

Exhibit H

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County of Monterey
 State of California
MITIGATED
NEGATIVE DECLARATION

FILED
 MAR 09 2020
 STEPHEN L. VAGNINI
 MONTEREY COUNTY CLERK
 DEPUTY

Project Title:	Isabella 2 LLC
File Number:	PLN180523
Owner/Applicant:	Isabella 2 LLC
Project Location:	26308 Isabella Avenue, Carmel
Primary APN(s):	009-451-015-000
Project Planner:	Joseph Sidor, Associate Planner
Permit Type:	Combined Development Permit
Project Description:	Proposed Combined Development Permit consisting of a Coastal Administrative Permit and Design Approval to allow construction of a 2,868 square foot three-story single-family dwelling, inclusive of a 1,250 square foot basement with an attached garage, and 476 square feet of deck area; Coastal Development Permit to allow development within 750 feet of known archaeological resources; and Coastal Development Permit to allow removal (relocation) of four (4) Coast Live Oak trees.

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

- a) That said project will not have the potential to significantly degrade the quality of 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 will not cause substantial adverse effects on human beings, either directly or indirectly.

Decision Making Body:	County of Monterey Planning Commission
Lead Agency:	County of Monterey Resource Management Agency (RMA)
Review Period Begins:	March 10, 2020
Review Period Ends:	April 9, 2020

Further information, including a copy of the Initial Study, is available at Monterey County RMA-Planning, 1441 Schilling Place South 2nd Floor, Salinas, CA 93901/(831) 755-5025.

MONTEREY COUNTY
RESOURCE MANAGEMENT AGENCY

PLANNING

1441 SCHILLING PLACE, 2nd FLOOR, SALINAS, CA 93901

PHONE: (831) 755-5025/FAX: (831) 757-9516



INITIAL STUDY (REVISED)

I. BACKGROUND INFORMATION

Project Title: Isabella 2 LLC

File No.: PLN180523

Project Location: 26308 Isabella Avenue, Carmel

Name of Property Owner: Isabella 2 LLC

Name of Applicant: Studio Carver Architects

Assessor's Parcel Number(s): 009-451-015-000

Acreage of Property: Approximately 0.08253 acre or 3,595 square feet

General Plan Designation: Medium Density Residential

Zoning District: Medium Density Residential, 2 Units Per Acre, with a Design Control Overlay and an 18-Foot Height Limit (Coastal Zone) [MDR/2-D(18)(CZ)]

Lead Agency: County of Monterey RMA-Planning

Prepared By: Joseph Sidor, RMA-Planning; and Rincon Consultants, Inc.

Date Prepared: February 25, 2020

Contact Person: Joseph Sidor, Associate Planner

Phone Number: 831-755-5262

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project: The proposed project involves the residential development of a vacant parcel (APN 009-451-015-000) located on Carmel Point in the County of Monterey. The property is located at 26308 Isabella Avenue, south of 16th Avenue, west of Valley View Avenue and east of Inspiration Avenue. The project site lies in an unincorporated portion of Monterey County just south of the City of Carmel-by-the-Sea (**Figures 1 and 2**). The project would involve construction of a 2,868 square foot single-family dwelling, inclusive of a 1,250 square foot basement with attached garage and 476 square feet of deck area (see **Figure 3** for site photographs). Components of the proposed residence would include the following (Source IX. 1):

- Three-story wood framed residential unit with four bedrooms, including a subterranean floor with a single vehicle garage;
- Paved and gated driveway connected to Isabella Avenue;
- Entry deck and patio space attached to the exterior of the residence;
- Outdoor features including a generator, firepit, bench and garbage/recycling receptacle storage area; and
- Landscaping and fencing around the perimeter of the property.

The project site is approximately 0.08253-acre (3,595 square feet) and is currently vacant with no existing structures present. Construction would involve approximately 922 cubic yards of excavation and grading to create the subterranean floor and parking garage, and subsequent construction of the three-story residence. Excavation activities would necessitate the removal and relocation of four coast live oak trees to a property located at 26346 Valley View Avenue in Carmel-by-the-Sea. Site access would be provided by a new paved driveway.

Applicable entitlements include: Combined Development Permit consisting of a Coastal Administrative Permit and Design Approval to allow construction of a 2,868 square foot three-story single-family dwelling, inclusive of a 1,250 square foot basement with an attached garage, and 476 square feet of deck area; Coastal Development Permit to allow development within 750 feet of known archaeological resources; and Coastal Development Permit to allow removal (relocation) of four (4) Coast Live oak trees.

Figure 1: Regional Setting



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Fig 1. Regional Location.

Figure 2: Project Site



Imagery provided by ESRI and its licensors © 2019.

Fig. 2 Project Location

Figure 3: Project Site Photographs



Photograph 1 - Looking west from Isabella Ave



Photograph 2 - Looking east towards Isabella Ave



Photograph 3 - Looking south from Isabella Ave



Photograph 4 - Looking north from Isabella Ave

B. Surrounding Land Uses and Environmental Setting: The project site is located in an unincorporated portion of Monterey County just south of Carmel-by-the-Sea. The site is relatively flat and currently vacant. The vegetation on site is composed of mostly landscaped trees around the exterior of the property with a combination of Coast Live Oak, and a planted Holly tree (Appendix BIO-1). The understory is made up of mostly non-native plant species, including English ivy and veldt grass. The project site is situated near the coast within a heavily-developed residential neighborhood and numerous single-family homes are present in the surrounding vicinity. The project site and immediately surrounding vicinity are zoned and designated for medium density residential use. Vegetation on surrounding properties is similar to that of the project site, consisting of landscaped residential properties interspersed with native tree species. The project site is located in the Coastal Zone as defined by the California Coastal Zone Act of 1976. The coastline is approximately 800 feet to the west and south of the project site. Carmel River State Beach and adjacent Carmel River Lagoon are located approximately 1,300 feet southeast of the project site.

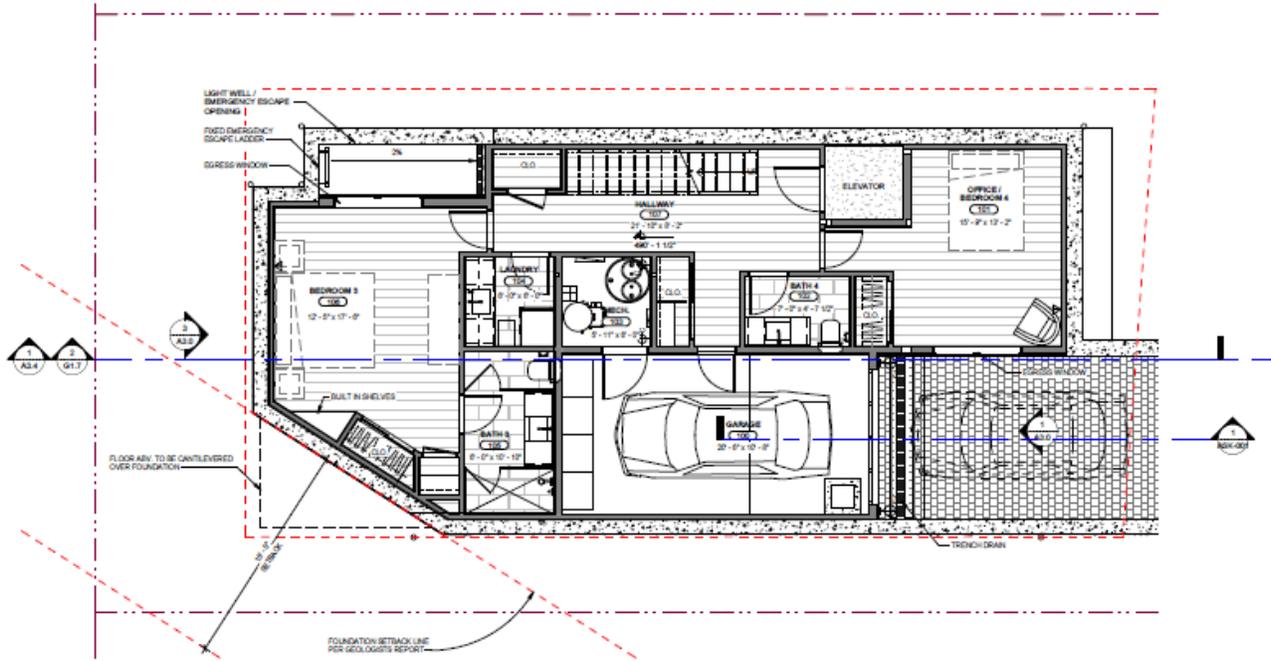
The project site is in an area identified in County records as having a high archaeological sensitivity, and is within 750 feet of known archaeological resources; therefore, the project

includes a Coastal Development Permit to allow development within an area of positive archaeological reports. The project site is also within the area of a larger cultural site identified in the archaeological report prepared for this project. Although located in an area of high sensitivity and known resources, the archaeological report prepared for the project identified evidence of potential, but limited or less than significant, disturbance to prehistoric cultural or archaeological resources during project excavation activities. See Sections VI.5 and VI.18 (Cultural Resources and Tribal Cultural Resources, respectively) below for further discussion.

