

Exhibit E

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Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Raley Residence

Lead Agency: Resources Management Agency-Planning Department Contact Person: Ramon Montano
 Mailing Address: 168 West Alisal Phone: (831) 755-5169
 City: Salinas Zip: 93901 County: Monterey County

Project Location: County: Monterey City/Nearest Community: City of Carmel
 Cross Streets: Spindrift Lane and Spindrift Road Zip Code: 93923
 Longitude/Latitude (degrees, minutes and seconds): _____° _____' _____" N / _____° _____' _____" W Total Acres: 2
 Assessor's Parcel No.: 241-321-002-000 Section: _____ Twp.: _____ Range: _____ Base: _____
 Within 2 Miles: State Hwy #: 1 Waterways: Pacific Ocean
 Airports: N/A Railways: N/A Schools: None

Document Type:

CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) _____ Draft EIS Other: _____
 Mit Neg Dec Other: _____ FONSI _____

Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other: _____

Development Type:

Residential: Units 1 Acres 2
 Office: Sq.ft. _____ Acres _____ Employees _____ Transportation: Type _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____ Mining: Mineral _____
 Industrial: Sq.ft. _____ Acres _____ Employees _____ Power: Type _____ MW _____
 Educational: _____ Waste Treatment: Type _____ MGD _____
 Recreational: _____ Hazardous Waste: Type _____
 Water Facilities: Type _____ MGD _____ Other: _____

Project Issues Discussed in Document:

Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement
 Coastal Zone Noise Solid Waste Land Use
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects
 Economic/Jobs Public Services/Facilities Traffic/Circulation Other: _____

Present Land Use/Zoning/General Plan Designation:

"LDR/1-D (CZ)" (Low Density Residential, 1 units per acre with Design Control Overlay (Coastal Zone).

Project Description: *(please use a separate page if necessary)*

Description of Project: See attached sheet.

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

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

- | | |
|---|--|
| <input checked="" type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Emergency Services |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Office of Public School Construction |
| <input checked="" type="checkbox"/> Caltrans District #5 | <input type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Regional WQCB # _____ |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> Resources Agency |
| <input checked="" type="checkbox"/> Coastal Commission | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Energy Commission | <input checked="" type="checkbox"/> SWRCB: Water Quality |
| <input checked="" type="checkbox"/> Fish & Game Region # _____ | <input type="checkbox"/> SWRCB: Water Rights |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Housing & Community Development | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Integrated Waste Management Board | |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |

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

Starting Date March 6, 2013 Ending Date April 5, 2013

Lead Agency (Complete if applicable):

Consulting Firm: _____ Applicant: _____
 Address: _____ Address: _____
 City/State/Zip: _____ City/State/Zip: _____
 Contact: _____ Phone: _____
 Phone: _____

Signature of Lead Agency Representative:  Date: March 4, 2013

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

NOTICE OF COMPLETION & ENVIRONMENTAL DOCUMENT TRANSMITTAL

Attached Description of Project: Raley Residence a Combined Development Permit consisting of:

- 1) Coastal Administrative Permit and Design Approval to allow the construction of a 4,338 square foot two-story single family dwelling with an attached 509 square foot garage, a 216 square foot second story deck, a 1,412 square foot square foot at grade patio, concrete paver driveway and walk ways, and the installation of a new septic disposal field;
- 2) Coastal Development Permit to allow the conversion of an existing 1,603 square foot two story single family dwelling into a 423 guest house and the first floor with the 1,004 square foot second floor converted into an art studio and to allow the guesthouse to exceed 12 feet in height by 2.7 feet; and demolish an existing 360 square foot guest house but retain 485 square feet of the existing structure as a detached garage;
- 3) Coastal Development Permit to allow development within 100-feet of Environmentally Sensitive Habitat; and
- 4) Coastal Development Permit to allow development within 750 feet of a known archaeological resource;

Grading will include approximately 260 cubic yards of cut and 260 cubic yards of fill. The property is located at 170 Spindrift Lane, Carmel (Assessor's Parcel Number 241-321-002-000), Carmel Highlands Area, Carmel Land Use Plan, Coastal Zone.

The subject site is located on a coastal bluff. The existing residence on the site is located on rock outcroppings immediately above the intertidal area and has been previously damaged by storm driven wave run up. The proposed new residence would be located at a higher elevation on the property. A detached accessory building on the site currently houses a detached garage and guest house. The guesthouse will be removed, but the detached garage will remain,

The site is characterized by topography which slopes from east to west toward the ocean. There is approximately 20 feet of drop across the property and the coastal bluff has an approximate 25 foot fall to the ocean. The vegetation on the property is planted cypress trees and ornamental understory plantings.

County of Monterey
 State of California
NEGATIVE DECLARATION

FILED
 MAR 05 2013
 STEPHEN L. VAGNINI
 MONTEREY COUNTY CLERK
 DEPUTY

Project Title:	Raley Richard
File Number:	PLN120276
Owner:	Raley Richard
Project Location:	170 Spindrift Lane, Carmel
Primary APN:	241-321-002-000
Project Planner:	Ramon Montano
Permit Type:	Combined Development Permit
Project Description:	<p>Combined Development Permit consisting of: 1) Coastal Administrative Permit and Design Approval to allow the construction of a 4,338 square foot two-story single family dwelling with an attached 509 square foot garage, a 216 square foot second story deck, a 1,412 square foot square foot at grade patio, concrete paver driveway and walk ways, and the installation of a new septic disposal field; grading will include approximately 260 cubic yards of cut and 260 cubic yards of fill; 2) Coastal Development Permit to allow the conversion of an existing 1,603 square foot two story single family dwelling into a 423 guest house and the first floor with the 1,004 square foot second floor converted into an art studio and to allow the guesthouse to exceed 12 feet in height by 2.7 feet; and demolish an existing 360 square foot guest house but retain 485 square feet of the existing structure as a detached garage; 3) Coastal Development Permit to allow development within 100-feet of Environmentally Sensitive Habitat; and 4) Coastal Development Permit to allow development within 750 feet of a known archaeological resource. The property is located at 170 Spindrift Lane, Carmel (Assessor's Parcel Number 241-321-002-000), Carmel Highlands Area, Carmel Land Use Plan, Coastal Zone.</p>

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.

e)

Decision Making Body:	Monterey County Zoning Administrator
Responsible Agency:	County of Monterey RMA-Planning Department
Review Period Begins:	March 6, 2013
Review Period Ends:	April 5, 2013

Further information, including a copy of the application and Initial Study are available at the Monterey County Planning & Building Inspection Department, 168 West Alisal St, 2nd Floor, Salinas, CA 93901, (831) 755-5025

MONTEREY COUNTY

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



NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION MONTEREY COUNTY ZONING ADMINISTRATOR

NOTICE IS HEREBY GIVEN that the Monterey County Resource Management Agency – Planning Department has prepared a draft Negative Declaration, pursuant to the requirements of CEQA, for a Combined Development Permit (Raley, File Number PLN120276) at 170 Spindrift Lane, Carmel (APN 241-321-002-000) (see description below).

The Negative Declaration and Initial Study, as well as referenced documents, are available for review at the Monterey County Resource Management Agency – Planning Department, 168 West Alisal, 2nd Floor, Salinas, California. The Negative Declaration and Initial Study are also available for review in an electronic format by following the instructions at the following link:

<http://www.co.monterey.ca.us/planning/docs/environmental/circulating.htm>.

