

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: Yeung Gabriel M Tr**Lead Agency:** County of Monterey Housing & Community Development**Contact Person:** Fionna Jensen**Mailing Address:** 1441 Schilling Place South 2nd Floor**Phone:** (831) 796-6407**City:** Salinas**Zip:** 93901**County:** Monterey**Project Location:** County: Monterey City/Nearest Community: Carmel**Cross Streets:** Yankee Point Dr, Carmel Riviera Dr, Highway 1 **Zip Code:** 93923**Longitude/Latitude (degrees, minutes and seconds):** _____ " N / _____ " W **Total Acres:** 0.61**Assessor's Parcel No.:** 243-152-005-000**Section:** _____**Twp.:** _____**Range:** _____**Base:** _____**Within 2 Miles:** State Hwy #: Highway 1**Waterways:** Pacific Ocean**Airports:** N/A**Railways:** N/A**Schools:** N/A**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: Design Approval**Development Type:**☒ Residential: Units 1 Acres 0.61☐ 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: Tribal Cultural**Present Land Use/Zoning/General Plan Designation:**Low Density Residential, 1 unit/acre, Design Control overlay, 20-foot height limit & Resource Conservation, Design Control overlay, 20-foot height limit**Project Description:** *(please use a separate page if necessary)*

Combined Development Permit consisting of: 1) Coastal Administrative Permit and Design Approval to allow alterations to an existing 2,153 square foot single family dwelling, demolition of a 292 square foot garage; and construction of a 772 square foot detached garage, construction of a 633 square foot detached writing studio, installation of a 685 square foot ground-mounted solar system, and associated site improvements; and 2) Coastal Development Permit to allow development within 750 feet of known archaeological resources.

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".

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

Lead Agency (Complete if applicable):

Signature of Lead Agency Representative: Konnie Knowlton Date: 07/22/2024

Fionna Jensen, Senior Planner, HCD-Planning

Revised 2010

County of Monterey
State of California

MITIGATED NEGATIVE DECLARATION

FILED

JUL 24 2024

XOCHITL MARINA CAMACHO
MONTEREY COUNTY CLERK
DEPUTY

Project Title:	Yeung Gabriel M Tr
File Number:	PLN210268
Owner:	Yeung Gabriel M Tr
Project Location:	62 Yankee Point Drive, Carmel
Primary APN:	243-152-005-000
Project Planner:	Fionna Jensen
Permit Type:	Combined Development Permit
Project Description:	Combined Development Permit consisting of: 1) Coastal Administrative Permit and Design Approval to allow alterations to an existing 2,153 square foot single family dwelling, demolition of a 292 square foot garage; and construction of a 772 square foot detached garage, construction of a 633 square foot detached writing studio, installation of a 685 square foot ground-mounted solar system, and associated site improvements; and 2) Coastal Development Permit to allow development within 750 feet of known archaeological resources.

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

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

Decision Making Body:	Zoning Administrator
Responsible Agency:	County of Monterey
Review Period Begins:	July 24, 2024
Review Period Ends:	August 23, 2024

Further information, including a copy of the application and Initial Study are available at the Monterey County Housing & Community Development, 1441 Schilling Place South, 2nd Floor, Salinas, CA 93901/(831) 755-5025

COUNTY OF MONTEREY

HOUSING AND COMMUNITY DEVELOPMENT

Planning – Building – Housing
1441 Schilling Place, South 2nd Floor
Salinas, California 93901-4527
(831) 755-5025



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

NOTICE IS HEREBY GIVEN that Monterey County Housing & Community Development has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for a Combined Development Permit (Yeung Gabriel M Tr, File Number PLN210268) at 62 Yankee Point Drive, Carmel (APN 243-152-005-000) (see description below).

The Mitigated Negative Declaration and Initial Study, as well as referenced documents, are available for review at Monterey County Housing & Community Development – Planning, 1441 Schilling Pl South 2nd Floor, Salinas, California. The Mitigated Negative Declaration and Initial Study are also available for review in an electronic format by following the instructions at the following link:

<https://www.countyofmonterey.gov/government/departments-a-h/housing-community-development/planning-services/current-planning/general-info/recent-environmental-documents> .

The Planning Commission will consider this proposal at a meeting on a later date in the Monterey County Board of Supervisors Chambers, 168 West Alisal Street, Salinas, California. Written comments on this Mitigated Negative Declaration will be accepted from **July 24, 2024** to **August 23, 2024**. 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 alterations to an existing 2,153 square foot single family dwelling, demolition of a 292 square foot garage; and construction of a 772 square foot detached garage, construction of a 633 square foot detached writing studio, installation of a 685 square foot ground-mounted solar system, and associated site improvements; and 2) Coastal Development Permit to allow development within 750 feet of known archaeological resources.

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 Agency also accepts comments via e-mail or facsimile but requests that you follow these instructions to ensure that the Agency has received your comments. To submit your comments by e-mail, please send a complete document including all attachments to:

CEQAcomments@countyofmonterey.gov

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 Agency to ensure the Agency 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 Agency to confirm that the entire document was received.

For reviewing agencies: Housing & Community Development 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 Agency 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
Housing & Community Development
Attn: Fionna Jensen
1441 Schilling Pl South 2nd Floor
Salinas, CA 93901

Re: Yeung Gabriel M Tr.; File Number PLN210268

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

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

COMMENTS: _____

DISTRIBUTION

1. State Clearinghouse (1 copy of the Executive Summary & Notice of Completion)
2. County Clerk's Office
3. CalTrans District 5 (San Luis Obispo office)
4. California Coastal Commission
5. Association of Monterey Bay Area Governments
6. Monterey Bay Air Resources District
7. California Department of Fish & Wildlife, Region 4, Renee Robison
8. Louise Miranda-Ramirez, C/O Ohlone/Costanoan-Esselen Nation
9. Monterey County Regional Fire Protection District
10. Monterey County HCD-Engineering Services
11. Monterey County HCD-Environmental Services
12. Monterey County Environmental Health Bureau
13. Yeung Gabriel M Tr., Owner
14. Tai Tang C/O Studio Schicketanz, Applicant
15. The Open Monterey Project
16. LandWatch Monterey County
17. Property Owners & Occupants within 300 feet (**Notice of Intent only**)

Distribution by e-mail only (Notice of Intent only):

18. U.S. Army Corps of Engineers (San Francisco District Office: Katerina Galacatos: galacatos@usace.army.mil)
19. Juan Barboza (jbarboza@nccrc.org)
20. Molly Erickson (Erickson@stamplaw.us)
21. Margaret Robbins (MM_Robbins@comcast.net)
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23. Monterey/Santa Cruz Building & Construction (Office@mscbctc.com)
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25. Jack Wang (Jack.Wang@amwater.com)
26. Jeana Arnold (jeana.arnold@pge.com)
27. Louise Miranda-Ramirez (Ramirez.louise@yahoo.com)
28. Mimi Sheridan (mimisheridan@msn.com)
29. California Department of Fish & Wildlife (r4ceqa@wildlife.ca.gov)
30. Michael Lozeau C/O Lozeau Drury LLP (michael@lozeaudrury.com)
31. Juliana Lopez C/O Lozeau Drury LLP (juliana@lozeaudrury.com)
32. California Department of Fish & Wildlife, Marine Region (r7ceqa@wildlife.ca.gov)

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INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title:	Yeung Gabriel M Tr
File No.:	PLN210268
Project Location:	62 Yankee Point Drive, Carmel
Name of Property Owner:	Yeung Gabriel M Tr
Name of Applicant:	Studio Schicketanz
Assessor's Parcel Number(s):	243-152-005-000
Acreage of Property:	26,566 square feet (0.61 acre)
General Plan Designation:	Low Density Residential
Zoning District:	Low Density Residential, 1 unit per acre, with a Design Control overlay and a 20-foot height limit (Coastal Zone) [LDR/1-D(20)(CZ)] and Resource Conservation with a Design Control overlay and a 20-foot height limit (Coastal Zone) [RC-D(20)(CZ)]
Lead Agency:	County of Monterey Housing and Community Development
Prepared By:	Harris & Associates
Date Prepared:	March 5, 2024
Contact Person:	Fionna Jensen, Senior Planner, County of Monterey Housing and Community Development Department
Phone Number:	(831) 796-6407

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project:

The Yeung Gabriel M. TR. Project (“proposed project” or “project”) is located at 62 Yankee Point Drive, Carmel (Assessor's Parcel Number 243-152-005-000), in unincorporated Monterey County (**Figure 1**). The subject property is currently developed with a single-family dwelling, guesthouse, detached garage, driveway, and fencing. The proposed project involves the alterations to an existing 2,153-square-foot single-family dwelling, demolition of a 292-square-foot garage, and construction of a 772-square-foot detached garage, a 633-square-foot detached non-habitable writing studio, and associated site improvements. Alterations to the existing residence include an internal remodel, enclosing an existing patio on the south wing of the residence with a glass dome to create an approximately 160-square-foot bathroom addition, and installation of an exterior door on the southern façade. The proposed site modifications include installation of 260 feet linear feet of landscaping walls, fencing and gates, 685 square feet of ground-mounted solar, and new driveway materials to replace an existing driveway. Grading associated with the project would involve approximately 207 cubic yards of cut and 215 cubic yards of fill. The existing 249-square-foot guesthouse would remain on site and not be modified or altered as part of the project.

The required Combined Development Permit would consist of the following entitlements:

- 1) Coastal Administrative Permit and Design Approval to allow alterations to an existing 2,153 square foot single family dwelling, demolition of a 292-square-foot garage; and construction of a 772-square-foot detached garage, construction of a 633-square-foot detached writing studio, installation of a 685-square-foot ground-mounted solar system, and associated site improvements; and
- 2) Coastal Development Permit to allow development within 750 feet of known archaeological resources.

B. Surrounding Land Uses and Environmental Setting: The proposed project involves development at 62 Yankee Point Drive (Assessor's Parcel Number 243-152-005-000) in the unincorporated Carmel Highlands area of Monterey County. The 26,566-square-foot project site is currently developed with a 2,153-square-foot single-family residence and a 248-square-foot guest house. No changes are proposed to guesthouse. The project site is located approximately 1.5 miles south of Point Lobos State Park and adjacent to the Pacific Ocean. See vicinity map (**Figure 3**).