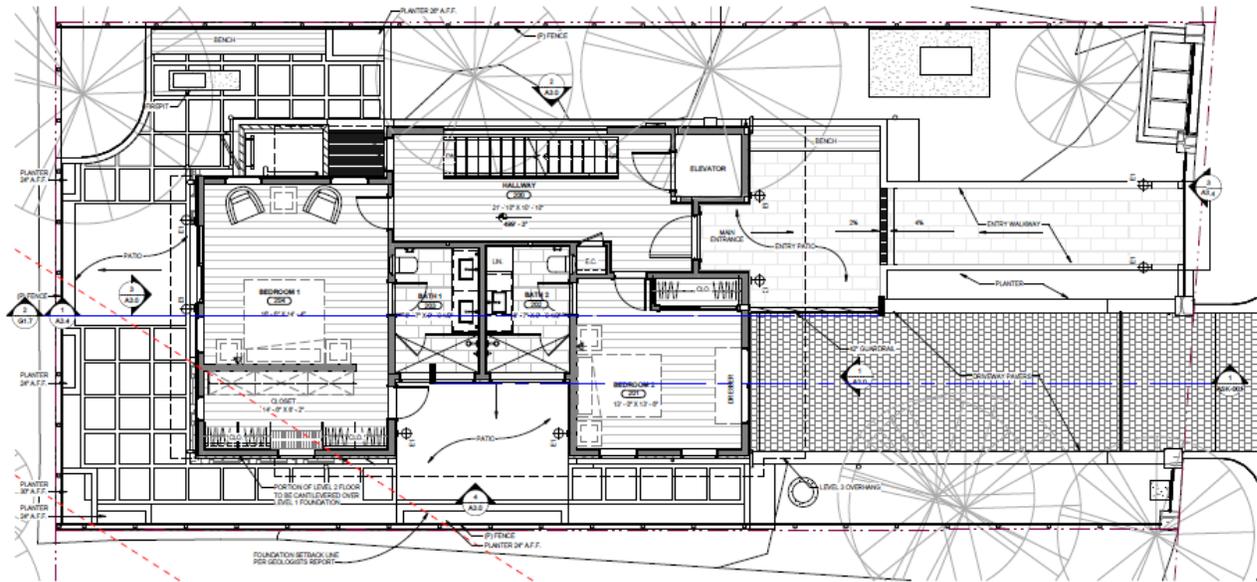
C. Other public agencies whose approval is required: Subsequent to approval of the required discretionary permits (entitlements) identified above in Section A, the Applicant would require ministerial permits from the County of Monterey RMA-Building Services. No other public agency approvals would be required.

See proposed Floor Plans, Elevations, and Color and Material Finishes below.

Proposed Floor Plans – Levels 1 & 2 (Basement & Ground Level)

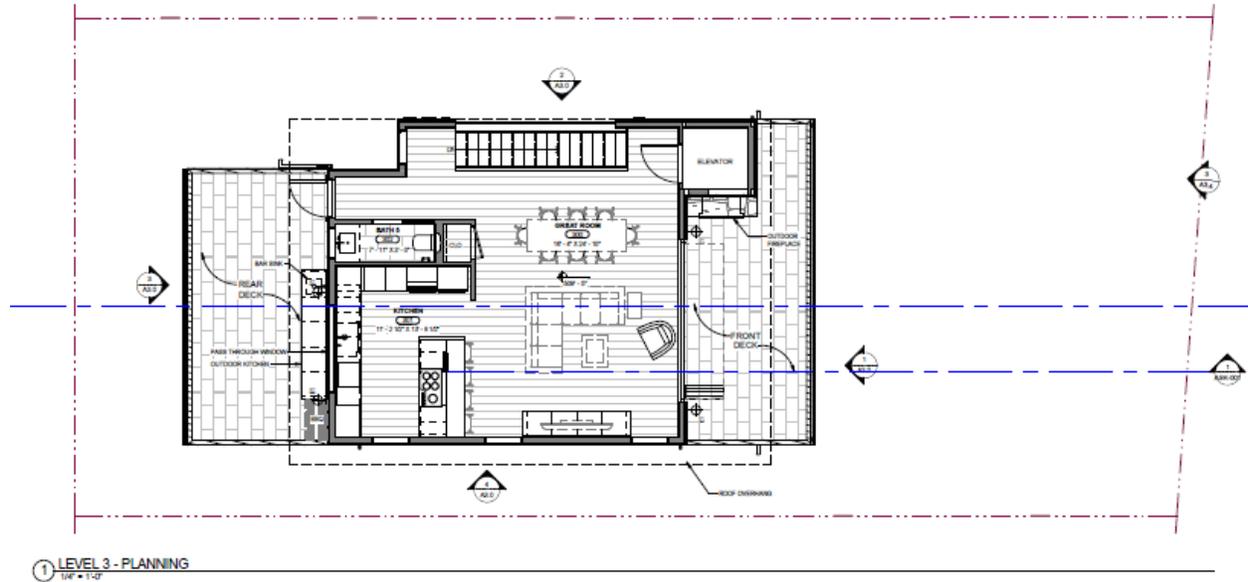


1 LEVEL 1 - PLANNING
1/4" = 1'-0"

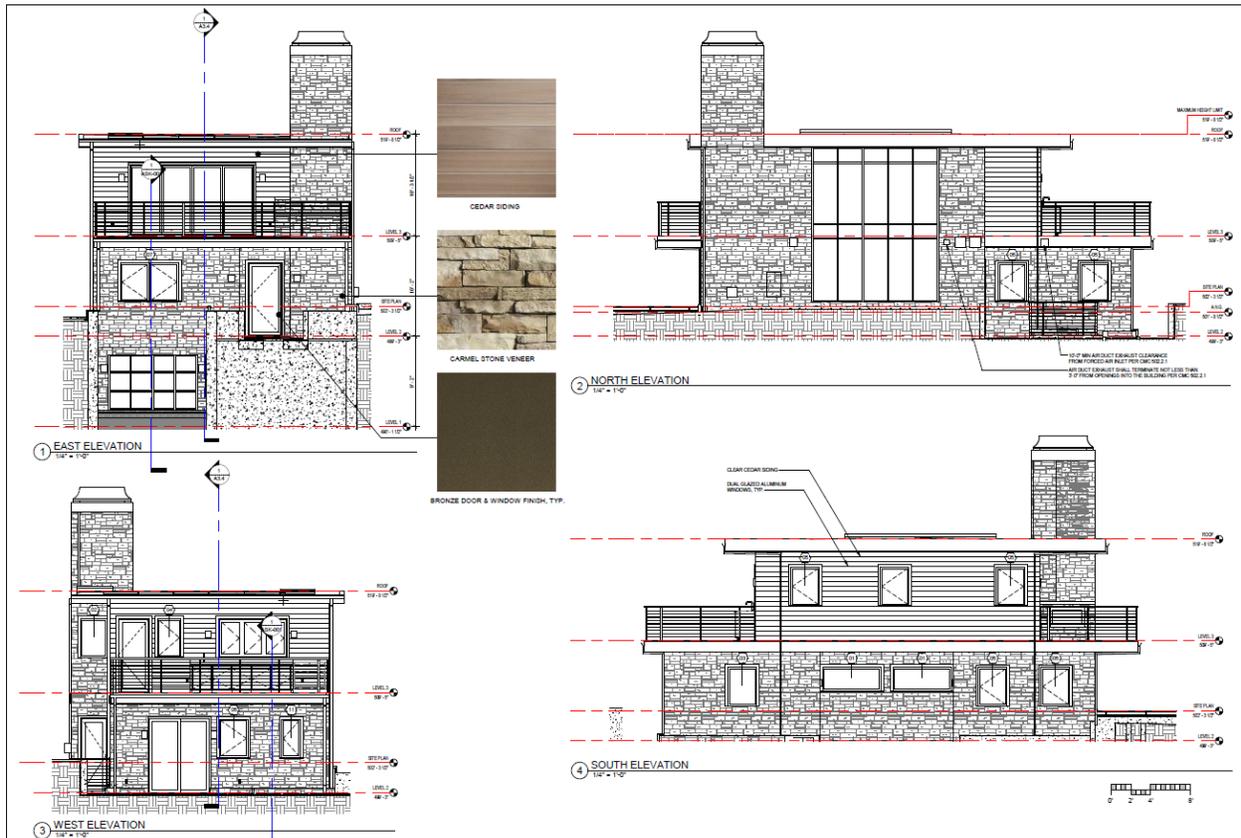


1 LEVEL 2 - PLANNING
1/4" = 1'-0"

Proposed Floor Plans – Level 3 (Upper Level)



