

Attachment No. 5  
Exhibit E  
Initial Study  
Proposed Negative Declaration

Gordon J. Steuck  
PLN080454

Board of Supervisors  
February 7, 2012

**EXHIBIT E**

**INITIAL STUDY / PROPOSED NEGATIVE  
DECLARATION**

County of Monterey  
State of California

**NEGATIVE DECLARATION**

**FILED**

**OCT 12 2011**

STEPHEN L. VAGNINI  
MONTEREY COUNTY CLERK  
DEPUTY

|                             |   |
|-----------------------------|---|
| <b>Project Title:</b>       | Steuck Lot Line Adjustment  |
| <b>File Number:</b>         | PLN080454   |
| <b>Owner:</b>               | Steuck, Gordon John & Sandra Lee Trs  |
| <b>Project Location:</b>    | 570 & 570-A Aguajito Rd., Monterey  |
| <b>Primary APN:</b>         | 103-061-015-000   |
| <b>Project Planner:</b>     | Ramon A. Montano  |
| <b>Permit Type:</b>         | Lot Line Adjustment   |
| <b>Project Description:</b> | The project consists of a Lot Line Adjustment between two legal lots of record of approximately 4.6 acres and 4.3 acres (Certificate of Compliance Document No. 2004079692 {the northerly parcel} and Certificate of Compliance Document No. 20040795684 {the southerly parcel}), resulting in two newly reconfigured lots of 4.6 acres (westerly Parcel A) and 4.3 acres (easterly Parcel B). While the property maintains a single Assessors Parcel Number: 103-061-015-000, this Assessors Parcel was determined by the County in 2004 to include two legal lots of record. The County issued two unconditional Certificates of Compliance (CC) as described above. The purpose of the Lot Line Adjustment is to reconfigure the two properties in such a manner where impacts to protected slopes could be avoided, should the applicant wish to develop the vacant parcel. |

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.

|                              |   |
|------------------------------|---|
| <b>Decision Making Body:</b> | Monterey County Minor Subdivision Committee |
| <b>Responsible Agency:</b>   | County of Monterey                          |
| <b>Review Period Begins:</b> | October 13, 2011                            |
| <b>Review Period Ends:</b>   | November 1, 2011                            |

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

# MONTEREY COUNTY

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



## NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION MONTEREY COUNTY SUBDIVISION COMMITTEE

NOTICE IS HEREBY GIVEN that the Monterey County Resource Management Agency – Planning Department has prepared a draft Negative Declaration, pursuant to the requirements of CEQA, for a Lot Line Adjustment (Steuck, File Number PLN080454 at 570 and 570-A Aguajito Road, Monterey (APN 103-061-015-000) (see description below).

The Negative Declaration and Initial Study, as well as referenced documents, are available for review at the Monterey County Resource Management Agency – Planning Department, 168 West Alisal, 2<sup>nd</sup> Floor, Salinas, California. The Minor Subdivision Committee will consider this proposal at a meeting on November 10, 2011 at 9:00 am in the Monterey County Board of Supervisors Chambers, 168 West Alisal, 2<sup>nd</sup> Floor, Salinas, California. Written comments on this Negative Declaration will be accepted from October 13, 2011 to November 1, 2011. Comments can also be made during the public hearing.

**Project Description:** The project consists of a Lot Line Adjustment between two legal lots of record of approximately 4.6 acres and 4.3 acres (Certificate of Compliance Document No. 2004079692 {the northerly parcel} and Certificate of Compliance Document No. 20040795684 {the southerly parcel}), resulting in two newly reconfigured lots of 4.6 acres (westerly Parcel A) and 4.3 acres (easterly Parcel B). While the property maintains a single Assessors Parcel Number: 103-061-015-000, this Assessors Parcel was determined by the County in 2004 to include two legal lots of record. The County issued two unconditional Certificates of Compliance (CC) as described above. The purpose of the Lot Line Adjustment is to reconfigure the two properties in such a manner where impacts to protected slopes could be avoided, should the applicant wish to develop the vacant parcel.

We welcome your comments during the 20-day public review period. You may submit your comments in hard copy to the name and address above. The Department also accepts comments via e-mail or facsimile but requests that you follow these instructions to ensure that the Department has received your comments. To submit your comments by e-mail, please send a complete document including all attachments to:

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

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

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

**For reviewing agencies:** The Resource Management Agency – Planning Department requests that you review the enclosed materials and provide any appropriate comments related to your agency's area of responsibility. The space below may be used to indicate that your agency has no comments or to state brief comments. In compliance with Section 15097

**Page 2**

of the CEQA Guidelines, please provide a draft mitigation monitoring or reporting program for mitigation measures proposed by your agency. This program should include specific performance objectives for mitigation measures identified (CEQA Section 21081.6(c)). Also inform this Department if a fee needs to be collected in order to fund the mitigation monitoring or reporting by your agency and how that language should be incorporated into the mitigation measure.

