

Attachment D

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Notice of Completion & Environmental Document Transmittal

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

SCH #

Project Title: Morgenrath (Blaze Engineering)

Lead Agency: County of Monterey - RMA Planning Contact Person: Anna V. Quenga, Senior Planner
 Mailing Address: 1441 Schilling Place, 2nd Floor Phone: (831) 755-5175
 City: Salinas Zip: 93933 County: Monterey

Project Location: County: Monterey City/Nearest Community: Big Sur
 Cross Streets: State Route 1 and Apple Pie Ridge Road Zip Code: 93920
 Longitude/Latitude (degrees, minutes and seconds): 36 ° 16 ' 17.7 " N / 121 ° 48 ' 22.6 " W Total Acres: 2.55
 Assessor's Parcel No.: 419-201-007-000 Section: S23 Twp.: 9S Range: 1E Base: _____
 Within 2 Miles: State Hwy #: State Route 1 Waterways: Big Sur River, Pacific Ocean
 Airports: N/A Railways: N/A Schools: Captain Cooper

Document Type:

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

Local Action Type:

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

Development Type:

Residential: Units _____ Acres _____
 Office: Sq.ft. _____ Acres _____ Employees _____
 Commercial: Sq.ft. 2160 Acres 2.55 Employees 20
 Industrial: Sq.ft. _____ Acres _____ Employees _____
 Educational: _____
 Recreational: _____
 Water Facilities: Type _____ MGD _____
 Transportation: Type _____
 Mining: Mineral _____
 Power: Type _____ MW _____
 Waste Treatment: Type _____ MGD _____
 Hazardous Waste: Type _____
 Other: _____

Project Issues Discussed in Document:

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

Present Land Use/Zoning/General Plan Designation:

Visitor Serving Commercial, Design Control (Coastal Zone)

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

Combined Development Permit consisting of 1) Coastal Development Permit, Design Approval, and General Development Plan to allow the establishment of a commercial business operation including a 760 square foot office, a 600 square foot workshop, an 800 square foot storage unit, storage of equipment such as generators, cement silo, diesel storage tanks, and septic system; 2) Coastal Development Permit to allow development on slopes in excess of 30%; 3) a Coastal Development Permit to allow removal of 16 protected trees; and 4) Coastal Administrative Permit to convert a test well into a permanent well.

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

Reviewing Agencies Checklist

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

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

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

Starting Date September 5, 2018 Ending Date October 5, 2018

Lead Agency (Complete if applicable):

Consulting Firm: <u>N/A</u>	Applicant: <u>Morgenrath Martha J, TR ET AL</u>
Address: _____	Address: <u>HC67 BOX 1201</u>
City/State/Zip: _____	City/State/Zip: <u>BIG SUR CA 93920</u>
Contact: _____	Phone: <u>(831) 667-2697</u>
Phone: _____	

Signature of Lead Agency Representative:  Date: 9/31/2018

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

County of Monterey
State of California

MITIGATED NEGATIVE DECLARATION

FILED

AUG 31 2018

STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY

Project Title:	Morgenrath (Blaze Engineering)
File Number:	PLN160851
Owner:	Morgenrath Martha J TR ET AL
Project Location:	46821 Highway 1, Big Sur
Primary APN:	419-201-007-000
Project Planner:	Anna V. Quenga, Senior Planner
Permit Type:	Combined Development Permit
Project Description:	Combined Development Permit consisting of 1) Coastal Development Permit, Design Approval, and General Development Plan to allow the establishment of a commercial business operation including a 760 square foot office, a 600 square foot workshop, an 800 square foot storage unit, storage of equipment such as generators, cement silo, diesel storage tanks, and septic system; 2) Coastal Development Permit to allow development on slopes in excess of 30%; 3) a Coastal Development Permit to allow removal of 16 protected trees; and 4) Coastal Administrative Permit to convert a test well into a permanent well.

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

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

Decision Making Body:	Planning Commission
Responsible Agency:	County of Monterey
Review Period Begins:	September 5, 2018
Review Period Ends:	October 5, 2018

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

MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY

Carl P. Holm, AICP, Director



LAND USE & COMMUNITY DEVELOPMENT | PUBLIC WORKS & FACILITIES | PARKS
1441 Schilling Place, South 2nd Floor (831)755-4800
Salinas, California 93901-4527 www.co.monterey.ca.us/rma

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

NOTICE IS HEREBY GIVEN that Monterey County Resource Management Agency – Planning has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for a Combined Development Permit (Morgenrath, File Number PLN160851) at 46821 Highway 1, Big Sur (APN 419-201-007-000) (see description below).

The Mitigated Negative Declaration and Initial Study, as well as referenced documents, are available for review at Monterey County Resource Management Agency – Planning, 1441 Schilling Place, South 2nd Floor, Salinas, California. The Mitigated Negative Declaration and Initial Study are also available for review in an electronic format by following the instructions at the following link: <http://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma/planning/resources-documents/environmental-documents/pending>.

The Planning Commission will consider this proposal at a meeting tentatively set for October 31, 2018, in the Monterey County Board of Supervisors Chambers, 168 West Alisal, 2nd Floor, Salinas, California. Written comments on this Mitigated Negative Declaration will be accepted from September 5, 2018 to October 5, 2018. Comments can also be made during the public hearing.

Project Description: Combined Development Permit consisting of 1) Coastal Development Permit, Design Approval, and General Development Plan to allow the establishment of a commercial business operation including a 760 square foot office, a 600 square foot workshop, an 800 square foot storage unit, storage of equipment such as generators, cement silo, diesel storage tanks, and septic system; 2) Coastal Development Permit to allow development on slopes in excess of 30%; 3) a Coastal Development Permit to allow removal of 16 protected trees; and 4) Coastal Administrative Permit to convert a test well into a permanent well.

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

CEQAcomments@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 Agency to ensure the Agency has received your comments.

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

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

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

County of Monterey
Resource Management Agency – Planning
Attn: Anna V. Quenga, Senior Planner
1441 Schilling Place, South 2nd Floor
Salinas, CA 93901

Re: Morgenrath PLN160851

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

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

COMMENTS: _____

DISTRIBUTION

1. State Clearinghouse (15 CD copies + 1 hard copy of the Executive Summary) – include the Notice of Completion
2. County Clerk's Office
3. California Coastal Commission
4. CalTrans District 5, Attn: Chris Bjornstad (San Luis Obispo office)
5. Native American Heritage Commission, Sacramento Office
6. Louise Miranda-Ramirez, C/O Ohlone/Costanoan-Esslen Nation
7. Association of Monterey Bay Area Governments
8. Monterey Bay Air Resources District
9. California Department of Fish & Wildlife, Marine Region, Attn: Steven Rienecke
10. Monterey County Water Resources Agency
11. Monterey County RMA-Environmental Services
12. Morgenrath Martha J Tt Et Al (Owner)
13. Law Offices of Aengus Jeffers, Attn: Laura Lawrence (Agent)
14. The Open Monterey Project
15. LandWatch Monterey County
16. Maureen Wruck Planning Consultants LLC, Attn: Joel Panzer
17. Paul Smith
18. Property Owners & Occupants within 300 feet (**Notice of Intent only**)

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

19. U.S. Army Corps of Engineers (San Francisco District Office: Katerina Galacatos: galacatos@usace.army.mil)
20. Emilio Hipolito (ehipolito@nccrc.org)
21. Molly Erickson (Erickson@stamplaw.us)
22. Margaret Robbins (MM_Robbins@comcast.net)
23. Michael Weaver (michaelrweaver@mac.com)
24. Monterey/Santa Cruz Building & Construction (Office@mscbctc.com)
25. Tim Miller (Tim.Miller@amwater.com)

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

PLANNING

1441 SCHILLING PL SOUTH, 2nd FLOOR, SALINAS, CA 93901

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



Project Title: Morgenrath Martha J TR ET AL (Blaze Engineering)

File No.: PLN160851

Project Location: 46821 Highway 1, Big Sur

Name of Property Owner: Morgenrath Martha J TR ET AL

Name of Applicant: Law Offices of Aengus L Jeffers

Assessor's Parcel Number: 419-201-007-000

Acreage of Property: 2.55 Acres

General Plan Designation: Rural Community Center

Zoning District: Visitor Serving Commercial, Design Control (Coastal Zone)

Lead Agency: RMA-Planning

Prepared By: Anna V. Quenga, Senior Planner

Date Prepared: July 27, 2018

Contact Person: Anna V. Quenga, Senior Planner

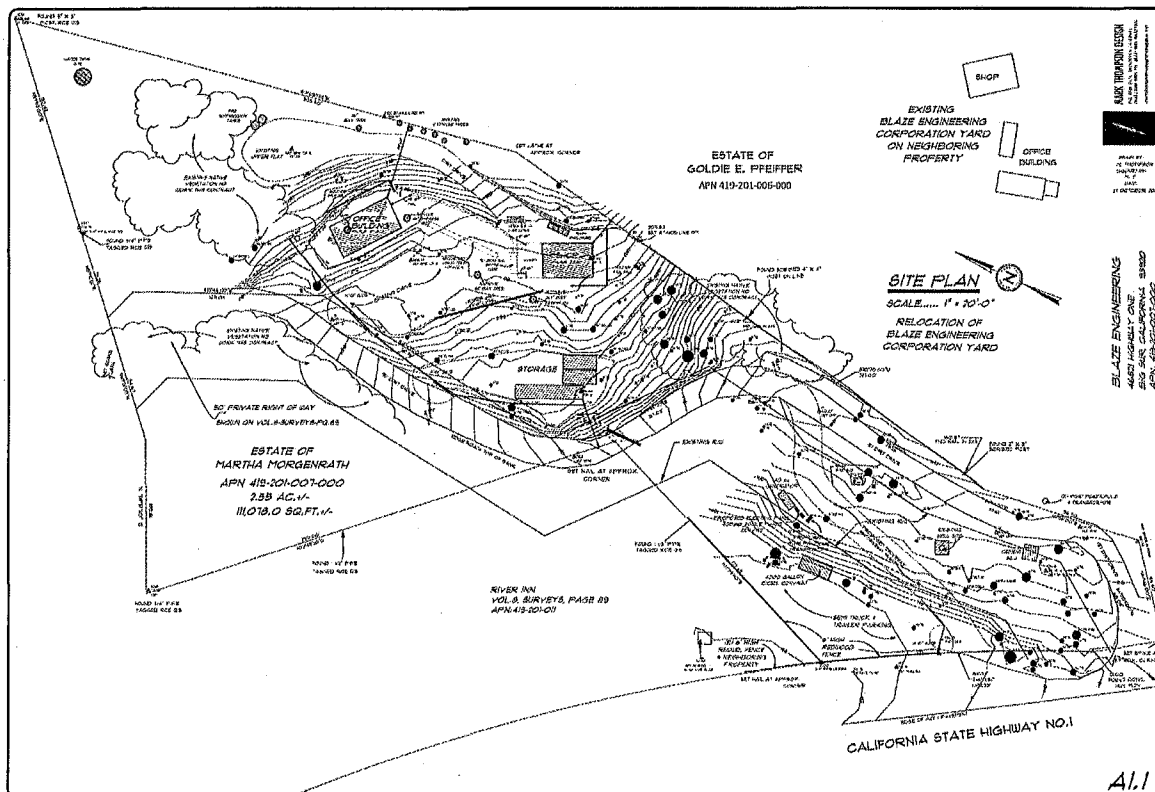
Phone Number: (831) 755-5175

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project:

The Morgenrath project (Project) includes the establishment of a commercial business operation for Blaze Engineering on a vacant parcel zoned Visitor Serving Commercial, Design Approval, Coastal Zone or "VSC-D(CZ)". The proposed facilities on the site consist of: a 760 square foot office, a 600 square foot workshop, an 800 square foot storage unit, and equipment such as generators, a cement silo, and above ground diesel storage tanks. An onsite wastewater treatment system is proposed to provide wastewater service and potable water would be provided by a test well¹ converted into a permanent well. Site improvements require the removal of 16 protected trees, grading of 444 cubic yards of cut and 619 cubic yards of fill, and development on slopes in excess of 30%. The applicant, hereafter referred to as "Morgenrath" or "Blaze Engineering", requests a Combined Development Permit to erect the new facilities and commence use (Reference 1).

To put the Project in context, background information of Blaze Engineering's operations should be considered as the Project includes relocation of existing operations from one property to another. Between 1989 and 2017, Blaze's operations were conducted out of the adjacent property that borders the Morgenrath's eastern property line (Assessor's Parcel Number 419-201-006-000), hereafter referred to as the "former Blaze site". Morgenrath was notified that the lease of the adjacent property would no longer be available and the application for the Combined Development Permit was submitted to Monterey County (References 1 and 8).



¹ Coastal Administrative Permit (File No. PLN170051, Resolution No. 17-006) permitted drilling of a test well. As of preparation of this report, conditions of the permit have been met and the well has been drilled.

Figure 1. Project Site Plan

The Project proposes to construct a 760 square foot on the Morgenrath property. Materials and colors consist of board and batt siding (“moss green” body with “frost white” trim), white framed vinyl windows, and a gray composition shingle roof. The storage containers², cement silo, generator, and diesel storage tanks are proposed to be moved from the former Blaze site to the Morgenrath property (Figure 2).

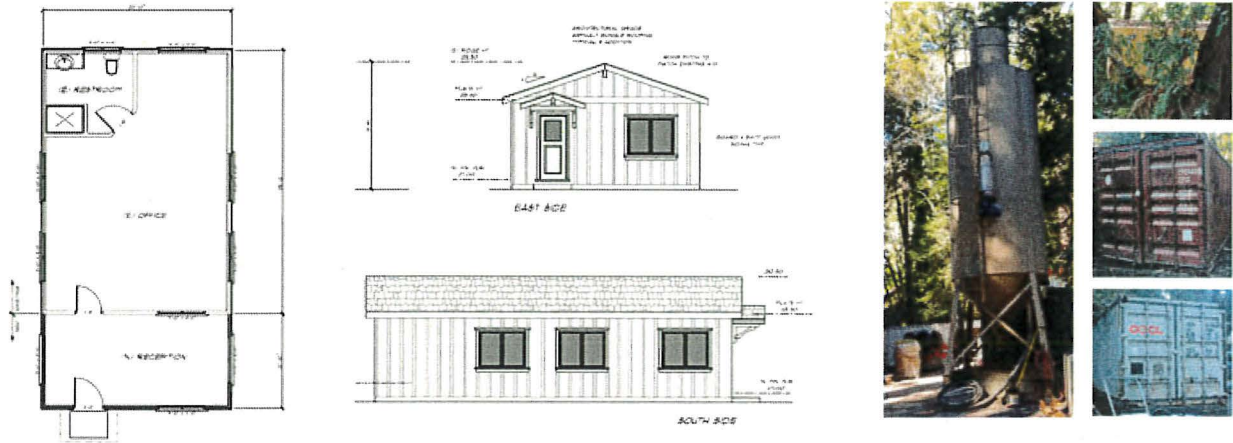
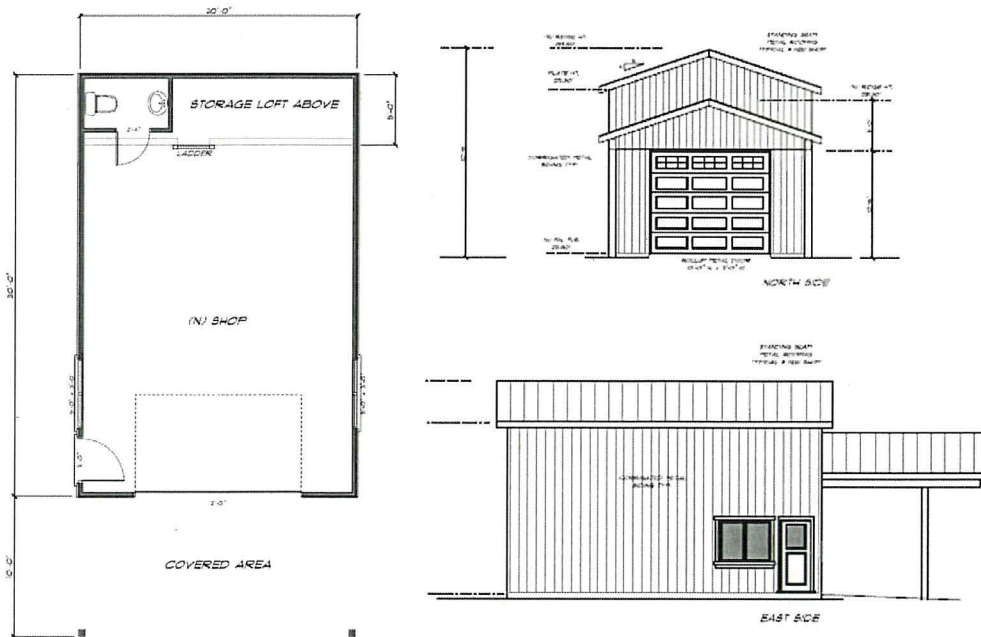


Figure 2. Office, Cement Silo, Generator, & Storage Containers

The proposed shop is intended to provide indoor space for maintaining and repairing contractor equipment when necessary (see Figure 3). The 21-foot tall pre-fabricated structure is proposed to be assembled onsite and consists of corrugated metal siding with a standing seam metal roof.



