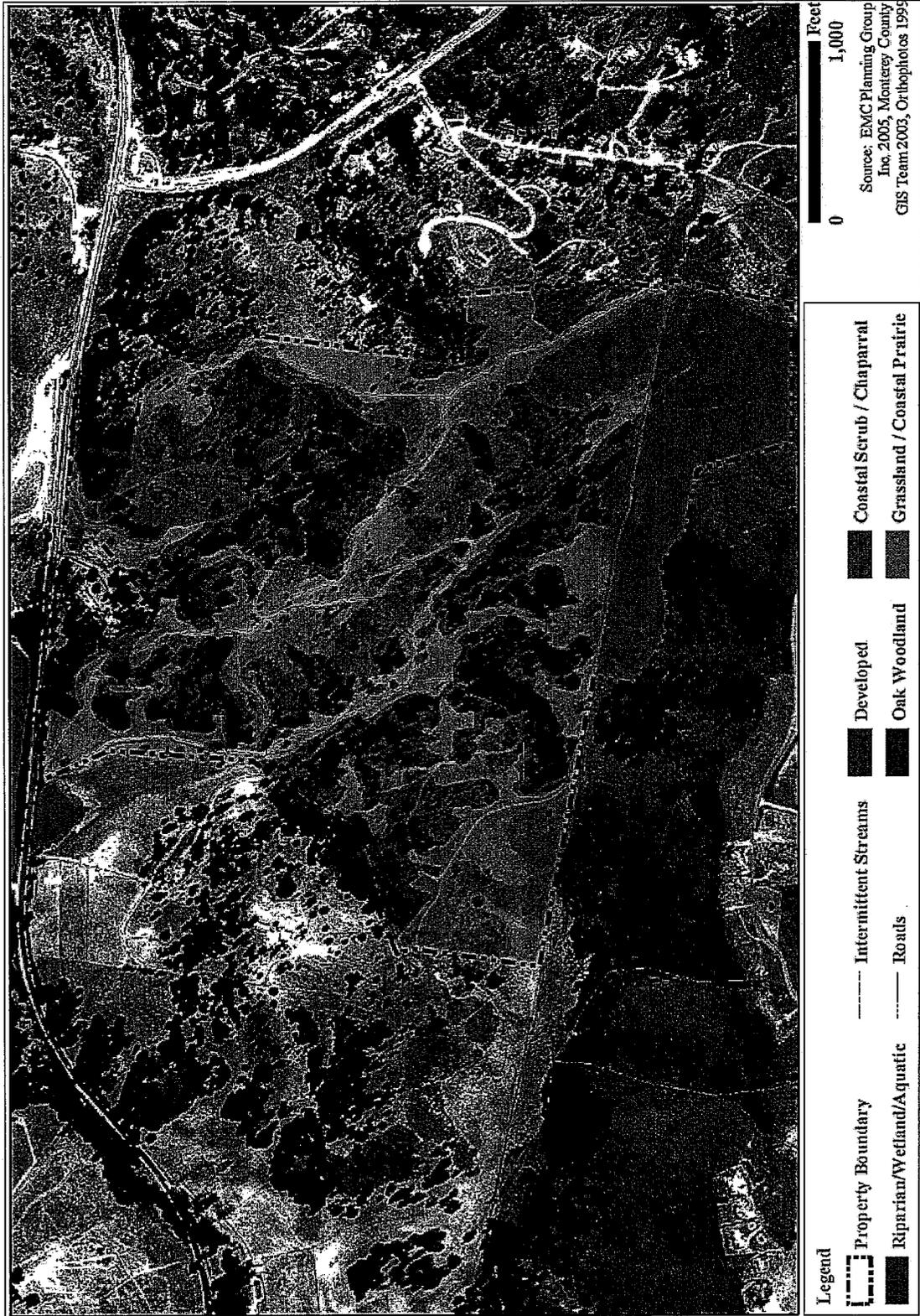


Source: Denise Duffy and Associates, 2007



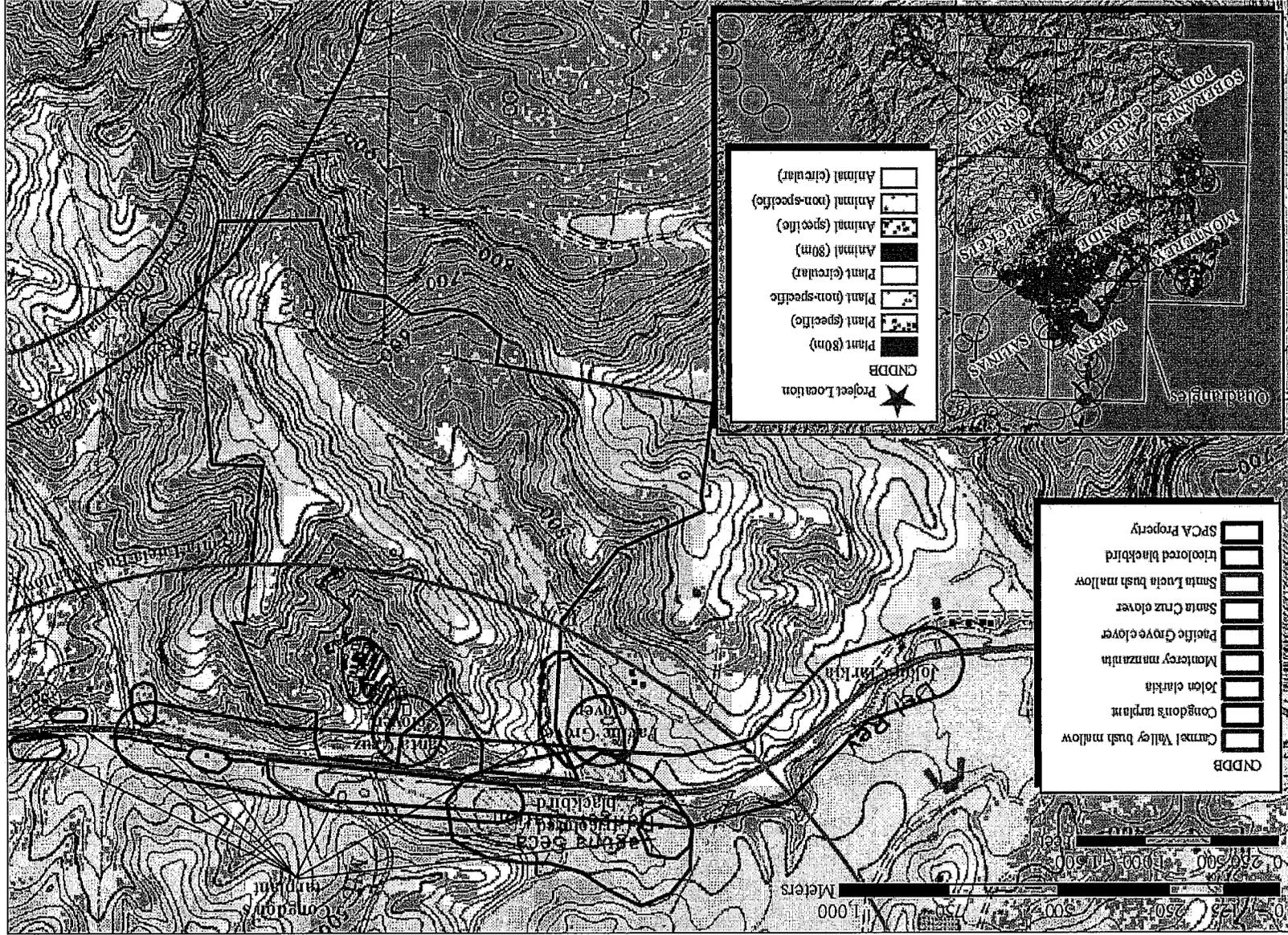
Source: Denise Duffy and Associates, 2007