The Zoning Administrator will consider this proposal at a meeting on **April 11, 2013** at 1:30pm in the Monterey County Board of Supervisors Chambers, 168 West Alisal, 2nd Floor, Salinas, California. Written comments on this Negative Declaration will be accepted from March 6, 2013 to April 5, 2013. Comments can also be made during the public hearing.

Project Description: Combined Development Permit consisting of: 1) Coastal Administrative Permit and Design Approval to allow the construction of a 4,338 square foot two-story single family dwelling with an attached 509 square foot garage, a 216 square foot second story deck, a 1,412 square foot square foot at grade patio, concrete paver driveway and walk ways, and the installation of a new septic disposal field; grading will include approximately 260 cubic yards of cut and 260 cubic yards of fill; 2) Coastal Development Permit to allow the conversion of an existing 1,603 square foot two story single family dwelling into a 423 guest house and the first floor with the 1,004 square foot second floor converted into an art studio and to allow the guesthouse to exceed 12 feet in height by 2.7 feet; and demolish an existing 360 square foot guest house but retain 485 square feet of the existing structure as a detached garage; 3) Coastal Development Permit to allow development within 100-feet of Environmentally Sensitive Habitat; and 4) Coastal Development Permit to allow development within 750 feet of a known archaeological resource. The property is located at 170 Spindrift Lane, Carmel (Assessor's Parcel Number 241-321-002-000), Carmel Highlands Area, Carmel Land Use Plan, Coastal Zone.

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

CEQAcomments@co.monterey.ca.us

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

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

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

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

County of Monterey
Resource Management Agency – Planning Department
Attn: Mike Novo, Director of Planning
168, West Alisal, 2nd Floor
Salinas, CA 93901

Re: Raley; File Number PLN120276

From: Agency Name: _____
Contact Person: _____
Phone Number: _____

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

COMMENTS: _____

DISTRIBUTION

1. State Clearinghouse (15 CD copies + 1 hard copy of the Executive Summary) – include the Notice of Completion
2. County Clerk's Office
3. Cal-Trans District 5, San Luis Obispo office
4. California Coastal Commission
5. Association of Monterey Bay Area Governments
6. Monterey Bay Unified Air Pollution Control District
7. California American Water Company
8. Carmel Highlands Fire Protection District, Mark Mondragon
9. Monterey County Water Resources Agency
10. Monterey County Public Works Department
11. Monterey County Parks Department
12. Monterey County Environmental Health Bureau
13. Richard Raley, Owner
14. Pamela Silkwood, Agent
15. The Open Monterey Project
16. LandWatch
17. Property Owners within 300 feet (**Notice of Intent only**)

Distribution by e-mail only:

18. Michael Stamp (Stamp@stamplaw.us) (**Notice of Intent only**)
19. Margaret Robbins (MM_Robbins@comcast.net) (**Notice of Intent only**)
20. Michael Weaver (michaelrweaver@mac.com) (**Notice of Intent only**)
21. Monterey/Santa Cruz Building & Construction (Office@mscbctc.com) (**Notice of Intent only**)
22. Tim Miller (Tim.Miller@amwater.com) (**Notice of Intent only**)
23. Emilio Hipolito (ehipolito@nccrc.org) (**Notice of Intent only**)
24. United Brotherhood of Carpenters & Joiners (nedv@nccrc.org) (**Notice of Intent only**)

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

PLANNING DEPARTMENT

168 WEST ALISAL ST., 2nd FLOOR, SALINAS, CA 93901

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



INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title: Raley

File No.: PLN120276

Project Location: 170 Spindrift Lane, Carmel

Name of Property Owner: Richard Raley

Name of Applicant: Pamela Silkwood

Assessor's Parcel Number(s): 241-321-002-000

Acreage of Property: Two Acres or (87,120.00 sq. ft).

General Plan Designation: Carmel Area Land Use Plan (Coastal Zone)

Zoning District: "LDR/1-D (CZ)" (Low Density Residential, 1 unit per acre with Design Control Overlay (Coastal Zone)).

Lead Agency: Monterey County RMA-Planning Department

Prepared By: RMA-Planning Department

Date Prepared: March 4, 2013

Contact Person: Ramon Montano

Phone Number: (831) 755-5169

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project:

Combined Development Permit consisting of:

- 1) Coastal Administrative Permit and Design Approval to allow the construction of a 4,338 square foot two-story single family dwelling with an attached 509 square foot garage, a 216 square foot second story deck, a 1,412 square foot square foot at grade patio, concrete paver driveway and walk ways, and the installation of a new septic disposal field;
- 2) Coastal Development Permit to allow the conversion of an existing 1,603 square foot two story single family dwelling into a 423 square foot first floor guest house with the 1,004 square foot second floor converted into an art studio and to allow the guesthouse to exceed 12 feet in height by 2.7 feet; and demolition of an existing 360 square foot guest house attached to a 485 square foot detached garage;
- 3) Coastal Development Permit to allow development within 100-feet of Environmentally Sensitive Habitat; and
- 4) Coastal Development Permit to allow development within 750 feet of a known archaeological resource;

Grading will include approximately 260 cubic yards of cut and 260 cubic yards of fill.

The subject site is located on a coastal bluff. The existing residence on the site is located on granite rock outcroppings immediately above the intertidal area and has been previously damaged by storm driven wave run up. The existing structure would be converted to a guest house on the first floor and art studio on the second floor. The proposed new residence would be located at a higher elevation on the property. A detached accessory building on the site currently houses a detached garage and guest house. The guesthouse will be removed, but the detached garage will remain,

The site is characterized by topography which slopes from east to west toward the ocean. There is approximately 20 feet of drop across the property and the coastal bluff has an approximate 25 foot fall to the ocean. The vegetation on the property is planted cypress trees and ornamental understory plantings.

B. Surrounding Land Uses and Environmental Setting: Zoning Designation:

The subject site is located in the Carmel Area Land Use Plan which covers the area south of Carmel and north of Big Sur. The site is located west of Highway 1 in an area identified as "Yankee Point." The land use and zoning in the area is "LDR/1-D (CZ)" (Low Density Residential, 1 unit per acre with Design Control Overlay (Coastal Zone) The areas to the north, east and south are developed with single family residences consistent with the land use and zoning in the area.

The site is identified on Map A of the Carmel Area Land Use Plan as being in the viewshed of Highway 1 and other public lands within Monterey County. While the site is in a visually sensitive

location, it is not readily visible from either Highway 1 or any other public lands including Point Lobos to the north.

This area has a high sensitivity for archaeological resources and cultural resources have been found in close proximity to the site. There are four other properties within 750 feet of the site which have had reports prepared identifying that resources exist on site. The Archaeological Report prepared for the subject property did not identify the likely presence of resources on this site.

The Carmel Area Land Use Plan identifies rocky intertidal areas and kelp beds as being Environmentally Sensitive Habitat. Map B of the Carmel Area LUP shows that the area along the coast contains both Kelp Beds and intertidal habitat areas, resulting in this proposed development being within 100 feet of Environmentally Sensitive Habitat.

C. Other public agencies whose approval is required:

The project is in a location where appeals from a County decision on a Coastal Development Permit application can be made by and to the Coastal Commission. Absent an appeal, no permit is necessary from the Coastal Commission. The project will require a demolition permit, grading and building permits from the RMA – Building Department of the County of Monterey and a permit to install an onsite waste water system from the Environmental Health Bureau of Monterey County.



FIG 1: Aerial view of project area for new residence within radius.