² On February 23, 2018, the County of Monterey issued a Design Approval (File No. PLN180139) allowing the temporary placement of (3) storage containers on the Morgenrath property until a permanent location for Blaze Engineering is secured.

Figure 3. Shop

Site improvements for the Project include grading, placement of structures, and/or placement of interior roadways on areas in excess of 30%. As demonstrated in **Figure 4**, these slope areas are at the office building, shop and adjacent soldier pile wall, the proposed Hilfiker wall, and proposed driveway off State Route 1. As also illustrated on **Figure 4**, the Project involves the removal of 16 trees, many of which are in hazardous conditions (References 1, 8, 9 and 16).

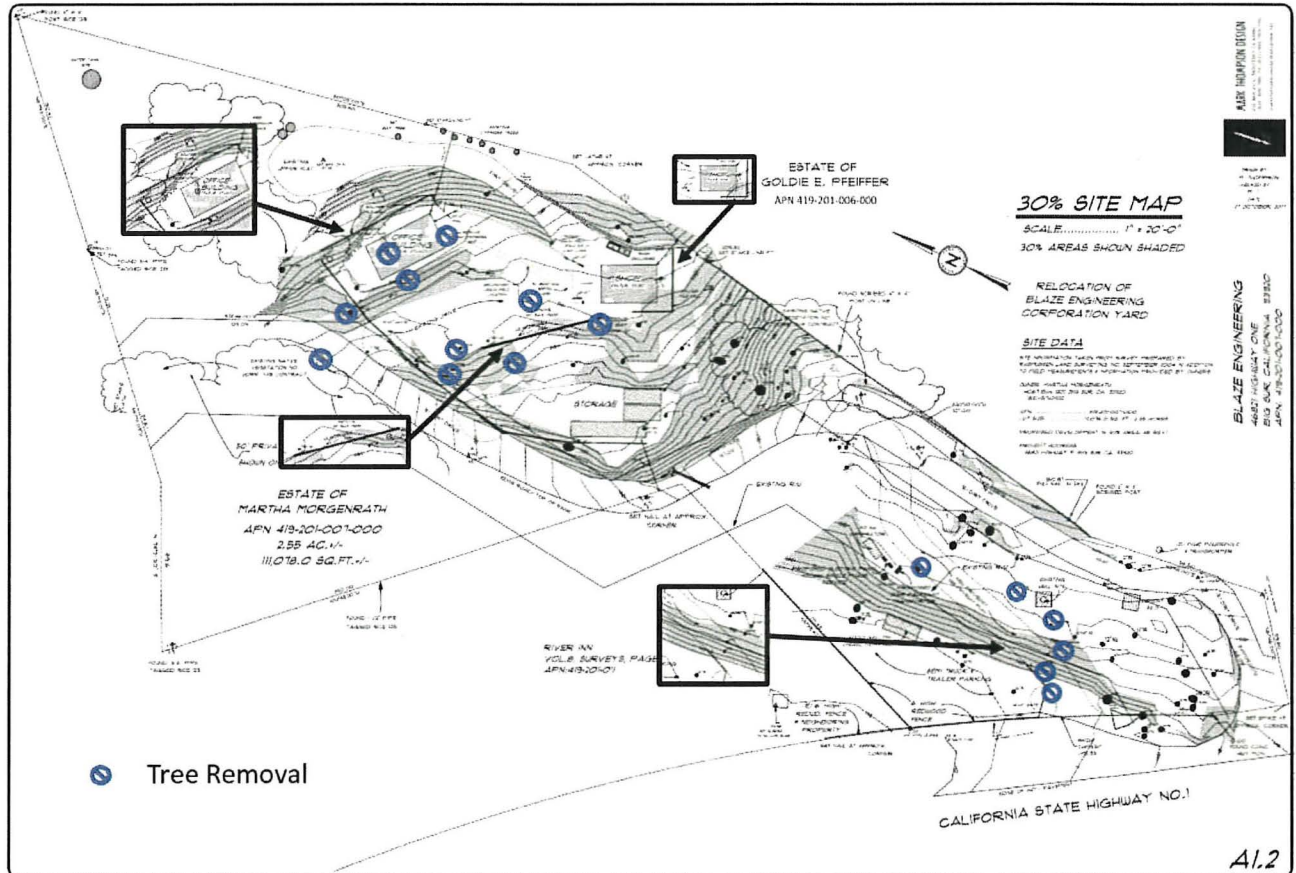


Figure 4. Development on Slopes in Excess of 30% & Tree Removal

Access to the site is provided by an existing driveway off State Route 1 (SR1). However, approximately 60-feet north of the existing driveway, the applicant proposes to construct a new driveway access with safer ingress and egress due to a greater line of sight distance (**Figure 5**). Parking of Blaze's large construction equipment (trucks, trailers, dozers, etc.) is proposed within the existing flat dirt parking area adjacent to the new driveway (**Figure 7**). To screen parked vehicles, and as recommended by the public during the Big Sur Land Use Advisory Committee meeting, the applicant proposes a redwood fence between the parking area and SR1. Blaze currently has 20 employees, including office staff and parking for administrative staff is proposed in an area located adjacent to the office and shop (**Figure 1** and References 1 and 18).

Examples of materials provided by Blaze includes concrete, rock, sand, and plumbing and landscape supplies and examples of services consist of grading, paving, installing water, septic, and electrical systems, and road building and repair. Blaze also provides heavy equipment, fuel, and labor to the Big Sur area on an emergency basis. For example, assistance to repair and re-

open damaged roads was provided during the 1998 El Nino, 2008 Basin Complex Fire, 2013 Pfeiffer Ridge Fire, 2016 Soberanes Fire, and 2017 landslide events. The Project is intended to allow Blaze Engineering to continue their operations and no new uses are proposed³. The ongoing component of the Project would provide a home base for Blaze's operation with office hours Monday through Friday from 8:00am to 4:30pm. However, on-call staff is available for emergency response. Associated activities on the site will be primarily for administrative, storage, and maintenance. Based on the goods and services Blaze provides, intensive construction activities would continue to occur off-site on their client's property.



Figure 5. Existing and Proposed Access Driveway

B. Surrounding Land Uses and Environmental Setting:

The Morgenrath property is an oddly-shaped 2.55 acre parcel located on the eastern side of State Route 1 (SR1). Access to the site is provided by an existing driveway off SR1 and a right of way that traverses the property and provides access to nearby parcels. The Geotechnical report (Grice, Reference 12) describes the property to contain topography with “slight to moderate” slopes at elevations ranging between 180 to 280 feet above mean sea level. The lower elevation of the property is nearest SR1 while the higher elevation of the property is generally to the northeast (References 1 and 8). Soils range from fine sand to medium gravel with few amounts of silts and clays (Reference 12). The site is considered to be entirely within a Redwood Forest natural community dominated by coast redwood and co-dominated by California bay laurel. Tan oaks and coast live oaks are present but limited in numbers. Native understory plants are also limited

³ Section 4.0 of the proposed General Development Plan (GDP, Source 1) describes future employee housing on the Morgenrath site in accordance with Policy 5.1.2 of the BSC LUP. Morgenrath does not seek permit approval for this use at this time and acknowledges that a separate permit will be required should they wish to establish in the future. Therefore, employee housing is not part of the Project or this environmental review.

due to invasive English ivy that dominates the understory vegetation (see Ballerini, Reference 11 and **Figure 6**).



Figure 6. On-Site Vegetation

The lower portion of the property contains a flat dirt parking area (**Figure 7**). This parking area is used by both Blaze Engineering to park their construction vehicles and parking for the River Inn Motel. The River Inn has motel units adjacent to the Morgenrath property and across SR 1 and the Morgenrath's have an existing agreement to share this portion of their property with the motel to provide off-street overflow parking (Reference 1).



Figure 7. Lower Portion of Property

Other man-made improvements on the site include an improved road right-of-way, interior driveways, trails, and 3 level building pads (**Figures 8**). An existing, permitted test well is located on the lower portion of the property.

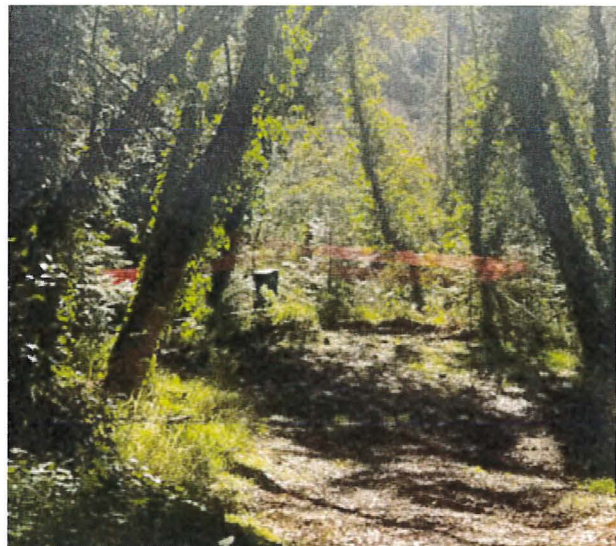


Figure 8. Right-of-Way, Driveway, and Upper Building Pad for Office (Top), Middle Building Pad for Shop (Bottom Left) and Lower Building Pad for Storage (Bottom Right)

Surrounding lands uses include rural residential parcels to the north, northeast, and east that range in size between 2 and 60 acres. Nearby visitor serving commercial uses such as inns, campgrounds, service stations, and restaurants, are found to the west and southwest. The Big Sur River is approximately 500-feet west of the site and Pheneger Creek, a tributary to the Big Sur River, is approximately 150-feet to the south.

The Morgenrath property is located within an area identified as the Big Sur Valley Rural Community Center (**Figure 9**). Pursuant to Section 5.3.2 of the BSC LUP, Rural Community Centers are areas with a special land use classification based on an existing variety of land use activities that provide essential services to the community and visiting public. Policies applicable

to these centers are intended to allow developments that would continue to provide a spectrum of functions to the public and residents of the area (References 3 and 4).

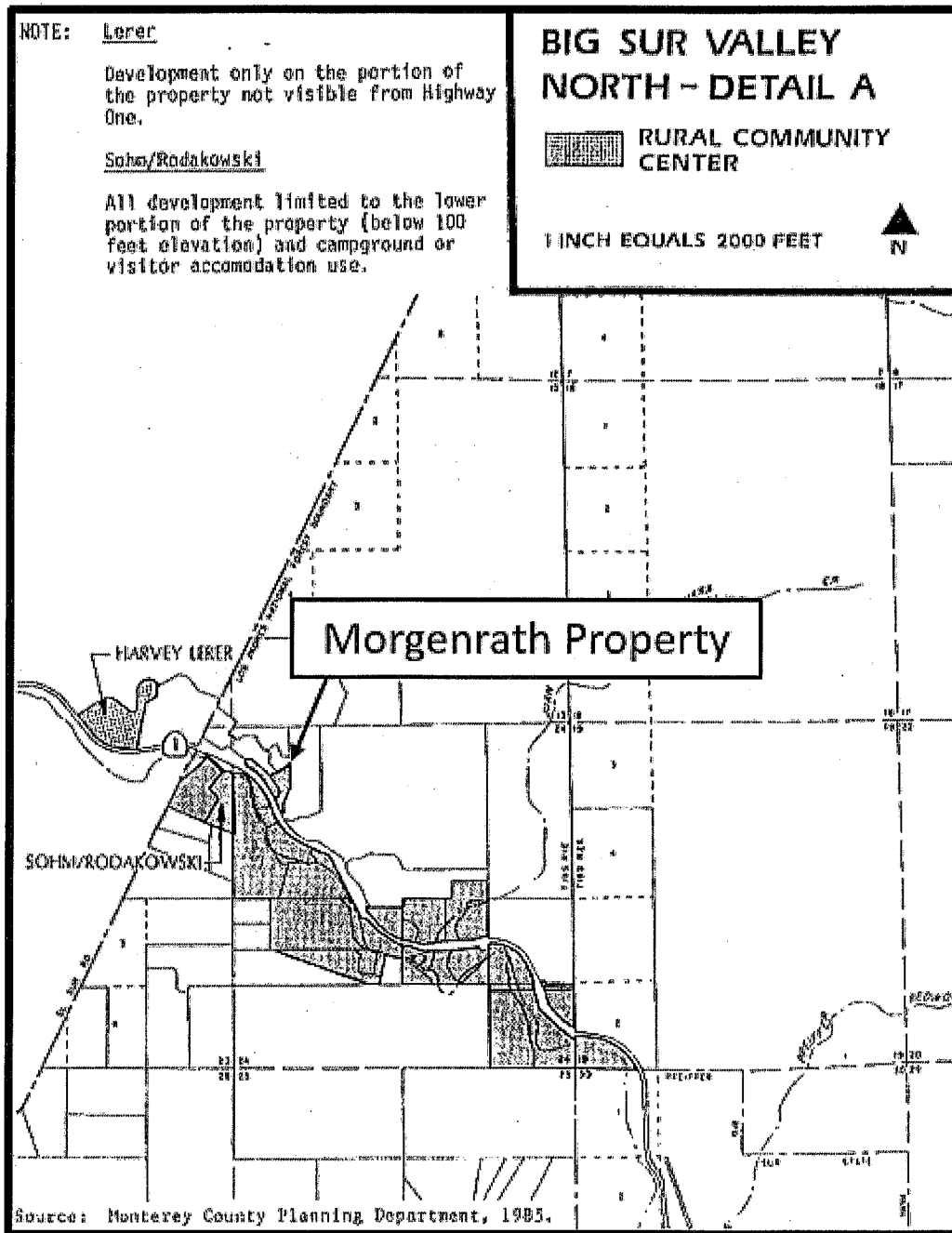


Figure 9. Rural Community Center – Big Sur Coast Land Use Plan

As previously stated, Blaze Engineering's operations were conducted from an adjacent property to the east for approximately 28 years (Figure 10). Therefore, as part of the baseline condition of the immediate vicinity, analysis of impacts resulting from the project includes effects to both the physical conditions of the Morgenrath property and the spatial and functional conditions of the area at the time the application for development was made.