The project site is situated on the coast within a developed single-family residential neighborhood, located within the Coastal Zone. Uses in the immediate vicinity consist primarily of single-family residences and accessory units. The project site and the surrounding area are zoned for low density residential and coastal resource uses. Vegetation on site and on surrounding properties consists primarily of planted native and non-native shrubs and trees.

Based on County of Monterey GIS data (Source: IX. 8), the project site is in a documented area of high archaeological sensitivity. Specifically, it is located within a known archaeological site initially recorded in 1947. Although located in an area of high sensitivity and known resources,

the Cultural Resource Evaluation (Source: IX. 10 and IX. 11) prepared for the project site identified only sparse archaeological resources in the form of low- to moderate-density marine shell. Project work would have a less than significant impact on cultural and tribal cultural resources with mitigation measures incorporated. See Sections VI.5 and VI.18 (Cultural Resources and Tribal Cultural Resources, respectively) below for further discussion.

The project area is located in a State Responsibility Area (SRA) and is designated as a Very High Fire Hazard Severity Zone. To reduce wildfire risk to the project site, the proposed development would include the following:

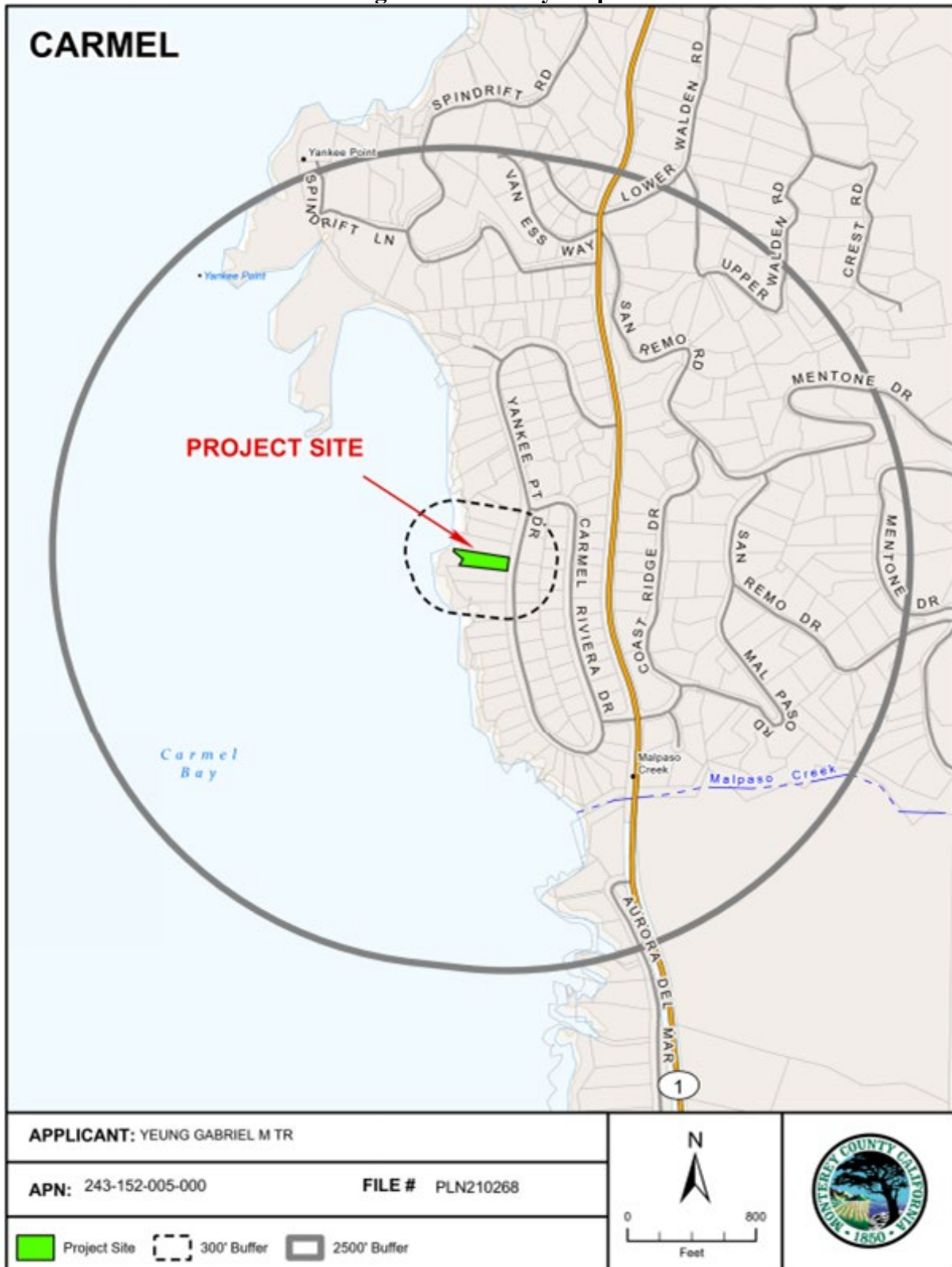
- Construction according to the latest California Building Code standards, and any additional restrictions or requirements adopted locally by the Carmel Highlands Fire Protection District;
- Installation and maintenance of defensible space areas within 100 feet of all project structures, consistent with Public Resources Code 4291; and
- Maintenance of an existing 12 foot-wide (minimum) on-site access road and fire truck turnaround.

C. Other public agencies whose approval is required: The County of Monterey's Local Coastal Program (LCP) has been certified by the California Coastal Commission; therefore, the County is authorized to issue coastal development permits. Subsequent to approval of the required discretionary permit (entitlement) identified above, the applicant would be required to obtain ministerial permits (e.g., construction permit) from County of Monterey Housing and Community Development (HCD) – Building Services. No other public agency approvals would be required. However, approval of this entitlement would be subject to appeal to/by the California Coastal Commission.

[illegible]

[illegible]

Figure 3 – Vicinity Map



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	☒	Air Quality Mgmt. Plan	☒
Specific Plan	☐	Airport Land Use Plans	☐
Water Quality Control Plan	☐	Local Coastal Program-LUP	☒

General Plan: Within the coastal areas of unincorporated Monterey County, the 1982 General Plan policies apply where the LCP is silent. This typically is limited to noise policies, as the LCP policies contain the majority of development standards applicable to development in the coastal areas. The project would involve demolition of an existing garage and construction of a detached garage and detached writing studio, with associated site improvements, on a parcel with an existing single-family residence in the Yankee Point neighborhood, is consistent with the noise policies of the 1982 General Plan, and would not create any noise other than minor and temporary construction noise (Source: IX. 2). **CONSISTENT**

Air Quality Management Plan: The 2008 Air Quality Management Plan (AQMP), and 2012–2015 update, for the Monterey Bay Region address attainment and maintenance of state and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB), including the project site. California Air Resources Board (CARB) uses ambient data from each air monitoring site in the NCCAB to calculate Expected Peak Day Concentration over a consecutive 3-year period. The closest air monitoring site in Carmel Valley has given no indication during project review that demolition of a structure and construction of accessory structures on a site with an existing single-family residence in the Yankee Point neighborhood would cause significant impacts to air quality or greenhouse gas (GHG) emissions (Source: IX. 6). **CONSISTENT**

Local Coastal Program: The project is subject to the Carmel Area LUP, which is part of the Certified LCP for Monterey County. This Initial Study discusses consistency with relevant LUP policies in Sections IV and VI. County staff reviewed the project for consistency with the policies of the Carmel Area LUP and the regulations of the associated Coastal Implementation Plan (CIP, Part 4). In addition, staff reviewed the project for consistency with the site development standards required by the applicable zoning ordinance (Title 20; CIP, Part 1). As discussed herein, the project involves demolition of a garage and construction of a detached garage and detached writing studio, with associated site improvements, including the construction of 260 linear feet of landscaping walls, fencing, and gates, a new 685-square-foot ground-mounted solar system, and replacement driveway on a developed lot with an existing single-family residence. The project involves development within 750 feet of known archaeological resources. The parcel is zoned Low Density Residential, 1 unit per acre, with a Design Control overlay and a 20-foot height limit (Coastal Zone) [LDR/1-D(20)(CZ)] and Resource Conservation with a Design Control overlay and a 20-foot height limit (Coastal Zone) (RC-D[20][CZ]). As proposed, conditioned, and mitigated, the project is consistent with the Carmel Area LCP (Source: IX. 3). **CONSISTENT**

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

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

- | | | |
|--|---|--|
| ☒ Aesthetics | ☐ Agriculture and Forest Resources | ☐ Air Quality |
| ☒ Biological Resources | ☒ Cultural Resources | ☐ Energy |
| ☒ Geology/Soils | ☐ Greenhouse Gas Emissions | ☐ Hazards/Hazardous Materials |
| ☐ Hydrology/Water Quality | ☒ Land Use/Planning | ☐ Mineral Resources |
| ☐ Noise | ☐ Population/Housing | ☐ Public Services |
| ☐ Recreation | ☐ Transportation/Traffic | ☒ Tribal Cultural Resources |
| ☐ Utilities/Service Systems | ☐ Wildfires | ☒ Mandatory Findings of Significance |

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

- ☐ Check here if this finding is not applicable

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

EVIDENCE:

1. Aesthetics. See Section VI.1.
2. Agriculture and Forest Resources. See Section VI. II . The project site is located in an existing residential neighborhood zoned for low-density residential development and designated as

Urban and Built-Up Land under the California Department of Conservation Farmland Mapping and Monitoring Program. The proposed development would not result in conversion of farmland to non-agricultural uses, would not conflict with zoning for agricultural uses, and would not result in other changes that would impact agricultural lands. Also, the project site is not under a Williamson Act contract nor located in or adjacent to agriculturally designated lands.

