

# Exhibit D

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## **EXHIBIT D**

### **Addendum Pursuant to the California Environmental Quality Act Article 11, Section 15164**

#### **Ankle Crisper LLC Planning File No. PLN150354 Amendment to Combined Development Permit**

##### 1. Introduction

This technical addendum has been prepared pursuant to Article 11, Section 15164 of the California Environmental Quality Act guidelines because some changes or additions are necessary to make minor technical changes to the Mitigated Negative Declaration, adopted on September 8, 2011, by the Zoning Administrator in Resolution No. 11-040. None of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred.

A Mitigated Negative Declaration (MND) was prepared for PLN100342 and circulated between August 5 and September 5, 2011. The project was a Combined Development Permit consisting of:

- 1) a Coastal Administrative Permit for the demolition of an existing 1,474 square foot two-story single family dwelling with a 764 square foot deck and construction of a 2,106 square foot two story residence and a 1,159 square foot patio with 108 square foot stairs, approximately 519 cubic yards cut and 102 cubic yards fill (417 cubic yards to be balanced on site); and a retaining wall (8 linear feet),
- 2) 2) Coastal Development Permit for development within 50 feet of a coastal bluff;
- 3) 3) Coastal Development Permit for development within 750 feet of a known archaeological resource;
- 4) 4) a Variance to allow for a reduction in sideyard setback to avoid development within the critical viewshed; and
- 5) 5) Design Approval with colors and materials consisting of redwood siding, dark bronze window frames and hickory mineral composition roofing materials.

This is an Amendment request to increase the house size from 2,106 square feet to 8,396 square feet; and increase grading from 417 cubic yards of cut to be balanced on site to approximately 1,030 net cubic yards to be removed from site. The main house has been shifted to the south 14.5 feet to comply with the 20 foot side setback requirements. As a result, the existing approved variance is not required. Some minor landscape revisions to the main house have been added including a small pool (225 square feet) and low retaining wall steps leading to the main house.

The existing caretaker unit is currently visible within the critical viewshed on the west side of Highway 1 and closer to the bluff than would be permitted today. As a result of moving the main dwelling, the existing unit will need to be demolished and replaced with an accessory dwelling unit. Relocation of the accessory dwelling unit east of the bridge reduces development in the critical viewshed (determination that new location qualifies as is non-critical viewshed) and away from the coastal bluff. The proposed ADU has been located to avoid development on slopes in excess of 30%.

Removal of two non-native Cypress trees is supported by the project arborist, Maureen Hamb. She confirms both trees are poorly structured with weak branch attachments that can lead to branch failure. Project Biologist, Fred Ballerini confirms there is no native habitat with the development window and supports the project redesign through the incorporation of recommendations included in his letter report. Gary Breschini, project archaeologist, conducted augering in the area of redesign and finds the proposed relocation does not pose a problem for cultural resources.

The original grading consisted of 519 cubic yards of cut and 102 cubic yards of fill, with a net 417 cubic yards to be balanced on site. Due to the proposed expansion of a larger home, grading is now proposed to increase to a net 1,030 cubic yards to be hauled off site. Most of the grading will be for the foundation of the single family dwelling with some for the turnaround required by the Fire Department. The proposed house will be situated up against the gently sloped bluff on the inland side of the parcel consisting mostly of slough that will be evened out for the foundation. Construction impacts are temporary and will not increase the baseline of GHG emissions associated with transport of construction materials to and from the project site. A construction management plan has been submitted and includes worker parking, temporary stockpiling, equipment staging and a truck route for hauling export. Hauling of fill materials will be limited to 2 trucks per day with a total not to exceed 20 trips during the construction period.

The parcel is located between Highway 1 and the ocean and is within a high geologic hazard. The previously approved structure was located in the same area as the existing structure and at the farthest end way from the ocean. The previous geologic report concluded that replacement of the existing building and foundation with a well designed, site specific, engineered foundation would reduce any geologic hazard. The previously proposed single family dwelling was much wider than the currently proposed project. An updated geologic report confirms the proposed changes are not significant, and the present design may actually reduce geologic impacts to the site.