Figure 4  
Site Plan/Erosion Control Plan



Source: Denise Duffy and Associates, 2007

Figure 5  
Habitat Map



Source: Denise Duffy and Associates, 2007

Figure 6  
CNDBB Occurrence Map



Source: Denise Duffy and Associates, 2007

Photo 1 - Barn, equipment and flagged/staked improvements



Source: Denise Duffy and Associates, 2007

Photo 2 - Manmade pond at entrance to the project site



Photo 3 - View of facility as seen from State Route 68

Figure 7a - Site Photos

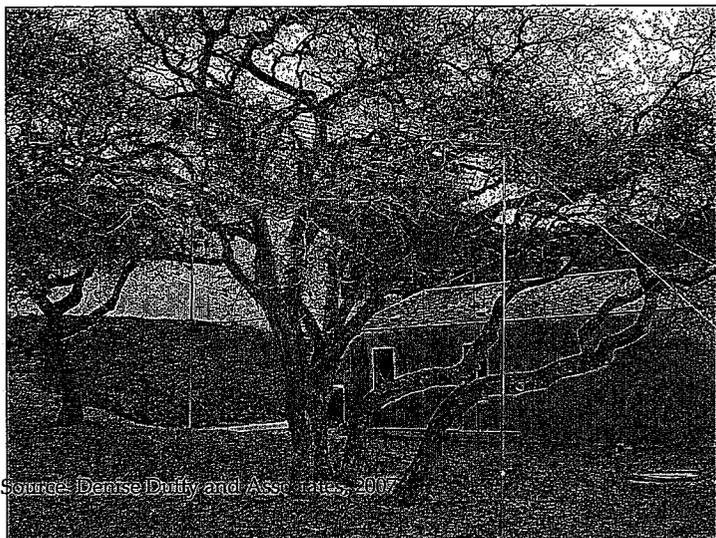


Source: Denise Duffy and Associates, 2007

Photo 4 - Administration Building with improvements flagged/staked



Photo 5- Adoption Pavilion with improvements flagged/staked



Source: Denise Duffy and Associates, 2007

Photo 6- Expansion of administrative building requiring oak tree removal

Figure 7b - Site Photos

### **III. PROJECT CONSISTENCY WITH OTHER APPLICABLE LOCAL AND STATE PLANS AND MANDATED LAWS**

Use the list below to indicate plans applicable to the project and verify their consistency or non-consistency with project implementation.

General Plan/Area Plan	<input checked="" type="checkbox"/>	Air Quality Mgmt. Plan	<input checked="" type="checkbox"/>
Specific Plan	<input type="checkbox"/>	Airport Land Use Plans	<input checked="" type="checkbox"/>
Water Quality Control Plan	<input type="checkbox"/>	Local Coastal Program-LUP	<input type="checkbox"/>

#### General Plan/Area Plan.

The proposal was reviewed for consistency with the Monterey County General Plan and the Greater Monterey Peninsula Area Plan. Section VI.9 (Land Use and Planning) discusses whether the project physically divides an established community, conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project or conflicts with any applicable habitat conservation plan or natural community conservation plan. The project consists of the renovation of an existing animal care facility with no increase in services. The proposed project is consistent with the Monterey County General Plan and Greater Monterey Peninsula Area Plan. **CONSISTENT**

#### Air Quality Management Plan

Grading for the project and the use of heavy machinery for construction and demolition have the potential to create minimal short-term air quality impacts. Ozone emissions from project construction are accommodated in the emission inventories of the Air Quality Management Plan and will not have a significant impact on the attainment or maintenance of ozone Ambient Air Quality Standards. **CONSISTENT**

#### **IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION**

##### **A. FACTORS**

The environmental factors checked below would be potentially affected by this project, as discussed within the checklist on the following pages.

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Aesthetics                  | <input type="checkbox"/> Agriculture Resources              | <input checked="" type="checkbox"/> Air Quality            |
| <input checked="" type="checkbox"/> Biological Resources        | <input checked="" type="checkbox"/> Cultural Resources      | <input checked="" type="checkbox"/> Geology/Soils          |
| <input checked="" type="checkbox"/> Hazards/Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning                 |
| <input type="checkbox"/> Mineral Resources                      | <input checked="" type="checkbox"/> Noise                   | <input type="checkbox"/> Population/Housing                |
| <input type="checkbox"/> Public Services                        | <input type="checkbox"/> Recreation                         | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input checked="" type="checkbox"/> Utilities/Service Systems   |   |  |

Some proposed applications that are not exempt from CEQA review may have little or no potential for adverse environmental impact related to most of the topics in the Environmental Checklist; and/or potential impacts may involve only a few limited subject areas. These types of projects are generally minor in scope, located in a non-sensitive environment, and are easily identifiable and without public controversy. For the environmental issue areas where there is no potential for significant environmental impact (and not checked above), the following finding can be made using the project description, environmental setting, or other information as supporting evidence.