An Arborist Report prepared for the proposed development by Denise Duffy & Associates, Inc. (Monterey County Document No. LIB220318; Source: IX.17), inventoried four trees within the property. Tree species identified include three Monterey cypress and one New Zealand Christmas tree. No tree (native or non-native) would be removed. As proposed, the development would not conflict with zoning for forest land, would not result in loss of forest land or conversion of forest land to non-forest use, and would not result in other changes that would impact forest lands. *Therefore, the proposed project would not result in impacts to agriculture or forest resources.* (Source: IX. 1, 3, 4, 8, 16, 17)

3. Air Quality. The project site is located within the NCCAB, which is under the jurisdiction of the Monterey Bay Air Resources District (MBARD). Impacts to air quality from construction-related activities would be minor and temporary in nature. Construction would involve equipment typically involved in residential construction projects, such as excavators and trucks. The project would not result in the emission of substantial amounts of criteria pollutants. Temporary construction-related impacts would not violate any air quality standards or obstruct implementation of the MBARD AQMP. Operational emissions would be minimal and are accounted for in the existing single-family residence on site. *Therefore, the proposed project would not result in impacts to air quality.* (Source: IX. 1, 6, 8, 9)
4. Biological Resources. The project site is bordered on the west by the Pacific Ocean and on the north, east, and south by residential uses. The site is developed with a single-family residence and ornamental landscaping. No mapped or field-identified environmentally sensitive habitat areas or sensitive species occur on or within 100 feet of the proposed project. No development, site improvements, or landscaping are proposed west of the main residence, along the coastal bluff. Consistent with Carmel Area LUP General Policy 2.3.3.1, the project would not result in development in critical and sensitive habitat areas. No protected trees would be removed. The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species, nor would it have a substantial adverse effect on any riparian habitat or other sensitive natural community. *Therefore, the project would have no impacts to biological resources.* (Source: IX. 1, 3, 4, 8, 9)
5. Cultural Resources. See Section VI.5.
6. Energy. The project would require energy during construction to operate construction equipment and for worker vehicle trips to and from the site. The proposed site improvements include the demolition of a 292-square-foot garage and construction of a 789-square-foot detached garage, construction of a 633-square-foot detached writing studio, and associated site

improvements (installation of retaining walls, fencing, gates, a replacement driveway, and a new 685-square-foot ground-mounted solar system). Due to the small scale of the project, energy use associated with construction would be nominal and short-term and would not be considered wasteful, inefficient, or unnecessary. Operational energy demand would be minimal and is accounted for in the existing single-family residence on site. Pacific Gas & Electric (PG&E) provides electricity and natural gas to the project site. The project would be required to comply with all standards set in California Building Code (CBC) Title 24, which would minimize the wasteful, inefficient, or unnecessary consumption of energy resources during operation. California's Green Building Standards Code (CALGreen; CBC, Title 24, Part 11) requires implementation of energy-efficient light fixtures and building materials into the design of new construction projects. Compliance with these regulations would ensure the proposed project would not conflict with state or local plans for renewable energy or energy efficiency. *Therefore, the proposed project would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy.* (Source: IX. 1, 5)

7. Geology and Soils. See Section VI.7.
8. Greenhouse Gas Emissions. The project would not incrementally increase gas consumption on the project site and traffic within the vicinity. Temporary construction-related emissions from equipment and machinery would occur. Operational emissions associated with the project would be minimal and are accounted for in the existing single-family residence on site. Monterey County does not have a greenhouse gas reduction plan by which consistency or conflicts can be measured; however, the 2010 General Plan policies contain direction for the preparation of such a plan with guidance on what goals or measures should be accomplished in the development of a plan. (The project is in the coastal area, which is guided by the 1982 General Plan.) The 2030 Monterey County Municipal Climate Action Plan is in the planning stages and the qualitative measures of the previous plan concluded in 2020, so they are not timely for reference with the construction of this project. In addition, the proposed project would not conflict with the policies contained in the Association of Monterey Bay Area Government's 2040 Metropolitan Transportation Plan/Sustainable Communities Strategy, because it only involves minor construction and demolition on a site zoned for and including a single-family residence. *Therefore, the proposed project would not result in significant increases in greenhouse gas emissions or conflict with an applicable plan, policy, or regulation.* (Source: IX. 1, 2, 12)
9. Hazards/Hazardous Materials. Project implementation would require the use of construction equipment typical of residential construction projects, the operation of which could result in a spill or accidental release of hazardous materials, including fuel, engine oil, and lubricant. However, the use and transport of any hazardous materials would be subject to federal, state, and local regulations, which would minimize risk associated with the transport of hazardous materials. Operationally, the project would not involve the use or storage of hazardous materials beyond those typically associated with residential uses. The project site is not located on or within 1,000 feet of a known hazardous materials site, nor is it located near an airport or airstrip. (The nearest airport, Monterey Regional Airport, is approximately 8.4 miles from the

project site.) Given that the project would involve no modification to the existing use (single-family residence), it would not impair or interfere with the adopted emergency response or evacuation plan. The project site is located within the state responsibility area (SRA) in a CAL FIRE-designated Very High Fire Hazard Severity Zone (VHFHSZ). The project would be required to meet County of Monterey Fire Safety codes. See Section IV.20 for additional discussion of wildfire hazards. *Therefore, the proposed project would not result in impacts related to hazards/hazardous materials.* (Source: IX. 1, 7, 8, 12, 23)

10. Hydrology/Water Quality. The proposed project would not violate any water quality standards or waste discharge requirements, nor alter the drainage pattern of the site or area. The proposed project involves the development of a residential garage structure and small writing studio, as well as minor exterior modifications to a site developed with a single-family residence in an established residential neighborhood; therefore, the project would not increase water demand. The Monterey County Environmental Health Bureau (EHB) reviewed the project application and determined the project complies with applicable ordinances and regulations. The project would not expose people or structures to a significant risk involving flooding. The proposed structural development at the site would not place housing within a 100-year flood hazard area, nor impede or redirect flood flows. The proposed structural development would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems. The project would not provide additional sources of polluted runoff or degrade water quality. Tsunami and flooding vulnerability at the site is limited. The elevation of the proposed building site is approximately 67 feet above mean sea level, so the potential for inundation from a tsunami is low. The parcel is not located near a freshwater lake or pond, so the potential for inundation from a seiche or mudflow is also low. Drainage characteristics of the project site would not be altered in a manner that would increase erosion or runoff. In addition, the project would be required to comply with relevant sections of the Monterey County Code that pertain to grading, erosion control, and urban stormwater management (Monterey County Code Chapters 16.08, 16.12, and 16.14). In summary, overall site development would be subject to current regulations regarding control of drainage, and will be required to address post-construction requirements and runoff reduction. *Therefore, the proposed project would not result in any negative impacts related to hydrology/water quality* (Source: IX. 1, 3, 5, 8, 9).

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

12. Mineral Resources. No mineral resources have been identified on the project site or would be affected by this project. *Therefore, the proposed project would not result in impacts to mineral resources.* (Source: IX. 1, 8, 9, 14)

13. Noise. Construction of the proposed project would generate a temporary noise increase in the vicinity of the project due to the use of heavy equipment and machinery typically used during residential construction projects. Construction activities would be required to comply with the County of Monterey Noise Ordinance as described in Monterey County Code Chapter 10.60. The ordinance applies to “any machine, mechanism, device, or contrivance” within 2,500 feet of any occupied dwelling unit and limits the noise generated to 85 dBA at a distance of 50 feet

from the noise source. Noise-generating construction activities are limited to the hours between 7 a.m. and 7 p.m. Monday through Saturday; no construction noise is allowed on Sundays or national holidays. Project construction could also generate a temporary increase in groundborne vibration levels during the excavation and grading phases of project construction. However, pile driving would not be required, and construction activities would not generate excessive vibration levels. Operationally, the project would not result in a substantial permanent increase in ambient noise given that the project involves minor exterior modifications to an existing dwelling and construction of a studio and detached garage on a site developed with a single-family residence. Outdoor use of the site may result in a temporary increase in ambient noise levels; however, noise could not exceed the levels established in Monterey County Code Chapter 10.60.040, which limits “loud and unreasonable” sound during the hours of 9 p.m. to 7 a.m. The project is not located within the vicinity of a public airport or private airstrip. (The nearest airport, Monterey Regional Airport, is approximately 8.4 miles from the project site.) *Therefore, the proposed project would not result in impacts related to noise.* (Source: IX. 1, 2, 3, 5, 21)

14. Population/Housing. The proposed project would involve demolition of an existing garage and construction of a detached garage and detached writing studio, with associated site improvements, on a site with an existing single-family residence. The project would not directly or indirectly induce population growth in the area, and it would not displace, alter the location, distribution, or density of human population in the area in any way, or create a demand for additional or replacement housing. *Therefore, the proposed project would not result in impacts related to population and housing.* (Source: IX. 1, 2, 3, 9, 15)
15. Public Services. The proposed project would involve demolition of an existing garage and construction of a detached garage and detached writing studio, with associated site improvements, on a site with an existing single-family residence and would therefore not create new impacts to public services. The project site is located in an established residential neighborhood served by the Carmel Highlands Fire Protection District, Monterey County Sheriff’s Department, and Carmel Unified School District. The project would have no substantial adverse physical impacts associated with the provision of 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. The project would have no measurable effect on existing public services in that the project would not result in an increase in demand and would not require expansion of services to serve the project. County Departments and service providers reviewed the project application and did not identify any impacts. *Therefore, the proposed project would not result in impacts related to public services.* (Source: IX. 1, 8)
16. Recreation. The project would not result in an increase in the use of existing neighborhood and regional parks and other recreational facilities and would therefore not cause substantial physical deterioration to these facilities. No parks, trail easements, or other recreational opportunities would be adversely impacted by the project, based on review of County records (Figure 3, Public Access Plan, of the Carmel Area LUP). The project would not create new or additional recreational demands, and would not result in impacts to recreation resources.