Proposed Elevations, including Color and Material Finishes



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 type="checkbox"/>
Water Quality Control Plan	<input type="checkbox"/>	Local Coastal Program-LUP	<input checked="" type="checkbox"/>

General Plan/Area Plan: Within the coastal areas of unincorporated Monterey County, the 1982 General Plan policies apply where the Local Coastal Program (LCP) is silent. This typically is limited to noise policies as the LCP policies contain the majority of development standards applicable to development in the coastal areas. The project would involve the development of a single-family dwelling or residence near Carmel-by-the-Sea, is consistent with the policies of the 1982 General Plan, and would not create any noise other than minor and temporary construction noise. (Source IX. 2) **CONSISTENT**

Air Quality Management Plan:

The 2012-2015 and the 2008 Air Quality Management Plan (AQMP) for the Monterey Bay Region address attainment and maintenance of state and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB) that includes unincorporated Carmel areas. California Air Resources Board (CARB) uses ambient data from each air monitoring site in the NCCAB to calculate Expected Peak Day Concentration over a consecutive three-year period. The closest air monitoring site in Carmel Valley has given no indication during project review that implementation of proposal for a single-family residence on an existing residential in-fill lot would cause significant impacts to air quality or greenhouse gas emissions (GHGs). (Source IX. 7) **CONSISTENT.**

Local Coastal Program-LUP: The project is subject to the Carmel Area Land Use Plan (LUP), which is part of the Certified Local Coastal Program (LCP) in Monterey County. This Initial Study discusses consistency with relevant LUP policies in Section VI.11 (Land Use and Planning). County staff reviewed the project for consistency with the policies of the Carmel Area Land Use Plan (LUP) and the regulations of the associated Coastal Implementation Plan (CIP, Part 4). In addition, staff reviewed the project for consistency with the site development standards required by the applicable zoning ordinance (Title 20). As discussed herein, the project involves the construction of a 2,868 square foot three-story single-family dwelling, inclusive of a 1,250 square foot basement with an attached garage, and 476 square feet of deck area. The project also involves development within 750 feet of known archaeological resources, and removal (relocation) of four (4) Coast Live oak trees ~~remodel of and minor addition to an existing single family dwelling and accessory structure.~~ The parcel is zoned Medium Density Residential/2 units per acre maximum-Design Control-18 foot height limit-Coastal Zone [MDR/2-D(18)(CZ)]. As proposed, conditioned, and mitigated, the project is consistent with the Carmel Area LCP. (Source IX. 4, 15, 22) **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 type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards/Hazardous Materials |
| <input type="checkbox"/> Hydrology/Water Quality | <input checked="" type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

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:

1. Aesthetics. The project site is located in an existing residential neighborhood with numerous single-family residences in the vicinity. The project would not be visible from a scenic roadway or public viewpoints. There are no other significant visual resources, scenic corridors, or significant views or vistas in the immediate project vicinity, and the

project site is not part of a scenic vista or panoramic view. As such, the project would not substantially affect scenic resources or change the aesthetic quality of the area. The proposed single-family residence would have a size, style and appearance similar to other residences in the surrounding area. Although exterior lighting would be incorporated into the proposed residence, it would be required to comply with Design Guidelines for Exterior Lighting pursuant to Section 21.63.020 of the Monterey County Code of Ordinances and would not create a new source of substantial light or glare. None of the roadways in the vicinity of the project site are designated as Scenic Highways or Routes by Monterey County. *Therefore, the proposed project would not impact visual resources on the site or in the vicinity* (Sources: IX. 1, 3 & 4).

2. Agriculture and Forest Resources. The project site is located in an existing residential community and designated as Urban and Built-Up Land under the Department of Conservation Farmland Mapping and Monitoring Program. Project construction would not result in conversion of Important Farmland to non-agricultural uses. The project area is not under a Williamson Act contract and is not located in or adjacent to agriculturally designated lands.

The California Public Resources Code defines Forest Land as land that can support 10 percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits (PRC §12220(g)). A Tree Resource Assessment dated October 26, 2018 was prepared for the project site by Frank Ono. This report identifies 11 native Coast Live oaks at the site and describes the area as an urban forest ecosystem (Appendix BIO-1). Native tree cover at the project site is greater than 10 percent and as such, the project site is considered Forest Land. However, the proposed project would not impact forest resources. Four of the oaks that lie within the footprint of the proposed building would be removed and replanted in another location. See Section VI.4, *Biological Resources*, for further discussion of the proposed oak relocation. Other oaks would only require pruning prior to construction to accommodate the proposed residence. The Tree Resource Assessment concludes that no significant long-term impacts to the urban forest ecosystem would occur as a result of the project. *Therefore, the proposed project would not result in impacts to agriculture or forest resources* (Source: IX.1, 5 & 6).

3. Air Quality. The project site is located within the North Central Coast Air Basin, which is under the jurisdiction of the Monterey Bay Air Resources District. Impacts to air quality from construction-related activities would be minor and temporary in nature. Construction would involve equipment typically involved in residential construction projects, such as excavators and trucks. The project would create one new residence on the property and would not result in the emission of substantial amounts of criteria pollutants. According to the Erosion Control and Construction Management Plan provided by the applicant, construction equipment powered by diesel fuel would not be allowed to idle for more than five minutes and construction truck trips would be scheduled during off-peak hours to avoid peak hour emissions. The minor construction-related impacts would not violate any air quality standards or obstruct implementation of the Monterey Bay Air Resources District Air Quality Management Plan. Operational

emissions would not be substantial as they would only involve vehicle trips and energy usage associated with the proposed residence. *Therefore, the proposed project would not result in impacts to air quality* (Source: IX.7 & 8).

4. Biological Resources. See Section VI.4.
5. Cultural Resources. See Section VI.5.
6. Energy. The project would require energy during construction to operate construction equipment and for construction worker vehicle trips to and from the site. The project entails the construction of one single-family residence on a 3,595 746-square foot vacant lot. Given the scale of the project, construction energy use would be nominal and short-term. As such, it would not be considered wasteful, inefficient or unnecessary due to the scale of the project.

Operational energy demand would include electricity and natural gas, as well as gasoline consumption associated with operational vehicle trips. PG&E would provide electricity and natural gas to the project site. The project would be required to comply with all standards set in California Building Code (CBC) Title 24, which would minimize the wasteful, inefficient, or unnecessary consumption of energy resources during operation. California's Green Building Standards Code (CALGreen; CBC, Title 24, Part 11) requires implementation of energy efficient light fixtures and building materials into the design of new construction projects. Furthermore, the 2019 Building Energy Efficiency Standards (CBC Title 24, Part 6) requires newly constructed buildings to meet energy performance standards set by the California Energy Commission (CEC) and mandates installation of solar photovoltaic systems for new single-family homes. Compliance with these regulations would ensure the proposed project would not conflict with state or local plans for renewable energy or energy efficiency. *Therefore, the proposed project would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy* (Source: IX.9).

7. Geology and Soils. See Section VI.7.
8. Greenhouse Gas Emissions. The project would incrementally increase energy consumption at the project site and traffic in the surrounding vicinity. Temporary construction-related emissions would result from usage of equipment and machinery. Operationally, the project would generate new and permanent greenhouse gas emissions; however, they would not be substantial given that the project involves one single-family residence. Monterey County does not have a greenhouse gas reduction plan by which consistency or conflicts can be measured; however, General Plan policies contain direction for the preparation of such a plan with guidance on what goals or measures should be accomplished in development of a plan. The proposed project does not conflict with the policy direction contained in the General Plan. In addition, the proposed project would not conflict with the Monterey County Municipal Climate Action Plan or the Association of Monterey Bay Area Government's 2040 Metropolitan Transportation Plan/Sustainable Communities Strategy because it only involves the construction of one single-family residence, on a site that is zoned for such a use. *Therefore, the proposed*

project would not result in significant increases in greenhouse gas emissions or conflict with an applicable plan, policy or regulation (Source: IX.1, 2, 10 & 11).

9. Hazards/Hazardous Materials. Project construction would require the use of heavy equipment typical of construction projects, the operation of which could result in a spill or accidental release of hazardous materials, including fuel, engine oil and lubricant. However, the use and transport of any hazardous materials would be subject to federal, state, and local regulations, which would minimize risk associated with the transport hazardous materials. Operationally, the project would not involve the use or storage of hazardous materials, other than those typically associated with residential uses, and would not create stationary operations. The project would not be located on or within 1,000 feet of a known hazardous materials site. The project site is not located near an airport or airstrip. Given that the project would involve the construction of one single family residence in an existing residential neighborhood, the project would not impair or interfere with an adopted emergency response or evacuation plan. The project site is not located in an area designated by CAL FIRE as a Very High Fire Hazard Severity Zone. *Therefore, the proposed project would not result in impacts related to hazards/hazardous materials (Source: IX. 12, 13 & 14).*

10. Hydrology/Water Quality. The proposed project would not violate any water quality standards or waste discharge requirements, as it would only involve the construction of a single residence in an existing neighborhood. It would also not impact groundwater basins or groundwater recharge, and would not conflict with the Monterey County Groundwater Management Plan. Groundwater was encountered at 29.25 feet near the project site during geological evaluation, yet the anticipated depth of excavation would be approximately 10 feet below the existing grade. The Carmel River, located approximately 0.5 mile southeast of the project site, would not be impacted by construction or operational activities.