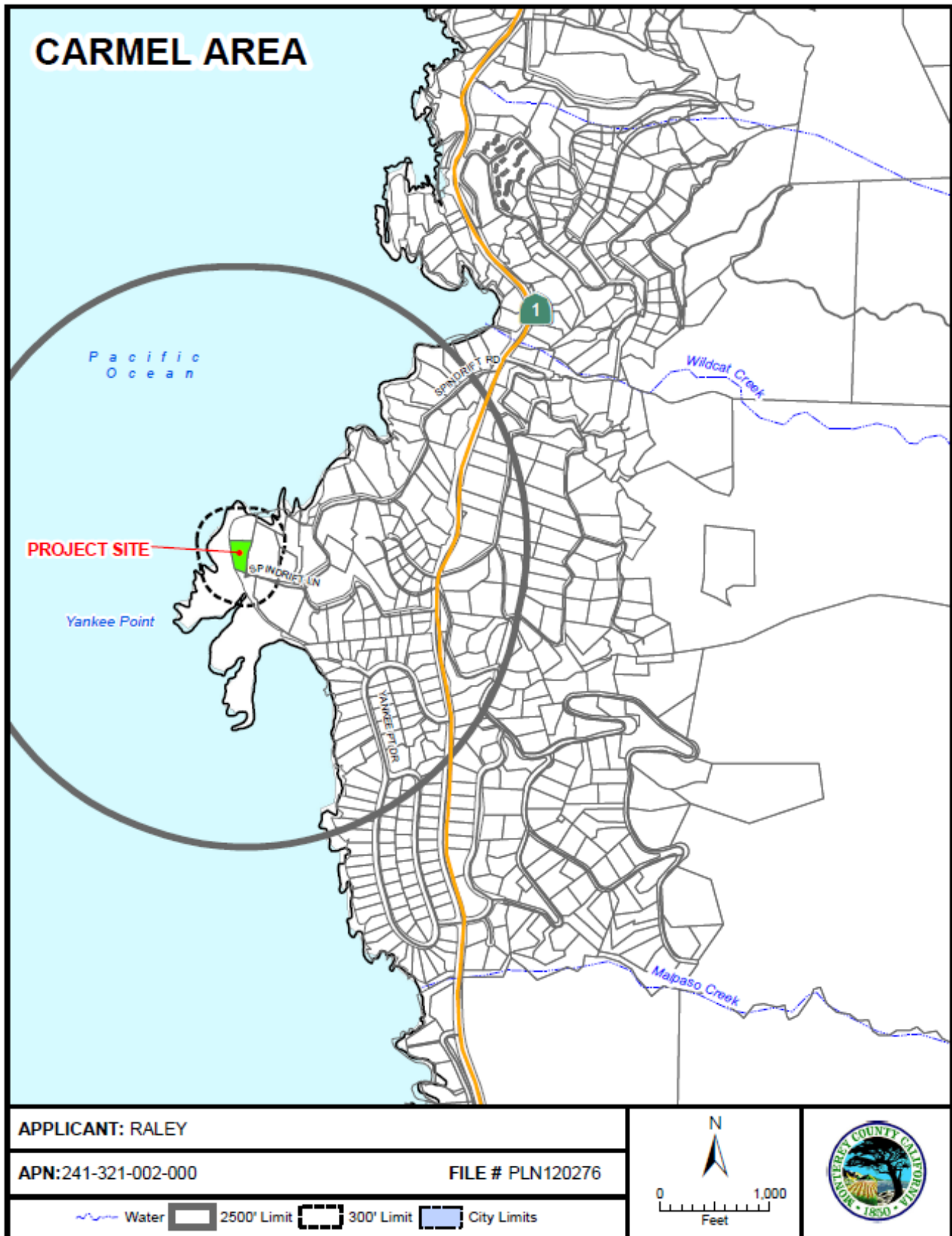


Figure 2: Vicinity Map

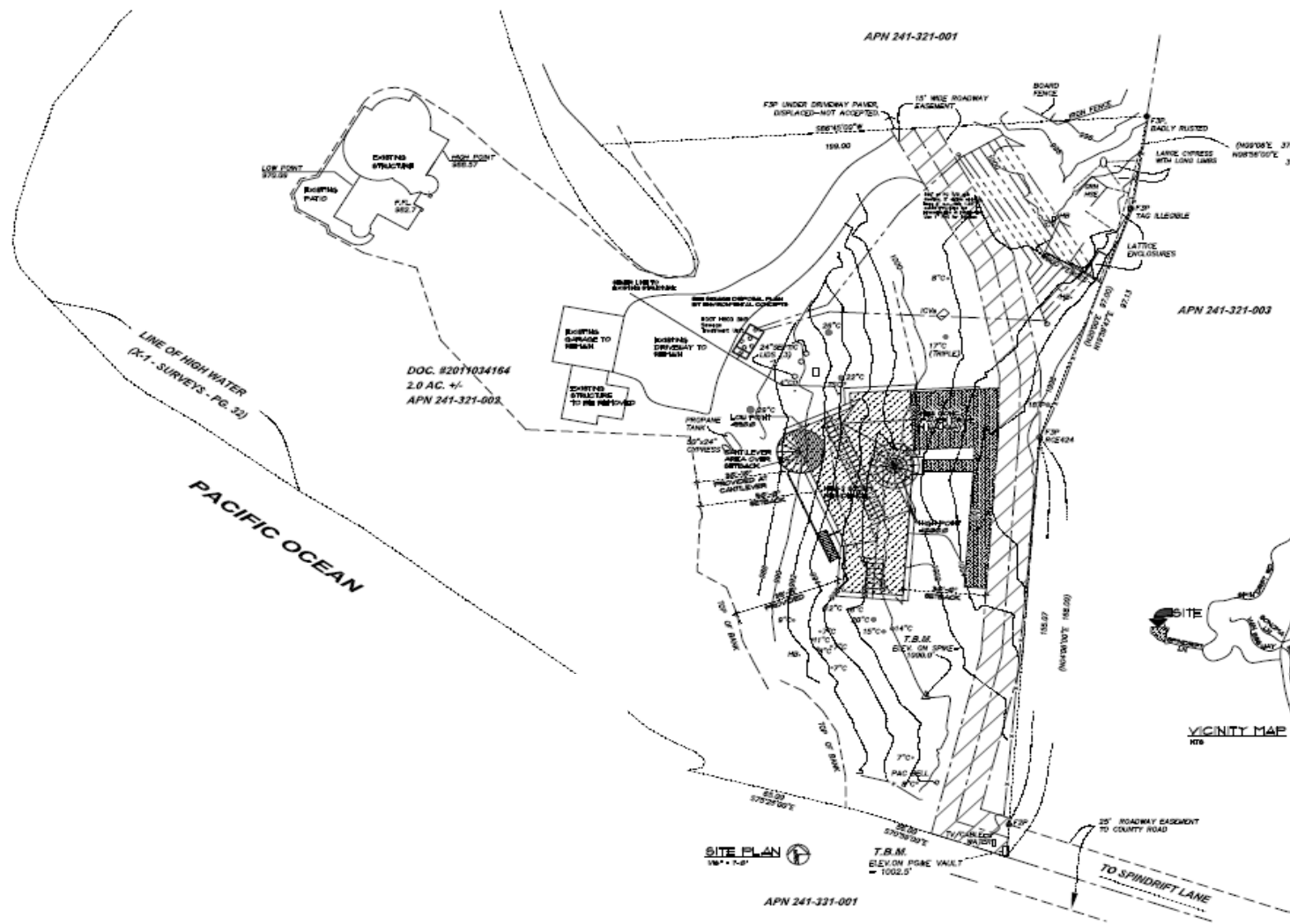


Figure 3: Site Plan

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. The proposed project was reviewed for consistency with the 1982 Monterey County General Plan and the Carmel Area Land Use Plan (CLUP). Policy 4.5.G of the CLUP categorizes Low Density Residential as the primary use of this parcel. The maximum development density of 1 unit per acre would be allowed. The land use plan allows development of a single family home and a guest house subject to resource protection requirements. The proposed project would develop a single family residence and guest house on the subject site which is consistent with the General Plan land use for the property. **CONSISTENT** (References IX)

Air Quality Management Plan (AQMP).