Therefore, the proposed project would not result in impacts related to recreation. (Source: IX. 1, 3, 8, 9)

17. Transportation. The project involves demolition of a garage and construction of a detached garage and detached writing studio, with associated site improvements, on a site with an existing single-family residence in an established residential neighborhood. The proposed level of development would not generate new traffic nor increase the number of permanent vehicle trips. The contribution of traffic from the proposed project would not cause any roadway or intersection level of service to be degraded nor increase vehicle miles traveled. Construction-related activities would temporarily increase traffic from trips generated by the workers on the construction site; however, no adverse impact is expected to occur due to the small scale of the proposed project. The project would not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. The project would not substantially increase hazards due to a design feature (e.g., there are no sharp curves or dangerous intersections near the project site) or incompatible uses (e.g., the site is zoned to allow residential uses), nor would it result in inadequate emergency access. The project would also not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities or otherwise decrease the performance or safety of such facilities. The project would not intensify existing levels of traffic. *Therefore, the proposed project would not result in impacts related to transportation.* (Source: IX. 1, 2, 3, 4, 8, 9, 12).
18. Tribal Cultural Resources. See Section VI.18.
19. Utilities/Service Systems. The project involves the development of a residential garage structure and small writing studio, as well as minor exterior modifications to a site developed with a single-family residence in an established residential neighborhood. Potable water would continue to be provided by the Carmel Rivera Mutual Water System. The project would not require expansion of existing mutual water system or the on-site wastewater treatment system. Any excess construction materials from the proposed project would be recycled as feasible with the remainder being hauled to landfill. However, the minimal amount of construction waste produced would not affect the permitted landfill capacity. *Therefore, the proposed project would not result in impacts related to utilities and service systems.* (Source: IX. 1, 3, 8)
20. Wildfire. The project site is located in a State Responsibility Area and is classified as a Very High Fire Hazard Zone. However, the proposed project would not pose a risk of fire beyond the normal risks associated with single-family residential development within an established residential neighborhood. The project site and neighborhood are served by the Carmel Highlands Fire Protection District (FPD). Additionally, the project is required to meet all current fire codes. *Therefore, the proposed project would not result in impacts related to wildfire.* (Source: IX. 1, 3, 5, 8, 9, 13, 20, 23).

B. DETERMINATION

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

Fionna Jensen, Senior Planner

County of Monterey Housing & Community Development

July 22, 2024

Date

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 off-site as well as on-site, 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.
- 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? (Source: IX. 1, 3, 8, 9)	☐	☐	☐	☒
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: IX. 1, 3, 8, 9)	☐	☐	☐	☒
c)	Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality. (Source: IX. 1, 3, 8 9)	☐	☐	☒	☐
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: IX. 1, 3, 8, 9)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

The developed portion of the subject property gradually slopes down from Yankee Point Road. However, immediately west of the existing residence, the property steeply drops off and abuts the Pacific Ocean. The subject property is currently developed with a 2,154-square-foot main dwelling, 249-square-foot guesthouse, 292-square-foot detached garage, and associated site improvements including fencing, driveway, and on-site wastewater treatment system. The subject site and existing development not visible from Highway 1 due to distance, topography, and intervening development.

The proposed project involves the demolition of an existing garage and construction of a replacement garage and a detached non-habitable writing studio on a residential lot located at 62 Yankee Point Drive (Assessor's Parcel Number 243-152-005-000) in the unincorporated Carmel Highlands area of Monterey County. Exterior colors and materials consisting of gray board formed concrete exteriors, natural wood and anodized aluminum windows, and a horizontal wood garage door would be compatible with the existing white stucco residence. The proposed garage would have a green, vegetated roof. The proposed writing studio would have a height above average natural grade (ANG) of 10.5 feet while the garage would have a height above ANG of 4 feet 9 inches since it would be constructed partially below grade. The proposed retaining and landscape walls near the proposed garage and writing studio would range in height from 5 feet to 10 feet tall. The six-foot-tall grape staked wood front property line fence and gate would allow for visual passthrough to the Pacific Ocean as the stakes would be placed 4 to 5 inches apart.

Aesthetics 1(a and b) – No Impact

The project site is located in a developed residential neighborhood, and the proposed development would be consistent with other residential development on developed sites in the immediate vicinity. There are no public scenic vistas, corridors or panoramic views within the immediate project vicinity. Further, none of the neighborhood roadways in the immediate vicinity of the project site are designated as Scenic Highways or Routes by Monterey County or the State of California. Yankee Point Drive is not identified on Map A of the Carmel Area Land Use Plan, which depicts the “General Viewshed” as seen from Highway 1, Scenic Road, and public lands. Thus, although Yankee Point Drive is a public road, it is not considered a scenic vista for the purpose of this Initial Study. Highway 1, a state-designated scenic highway is within the vicinity, however, the project site is not visible from Highway 1 due to existing residential development between the highway and project site. Also, no project elements would impact native trees, rock outcroppings, and/or historic buildings. Therefore, as proposed, the project would not substantially affect scenic resources or change the aesthetic quality of the area, and would not result in impacts to a scenic vista nor substantially damage scenic resources within a state scenic highway.

Aesthetics 1(c-d) – Less Than Significant Impact

As described above, the project site is located in a developed residential neighborhood. Consistent with Visual Resources Key Policy 2.2.2 of the Carmel Area LUP, the proposed development harmonizes with, and is subordinate to, the natural scenic character of the area. Pursuant to Title 20 Chapter 20.44, the project parcel and surrounding area are designated as a Design Control Zoning District (“D” zoning overlay), which regulates the location, size, configuration, materials, and colors of structures and fences to assure the protection of the public viewshed and neighborhood character. As noted above, the proposed natural colors and material finishes would be compatible with the existing residence and are consistent with the residential setting. Also, per Carmel Area LUP Policy 2.2.3.6, the proposed development would be subordinate to the environment, using appropriate exterior materials and earth tone colors that give the general appearance of natural materials. The project was referred to the Carmel Highlands/Unincorporated Land Use Advisory Committee (LUAC) for review. The LUAC, at a duly-noticed public meeting on May 15, 2023, reviewed the proposed project and voted 5 – 1 – 1 (5 yes, 1 no, and 1 abstention) to support the project as proposed. At the LUAC meeting, interested members of the public raised concerns regarding the site lighting and use of cement (industrial look), and noted that the site plan appeared “overcrowded.” The project would be required to comply with County standard condition PD014(A), *Lighting – Exterior Lighting Plan*, which directs installation of exterior lighting that does not result in excessive illumination or off-site glare. Further, the proposed colors and materials including cement, would be consistent with the existing development style, and the proposal is compliant with the all-site development standards (setbacks, height, coverage, and floor-area-ratio). Moreover, the surrounding vegetation and distance between the project site and surrounding residences would further minimize any potential light and glare impacts resulting from exterior lighting.

Per Figure 3 of the Carmel Area Land Use Plan the subject property site is located within an area designated as “inappropriate for beach access” but appropriate for lateral (visual) public access.

With heights ranging between 4 feet 9 inches and 10 feet 5 inches above average natural grade, the proposed project would not exceed the height of the main residence and would not block ocean views, when viewed from Yankee Point Drive. Additionally, the proposed garage would have a vegetated or “green” roof, which would help the structure blend in and be subordinate to the environment. Removal of the 24-inch diameter at breast height non-native New Zealand Christmas tree would increase views of the Pacific Ocean, thus increasing lateral access. The proposed front property line fencing would allow for visual access to the ocean. Finally, the project would be conditioned to require that the landscape plan be reviewed and approved prior to issuance of any construction permit from HCD-Building Services. The final landscape plan shall not block, diminish, or decrease ocean views.

Therefore, the proposed project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings and would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. (Source: IX. 1, 3, 8, 9)

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: IX. 1, 8, 16)	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: IX. 1, 3, 4, 8, 16)	☐	☐	☐	☒
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: IX. 1, 3, 4, 8, 17)	☐	☐	☐	☒

2. AGRICULTURAL AND FOREST RESOURCES

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Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d)	Result in the loss of forest land or conversion of forest land to non-forest use? (Source: IX. 1, 8, 17)	☐	☐	☐	☒
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: IX. 1, 16, 17)	☐	☐	☐	☒

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

3. AIR QUALITY

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

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan? (Source: IX. 6)	☐	☐	☐	☒
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? (Source: IX. 6)	☐	☐	☐	☒
c)	Result in significant construction-related air quality impacts? (Source: IX. 1, 6)	☐	☐	☐	☒
d)	Expose sensitive receptors to substantial pollutant concentrations? (Source: IX. 6, 8, 9)	☐	☐	☐	☒

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
e) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Source: IX. 1)	☐	☐	☐	☒

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

4. BIOLOGICAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: IX. 1, 3, 4, 8, 9)	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: IX. 1, 3, 4, 8, 9)	☐	☐	☐	☒
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: IX. 1, 3, 4, 8, 9)	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: IX. 1, 3, 4, 8, 9)	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: IX. 1, 3, 4, 8, 9)	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: IX. 1, 3, 4, 8, 9)	☐	☐	☐	☒

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

The majority of the project site is landscaped with various non-native trees, shrubs, and ground-covering plants including acacia (*Acacia longifolia*), sweet hakea (*Hakea drupaceae*), pride of Madeira (*Echium candicans*), African trailing daisy (*Dimorphotheca fruticosa*), *Agave* sp., and small planted Monterey cypress (*Hesperocyparis macrocarpa*). Three large Monterey cypress trees are also present along the northern property boundary within this vegetation type.

The area west of the existing residence drops off steeply to a coastal bluff and the rocky intertidal zone below and is characterized by low-growing vegetation that is tolerant of high winds and sea spray. The coastal bluff scrub that would typically occupy a coastal bluff landform

in the vicinity of the project site has been replaced over time by escaped ornamental species including rosemary (*Salvia rosmarinus*), *Agave* sp., *Aeonium* sp., and iceplant. These species occupy approximately 90 percent of the bluff on the property. Approximately ten percent of this area contains scattered remnant native species, including California sagebrush (*Artemisia californica*), seaside painted cup (*Castilleja latifolia*), lizardtail (*Eriophyllum staechadifolium*), and seaside daisy (*Erigeron glaucus*). Additionally, no potential wetlands or waters of the U.S. or state or other sensitive habitats were identified within the survey area.

Biological Resources 4(a) and (e) – Less than Significant Impact

The subject property contains existing ornamental landscaping, escaped ornamental plant species occupying the coastal bluff, and other developed areas consisting of existing structures, patios, walkways, and the gravel driveway and parking area. Vegetation is comprised primarily of iceplant (*Carpobrotus edulis*), nonnative annual grasses, ornamental species, and naturalized Monterey cypress trees. Based on the conclusions of the prepared Biological Report (Monterey County Library No. LIB240132; Source: IX. 24), the vegetation types observed on the subject property are not listed as Environmentally Sensitive Habitat Area (ESHA) under the California Coastal Act (CCA) or as sensitive on the California Department of Fish and Wildlife's (CDFW's) *California Natural Communities List* (CDFW, 2024). The project site does not provide a suitable habitat for special-status species. Additionally, the surveyed area was found to not contain any critical habitat as defined by the federal Endangered Species Act (ESA). No special-status plant or wildlife species (including avian species) were observed during the March 6, 2023 survey. Further, no special-status plant or wildlife species is known to occur within the Project site.