- Check here if this finding is not applicable

**FINDING:** For the above referenced topics that are not checked off, there is no potential for significant environmental impact to occur from either construction, operation or maintenance of the proposed project and no further discussion in the Environmental Checklist is necessary.

##### **EVIDENCE:**

2. Agriculture: The property is not within areas used for agricultural production or activities. Grazing activities in the project vicinity would not be impacted by the proposed expansion. The project would not convert prime farmland or otherwise conflict with agricultural zoning or uses. Therefore, there is no potential impact on agricultural resources. (Source: IX. 1, 2)
  
9. Land Use/Planning. The animal care facility and single family dwelling are permitted uses on the property and no changes in use or services are proposed as part of the

renovation project. Infrastructure improvements and zoning classification make the site suitable for the proposed use. No land use or planning impacts are anticipated. (*Source IX.1, 2, 5*).

10. Mineral Resources: No mineral resources are known to occur in the vicinity of the project site. For this reason, the proposed project is not anticipated to impact mineral resources. (*Source IX.1, 2*)
12. Population/Housing: The project would not impact the local or regional population or housing situation. The construction of a single family residence is proposed to replace the existing caretaker unit to be demolished. No other housing is proposed as a part of the project and no additional employees would be needed. For these reasons, it is anticipated there would be no impact on population/housing. (*Source IX.1*)
13. Public Services. The project would not result in increased demand for public services as it would not involve an increase in local population or intensity of use. The proposed project would expand and improve the existing animal shelter facility in the area and does not propose an expansion of services or employees. The project was referred to the County Sheriffs Department (Donna Malletti June 8, 2007) and no concerns were identified. The Department indicated recommendations for Crime Prevention/Safety would be provided including lighting, landscaping, alarms, lock hardware, etc. for both the interior and exterior perimeter areas. In addition, the upgrades to the existing facility, including a new 200,000 gallon water tank will result in substantially improved fire suppression capability. Included in the project is a septic system upgrade that will modernize the wastewater disposal for the site. For these reasons, no public services are anticipated to be impacted by the proposed project. (*Source IX.1*)
14. Recreation: No parks, trail easements, or other recreational opportunities would be impacted by the proposed project. Proposed improvements would enhance an existing public resource facility to house, care for, and present to the public, animals prior to adoption. The facility would also provide an education center and continue providing opportunities for local residents and visitors to learn about and experience regional wildlife through the construction of a wildlife center and clinic. The project would not create demands to justify construction of new facilities to serve the project. (*Source IX.1, 2*)

## **B. DETERMINATION**

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

*Paula Bradley MCP, ACP*  
\_\_\_\_\_  
Signature

*11/07/07*  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Paula Bradley

\_\_\_\_\_  
Associate Planner

## V. *EVALUATION OF ENVIRONMENTAL IMPACTS*

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) **Supporting Information Sources:** A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

## VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Have a substantial adverse effect on a scenic vista? (Source: IX.1, 2, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: IX.1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings? (Source: IX.1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: IX.1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion, Analysis and Conclusions:

**Aesthetics 1 (b) – No Impact.** The proposed facility expansion is proposed within existing developed/disturbed areas and although 30 ordinance size trees would be removed, would not substantially damage scenic resources such as trees, rock outcroppings or historic buildings as seen from State Route 68. None of the trees proposed for removal would be visible from Highway 68, nor would the proposed 200,000 gallon water tank be visible from Highway 68. The site is in a designated Visual Sensitivity zoning district that restricts the height of structures to a maximum 20 feet. The proposed project would expand and refurbish the existing facility and paint the buildings to blend into the natural environment. For this reason, there would be no impact from the project on trees, outcroppings, and historic buildings.

**Aesthetics 1 (a, c, d) - No Impact.** The project site is located approximately 500 feet from State Route 68, which is considered a Visually Sensitive corridor. As required by code, the proposed project was flagged, staked, and inspected on site to evaluate potential visual impacts. Structures and other improvements have been located within previously disturbed areas to minimize tree removal, grading, and visibility from public roads. Although existing landscaping and access improvements are visible from the public roadway, topography and vegetation block views of the facility from the roadway. With the exception of the Wildlife Center proposed within an existing parking area, building improvements would be within the same layout as the existing facility. Except for the wildlife center and horse barn the buildings are clustered in an area behind a hill visually shielding the structures from State Route 68. A new 200,000 gallon water tank is proposed to replace an existing smaller one. The new tank would be placed at a higher elevation than the existing tank and although a very small portion of the staking and flagging is visible from a higher elevation on the hillside at Laguna Seca across Highway 68, it would not be visible from public roads (Exhibit 7). Ridgelines of all proposed improvements were flagged and staked and viewed in the field. The proposed improvements would not be visible from State Route 68

or other public roads. Lighting and exterior improvements to the facility would be shielded, downcast and muted to ensure no light or glare occurs onto State Route 68 through standard conditions of approval. Sheriff recommended safety lighting would be designed to reduce off-site light or glare. Improvements to the facility would not significantly change the site and the visual character of the area would not be degraded by renovation and expansion of the facility. For these reasons, no impacts are anticipated.

---

## 2. AGRICULTURAL RESOURCES

Would the project:		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: IX.1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: IX.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Source: IX.1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion, Analysis and Conclusions:** See Sections II and IV.

---

## 3. AIR QUALITY

Would the project:		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan? (Source: IX.4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: IX.4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: IX.4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**3. AIR QUALITY**

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
d) Result in significant construction-related air quality impacts? (Source: IX.1,4)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion, Analysis and Conclusions:**

**Air Quality 3 (a-c, e, f) – No Impact.** The project would not increase traffic trips to the area or cause an increase in services with the potential to adversely impact regional air quality. California Assembly Bill (AB) 32, the Global Warming Solutions Act of 2006 requires the state to address reduction of greenhouse gases in response to Global Climate Change concerns. Regulatory guidance on how to address potential impacts have not yet been identified by the California Air Resources Board and therefore quantified evaluation of potential Global Climate Change impacts could not be determined.