The project would involve the excavation and removal of approximately 922 cubic yards of material from the project site. Excavated material would be properly transported and disposed of off-site. As described in Section VI.7, *Geology and Soils*, the project's Erosion Control and Construction Management Plan and Conditions of Approval applied by Monterey County provide for erosion control measures. Although the project would increase impervious surface cover at the project site, substantial impervious cover is already present in the surrounding vicinity and project would not conflict with Part 4 of the Monterey County Coastal Implementation Plan, which regulates impervious surface cover. Drainage characteristics of the project site would not be altered in a manner that would increase erosion or runoff or interfere with flood flows. In addition, the project would be required to comply with relevant sections of the Monterey County Code that pertain to grading, erosion control and urban stormwater management (Monterey County Code Chapters 16.08, 16.12 and 16.14). *Therefore, the proposed project would not result in any negative impacts related to hydrology/water quality (Sources: IX.1, 4, 8, 25, 26).*

11. Land Use and Planning. See Section VI.11.

12. Mineral Resources. No mineral resources have been identified within the proposed project area or would be affected by this project. *Therefore, the proposed project would not result in impacts to mineral resources.* (Source: IX.16)
13. Noise. Construction of the proposed project would generate a temporary noise increase in the vicinity of the project due to the use of heavy equipment such as excavators, graders, large trucks and machinery typically used during residential construction projects. Construction activities would be required to comply with the Monterey County Noise Ordinance as described in Chapter 10.60 of the County's Code of Ordinances. The ordinance applies to "any machine, mechanism, device, or contrivance" within 2,500 feet of any occupied dwelling unit and limits the noise generated to 85 dBA at a distance of 50 feet from the noise source. Noise-generating construction activities are limited to the hours between 7 a.m. and 7 p.m. Monday through Saturday; no construction noise is allowed on Sundays or national holidays. Project construction would also generate a temporary increase in groundbourne vibration levels during the excavation and grading phases of project construction. However, pile driving would not be required, and construction activities would not generate excessive vibration levels. Operationally, the project would not result in a substantial permanent increase in ambient noise given that it only involves one single-family residence. The project is not located in the vicinity of a public airport or private airstrip. *Therefore, the proposed project would not result in impacts related to noise.* (Source: IX.4)
14. Population/Housing. The proposed project would incrementally increase population in the area as it involves the construction of a single-family residence. According to the 2019 population estimates from the California Department of Finance, the average household size is 1.86 persons per household in the City of Carmel-by-the-Sea, which lies directly north of the project site. Assuming consistency with this average, the project would add approximately two persons to the local population. This represents a minor and incremental increase and the project would not induce substantial unplanned population growth. The project would not otherwise alter the location, distribution, or density of housing in the area in any significant way or create demand for additional housing. *Therefore, the proposed project would not result in impacts related to population and housing.* (Source: IX.17)
15. Public Services. The project site is located in an existing residential neighborhood that is served by the Cypress Fire Protection District, Monterey County Sheriff's Department, and Carmel Unified School District. Given the minor and incremental increase in population associated with this project (approximately two persons), it would result in a negligible impact to public services and would not necessitate new or physically altered government facilities. *Therefore, the proposed project would not result in impacts related to public services.* (Source: IX.1, 22)
16. Recreation. Given the small increase in population associated with the project, it would not result in an increase in use of existing recreational facilities that would cause substantial physical deterioration or require the construction or expansion of recreation facilities in the vicinity of the project. No parks, trail easements, or other recreational

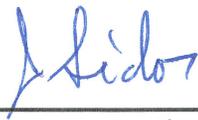
facilities would be permanently impacted by the proposed project. *Therefore, the proposed project would not result in impacts related to recreation.* (Source: IX.1, 22)

17. Transportation. The project would involve development of one single-family residence in an existing residential neighborhood. During construction, nearby roadways would experience minor and temporary increases in traffic due to construction equipment and worker vehicle trips. Construction equipment would be routed to and from the site using Highway 1 via Rio Road, Santa Lucia Avenue, San Antonio Avenue, and Isabella Avenue. The project would be consistent with existing land uses in the vicinity of the project site and would not conflict with any program, plan, ordinance or policy related to transportation systems. Existing roadways near the project site would not be altered. As such, the project would not create new transportation hazards or incompatible uses, and would not interfere with emergency access. *Therefore, the proposed project would not result in impacts related to transportation* (Source: IX.1, 8).
18. Tribal Cultural Resources. See Section VI.18.
19. Utilities/Service Systems. Water and wastewater services at the project site would be provided by California American Water and Carmel Area Wastewater District, respectively. Electricity and natural gas would be provided by Pacific Gas & Electric. Solid waste disposal is provided by the Monterey Regional Waste Management District and the operational component of the project would not result in the substantial increase of solid waste production. Any excess construction materials from the proposed project would be recycled as feasible with the remainder being hauled to landfill. However, the minimal amount of construction waste produced would not affect the permitted landfill capacity. Given that the project would result in the construction of one single family residence in an existing residential neighborhood served by these utilities, increased demand for utility service would be negligible and would not necessitate the construction of additional facilities. *Therefore, the proposed project would not result in impacts related to utilities and service systems.* (Source: IX.1)
20. Wildfire. The project site is not located in a State Responsibility Area and is not classified as a Very High Fire Hazard Severity Zone (VHFHZ). The nearest VHFHZ is approximately one mile southwest. The proposed project would not pose a risk of fire beyond the normal risks associated with single-family residential development within a developed residential neighborhood. The project site – and neighborhood – are served by the Cypress Fire Protection District (FPD). Additionally, the project is required to meet all current fire codes, and the Cypress FPD did not impose any conditions on the project. *Therefore, the proposed project would not result in impacts related to wildfire.* (Source: IX.1, 14, 22)

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.



Signature

Joseph Sidor
Associate Planner
RMA-Planning

March 9, 2020

Date

V. EVALUATION OF ENVIRONMENTAL IMPACTS

This Initial Study/Mitigated Negative Declaration has been prepared pursuant to Public Resources Code, Division 13, Section 21000 et. seq. (“The California Environmental Quality Act” or “CEQA”) and the California Code of Regulations, Title 14, Division 6, Chapter 3 (“Guidelines for Implementation of CEQA”).

This document is intended to inform the Zoning Administrator and the public of the potential environmental impacts that may result from the project. In general, the document attempts to identify foreseeable environmental effects, identify ways the potential impacts can be avoided or reduced, establish a threshold used to evaluate the severity of impacts, and identify measures that can be applied to reduce potential impacts (mitigation measures).

This document is focused only on those items where a potential impact to “resources” exist. A brief explanation for a “no impact” determination is provided above. More detailed discussion on potential impacts to cultural resources, land use resources, and tribal cultural resources are described below.

This document represents the independent judgement of the County of Monterey.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

2. AGRICULTURAL AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

2. AGRICULTURAL AND FOREST RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2. AGRICULTURAL AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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 Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Biological Resources 4(a) – Less than Significant

A Biological Resources Survey was conducted at the project site by Fred Ballerini Biological & Horticultural Services on October 10, 2018 (Source: IX.24). The survey did not identify sensitive habitat or rare, threatened, or endangered plant and wildlife species. Non-native understory species including English ivy (*Hedera helix*), veldt grass (*Ehrharta erecta*), periwinkle (*Vinca major*), and cotoneaster (*Cotoneaster* sp.) dominate the project site. California blackberry (*Rubus ursinus*) and coast live oak (*Quercus agrifolia*) are the only native plant species present. Eleven Coast Live oak trees are present, four of which are proposed to be removed and relocated to another property. Given the prevalence of non-native species, the Biological Resources Survey concludes that the project site would be unlikely to support any sensitive flowering plant species. At the time of the survey, no raptor or migratory bird nests were observed. Trees present at the project site have a low canopy and would not provide suitable nesting habitat for raptor species. Therefore, the project would not have a substantial adverse effect either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species. Impacts would be less than significant.