The Proposed Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. The Proposed Project would not require the removal of any native trees, nor would the Project require the removal of natural community vegetation.

The prepared Arborist Report (Monterey County Library No. LIB220318; Source IX.17) identified the following applicable policies from the Carmel Area LUP:

Policy 2.2.4.10-e: Existing trees and other native vegetation should be retained to the maximum extent possible both during the construction process and after the development is completed. Landscape screening may be used wherever a moderate extension of native forested and chaparral areas is appropriate. All new landscaping must be compatible with the scenic character of the area and should retain existing shoreline and ocean views.

Policy 2.5.3.3: Restoration of native forest resources is encouraged for public agencies and residents as a means of maintaining and enhancing the Carmel area's natural character. Removal of non-native tree species is encouraged except where such vegetation provides important wildlife habitat.

No tree removal is proposed; however, the prepared Arborist Report did recommend implementation of best management practices and tree protection measures to reduce

construction impacts on nearby native, Cypress trees. Further, various species of raptors, such as red-tailed hawk (*Buteo jamaicensis*), red-shouldered hawk (*Buteo lineatus*), American kestrel (*Falco sparverius*), great horned owl (*Bubo virginianus*), and turkey vulture (*Cathartes aura*), have a potential to nest within the trees present within and adjacent to the project site. Passerine birds could also utilize trees and shrubs within and adjacent to the project site for nesting sites and cormorants could potentially nest along the cliffs below the edge of the coastal bluff. Raptors, their nests, and other nesting birds are protected under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code, Section 3504. While the life histories of these species vary, overlapping nesting (approximately February through August) and foraging similarities allow for their concurrent discussion.

The following County standard conditions of approvals will be applied to avoid and/or minimize potential adverse impacts to nearby native trees and birds that may be nesting within the property:

PD-040: Nesting Survey: Prior to the start of any construction activities scheduled to start between February 1 through September 15 (nesting season), a pre-construction nesting survey shall take place to ensure no raptor or sensitive nesting bird species are present. If construction activities begin during nesting season or are suspended for at least two weeks and recommence during nesting season, then the applicant shall retain a Monterey County-approved biologist to conduct pre-construction surveys for nesting birds. Surveys shall be performed within suitable nesting habitat areas in and adjacent to the construction site to ensure no active nests would be disturbed. Surveys shall be conducted no more than two weeks prior to the initiation of construction activities. A report documenting survey results and a plan for active bird nest avoidance (if needed) shall be completed by the project biologist and submitted to County of Monterey Housing and Community Development (HCD) for review and approval prior to construction activities. If no active bird nests are detected during the survey, project activities can proceed as scheduled. If an active bird nest of a protected species is detected during the survey, the approved project biologist shall prepare a plan for active bird nest avoidance that clearly delineates an appropriately sized, temporary protective buffer around each active nest. No construction activities shall occur within protective buffers areas until the project biologist determines the juvenile birds have fledged and there is no evidence of a second attempt at nesting.

PD-011: Tree and Root Protection: Trees which are located close to construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or dripline of the retained trees. Said protection, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of HCD-Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits.

Implementation of these standard County conditions of approval would lessen potential impacts to native trees and avian species to a level of less than significant.

Biological Resources 4(b), (c), (d), and (f)– No Impact

As discussed above, the Project site consists only of nonnative annual grasses, ornamental species, and naturalized Monterey cypress trees. Although the project is located within the Coastal Zone and is adjacent to the Pacific Ocean, no wetlands or riparian vegetation are present, and the property is not within designated critical habitat for listed species. The project site is not located in an established migratory wildlife corridor and would not impede the use of native wildlife nurseries. Thus, the Proposed Project would not affect any riparian habitat or other sensitive natural community, the movement of fish or wildlife species, and there would be no removal, filling, or hydrological interruption of any wetland areas. Further, the project site is located in a developed residential area and is not included in any local, regional, or state habitat conservation plan. Therefore, the Proposed Project would not conflict with any Habitat Conservation Plan or other approved local, regional, or state habitat conservation 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 pursuant to §15064.5? (Source: IX. 1, 8, 10, 11)	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Source: IX. 1, 3, 8, 10, 11)	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries? (Source: IX. 8, 10, 11, 19)	☐	☒	☐	☐

Discussion/Mitigation: The subject property is located in a highly sensitive area containing archaeological and cultural resources. In 2021 and 2022, Albion prepared Phase I and Phase II Cultural Resource Evaluation reports providing an overview of archaeological investigations and findings for the Carmel Highlands area (Source: IX. 10 and IX. 11). Additionally, Kent Seavey prepared Phase I and Phase II Historic Assessments to determine historical significance and compliance with Secretary of the Interior’s Standards for Rehabilitation (Source: IX.26). The following analysis is based on these reports.

Cultural Resources 5(a) – Less Than Significant Impact

The project site does not include any structures listed on the California Register of Historic Places. However, on October 24, 2023, the Monterey County Board of Supervisors adopted Resolution

No. 23-545 to list the primary residence, the June Haas House, on the Monterey County Register of Historic Resources (Source: IX. 27).

The Phase I report describes the home as significant historically under the California Register of Historic Resources Criterion 2, “Associated with the lives of persons important to local, California or national history” for its association with the noted architect Mark Mills. Mark Mills studied under Frank Lloyd Wright as one of his Taliesin fellows between 1944 and 1948. “The architect adapted and expanded on Wright’s idea of Organic design, exploring upon the masters free-form possibility of the concept.” (Source: XI: 26) He constructed more than 40 homes in the Monterey Bay area, and is known for his employment of materials native to their sites such as wood, glass, and stone. A 2009 issue of Architectural Digest referred to him as one of the world’s top architects.

Additionally, the Phase I Historic Assessment report describes the home as significant under the California Register of Historic Resources Criterion 3, “Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values”, as a high quality representation of Mills Organic design. The design of the 1969 June Haas House was a response to a client’s request for a structure “which carried the memories of the traditions of a Greek island”. With a limited budget, the design solution employed was a lightweight barrel-and groin-vaulted structure, with the stark white coloring of white stone housing from some Greek islands. The structure employs the organic style by appearing to emerge from the earth. It retains a high degree of physical integrity, and is representative of a theme of organic modern architecture in Monterey County. Its period of significance is 1969, and its character defining features include:

- its cruciform plan;
- barrel-and groin-vaulted building envelope;
- the use of gunite sprayed over an elastomeric webbing, then coated with a preservative mixture containing rough-ground walnut shells, for texture as a wall-cladding;
- Large lancet shaped window openings with sculptured hoods;
- round arched doors; and
- small porthole windows, sited at the sea's edge in the natural coastal landscape setting.

Listing of the existing residence on the local historic registry allows for modifications to the resources, provided such alterations are consistent with the Secretary of the Interior’s Standards for Rehabilitation. The Secretary of the Interiors Standards for the Treatment of Historic Properties Identify four primary treatment approaches to historic buildings. They are “Restoration, Preservation, Reconstruction and Rehabilitation.” Rehabilitation would be the recommended standard of treatment for the subject property, Rehabilitation is defined as the act or process of making a compatible use for a property through repair, alterations and additions while preserving those portions or features which convey its historical, cultural, or architectural values. The Secretary's Standards encourages "placing a new addition on a non-character-defining elevation" and locating alterations to historic properties in areas where previous alterations already exist. The 1992 National Park Service Illustrated Guidelines for Rehabilitating Historic Buildings, states that

"The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility."

As proposed, the Project's rehabilitation work is to a secondary elevation; no changes to the primary elevation or façade (east [front] elevation and north-side façade) are proposed. The proposed rehabilitation work involves enclosing the walled open courtyard of the South wing of the cruciform plan with a glazed dome (bathroom addition) and replace an exterior porthole window with a door to access the proposed outdoor sitting space. The glazed dome bathroom addition would involve connecting a steel-framed dome-like window to an enclosed patio space. As proposed, an existing original door would be repurposed for exterior access, or a new door, matching in kind, an original would be installed. Consistent with Rehabilitation Standards #2 and #5, all proposed rehabilitation work would be compatible with the size, scale, proportions, and massing to protect the integrity of the subject property and its environment. Further, the glazed dome addition would visually resemble the semicircular form of other windows found at the terminus of the cruciform wings of the residence, but would be more spherical or dome-like in appearance to differentiate the old from the new, as called for in Rehabilitation Standard #9. The Project Historian concluded that "The proposed work on the subject property will be executed consistent with the Secretary's Standards for Rehabilitation, with the least possible loss of historic material so that the remaining character-defining features of the resource will not be obscured, damaged or destroyed." Therefore, the proposed project would have a less than significant impact on a listed historical resource and would not adversely affect the significance of the historical resource.

Cultural Resources 5(b) and 5(c) – Less Than Significant With Mitigation Incorporated

The project site is considered sensitive for archaeological resources due to the presence of known resource sites within the vicinity. The project parcel is located in Carmel Highlands and has been identified to be located within a known archaeological site. The initial survey of the site has not been updated since 1947 but documented abalone and limpet shell (Pilling, 1947). A survey of an adjacent parcel in 1988 identified additional artifacts, including a suite of marine shells, fire-altered rock, and ground stone fragments (Smith and Breschini, 1988). Although additional cultural resources were not identified on the project site, unanticipated discoveries are possible in unexcavated portions of the project site because of the proximity of the site to known archaeological resources. Due to the sensitive nature of the project site, impacts to archaeological resources are potentially significant. The potential impact to archaeological resources would be less than significant with the implementation of standard County Condition of Approval PD003[B], **Mitigation Measure 1** (onsite archaeological monitor and construction awareness training, as described below), **Mitigation Measure 2** (Archaeological Mitigation Plan), and **Mitigation Measure 3** (onsite tribal monitor, as described in Section VI.18).