The archaeological resources identified in the previous Mitigated Negative Declaration required additional auger testing. Because of the proposed larger house and since adoption of the Mitigated Negative Declaration, archaeologists have performed auger tests within the proposed development areas and found that no cultural materials were present or an impassable obstruction was encountered. Project archaeologist, conducted augering in the area of redesign and finds the proposed relocation does not pose a problem for cultural resources. Onsite monitoring will still be required as required by the MND. Therefore, the proposed single family dwelling and ADU with additional grading will have no impacts to an

archaeological resource identified on the lower lot.

## 2. Scope and Purpose of this Addendum

The purpose of this addendum is to identify minor technical changes and provide clarification on the site-specific conditions for the proposed residential development. No substantial changes are proposed in the project which will require major revisions of the previous mitigated negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

The MND adopted for the previous project identified potential impacts to aesthetics, cultural resources and geology/soils. The proposed project will have the same or fewer impacts than the previous project:

- The proposed project proposes to expand approximately 100 feet along the front Highway 1 right of way setback. Staff site visit confirms the 8,396 square foot home is not located within the critical viewshed.
- The archaeological resources identified in the previous Mitigated Negative Declaration required additional auger testing. Because of the proposed larger house and since adoption of the Mitigated Negative Declaration, archaeologists have performed auger tests within the proposed development areas and found that no cultural materials were present or an impassable obstruction was encountered. Onsite monitoring will still be required. The updated Archeological report (LIB160087) for this amendment concluded that based on auger hole testing, there was no surface or subsurface evidence of potentially significant archaeological resources within the proposed footprint.
- The parcel is located between Highway 1 and the ocean and is within a high geologic hazard. The previously approved structure was located in the same area as the existing structure and at the farthest end way from the ocean. The previous geologic report concluded that replacement of the existing building and foundation with a well designed, site specific, engineered foundation would reduce any geologic hazard. The previously proposed single family dwelling was much wider than the currently proposed project. An updated geologic report (LIB160268) prepared by Haro, Kasunich and Associates and confirms the changes from the previously approved project are not significant, and the present design may actually reduce impacts to the site.
- The original grading consisted of 519 cubic yards of cut and 102 cubic yards of fill, with a net 417 cubic yards to be balanced on site. Due to the proposed expansion of a larger home, grading is now proposed to increase to a net 1,030 cubic yards to be hauled off site. Most of the grading will be for the foundation of the single family dwelling with some for the turnaround required by the Fire Department. The proposed house will be situated up against the gently sloped bluff on the inland side of the parcel consisting mostly of slough that will be evened out for the foundation. Construction impacts are temporary and will not increase the baseline of GHG emissions associated with transport of construction materials to and from the project

site. A construction management plan has been submitted and includes worker parking, temporary stockpiling, equipment staging and a truck route for hauling export. Hauling of fill materials will be limited to 2 trucks per day with a total not to exceed 20 trips during the construction period.

The previously approved project has six mitigation measures six mitigation measures with the original proposal. Mitigation Measures #1, #2, #4 are included for the protection of archaeological resources. Mitigation Measure #3 required auger testing. The testing was completed for this application, which determined no cultural materials were present within the proposed development. Mitigation Measures #5 and #6 are included for geologic impacts that will also be carried over to the Amendment PLN150354.

### 3. Conclusion

It has been determined that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent Initial Study or EIR have occurred, that there are no new significant environmental effects or increase in the severity of previously identified significant effects per Section 15162(a)(2) of the CEQA Guidelines, and there is no new information of substantial importance that was not known at the time the previous MND/IS was adopted, per Section 15162 (a)(3) of the CEQA Guidelines.

Documents reviewed included the MND/IS prepared and adopted for PLN100342, PLN130912 and PLN150354 and associated technical reports, plans, site visits, and applications submitted for the permit amendments. Based upon this review, it has been determined that the project will not have the potential to significantly degrade the quality of the environment, will have no significant impact on long-term environmental goals, will have no significant cumulative effect upon the environment, and will not cause substantial adverse effects on human beings, either directly or indirectly.

Attachment: Mitigated Negative Declaration for Brubaker, PLN100342