**Air Quality 3 (e) – Less Than Significant Impact.** Trips associated with construction activities would be short-term and would not expose sensitive receptors to significant pollutant concentrations. Grading for the project and the use of heavy machinery for construction and demolition have the potential to create minimal short-term air quality impacts. Ozone emissions from project construction are accommodated in the emission inventories of the Air Quality Management Plan and will not have a significant impact on the attainment or maintenance of ozone Ambient Air Quality Standards. For these reasons and with the inclusion of standard dust control and air quality district conditions of approval, there would be a less than significant impact on air quality.

4. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: IX.1, 7, 8, 14, 16)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: IX.1, 7, 8, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: IX.1, 7, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: IX.1, 7, 8, 14)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: IX.1, 12, 13, 14)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: IX.1, 2, 14)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion, Analysis and Conclusions:**

**Biological Resources 4 (b, c) Less than Significant Impact.** Although ponds exist on the project site and on adjacent properties, no disturbance to these areas would occur in association with the proposed project. Development would occur in previously disturbed and/or otherwise dry areas and adequate protection measures have been incorporated into the project to ensure construction activities and ongoing animal keeping do not cause erosion or sedimentation into existing aquatic resources.

**Biological Resources 4 (a, d-f) Less than Significant with Mitigation Incorporated.** The 219.43 acre property is vegetated primarily with annual grassland and oak woodland, with coastal scrub/chaparral and riparian habitat areas also present. The specific project area contains

annual grassland, oak woodland, coastal scrub and riparian habitats. Denise Duffy & Associates, Inc. conducted a *Biological Assessment* (April 2, 2007) for the project site and surrounding property. Several special-status species were found to occur or potentially utilize habitat areas on site.

California horned lark (*Eremophila alpestris*), a CDFG species of special concern and White-tailed kite (*Elanus leucurus*) is a CDFG fully protected species. These birds may utilize grasslands adjacent to the developed SPCA parcels for nesting and foraging, and are protected along with their nesting habitat under CDFG Code and the Migratory Bird Treaty Act. With inclusion of the following mitigation, potential impacts to these species would be considered a less than significant impact.

**Mitigation Measure #1:** Prior to start of construction, pre-construction surveys shall be conducted for nesting birds within 300 feet of proposed construction activities if construction is to be initiated between February 15 and August 1. If nesting raptors (or any other nesting birds) are identified during the pre-construction surveys, CDFG shall be contacted for an appropriate buffer that will be imposed within which no construction activities or disturbance can take place (generally 300 feet in all directions for raptors; other avian species may have species specific requirements) until the young of the year have fledged, as determined by a qualified biologist. Alternatively, construction activities that may affect nesting raptors or other protected avian species can be timed to avoid the nesting season.

Black legless lizard (*Anniella pulchra ssp. nigra*) and silvery legless lizard (*Anniella pulchra pulchra*) are CDFG Species of Special Concern known to occur approximately 8.5 miles from the project site, and suitable habitat occurs on the site. California coast horned lizard (*Phrynosoma coronatum*) is known to occur approximately 6.5 miles from the project site, and suitable habitat is located on site. Southwestern pond turtle (*Clemmys marmorata pallida*) a CDFG Species of Special Concern is found on the property, and may utilize the project site for migration between aquatic resources. California red-legged frog (*Rana aurora draytonii*), a federally Threatened and California species of Special Concern is known to occur within approximately 5.5 miles of the project site and suitable habitat exists for the species on the property.

California tiger salamander (*Ambystoma californiense*) is a Federally Threatened and California Species of Special Concern. This species is documented as occurring within one mile of the site, and is known to occur directly across Highway 68 in the Highway 68 pond and ponds within the Laguna Seca Recreation Area. A *Habitat Assessment* (Denise Duffy & Associates Inc., January 22, 2007) was conducted for California tiger salamander and protocol presence/absence surveys under direction of the US Fish and Wildlife Service (Service). The US Fish & Wildlife Service determined that the proposed grading and construction activities are unlikely to result in take of the California tiger salamander and California red-legged frog (Letter from United States Department of the Interior, Fish and Wildlife Service, dated October 18, 2007). The proposed project would not fill, grade or otherwise impact the aquatic resources on the site. Mitigation to reduce potential impacts to less than significant are provided below.

**Mitigation Measure #2:** Prior to start of construction, a qualified biologist shall conduct a worker training session for all construction personnel regarding habitat sensitivity, identification of special-status species, and required practices. The training will include a brief review of the biology of these species, the general measures that are being implemented to conserve these species as they relate to the project, guidelines to avoid impacts to these species during the construction period, and the penalties for non-compliance, and the boundaries of the project area. A fact sheet or other supporting materials containing this information will be prepared and distributed to all of the workers onsite. Upon completion of training, employees shall sign a form stating that they attended the training and understand all the conservation and protection measures. Educational programs will be conducted for new personnel before they join construction activities. The crew foreman will be responsible for ensuring that all crew members comply with the guidelines.

**Mitigation Measure #3:** Prior to start of construction, a qualified biologist shall conduct surveys for black and silvery legless lizards within the project site. If either of these species is identified within the project site they shall be moved by a qualified biologist holding a valid Scientific Collecting Permit to appropriate habitat outside of the project site. Prior to handling these species, the California Department of Fish and Game shall be contacted as to the necessity for a Memorandum of Agreement.

**Mitigation Measure #4:** Prior to start of construction, the applicant shall obtain a letter from the Service documenting concurrence that the project is not likely to result in a take of California tiger salamander or California red-legged frog, or the applicant shall submit an application for take authorization to the Service. Consultation with the Service shall occur prior to construction regarding the necessity of presence/absence surveys for California red-legged frog and if required, surveys shall take place prior to construction.

**Mitigation Measure #5:** A qualified biologist will monitor all ground disturbing construction activity. After ground disturbing project activities are complete, the qualified biologist will train an individual to act as the on-site construction monitor. The on-site monitor will have attended the training described in Mitigation 3 above. Both the qualified biologist and the construction monitor will have the authority to stop and/or redirect project activities to ensure protection of resources and compliance with all environmental permits and conditions of the project. The qualified biologist and construction monitor will complete a daily log summarizing activities and environmental compliance.

**Mitigation Measure #6:** During construction, heavy equipment and vehicle use shall be restricted to designated construction areas outside of wetland, riparian habitat, and identified sensitive habitat throughout the duration of construction activities by the use of orange cyclone fencing.