Biological Resources 4(b) & 4(c) – No Impact

The project site is limited to one parcel located at 26308 Isabella Avenue in an urbanized area immediately south of Carmel-by-the-Sea. No riparian, wetland, or other sensitive habitat is present on the project site (Source: IX.24). The nearest riparian habitat occurs at the Carmel River Lagoon, approximately 1,300 feet (0.25 mile) to the southeast. Construction activities would be limited to the project site and would not impact nearby riparian habitat areas. No impact to riparian, wetland or other sensitive habitat would occur.

Biological Resources 4(d) – No Impact

The project would involve the construction of a single residence in an existing neighborhood. No established native wildlife nursery sites or native resident or migratory wildlife corridors exist on the project site. Given the nature of the proposed project, no impact would occur.

Biological Resources 4(e) – Less than Significant with Mitigation Incorporated

Chapter 20.146.060, Forest Resources Development Standards, of the Monterey County Coastal Implementation Plan (CIP), Part 4, contains regulations related to the preservation of native tree species. The CIP states that removal of trees shall be limited to that necessary for the proposed development. In addition, native trees 24 inches or more in diameter at breast height are designated as landmark trees. The CIP also stipulates that native trees to be removed which are

12 inches or more in diameter shall be replaced on a one-to-one ratio as a consideration of granting tree removal permits (Source: IX 4).

Eleven coast live oak trees are present at the project site, four of which lie within the footprint of the proposed residence. To comply with Monterey County policies and regulations, project plans dated January 21, 2020 include the removal and relocation of these trees to a property located at 26346 Valley View, approximately 300 feet southeast of the project site (Source IX.1). None of the trees proposed for relocation are considered landmark trees, as they range in diameter two feet above ground level from 10 to 16 inches. According to the Tree Resource Assessment, relocation of trees is preferable to replacement given the small size of the project site (Source: IX.23). This report determined that all trees proposed for relocation are in fair condition and capable of withstanding the relocation process with proper protection and monitoring.

The Tree Resource Assessment provides numerous recommendations for the relocation process and post-relocation monitoring. Relocation recommendations stipulate measures that should be taken to protect tree roots from excessive damage and specifications for re-planting depth. Post-relocation recommendations include the monitoring of soil moisture, fertilizer applications, and other parameters. Recommendations would be applied as conditions of approval and provide for successful tree relocation. In the event of tree death after relocation, the report identifies appropriate mitigation (Source: IX.23). Therefore, mitigation would only be required in the event of tree death after relocation. Mitigation Measure No. 1 would reduce impacts to Biological Resources to a less than significant level and the proposed project would not conflict with applicable regulations or any other local policies that pertain to biological resources. Implementation of the following mitigation measure would reduce potential impacts related to oak tree relocation to a less than significant level.

Mitigation Measure No.1:

In the event of post-relocation tree death, a 60-inch boxed coast live oak shall be planted in the vicinity of the dead tree. All recommendations pertinent to the relocation process and post-relocation monitoring outlined in the Tree Resource Assessment shall apply to any replacement trees required.

Biological Resources 4(f) – No Impact

The project site is not included in an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. No impact would occur.

Conclusion:

All recommendations provided by the Tree Assessment Report would be applied as conditions of approval. Upon compliance with recommendations, impacts to oak trees at the project site would be less than significant. In the event of tree death after relocation, Mitigation Measure No. 1 would be applied to reduce impacts to a less than significant level. Impacts to biological resources would be reduced to a less than significant level with mitigation incorporated.

5. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Archaeological Consulting (AC) prepared an archaeological assessment of the project site in February 2018 (Source: IX.18). The assessment resulted in the identification of that the project is within the boundary of a previously recorded archaeological site (CA-MNT-16), and identified on the project site and several other known sites within a 1-kilometer (km; 0.6-mile) radius of the project site. The assessment also noted that estimated site boundaries in the area were "... arbitrary and may have little meaning in terms of prehistoric reality." During the field survey, AC excavated a single 4-inch (10-centimeter) auger in the center of the project site and did not identify any subsurface evidence of an archaeological resource, and noted that none of the materials frequently associated with prehistoric cultural resources in this area were observed. AC identified the project site as sensitive for archaeological resources due to the presence of known sites in the area. Based on previous studies in the area, AC recommended that a qualified archaeological monitor be present to observe project excavations.

Susan Morley, MA, Registered Professional Archaeologist (RPA), a faculty member at California State University, Monterey Bay, conducted a secondary study of the project site in January 2019 (Source: IX.19). As with the previous assessment, Morley's study resulted in the identification of several previously recorded archaeological sites in the vicinity of the project site. Morley's fieldwork consisted of a pedestrian survey of the project parcel and the excavation of a single auger unit to a depth of approximately 8 feet (2.5 meters) in the center of the parcel. No archaeological resources were identified during the study.

Evan Tudor Elliot and Brenna Wheelis of PaleoWest Archaeology documented a ground penetrating radar (GPR) survey of the project area in October 2019 (Source: IX.20). Byram Archaeological Consulting, on behalf of PaleoWest, surveyed one GPR grid over the design footprint for the house excavation areas. The grid consisted of parallel transects and provided accurate radar data to a depth of up to 10.5 feet (3.2 meters). The GPR survey identified one anomaly at 6 feet (1.8 meters) below ground surface in the northeast footprint of the proposed structure. PaleoWest excavated a geoprobe boring using a hydraulic coring device at the location of the anomaly to a maximum depth of 12 feet (3.6 meters) below ground surface. No cultural material was identified in the geoprobe boring. PaleoWest's study resulted in negative findings. Byram Archaeological Consulting, on behalf of PaleoWest Archaeology, surveyed a second GPR grid in February 2020. This additional grid was positioned outside of the grid

surveyed in September 2019, and included driveway and patio excavation areas. No anomalies were detected.

Cultural Resources 5(a) & 5(b)– Less than Significant with Mitigation Incorporated

The project site does not contain any built environment features that may be considered historical resources. The project site is, however, considered sensitive for archaeological resources due to the presence of known sites in the immediate vicinity. Three archaeological sites are recorded in close proximity to the project site, one of which is mapped as extending onto the project site. Three previous subsurface investigations (Sources: IX.18, 19, & 20) did not result in the identification of archaeological resources within the project site. However, unanticipated discoveries are possible in unexcavated portions of the project site. Due to the sensitive nature of the project site, impacts to archaeological resources, including those that may be considered historical resources, are potentially significant. Because the project site is considered sensitive for archaeological resources, an archaeological monitor is required to be present for all project ground disturbance, pursuant to Mitigation Measure No. 2. Implementation of the following mitigation measure would reduce impacts related to archaeological resources to a less than significant level.

Mitigation Measure No. 2; On-Site Archaeological Monitor:

To reduce potential impacts to cultural resources that may be discovered during development of the site, a qualified archaeological monitor (i.e., an archaeologist registered with the Register of Professional Archaeologists [RPA] or a Registered Archaeologist [RA] under the supervision of an RPA) shall be present during soil disturbance for all grading and excavation. If at any time, potentially significant archaeological resources or intact features are discovered, the monitor shall temporarily halt work until the find can be evaluated by the archaeological monitor. If the find is determined to be significant, work shall remain halted until a plan of action has been formulated, with the concurrence of RMA-Planning, and implemented. To facilitate data recovery of smaller midden components, such as beads or lithic debitage, the excavated soil from the project site shall be screened during monitoring.

Compliance Actions for Mitigation Measure No. 2:

2a: Prior to issuance of construction permits for grading or building, the owner/applicant shall include a note on the construction plans encompassing the language contained in Mitigation Measure No. 2, including all compliance actions. The owner/applicant shall submit said plans to RMA-Planning for review and approval.

2b: Prior to issuance of construction permits for grading or building, the owner/applicant shall submit to RMA-Planning a copy of the contract between the owner/applicant and a qualified archaeological monitor. The contract shall include a pre-construction meeting agenda with specific construction activities that the monitor shall be present for, any construction activities where the archaeological monitor will not be present for, how sampling of the excavated soil will occur, and any other logistical information such as when and how work on the site will be halted. The contract shall include provisions requiring the monitor be present during soil disturbance for all grading and excavation, and authorizing the monitor to stop work in the event resources are found. In addition, the contract shall authorize the monitor to prepare a report suitable for compliance documentation to be prepared within four weeks of completion of the data recovery field work. The contract shall be submitted to RMA-Planning for review and approval. Should

RMA-Planning find the contract incomplete or unacceptable, the contract will be returned to the owner/applicant and a revised contract shall be re-submitted for review and approval.

2c: Prior to the issuance of grading or building permits, the owner/applicant shall submit evidence that a qualified archaeologist conducted a cultural resource awareness and response training for construction personnel prior to the commencement of any grading or excavation activity. The training shall include a description of the kinds of cultural and tribal cultural resources that are found in the area, protocols to be used in the event of an unanticipated discovery, and the importance of cultural resources to the Native American community.