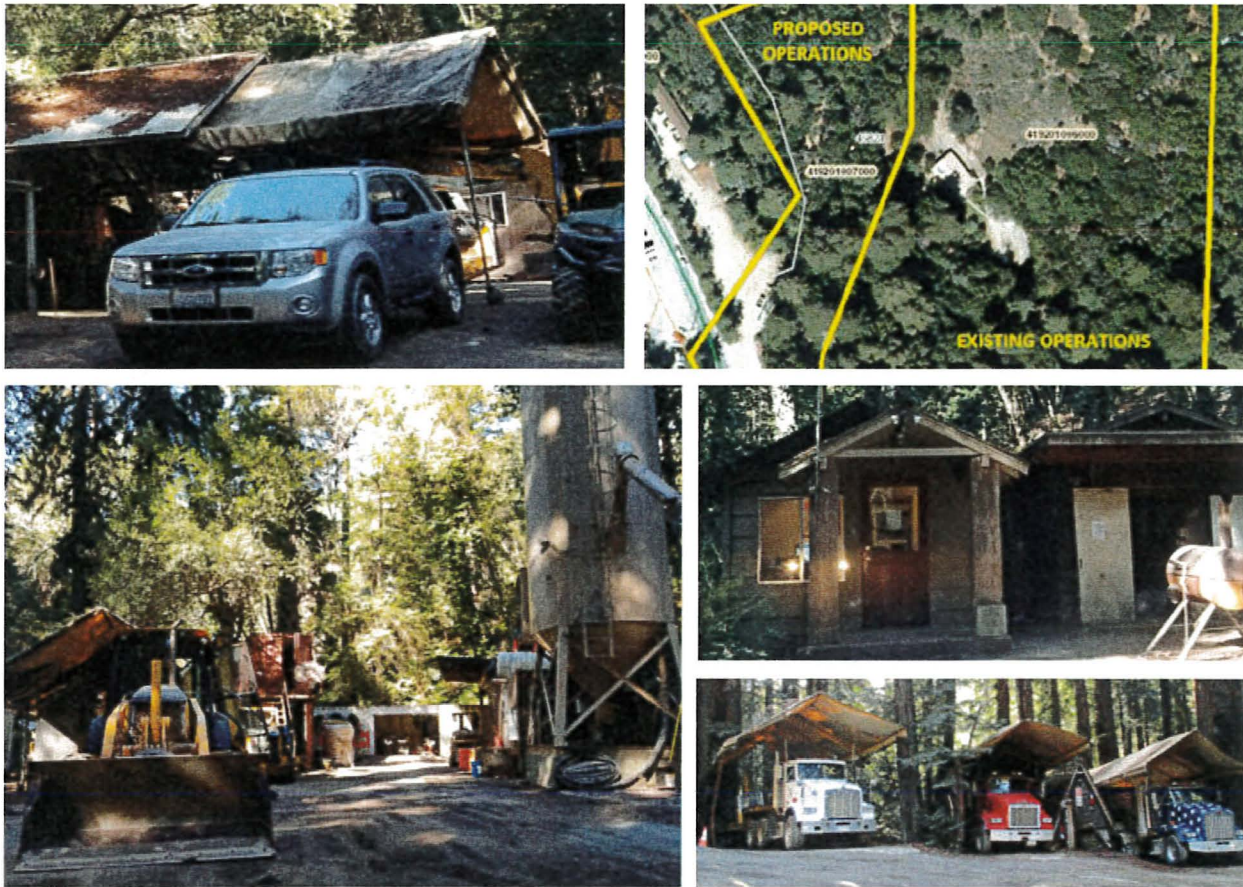


Figure 10. Blaze Engineering Operations on Adjacent Parcel (APN 419-201-006-000)

C. Other Public Agencies Whose Approval is Required:

The Project is entirely within the jurisdiction of the County of Monterey and approval from any outside agencies would not be required, other than an encroachment permit from Caltrans for the new driveway. County approval of the proposed permit is subject to appeal to or by the California Coastal Commission. In addition, obtaining ministerial construction permits would be required through the Monterey County Building Division, where review and approval by Cal Fire, Resource Management Agency-Public Works, Water Resources Agency, Environmental Health, and Resource Management Agency-Environmental Services Division would also occur.

D. Potential Project Impacts Identified:

The Morgenrath property is not located within an identified agricultural or State forest area and is not a mineral resource recovery site. Project implementation would not induce or reduce the population or availability of housing, or cause reduction of the existing level of services for fire, police, public schools, or parks. The project would not divide an existing community or conflict with policy and/or regulation adopted to avoid an environmental effect. Therefore, the project would have no impact on agricultural and State forest resources, land use/planning, mineral resources, population and housing, public services, recreation, or utilities and service systems. See further discussion in Section IV of this Initial Study.

Less than significant impacts have been identified for aesthetics, air quality, cultural resources, geology/soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water

quality, land use/planning, noise, and transportation and traffic (see Section VI, Environmental Checklist, of this Initial Study). Implementation of the project would incorporate conditions of approval to assure compliance with County requirements, some of which would reduce potential impacts to a less than significant level. Therefore, mitigation measures were not necessary for the Project to have a less than significant impact on these resources.

Potential impacts to biological resources and tribal cultural resources caused by site disturbance and the establishment of new structures resulting from Project implementation have been identified. Mitigation measures have been incorporated to reduce these potential impacts to a less than significant level (see Section VI, Environmental Checklist, of this Initial Study).

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

General Plan/Local Coastal Program LUP:

The Project was reviewed for consistency with the 1982 Monterey County General Plan (General Plan), the Big Sur Coast Land Use Plan (BSC LUP), and Monterey County Coastal Implementation Plans (CIP), Part 1 (Title 20) and Part 3 (BS CIP). The intent of the General Plan is to maintain and enhance the County's rural character, natural resources, and economic base by providing for adequate residential and industrial growth in areas best suited for development. The Monterey County Big Sur Coast Land Use Plan, North Section Map and Detail A, shows the Morgenrath property within an area defined as "Rural Community Center". This special land use classification is for areas where a variety of land use activities (inns, restaurants, service station, and commercial uses) exist. The goal of identifying Rural Community Centers is to provide policies that support the continuation of providing a spectrum of functions for both the visiting public and residents of the adjoining rural areas within areas with those established uses. As specified in Section 5.3.2 of the BSC LUP, locations of any of the established uses within the Rural Community Centers "is not a major concern and can best be determined upon review of individual, specific proposals." In general, any use allowed in any zone is appropriate for Rural Community Centers. Section 5.4.3.E of the BSC LUP calls for commercial uses to be directed to existing Rural Community Centers, carry out the rustic nature of Big Sur, and serve both local and visiting public. Existing commercial facilities are encouraged to expand and improve. Furthermore, during analysis of new or expanded commercial uses, impacts of the use on surrounding land, particularly where uses are in proximity to residences, shall be considered. The Blaze Engineering operations have had a long established service of providing residents and visitor serving commercial facilities of Big Sur with maintenance and repair of infrastructure during emergencies, such as fires and landslides, as well as normal "wear and tear". Relocation of the operation would: allow for utilization of the site consistent with the LUP, place activities with higher noise intensity to the lower portions of the site away from sensitive receptors, provide a parking facility with safer ingress and egress, and result in providing a greater distance between the operations and existing residential structures than that of the former site. Key Policy 3.2.1 of the BSC LUP prohibits all future public or private development visible from State Route 1 (SR1) and major public viewing areas (the Critical Viewshed), except for developments within Rural Community Centers as specified in Section 3.2.5.A of the BSC LUP. As discussed in Section VI.1 of this Initial Study, the project has been found to be consistent with the Visual Resources Policies of the BSC LUP. (References: 1, 2, 3, 4, 5, 6, and 8) **CONSISTENT**

Water Quality Control Plan

The Morgenrath property lies within Region 3 of the Central Coast Regional Water Quality Control Board (CCRWCB). Water quality objectives specified in the Water Quality Control Plan for the Central Coastal Basin are meant to protect existing high quality waters of the state and are considered necessary to protect present and future beneficial uses enumerated in Chapter Two of the plan. Primarily, these objectives are achieved through establishment of waste discharge requirements and implementation of the water quality control plan. Implementation of the Project would result in land disturbance and construction of permanent structures on a currently vacant parcel, potentially introducing new sources of water pollution or significantly increasing on-site impervious surfaces. Conversely, the capture of stormwater and its infiltration into the ground could potentially result in a benefit by recharging groundwater. In accordance with Chapter 16.12 of the Monterey County Code, the proposed project has been conditioned by the Water Resources Agency and RMA-Environmental Services requiring the applicant to submit a drainage and erosion control plan. For additional discussion on hydrology and water quality, please refer to Section VI.9 of this Initial Study. The CCRWQCB has designated the Director of Health as the administrator of the individual sewage disposal regulations, conditional upon County authorities enforcing the Regional Water Quality Control Plan, Central Coast Basin (Basin Plan). These regulations are codified in Chapter 15.20 of the Monterey County Code. The Environmental Health Bureau has reviewed the Project to and found the proposed septic design and location consistent with these regulations. For additional discussion on hydrology and water quality, please refer to Section VI.6 of this Initial Study. (References 1, 8, and 12) **CONSISTENT**

Air Quality Management Plan

Consistency with the Air Quality Management Plan (AQMP, Reference 20) is an indication of a project's ability to avoid contributing to a cumulative adverse impact on regional air quality (ozone levels), and is not an indication of project specific impacts, which are evaluated according to the Air District's adopted thresholds of significance. Inconsistency with the AQMP is considered a significant cumulative air quality impact. The Monterey Bay Air Resources District (MBARD) prepared the AQMP for the Monterey Bay Region. The AQMP addresses attainment and maintenance of State and Federal ambient air quality standards with the North Central Coast Air Basin. The Project does not include residential development and would not result in a population increase not already accounted for in the AQMP. On August 3, 2018, County staff consulted with MBARD staff and determined that the Project would not conflict with or obstruct implementation of the AQMP. There would be no change to current stationary emissions as a result of the Project. The MBARD *CEQA Air Quality Guidelines* (Reference 7) defines construction activities with potentially significant impacts for PM₁₀ if they include 2.2 acres of disturbance per day. The Project would involve less than 2.2 acres of disturbance, and therefore would not result in a significant impact and would be consistent with the AQMP (see project description in previous Section II of this Initial Study). Additional discussion can be found in Section VI.3 – Air Quality, in this Initial Study. (References 1, 7, 8, and 20) **CONSISTENT**

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

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

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

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

Check here if this finding is not applicable

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

EVIDENCE: Section VI.2 – Agricultural and Forest Resources: Data contained within the Monterey County Geographic Information System (GIS) identifies that the subject property does not contain farmland designated as Prime, Unique, of Statewide or Local Importance, or under Williamson Act contract. There were no ongoing agricultural uses on the Morgenrath property, or in the vicinity, observed during

staff's onsite visit. Therefore, Project would not result in conversion of prime agricultural lands to non-agricultural uses or impact agricultural resources. Although the biological report (Ballerini, Reference 10) indicates that the site is entirely within a Redwood Forest natural community, it is not considered a forest or timber resource inventoried as "Demonstration State Forest" and the project would have no impact on forest resources. (Reference: 1, 3, 6, and 8) *No Impact.*

Section VI.3 – Air Quality: On August 3, 2017, County staff consulted with Monterey Bay Air Resources District (MBARD) staff to determine the Project's compliance with the Air Quality Management Plan (AQMP) and potential impacts to air quality. The Project includes the relocation of an existing operation from the former Blaze site to the Morgenrath property. From an air quality standpoint, this results in no change the baseline of the surrounding area. The relocation would not make any changes to operations that would cause an increase in air pollutants other than temporary impacts associated with construction (Project Plans and General Development Plan, Reference 1). The Construction Management Plan (Reference 1) submitted with the application limits proposed grading for site improvements to no more than 100 cubic yards per day and would not involve moving dirt exceeding the PM₁₀ threshold of 2.2 acres of disturbance per day. All other construction emissions are accounted for in the AQMP. (References 1 & 7) *No Impact.*

Section VI.10 – Land Use and Planning: The Project involves the relocation of a commercial operation with an established long-term continuous use from one property (APN 419-201-006-000) to an adjacent property (APN 419-201-007-000). The proposed use would not conflict with any applicable regulation adopted for the purpose of avoiding or mitigating an environmental effect. In fact, as stated in Section III above, the project is consistent with the special land use classification of Rural Community Center specified in the Big Sur Land Use Plan. A habitat conservation plan or natural community conservation plan is not adopted for the project area. (Reference: 1, 2, 3, 4, and 8) *No Impact.*

Section VI.11 – Mineral Resources: The Monterey County Geographic Information System (GIS) and a site visit conducted by staff verifies that there are no mineral resources for commercial use on the site. Therefore, implementation of the Project would have no impact on mineral resources. (Reference: 1, 3, 6, 8, 12 and 14) *No Impact.*

Section VI.13 – Population/Housing: Implementation of the Project would establish a commercial operation on a commercially zoned parcel. The operation would replace the former Blaze Engineering operation on an adjacent property. No change in the number of employees would result from a relocation of the business. The relocated business would be of the same scale and square footage as the existing business site and would not in itself allow an expansion or intensification of the business operations. Therefore, the use would not cause an increased demand for additional housing. The Project does not involve residential

development and therefore would not result in a substantial increase of housing units in the area. The Project would not substantially induce population growth in the area, either directly or indirectly, as no new public infrastructure would be extended to the site. Therefore, the proposed project would have no significant impacts related to population and/or housing. (Reference: 1, 2, 3, and 4) *No Impact.*

Section VI.14 – Public Services: Implementation of the Project would establish a commercial operation on a commercially zoned parcel. The operation would replace the former Blaze Engineering operation on an adjacent property. No change in the number of employees would result from a relocation of the business. The relocated business would be of the same scale and square footage as the existing business site and would not in itself allow an expansion or intensification of the business operations. The Project would not require new, or cause a physical alteration of existing, governmental facilities (resulting in construction that would cause significant environmental impacts) in order to maintain acceptable service ratios, response times or other performance objectives for public services. (Reference: 1, 2, 3, and 4) *No Impact.*

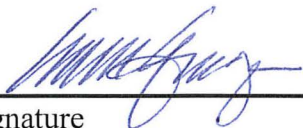
Section VI.15 – Recreation: Implementation of the Project would establish a commercial operation on a commercially zoned parcel. The operation would replace the former Blaze Engineering operation on an adjacent property. No change in the number of employees would result from a relocation of the business. The relocated business would be of the same scale and square footage as the existing business site and would not in itself allow an expansion or intensification of the business operations. Therefore, the Project would not result in a significant increase of the use of existing neighborhood and regional parks or other recreational facilities, causing substantial physical deterioration. The Project does not include or require construction or expansion of recreation facilities. The Project would not create significant recreational demands. (Reference: 1, 2, 3, and 4) *No Impact.*

Section VI.17 – Utilities: Implementation of the Project would require the installation of an onsite wastewater treatment system, allow conversion of a test well (approved by an earlier application, File No. PLN170051 Resolution No. 17-006) to a permanent well to provide domestic water service, and require creation of an onsite stormwater drainage facility. Therefore, the proposed project would not require connection to any public wastewater, stormwater, or water facilities. Any excess construction materials would be hauled on State Route 1 to the landfill outside Marina operated by the Monterey Regional Waste Management District. However, the minimal amount of waste produced would not affect the permitted landfill capacity. (Reference 1 and 8) *No Impact.*

B. DETERMINATION

On the basis of this initial evaluation:

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



 Signature

2/31/2018

 Date

Anna V. Quenga, Senior Planner

V. EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista? (Reference: 1, 3, 4, 5, 6, 8, & 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Reference: 1, 3, 4, 5, 6, 8, 17, & 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings? (Reference: 1, 3, 4, 5, 6, 8, & 17)	<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? (Reference: 1, 3, 4, 5, 6, 8, & 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Key Policy 3.2.1 of the Big Sur Land Use Plan (BSC LUP) prohibits all future public or private development visible from State Route 1 (SR1) and major public viewing areas (the Critical Viewshed). As demonstrated in **Figure 11** below, the Morgenrath property is off of SR 1 and within the defined Critical Viewshed.