**Mitigation Measure #7:** Cleaning and refueling of equipment and vehicles will occur only within designated staging areas on previously paved or graded parking

areas. No maintenance, cleaning or fueling of equipment will occur within wetland or riparian areas, or within 50 feet of such areas and, at a minimum, all equipment and vehicles will be checked and maintained on a daily basis to ensure proper operation and avoid potential leaks or spills. During construction, all project-related spills of hazardous materials within or adjacent to project sites will be cleaned up immediately. Spill prevention and clean-up materials will be onsite at all times during construction. Construction materials/debris will also be stored within the designated staging areas. No debris, soil, silt, sand, oil, petroleum products, cement, concrete, or washings thereof will be allowed to enter into, or be placed where they may be washed by rainfall or runoff, into wetland habitats.

**Mitigation Measure #8:** Ground disturbing construction activities shall be limited to the period from May 1 through October 1.

**Mitigation Measure #9:** Before ground disturbing work activities begin each day, a biological monitor will inspect under construction equipment and materials to look for California tiger salamanders and California red-legged frog. If a California tiger salamander or California red-legged frog is found during these checks or during construction, construction activities will cease until the Service is consulted and appropriate actions are taken to allow project activities to continue.

**Mitigation Measure #10:** To prevent inadvertent entrapment of California red-legged frogs or California tiger salamanders during the proposed project, all excavated, steep-walled holes or trenches more than 2 feet deep will be covered at the close of each working day with plywood or similar materials. Before such holes or trenches are filled, they will be thoroughly inspected for trapped animals.

**Mitigation Measure #11:** Only tightly woven fiber netting or similar material may be used for erosion control at the project site. Coconut coir matting is an acceptable erosion control material. No plastic mono-filament matting will be used for erosion control, as this material may ensnare wildlife, including California red-legged frogs and California tiger salamanders.

**Mitigation Measure #12:** Since dusk and dawn are often the times when California red-legged frogs and California tiger salamanders are most actively foraging and dispersing, all construction activities shall cease one half hour before sunset and shall not begin prior to one half hour after sunrise. These timeframes cannot be altered due to timelines outlined in other conditions of approval for the project unless said timelines are more restrictive than are stated here.

Special-status plants not observed on the site but with historic occurrences within or adjacent to the parcel include Santa Cruz clover (*Trifolium buckwestiorum*), Monterey manzanita (*Arctostaphylos montereyensis*), and Pacific Grove clover (*Trifolium polyodon*). Plants not identifiable due to late blooming seasons include Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*), Eastwood's goldenbush (*Ericameria fasciculata*) and Jolon clarkia (*Clarkia jolonensis*). A separate presence/absence survey of these plants is necessary, and protection measures are provided in the event any of the species are located on the project site.

Implementation of this mitigation would reduce potential impacts to these special status plants to a less than significant level.

**Mitigation Measure #13:** Prior to start of construction activities, presence/absence surveys for Congdon's tarplant, Eastwood's goldenbush and Jolon clarkia shall be conducted within the blooming period to identify if the species is present.

Carmel Valley bush mallow (*Malacothymus palmeri* var. *involucratus*) is a CNPS List 1B plant species and was found to occur adjacent to the project site. Protection and avoidance measures are necessary to protect this special status species. Implementation of the mitigations outlined below would result in a less than significant impact to Carmel Valley bush mallow.

**Mitigation Measure #14:** The known occurrence of Carmel Valley bush mallow will be fenced off using orange cyclone fencing. The fencing will be installed under the supervision of a qualified biological monitor and checked weekly at a minimum to ensure its maintenance throughout the duration of construction activities.

**Mitigation Measure #16:** Prior to the initiation of construction activities a qualified biologist will provide an educational presentation to the contractor and landowner that identifies the location of the fenced special status plant species, provides information in regard to the type and status of the plant species, and instructs the contractor to keep all construction activities outside of the fencing.

In accordance with the Monterey County Zoning Ordinance, Staub Forestry and Environmental Consulting prepared a *Forest Management Plan* (May 2007) and a letter dated 6/27/07 addressing oak woodlands for the proposed project and associated tree removals. The majority of the parcel is vegetated with coast live oak (*Quercus agrifolia*) woodland and is considered overall to be in good health. Approximately 87 acres of mature oak woodland includes the largest areas of contiguous oak cover on the parcel and would remain undisturbed. Thirty trees within existing developed areas are proposed to be removed to accommodate for the proposed expansion, with protection measures to be implemented prior to, during, and following construction to ensure that the thirty trees to remain near the project site are adequately protected.

The tree replacement ratio for removed trees greater than six inches in diameter is 1:1, to be replaced in-kind with the same species tree, which in this case is coast live oak. The following table shows the trees to be removed with their respective sizes. Five trees proposed to be removed are considered "Landmark" oaks, 24 inches in diameter or larger measured at two feet above ground.

Species	Diameter			Total
	6-11"	12-23"	24"+	
Coast Live Oak	8	17	5	30

Implementation of the following mitigations will reduce potential impacts to trees and forest resources to a less than significant level.

**Mitigation Measure #17:** Prior to final inspection, 30 coast live oak trees shall be planted to replace at a 1:1 ratio the 30 coast live oaks to be removed by project construction. Replacement trees may come from native area stock (5 gallon size) or onsite volunteer seedlings onsite that can either be transplanted to appropriate locations or caged to protect them from foraging animals.

**Mitigation Measure #18:** Prior to start of demolition activities, Tree Protection Zones shall be established for all trees to remain as identified in the *Staub Forestry Management Plan* dated May 2007 to minimize root system impacts. Metal link fencing (minimum 6 feet high), supported by wood or metal stakes shall be placed around each tree or group of trees generally following the dripline of the trees. In the event protection fencing would encroach into the dripline of the tree, placement shall be done under direction of a qualified forester or certified arborist.

**Mitigation Measure #19:** Prior to and during construction, No storage of equipment or construction materials, parking of vehicles, or operation of equipment is permitted within the Tree Protection Zone unless specifically reviewed and authorized by a qualified forester or certified arborist and additional protective measures such as fabric overlain by 6" of wood chips, are used to protect the affected root zones.

**Mitigation Measure #20:** For the life of the project, no soil may be removed from the dripline of any tree and no additional fill soil shall exceed two inches within the dripline of oak trees unless it is a part of new construction and is reviewed by a qualified forester or certified arborist. Excavated material must either be removed from the site or retained at least one foot away from oak trunks.