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

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

Re: Steuck, Lot Line Adjustment; File Number PLN080454

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

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

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

**DISTRIBUTION**

1. County Clerk’s Office
2. Association of Monterey Bay Area Governments
3. Monterey Peninsula Unified School District
4. Frank Chiorazzi, Los Ranchitos de Aguajito Mutual Water Company
5. Monterey Bay Unified Air Pollution Control District
6. City of Monterey
7. Cal-Fire – Coastal Office
8. Monterey County Water Resources Agency
9. Monterey County Public Works Department
10. Monterey County Parks Department
11. Monterey County Division of Environmental Health
12. Monterey County Sheriff’s Office (Coastal Office)
13. Gordon Steuck, Owner
14. Johnson and Moncrief, Agent for Owner
15. Lombardo and Gilles, Dale Ellis, Agent for Neighbor.
16. Molly Erickson, Open Monterey Project.
17. Property Owners within 300 feet (Notice of Intent only)

# MONTEREY COUNTY

## RESOURCE MANAGEMENT AGENCY

PLANNING DEPARTMENT

168 WEST ALISAL ST., 2<sup>nd</sup> FLOOR, SALINAS, CA 93901

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



## *INITIAL STUDY*

### *I. BACKGROUND INFORMATION*

**Project Title:** Steuck Lot Line Adjustment

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**File No.:** PLN080454

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**Project Location:** 570 & 570-A Aguajito Rd., Monterey

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**Name of Property Owner:** Steuck, Gordon John & Sandra Lee Trs

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**Name of Applicant:** Johnson & Moncrief

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**Assessor's Parcel Number(s):** 103-061-015-000

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**Acreage of Property:** 4.6 & 4.3 Acres

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**General Plan Designation:** Residential - Rural Density 5.1 AC/U

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**Zoning District:** RDR/5.1-UR-D-S (Rural Density Residential, 5.1 acres per unit / Urban Reserve / Design Control District / Site Plan Review)

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**Lead Agency:** Monterey County Resource Management Agency,  
Planning Department

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**Prepared By:** Monterey County Planning Department

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**Date Prepared:** October 12, 2011

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**Contact Person:** Ramon A. Montano, Project Planner

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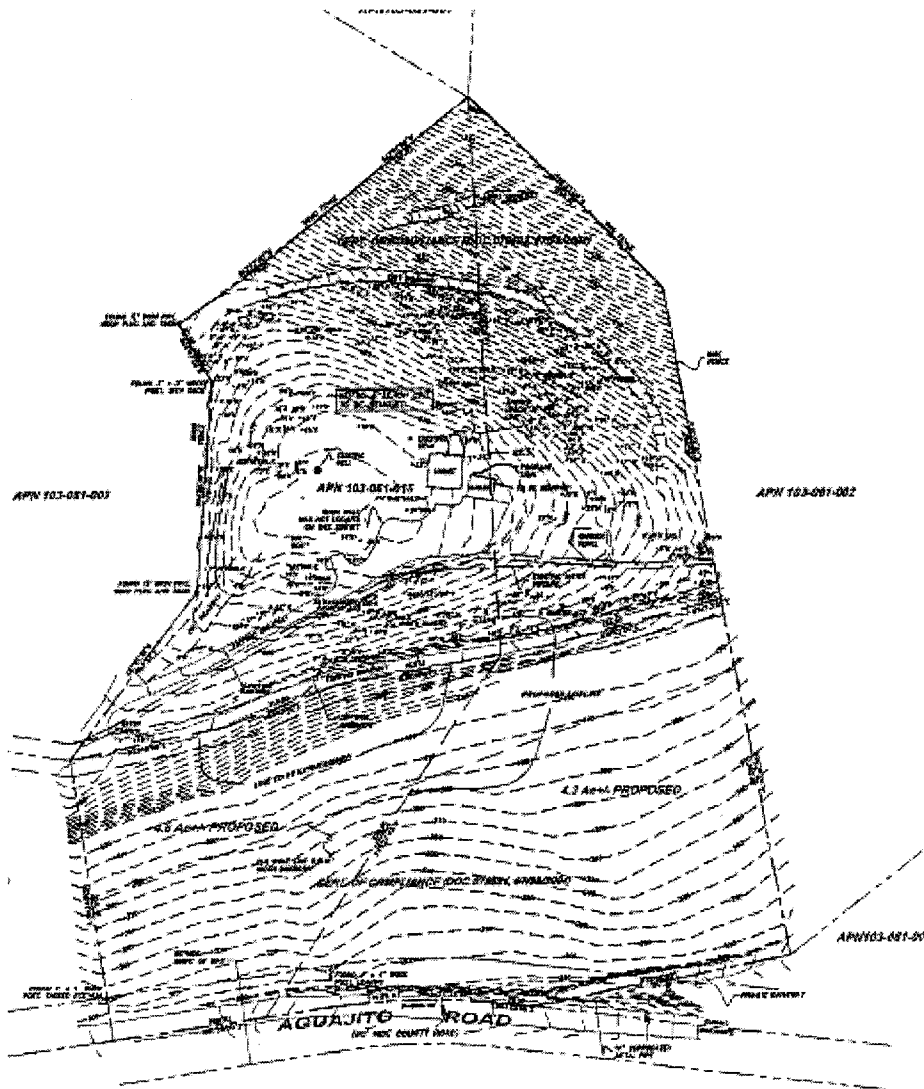
**Phone Number:** (831) 755-5169