Section 3.2.5.A of the BSC LUP provides an exception to Key Policy 3.2.1 for development within Rural Community Centers, which were established to provide essential services to the community and visiting public. Map entitled Big Sur Valley North – Detail A contained in the BSC LUP illustrates that the Morgenrath property is within the Big Sur Valley Rural Community Center (**Figure 9**). In accordance with the policy above, the proposed development would be permitted under siting and design controls provided in Title 20 (coastal zone regulations) and subsequent Policy 5.4.3 of the BSC LUP. Subsection E of Policy 5.4.3 requires commercial development to carry out the rustic character of Big Sur, provide an adequate physical area to meet parking requirements and natural resource concerns, prohibits large scale commercial facilities that are unlike existing character and size of facilities in Big Sur. In addition, parking areas are required to be screened from public views from Highway 1 and should, in no event, create hazards for motorists or pedestrians.

Zoning of the property includes a Design Control District overlay and the Project is therefore subject to the requirements set forth in Section 20.44 of Title 20, which provides regulations for the location, size, configuration, materials and colors of structures and fences to assure protection of the public viewshed, neighborhood character, and visual integrity without imposing undue restrictions on private property.

The Big Sur Coast Highway Management Plan (CHMP) provides guidelines for SR1 corridor aesthetics (Caltrans, Reference 17), which are intended to provide a source of values and direction, focusing on highway construction, maintenance, and operational practices to roadside features within and beyond the right of way. Although the CHMP is not a regulatory document, it is utilized as a resource to analyze Project components that encroach upon and are within proximity to the right of way and ensure they do not impact the scenic value of SR1.



Figure 11. Views of Morgenrath from State Route 1

1(a), (b), (c), and (d). Conclusion: Less Than Significant Impact.

Implementation of the Project would have the potential to adversely affect a scenic vista, scenic resources, degrade the existing visual character of the area, and create a new source of substantial light or glare that would affect nighttime views. As discussed above, the Morgenrath property is within view of SR1, and although the proposed development is exempt from Critical Viewshed requirements, the scenic and rural character of Big Sur is considered an important environmental resource. Hence, careful siting and design of the structures, the proposed new driveway off SR1, and improvements of the lower parking area is necessary for both compliance with the BSC LUP and reducing impacts to a less than significant level. During a site visit performed by staff (Quenga, Reference 8), staking and flagging of the proposed office, shop, storage areas (**Figure 8**), and cement silo (**Figure 12** below) areas were observed to determine potential impacts. The Blaze Engineering Operations conducted out of the adjacent parcel (APN 419-201-006-000) were also observed during that site visit for perspective purposes (**Figure 10**).

Exterior lighting for the Blaze operation is addressed in the General Development Plan. Lighting would be limited to the entrances and exits of the office and workshop and are proposed to have recessed lighting elements where the light source would not be visible from the highway. The plan requires the use of exterior lights that are unobtrusive, down-lit, compatible with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. Therefore, implementation of the Project, as proposed and with county standard conditions of approval for visually sensitive areas, would have a less than significant impact to scenic resources due to a new source of light on the Morgenrath property.



Figure 12. Staking of Silo (Left & Middle) and Existing Silo on Adjacent Property (Right)

The silo is proposed approximately 60-feet from SR 1. As shown in **Figure 13** below, the photo in the middle was taken from the existing right of way (the area identified with a “star” on the site plan on the left) facing towards staking of the silo (the area clouded on the site plan on the left) and State Route 1. The photo on the right is a view of the silo area taken from the edge of State Route 1.

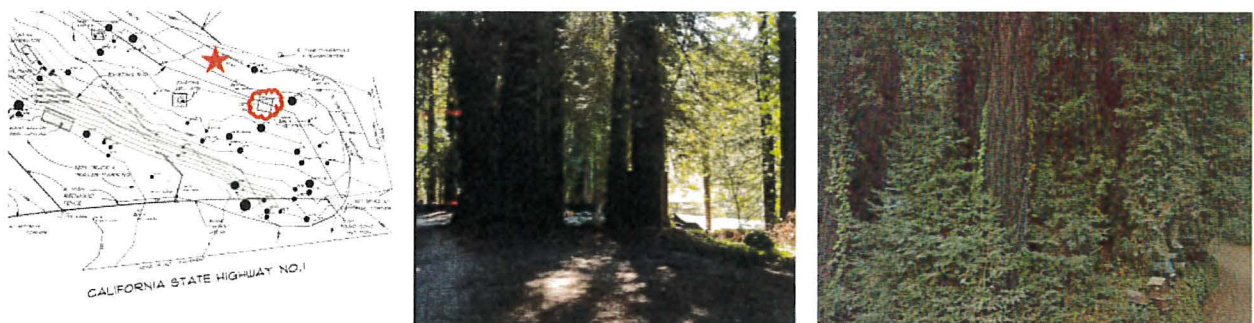


Figure 13. Partial Site Plan (Left), Photo of Silo Staking and State Route 1 (Middle), and Silo Area Viewed from State Route 1

Parking of Blaze’s large construction equipment (e.g. trucks, trailers, dozers) within the existing parking area on the lower portion of the Morgenrath property is the project component that would have the greatest potential to create a significant impact when viewed from SR1 (see **Figure 14** below).



Figure 14. Aerial of Parking Lot (Left), View of Parking Lot from the South (Top Right), and View of Parking Lot from the North (Bottom Right)

The existing vegetation and topography of the site is such that staking and flagging of the office, shop, and storage areas could not be seen from SR1. Due to its proximity to SR1, the silo has potential to be seen from the roadway. However, views would be obscured from the existing vegetation. Trees proposed for removal would not expose the proposed structures to views from SR1. Therefore, impacts to scenic resources and the scenic character of the area have been identified to be less than significant based on the siting of the structures, vegetation, and topography.

Although the parking area is currently being utilized for parking of Blaze Engineering's equipment and overflow parking for the River Inn Motel, implementation of the project would result in more frequent use by Blaze. Unlike the operation on the former Blaze site, this project does not provide parking for large construction vehicles on the upper portion of the Morgenrath property. This increase in parking was a noted concern during the Big Sur Land Use Advisory Committee meeting (LUAC, Reference 18). A member of the public stated that they support the project but suggested equipment, trucks, and structures be shielded from view. The applicant has agreed to include additional screening and proposes to install a 6 foot high redwood fence on the western portion of the property along SR1. This fence has been incorporated into the project design as demonstrated on the Site Plan page A1.1 of Reference 1 and **Figure 1**. The proposed Redwood fence is consistent with the rural character of Big Sur and fencing guidelines contained in the CHMP; visual impacts from SR1 have been reduced to less than significant by project design.

2. AGRICULTURAL AND FOREST RESOURCES

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Reference: 1, 3, 6, & 8)	<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? (Reference: 1, 3, 6, & 8)	<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))? (Reference: 1, 3, 6, & 8)	<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? (Reference: 1, 3, 6, & 8)	<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? (Reference: 1, 3, 6, & 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Section II.B (Project Description) and C (Environmental Setting) and Section IV.A (Environmental Factor Potentially Affected), as well as the References listed.

3. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Reference: 1 & 7)	<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? (Reference: 1 & 7)	<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)? (Reference: 1 & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in significant construction-related air quality impacts? (Reference: 1 & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Reference: 1 & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people? (Reference: 1 & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Section II.B (Project Description) and C (Environmental Setting) and Section IV.A (Environmental Factor Potentially Affected), as well as the References listed.

4. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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? (Reference:1, 2, 3, 4, 6, 8, 9, & 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Reference:1, 2, 3, 4, 6, 8, 9, & 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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? (Reference:1, 2, 3, 4, 6, 8, 9, & 11)	<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? (Reference:1, 2, 3, 4, 6, 8, 9, & 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Reference:1, 2, 3, 4, 6, 8, 9, & 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Reference:1, 2, 3, 4, 6, 8, 9, & 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Monterey County Geographic Information System (GIS) and the Big Sur Coast Local Coastal Program Environmentally Sensitive Habitat Areas (ESHA) map indicates that the Morgenrath property has the potential to contain rare, endangered, or sensitive plant habitats. Policy 3.3.1 of the Big Sur Land Use Plan (BSC LUP) and Section 20.145.040 of the Coastal Implementation Plan (CIP) require the preservation of environmentally sensitive habitats through the implementation of development standards that maintain, restore, and if possible, enhance ESHA. In accordance with these regulations, a biological survey (Ballerini, Reference 11) was submitted

to identify ESHA on the property and determine if the Project would have the potential to result in an impact to that ESHA.

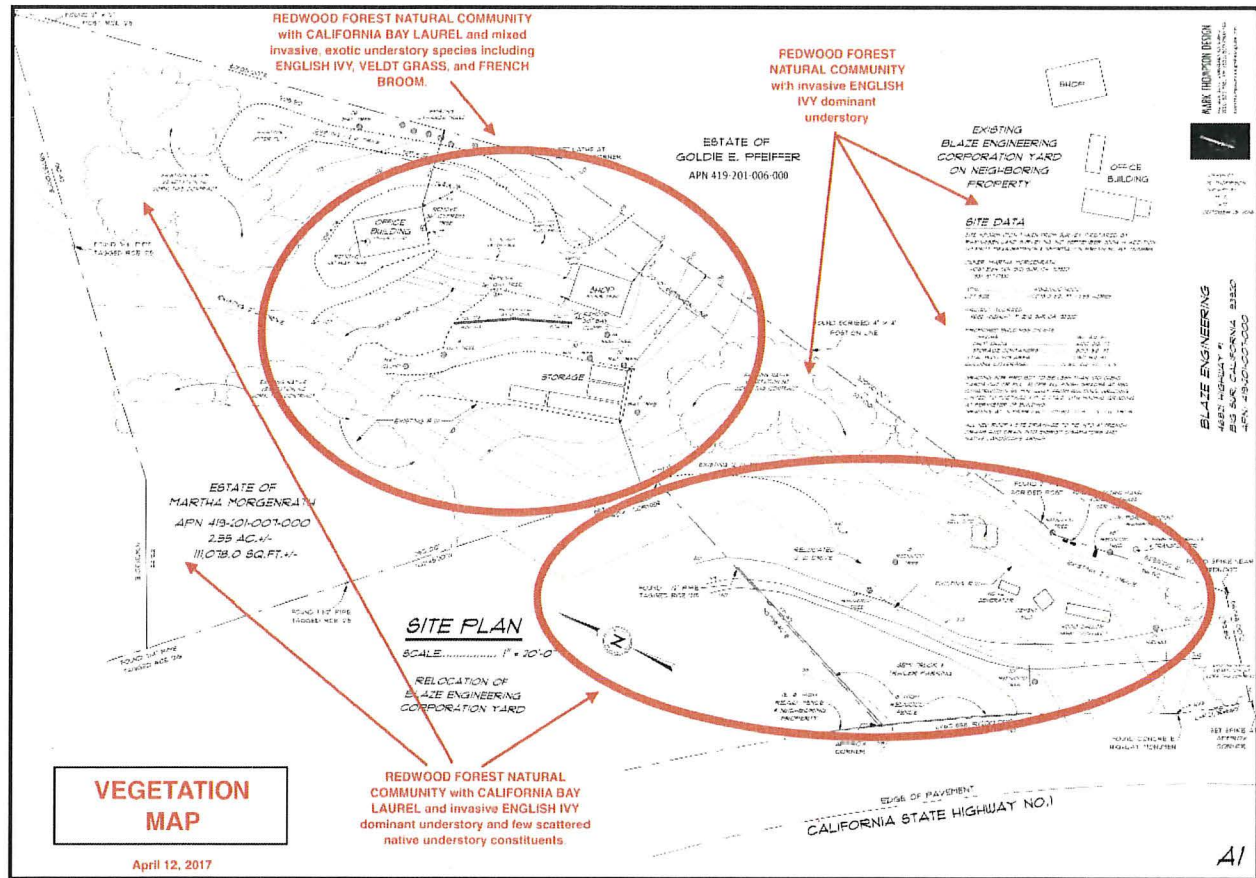


Figure 15. Vegetation Map Prepared by Fred Ballerini

Ballerini notes, and as shown in **Figure 15** above, the Morgenthath property lies entirely within a Redwood Forest natural community dominated by coast redwood (*Sequoia sempervirens*) and co-dominated by California bay (*Umbellularia California*). Tan-oak (*Notholithocarpus densiflorus*), coast live oak (*Quercus agrifolia*), and Shreve oak (*Quercus parvula* var. *shrevei*) were also found onsite, but in limited amounts. Very little native understory plants, such as sword fern (*Polystichum munitum*), thimbleberry (*Rubus parviflora*), Douglas’ iris (*Iris douglasiana*), redwood sorrel (*Oxalis oregana*), California hedgenettle (*Stachys bullata*), and poison oak (*Toxicodendron diversilobum*), were found onsite as non-native invasive English ivy (*hedera helix*) dominates the understory and is found climbing up the trunks of many onsite trees.

4(c) and (f). Conclusion: No Impact.

Available resource data (GIS, Reference 6), observation by staff (Quenga, Reference 8), and information contained in the biological report (Ballerini, Reference 11) indicates that the Morgenthath property does not support federally protected wetlands and is not under provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or any other approved conservation plan. Therefore, implementation of the Project would have no impacts to these biological resources.

4(d). Conclusion: Less Than Significant.

The biologist (Ballerini, Reference 11) surveyed the Morgenrath property to identify if any native resident or migratory fish or wildlife species were onsite or if the property was within a migratory wildlife corridor. Although no special-status species were found and the potential for species to be onsite was determined to be low, the Project includes the removal of trees and construction in proximity of trees. Therefore, a standard condition of approval has been incorporated into the project requiring the applicant to submit a nest survey if tree removal or construction activity commences during the typical bird nesting season, consistent with the Migratory Bird Treaty Act of 1918. Implementation of this condition would reduce potential impacts to nesting birds to a less than significant impact.