**Mitigation Measure #21:** During construction, no significant tree as defined by Monterey County code may be removed or trimmed unless authorized by the *Forest Management Plan* for the project.

**Mitigation Measure #22:** Prior to start of excavation and construction (including demolition), any tree as identified in the *Forest Management Plan* that leans into the construction area shall be pruned under direction of a qualified forester or certified arborist to minimize potential for inadvertent damage.

**Mitigation Measure #23:** During excavation and trenching near Trees #15, 31, 34, 66, any roots exposed by excavation shall be properly cared for as follows: gently expose and cleanly sever roots one foot further from the tree than the final limit of grading and then handdig the final foot of width. Roots should then be cleanly pruned to the side wall of excavation with a sharp tool. Exposed roots shall be draped immediately with at least two layers of untreated burlap or carpet to cover the excavated surface to a depth of 3 feet. The covering shall be soaked nightly and kept in place until the excavated surface is backfilled and watered.

**Mitigation Measure #24:** During removal of Tree #3, located within 15 feet of retained trees, roots of the removed tree should be severed by grinding the stump at, or slightly below grade rather than excavating, or, if grinding cannot be done, by making sharp vertical cuts at limits of approved excavation before pushing over or excavating the rootwad and trunk.

5. CULTURAL RESOURCES	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: IX.1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: IX.1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries? (Source: IX.1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion, Analysis and Conclusions:**

**Cultural Resources 5 (a, c, d) – No Impact.** A *Preliminary Archaeological Reconnaissance* (Archaeological Consulting, January 16, 2007) was completed for the proposed project. Although one recorded cultural resource has been recorded in the vicinity of the project site, field reconnaissance by Archaeological Consulting did not reveal any materials typically associated with prehistoric cultural resources in the project area (dark midden soil, marine shell fragments, broken or fire-altered rocks, bones or fragments, bedrock mortar outcrops). Existing structures to be demolished/ replaced are not on or considered candidate for listing on historic resource databases. The proposed building renovation is not anticipated to significantly impact cultural resources.

**Cultural Resources 5 (b) – Less Than Significant Impact with Mitigation Incorporated.** Standard protection measures for grading activities would be required through the project’s standard conditions of approval. Implementation of the following mitigation would reduce any potentially significant impacts to a less than significant level

**Mitigation Measure #25:** If archaeological resources or human remains are accidentally discovered during construction, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented.

6. GEOLOGY AND SOILS	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: IX.2, 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking? (Source: IX.2, 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Source: IX.2, 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
iv) Landslides? (Source: IX.2, 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Source: IX.1, 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: IX.2, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source: IX.2, 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: IX. 2, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion, Analysis and Conclusions:**

**Geology and Soils 6 (c) No Impact.** The project site is not located on an unstable geologic unit nor would the site become unstable as a result of the project.

**Geology and Soils 6 (e) Less Than Significant Impact.** The existing development is served via individual septic tanks. The administrative portion of the main shelter building is accommodated via a 1,000 gallon septic tank (to be replaced with a 2,500 gallon tank), the kennel area by a 4,500 gallon tank (to be replaced with a 4,000 gallon tank), the maintenance and caretaker buildings by a 1,500 gallon tank, the veterinary clinic by a 3,000 gallon tank (to be replaced with

a 2,750 gallon tank) and the Wildlife Center by three septic tanks (one 2,000 gallon and two 1,250 gallon). The new adoption area would be served by a new 2,500 gallon tank. The project was referred to County Environmental Health (Janna Faulk, June 27, 2007) and standard septic system design conditions would adequately serve the proposed project. No specific measures are necessary.

**Geology and Soils 6 (a, b, d) Less Than Significant With Mitigation Incorporated.**

A *Geologic and Soil Engineering Report* (May 2007) was prepared for the project by Landset Engineers, Inc which included historical research and on site investigation of the proposed project impacts. The site is located in the northeastern terminus of the Santa Lucia Range with active faults potentially affecting the project site including the San Andreas, Reliz-Rinaconada and Monterey Bay-Tularcitos faults. No mapped landslides or evidence of landslides is located on the site. The potential for landsliding is anticipated to be low. No groundwater, spring activity or seepage was encountered in exploratory boring activities. The potential for surface fault rupture and soil expansion to occur on the site is determined to be low. Liquefaction and lateral spreading potential on the site is anticipated to be very low. The site soils are highly erodible and stringent erosion control measures are necessary to provide stability of existing and proposed graded cut/fill slopes. Implementation of measures listed in the Landset Engineers report would adequately mitigate project geologic and soils impacts.

**Mitigation Measure #26:** Prior to, during and following construction, the project is required to comply with all geologic recommendations (1-4) as stated in the May 2007 *Geologic and Soils Engineering Report* prepared by Landset Engineers.

**Mitigation Measure #27:** Prior to, during and following construction, the project is required to comply with all soil engineering, site preparation, grading, and foundation recommendations (1-38) as stated in the May 2007 *Geologic and Soils Engineering Report* prepared by Landset Engineers.

<b>7. HAZARDS AND HAZARDOUS MATERIALS</b>		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: IX.1, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: IX.1, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: IX.1, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

7. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>Would the project:</b>				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: IX.1, 2, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: IX.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source: IX.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: IX.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: IX.2, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Hazards and Hazardous Materials 8(a, c-g) No Impact.** No hazardous materials are used at the facility and no transport of materials would occur. The site is not listed as hazardous, is not located within an airport land use plan, or near a private airstrip. The renovation would not interfere with any emergency response plans.

**Hazards and Hazardous Materials 8(h) – Less than Significant.** The project was reviewed by the Salinas Rural Fire District (Dorothy Priolo, June 20, 2007) and several standard conditions are required to ensure safety of existing and proposed fire safety devices and measures including: appropriate site access, fire sprinkler systems, fire alarms, hydrants, emergency access keybox for any locked gates, and portable fire extinguishers located strategically throughout the facility. Incorporation of a 200,000 gallon water tank is a part of the project description and is also a requirement of the Fire District, which will allow for the availability of a water source in case of a fire emergency. Standard conditions of approval related to these items will be incorporated into the project resulting in a less than significant impact related to wildland fires.