Consistency with the AQMP is an indication of a project’s contribution to a cumulative adverse impact on regional air quality. It is not an indication of project-specific impacts, which are evaluated according to the Air District’s adopted thresholds of significance. Inconsistency with the AQMP is considered a significant cumulative air quality impact. Consistency of a residential project is determined by comparing the project population at the year of project completion with the population forecast for the appropriate five year increment that is listed in the AQMP. If the population increase resulting from the project would not cause the estimated cumulative population to exceed the relevant forecast, the project would be consistent with the population forecasts in the AQMP. The project is consistent with the 1982 Monterey County General Plan and with the Association of Monterey Bay Area Governments (AMBAG) regional population and employment forecast. The proposed project will not increase the population of the area nor generate additional permanent vehicle trips above levels projected in the AQMP. Therefore, the project will be consistent with the AQMP. **CONSISTENT** (References IX)

Local Coastal Program-LUP. The proposed project was reviewed for consistency with the Carmel Area Land Use Plan (CLUP). Section IV. 10 (Land Use and Planning) discusses whether the project physically divides an established community; conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project; or conflicts with any applicable habitat conservation plan or natural community conservation plan. As discussed, the proposed project is consistent with the Carmel Area LUP. The project proposes to construct a new residence on the parcel, convert the existing residence into a guesthouse and studio, and remove the existing guesthouse. The project does not adversely affect sensitive resources, or aesthetic values in the area. Based upon these factors the proposed project is consistent with the Carmel Area Land use Plan. **CONSISTENT** (References IX)

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

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

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

2. Agriculture and Forest Resources: The project site and surrounding area is zoned for residential uses and is developed with residential uses. The project site is not designated as prime or unique farmland or farmland of statewide importance. The proposed project would not result in conversion of prime agricultural lands to non-agricultural lands and is not under a Williamson Act contract. The project parcel is not located near any grazing or farmland, nor any permitted agricultural uses (Source: 1, 2, 3, 6, 7, 14). *Therefore, there are no impacts to the agricultural and forest resources.*

3. Air Quality: The Monterey Bay Unified Air Pollution Control District (MBUAPCD) prepared the Air Quality Management Plan (AQMP) for the Monterey Bay Region. The AQMP addresses the attainment and maintenance of State and Federal ambient air quality standards (AAQS) within the North Central Coast Air Basin (NCCAB). Consistency with the AQMP is an indication of a project's cumulative adverse impact on regional air quality. It is not an indication of project-specific impacts, which are evaluated according to the Air District's adopted thresholds of significance.

The development of a single family dwelling on an existing legal lot of record is not subject to MBUAPCD regulations. Development of an existing residential lot for residential purposes is accommodated in the AQMP. Therefore, the proposed development would not increase population that would exceed the forecast in the AQMP. The establishment of a single family dwelling at the site will not create or produce objectionable odors. Most potentially significant air quality issues related to construction of the single family dwelling will involve site grading activities. In accommodating for residential development, the AQMP takes into account the minor impacts of building site grading and construction of a single family dwelling. These are not considered potentially significant unless there are unusual circumstances requiring large areas of site preparation and long-term involvement of heavy equipment. There is very minor grading associated with the construction. *Therefore, the project will have no impact on implementation of the Air Quality Plan, or expose people to substantial pollutants or objectionable odors.*

8. Hazards/Hazardous Materials: The project does not involve the transportation, use or disposal of hazardous materials that would constitute a threat of explosion or other significant release that would pose a threat to neighboring properties. There is no storage of large quantities of hazardous materials on site. The project would not involve stationary operations, create hazardous emissions, or handle hazardous materials, nor is the site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 The site location and scale have no impact on emergency response or emergency evacuation. The site is not located near an airport or airstrip. The project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires.

The Low Density Residential (LDR) Zoning District (Chapter 20.14, County Zoning Ordinance) does not allow uses that may contain the storage or use of hazardous materials. The purpose of the LDR Zoning District is to accommodate low density residential uses in rural and suburban areas of the County. There is no evidence of such hazardous uses associated with the proposed project. (Source: 1, 2, 3, 4, 6) *Therefore, there is no impact due to hazardous uses or materials on-site.*

10. Land Use Planning: The project site is designated Low Density Residential (LDR) and is predominately surrounded by residential uses. The project will not physically divide an established community, conflict with any applicable land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect, or conflict with any applicable habitat or natural community conservation plan. The project, as designed, conditioned, and mitigated, would be consistent with the Carmel Area Land Use Plan, and the Monterey County Zoning Ordinance (Title 20) with regard to policy and regulatory conformance (Source: 1, 2). *Therefore, the project will not result in land use impacts.*

11. Mineral Resources: According to the Monterey County Geographic Information System, no mineral resources have been identified at or near the project site, nor is the site located in one of the areas designated by the California Department of Conservation Division of Mines and Geology as a “Regionally Significant Construction Aggregate Resource Area”. Therefore, the project will not result in the loss of availability of a known mineral resource or a locally important mineral resource recovery site (Source: 1, 2). *Therefore, the project will have no impact on mineral resources.*

13. Population/Housing: The property is zoned LDR/1-D (CZ) or “Low Density Residential, one acre minimum with a Design Approval overlay in the Coastal Zone” and will not impact population or housing. The proposed construction of a 4,338 square foot two-story single family dwelling, attached 509 square foot garage, and guesthouse is a low density residential use. The dwelling is intended to house the property owners, will not induce growth, and will not displace housing or people. (Source: IX. 1, 2) *Therefore, the project will have no impact on population or housing.*

14. Public Services: The proposed project will not create the need for new or expanded public services or facilities. The site is currently developed with a single family dwelling, a guesthouse and a detached garage. The project proposes the demolition of the existing guesthouse, conversion of the existing residence to a guesthouse and art studio and the construction of a new single family residence, resulting in the proposed project having the same number of bedrooms on the site after the project as currently exist on the site. Standard school impact fees will be assessed during the building permit process. (Source: IX. 1, 2) *Therefore, the project will not result in impacts on fire protection, police protection, schools, parks, and other public facilities*

15. Recreation: The project would not result in an increase in use of existing recreational facilities such as the Point Lobos State Reserve or the lateral access Spindrift Drive provides to the Yankee point area or physical deterioration of said facilities. No parks, trail easements, or other recreational opportunities would be adversely impacted by the proposed project. The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights. The subject property is not indicated as part of any designated trails or shoreline access as shown in Figure 3 of the Public Access Maps shown in the Carmel Area Land Use Plan. The project does not include recreational facilities nor will the project require the construction or expansion of recreational facilities in the area, which might have an adverse physical effect on the environment. (Source: IX. 1, 2, 3) *Therefore, the proposed project would not result in impacts related to recreation.*

16. Transportation/Traffic: The project will construct a new two story single-family home and convert an existing residential unit into a guest house with an attached art studio on an existing lot of record. The project proposes approximately 520 cubic yards of cut and fill that will be balanced on site, so truck traffic related to grading will be minimal. Because the project will result in the same number of units on the site, it is not expected to generate additional traffic. The project site is located within a residential area and does not exceed the density allowed in the Carmel Area Land Use Plan. The project will not generate a permanent increase in traffic movements or create new traffic hazards which might result in inadequate emergency access. A standard condition will require the owner to pay the Regional Development Impact Fee (RDIF) pursuant to Monterey General Plan policy C-1.8 to mitigate traffic impacts. The project does not conflict with adopted

public transit plans or the 2010 Monterey County Regional Transportation Plan, nor will it affect or impact any programs regarding public transit, bicycle or pedestrian facilities.