4(a), (b), and (e). Conclusion: Less Than Significant Impact with Mitigation Incorporated.

The Project would utilize existing disturbed areas such as roadways, building pads, and an existing parking area resulting in siting and a design that minimizes disturbance to biological resources to the maximum extent feasible. However, the site contains Redwood Forest natural community and the proposed construction and tree removal would occur in proximity of areas identified as ESHA. BSC LUP Policy 3.3.2.1 states that development, including vegetation removal, shall not be permitted in ESHA if it would result in any potential disruption of habitat value. To approve development within any of these habitats the County must find that disruption of a habitat caused by the development is not significant.

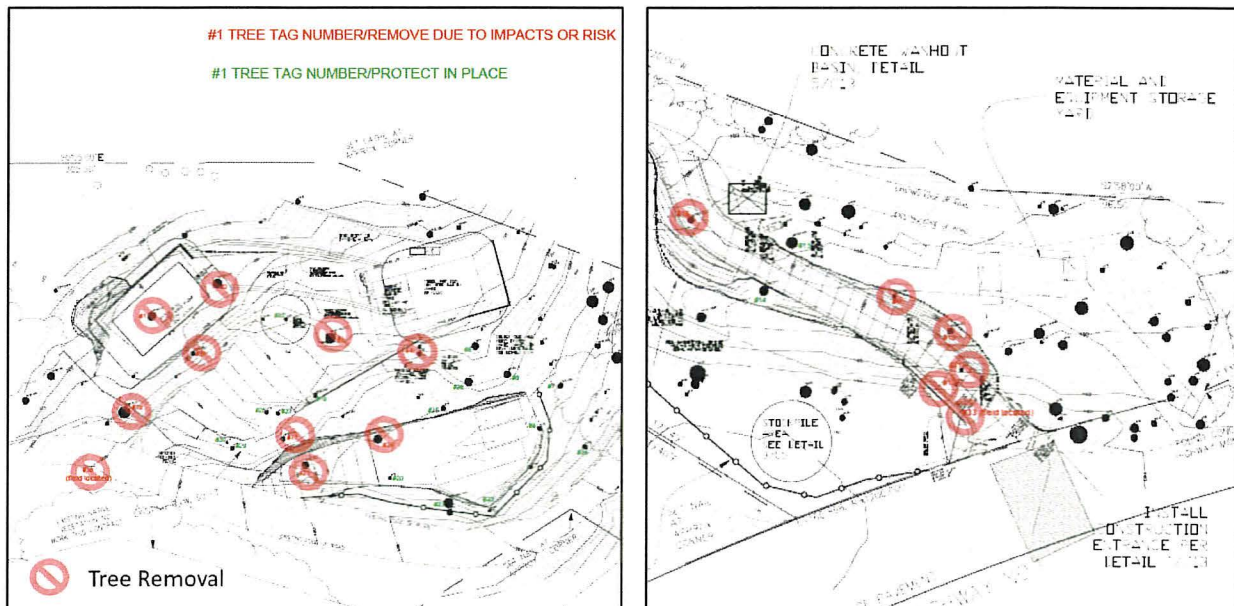


Figure 16. Tree Removal Map Prepared by Maureen Hamb

The tree evaluation (Hamb, Reference 9) prepared for the Project identified coast redwoods on the property to be in fair to good condition and California bay laurels in various stages of decline due to structural defects, fungal infestations by Ganoderma and Sudden Oak Death disease. Out of the 34 trees inventoried, 16 are proposed for removal (**Figure 16**). As demonstrated in the table found in Hamb's report, 5 trees would be removed due to construction impacts (tree Nos. 2, 10, 12, 21, and 31), 6 due to their hazardous condition and construction impacts (trees Nos. 1, 4, 9, 11, 15, and 24), and 5 due to their hazardous condition (tree Nos. 3, 16, 17, 18, and 33). Hamb

concludes that the proposed tree removal is minimum necessary for development and to reduce the risk of tree failure that would be a hazard to people or structures. Removal would not result in the fragmenting of an intact forest system, create a new forest edge, or impact the existing quality of the system (Reference 9). The Project plans (Construction Management Plan, Reference 1) provides notes for the protection of trees. In order to ensure construction activities do not inadvertently cause harm to trees to be retained, additional tree protection measures have been recommended. These measures are recommended as part of a Tree Protection Fencing plan that shall work in conjunction with the final Construction Management Plan approved with the grading and/or building permit for the Project.

The biological report (Ballerini, Reference 11) identifies recommended actions and concludes that through implementation of those actions, the Project would have a less than significant impact on special natural communities. Furthermore, protection and restoration measures have been recommended to enhance ESHA and provide for long-term land management and exotic species control. The Project plans (Construction Management Plan and Conceptual Restoration & Fuel Management Plan, Reference 1) provides notes for exotic species control, best management practices, thinning of invasive plants, and site restoration. To ensure proper implementation of measures occur, consistent with the recommendation by the biologist, these measures shall be incorporated within a final Construction Management Plan and Conceptual Restoration & Fuel Management Plan approved with the grading and/or building permit for the Project.

Mitigation Measure No. 1: *Monitoring of Grading and Construction Activities.* For the protection of tree resources and to ensure grading and construction activities are conducted in accordance with the recommendations contained in the Tree Resource Evaluation Project Impact Analysis (Planning File LIB170437), the owner/applicant shall enter into a contract with a certified arborist (project arborist) and the contract shall include:

- Review the construction documents (Grading and/or Building plans, Tree Protection Fencing plan and Construction Management Plan) to verify consistency with the preliminary plans and the Tree Resource Evaluation Project Impact Analysis.
- Review and approval of the protective fencing plan in accordance with **Mitigation Measure No. 2.**
- Review and approval of grading, building, and construction management plans (including any future modified construction plans) for consistency with and incorporation of **Mitigation Measure No. 3.**
- The owner/applicant shall delegate responsibility and authority to the project arborist to stop construction in the event the work is found to be inconsistent with the approved plans, BMP's, or if tree resources are not adequately protected. The contractor and project arborist shall develop a plan to remediate and/or revise procedures and methods to accomplish the objective of **Mitigation Measure Nos. 2 and 3.**
- Prepare and submit a final report to RMA-Planning for review and approval indicating that the protection measures in place were successful.

Mitigation Measure Monitoring Action No. 1a: Prior to the issuance of construction permits for grading or building, the owner/applicant shall submit to RMA-Planning a copy of the contract between the owner/applicant and a certified arborist (referred to as

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

Mitigation Measure Monitoring Action No. 1b: In the event work is stopped by the project arborist due to inconsistency with the approved plans, BMP's, or if tree resources are not adequately protected, the owner/applicant shall submit a remediation plan outlining revised procedures and/or methods, prepared by the contractor and project arborist, that accomplishes the objectives of **Mitigation Measure Nos. 2 and 3**. This plan, and evidence of successful implementation shall be submitted to RMA-Planning for review and approval.

Mitigation Measure Monitoring Action No. 1c: Prior to final inspection of construction permits for grading or building, the owner/applicant shall submit a final report prepared by the project arborist demonstrating monitoring of grading and construction activities occurred and met the requirements specified in **Mitigation Measure Nos. 1, 2, and 3** to RMA-Planning for review and approval.

Mitigation Measure No. 2: Tree Protection. In order to prevent construction activities from damaging trees within the tree protection zone, the owner/applicant shall develop a Tree Protection Fencing plan for all trees within 30-feet of the development area. The plan shall be developed in consultation with the project arborist and submitted to RMA-Planning for review and approval. The Tree Protection Fencing plan shall demonstrate how the following measures shall be implemented:

- Demarcate installation of protection fencing consistent with the recommended plan found on page 15 of the "Tree Resource Evaluation Project Impact Analysis", dated October 6, 2017 (Monterey County Document No. LIB170437), prepared by Maureen Hamb-WCISA.
- Provide protection fencing along the critical root zones of the coast redwood trees near the development area.
- Provide special protection methods for Tree Nos. 13 (52-inch Coast redwood) and 14 (40-inch Coast redwood). Due to their proximity of the proposed driveway, exclusionary fencing will not be possible. Protection shall occur by using straw bale barricades secured to the tree trunks.
- Place straw bales, from end to end, inside of the protection fencing to act as a barricade to limit damage to the fencing, prevent grading spoils from encroaching into the critical root zone area, and prevent excess moisture from gathering under the retained trees.
- Maintain the natural grade around trees. Grading shall not be permitted to sever major roots of redwood or oak trees. No additional fill or excavation shall be permitted within the critical root zone of trees. If major tree roots that are 2-inches or greater are unearthed during the construction process, the project arborist shall be notified immediately. Work shall be halted and roots shall be covered with moistened burlap until a determination is made by the project arborist.
- Unauthorized pruning of any tree shall be prohibited. Any required pruning shall be done on the authority of the project arborist and to the International Society of Arboriculture

(ISA) pruning guidelines and Approved American National Standard (ANSI) A300 pruning standards.

- All trenching onsite shall be approved by the project arborist.

Mitigation Measure Monitoring Action No. 2a: Prior to approval of construction permits for grading and building, the owner/applicant shall develop and submit a Tree Protection Fencing plan, as described in **Mitigation Measure No. 2**, to RMA-Planning for review and approval. The approved Tree Protection Fencing plan shall be incorporated into the approved set of job-site and office-copy construction plans for grading and/or building.

Mitigation Monitoring Action No. 2b. Prior to issuance of construction permits for grading and building, the owner/applicant shall provide evidence to RMA-Planning documenting installation of the protective fencing and straw bale barriers for review and approval.

Mitigation Monitoring Action No. 2c. Prior to final of construction permits for grading and building, the owner/applicant shall submit documentation that implementation of the Tree Protection Fencing plan has been successful to RMA-Planning for review and approval.

Mitigation Measure No. 3: *Construction Management Plan.* In order to ensure best management practices are followed during construction activities, the owner/applicant shall prepare a final Construction Management Plan. The plan shall be consistent with the preliminary drawing, developed in consultation with the project arborist, and submitted to RMA-Planning for review and approval. In addition to the notes contained in the preliminary plan, the final Construction Management Plan shall demonstrate how the following measures shall be implemented:

- Storage of construction materials, debris, or excess soil shall be prohibited within the tree protection zone.
- Solvents or liquids of any type shall be disposed of properly.
- Use of heavy equipment shall be restricted to areas within the construction envelope.
- Delineate approved areas for material storage and parking of vehicles/construction equipment.
- Any excavated material shall not be deposited beyond the edge of the driveway. Site erosion shall not be permitted to enter areas supporting natural communities beyond the impact perimeter of the development.
- Prior to final grading, all construction debris shall be removed from the site.

Mitigation Measure Monitoring Action No. 3a: Prior to approval of construction permits for grading and building, the owner/applicant shall develop and submit a final Construction Management Plan, as described in **Mitigation Measure No. 3**, to RMA-Planning for review and approval. The approved Construction Management Plan shall be incorporated into the approved set of job-site and office-copy construction plans for grading and/or building.

Mitigation Monitoring Action No. 3b. Prior to final of construction permits for grading and building, the owner/applicant shall submit documentation that implementation of the Construction Management Plan has been successful to RMA-Planning for review and approval.

Mitigation Measure No. 4: *Restoration and Fuel Management Plan.* In order to eradicate invasive plant species and enhance and maintain native habitats onsite, the owner/applicant shall prepare a final Restoration and Fuel Management Plan. The plan shall be consistent with the preliminary drawing and submitted to RMA-Planning for review and approval. In addition to the notes contained in the preliminary plan, the final Restoration and Fuel Management Plan shall demonstrate how the following measures shall be implemented:

- Prior to grading activities, invasive plant species, shall be eradicated within the development area, including English Ivy that envelops tree trunks and canopies, and compromises the health of established coast redwood and California bay trees. Removal of invasive plant species shall be done by hand to prevent spreading of seeds or rhizomes.
- All disturbed soil generated during any site grading shall be kept free of exotic plant species.
- During construction, disturbed soils shall be stabilized in accordance with approved erosion control measures.
- During construction, disturbed soils and areas where equipment and personnel are concentrated shall be mulched to reduce compaction, retain soil moisture, and stabilize soil temperature.
- After completion of soil disturbance activities, disturbed soils shall be stabilized with plant species identified on the "Restoration Seeding List" found on the Conceptual Restoration and Fuel Management Plan. Planting shall be installed in the fall months prior to, or in conjunction with, seasonal rains.

Mitigation Measure Monitoring Action No. 4a: Prior to approval of construction permits for grading and building, the owner/applicant shall develop and submit a Restoration and Fuel Management Plan, as described in **Mitigation Measure No. 4**, to RMA-Planning for review and approval. The approved Restoration and Fuel Management Plan shall be incorporated into the approved set of job-site and office-copy construction plans for grading and/or building.

Mitigation Monitoring Action No. 4b. Prior to issuance of construction permits for grading and building, the owner/applicant shall provide evidence to RMA-Planning documenting removal of invasive plant species for review and approval.

Mitigation Monitoring Action No. 4c. Prior to final of construction permits for grading and building, the owner/applicant shall submit documentation that implementation of the Restoration and Fuel Management Plan has been successful to RMA-Planning for review and approval.

5. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Reference: 1, 6 & 8)	<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? (Reference: 1, 2, 3, 4, & 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Reference: 1, 6, 10, & 14)	<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? (Reference: 1, 6, & 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Section 3.11 of the Big Sur Land Use Plan states that the Big Sur coastal area is considered to be one of the most significant archaeological regions in California. Therefore, Key Policy 3.11.1 requires the protection and maintenance of Big Sur's archaeological resources. Monterey County Geographic Information System (Reference 6) indicates that the Morgenrath property is located within an area of moderate archaeological sensitivity. In accordance with Section 20.145.120.B.1.b of the Big Sur Coastal Implementation Plan, an archaeological survey report is required for developments within low and moderate archaeological sensitivity zones when such development is subject to environmental review per the CEQA Guidelines. Consistent with this regulation, a Preliminary Archaeological Assessment was prepared and submitted for the Project (Breschini, Reference 10). Assessment of the site included the review of prior background research at the Northwest Information Center of the California Historical Resources Information System at Sonoma State University and an onsite physical inspection of the site.

5(a), (c), and (d). Conclusion: No Impact.

Based on County permit records, GIS data (Reference 6), and staff's site visit (Reference 8), the Morgenrath property does not contain a historical resource (structure or setting) or an informal cemetery. Neither the archaeological assessment (Breschini, Reference 10) or the Geological report (Linden, Reference 14) indicates that the Morgenrath property has the potential to contain unique paleontological resources or geologic features. Therefore, implementation of the Project would have no impact to historic resources, human remains interred outside of formal cemeteries, or unique paleontological resources or geological features.

5(b). Conclusion: Less Than Significant Impact.

Based on background research and site reconnaissance conducted by the project archaeologist, the archaeological assessment (Breschini, Reference 10) concludes that there is no evidence of potentially significant archaeological resources within the portions of the Morgenrath property examined. However, due to Big Sur's rich archaeological history and the site's moderate

archaeological sensitivity, there is potential to accidentally uncover unidentified cultural resources or human remains during earth disturbance activities. Therefore, a standard condition of approval requiring work be halted if cultural resources or human remains are found and evaluation of the find by a qualified professional archaeologist has been incorporated with the Project. Implementation of this condition would reduce the Project's potential impact to archaeological resources to a less than significant level.