**8. HYDROLOGY AND WATER QUALITY**

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements? (Source: IX.1, 3)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: IX.1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source: IX.3, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: IX.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Source: IX.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? (Source: IX.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## **Discussion, Analysis and Conclusions:**

**Hydrology and Water Quality 8 (b, d e-j) No Impact.** The project would not increase water usage above what is currently utilized by the facility. Additional storage will be provided for fire prevention, but no additional usage is proposed. Stormwater runoff created by the renovated improvements would be adequately managed by existing and proposed stormwater systems. No housing would be placed within a flood hazard zone or expose people or structures to risk of loss due to flooding, seiche, tsunami, or mudflow.

**Hydrology and Water Quality 8(a, c) – Less than Significant With Mitigation Incorporated.** The project site contains a barn currently used to house horses and other livestock. As the proposed equine area is located above and approximately 450 feet south of an existing pond, a *Manure Management Plan* was prepared to address runoff concerns. The management plan includes plans for rock-filled trenches for urine in each stall, daily removal of soiled bedding, spreading manure for pasture renovation, and making manure available to local nurseries, mushroom farms, as well as organic gardeners and farmers.

The site soils are highly erodible and a drainage and erosion control plan is necessary to ensure minimal construction-related impacts as well as long-term sustainability of the project. An Erosion Plan and Drainage Plan have been prepared for the project and measures identified on these plans shall be implemented in the field.

The project was reviewed by the Water Resources Agency (June 11, 2007) and as required by code, standard conditions include proof that the water supply meets quantity standards, certification of final stormwater measures, and water conservation regulations.

Additionally, a preliminary drainage and erosion control plan has been prepared by Bestor Engineers, Inc., as requested by Water Resources Agency. The plan includes stormwater management measures including drainage diversion swales, concrete and dirt lined swales, subsurface drains, percolation trenches and energy dissipaters. Installation of these improvements in accordance with approved plans would be verified upon final inspection.

**Mitigation Measure #28:** Prior to, during and following construction, all measures identified in the Erosion Plan, Drainage Plan prepared for the project by Bestor Engineers, and all drainage measures (39-43) as stated in the May 2007 *Geologic and Soils Engineering* report prepared by Landset Engineers shall be implemented.

9. LAND USE AND PLANNING	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>Would the project:</b>				
a) Physically divide an established community? (Source: IX.1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Source: IX. 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: IX.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion, Analysis and Conclusions:** See Sections II and IV.

10. MINERAL RESOURCES	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: IX.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: IX.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion, Analysis and Conclusions:** See Sections II and IV.

11. NOISE	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>Would the project result in:</b>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: IX.1, 2, , 5, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Source: IX.1, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

11. NOISE	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>Would the project result in:</b>				
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: IX.1, 2, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: IX.1, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: IX.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: IX.2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion, Analysis and Conclusions:**

**Noise 11 (a-c, e, f) – No Impact.** No change to existing operations at the facility would occur in association with the renovation project. No sensitive receptors are located nearby. For these reasons, there will be no impact to the existing noise characteristics of the site.

**Noise 11 (d) – Less Than Significant Impact.** Short-term construction noise could result in a temporary or periodic increase in noise sources, however these potential impacts from noise would be regulated by standard County ordinances and conditions of approval for hours of operation and required noise mitigation technologies. For these reasons, any impacts associated with noise would be less than significant. (Source IX.1, 2, 5)

12. POPULATION AND HOUSING	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>Would the project:</b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

12. POPULATION AND HOUSING		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>Would the project:</b>					
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion, Analysis and Conclusions:** See Sections II and IV.

13. PUBLIC SERVICES		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>Would the project result in:</b>					
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a)	Fire protection? (Source: IX.1, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Police protection? (Source: IX.1, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Schools? (Source: IX.1, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Parks? (Source: IX.1, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Other public facilities? (Source: IX.1, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion, Analysis and Conclusions:** See Sections II and IV.

14. RECREATION		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: IX.1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: IX.1, 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion, Analysis and Conclusions:** See Sections II and IV.

15. TRANSPORTATION/TRAFFIC		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (Source: IX.1, 10, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (Source: IX.1, 10, 15)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks? (Source: IX.1, 10, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: IX.1, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in inadequate emergency access? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Result in inadequate parking capacity? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Source: IX.1, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion, Analysis and Conclusions:**

**Transportation/Traffic 15 (a, c, d, g) No Impact.** The proposed project is not anticipated to increase regional traffic to the area as no additional services or employees are included beyond what is existing. The facility expansion will not require additional employees nor is anticipated to increase existing visitor numbers. Site construction would not affect air traffic patterns. No hazardous design features are proposed and no incompatible uses are anticipated.

**Transportation/Traffic 15 (e, f) Less Than Significant.** Adequate emergency access exists for the facility and adequate emergency vehicle access for all proposed improvements is included in project plans. The project would increase the amount of parking onsite, to provide both employee and visitor parking.

**Transportation/Traffic 15 (b) Less Than Significant With Mitigation Incorporated**  
 No increase in traffic is anticipated as a result of the proposed renovation. No new employees will be hired on site and no increase in patrons as a result of the wildlife center remodel is anticipated. In order to avoid additional congestion on the highly traveled Highway 68 corridor, the traffic consultant for the project (Higgins Associates, May 16, 2007) identified the following measure for implementation during construction.

**Mitigation Measure #29:** Construction traffic shall be limited to off-peak hours (start before 7:00 a.m. and finish prior to 4:00 pm) to avoid impacting traffic operations during peak hours.

16. UTILITIES AND SERVICE SYSTEMS		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: IX.1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: IX.1)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

16. UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
<b>Would the project:</b>				
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: IX.1)	☐	☐	☐	■
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Source: IX.1)	☐	☐	☐	■
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Source: IX.1)	☐	☐	☐	■

**Discussion, Analysis and Conclusions:**

**Utilities and Service Systems 16 (e, f, g) No Impact.** The project is served by individual septic systems and does not utilize local wastewater treatment facilities. Although the project is proposing to reconfigure and update the wastewater system for the site, no expansion in services or employees is proposed that would increase the project site's solid waste disposal needs. The project site complies with local statutes and regulations related to solid waste.