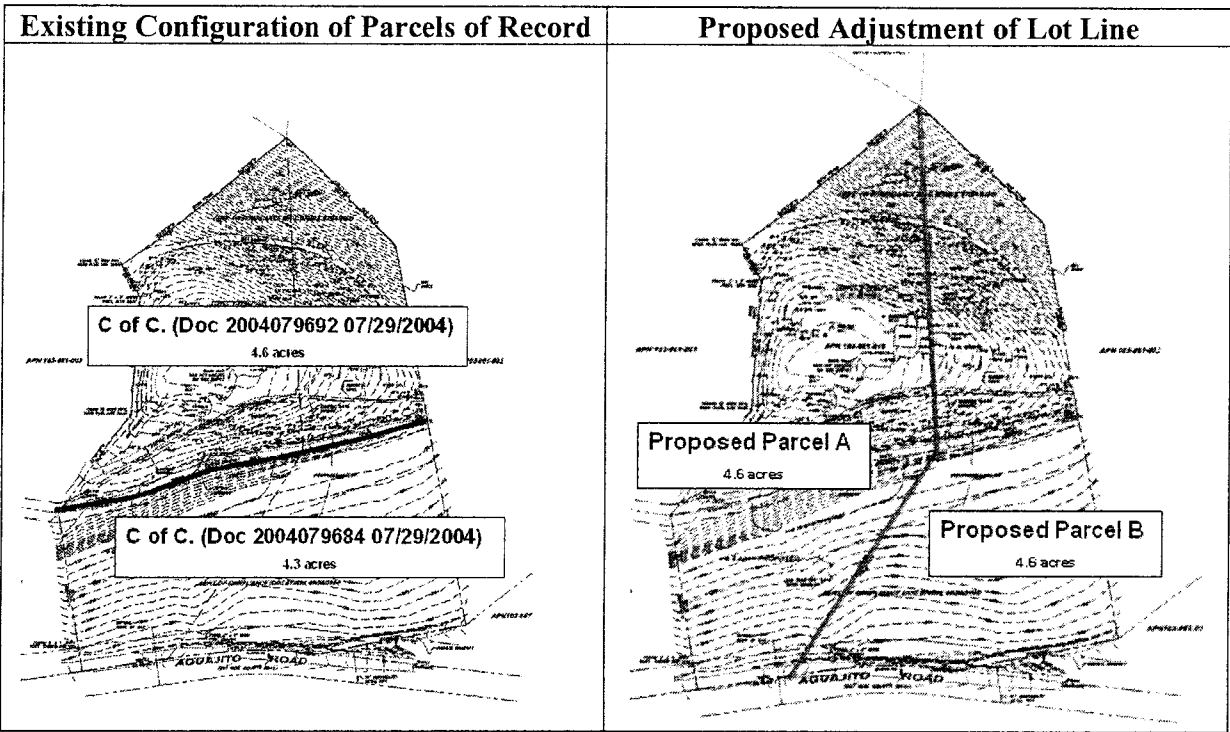
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## II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

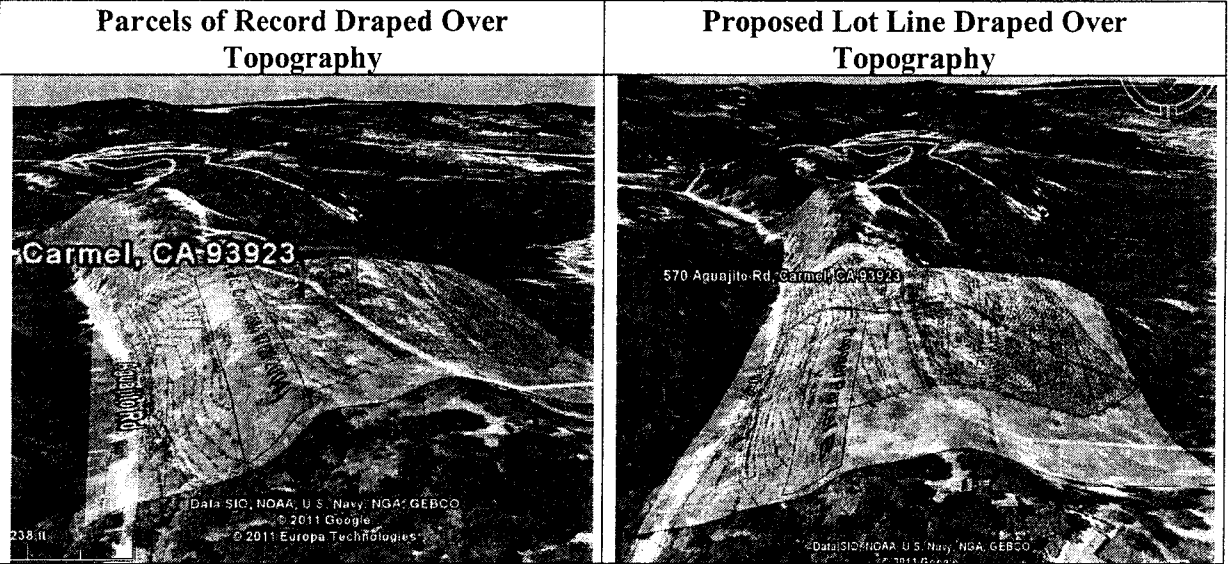
### A. Description of Project:

The project consists of a Lot Line Adjustment between two legal lots of record of approximately 4.6 acres and 4.3 acres (Certificate of Compliance Document No. 2004079692 {the northerly parcel} and Certificate of Compliance Document No. 20040795684 {the southerly parcel}), resulting in two newly reconfigured lots of 4.6 acres (westerly Parcel A) and 4.3 acres (easterly Parcel B). While the property maintains a single Assessors Parcel Number: 103-061-015-000, this Assessors Parcel was determined by the County in 2004 to include two legal lots of record. The County issued two unconditional Certificates of Compliance (CC) as described above. The purpose of the Lot Line Adjustment is to reconfigure the two properties in such a manner where impacts to protected slopes could be avoided, should the applicant wish to develop the vacant parcel.





Currently the property has an access and utility easement which transects the mid-point of the parcel, roughly along the east west property line dividing the two lots of record. The southerly property slopes down to Aguajito Road with all slopes exceeding 25% in steepness.