6. GEOLOGY AND SOILS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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? (Reference: 1, 6, 12 & 14) 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? (Reference: 1, 12 & 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Reference: 1, 12 & 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides? (Reference: 1 & 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Reference: 1 & 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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? (Reference: 1, 12 & 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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? (Reference: 1 & 12)	<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? (Reference: 1 & 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

The Monterey County Geographic Information System (GIS, Reference 6) does not contain data for seismic hazards and shows the potential for liquefaction risk to be low. However, it does indicate that the Morgenrath property contains both low and high landslide risk, moderate and high erosion potential, and is located within 660 feet of an active or potentially active fault (Figure 17). In accordance with General Policies 3.7.2 and Specific Policies for geologic hazards in 3.7.3.A of the Big Sur Land Use Plan (BSC LUP) and Section 20.145.080.A.1.b of the Big Sur Coastal Implementation Plan (CIP), submittal of a geologic and geotechnical report was required as part of the Project application to ensure proposed development is sited and designed to minimize risk from geologic hazards to an acceptable level.

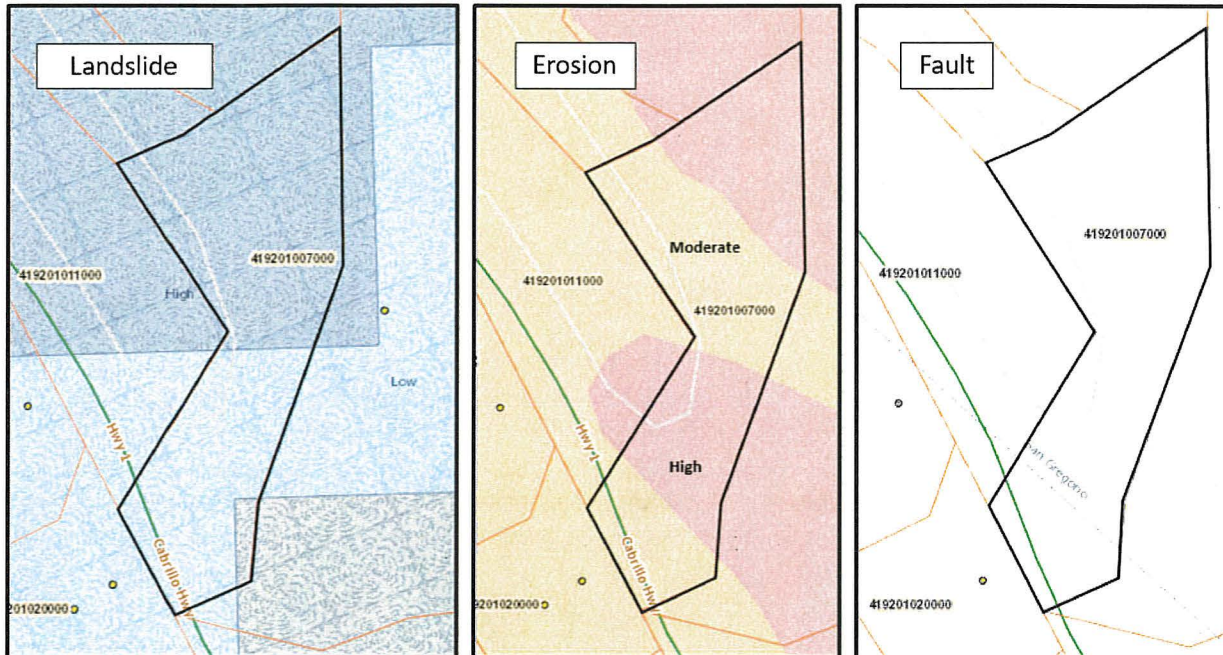


Figure 17. Geologic Hazards

Consistent with these requirements, the application for the Project included a Geologic Report (Vonder Linden, Reference 14) and Geotechnical Report (Grice, Reference 12). Together, they analyzed the geological suitability of the site and evaluated its geotechnical properties. The Project includes installation of a septic facility to dispose of wastewater. In order to determine if the proposed area and soils can support the system, the applicant submitted Percolation Testing Results (Odello, Reference 13) with the Project application.

6(a.i), (a.iv), (d), and (e). Conclusion: No Impact.

The Project would not expose people or structures to potential substantial adverse effects caused by fault rupture, landslides, liquefaction, or expansive soils. Inspection of the site and bore logs (Grice, Reference 12) demonstrate that the soil column on the site is made up of clasts (mineral and rock fragments) that range from fine sand to medium gravel and the gradation (mechanical analysis of the soil) varies but contain very little silts and clays. Overall, soils on the site were found to be “generally consistent”. This soil profile is typical of the area.

As illustrated in **Figure 17** above, GIS shows that the nearest fault is the San Gregorio Fault which bisects the southern portion of the Morgenrath property. However, the Geologic Report (Vonder Linden, Reference 14) provides a map showing the fault just outside of the property, along and across State Route 1 (SR1) and passes through the River Inn property. The Geotechnical Report (Grice, Reference 12) specifies that the fault is approximately 300 feet southwest of the Morgenrath property. Both reports identify the fault as Late Quaternary (movement between the last 0.5 to 1 million years ago) but found no evidence indicating a fault rupture has occurred at the site. Furthermore, Grice classifies the underlain soils on the site as “relatively strong soils” and found bedrock at a moderate depth. Based on this information, the reports conclude that surface rupture from fault activity or lateral spreading is considered improbable.

Although GIS data shows that the southern portion of the property has a low landslide risk and the northern portion a high landslide risk, both Vonder Linden and Grice found that the area is generally not susceptible to slope failure due to landslides. In 1993, Vonder Linden found no evidence of a landslide affecting the Morgenrath property or vicinity and Grice’s 2017 findings concur, indicating that no evidence of landslides were found above or below the building area.

As discussed above, the soils on the site are clastic and contain very little silts or clays. Grice concludes that this type of soil makeup is considered not to be susceptible to liquefaction or considered expansive soils.

The Morgenrath site contains soils that would adequately support an onsite wastewater treatment system (septic system). The Project includes an office that would have a single restroom. Therefore, treatment of wastewater would require the installation of a septic system. Soils on the site were tested and observed to ensure septic feasibility. The Percolation Testing Results (Odello, Reference 13) demonstrate that 4 test borings were drilled in the approximate location of the proposed leach fields and ranged in depth from 6.5 feet to 13.35 feet below the existing grade. A 5th test boring was drilled to a depth of 20 feet for the purpose to serve as a groundwater monitor boring. The boreholes were saturated and after a 24-hour period, clear water was placed within the percolation zone of each test borehole. Water levels were measured and the test was repeated every half hour. During testing, no groundwater was observed in monitoring hole 5. Odello concludes that the percolation testing rates were found to be within acceptable levels, consistent with County requirements. During review of the project, the Environmental Health Bureau has reviewed the project and Percolation Testing Results and did not recommend any conditions of approval to ensure compliance with County regulations.

6 (a.ii), (b), and (c). Conclusion: Less Than Significant Impact.

Monterey County is recognized to contain a number of faults, two of which are found in the Big Sur segment: San Gregorio-Palo Colorado and the Sur-Nacimiento Faults. Therefore, the Morgenrath site would have the potential to experience seismic ground shaking and since the Project involves the establishment of new structures, would potentially expose people or structures to strong seismic ground shaking. The Geotechnical Report (Grice, Reference 12) has analyzed these potential seismicity hazards and recommends that the structures be designed and built in accordance with the requirements of the California Building Code.

Although the Morgenrath property would not be susceptible to landslides, lateral spreading, or liquefaction, Grice notes that existing fill placed on the building pads for the office and shop are not considered engineered and would not be suitable for supporting the structures. Therefore, it is recommended that in areas that would support foundations, loose or unsuitable soils shall be processed as engineered fill.

As shown in **Figure 17** above, the Morgenrath property contains areas with moderate and high erosion potential. RMA-Environmental Services reviewed the Project and the Geotechnical Report. To ensure the proposed improvements are constructed in accordance with the requirements of the California Building Code and the recommendations contained in the Geotechnical Report, RMA-Environmental Services has incorporated a condition of approval requiring the applicant to provide documentation from a licensed practitioner certifying that all development has been constructed in accordance with the Geotechnical Report. In order to ensure erosion of soils are addressed in conformance with the requirements of Chapter 16.12 of the Monterey County Code, RMA-Environmental Services has incorporated a condition of approval requiring the applicant to submit an erosion control plan, for review and approval, prior to issuance of construction permits. The Project as proposed, and conditioned, would have a less than significant impact resulting from geology and soils hazards.

7. GREENHOUSE GAS EMISSIONS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Reference: 1 & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Reference: 1 & 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

According to the United States Environmental Protection Agency (EPA), greenhouse gases (GHG) are emitted by natural processes and human activities such as electricity production, motor vehicle use, and agricultural uses. These gases trap heat in the atmosphere and the elevation of GHGs has led to a trend of unnatural warming of the earth's climate, otherwise known as the "greenhouse effect". In order to reduce the statewide level of GHG emissions, the State Legislature adopted California Assembly Bill 32 (AB 32) California Global Warming Solutions Act of 2006. AB 32 established a comprehensive statewide program of regulatory and market mechanisms to achieve reductions in GHG emissions, thereby reducing the State's vulnerability to global climate change. The Monterey Bay Air Resources District (MBARD) is responsible for the monitoring of air quality and regulation of stationary sources throughout the North Central Coast Air Basin, where the proposed Project is located, by enforcing standards and regulating stationary sources through the *22012-2015 Air Quality Management Plan for the*

Monterey Bay Region (AQMP) (Reference 20) which evaluates a project's potential for a cumulative adverse impact on regional air quality (ozone levels).

7(a) and (b). Conclusion: Less Than Significant Impact.

The Project includes the relocation of an existing operation from the former Blaze site to the Morgenrath property. From a GHG emission standpoint, this would result in no change the baseline of the surrounding area. Temporary construction activities of the proposed Project would be the main contributor to GHG emissions. Unfortunately, quantifying Project emissions at this time would be too speculative. Therefore, in lieu of State guidance or locally adopted thresholds, a primarily qualitative approach was used to evaluate possible impacts from the proposed Project.

Ambient ozone levels depend largely on the number of precursors, such as nitrogen oxide (NO_x) and reactive organic gases (ROG), emitted into the atmosphere. Implementation of the Project would result in temporary impacts resulting from construction and grading activities that require fuel combustion of construction vehicles, a primary source of NO_x and ROG emittance. Typical construction equipment would be used for the Project and NO_x and ROG emitted from that equipment have been accommodated within the AQMP. Therefore, implementation of the Project would produce no more than the threshold of significance of 82 pounds per day of GHG precursors and these precursor emissions would have a less than significant impact on GHGs.

8. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Reference: 1, 6 & 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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? (Reference: 1, 6 & 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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? (Reference: 1, 6 & 8)	<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? (Reference: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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? (Reference: 1, 6 & 8)	<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? (Reference: 1, 6 & 8)	<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? (Reference: 1, 19)	<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? (Reference: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

The Project is for the relocation of an existing operation from the former Blaze site to the Morgenrath property. This existing operation included, and would continue to include, handling and storing of oil for use in vehicles, waste oil from their vehicles, oxygen and acetylene tanks, liquid petroleum gas, and diesel fuel for their construction vehicles. The Project's General Development Plan (GDP) (Reference 1) states that waste oil would be picked up and recycled by a licensed hauler as needed and has an existing up to date Business Response Plan.

8(c), (d), (e), (f), and (g). Conclusion: No Impact.

Although the Project includes the handling and storage of hazardous materials, the Monterey County Geographic Information System (Reference 6) and Google Earth Imagery (Reference 16) confirms that the Morgenrath property is not located within one-quarter mile of a school. Captain Cooper Elementary School and Apple Pie Pre-School is located approximately 0.41 miles from the closest edge of the Morgenrath property and the distance between the school's driveway and the Project's proposed driveway is just over three-quarters of a mile. Because the main point of access to the school is a winding driveway approximately one-half mile in length and located east of SR1, Blaze's vehicles transporting hazardous materials is unlikely to occur with one-quarter mile; with the exception if Blaze were to be hired to provide maintenance or emergency contract work for the school.

The Environmental Health Bureau (EHB) has reviewed the proposed project. Part of EHB's review includes determining whether or not the Morgenrath property is included on the California Department of Toxic Substances Control's Hazardous Waste and Substances Site List – Site Cleanup (Cortese List). There are 3 active sites/facilities within Monterey County, none of

which are on the Morgenrath property or within its vicinity. Therefore, the Project would not have the potential to create a significant hazard to the public or the environment relative to Government Code Section 65962.5.

Data contained in the Monterey County Geographic Information System (Reference 6) and as observed during staff's site visit (Reference 8) confirms that the Morgenrath property is not within an area subject to an airport land use plan, within 2 miles of an airport, or within the vicinity of a private airstrip. Therefore, the Project would not result in an airport or over-flight safety hazard for people residing or working in the project area.

The Project includes the relocation of an existing operation to an adjacent property, establishment of structures on a vacant property, and the creation of a new driveway access. These changes would not interfere with the implementation of the Multi-Jurisdictional Hazard Mitigation Plan adopted for the County of Monterey.

8(a), (b), and (h). Conclusion: Less Than Significant Impact.

As discussed above, the Project would include handling and storing of hazardous materials. Review of the Project by EHB and information contained in the Project's GDP (Reference 1) shows that Blaze Engineering is currently permitted by the bureau as a Hazardous Waste Generator for their above ground fuel storage tank (Facility ID No. FA0813374). In order to ensure this Permit is updated, EHB will be incorporating a Condition of Approval requiring the applicant to provide EHB's Hazardous Materials Management Services with an update on: the operation's address and site location, hazardous materials/waste inventory list, and California Environmental Reporting System registration. Implementation of this condition would ensure the operational component of the Project would be consistent with the requirements set forth in Monterey County Code Chapters 10.65 (Hazardous Materials Registration) and 10.67 (Hazardous Materials Emergency Response) and would reduce impacts relative to the transportation, disposal, or emittance of hazardous materials to a less than significant impact.

Data contained in the Monterey County Geographic Information System (Reference 6) indicates that the Morgenrath property, and much of the surrounding area, is designated as a "Very High" State Responsibility Fire Hazard Zone. The Project plans (Reference 1) includes a Landscape and Fuel Management Plan (**Figure 18**).