**Utilities and Service Systems 16 (a, b, c) Less than Significant Impact.** The project site is served by individual septic systems and would not exceed applicable wastewater requirements. The project has developed a *Manure Management Plan*, as discussed in Section 8, Hydrology, which outlines maintenance procedures for the management of horse waste created by the improved equine facility. Water system improvements on the site include a new well and water tank to replace an existing well and a water tank. Proposed storm drainage improvements include the implementation of a Sedimentation and Erosion Control Plan and would adequately protect surrounding resources from significant environmental effects.

**Utilities and Service Systems 16 (d) Less than Significant with Mitigation Incorporated.** The SPCA is a water system under the regulatory jurisdiction of the Division of Environmental Health and has a current operating permit. The existing well that supplies the SPCA produces an adequate quantity of water. As a result of bacteriological testing failures, a video log of this well was conducted. This video identified that there was a hole in the casing subsurface. It was presumed that this hole was the source of the contamination resulting in the bacteriologic failures. Consequently, the SPCA has decided to drill a new well. Based on knowledge of the area hydrogeology, the Environmental Health Division is confident that the new well will have adequate quantity as it is being constructed similarly to the existing well. The new well will also meet bacteriological quality as it will be sealed properly to prevent contaminants from entering the casing (Mary Anne Dennis, October 8, 2007).

Water for the facility is provided by one well and one tank located on the SPCA property. The existing well has an estimated 500 gallon capacity and also serves the adjacent residential

property to the east. The existing tank is located west of the Wildlife Center is has a storage capacity of 25,000 gallons. In order to provide long-term water for the facility and adequate fire flows for fire protection purposes, additional water supply on the site is necessary. As identified in the Water Distribution Plan prepared for the project by Bestor Engineers, Inc., an increase in onsite storage could occur to adequately provide fire protection services via a new 200,000 gallon tank replacing the existing 25,000 gallon tank on the site.

**Mitigation Measure #30: Prior to issuance of a building permit,** the applicant shall prove to Environmental Health that the well meets quantity and quality requirements of Chapter 15.04 of the Monterey County Code and Title 22 of California Code of Regulations.

## VII. MANDATORY FINDINGS OF SIGNIFICANCE

Does the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Source: IX.1, 2, 3, 4, 5, 6, 7, 8, 9, 12, 13, 16)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (Source: IX.1, 2)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly? (Source: IX.1, 2, 6, 10)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Discussion, Analysis and Conclusions:

**(a) Less than Significant Impact.** Based upon the analysis throughout this Initial Study, the proposed project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Potential impacts to biological resources would be adequately mitigated through implementation of resource measures intended to protect sensitive species and their habitat.

**(b) Less than Significant Impact.** The project would involve the construction of improvements to an existing animal care facility with no increase in employees or services. The cumulative impact of the improvements to this facility is not considered to be significant.

**(c) Less than Significant Impact.** Conditions of approval would ensure consistency with relevant General Plan policies and development standards concerning aesthetics, biological resources, and geology, and hydrology. All potential impact areas are deemed less than significant with County imposed conditions of approval and mitigation measures set forth within this initial study.

## ***VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES***

### **Assessment of Fee:**

The State Legislature, through the enactment of Senate Bill (SB) 1535, revoked the authority of lead agencies to determine that a project subject to CEQA review had a “de minimis” (minimal) effect on fish and wildlife resources under the jurisdiction of the Department of Fish and Game. Projects that were determined to have a “de minimis” effect were exempt from payment of the filing fees.

SB 1535 has eliminated the provision for a determination of “de minimis” effect by the lead agency; consequently, all land development projects that are subject to environmental review are now subject to the filing fees, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources.

To be considered for determination of “no effect” on fish and wildlife resources, development applicants must submit a form requesting such determination to the Department of Fish and Game. Forms may be obtained by contacting the Department by telephone at (916) 631-0606 or through the Department’s website at [www.dfg.ca.gov](http://www.dfg.ca.gov).

**Conclusion:** The project **will** be required to pay the fee.

**Evidence:** Based on the record as a whole as embodied in the Planning and Building Inspection files pertaining to PLN060658 and the attached Initial Study / Proposed Mitigated Negative Declaration, implementation of the project described herein will potentially affect changes to the above named resources in Section VII.

## **IX. REFERENCES**

1. Project File including Application and Plans, and planner site visits
2. Monterey County General Plan, adopted September 30, 1982 and the Greater Monterey Peninsula Area Plan, adopted December 1984.
3. Central Coast Regional Water Quality Control Board Basin Plan, 1994.
4. Monterey Bay Unified Air Pollution Control District.
  - a. June 2004. *CEQA Air Quality Guidelines*.
  - b. September 2004. *2004 Air Quality Management Plan for the Monterey Bay Region*.
5. Monterey County Zoning Code Title 21 and Zoning Map, adopted February 2000.
6. Archaeological Consulting. January 16, 2007. *Preliminary Archaeological Reconnaissance for the SPCA Facilities Renovation Project on Assessor's Parcels 173-011-003, -017, -018, -019, -020, -021) near Monterey, Monterey County, California*.
7. Denise Duffy & Associates, Inc. April 2, 2007. *Biological Assessment for the Monterey County SPCA Renovation and Rehabilitation Project*.
8. Denise Duffy & Associates, Inc. January 22, 2007. *California Tiger Salamander Habitat Assessment Report, SPCA of Monterey County, Monterey, California*.
9. Denise Duffy & Associates, Inc. May 9, 2007. *Manure Management Plan for SPCA Renovation and Rehabilitation Project. 1002 Highway 68 Monterey, California*.
10. Higgins Associates Civil and Traffic Engineers. May 16, 2007. *SPCA of Monterey County Renovation Project, Monterey County, California*.
11. Landset Engineers, Inc. May 2007. *Geologic & Soil Engineering Feasibility Report for the SPCA of Monterey County 1002 Highway 68 Monterey County, California*.
12. Staub Forestry and Environmental Consulting. May 2007. *Forest Management Plan for SPCA of Monterey County*.
13. Staub Forestry and Environmental Consulting. Letter dated 6/27/07, RE: PLN060658 *Oak Woodlands Analysis*.
14. Denise Duffy & Associates, Inc. October, 2007. *Biological Assessment for the Monterey County SPCA Renovation and Rehabilitation Project*.
15. Interdepartmental review comments (IDR) and conditions for the project by County and State departments and agencies.
16. Letter from United States Department of the Interior, Fish and Wildlife Service, dated October 18, 2007.