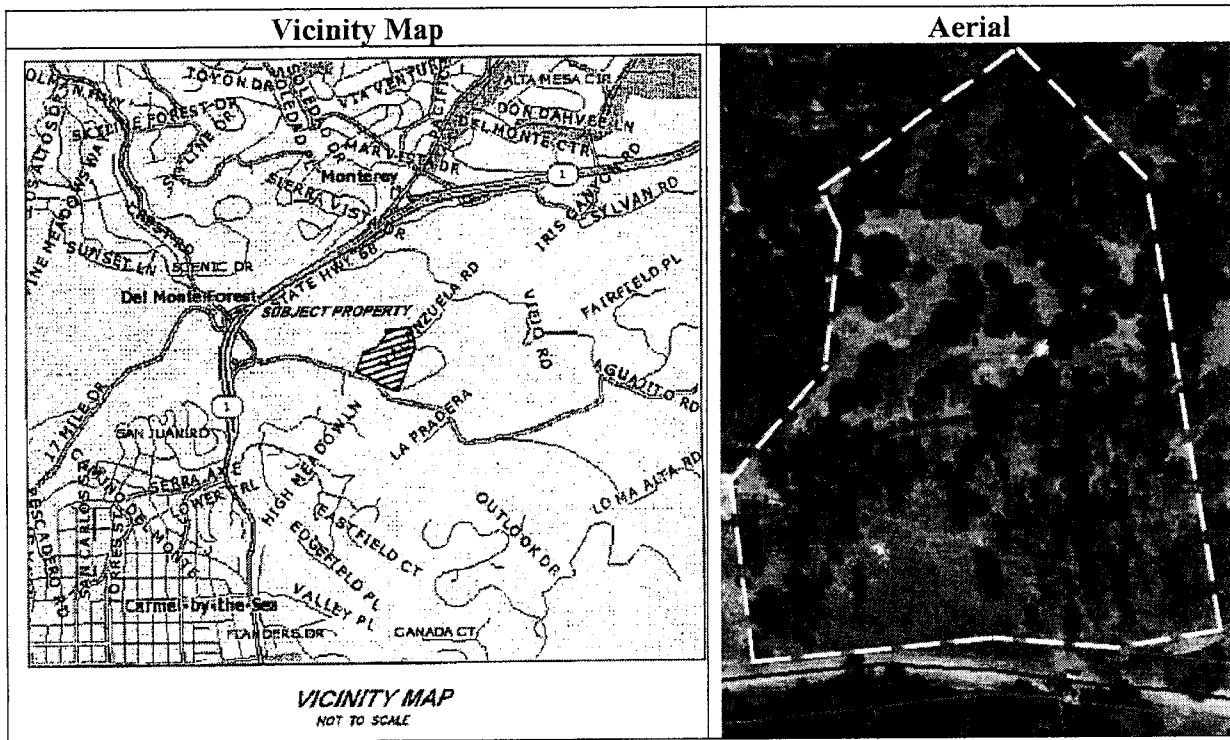




**B. Surrounding Land Uses and Environmental Setting:**

The project site is located at 570 Aguajito Road within unincorporated Monterey County, near the cities of Carmel and Monterey. The parcels are located within the Los Ranchitos De Aguajito Tract. The current zoning is Rural Density Residential, 5.1 acres per unit / Urban Reserve / Design Control District / Site Plan Review. The surrounding properties are rural residential in nature and range in size from 4.8 acres to 6.43 acres, each with a single family residence. Much of the area is tree covered and heavily sloped, with houses placed on the less steep areas.

The subject site is located on the northern flank of a knoll on the lower, northern portion of an east-west trending range of peaks and ridges. The slope inclinations in the proposed building areas range from about 10% near the top of the knoll to over 35% percent on the knoll flanks. A domestic water well is located on the top of the knoll and the site is vegetated with numerous oak trees with weedy groundcover and grasses.



Presently the site contains an existing single family residence served water through a connection to Cal-Am. There is also a domestic water well on the property that the owner intends to keep available for service to Parcel B, should he wish to develop it in the future. While no development is proposed at this time, the Environmental Health Bureau (EHB) is responsible to determine if the resulting parcel configuration will have the capacity for wastewater disposal and have an adequate water supply:

**Water:** A pump test was completed in September 2010 and was credited at 8.5 gallons per minute. This is ample supply to serve the new lot and potentially an additional unit. The existing home has a current Cal-Am connection. The well is on the proposed property with the existing home and will serve the proposed vacant lot.

**Septic:** It was noted by the EHB in their initial review of the proposal that the existing system may be a cesspool or may have a very small leach field that crossed the proposed new lot line. The owner understood that that system must be demolished and a new system installed prior to recording the lot line adjustment. The owner has since complied with health department regulations and has installed a septic system that meets setbacks from future property lines (of this Lot line Adjustment proposal) and other requirements of County Code.

**C. Additional Purposes of this Initial Study and Environmental Review**

Staff's original environmental review of the Steuck Lot Line Adjustment proposal determined the project Exempt under the California Environmental Quality Act (CEQA). CEQA Guidelines Section 15305(a) categorically exempts minor lot line adjustments that do not result in the creation of a new parcel. The lot line adjustment will adjust the property lines between the two legal lots of record to reconfigure them in a manner that would provide one parcel currently located on slopes in excess of 25% an area that could be developed in the future without impacting slopes in excess of 25%. In determining that an Exemption from CEQA was appropriate, staff made the following conclusions regarding potential development on the reconfigured lots of record:

- The lot demonstrated the availability of water and potential septic sites as required by the Monterey County Environmental Health Bureau,
- A minimal amount of grading could occur in an area identified with less than 20% slopes,
- There would be no need to remove protected vegetation under the Greater Monterey Peninsula Area Plan or more than allowed by permit under the Zoning Ordinance, and that
- There would be no impact to protected biological sensitive plants or animals as identified under the Greater Monterey Peninsula Area Plan and the California Native Plant and animal list.

Since this time and during the course of County review of the Steuck Lot Line Adjustment, a neighbor and their representative have contested the application and have questioned numerous items beyond the scope of the project at hand – the Lot Line Adjustment. In an abundance of caution, County staff has prepared this Initial Study (with concurrence form the applicant).

**D. Other public agencies whose approval is required:**

No other public agency approval is required.