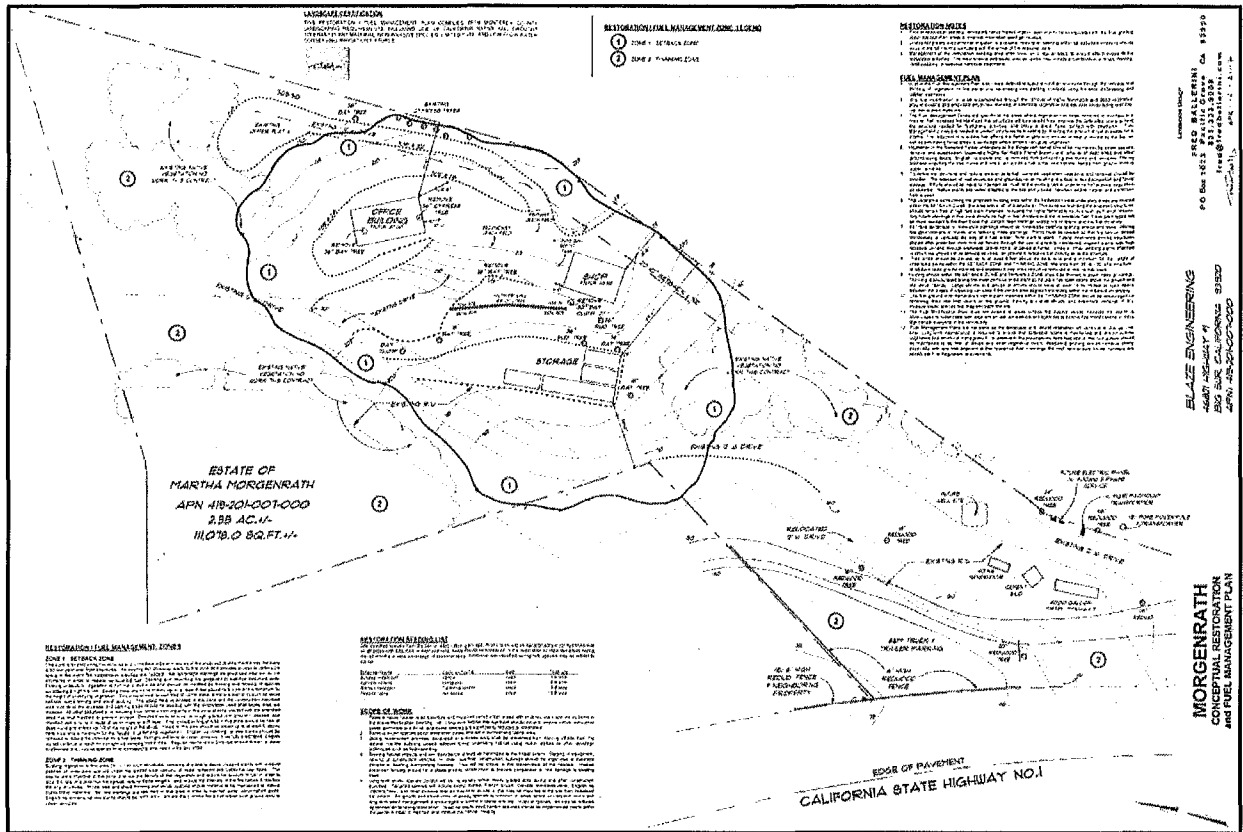


Figure 18. Landscape and Fuel Management Plan

Implementation of this plan is intended to create a defensible space around all structures (area indicated as “ZONE 1: SETBACK ZONE”) and thinning of vegetation and restoration using fire-wise landscaping (area indicated as “ZONE 2: THINNING ZONE”). Fuel modification and management of vegetation would increase the likelihood that the proposed structures survive wildfires. The Project has been reviewed by Carmel Fire Protection Associates, who performs fire review of permits located in un-districted areas of Monterey County, and no conditions were applied. However, it was noted that all development would be subject to the Monterey County Fire Code. Implementation of the Landscape and Fuel Management Plan and Carmel Fire Protection Associates’ review of the plans for construction would reduce the Project’s risk of loss, injury, or death relative to wildland fires to less than significant.

9. HYDROLOGY AND WATER QUALITY

Would the project:	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? (Reference: 1)	<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)? (Reference: 1)	<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? (Reference: 1, 6, 8 & 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in <u>flooding</u> on- or off-site? (Reference: 1, 6 & 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Reference: 1 & 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality? (Reference: 1)	<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? (Reference: 1 & 6)	<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? (Reference: 1 & 6)	<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? (Reference: 1 & 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? (Reference: 1, 6, 8 & 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

The Morgenrath property is a vacant parcel and the proposed site improvements would result in the conversion of pervious surfaces into impervious surfaces and converting a test well (see Planning File No. PLN170051) into a permanent well to provide potable water to the site. The project has been reviewed by the Water Resources Agency and RMA-Environmental Services for project consistency with Monterey County regulations for development within the floodplain, grading activities, and erosion control.

9(a), (b), (f), (g), (h), (i), and (j). Conclusion: No Impact.

Other than what is discussed below, the Project would not have the potential to result in substantial degradation of water quality. The Monterey County Geographic Information System (Reference 6) and review by the Water Resources Agency demonstrates that the subject Property is not located within a 100-year flood hazard area or identified to be down-stream from a levee or dam. Therefore, the Project would not result in placing structures within a flood hazard area or impede or redirect flood flows, resulting in no impact. The Morgenrath property is located approximately 2 miles from the coast and is at 180 feet above mean sea level at its lowest point. In addition, there are no lakes within the vicinity of the site. Therefore, the Project would have no impact caused by tsunami or seiche. As discussed in Section VI.6 – Geology and Soils, of this Initial Study, the underlying soils of the Morgenrath property are relatively strong and the site has a low potential to be subjected to landslides. In relation, there would be less than significant impacts caused by mudflow.

9(c), (d), and (e). Conclusion: Less Than Significant Impact.

Implementation of the Project would result in over 2,000 square feet of new structural coverage and driveway improvements that would require compaction of soils. These improvements would have the potential to incrementally reduce groundwater recharge, alter the existing site drainage patterns, and contribute to existing runoff in the area. Adoption of County grading and erosion control regulations were intended to protect and promote health, safety, and the public welfare by minimizing conditions of accelerated erosion and protecting the natural environment. Section 15183(g) of the CEQA Guidelines considers these regulations as uniformly applied development standards and their application to projects can be applied as conditions of approval without the need for further mitigation.

In order to address these potential issues, the Project's includes preliminary plans for civil improvements consisting a grading, drainage, and an erosion control plan (Reference 1). These plans have been reviewed by the Water Resources Agency and RMA-Environmental Services and recommended standard conditions of approval requiring submittal of a final grading plan and erosion control plan have been incorporated to ensure final construction would meet County requirements. Therefore, implementation of the project, as proposed and conditioned, would have a less than significant impact to hydrology and water quality.

10. LAND USE AND PLANNING		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Physically divide an established community? (Reference: 1, 3 & 8)	<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? (Reference: 1, 3 & 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan? (Reference: 1, 2, 3 & 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Section II.B (Project Description) and C (Environmental Setting) and Section IV.A (Environmental Factor Potentially Affected), as well as the References listed.

11. MINERAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Reference: 1, 3, 6 & 8)	<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? (Reference: 1, 3, 6 & 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Section II.B (Project Description) and C (Environmental Setting) and Section IV.A (Environmental Factor Potentially Affected), as well as the References listed.

12. NOISE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
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? (Reference: 1, 2, 3, 6 & 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Reference: 1, 2, 3, 6 & 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Reference: 1, 2, 3, 6 & 8)	<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? (Reference: 1, 2, 3, 6 & 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Reference: 1, 2, 3, 6 & 8)	<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? (Reference: 1, 2, 3, 6 & 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

The Morgenrath property is located in an area with visitor serving commercial properties to the south and residential properties to the north. The primary noise contributor is produced by vehicular traffic on SR1. Secondary noise contributors are produced by entertainment activities associated with the visitor/commercial uses and the Blaze Engineering operations that occurred on the adjacent property (Assessor's Parcel Number 419-201-006-000) where there are sensitive noise receptors are established. Because the baseline noise conditions include the spatial and functional conditions of the area at the time the application for the Project was made, the operational components of the project would result in no change to existing noise levels in the area. However, there would be temporary noise impacts during construction.

12(c), (e), and (f). Conclusion: No Impact.

The Project includes the relocation of an existing operation from the former Blaze site to the Morgenrath property. This change would result in relocating the main noise producers of the operations, large vehicles and the cement silo, further away from existing single family dwellings and move them closer to SR1. In addition, the hours of operation stated in the General Development Plan (Reference 1) would be Monday through Friday from 8:00am to 4:30pm.

Therefore, implementation would not expose people to noise levels that exceed Monterey County standards and would not substantially, and permanently, increase ambient noise levels. Data contained in the Monterey County Geographic Information System (Reference 6) and as observed during staff's site visit (Reference 8) confirms that the Morgenrath property is not within an area subject to an airport land use plan, within 2 miles of an airport, or within the vicinity of a private airstrip. Therefore, the Project would not expose people residing or working in the area excessive noise levels associated with airports.

12(a), (b), and (d). Conclusion: Less Than Significant Impact.

Construction activities would produce noise not typically found in the area. In addition, grading would have the potential to create groundborne vibrations. Since these impacts would be temporary, grading activities would be minimal at any given time, and the construction is at a distance from sensitive receptors, potential impacts are not considered significant. Furthermore, Monterey County Code Chapter 10.60 establishes regulations for noise requirements and compliance with these regulations would ensure any noise impacts be reduced to a less than significant level.

13. POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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)? (Reference: 1, 2, 3 & 4)	<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? (Reference: 1, 2, 3 & 4)	<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? (Reference: 1, 2, 3 & 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Section II.B (Project Description) and C (Environmental Setting) and Section IV.A (Environmental Factor Potentially Affected), as well as the References listed.

14. PUBLIC SERVICES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a)	Fire protection? (Reference: 1, 2, 3 & 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Police protection? (Reference: 1, 2, 3 & 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Schools? (Reference: 1, 2, 3 & 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Parks? (Reference: 1, 2, 3 & 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Other public facilities? (Reference: 1, 2, 3 & 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Section II.B (Project Description) and C (Environmental Setting) and Section IV.A (Environmental Factor Potentially Affected), as well as the References listed.

15. RECREATION		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Reference: 1, 2, 3 & 4)	<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? (Reference: 1, 2, 3 & 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Section II.B (Project Description) and C (Environmental Setting) and Section IV.A (Environmental Factor Potentially Affected), as well as the References listed.

16. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (Reference: 1, 3, 4 & 8)	<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? (Reference: 1, 3, 4 & 8)	<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? (Reference: 1, 3, 4 & 8)	<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)? (Reference: 1, 8 & 18)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in inadequate emergency access? (Reference: 1, 3, 4 & 8)	<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? (Reference: 1, 3, 4 & 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

The Project is for the relocation of an existing operation from the former Blaze site to the Morgenrath property. This existing operation provided, and would continue to provide, construction contractor related services to the community and visitors. The Project's General Development Plan (GDP) (Reference 1) lists examples of merchandise provided by Blaze such as concrete, rock, sand, and plumbing and landscape supplies and examples of services consist of grading, paving, installing water, septic, and electrical systems, and road building and repair. Blaze also provides heavy equipment, fuel, and labor to the Big Sur area on an emergency basis. For example, assistance to repair and re-open damaged road was provided during the 1998 El Nino, 2008 Basin Complex Fire, 2013 Pfeiffer Ridge Fire, 2016 Soberanes Fire, and 2017 landslide events. The ongoing component of the Project would provide a home base for Blaze's operation with office hours Monday through Friday from 8:00am to 4:30pm. However, on-call

staff is available for emergency response. Associated activities on the site will be primarily for administrative, storage, and maintenance. Based on the goods and services Blaze provides, intensive construction activities would continue to occur off-site on their clients' property. Blaze currently has 20 employees, including office staff, and parking for administrative staff is proposed in an area located adjacent to the office and shop (GDP, Reference 1 and **Figure 1**).

16(a), (b), (c), (e), and (f). Conclusion: No Impact.

Because the Project includes relocating an existing operation from one property to another, the volume of traffic would not exceed the baseline condition nor impact the existing level of service in the area. Specific Policy 4.1.3.A.4 of the Big Sur Land Use Plan requires limiting of access road entrances off SR1 unless it can be demonstrated that the use of existing public or private roads is not feasible. Section 20.145.130.B.6 of the Big Sur Coastal Implementation Plan requires proposed developments that include the construction of a new entrance to SR1 to demonstrate an inability to use existing public roads to access SR1. Consistency with this policy and implementation of the regulation is intended to further the County's objective to maintain and enhance SR1's aesthetic beauty and to protect its primary function as a "recreational route". As shown in **Figure 19** below, access to the Morgenrath property is provided by an existing driveway off SR. However, approximately 60-feet north of the existing driveway, the applicant proposes to construct a new driveway access with safer ingress and egress due to a greater line of sight distance. Parking of Blaze's large construction equipment (trucks, trailers, dozers, ect.) is proposed within the existing flat dirt parking area adjacent to the new driveway (**Figure 7**).

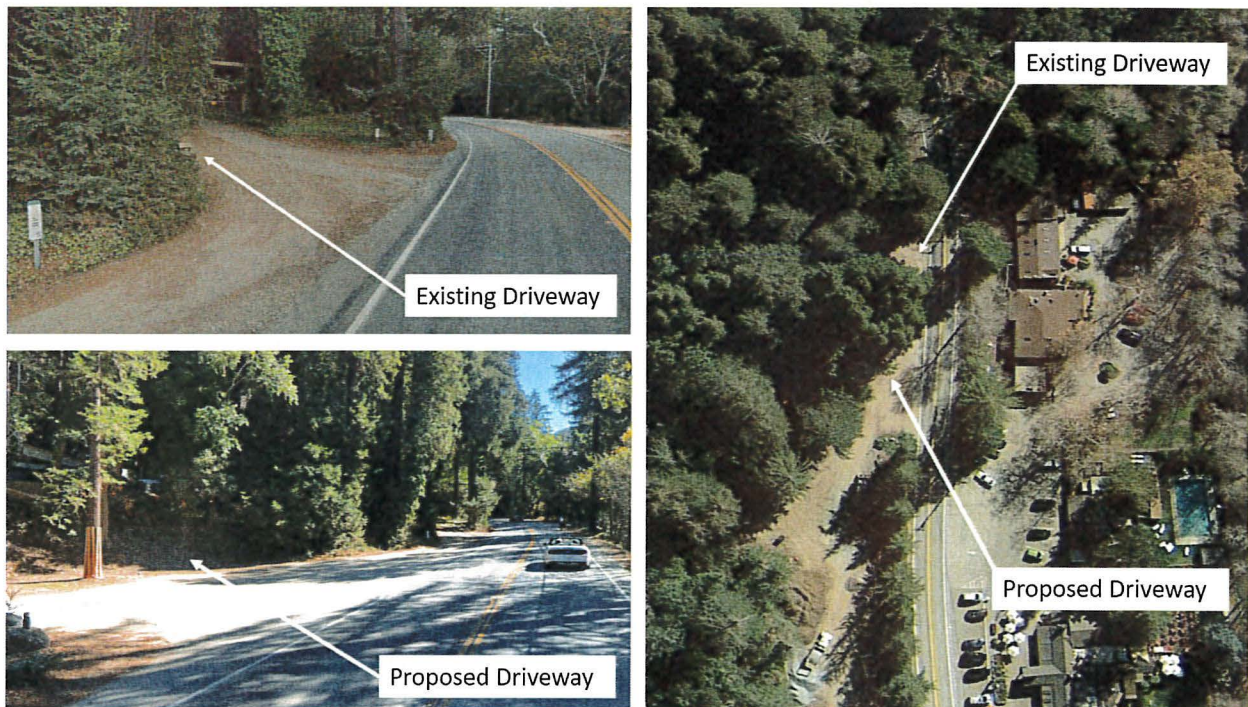


Figure 19. Driveway Entrance

The Project was determined to be consistent with the policy and regulation discussed above because the new driveway entrance is located in an existing wider apron and is approximately 100 feet further from the curvature of the highway. This provides a greater line-of-sight distance resulting in safer turning movements on and off of SR1. In addition, the larger construction

vehicles are proposed to be parked in the lower flat area off SR1, also allowing for safer egress. Furthermore, the Project does not include uses that would require air transport on or off the Morgenrath property. Therefore, the Project would be consistent with the goals and policies of the BSC LUP for circulation, roadway level of service, air traffic patterns, emergency access or alternative modes of transportation and result in no impact.