Mitigation Measure No. 1 – On-Site Archaeological Monitor and Cultural Awareness Training:

To reduce potential impacts to cultural resources that may be discovered during development onsite, a qualified archaeological monitor (i.e., an archaeologist registered with the Register of Professional Archaeologists [RPA] or a Registered Archaeologist [RA]

under the supervision of an RPA) shall conduct a cultural resource awareness and response training for construction personnel prior to the commencement of any grading or excavation activity, and shall be present and observe all soil disturbance for all grading and excavation activities. If at any time, potentially significant archaeological resources or intact features are discovered, the monitor shall temporarily halt work until the find can be evaluated by the archaeological monitor. If the find is determined to be significant, work shall remain halted until a plan of action has been formulated, with the concurrence of HCD-Planning, and implemented.

Compliance Actions for Mitigation Measure No. 1:

- 1a: Prior to the issuance of permits from Building Services, the owner/applicant shall include a note on the construction plans encompassing the language contained in Mitigation Measure No. 2, including all compliance actions. The owner/applicant shall submit said plans to HCD-Planning for review and approval.
- 1b: Prior to the issuance of permits from Building Services, the owner/applicant shall submit to HCD-Planning a copy of the contract between the owner/applicant and a qualified archaeological monitor. The contract shall include a pre-construction meeting agenda with specific construction activities that the monitor shall be present for, any construction activities for which the archaeological monitor will not be present, how sampling of the excavated soil will occur, and any other logistical information such as when and how work on the site will be halted. The contract shall include provisions requiring the monitor be present and observe all soil disturbance for all grading and excavation, and authorizing the monitor to stop work in the event resources are found. In addition, the contract shall authorize the monitor to prepare a report suitable for compliance documentation to be prepared within four weeks of completion of the data recovery field work. The contract shall also detail the preparation of a cultural resource awareness and response training program for construction personnel which includes a description of the kinds of cultural and tribal cultural resources that are found in the area, protocols to be used in the event of an unanticipated discovery, and the importance of cultural resources to the Native American community. The contract shall be submitted to HCD-Planning for review and approval. Should HCD-Planning find the contract incomplete or unacceptable, the contract will be returned to the owner/applicant and a revised contract shall be re-submitted for review and approval.
- 1c: Prior to the commencement of any grading or excavation activity, the owner/applicant shall submit evidence that the project archaeologist has conducted a cultural resource awareness and response training for construction personnel. The evidence shall consist of the training materials provided to the construction crew, a list of attendees, and written verification from the qualified archaeologist.
- 1d: During the course of construction, if any archaeological resources are discovered the owner/applicant shall adhere to the requirements of Mitigation Measure No. 2, and if any human remains are discovered County Standard Condition PD003(B).

1e: A final technical report containing the results of all analyses shall be completed within one year following completion of the field work. This report shall be submitted to HCD-Planning and the Northwest Regional Information Center at Sonoma State University.

Mitigation Measure No. 2 –Archaeological Mitigation Plan

The project parcel is located in Carmel Highlands and has been identified to be located within a known archaeological site. To ensure potential impacts to archaeological resources are less than significant and if unique archaeological resources are identified during construction, work shall be halted on the parcel until the find can be evaluated and an archaeological mitigation plan can be formulated and implemented, with the concurrence of HCD-Planning. Data recovery shall be implemented during the construction and excavation monitoring. The archaeological mitigation plan shall be prepared by a qualified archaeologist in accordance with Monterey County Coastal Implementation Plan section 20.146.090.D.4. In preparing the plan the archaeologist shall consult with the tribal cultural monitor for the treatment of any cultural resources with appropriate dignity, and the final disposition of any artifacts, and submit the plan to HCD-Planning for review and approval. The goals of the plan are to avoid disturbance of resources to the extent feasible and document any unique archaeological resources that would be directly impacted by construction activities.

- Measures to avoid disturbance of resources include re-siting or re-designing approved project components if feasible, or capping/covering the resource in a non-destructive manner. If neither avoidance measures are feasible, on-site relocation, following consultation with HCD-Planning and the Tribal Monitor, shall be considered and implemented if feasible.
- In accordance with Carmel Area Land Use Plan Policy 2.8.3.4, avoidance shall be pursued prior to considering excavation and recovery.
- If avoidance is determined infeasible, the qualified archaeologist shall formulate measures for their treatment and recovery that document the unique resource prior to removal.

Compliance Actions for Mitigation Measure No. 2:

2a: If unique archaeological resources are identified during the course of construction, the qualified archaeologist shall convene with the applicant, project designer(s), and HCD-Planning, and the tribal cultural monitor to assess whether avoiding unique resources is feasible. If avoidance of resources is determined to be infeasible by the qualified archaeologist, with concurrence from HCD-Planning, the qualified archaeologist shall document this in a letter report and submit it to HCD-Planning. If avoidance of resources is feasible, the qualified archaeologist shall incorporate those avoidance measures in the archaeological mitigation plan, and the owner/applicant shall submit revised plans to HCD-Planning incorporating any feasible re-design/avoidance for review and approval.

2b: If unique archaeological resources are identified during the course of construction, and after the completion of Mitigation Measure 2a, the qualified archaeologist shall

prepare an archaeological mitigation plan in accordance with Monterey County Coastal Implementation Plan section 20.146.090.D.4. The qualified archaeologist shall consult with the tribal cultural monitor for recommendations regarding treatment with appropriate dignity and disposition of any cultural resources, and submit the plan to HCD-Planning for review and approval. Beyond avoidance, measures in the plan may include testing, evaluation, and documentation by a qualified archaeologist, and placement of an archaeological protection easement, based on the recommendations of the qualified archaeologist.

2c: The Owner/Applicant shall be required to adhere to the approved archaeological mitigation plan on an on-going basis.

2d: Within one year of the completion of all field work, the qualified archaeologist shall submit a final technical report to HCD-Planning demonstrating compliance with Mitigation Measures 1 and 2, and the County's standard condition of approval (PDSP003(B)). This report shall also document how the measures in the archaeological mitigation plan were adhered to, or if any other follow up action is required to ensure compliance with this mitigation plan.

Cultural Resources 5(c) – Less Than Significant Impact

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

6. ENERGY		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (Source: IX. 1, 5)	☐	☐	☐	☒
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Source: IX. 1, 5)	☐	☐	☐	☒

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

7. GEOLOGY AND SOILS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: IX. 1, 8, 18, 25) Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking? (Source: IX. 1, 8, 18, 25)	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction? (Source: IX. 1, 8, 18, 25)	☐	☐	☐	☒
iv) Landslides? (Source: IX. 1, 8, 18, 25)	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil? (Source: IX. 1, 8, 18)	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: IX. 1, 8, 18, 22, 25)	☐	☐	☒	☐
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: IX. 1, 8, 18)	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: IX. 1, 8, 18)	☐	☐	☒	☐
f) Directly or indirectly destroy a paleontological resource or site or unique geologic feature? (Source: IX. 1, 2, 8, 18)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

As proposed, the project would include total grading of approximately 207 cubic yards of cut and 215 cubic yards of fill, that would be balanced on site. The new structural development would occur approximately 150 linear feet or more from the bluff edge at elevations of approximately 65 to 75 feet. The adjacent street (i.e., Yankee Point Drive) elevation is approximately 84 feet, while

the elevation at the top of the proposed garage is 84 feet and the elevation at the top of the proposed studio is 80 feet.

Geology and Soils 7(ai - aiv, b, c, and d) – Less Than Significant Impact

Based on Monterey County GIS, and per the prepared Geotechnical Report, the Project site is not located within the Alquist-Priolo Earthquake Zones. The nearest faults are 0.46 miles to the Southeast and 0.55 miles to the East (Malpas fault). No known fault lines cross the property and the potential for ground rupture is very low. Monterey County, including the Project site, is in a seismically active area of California and thus the Proposed Project is expected to have the potential to expose people and/or structures to seismic hazards at some point. The Proposed Project would be required to comply with California Building Code seismic design standards. In addition, the final design of the Proposed Project would be required to comply with the recommendations of a design-level geotechnical investigation. As a result, potential impacts due to seismic hazards would be minimized.

According to the County's GIS database, the project site is located within an area of moderate erosion risk and low risk for landslide, surface rupture, liquefaction, or lateral spreading. Although the Geotechnical Investigation prepared for the project found potentially unsuitable soils conditions, including loose soils to a depth of one foot and moderately to highly expansive soils at footing depths, the report also found that the site would be suitable for the proposed structures provided the report recommendations are implemented. Further, the parcel and proposed development would include constructing structures in an area subject to potentially strong seismic shaking from any faults that traverse Monterey County. However, the project Geotechnical Investigation (Monterey County Document No. LIB220213, prepared by Soil Surveys Group, Inc., dated February 3, 2022; Source: IX. 18) indicated that the site is suitable for the proposed structures provided the report recommendations are implemented. These recommendations include reinforced spread footing foundations installed to a minimum of 18 inches below the lowest adjacent grade, recompaction of loose soil, and sub-excavation of soil to a depth of 2 feet and extending a minimum of 5 feet in all directions outside the proposed building foundations. All recommendations of the geotechnical report are required to be implemented into the final construction plans pursuant to Monterey County Code section 16.080.110.

Based on available historical aerial photos, approximately three to four feet of bluff retreat occurred between 1929 and 2023. The prepared Geological Report found that the "nearly vertical, underlying bedrock platform is well indurated (hard), resistant and stable. The geologist determined that the past coastal bluff erosion at the site is largely due to surface runoff over the bluff crest and seepage acting within the marine terrace deposits that are in the upper portion of the bluff face, as opposed to surf action at the base of the bluff" (Source: IX. 25). The Geological Report estimates that 1.5 to 2 feet of bluff erosion may occur over the design lifetime; however, the proposed development would be located in an area of the parcel not threatened by the projected amount of bluff recession, and the project site is well above the projected elevation of sea level rise. As designed and located, the project would comply with applicable policies of the Carmel Area LUP Chapter 3.7, Hazardous Areas.