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

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

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

#### Monterey County 2010 General Plan

The project was reviewed for consistency with the Monterey County 2010 General Plan and the Greater Monterey Peninsula Area Plan (GMPAP). Section VI.9 (Land Use and Planning) discusses whether the project physically divides an established community, conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project, or conflicts with any applicable habitat conservation plan or natural community conservation plan.

The project is consistent with the General Plan and Greater Monterey Peninsula Area Plan policies, as explained below in section IV.A. The Greater Monterey Peninsula Area Plan (GMP-AP) designates the site as "RDR/5.1-UR-D-S" or Rural Density Residential, 5.1 acres per unit / Urban Reserve / Design Control District / Site Plan Review. The Rural Density Residential designation allows for residential development density of 5.1 acres per unit. However, the subject legal lots of record are nonconforming as to size. Properties created legally, yet found to be non-conforming to size are recognized by the 2010 General Plan and may be adjusted in a manner as to not increase their non-conformity. General practice is to have the resulting parcel sizes match the beginning parcel sizes. The present proposal follows this practice and is considered consistent with the Monterey County General Plan and Greater Monterey Peninsula Area Plan.

No Specific Plan or Water Quality Control Plans are applied to the project area. As there is no development proposed and no intensification of use with the proposal, the proposal is consistent with understood and mapped rural residential land uses of which the Air Quality Management Plan and Airport Land Use Plans are constructed. The project is not within the Coastal Zone and therefore is not subject to a Local Coastal Program-LUP.

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

#### **A. FACTORS**

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

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

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

**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:** Based upon the planner's project analysis, many of the above topics on the checklist do not apply. Less than significant impacts are identified for **Aesthetics** and **Land Use/Planning**. The project would have no quantifiable adverse environmental effect on the categories not checked above, as follows:

**Agriculture and Forest Resources:** The project site is not zoned for agricultural use and is not under a Williamson Act Contract. The proposed project would not convert prime farmland, conflict with an existing or adjacent agricultural use, or result in the conversion of agricultural or forest resources. Therefore the project will have no impact to Agriculture and Forest Resources. (Source: 1, 2, 3, 4, 7, 8)

**Air Quality:** The project is the adjustment of a property line between two existing lots of record and no development is proposed at this time. Therefore there will be no impact to Air Quality Resources. (Source: 1, 2, 3, 6)

**Biological Resources:** The project is the adjustment of a property line between two existing lots of record. While the site is vegetated with numerous oak trees and has weedy groundcover and grasses, no development is proposed at this time. Therefore, there will be no impact to Biological Resources. (Source: 1, 2, 3, 7, 16)

**Cultural Resources:** The project is the adjustment of a property line between two existing lots of record and no development is proposed at this time. A historic review of the residential property was performed by a local historian who determined that the residential structures present on the property are not historically significant. Additionally, there was no evidence of historic or prehistoric cultural resources as observed by a registered professional Archaeologist who investigated the site and available records. Therefore, there will be no impact to Cultural Resources. (Source: 1, 2, 3, 7, 8, 14, 15, 16)

**Geology/Soils:** While the property owner has had geological and geotechnical analyses prepared for the property in 1984 and 2008, the project is the adjustment of a property line between two existing lots of record. County GIS records indicate that the property is not within 660 feet of a known fault and has a low potential for liquefaction. Much of the property is steeply sloped though and has a high probability of landslide risk. Across the middle of the property are areas with less than 25% slopes. As there is no development proposed at this time, and no development potential beyond the two-parcel capacity of the present property, there will be no impact to Geology or Soil Resources. (Source: 1, 2, 3, 7, 8, 12, 13, 16)

**Greenhouse Gas Emissions:** As there is no development proposed and the project is the adjustment of a property line between two existing lots of record, there is no greater potential impact to Greenhouse Gas Emissions than presently exists. Therefore, there will be no impact to Greenhouse Gas Emissions. (Source: 1, 2, 6)

**Hazards/Hazardous Materials:** As no development is proposed and the project is the adjustment of a property line between two existing lots of record, there will be no introduction of hazards or hazardous materials to the property. Therefore, the project will not:

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials;
- 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;
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- 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 not create a significant hazard to the public or the environment.

While the subject site and most of the populated areas of Marina, Seaside, Monterey, Pacific Grove and Del Rey Oaks are within an airport land use plan area, there is no development proposed and no intensification of use with the proposal. The proposal is consistent with understood and mapped rural residential

land uses of which the Comprehensive Land Use Plan (CLUP) is constructed upon. The project site is not located within the vicinity of a private airstrip, nor would the project result in a safety hazard for people residing or working in the project area. The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, nor expose with any greater potential than already exists, people or structures to a significant risk of loss, injury or death involving wildland fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands. (Source: 1, 2, 7, 8, 10, 11, 16, 17)

**Hydrology/Water Quality:** As there is no development proposed, there will be no greater potential impact to Hydrology and Water Quality Resources than presently exists. County GIS records indicate that the property is not within a mapped flood zone area. Two letters from the Environmental Health Bureau (EHB) address septic systems, hazardous materials, water well construction issues, and setbacks of water lines from septic systems. In addition to no development being proposed, County GIS records, interdepartmental review and the letters from the EHB support the conclusion that the project will not:

- Violate any water quality standards or waste discharge requirements;
- Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level;
- Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site;
- Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;
- 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;
- Substantially degrade water quality;
- The proposal is not within a floodplain, therefore the project will not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map, nor place within a 100-year flood hazard area structures which would impede or redirect flood flows;
- Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or

Because the project is not located near the ocean, lake or other water body, the project will not expose people to inundation by seiche, tsunami, or mudflow.