2d: If archaeological resources are unexpectedly discovered during construction, work shall be halted on the parcel until the find can be evaluated and a plan of action formulated and implemented, with the concurrence of RMA-Planning. Data recovery shall be implemented during the construction and excavation monitoring. If intact archaeological features are exposed, they shall be screened for data recovery using the appropriate method for site and soil conditions. The owner/applicant shall allow the on-site Tribal Monitor (see Mitigation Measure No. 4) an opportunity to make recommendations for the disposition of potentially significant archaeological materials found.

2e: A final technical report containing the results of all analyses shall be completed within one year following completion of the field work. This report shall be submitted to RMA-Planning and the Northwest Regional Information Center at Sonoma State University.

Cultural Resources 5(c) – Less than Significant

No Native American human remains or significant cultural resources are known to exist within the project site. If unanticipated human remains are unearthed, State Health and Safety Code Section 7050.5 requires no further disturbance to occur until the county coroner has made the necessary findings as to the origin and disposition pursuant to the Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site and make recommendations to the landowner within 48 hours of being granted access. The project would also be required to implement Monterey County Condition PD003(B), which requires that there be no further excavation in the area surrounding the remains until the coroner and the NAHC, if applicable, are contacted and the find is treated in accordance with Public Resources Code Sections 5097.98 - 5097.994. With adherence to existing regulations and the Condition PD003(B), impacts to human remains would be less than significant.

Condition PD003(B) – Discovery of Cultural Resources (Non-Standard)

Due to the project site's location in or near CA-MNT-16, a recorded prehistoric site, and because the project includes excavation for a basement and foundation, there is a potential for human remains or cultural artifacts to be accidentally discovered. If human remains are uncovered, all work shall be halted within 50 meters (164 feet) of the find on the parcel until it can be evaluated by a qualified archaeological monitor (i.e., an archaeologist registered with the Register of Professional Archaeologists [RPA] or a Registered Archaeologist [RA] under the supervision of an RPA) and the Most Likely Descendant (MLD) as identified by the Native American Heritage

Commission, and the procedure set forth in CEQA Guidelines Section 15064.5(e) shall be followed in addition to the language contained in this condition.

In the event that archaeological materials other than human remains are uncovered, all excavation shall be halted within 50 meters (164 feet) of the find on the parcel and shall be immediately evaluated by a qualified archaeological monitor and a Tribal Monitor. A Tribal Monitor is defined as a monitor approved by the appropriate tribe traditionally and culturally affiliated with the vicinity of the subject parcel, and that has consulted with the County and designated one lead contact person in accordance with AB 52 requirements, or other appropriately NAHC-recognized representative. If the find is determined to be historically (by a qualified archaeologist) or culturally (as determined by a Tribal Monitor) significant, an appropriate plan of action shall be formulated, with the concurrence of RMA-Planning, and implemented. The plan shall be consistent with applicable compliance measures in this condition and/or Mitigation Measures 2 and 4. All mechanical excavation undertaken with a backhoe shall be done with a flat blade bucket and rubber tires to minimize unnecessary impacts to any potential resources on site.

Compliance Actions for Condition PD003(B):

a: Prior to issuance of construction permits for grading or building, the owner/applicant shall include a note on the construction plans encompassing the language contained in Condition PD003(B), including all compliance actions. The owner/applicant shall submit said plans to RMA-Planning for review and approval.

b: Discovery of Human Remains

If human remains are discovered during construction activities, there shall be no further excavation or disturbance within 50 meters (164 feet) of the find on the parcel and the following shall occur:

- The Owner/Applicant/Contractor shall contact the Monterey County Coroner within 24 hours of the find to request that they determine that no investigation of the cause of death is required;
- The Owner/Applicant/Contractor shall contact RMA-Planning within 24 hours of the find to alert them to the discovery;
- If the coroner determines the remains to be Native American:
 - o The coroner shall contact the Native American Heritage Commission and RMA-Planning within 24 hours of the determination.
 - o The Native American Heritage Commission shall identify the person or persons it believes to be the MLD (from a tribal group such as, though not limited to, the Esselen, Salinan, Costonoans/Ohlone or Chumash tribal groups, as appropriate.
 - o The MLD may make a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98-5097.994.
- If the remains are determined to be Native American, and the MLD, in concurrence with a qualified archaeological monitor, determines that the remains are evidence of a larger burial of human remains, which would qualify as a “unique archaeological resource”, as defined in Public Resources Code Section 21083.2(g) that would be disturbed by further excavation; or there is no acceptable location on the parcel to re-bury

the remains which would not be affected by excavation; then the Owner will work with RMA-Planning to move/shrink/modify/redesign the basement portions of the project which would have further impact on those areas of the site containing remains. Modified plans shall be submitted to RMA-Planning. The redesign shall be in accordance with the process codified in State law Public Resources Code section 5097.98 with penalty for violation pursuant to Public Resources Code section 5097.994. No work will recommence on site within 50 meters of the find until the County has approved the revisions to the approved plans.

c: Discovery of Significant Cultural Artifacts

If significant tribal cultural artifacts (determined to be significant by the onsite Tribal Monitor – not including human remains which are handled in accordance with PRC section 5097.98 and penalty for violation pursuant to 5097.994) are discovered during construction activities, there shall be no further mechanical excavation (e.g.; backhoe, trencher, etc.) or ground disturbance within 50 meters (164 feet) of the find on the parcel and the following shall occur:

- The artifact, and any subsequent artifacts determined to be significant tribal cultural artifacts shall be surgically uncovered and extracted by a qualified archaeological monitor, and stored safely through the duration of excavation;
- Excavation will continue by hand (shovels) within a perimeter of two (2) meters surrounding the artifact for the subsequent one (1) meter of depth;
- If another significant tribal cultural artifact is found within the perimeter, the perimeter requirement for hand digging will be extended around the newly discovered artifact as well;
- If no additional significant tribal cultural artifacts are found in the original perimeter, or any of the subsequent perimeters, mechanical excavation may resume to completion unless another significant artifact is discovered in the process. If significant artifacts are discovered again after restarting mechanical excavation, hand digging will be required again as dictated by this condition;
- If human remains are found at any time during either hand digging or mechanical excavation, the Contractor/Owner/Applicant/Agent shall take the steps required by Compliance Action b.

After completion of excavation activities, all recovered artifacts will be cataloged by both the Tribal Monitor and the qualified archaeological monitor. Once cataloged, the qualified archaeological monitor will take temporary possession of the artifacts for testing and reporting purposes. Upon completion of these testing and reporting activities, the archaeologist will return all artifacts within one (1) year to a representative of the appropriate local tribe as recognized by the Native American Heritage Commission or the Monterey County Historical Society, at the discretion of the property owner. A final technical report containing the results of all analyses shall be completed within one year following completion of the field work. This report shall be submitted to RMA-Planning and the Northwest Regional Information Center at Sonoma State University.

Conclusion:

As designed, the project has the potential to impact unknown historical/archaeological resources and with adherence to mitigation contained herein, existing regulations, and County Conditions

of Approval, the project would have a less than significant impact on historical/archaeological resources.

6. ENERGY	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

7. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause 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? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

7. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Geology and Soils 7(a.i) – Less than Significant

A Geologic Evaluation of the proposed project site dated June 8, 2019 was completed by Craig S. Harwood and concluded that there are no geologic conditions or geologic hazards that would preclude the construction of the proposed residence (Source: IX.25). However, the report evaluates primary and secondary seismic hazards, including rupture of a known fault, that the project site could experience. Surface-fault rupture is a manifestation of the fault displacement at the ground surface and is usually associated with a moderate to large-magnitude earthquake. The amount of surface-fault displacement depends on the earthquake magnitude and other factors.

The Cypress Point Fault, a minor and poorly documented fault, is present in the project vicinity. The fault trends through the immediate project vicinity just beyond the southwest corner of the project site. Upon further investigation, the Geologic Evaluation concluded that the potential for surface rupture along the fault is very low and the magnitude of displacement is anticipated to be very small in the event of an earthquake along the fault. Although unlikely, the report provides recommendations to avoid potential for adverse effects due to fault rupture. Based on estimated fault displacement calculations, a 15-foot foundation setback from the boundary of the edge of the Cypress Point Fault is recommended (Source: IX.25).

The recommended foundation setback has been incorporated into the project plans (Source IX.1). Plans show that the foundation and first floor would parallel the edge of the recommended setback. The southwest corner of second floor would be cantilevered over the foundation, following the design a similar project in the same vicinity. Therefore, with adherence to recommendations and proposed design features, impacts related to rupture of a known fault would be less than significant.

Geology and Soils 7(a.ii) – Less than Significant

The severity of ground shaking during an earthquake depends upon a number of factors including earthquake magnitude, epicenter distance to site, local geologic conditions, and topographic setting. A moderate to high magnitude earthquake in the vicinity of the project site could cause strong seismic ground shaking (Source: IX.25). The proposed project would introduce residences to the site which would increase the risk of loss, injury, or death. However, structures would be designed to meet the requirements of the 2019 California Building Code

(CBC) and its seismic design provisions. In compliance with the CBC, the construction of residences would not expose people and structures to potential substantial adverse effects, including the risk of loss, injury, or death related to ground shaking. The project itself would not increase ground shaking hazards at adjacent properties. Therefore, impacts related to strong seismic ground shaking would be less than significant.