The project site is not located in the vicinity of an airport and would not result in a change in air traffic patterns or result in an increase in traffic levels or a change in location that would result in substantial safety risks. The project will not increase hazards because the project will not change land use or require additional design and improvements to the existing roads (Source IX. 1, 3, & 6). *Therefore, the proposed project would not result in impacts related to traffic transportation systems, pedestrian facilities or public or transit policies, plans or programs.*

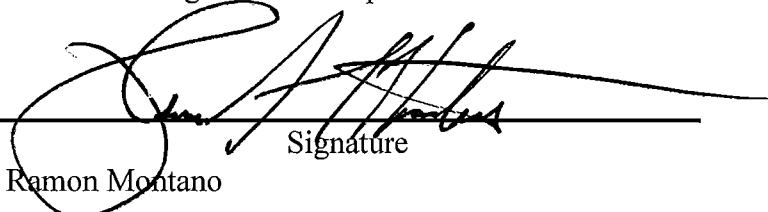
17. Utilities and Service Systems: The existing parcel is served by California American Water (Cal Am) for domestic water and the same connection will be utilized for the proposed project. No additional water fixture units are proposed. The Water Resources Agency has incorporated conditions of approval requiring the property owner to provide them with a completed Monterey Peninsula Water Management District water release form calculate the existing fixture count to be credited towards the proposed project. The existing advanced wastewater treatment system will continue to be utilized for the new project and the leach field will be re-located under the direction of the Environmental Health Bureau., The existing gas, and electric service provided by Pacific Gas & Electric will continue to be utilized. The proposed project will not cause a substantial increase nor exceed the capacity of these utilities and services or cause an increase exceeding the treatment requirements of the California Regional Water Quality Control Board's waste water treatment plan as monitored and controlled by Monterey County Environmental Health Bureau. Solid waste from the project will be collected by the Carmel Marina Corporation (Waste Management, Inc.) and brought to the Monterey Regional Waste Management District's Landfill and Recycling Facility, located near the City of Marina. The landfill has the total capacity of 48 million tons, of which 40 million tons is remaining, which is expected to provide service through the year 2107. Therefore, the landfill is sufficient to accommodate the project's solid waste disposal needs and will have no impact, resulting in compliance with federal, state, and local statutes and regulations related to solid waste. (Source IX. 1, 3, 16, 17). *Therefore, the proposed project would not result in impacts related to utilities and service systems.*

B. DETERMINATION

Based on 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.


March 5, 2013

 Signature Date
 Ramon Montano Assistant Planner

V. EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation

measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3) (D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista? (1, 2, 3 and 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (1, 2, 3 and 6))	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings? (1, 2, 3 and 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (1, 2, 3 and 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion:

1(a), (b), (c) Less Than Significant: The proposed project is located between the first public road and the sea. The public first road identified in the Monterey County Carmel Area Land Use Plan and Geographical Information System is Spindrift Road adjunct to Highway 1, Carmel Highlands, specifically referred to as the Carmel Point area. The project although located within an area identified as visually sensitive is approximately 0.34 miles directly west of scenic Highway 1. The proposed structure is estimated to be approximately 15.8 feet above spindrift lane and will not be visible from scenic Highway 1. The proposed structure is located on a graduated slope downward from spindrift lane a private road but some portions of the roof may be visible from Spindrift Road. The proposed structure at the high point of the roof will be bellow the adjacent topography and residences in the immediate area. The structure will have limited visibility from the surrounding critical areas such as Point Lobos Reserve and public viewing areas along county and state routes, largely due to vegetation and topography. (Source 1, 2, 3 and 6)

The proposed residence is designed in a manor consistent with existing structures on the property using similar materials and colors. The proposed two story residence is sited in the only developable location on the two acre parcel. In order to reduce the profile of the easterly side of the residence the lower fist floor will be below grade thereby reducing the eastern elevation facing east towards the road to a height of 15.8 feet. (Source 1, 2, 3 and 6)

1(d) Less than Significant: The proposed residence is designed with several skylights directly atop the building along the ridge point of the residence. The County employs in areas of visual sensitivity as standard condition the requirement for the property owner to meet the Carmel Area Land Use Plan policies which require exterior lighting to be adequately shielded to control glare. All exterior lighting and skylights will be conditioned to eliminate glare. (Source 1, 2, 3 and 6)

The westerly side of the proposed residence is designed with several large windows. This view is directly west of the coast line and is not expected to increase nighttime glare to the surrounding area

because the westerly side of the structure is parallel to the coast line. Therefore, visibility of the widows is not expected to be a source of significant glare. The project impact will be less than significant with implementation of the County standard condition regulated light and glare. (Source 1, 2, 3 and 6)

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
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: 1, 2, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: 1, 2, 3, 4, 7, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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))? (Source: 1, 2, 3, 6, 7)	<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? (Source: 1, 2, 3, 6, 7)	<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? (Source: 1, 2, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:
See Section IV.A.2**

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? (Source: 1, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 1, 2, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: 1, 2, 5, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in significant construction-related air quality impacts? (Source: 1, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: 1, 2, 5, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people? (Source: 1, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:
See Section IV.A.2

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 Game or U.S. Fish and Wildlife Service? (Source:1,3,8,13)	<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, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: 1,3,8,13)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

4. BIOLOGICAL RESOURCES			Less Than Significant	
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: 1,3,8,13)	<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? (Source: 1,3,8,13)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: 1,3,8,13)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: 1,3,8,13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Carmel Area Land Use Plan identifies rocky intertidal areas and kelp beds as being Environmentally Sensitive Habitat. Map B of the Carmel Area LUP shows that the area along the coast contains both Kelp Beds and intertidal habitat areas, resulting in this proposed development being within 100 feet of Environmentally Sensitive Habitat. The project site does not contain any environmentally sensitive habitat area. A Biological Survey was prepared by Calfauna on November 21, 2011. The survey found that the site is a terraced and walled flower garden with ruderal patches of shrubs and grasses distributed among the flower beds. The vegetation is rough and partially in derelict condition. The survey found that there were not any native plant communities or habitats and that there were not any special-status species present. No special status plant or animal species are either known or expected to occupy the site. The biological survey did identify that there were Monterey Cypress trees on the site which is a regionally native species but is not indigenous to Yankee Point or other places south of Point Lobos. These cypress trees appear to have been planted as a windrow. A tree resource evaluation was prepared by Maureen Hamb addressing the condition and impacts to the Monterey Cypress trees on site from the proposed development.

Discussion/Conclusion/Mitigation:

a), b) Less than significant.