(Source: 1, 2, 7, 8, 9, 10, 11, 16, 17)

**Mineral Resources:** The proposed project is not located in one of the areas designated by the California Department of Conservation Division of Mines and

Geology as regionally significant (MRZ-2) for construction aggregate. Furthermore, no development is proposed with the adjustment of the property line between the two existing lots of record. Therefore there will be no impact to Mineral Resources. (Source: 1, 2, 7, 16)

**Noise:** As there is no development proposed with the adjustment of the property line between the two existing lots of record there are no activities planned or proposed on the property proper. Approval of the project would result in a record of survey to be recorded and the two property descriptions rewritten. Therefore, there would be no:

- Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
- Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels;
- Increase in ambient noise levels in the project vicinity above levels existing without the project; and
- Temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

(Source: 1, 2, 7)

**Population/Housing:** The project is the realignment of an existing property line between two lots of record. Presently the subject property includes one single family residence. No subdivision or development proposal is being considered that would induce population growth in the area beyond the capacity of the two existing lots of record, displace existing housing or people, or change land use that restricts development or housing. Therefore, there would be no impact to Population or Housing Resources with approval of the project. (Source: 1, 2, 7)

**Public Services:** The project is the realignment of an existing property line between two lots of record. Presently the subject property includes one single family residence and one vacant property. Approval of the project would result in the same impact burden on Public Service Resources as the present configuration. Therefore, there would be no impact from this lot line adjustment causing the need for construction of additional government services for fire protection, police, schools or parks. (Source: 1, 2)

**Recreation:** The project is the realignment of an existing property line between two lots of record without a development proposal. Presently the subject property includes one single family residence and one vacant property. Approval of the project would result in the same impact burden on Recreational Resources as the present configuration. Therefore, approval of the project would not impact the use of existing neighborhood and regional parks or other recreational facilities. (Source: 1, 2)

**Transportation/Traffic:** No development is proposed with the adjustment of the property line between two existing lots of record. Presently, both the northern and

southerly parcels have access from the east west access road, and access from this easement would continue to serve the reconfigured parcels. Therefore, there would be no:

- Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit;
- Conflict with the goals, objectives, and policies of the 2010 Regional Transportation Plan for Monterey County, including, but not limited to level of service standards and travel demand measures, or other standards established by the Transportation Agency for Monterey County (TAMC) for designated roads or highways;
- Change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks;
- Increase in hazards due to a design feature or incompatible uses;
- Change in or effect upon emergency access; or
- Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

(Source: 1, 2, 7, 8)

**Utilities/Service Systems:** No development is proposed with the adjustment of the property line between two existing lots of record and no new or expanded entitlements are needed for the project as two unconditional certificates have been previously issued for the two parcels, and only two parcels will remain after adjustment. Presently the site contains an existing single family residence served water through a connection to Cal-Am. There is a domestic water well on the property that the owner intends to keep available for service to Parcel B, should he wish to develop it in the future. Both reconfigured properties provide for onsite septic systems and do not connect to public utility or sanitation district systems. Therefore, there will be no temporary or long-term impacts to wastewater treatment facilities, or the need for the construction of new storm water drainage facilities or expansion of existing facilities. (Source: 1, 2, 7, 8)

**Mandatory Findings of Significance:** The project site is not zoned for agricultural use and is not under a Williamson Act Contract. The project would not convert prime farmland, conflict with an existing or adjacent agricultural use, or result in the conversion of agricultural or forest resources. While the site is vegetated with numerous oak trees and has weedy groundcover and grasses, no development is proposed at this time. A historic review of the residential property was performed by a local historian who determined that the residential structure present on the property is not historically significant. Additionally, there was no evidence of historic or prehistoric cultural resources observed by a registered professional Archaeologist who investigated the site and available records. Therefore, the proposed adjustment of the property line between two lots of



record in this instance does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

Presently the subject property includes one single family residence and one vacant property. No subdivision or development proposal is being considered that would induce population growth in the area beyond the capacity of the two existing lots of records. Approval of the project would result in the same impact burden on Population/Housing Resources and Public Service Resources as the present configuration. There would be no impact causing the need for construction of additional government services for fire protection, police, schools or parks. Therefore, approval of the project does not have impacts that are individually limited, but cumulatively considerable.

The project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly in that the project is the adjustment of a property line between two existing lots of record and no development is proposed at this time.

- The property drops down to Aguajito Road, a well traveled and familiar road, but not a road that includes a designated scenic vista, significant tree, rock outcropping or historic building and is not within a state scenic highway.
- The southerly legal lot of record is sloped steeply and is without areas to develop that have slopes less than 25% in steepness. Development of this parcel in its present configuration would require the applicant to process and obtain Use Permits for impacts to steep slopes and likely for removal of protected trees. While no development is proposed, the adjustment of the lot line to the applicant's desired configuration would include areas that are less steep and not impact these protected resources.
- Approval of the project would serve to protect the existing visual character of Aguajito Road and the human environment. The applicant's proposal presents a superior parcel configuration that will better protect the existing visual character and quality of the site.