Geology and Soils 7(a.iii) – Less than Significant

Data from the Monterey County PBI Viewer indicates the project site is located within a zone that is designated as having a low potential for liquefaction (Source: IX.22). The Geologic Evaluation identified geologic deposits of medium to very dense character in the vicinity of the project site and concurs that there is low potential for liquefaction (Source: IX.25). Therefore, impacts related to seismic-related ground failure would be less than significant.

Geology and Soils 7(a.iv) – Less than Significant

Data from the Monterey County PBI Viewer indicates the project site is located within a zone that is designated as having a low potential for landslides (Source: IX.22). The Geologic Evaluation identified a stable bedrock platform in the area and no evidence of past land sliding (Source: IX.25). Moreover, the project site and immediately surround area are generally flat, minimizing the potential for landslides. Therefore, impacts related to landslides would be less than significant.

Geology and Soils 7(b) – Less than Significant

Project construction, particularly during site preparation, excavation, and grading could result in erosion and loss of topsoil from the site. Excavation activities would involve the removal of approximately 922 ~~867~~ cubic yards of soil from the project site. The project would be required to comply with Chapter 16.12, *Erosion Control*, of the Monterey County Code of Ordinances (Source: IX.4). This chapter sets forth required provisions for project planning, preparation of erosion control plans, runoff control, land clearing, and winter operations; and establishes procedures for administering those provisions. In compliance with these measures, the project applicant has prepared an Erosion Control and Construction Management Plan that detail measures proposed to minimize erosion during construction (Source: IX.8). Upon grading, the site would slope gently towards the east. As such, silt fencing and straw wattle, designed to contain stormwater runoff, would be placed along the northeast and southeast perimeter of the project site. Measures to control dust, such as site watering and the covering of all trucks hauling soil, sand or other loose material, would also be implemented.

A Geotechnical Investigation dated November 8, 2018 prepared by Soil Surveys Group, Inc. identified that near surface soil at the project site has the potential to erode, especially upon removal of existing vegetation (Source: IX.26). The report details considerations related to drainage and erosion and provides recommendations for additional erosion control. It recommends that all new cut/fill slopes and disturbed soil areas be seeded with grass or other landscape plants during construction to prevent erosion.

During operation, the project would not induce substantial erosion as the project site would primarily be covered with impervious surface and include retaining walls around the perimeter of the property. However, the Geotechnical Investigation states that concentrated stormwater (e.g. from roof gutter downspouts) should not be allowed to discharge uncontrolled onto sloping

ground. Measures to dissipate stormwater flow, including use of rock energy dissipaters and concrete splash blocks, are recommended. All recommendations provided by the Geotechnical Investigation would be applied as conditions of approval by Monterey County upon review of the proposed project. Pursuant to compliance with existing regulations and conditions of approval, the project would not result in substantial erosion or loss of topsoil. Impacts would be less than significant.

Geology and Soils 7(c) – Less than Significant with Mitigation Incorporated

As part of the Geotechnical Investigation, Soil Surveys Group Inc. conducted soil boring to assess the composition and density of soils at the project site. Boring results indicate that near-surface soils on the southwestern and northeastern sides of the property consist of loose to medium density sandy soils (Source: IX.26). The project would involve the construction of one residence, which would require excavation and grading prior to the laying of a foundation. Loose soils at the project site could become unstable upon construction and may not be able to adequately support the proposed development. Therefore, mitigation is required to address the potential impact of unstable soils. Implementation of the following mitigation measure would reduce impacts related to unstable soils to a less than significant level.

Mitigation Measure No. 3:

Prior to preparation of the building pad, all loose soil within the proposed building pad area plus a minimum of five feet in all directions beyond the proposed building foundations shall be sub-excavated and recompacted as necessary to 90 percent relative compaction. A qualified geotechnical engineer shall determine the depth of recompaction, if any, within the building perimeter after clearing, grubbing and basement excavation are completed. Sub-excavation and recompaction shall be extended under any proposed patios or other permanent flatwork.

Furthermore, the applicant shall comply with the following design features identified in the Geotechnical Investigation:

- Spread footings shall be constructed a minimum of 18 inches deep for both single story and two-story portions of the proposed new building as measured from the lowest adjacent grade, and continuous non-retaining footings shall be reinforced with two #4 reinforcement bars placed near the bottom.
- All new concrete floor slabs-on-grade shall be a minimum of five inches thick and shall be reinforced with a minimum of #3 steel reinforcement bars at 16 inches on center or #4 steel reinforcement bars at 30 inches on center, each way and shall be bent to extend a minimum of eight inches into the perimeter footing.
- Roof and site rain water should be directed away from the proposed building foundations. Rainfall runoff must not be allowed to collect or flow in a downslope direction against any building foundation.

Geology and Soils 7(d) – Less than Significant

Expansive soils tend to swell with seasonal increases in soil moisture and shrink during the dry season as soil moisture decreases. Findings from the Geotechnical Report indicate that soils from the surface to a depth of nine feet at the project site are generally non-expansive (Source: IX.26). Soils encountered at depths of 11 to 19 feet have a low to moderate potential for expansion. Therefore, the project would not be located on expansive soils that would create a substantial direct or indirect risk to life or property. Impacts would be less than significant.

Geology and Soils 7(e) – No Impact

The proposed project would connect to the existing sewer system operated and maintained by the Carmel Area Wastewater District. The project would not involve the use of septic tanks or alternative waste water disposal systems. No impact would occur.

Geology and Soils 7(f) – Less than Significant with Mitigation Incorporated

There are no identified or known unique paleontological resources or geologic features on the project site. As discussed in Section VI.5, Cultural Resources, and Section VI.18, Tribal Cultural Resources, no known archeological or tribal cultural resources are present at the project site. In the event of unanticipated discovery of archeological or tribal cultural resources, impacts would be reduced to a less than significant level with adherence to Mitigation Measure No. 2 identified in Section XI.5, Cultural Resources, and Mitigation Measure No. 4 identified in Section XI.18, Tribal Cultural Resources, and implementation of the County’s Condition of Approval (COA) for cultural resources PD003(BA), Discovery of Cultural Resources—Inadvertent Discovery. Impacts would be less than significant with mitigation incorporated.

Conclusion:

Adherence to recommendations outlined in the Geologic Evaluation and Geotechnical Investigation and implementation of Mitigation Measure No. 3 would reduce impacts related to unstable soils to a less than significant level.

8. GREENHOUSE GAS EMISSIONS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

9. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

10. HYDROLOGY AND WATER QUALITY		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

10. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) result in a substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) 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; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

11. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Land Use and Planning 11(a) – No Impact

The proposed project would involve the construction of one single-family residence in an existing community. Fencing would only be placed around portions of the project site and the project would not physically divide an established community. No impact would occur.

Land Use and Planning 11(b) – Less than Significant with Mitigation Incorporated

The proposed project would be subject to the policies and regulations of the Carmel Area Land Use Plan (LUP). Chapter 4 of the LUP contains policies that pertain to Land Use and Development in unincorporated areas in the vicinity of Carmel-by-the-Sea. Given that the project would involve development of a single-family residence in an existing residential neighborhood zoned for medium-density residential development, the project would not conflict with land use policies specified in the LUP. Prior to implementation, the project would require issuance of construction permits and coastal development permits from the County of Monterey.

The LUP also contains policies related to the protection of biological and archeological resources. With implementation of Mitigation Measures Nos. 1 and 2 contained in Section VI.4, *Biological Resources* and Section VI.5, *Cultural Resources*, the project would not conflict with the LUP. Therefore, impacts related to conflicts with a land use plan would be less than significant with mitigation incorporated.

Conclusion:

Implementation of Mitigation Measures Nos. 1 and 2 would reduce impacts related to land use and planning to a less than significant level.

12. MINERAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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?	<input type="checkbox"/>	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

13. NOISE		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

13. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
c) For a project located within the vicinity of a private airstrip or 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

14. POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial unplanned 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

15. PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
Result in 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

15. PUBLIC SERVICES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
e)	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

16. RECREATION		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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?	<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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

17. TRANSPORTATION		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

18. TRIBAL CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion/Mitigation/Conclusion:

Tribal Cultural Resources 18(a.i) & 18(a.ii) – Less than Significant with Mitigation Incorporated

Pursuant to Public Resources Code Section 21080.3.1, the Monterey County RMA-Planning Division initiated AB 52 consultation with local Native Americans on October 8, 2019. The County met with the Ohlone/Costanoan-Esselen Nation (OCEN), and based on this consultation the RMA-Planning Division assumes that no tribal cultural resources are present that may be impacted by the project. However, the project area site is known to be sensitive for subsurface resources, as discussed in Section XI.5, *Cultural Resources*, and impacts to unknown tribal cultural resources are potentially significant. Implementation of the mitigation measure described below would ensure that, if artifacts or human remains are discovered, these resources are treated with appropriate dignity and respect. This mitigation shall apply in addition to the mitigations described in the cultural resources section above. Implementation of the following mitigation measure would reduce impacts to Tribal Cultural Resources to a less than significant level.