The project entails grading and excavation of approximately 207 cubic yards of cut and 215 cubic yards of fill. During the construction permit phase, the project would be required to comply with Monterey County Code Chapter 16.12, Erosion Control, which sets forth required provisions for preparation of erosion control plans, runoff control, land clearing, and winter operations; and establishes procedures for administering those provisions to minimize erosion during construction. During the construction permit phase, the contractor would be required to comply with applicable building code requirements (including those pertaining to health, life, and safety) and resource protection measures such as erosion control plan review and approval, grading plan review and approval, inspections by HCD-Environmental Services staff, and geotechnical plan review and certification. In summary, overall site development would be subject to current regulations regarding control of erosion and drainage and would be required to address post-construction requirements and runoff reduction. Therefore, no further special conditions of approval are necessary or required for this project, and the project would have **less than significant** impacts related to seismic shaking, liquefaction, landslides, and erosion. (Source: IX. 1, 8, 18)

Geology and Soils 7(e) – Less than Significant Impact

The 0.65-acre parcel contains an existing on-site wastewater treatment system (OWTS). No alterations to the OWTS are proposed. To comply with Monterey County Local Agency Management Program, an OWTS Reserve Area Site Plan was prepared on March 10, 2023 by Taluban Engineering, Inc. This plan indicates that there is adequate area for a future alternative OWTS drip-dispersal system. The Monterey County Environmental Health Bureau conditioned the project to require a deed restriction be recorded in the subject property's title. This deed restriction would notify future property owners that any future replacement or expansion of the existing onsite wastewater treatment system may require the installation and ongoing use of an alternative onsite wastewater treatment system. While the property contains soils suitable of supporting septic tanks or alternative wastewater disposal systems, adherence to the Environmental Health Bureau's condition would ensure future property owners are notified of the property's constraints and impacts would be less than significant.

Geology and Soils 7(f) – No Impact

There is no record in the County's GIS database or elsewhere of the property containing a unique paleontological resource or site or unique geologic feature that would be directly or indirectly impacted as a result of the project. Therefore, the project would have no impacts related to paleontological resources. (Source: IX. 1, 2, 8, 18)

8. GREENHOUSE GAS EMISSIONS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: IX. 1, 2, 12)	☐	☐	☐	☒
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Source: IX. 1, 2, 12)	☐	☐	☐	☒

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

9. HAZARDS AND HAZARDOUS MATERIALS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: IX. 1, 8)	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: IX. 1, 8)	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: IX. 1, 8)	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: IX. 1, 8)	☐	☐	☐	☒
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 or excessive noise for people residing or working in the project area? (Source: IX. 1, 8)	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: IX. 1, 8)	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (Source: IX. 1, 8, 12, 23)	☐	☐	☐	☒

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

10. HYDROLOGY AND WATER QUALITY		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? (Source: IX. 1, 3, 5, 8, 9)	☐	☐	☐	☒
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (Source: IX. 1, 3, 8)	☐	☐	☐	☒
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i)	result in substantial erosion or siltation on- or off-site? (Source: IX. 1, 3, 5, 8, 9)	☐	☐	☐	☒
ii)	substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? (Source: IX. 1, 3, 5, 8, 9)	☐	☐	☐	☒
iii)	create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: IX. 1, 3, 5)	☐	☐	☐	☒
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (Source: IX. 1, 3, 5, 8)	☐	☐	☐	☒
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Source: IX. 1, 3, 5, 8, 9)	☐	☐	☐	☒

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

11. LAND USE AND PLANNING				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (Source: IX. 1, 2, 3, 8, 9)	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (Source: IX. 1, 3, 4, 8, 9, 10, 11)	☐	☒	☐	☐

Discussion/Mitigation:

The project site is a previously developed residential lot with an existing single-family residence, within an established residential neighborhood designated and zoned for low-density residential use. The surrounding area has this same zoning and land use designation. Further, the properties within the surrounding vicinity have been developed with single-family homes and accessory structures.

The proposed site improvements include demolition of a 292-square-foot garage and construction of a 789-square-foot detached garage, construction of a 633-square-foot detached writing studio, installation of 260 linear feet of fencing and gates, a bocce court, and a new 685-square-foot ground-mounted solar system. Pursuant to the applicable development standards for the LDR Zoning District, as identified in MCC Section 20.14.060, the site coverage maximum in this LDR District is 15 percent. Site coverage of the subject parcel is 11.4 percent.

Land Use and Planning 11(a) – No Impact

As proposed, the project includes minor site improvements consistent with the established residential use of the property and surrounding area. As such, the project would have no impact on the land use designation and/or zoning and would not result in a physical division of an established community.

Land Use and Planning 11(b) – Less Than Significant With Mitigation Incorporated

The proposed project would be subject to the policies and regulations of the Carmel Area LUP. Chapter 4 of the LUP contains policies that pertain to Land Use and Development. Given that the project would involve development associated with a single-family residence in an existing residential neighborhood zoned for low-density residential development, the project would not conflict with land use policies specified in the LUP. Although the proposed addition to the single-family dwelling would be located within the required 20-foot side setback, Title 20 section 20.64.300 allows the Chief of Planning to grant an exception to zoning district regulations, including site development standards (e.g. setbacks), when such exception is necessary to permit the preservation or restoration of or improvements to a structure designated as historically significant. As described in Section VI.5, the existing residence retains historical significance and is listed on the local historical resource registry. The Proposed Project involves an improvement to a historically significant structure and therefore would be allowed to encroach into the required setback. Before implementation, the project would require issuance of construction and coastal development permits from the County of Monterey.

The LUP also contains policies related to the protection of archaeological and tribal cultural resources. With the implementation of **Mitigation Measures 1, 2, and 3**, as described in Section VI.5, Cultural Resources, and Section VI.18, Tribal Cultural Resources, the potential for the project to conflict with the policies of the LUP would be reduced to a less than significant level. Therefore, impacts related to conflicts with an LUP would be less than significant with mitigation incorporated.

12. MINERAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: IX. 1, 8, 9, 14)	☐	☐	☐	☒
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: IX. 1, 8, 9, 14)	☐	☐	☐	☒

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

13. NOISE		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: IX. 1, 2, 3, 5, 21)	☐	☐	☐	☒
b)	Generation of excessive groundborne vibration or groundborne noise levels? (Source: IX. 1, 2, 3, 5, 21)	☐	☐	☐	☒
c)	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: IX. 1, 2, 3, 5, 21)	☐	☐	☐	☒

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

14. POPULATION AND HOUSING				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: IX. 1, 2, 3, 9, 15)	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (Source: IX. 1, 2, 3, 9, 15)	☐	☐	☐	☒

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

15. PUBLIC SERVICES				
Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection? (Source: IX. 1, 8)	☐	☐	☐	☒
b) Police protection? (Source: IX. 1, 8)	☐	☐	☐	☒
c) Schools? (Source: IX. 1, 8)	☐	☐	☐	☒
d) Parks? (Source: IX. 1, 8)	☐	☐	☐	☒
e) Other public facilities? (Source: IX. 1, 8)	☐	☐	☐	☒

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

16. RECREATION				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: IX. 1, 3, 8, 9)	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: IX. 1, 3, 8, 9)	☐	☐	☐	☒

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

17. TRANSPORTATION				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? (Source: IX. 1, 2, 3, 4, 8, 9, 12)	☐	☐	☐	☒
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)? (Source: IX. 1, 3, 8, 9, 12)	☐	☐	☐	☒
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: IX. 1, 8, 9)	☐	☐	☐	☒
d) Result in inadequate emergency access? (Source: IX. 1, 2, 3, 8, 9)	☐	☐	☐	☒

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

18. TRIBAL CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or (Source: IX. 1, 8, 9)		☐	☐	☒	☐
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (Source: IX. 1, 3, 8, 9, 10, 11, 19)		☐	☒	☐	☐

Discussion/Mitigation:

Due to the project site's location in or near known and recorded archaeological/prehistoric resource sites, and because the project includes excavation and grading, there is a potential for human remains or Tribal cultural artifacts to be accidentally discovered. Pursuant to California Public Resources Code, Section 21080.3.1, Monterey County HCD-Planning initiated consultation with The Esselen Tribe of Monterey County (ETMC), the Ohlone/Costanoan-Esselen Nation (OCEN), and the KaKoon Ta Ruk Band of Ohlone-Costanoan on March 28, 2023. EMTC and OCEN requested consultations, which were conducted on July 31, 2023, and July 28, 2023, respectively. The previous project plans included a bocce ball court along the northern property line. During the consultation, ETMC requested that an archaeological and tribal monitor be on-site for ground-disturbing activities. Additionally, ETMC raised concerns about the siting and required excavation for the bocce ball court and requested that it be re-designed if cultural resources or artifacts were encountered during construction. In response to these concerns, the bocce ball court has been removed from the Proposed Project. The OCEN representative requested that OCEN monitor all ground-disturbing activities, OCEN be included in any resource recovery program or reburial, and that the applicant send the archaeological report to OCEN.

Tribal Cultural Resources 18(a.i) – Less Than Significant Impact

The project site is significant due to the primary residence, a 1969 thin-shell concrete structure, being listed on the Monterey County Register of Historical Resources for its association with

modernist architect Mark Mills and the high quality of Mills Organic design. As discussed in Section VI.5, Cultural Resources, of this Initial Study, renovations associated with the primary structure would occur in a separate Phase II of this project. This Initial Study is concerned with Phase I elements only. Nonetheless, it is noted that a Phase II Historic Assessment completed by a qualified historian found that the proposed work would be consistent with the Secretary of the Interior's Standards for Rehabilitation, resulting in the least possible loss of historic material and the retention of character-defining features of the residence. The proposed alterations are reversible and will not cause a change to the historical resource. Therefore, no mitigation is required.

Tribal Cultural Resources 18(a.ii) – Less Than Significant With Mitigation Incorporated

The project site is known to be sensitive for subsurface resources, as discussed in Section VI.5, Cultural Resources, of this Initial Study. Therefore, impacts to unknown Tribal Cultural Resources are potentially significant. The County's standard Condition of Approval for protection of cultural resources, Monterey County Condition PD003(B), would be adhered to if, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site. Further, **Mitigation Measure 2** would require that site improvements be re-designed or re-sited if cultural resources were discovered. Implementation of Condition PD003(B), **Mitigation Measure 2**, and **Mitigation Measure 3** (described below) would ensure that, if Tribal cultural artifacts or human remains are discovered, these resources are treated with appropriate dignity and respect. Implementation of the following mitigation measure would reduce potential impacts to Tribal Cultural Resources to a less than significant level.