Therefore, the proposed adjustment of the property line between two lots of record in this instance, with no development proposed, will not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly. (Source: 1-16)

## **B. DETERMINATION**

On the basis of this initial evaluation:



## ***V. EVALUATION OF ENVIRONMENTAL IMPACTS***

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

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

## VI. ENVIRONMENTAL CHECKLIST

| 1. AESTHETICS             |   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---------------------------|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| <b>Would the project:</b> |   |                                |  |                                     |                                     |
| a)                        | Have a substantial adverse effect on a scenic vista? (Source: 1, 2, 3, 7, 8)  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b)                        | Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: 1, 2, 3, 7, 8) | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c)                        | Substantially degrade the existing visual character or quality of the site and its surroundings? (Source: 1, 2, 3, 7, 8)  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d)                        | Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: 1, 2, 3, 7, 8)                                    | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

### Discussion/Conclusion/Mitigation: See Section IV.

a-b) *No Impact:* The project is the adjustment of a property line between two existing lots of record and no development is proposed at this time. The property drops down to Aguajito Road, a well traveled and familiar road, but not one that includes a designated scenic vista, significant tree, rock outcropping or historic building and is also not within a state scenic highway. Therefore there will be no impact to these resources.

c) *Less than Significant Impact:* Presently, the southerly legal lot of record is sloped steeply and is without areas to develop that have slopes less than 25% in steepness. Development of this parcel in its present configuration would require the applicant to process and obtain Use Permits for impacts to steep slopes and likely for removal of protected trees. While no development is proposed, the adjustment of the lot line to the applicant's desired configuration would include areas that are less steep and not needing Use Permits from the County. Approval of the project would serve to protect the existing visual character of Aguajito Road. Therefore, impacts to these resources are considered less than significant in that the applicant's proposal presents a superior parcel configuration that will better protect the existing visual character and quality of the site.

d) *No Impact:* The project is the adjustment of a property line between two existing lots of record and there is no development proposed at this time. Therefore, there will be no sources of light or glare, adversely affecting day or nighttime views in the area.

**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.

| <b>Would the project:</b>  | 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?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**Discussion/Conclusion/Mitigation:** See Section 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.

| <b>Would the project:</b>   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Result in significant construction-related air quality impacts?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e) Expose sensitive receptors to substantial pollutant concentrations?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| f) Create objectionable odors affecting a substantial number of people?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

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

**4. BIOLOGICAL RESOURCES**

| <b>Would the project:</b>  | 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? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

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

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

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

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



| 6. GEOLOGY AND SOILS  |                          | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact |
|---|--------------------------|--------------------------------|--|-------------------------------------|-----------|
| <b>Would the project:</b>   |                          |                                |  |                                     |           |
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:  |                          |                                |  |                                     |           |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: ) Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> |           |
| ii) Strong seismic ground shaking?  | <input type="checkbox"/> | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> |           |
| iii) Seismic-related ground failure, including liquefaction?  | <input type="checkbox"/> | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> |           |
| iv) Landslides?   | <input type="checkbox"/> | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> |           |
| b) Result in substantial soil erosion or the loss of topsoil?   | <input type="checkbox"/> | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> |           |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?  | <input type="checkbox"/> | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> |           |
| d) Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial risks to life or property?  | <input type="checkbox"/> | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> |           |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?  | <input type="checkbox"/> | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> |           |

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

| 7. GREENHOUSE GAS EMISSIONS  |                          | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact |
|--|--------------------------|--------------------------------|--|-------------------------------------|-----------|
| <b>Would the project:</b>  |                          |                                |  |                                     |           |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?      | <input type="checkbox"/> | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> |           |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> |           |

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

| <b>8. HAZARDS AND HAZARDOUS MATERIALS</b>  |                                      |                          | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|--------------------------|--|------------------------------------|-------------------------------------|
| <b>Would the project:</b>  | Potentially<br>Significant<br>Impact |                          |  |                                    |                                     |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?  | <input type="checkbox"/>             | <input type="checkbox"/> | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?  | <input type="checkbox"/>             | <input type="checkbox"/> | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?  | <input type="checkbox"/>             | <input type="checkbox"/> | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?                                   | <input type="checkbox"/>             | <input type="checkbox"/> | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/>             | <input type="checkbox"/> | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?  | <input type="checkbox"/>             | <input type="checkbox"/> | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?  | <input type="checkbox"/>             | <input type="checkbox"/> | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?   | <input type="checkbox"/>             | <input type="checkbox"/> | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

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

**9. HYDROLOGY AND WATER QUALITY**

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

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

**10. LAND USE AND PLANNING**

| <b>Would the project:</b>  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Physically divide an established community? (Source: 1, 2, 3, 7 )   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Source: 1, 2, 3, 4, 5, 7, 16) | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: 1, 2)   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Discussion/Conclusion/Mitigation:**

- a) *No Impact:* The project is the adjustment of a property line between two existing lots of record and no development is proposed at this time. The project does not include any physical barriers that could potentially change the connectivity of the region, local cities, neighborhoods parks or other elements of the community. Therefore, there is no potential to physically divide and established community.
- b) *Less Than Significant Impact:* The land use plan designation for the subject property is Residential - Rural Density 5.1 AC/U. The zoning designation for the property is RDR/5.1-UR-D-S (Rural Density Residential, 5.1 acres per unit / Urban Reserve / Design Control District / Site Plan Review). The Monterey County General Plan includes several policies that address Lot Line adjustments:

- *LU-14. Consistent with the provisions of the State Subdivision Map Act, lot line adjustments shall be between four or fewer existing adjoining parcels.*

The Lot Line Adjustment is between two adjoining parcels

- *LU-15. Where Lot Line adjustment may be configured to result in lots conforming to the policies and standards of this General Plan, that configuration is required. Lot Line Adjustments that may compromise the location of wells, on-site wastewater systems or envelopes should not be approved.*

As both the 4.3 acre and 4.6 acre parcels are presently less than 5.1 acres in area, it is not possible to configure both to 5.1 acres. The present proposal will not compromise the location of wells or on-site wastewater systems. No building envelopes are recorded on the subject parcels.