There are not any sensitive or listed species which have been identified on site, so the proposed construction of the new residence will not have an impact on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. The project site is

adjacent to areas identified as Environmentally Sensitive Habitat Areas because they contain kelp beds and intertidal habitat areas. Impacts to these unique habitat areas will be less than significant due to standard County requirements to prevent erosion from leaving the site and controlling irrigation through the planting of drought tolerant native plant materials on the site and using drip irrigation systems. Based upon these factors this will be a less than significant impact.

c) No Impact.

The project will not result in any work in a federally identified wetland, nor will the project as proposed affect any identified wetland area. There will be no direct filling or grading in any wetland, and the project will be conducted in such a way that the only erosion from the site will be from natural erosion along the coastline. Based upon this there will be no impact to wetlands from the proposed project.

d) Less than significant.

The site has not been identified as a wildlife corridor. The subject property is surrounded by other single family residences, and the subject lot is already developed. The Biological survey finds that it is conceivable that wildlife does traverse the property, but the proposed development will not interrupt an existing natural corridor. The Biological survey did not observe evidence that the property is used as a wildlife corridor. If wildlife does currently cross the property, the new residence will not preclude their continued ability to traverse the property. Based upon this the impact to wildlife is less than significant.

e) Less than significant.

The Monterey Cypress trees on site are planted and outside of their native habitat. One is sufficient size to be identified as a land mark tree. All the trees on site will be protected and retained through the construction process. Standard conditions of approval will require that the trees be fenced or protected through other means. The Arborists Report has identified that the trees can be protected through standard project conditioning. Currently the on-site waste water system has a line going through the critical root zone of two trees. A standard condition will be imposed to either relocate the line outside of the critical root zone or to hand trench and not cut any roots within the critical root zone. With standard conditions of approval the impact to the trees on site will be less than significant.

f) No Impact.

The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The only plan that is applicable to the subject site is the Local Coastal Plan adopted by the California Coastal Commission and implemented by Monterey County. As discussed above the project is in compliance with this plan so there is not an impact which would result in this project being inconsistent with any local, statewide or federal plan.

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 as defined in 15064.5? (Source: 1, 3, 6, 7, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: 1, 3, 7, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: 1, 3, 7, 9, 11, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Disturb any human remains, including those interred outside of formal cemeteries? (Source: 1, 3, 7, 9, 11, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

According to County resource maps and the County GIS database, the subject property is located within 750 feet of a known archaeological resource. Pursuant to Section 20.146.090.B.1 of the Coastal Implementation Plan, an archaeological report is required for any development within 750 feet of a known archaeological resource.

The project also proposes modifications to the existing dwelling that was constructed in 1957. Pursuant to criteria from the National Register of Historic Places, a historic assessment is required for structures over 50 years in age. The existing dwelling is known as “The Gull House” which was owned by Kim Novak, a 1950’s motion picture actress.

(a) Less than Significant:

On October 31, 2012, a historical assessment was prepared by historian, Anthony Kirk, Ph.D. **The report determines that the structures on the property do not meet the criteria of the National Register of Historic Places, the California Register of Historical Resources, and the Monterey County Local Register of Historical Resources and, as such, does not comprise a historical resource as defined by the California Environmental Quality Act (CEQA).** Repair work from storm damage in 1983 and 2008 has resulted in significant modifications to the exterior façade of the house. Much of the current character was added in 2008. The house does not embody the distinctive characteristics of type, period, or method of construction, nor does it possess high artistic values or any other distinction that rises to a level of significance. The guest house which will be removed is not viewed as a structure with any significant value. In regards to the previous ownership by Kim Novak, the historical assessment states, “But despite her box-office popularity, the absence of a body of critical reviews or awards, then or later, as well as the lack of a major biography of her, leads to the conclusion that she did not make an important contribution to the American cinema or achieve distinction within the context of performing arts, as required for the property to be eligible for its association with her under Criterion B of the National Register of Historic Places, Criterion 2 of the California Register of Historical Resources, or Criterion A3 of the Monterey County Local Register of Historical Resources. There

(b) Less than Significant:

On November 7, 2011, an archaeological report was prepared by Archaeological Consulting. **The report concludes that no evidence of potentially significant archaeological resources was found.** Though the property is located 400 feet from a known archaeological site (CA-MNT-292), none of the resources associated with that site or with prehistoric cultural resources in the area (dark midden soil, fragments of weathered marine shell, bone fragments, etc...) were observed during field reconnaissance. The County as a standard condition of approval will require all work to stop within 50 meters of the site if archaeological resources are unexpectedly found. Based upon these factors the potential impact to archaeological resources will be less than significant.

(c) & (d) No Impact

No evidence of human remains or paleontological resources was found during the preparation of the project geologic and archaeological surveys. It is not expected that any human remains will be encountered with this project. If they are a standard condition of approval is added to projects with archaeological sensitivity specifying the protocol for evaluating the human remains, and how to treat the remains. Based upon this there is not expected to be an impact.

6. GEOLOGY AND SOILS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: 11) Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking? (Source: 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Source: 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides? (Source: 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Source: 11)	<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? (Source: 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

6. GEOLOGY AND SOILS				
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
d) Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial risks to life or property? (Source: 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

The basis for the answers in this section comes from a Geotechnical Engineering Report prepared by Earth Systems Pacific dated December 2, 2011. A subsequent Bluff Retreat Study was prepared by Earth Systems Pacific dated October 31, 2012.

a.i) No Impact. The site is located in a seismically active area but is outside Alquist Priolo Earthquake fault zones. The site itself is not subject to seismic rupture so there is No Impact

a.ii) Less than Significant. The site is in type B seismic source area as defined by the USGS Working Group on California Earthquake Probabilities. Type B sources are defined as faults that have slip-rate estimates but where data on distribution and timing of previous events are inadequate to estimate recurrence intervals. Type B faults are capable of producing earthquakes of significant magnitude. The San Gregorio Fault is located approximately 2.25 kilometers east of the site. The potential impacts from being located in proximity to this fault can be mitigated to a less than significant level through application of standards in the 2010 California Building Code which the County of Monterey has adopted. Based upon this the impact will be less than significant.

a.iii, a.iv) No Impact. Based on the Monterey County Relative Liquefaction Susceptibility map (L.I. Rosenberg, December 18, 2001) the site is in an area having a low liquefaction potential, and potentially liquefiable soils were not encountered in the borings conducted by Earth Systems Pacific. There is No Impact related to potential liquefaction. The topography and grading on the site do not raise a concern for landslides. The proposed residence will be located approximately 40 feet back from the top of the bluff. The proposed building will be anchored in granitic bedrock so there is No Impact associate with the potential for landslides.

b), c), d). No Impact. The project will not result in substantial soil erosion or loss of top soil. The project is limited in area (approximately 4,000 square feet.) Standard conditions of approval related to grading and erosion prevention will prevent erosion from the small area that is disturbed resulting in a finding of No Impact. The project is not located on a geologic unit that is unstable or would become unstable as a result of the project. The site consists of 2.5 feet to 6 feet of loose to dense silty sand over granitic bedrock. This soil type is not subject to liquefaction and it is not an expansive soil or landslide resulting in a finding of No Impact.

e) **Less Than Significant.** For purposes of a septic system the soils are fairly shallow over granitic bedrock. For this reason the existing residence is served by an alternative onsite wastewater treatment system, providing additional treatment of the septic discharge. The leach field for the system will be relocated as part of the proposed project. The potential impact is less than significant.