Mitigation Measure No. 3 – On-Site Tribal Monitor:

To ensure that Tribal Cultural Resources incur a less than significant impact if encountered, a Tribal monitor approved by the appropriate Tribe traditionally and culturally affiliated with the vicinity of the subject parcel and that has consulted with the County and designated one lead contact person in accordance with Assembly Bill 52 requirements, or other appropriately NAHC-recognized representative, shall be on-site and observe all project-related excavation to identify findings with Tribal cultural significance. This Tribal monitor shall have the authority to temporarily halt work in order to examine any potentially significant cultural materials or features. If resources are discovered, the owner/applicant/contractor shall refer to and comply with Monterey County Condition PD003(B) as applicable. This mitigation is not intended to alleviate responsibility of the owner or its agents from contacting the County Coroner and complying with state law if human remains are discovered.

Compliance Actions for Mitigation Measure No. 3:

3a: Prior to issuance of construction permits for grading or building, the owner/applicant shall include a note on the construction plans encompassing the language contained in Mitigation Measure 3 including all compliance actions. The owner/applicant shall submit said plans to HCD-Planning for review and approval.

3b: Prior to issuance of a construction permit for grading and/or building, the owner/applicant shall submit evidence to the satisfaction of the Chief of HCD-Planning that a monitor approved by the appropriate Tribe traditionally and culturally affiliated

with the vicinity of the subject parcel and that has consulted with the County and designated one lead contact person in accordance with Assembly Bill 52 requirements, or other appropriately NAHC-recognized representative, has been retained to monitor the appropriate construction activities. This Tribal monitor shall be retained for the duration of any project-related excavation.

3c: Any artifacts found that are not associated with a finding of human remains shall be cataloged by both the Tribal monitor and the qualified archaeological monitor. Once cataloged, the qualified archaeological monitor will take temporary possession of the artifacts for testing and reporting purposes. Upon completion of these testing and reporting activities, all artifacts, at the discretion of the property owner, shall be returned within 1 year to a representative of the appropriate local Tribe as recognized by the Native American Heritage Commission, or the Monterey County Historical Society. A final technical report containing the results of all analyses shall be completed within one year following completion of the fieldwork. This report shall be submitted to HCD-Planning and the Northwest Regional Information Center at Sonoma State University. Artifacts associated with a finding of human remains shall be reburied in accordance with state law and penalty for violation pursuant to California Public Resources Code, Section 5097.994.

3d: Prior to final building inspection, the Tribal monitor or other appropriately NAHC-recognized representative shall submit a letter to HCD-Planning confirming participation in the monitoring and provide a summary of archaeological and /or cultural finds or no finds, as applicable.

19. UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? (Source: IX. 1, 3, 8)	☐	☐	☐	☒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? (Source: IX. 1, 3)	☐	☐	☐	☒
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: IX. 1)	☐	☐	☐	☒

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

20. WILDFIRE					
		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan? (Source: IX. 1, 9)	☐	☐	☐	☒
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (Source: IX. 1, 8, 9, 13, 23)	☐	☐	☐	☒
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (Source: IX. 1, 5, 9, 20, 23)	☐	☐	☐	☒
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (Source: IX. 1, 3, 8, 9)	☐	☐	☐	☒
Discussion/Conclusion/Mitigation: See Sections II and IV.					

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 substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Discussion/Conclusion/Mitigation:

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

As discussed in this Initial Study, the project would have no impact or a less than significant impact, with respect to agriculture and forest resources, air pollution, geology and soils, greenhouse gas emissions, energy, hazardous materials, mineral resources, noise, population/housing, public services, recreation, transportation, utilities, and wildfire. Regarding biological resources, no impacts on habitat or sensitive communities are anticipated to occur as a result of this proposed project, as described in Section IV.4 of this Initial Study. Conditions of approval are included in the proposed entitlement to assure compliance with Monterey County, state, and federal codes and regulations to the extent that identified potential impacts are minimized to a less than significant level.

The project is in a sensitive archaeological area. Incorporation and implementation of identified mitigation would reduce identified potential impacts to known prehistoric archaeological sites and

any unknown or undiscovered resources on the project site to a less than significant level for Cultural Resources and Tribal Cultural Resources such that important examples of the major periods of California history and prehistory would also have a potential less than significant impact. Potential impacts to these resources and to land use and planning policies relating to them would be reduced to a less than significant level by implementing the Monterey County Condition PD003(B), Discovery of Cultural Resources; **Mitigation Measure 1 and 2** (discussed in Section VI.5, Cultural Resources); and **Mitigation Measure 3** (discussed in Section VI.18, Tribal Cultural Resources).

Mandatory Findings of Significance (b) – Less Than Significant Impact

As discussed in this Initial Study, the project would have no impact, a less than significant impact, or a less than significant impact after mitigation with respect to all environmental issues. The project would not result in substantial long-term environmental impacts and, therefore, would not contribute to cumulative environmental changes that may occur due to planned and pending development. Section VI. 5, Cultural Resources, indicates that the site does not contain significant archaeological or historical resources and would not eliminate important examples of the major periods of California history or prehistory. Mitigation actions would protect any possible cultural resources that would be accidentally uncovered during ground disturbance. Given that the ground disturbance of this project is largely confined to previously disturbed building footprints and landscaped areas, the cumulative effect for cultural and Tribal Cultural Resources is not anticipated to increase to past, present, or future impacts in Carmel Highlands. The project would not result in substantial long-term environmental impacts and, therefore, would not contribute to cumulative environmental changes that may occur due to planned and pending development. Section VI.11, Land Use and Planning, indicates that the mitigation measures for cultural and Tribal Cultural Resources would reduce potential impacts to planning policies relating to them to a less than significant level. Therefore, potential impacts of the project would not be cumulatively considerable.

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

Effects on human beings are generally associated with impacts related to issue areas such as air quality, noise, hazards and hazardous materials, traffic, and wildfire. As discussed in Section IV.A, Factors, of this Initial Study, the project would have no cumulative impact in each of these resource areas. As discussed in Section VI.5, Cultural Resources, and Section VI.18, Tribal Cultural Resources, in the event of unanticipated discovery of archaeological or Tribal Cultural Resources, impacts would be reduced to a less than significant level with the implementation of Mitigation Measures 1, 2 and 3. Therefore, the project would not cause substantial adverse effects on human beings, either directly or indirectly. Impacts would be less than significant with mitigation measures incorporated.

VIII. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

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

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

To be considered for determination of “no effect” on fish and wildlife resources, development applicants must submit a form requesting such determination to the California Department of Fish and Wildlife. A No Effect Determination form may be obtained by contacting the Department by telephone at (916) 653-4875 or through the Department’s website at www.wildlife.ca.gov.

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

Evidence: Based on the record as a whole as embodied in the HCD-Planning files pertaining to PLN210268 and the attached Initial Study/Proposed Mitigated Negative Declaration.

IX. SOURCES

1. Project Application Materials and Plans (Planning File No. 210268; Plan Set dated April 9, 2024).
2. Monterey County General Plan (1982).
3. Carmel Area Land Use Plan and Coastal Implementation Plan.
4. Title 20 of the Monterey County Code (Coastal Zoning Ordinance).
5. California Building Code, Title 24.
6. 2012–2015 Air Quality Management Plan, Monterey Bay Air Resources District.
7. Monterey County Sustainability Program (accessed at <https://www.co.monterey.ca.us/government/departments-a-h/administrative-office/intergovernmental-and-legislative-affairs/sustainability> on December 14, 2023).
8. Monterey County GIS Information Database.
9. Site Visit conducted by the project planner on October 4, 2023.
10. “Phase I Cultural Resource Inventory,” dated December 2021, (Monterey County Document No. LIB220319), prepared by Reilly Murphy, MA, RPA, Albion Environmental, Inc., Santa Cruz, CA.
11. “Phase II Cultural Resource Evaluation of CA-MNT-97,” dated April 2022, (Monterey County Document No. LIB 220320), prepared by Reilly Murphy, MA, RPA, and Cris Lowgren, MA, Albion Environmental, Inc., Santa Cruz, CA.
12. 2040 Metropolitan Transportation Plan & the Sustainable Communities Strategy, Association of Monterey Bay Area Governments, June 2018.
13. Fire Hazard Severity Zones in SRA: Monterey County, CAL FIRE.
14. Mineral Lands Classification Data Portal, California Department of Conservation.
15. Population and Housing Estimates for Cities, Counties, and the State, California Department of Finance.
16. Farmland Mapping and Monitoring Program, California Department of Conservation.
17. “Arborist Report for 62 Yankee Point Drive” dated June 22, 2022 (Monterey County Document No. LIB220318), prepared by Patric Krabacher (Certified Arborist #11759), Denise Duffy & Associates, Monterey, California.
18. “Geotechnical Investigation for the Proposed New Studio, Garage, and Solar Array to be located at 62 Yankee Point “ dated February 3, 2022 (Monterey County Document No. LIB220213), prepared by Soil Surveys Group, Inc. (Belinda Taluban, Registered Professional Civil Engineer, RCE #44217), Salinas, California.

19. AB 52 Consultation Meeting with The Esselen Tribe of Monterey County and the Ohlone/Costanoan-Esselen Nation on July 28 and July 31, 2023.
20. Monterey County Office of Emergency Services (accessed at <https://www.co.monterey.ca.us/government/departments-a-h/administrative-office/office-of-emergency-services> on December 14, 2023).
21. County of Monterey Noise Ordinance, codified in Chapter 10.6 of the County code.
22. Center for Engineering Strong Motion Data (accessed at <https://www.strongmotioncenter.org/> on December 14, 2023).
23. Monterey County Fire Code, Appendix P: Standard Fire Conditions for Single Family Dwellings.
24. “62 Yankee Point Drive residential Project Biological Resource Report” dated April 2024 (Monterey County Library No. LIB240132), prepared by Denise Duffy & Associates, Monterey, California.
25. “Geological Evaluation of Coastal Bluff Erosion at 62 Yankee Point Drive” dated May 204 (Monterey County Library No. LIB230133), prepared by Craig Hardwood, Ben Lomond, California.
26. “Focused Phase II Historical Assessment” dated October 22, 2020) Monterey County Library No. LIB220321), prepared by Kent Seavy, Pacific Grove, California.
27. Monterey County Board of Supervisors Resolution No. 23-454, “REF230016 – YEUNG GABRIEL M TR” October 24, 2023.