- *LU-16. Lot line adjustments between or among lots that do not conform to minimum parcel size standards may be allowed if the resultant lots are consistent*

*with all other General Plan policies, zoning and building ordinances and the lot line adjustment would:*

- a) accommodate legally constructed improvements which extend over a property line; or*
- b) facilitate the relocation of existing utilities, infrastructure, or public utility easements; or*
- c) resolve a boundary issue between or among affected owners; or*
- d) produce a superior parcel configuration; or*
- e) reduce the non-conformity of existing legal lots of record; or*
- f) promote resource conservation, including open space and critical viewshed protection, without triggering eminent domain; or*
- g) better achieve the goals, policies and objectives of the General Plan; or*
- h) facilitate Routine and Ongoing Agricultural Activities.*

The Steuck lot line adjustment proposal is among lots that do not conform to minimum parcel size standards and may be allowed according to items d), f) and g) above. Approval of the proposal would provide for a superior parcel configuration in that both adjusted parcels would include potential development areas that include less steep areas away from protected slopes. By adjusting the southerly parcel in its proposed configuration, better opportunities for protecting the steep and visible hillside along Aguajito will exist. The proposal also serves to better achieve the goals and policies of the General Plan in that protection of slopes, avoiding development in the viewshed of slopes, and avoiding unnecessary erosion and control structures on slopes, all serve to retain the character and natural beauty of Monterey County as characterized by Goal OS-1 of the General Plan. Additionally, Policy OS-1.9 in the same Conservation and Open Space Goals and Policies section of the General Plan, states that, "Development that protects and enhances the County's scenic qualities shall be encouraged." This is such a project.

Drawing from the graphic prepared in the Project Description in Section II where the existing and proposed lot line configurations are superimposed over a Google Earth image of aerial photography and topographic relief, one can see how a reconfigured Parcel A and B would allow these steep slopes to be avoided should development be proposed.

The zoning designation on the properties (RDR/5.1-UR-D-S {Rural Density Residential, 5.1 acres per unit / Urban Reserve / Design Control District / Site Plan Review}) requires discretionary permits from the County for any future development proposal and as such would be reviewed and publicly noticed as appropriate under the General Plan and Zoning Ordinance. The proposed Lot Line Adjustment is consistent with the General Plan in this manner and is consistent with the purposes of the plan to avoid or mitigate potential adverse environmental impacts, such as development on protected slope resources.

- c) *No Impact.* There are no habitat conservation plans or natural community conservation plans in place at the project site. Therefore, there are no potential impacts to such land use plans.

| 11. MINERAL RESOURCES   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| <b>Would the project:</b>   |                                |  |                              |                                     |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

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

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

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

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

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

| 14. PUBLIC SERVICES  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact                        |
|--|--------------------------------------|--|------------------------------------|-------------------------------------|
| <b>Would the project result in:</b>  |                                      |  |                                    |                                     |
| Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: |                                      |  |                                    |                                     |
| a) Fire protection?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Police protection?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Schools?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Parks?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| e) Other public facilities?  | <input type="checkbox"/>             | <input type="checkbox"/>                                       | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

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

| 15. RECREATION            |   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|---------------------------|---|--------------------------------|--|------------------------------|-------------------------------------|
| <b>Would the project:</b> |   |                                |  |                              |                                     |
| a)                        | Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b)                        | Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

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

| 16. TRANSPORTATION/TRAFFIC |  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|----------------------------|--|--------------------------------|--|------------------------------|-------------------------------------|
| <b>Would the project:</b>  |  |                                |  |                              |                                     |
| a)                         | Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b)                         | Conflict with the goals, objectives, and policies of the 2010 Regional Transportation Plan for Monterey County, including, but not limited to level of service standards and travel demand measures, or other standards established by the Transportation Agency for Monterey County (TAMC) for designated roads or highways?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c)                         | Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d)                         | Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e)                         | Result in inadequate emergency access?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| f)                         | Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |



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

| 17. UTILITIES AND SERVICE SYSTEMS   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| <b>Would the project:</b>   |                                |  |                              |                                     |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                            | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                                     | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

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

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

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

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

### **Assessment of Fee:**

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

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

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

**Conclusion:** The project will not be required to pay the fee.

**Evidence:** Based on the record as a whole as embodied in the Planning Department files pertaining to PLN080454 and the attached Initial Study / Proposed Negative Declaration.

## ***IX. REFERENCES***

1. Project Application/Plans - File Number PLN080454
2. Monterey County General Plan 2010
3. Greater Monterey Peninsula Area Plan
4. Title 21 of the Monterey County Code (Zoning Ordinance)
5. Title 19 of the Monterey County Code (Subdivision Ordinance)
6. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised February 2008.
7. Site Visit conducted by the project planner on May 12, 2009.
8. Interdepartmental Review Comments from Monterey County Land Use Agencies.
9. Letter from the California Regional Water Quality Control Board, Central Coast Region to Anthony Lombardo, Dated August 23, 2011.

10. Letter from the Monterey County Department of Health; Environmental Health Bureau to Anthony Lombardo, dated August 1, 2011 (Revised). Letter addresses Septic System and Hazardous Materials and Water Well Construction issues.
11. Letter from the Monterey County Department of Health; Environmental Health Bureau to Los Ranchitos de Aguajito Mutual Water Company, dated August 31, 2011. Letter addresses setbacks of water lines from septic systems.
12. Geotechnical, Soils and Percolation Investigation for Allan Fox for Assessor's Parcel Number 103-061-015-000, by Pacific Land Services, Inc., dated July 11, 1984.
13. Geotechnical Engineering Report Steuck Residences 596-A Aguajito Road, Carmel by Earth Systems Pacific, dated May 20, 2008.
14. Phase I Historic Review of the residential property located at 570 Aguajito Road, Monterey. Letter Report from Kent L. Seavey to Aaron Johnson, dated July 8, 2011.
15. Preliminary Cultural Resources Reconnaissance of Assessor's Parcel Number 103-061-015-000 in an unincorporated area of Monterey County, California." Prepared by Susan Morley, dated May 2008.
16. Monterey County Geographical Information Systems (GIS) database.
17. Comprehensive Land Use Plan for Monterey Peninsula Airport, dated March 23, 1987.