7. 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? (Source: 1, 2, 5, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Source: 1, 2, 5, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

a), b) Less than Significant.

Greenhouse gases such as Carbon Dioxide and Methane contribute to the “ozone” effect that leads to global warming. Generally, development of an existing lot of record for residential purposes is not a significant contributor to the global problem; however, the project will involve temporary and stationary sources that generate minor amounts of greenhouse gas emissions.

The proposed development would generate greenhouse gas emission through use of construction equipment and vehicle trips. Use of construction equipment is anticipated to be intermittent and limited to site preparation and some construction activities. Pollutant emissions resulting from heavy equipment use during construction are not anticipated to exceed any thresholds of significance or significantly contribute to greenhouse gas effects on the environment. The same applies to the minor addition of vehicle traffic associated with construction of a new single family dwelling.

For the stationary sources, the building code requires new development to use energy efficient furnaces and water heaters to comply with Title 24. The applicant is also encouraged to consider the use of solar panels (preferably roof mounted) to help generate electricity for the proposed dwellings and off-set some additional stationary source impacts.

All of these impacts are anticipated to provide minuscule and nearly immeasurable contributions of greenhouse gases when viewed in connection with the global contributions on a cumulative basis. It is not anticipated that greenhouse gases generated by the proposed project would have a significant impact on the ozone or the environment.

Monterey County does not have an adopted plan for the reduction of greenhouse gases. Preparation of such a plan has begun, but is not yet applicable. Instead, the project is considered in terms of the multiple State and Federal laws passed regarding this subject. It is difficult to

implement the goals of the various legislations on a small project-level basis such as this project. Rather climate action plans are being developed, and the Office of Planning and Research (OPR) recommend that each jurisdiction establish their own thresholds of significance. Monterey County has not adopted either a climate action plan or thresholds of significance, but it can be inferred from other agencies, including the California Air Resources Board (ARB) (whose thresholds have been established) and the current environmental practices that the development of a new single family dwelling would not substantially conflict with greenhouse gas reduction planning. GHG sources targeted in such plans generally involve vehicle miles traveled reductions, waste diversions, and technologies such as electric vehicles, and renewable energy sources, not single residential projects. Therefore, the project is considered less-than-significant in regards to greenhouse-gas emissions. (Source: 1, 2, 5, 7)

8. 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? (Source: 1, 2, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: 1, 2, 3, 6, 7)	<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? (Source: 1, 2, 3, 6, 7)	<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? (Source: 1, 2, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: 1, 2, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source: 1, 2, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 1, 2, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: 1, 2, 3, 6, 7)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:
See Section IV.A.8.

9. 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? (Source: 1, 3, 6, 7, 11, 15, 17)		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Source: 1, 3, 6)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial <u>erosion or siltation</u> on- or off-site? (Source: 1, 3, 6, 7, 11)		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in <u>flooding</u> on- or off-site? (Source: 1, 6, 7, 11)		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 1, 6, 7, 11)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? (Source: 1, 3, 6, 7, 11)		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

9. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source: 1, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: 1, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Source: 1, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? (Source: 1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

a) – Less than Significant: The project site is located on a coastal bluff above the Pacific Ocean. Because of the site’s proximity to the ocean, the potential exists for impervious surface drainage or wastewater to impact water quality of the ocean. The project includes the demolition of the existing guesthouse and the construction of a new single family residence with associated site improvements, including the installation of a new leach field. The number of bedrooms on the site will remain the same, as will the amount of water used and wastewater produced. The existing septic system consists of an on-site wastewater treatment system with a standard leach field that is located where the new residence will be built.

As part of the proposed project, the existing on-site wastewater treatment system will continue to be utilized but the septic effluent will be disposed in a new leach field composed of shallow subsurface trenches in the northeast portion of the property, to the northeast of the road. In this type of system, because of the shallowness of the disposal area, the majority of the nutrients remaining in the effluent after treatment are taken up by plants and a high percentage of the water evaporates into the air through evapotranspiration. The onsite wastewater treatment system also meets all of the requirements of the County’s Onsite Wastewater Management Plan (OWMP) for the Carmel Highlands. Thus, the project will result in a smaller amount of higher quality water absorbing into the ground on the site from the septic system and fewer impacts to water quality due to effluent draining from the site.

The standard condition requiring an engineered drainage plan to mitigate on-site and off site impacts from impervious surface stormwater runoff has been imposed on the project and will prevent impacts to water quality due to stormwater drainage. The project has also been conditioned to require submittal of an erosion control plan that includes temporary as well as permanent measures to prevent erosion, siltation and movement of materials off the site or into the ocean. This

standard condition will prevent impacts to water quality due to erosion. Therefore, impacts to water quality standards or wastewater discharge requirements will be less than significant.

b) – No Impact: The existing residence and guesthouse on the site are currently served domestic water by California American Water Company (CalAm) and the new residence and guesthouse will utilize the same water connection. It is not anticipated that additional water from CalAm will be required to serve the project because the use of the property will remain the same and the number of water fixture units used will be the same after the project. No wells are proposed and the project will result in no withdrawals of groundwater on the site.

The project site is located on a bluff above the Pacific Ocean. According to the geotechnical report prepared for the project, the site is underlain by degraded granitic material to about 9 feet below the surface with hard rock below that. No subsurface water was encountered during soil borings conducted on the site in November of 2011. The project site is located at a lower elevation than other nearby properties to the north, south and east and no wells are located in the vicinity of the project site. There will be no impact to groundwater supply or recharge.

c) and d) – Less than Significant: The project site is located on a coastal bluff above the Pacific Ocean with no streams or rivers crossing the site at any point. Drainage for the currently developed areas of the site will not change. The existing residence is located on the edge of the bluff and drainage for that structure is currently directed to the rock bluff. The construction of the new residence, drive and walkway will result in an increase in impervious surfaces over the existing condition. As discussed in 9 (a) above, the standard condition requiring an engineered drainage plan that addresses on-site and off-site impacts has been imposed on the project. The project site is located at a lower elevation than adjacent properties and drainage from the site does not and will not cause flooding. The impact to drainage will be less than significant.

e) - No Impact: The project site does not drain to a stormwater drain system. The site is a bluff on the Pacific Ocean and drains to the ocean. There will be no impacts to any existing stormwater drain system. As discussed above in 9 (a), (c) and (d), the standard condition requiring an engineered drainage plan addressing on-site and off-site drainage impacts has been imposed on the project. There will be no impact.

f) – Less than significant impact: As discussed above in 9 (a), (c) and (d), implementation of the standard conditions of approval addressing erosion and drainage impacts that have been imposed on the project will prevent impacts to water quality. The impact to water quality will be less than significant.

g), h) – No Impact: The project site is located in FEMA Flood Insurance Rate Map Panel No. 06053C-0480G, effective April 2, 2009. It is in Zone X, which is not considered to be subject to inundation due to flooding and is not within a 100-year hazard area. There will be no impact due to housing or structures being placed within a 100-year hazard area.

i) – No Impact: The project site is located in FEMA Flood Insurance Rate Map Panel No. 06053C-0480G, effective April 2, 2009. It is in Zone X, which is not considered to be subject to inundation due to flooding. The Monterey County Local Hazard Mitigation Plan maps show the project site as not being within a dam failure hazard area. There will be no impact due to flooding.

j) – No Impact.: There are no bodies of water in the vicinity of the project site that are large enough to produce a seiche that could impact the project. The project site is located on a bluff above the Pacific Ocean. According to the Tsunami Inundation Maps prepared by the California Department of Conservation, the project site is located above the tsunami inundation line. Based on the information in the Monterey County GIS, the project site is located in an area of low landslide susceptibility. There will be no impact due to tsunami, seiche or mudflow.