Mitigation Measure No. 4; On-Site Tribal Monitor:

To ensure that Tribal Cultural Resources incur less than significant impacts, a Tribal Monitor approved by the appropriate tribe traditionally and culturally affiliated with the vicinity of the subject parcel and that has consulted with the County and designated one lead contact person in accordance with AB 52 requirements, or other appropriately NAHC-recognized representative, shall be on-site during project-related grading and excavation to identify findings with tribal cultural significance. This Tribal Monitor shall have the authority to temporarily halt work in

order to examine any potentially significant cultural materials or features. If resources are discovered, the owner/applicant/contractor shall refer to and comply with Mitigation Measure No. 2 and Condition PD003(B) as applicable. This mitigation is not intended to alleviate responsibility of the owner or its agents from contacting the County Coroner and complying with State law if human remains are discovered.

Compliance Actions for Mitigation Measure No. 4:

4a: Prior to issuance of construction permits for grading or building, the owner/applicant shall include a note on the construction plans encompassing the language contained in Mitigation Measure No. 4, including all compliance actions. The owner/applicant shall submit said plans to RMA-Planning for review and approval.

4b: Prior to issuance of a construction permit for grading and/or building, the Applicant/Owner shall submit evidence to the satisfaction of the Chief of RMA-Planning that a monitor approved by the appropriate tribe traditionally and culturally affiliated with the vicinity of the subject parcel and that has consulted with the County and designated one lead contact person in accordance with AB 52 requirements, or other appropriately NAHC-recognized representative, has been retained to monitor the appropriate construction activities. This Tribal Monitor shall be retained for the duration of any project-related grading and excavation.

4c: Any artifacts found that are not associated with a finding of human remains shall be cataloged by both the Tribal Monitor and the qualified archaeological monitor. Once cataloged, the qualified archaeological monitor will take temporary possession of the artifacts for testing and reporting purposes. Upon completion of these testing and reporting activities, all artifacts, at the discretion of the property owner, shall be returned within one (1) year to a representative of the appropriate local tribe as recognized by the Native American Heritage Commission, or the Monterey County Historical Society. A final technical report containing the results of all analyses shall be completed within one year following completion of the field work. This report shall be submitted to RMA-Planning and the Northwest Regional Information Center at Sonoma State University. Artifacts associated with a finding of human remains shall be reburied in accordance with State Law and penalty for violation pursuant to PRC section 5097.994.

4d: Prior to final building inspection, the Tribal Monitor or other appropriately NAHC-recognized representative shall submit a letter to RMA-Planning confirming participation in the monitoring and provide a summary of archaeological and/or cultural finds or no finds, as applicable.

Conclusion:

With implementation of the identified mitigation measure, the project would have a less than significant impact on Tribal Cultural Resources.

19. UTILITIES AND SERVICE SYSTEMS			Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:	Potentially Significant Impact				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a determination by the waste water 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: See Sections II and IV.

20. WILDFIRE			Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones would the project:	Potentially Significant Impact				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones would the project:

Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion/Conclusion/Mitigation: See Sections II and IV.

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 substantially 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, substantially 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?	<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.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Mandatory Findings of Significance (a) – Less Than Significant Impact with Mitigation Incorporated

As discussed in this Initial Study, the project would have no impact, a less than significant impact, or a less than significant impact after mitigation with respect to all environmental issues. Regarding biological resources, no impacts to habitat or sensitive communities are anticipated to occur as a result of this proposed project, as stated in Section IV.4-3. Although the project would involve the relocation and replanting of four coast live oak trees, implementation of recommendations described in the Tree Resource Assessment and Mitigation Measure No. 1 would reduce impacts to a less than significant level. Regarding cultural resources, potential impacts to known prehistoric archeological sites within the project area would be reduced to a less than significant level by implementing County Conditions of Approval, state regulations, and Mitigation Measures No. 2 and 4 as discussed in Sections VI.5 and VI.18.

Mandatory Findings of Significance (b) – No Impact

As discussed in this Initial Study, the project would have no impact, a less than significant impact, or a less than significant impact after mitigation with respect to all environmental issues. The project would not result in substantial long-term environmental impacts and, therefore, would not contribute to cumulative environmental changes that may occur due to planned and pending development. Potential impacts of the project would not be cumulatively considerable.

Mandatory Findings of Significance (c) – Less Than Significant with Mitigation Incorporated

Effects on human beings are generally associated with impacts related to issue areas such as air quality, geology and soils, noise, traffic safety, and hazards. As discussed in this Initial Study, the project would have no impact or result in a less than significant impact with mitigation incorporated in each of these resource areas. As discussed in Section IV.A, *Factors*, the project would have no impact on air quality, hazards and hazardous materials, noise and transportation. As discussed in Section VI.7, *Geology and Soils*, the project would be required to comply with recommendations from the Geologic Evaluation and Geotechnical Investigation prepared for the project site as well as Mitigation Measure No. 3, which would reduce potential impacts related to fault rupture and unstable soils to a less than significant level. As discussed in Section VI.5, *Cultural Resources*, and Section VI.18, *Tribal Cultural Resources*, no known archeological or tribal cultural resources are present at the project site. In the event of unanticipated discovery of archeological or tribal cultural resources, impacts to would be reduced to a less than significant level with adherence to Mitigation Measure No. 2 identified in Section XI.5, *Cultural Resources*, and Mitigation Measure No. 4 identified in Section XI.18, *Tribal Cultural Resources*, and implementation of the County’s Condition of Approval for cultural resources PD003(B), *Discovery of Cultural Resources*. Therefore, the project would not cause substantial adverse effects on human beings, either directly or indirectly. Impacts would be less than significant with mitigation incorporated.

VIII. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE 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 California Department of Fish and Wildlife. 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 California Department of Fish and Wildlife 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 California Department of Fish and Wildlife. A No Effect Determination form may be obtained by contacting the Department by telephone at (916) 653-4875 or through the Department’s website at www.wildlife.ca.gov.

Conclusion: The project will be required to pay the fee unless a “no effect” determination can be obtained from the California Department of Fish and Wildlife.

Evidence: Based on the record as a whole as embodied in the RMA-Planning files pertaining to project file PLN180523 and the attached Initial Study / Proposed Mitigated Negative Declaration.

IX. REFERENCES

1. Project Application and Plans (PLN180523) (Plan Set dated 030420)
2. Monterey County General Plan (1982)
3. Monterey County Scenic Highway Corridors and Visual Sensitivity
4. Monterey County Code of Ordinances
5. California Important Farmland Finder, California Department of Conservation
6. Williamson Act Reports and Statistics, California Department of Conservation
7. 2012-2015 Air Quality Management Plan, Monterey Bay Air Resources District
8. Erosion Control and Construction Management Plan
9. California Building Code, Title 24
10. Monterey County Climate Action Plan
11. 2040 Metropolitan Transportation Plan/Sustainable Communities Strategy, Association of Monterey Bay Area Governments
12. EnviroStor, California Department of Toxic Substances Control
13. GeoTracker, California State Water Resources Control Board
14. Fire Hazard Severity Zones in SRA: Monterey County, CalFire
15. Carmel Area Land Use Plan
16. Mineral Lands Classification Data Portal, California Department of Conservation
17. E-5 Population and Housing Estimates for Cities, Counties, and the State, California Department of Finance
18. Preliminary Archaeological Assessment of Assessor's Parcel 009-451-015, Carmel, Monterey County, California, Archeological Consulting (February 23, 2018; LIB180439)
19. Cultural Resources Auger Testing of Assessor's Parcel Number 009-451-015, Carmel, County of Monterey, California, Susan Morley (January 2019; LIB190047)
20. Report on Additional Phase II Archaeological Presence/Absence Testing for an Undeveloped Parcel, APN 009-451-015, 26308 Isabella Ave, Carmel, California, PaleoWest Archaeology (October 31, 2019), including Addendum (February 26, 2020)
21. 1983 Professional Qualifications Standards for Prehistoric Archaeology, U.S. Secretary of the Interior
22. Monterey County PBI Map Viewer
23. Tree Resource Assessment, Frank Ono
24. Biological Resource Survey, Fred Ballerini Biological & Horticultural Service
25. Geological Assessment, Craig S. Harwood
26. Geotechnical Survey, Soil Surveys Group, Inc.