16(d). Conclusion: Less Than Significant Impact.

The Project includes utilizing an existing road right of way that terminates on an adjacent property (Assessor's Parcel Number 419-201-010-000), Apple Pie Ridge Road (**Figure 20**). During the Big Sur Land Use Advisory Committee Meeting (Reference 18), a member of the public identified potential hazards resulting from the vehicular-pedestrian interface. Although the right of way is existing, and use of the road is consistent with its purpose, the Project would result in a slight increase of vehicular traffic. The primary concern from the public is that school children walk on the road to get to and from school. To address these concerns of the neighbors, the applicant has agreed to modify their plans to either create an informal walking path along the roadway and/or incorporate fencing to act as a barrier. Because the preliminary plans do not include these improvements, a non-standard condition of approval has been incorporated to ensure the final construction plans reflect the change.

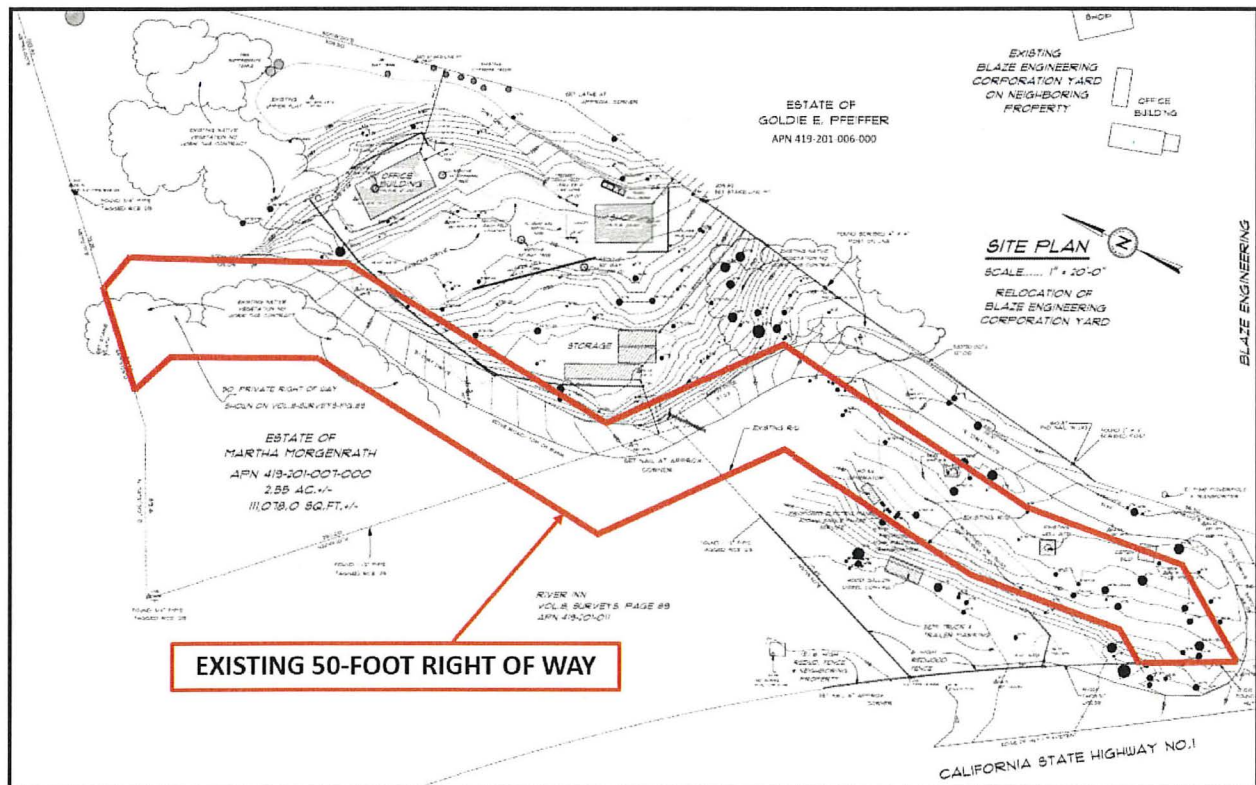


Figure 20. Portion of Apple Pie Ridge Road

17. TRIBAL CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or (Reference: 1, 2, 3, 4 & 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (Reference: 1, 3, 4, 6, 10 & 15)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

As discussed in Section VI.5 – Cultural Resources of this Initial Study, Monterey County Geographic Information System (GIS) (Reference 6) indicates that the Morgenrath property is located within an area of moderate archaeological sensitivity and in accordance with Section 20.145.120.B.1.b of the Big Sur Coastal Implementation Plan, an archaeological survey report, Preliminary Archaeological Assessment, was prepared and submitted for the Project (Breschini, Reference 10). The Project includes excavation of undisturbed earth, and although the referenced section found impacts to cultural resources less than significant, the Project would have the potential to impact tribal cultural resources.

17(a.i). Conclusion: No Impact.

Data contained in GIS (Reference 6) does not identify the Morgenrath property to contain a historical site. In fact, the closest site to the property would be Molera Ranch, which is over 2 miles to the northwest. Therefore, the proposed development would result in no impact to a historical resource.

17(a.ii). Conclusion: Less Than Significant Impact With Mitigation Incorporated.

In accordance with Section 21080.3.1 of the Public Resources Code (often referred to as Assembly Bill 52 – Native Americans: California Environmental Quality Act) non-exempt projects subject to environmental review shall request a Tribal Consultation to determine if potential impacts to tribal cultural resources exist. On June 19, 2018, RMA-Planning staff consulted with the OCEN tribe. As documented in the OCEN formal response letter, dated June

18, 2018, RMA-Planning staff was notified that the primary priority of OCEN is to protect their ancestor's remains through avoiding disturbance and that the site be preserved and/or all cultural and sacred items be left with their ancestors onsite or where they were discovered. Through continuous discussions with Tribal representatives and background information contained in the archaeological report, locations such as the coast and/or areas containing, or used to contain, a water source, have been known to provide occupation, gathering, and processing sites for Native Americans. The Big Sur River is approximately 500-feet west of the site and Pheneger Creek, a tributary to the Big Sur River, is approximately 150-feet to the south. Because of this knowledge, the OCEN tribe considers the Morgenrath property to potentially contain cultural tribal resources. Therefore, the following mitigation measure, as recommended by OCEN, has been incorporated to reduce potential impacts to tribal cultural resources to a less than significant level.

Mitigation Measure No. 6. Protection of Cultural Resources and Sacred Places.

In order to reduce potential impacts to cultural resources and sacred places, excavation for the new driveway, as shown on the preliminary Grading and Drainage Plan Driveway Plan and Profile (Sheet No. C-3) and excavation for the septic tank, as shown on the preliminary Site Plan (Sheet No. A1.1), shall be observed by a Native American Tribal Monitor for the Ohlone/Costanoan-Esselen Nation (OCEN), as approved by the OCEN Tribal Council. This monitoring shall be limited to the areas specified above and to excavation of sterile soils. Placement of fill and/or compaction of soils shall not require a tribal monitor. If more than one earth moving equipment is deployed at different locations at the same time, more than one tribal monitor shall be present during those periods. If at any time, potentially significant cultural resources, sacred places, or intact features are discovered, the contractor shall temporarily halt work until the find can be evaluated by the tribal monitor and archaeological monitor. If the find is determined to be significant, work shall remain halted until mitigation measures have been formulated, with the concurrence of RMA-Planning, and implemented. Since any items that may be uncovered during excavation belong to the property owner, this mitigation shall serve as notice that the OCEN Tribal Council formally requests that any sacred burial items discovered be given to the tribe by the property owner.

Mitigation Monitoring Action No. 5a: Prior to issuance of construction permits for grading or building, the owner/applicant shall include a note on the construction plans encompassing the language contained in **Mitigation Measure No. 5**. The owner/applicant shall submit said plans to RMA-Planning for review and approval.

Mitigation Monitoring Action No. 5b: Prior to issuance of construction permits for grading or building, the owner/applicant shall submit a contract with an OCEN approved Native American Tribal Monitor to RMA-Planning for review and approval. The contract shall outline logistics for monitoring during earth disturbance activities specified in **Mitigation Measure No. 5** as well as how uncovered cultural resources will be handled, in coordination with the project archaeologist.

Mitigation Monitoring Action No. 5c: An on-site preconstruction meeting shall be held between the applicant, OCEN Tribal monitor, and contractor to discuss and assure understanding of **Mitigation Measure No. 5** and scheduling of construction with regard to monitoring. Prior to issuance of any construction permits for grading or construction,

the preconstruction meeting between the parties shall be conducted and a letter summarizing what was discussed shall be submitted to RMA-Planning.

Mitigation Monitoring Action No. 5d: During earth disturbance activities specified in **Mitigation Measure No. 5**, the OCEN approved Native American Tribal Monitor shall be onsite observing the work, consistent with the approved contract required by **Mitigation Measure Action No. 5b**. Prior to final of construction permits for grading or building, the owner/applicant shall submit a letter for the Native American Tribal Monitor verifying all work was done consistent with the contract to RMA-Planning.

18. UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Reference: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Reference: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Reference: 1 & 12)	<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? (Reference: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Reference: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Reference: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Reference: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See previous Section II.B (Project Description) and C (Environmental Setting) and Section IV.A (Environmental Factor Potentially Affected), as well as the References listed.

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? (Reference: 1, 2, 3, 4, 5, 6, 7,8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 & 19)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? (Reference: 1, 2, 3, 4, 5, 6, 7,8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 & 19) ("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)? (Reference: 1, 2, 3, 4, 5, 6, 7,8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 & 19)	<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? (Reference: 1, 2, 3, 4, 5, 6, 7,8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18 & 19)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Pursuant to Section 21083 of the Public Resources Code and Section 15065 of the CEQA Guidelines, a project would be considered to have a significant effect on the environment, and an Environmental Impact Report shall be prepared, if impacts identified cannot be avoided or mitigated to a point where no significant effect on the environment would occur. Analysis provided in this Initial Study found that there is no substantial evidence, in light of the whole record, that the Project may have a significant effect on the environment.

(a). Conclusion: Less Than Significant Impact with Mitigation.

Based upon the analysis conducted for this Initial Study, the Project would have no impacts to agriculture and forest resources (see Section IV.A) and potential impacts to cultural resources (see Section VI.5). A standard condition of approval requiring work to be halted if cultural

resources are accidentally uncovered during excavation has been incorporated within the project and would reduce the impact to a less than significant level. The Project would have a potential to impact a special natural community that is considered to be an environmentally sensitive habitat area (see Section VI.4 – Biological Resources). Mitigation Measures Nos. 1 through 4 have been incorporated requiring biological monitoring, tree protection, and approval of a final Construction Management Plan and Restoration and Fuel Management Plan. Implementation of these mitigations would reduce potential impacts to biological resources to a less than significant level. The Project would have the potential to impact tribal cultural resources (see Section VI.17). Mitigation Measure No. 6 has been incorporated requiring an approved tribal monitor to observe excavation for a portion of the driveway and septic tank. Implementation of this mitigation would reduce potential impacts to tribal cultural resources to a less than significant level.

(b). Conclusion: No Impact.

The Project includes the relocation of an existing operation from the former Blaze site to the Morgenrath property and would result in a temporary change due to construction activities. However, there would be no change in baseline relative to the spatial and functional conditions of the surrounding area at the time the application for the Project was made. Therefore, establishment of the use and the ongoing operational impacts of the Project would not be cumulatively considerable. Furthermore, the identified temporary construction impacts cause by implementation of the Project have been found to be less than significant.

(c). Conclusion: Less than Significant Impact.

Based upon the analysis conducted for this Initial Study, the Project would have no impacts to land use and planning, mineral resources, population and housing, public services, recreation, and utility and service systems (see Section IV.A). The Project would have potential impacts to aesthetics (see Section VI.1), air quality (see Section VI.3), geology and soils (see Section VI.6), greenhouse gas emissions (see Section VI.7), hazards and hazardous materials (see Section VI.8), hydrology and water quality (see Section VI.9), and noise (see Section VI.12). Standard conditions of approval have been incorporated which would result in reducing these impacts to a less than significant level. The Project would have a less than significant impact the potential to impact humans by increasing traffic hazards due to increasing the vehicular-pedestrian interface on an existing rural roadway (see Section VI.16). However, this potential impact does not rise to a level that would require mitigation, the applicant has agreed to address concerns from the neighbors by modifying the Project design. A non-standard condition of approval has been incorporated to ensure final plans includes these improvements.

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. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

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

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

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

Conclusion: The project will be required to pay the fee.

Evidence: Based on the record as a whole as embodied in the RMA-Planning files pertaining to PLN160851 and the attached Initial Study / Proposed Mitigated Negative Declaration.

IX. REFERENCES

1. Project Application, Plans, and Proposed General Development Plan
2. 1982 Monterey County General Plan
3. Big Sur Coast Land Use Plan
4. Big Sur Coastal Implementation Plan, Part 3
5. Title 20 of the Monterey County Code (Zoning Ordinance), Part 1 of the Coastal Implementation Plan
6. Monterey County Geographic Information System (GIS)
7. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised February 2008
8. Site Visit conducted by the project planner on February 8, 2018
9. "Tree Resource Evaluation Project Impact Analysis", dated October 6, 2017 (Monterey County Document No. LIB170437), prepared by Maureen Hamb-WCISA, Santa Cruz, CA
10. "Preliminary Archaeological Assessment", dated February 17, 2018 (Monterey County Document No. LIB170438), prepared by Gary S. Breschini, Ph. D., Salinas, CA
11. "Biological Assessment", dated October 23, 2017 (Monterey County Document No. LIB170439), prepared by Fred Ballerini, Pacific Grove, CA
12. "Geotechnical Report", dated February 2017, (Monterey County Document No. LIB170440), prepared by Grice Engineering, Inc., Salinas, CA
13. "Percolation Testing Results", dated November 27, 2017 (Monterey County Document No. LIB170441), prepared by Haro, Kasunich and Associates, Inc., Watsonville, CA
14. "Geologic Report", dated June 22, 1993 (Monterey County Document No. LIB170052), prepared by Karl Vonder Linden, Menlo Park, CA
15. Tribal Consultation Letter received from The Ohlone/Costanoan-Esselen Nation, dated June 18, 2018
16. Google Earth Imagery dated February 4, 2018 36°16'11.56" N 121°48'25.62" W, Elevation at 165ft., Eye Alt. 1445ft.
17. Big Sur Coast Highway Management Plan, Caltrans District 5, March 2004
18. Big Sur Land Use Advisory Committee Minutes for Meeting Dated January 23, 2018
19. "Monterey County Multi-Jurisdictional Hazard Mitigation Plan", dated September 2014, prepared by the Monterey County Hazard Mitigation Planning Team and AECOM
20. The 2012-2015 Air Quality Management Plan (AQMP), including the 1991 AQMP and the 2009-2011 Triennial Plan Revision