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

Discussion/Conclusion/Mitigation:

See Section IV.A.10.

11. 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 Section IV.A.11.

12. NOISE				
Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 1, 2, 7, 11, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? (Source: 1, 2, 7, 11, 15, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1, 2, 7, 11, 15, 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source:)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1, 7, 14, 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

(a), (b) and (d)– Less than Significant: The project involves the demolition of the existing guesthouse, remodeling of the existing residence to convert it to a guesthouse and art studio and the construction of a new residence on a 2 acre site. As discussed above in 12(c), the project will not result in a permanent increase in the ambient noise levels in the vicinity of the project site. However, the project will result in a temporary increase in ambient noise levels associated with construction activities during the period of construction. The new residence will be built into the slope, with the finished (lower) floor of the eastern side of the house approximately 6 feet below the existing grade. The geotechnical study prepared for the project documents the existence of moderately hard, degraded rock to a depth of about 9 feet below existing grade and hard rock at levels 8.5 – 9.0 feet below the existing grade. Heavy equipment will be required to make the excavations for the lower level and retaining wall footings, possibly including jackhammers or similar equipment that create noise and vibration. According to the U.S. Department of Transportation Construction Noise Handbook, jackhammers produce between 85dbA and 89dbA measured 50 feet away. This would be slightly over the maximum allowed by Monterey County Code Chapter 10.60, which limits that machines or equipment not produce a noise that exceeds 85dbA measured 50 feet away. In this case, the nearest residence is located approximately 100 feet

to the east and uphill from the project site and the second nearest about 200 feet to the north. The temporary noise will be attenuated to some extent by distance, intervening topography, and vegetation. The County does not have a standard for ground borne vibration, however the ground borne vibration generated by the project will be temporary and limited to the construction period. The standard condition of approval requiring a construction management plan that incorporates limiting hours of operation of noise producing equipment to 8:00 am to 5:00 pm will ensure that impacts due to temporary construction noise and vibration will be less than significant.

(c) – No Impact: Existing development on the site includes a single family residence and guesthouse with an attached garage. The project involves the construction of a new residence, conversion of the existing residence to a guesthouse and art studio and the demolition of the existing guesthouse. The project will not result in any change to the residential use of the property or any permanent increase or change in the ambient noise levels in the project vicinity above levels existing without the project. There will be no impact.

(d) – Less than Significant: Noise 12(e) – No Impact: The nearest public use airport is the Monterey Airport, approximately 8 miles to the northeast. According to the Comprehensive Land Use Plan (CLUP) for Monterey Peninsula Airport, the project site is not located within the CLUP area, nor is it located within the area identified on either the Airport Approaches Zoning Map (CLUP Figure 2) or the Noise Exposure Map (CLUP Figure 3). Therefore, aircraft noise will not impact the project.

(f) – No Impact: A review of county records and a reconnaissance of the area surrounding the project site show that there are no personal use airports operating in the vicinity (i.e. the area that could be impacted by take offs and landings which generate the most noise) of the project site. There will be no impact.

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

Discussion/Conclusion/Mitigation:

See Section IV.A.13.

14. 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"/>
e)	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:
See Section IV.A.14.

15. 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 Section IV.A.15.

16. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with the goals, objectives, and policies of the 2010 Regional Transportation Plan for Monterey County, including, but not limited to level of service standards and travel demand measures, or other standards established by the Transportation Agency for Monterey County (TAMC) for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section IV.A.16.

17. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section IV.2.17.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

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

Discussion/Conclusion/Mitigation:

a) Less Than Significant: The existing development pattern on site has resulted in the loss of the natural habitat which would have existed on site prior to development. The context of the proposed project is an area developed with single family residences. The proposed project does not have the potential to substantially reduce fish or wildlife species on the project site. The site is adjacent to the Pacific Ocean and Environmentally Sensitive Habitat of Kelp Beds and Intertidal Habitats. These habitats will be protected through the construction process, implementation of erosion prevention measures and re-establishment of native plant species on the site. The site is in an area where cultural resources have previously been found, but the surveys prepared for the subject site has determined that it is unlikely for the site to contain any archaeological resources. *Based upon these factors, the impact is determined to the Less than Significant.*

b) Less Than Significant. The proposed project will not adversely affect sensitive resources in such a way that the project impacts are less than significant but the cumulative impacts would be significant. The project would redevelop a site that has previously been developed in an area which was an ornamental garden.

c) **Less than Significant.** The proposed project will not result in a significant impact upon environmental factors which would result in either a direct or indirect impacts on human beings. The project will not significantly impact Aesthetics, Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation and Traffic, and Utility and Service Systems, and thus the impact is determined to be less than significant.

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors* (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

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

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

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

Conclusion: The project (will/will not) be required to pay the fee.

Evidence: Based on the record as a whole as embodied in the Planning Department files pertaining to PLN120276 and the attached Initial Study / Proposed (Mitigated) Negative Declaration.

IX. REFERENCES

1. Project Application/Plans contained in File Number PLN120276.

2. Monterey County 2010 General Plan.
3. Carmel Area Land Use Plan and Coastal Implementation Plan Part 4
4. Title 20 of the Monterey County Code (Zoning Ordinance)
5. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised June 2008. <http://www.mbuapcd.org/index.cfm/Cat/66.htm>
6. Site visits conducted by the project planner in May 4, of 2012.
7. Monterey County Planning Department GIS system and selected property report for Assessor's Parcel Number 241-321-002
8. Biological Report, prepared by Jeffery B. Froke, Ph.D., dated November 21, 2011. 3158 Bird Rock Road, Pebble Beach, CA 93953.
9. Preliminary Archaeological Reconnaissance, prepared by Archaeologist Consulting, dated November 7, 2011.
10. Historical Assessment prepared by Anthony Kirk, Ph.D., dated October 31, 2012. 134 McCormick St., Santa Cruz, CA 95062
11. Geotechnical Engineering Report prepared by Earth Systems Pacific, dated November 3, 2011. 15614 Moffett St., Suite G Salinas, CA 93905.
12. Geotechnical addendum (Bluff Retreat Study) Engineering Report prepared by Earth Systems Pacific, dated November 3, 2011. 500 Park Center Dr., Suite 1 Hollister, CA 95023.
13. Arborist Report prepared by Maureen Hamb-WCISA Certified Arborist WE2280 Professional Consulting Services, dated June 29, 2012. 849 Almar Ave. Suite C#319 Santa Cruz, CA 95060.
14. Monterey County Assessor's Database.
15. Monterey County Codes Chapters 10.60., and 18.03, 18.16, 18.17
16. Monterey Regional Waste Management District website. <http://www.mrwmd.org/pdf/mrwmd%20annual%20report%202008%20.pdf>
17. Onsite Wastewater Management Plan Ordinance http://www.mtyhd.org/images/stories/Environmental_Health/PDF/EXHIBIT_A_Revised_12-15-09.pdf
18. U. S. Department of Transportation website. http://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/handbook09.cfm accessed February 27, 2013.
19. Comprehensive Land Use Plan for Monterey Peninsula Airport, Monterey County Airport Land Use Commission, Adopted March 23, 1987

X. ATTACHMENTS

1. Site Plan

