

# **County of Monterey**

Government Center - Board Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901



## **Meeting Agenda - Final**

**Wednesday, June 25, 2025**

**9:00 AM**

**Para interpretación en español, haga clic aquí:**

**<https://attend.wordly.ai/join/THCT-8529>**

**County of Monterey Planning Commission**

**The Planning Commission is pleased to announce a six-month Pilot Program for Interpretation Services, commencing in December 2024. This initiative aims to enhance accessibility and participation in our meetings.**

**To utilize interpretation services during the Planning Commission meetings, please access the meeting via the below link or use the QR Code on our website. Once logged in, select your preferred language and click on ‘Attend’ to join.**

**Thank you for your cooperation and we look forward to your participation.**

**La Comisión de Planificación se complace en anunciar un Programa Piloto de Servicios de Interpretación de seis meses de duración, que comenzará en diciembre de 2024. Esta iniciativa tiene como objetivo mejorar la accesibilidad y la participación en nuestras reuniones.**

**Para utilizar los servicios de interpretación durante las reuniones de la Comisión de Planificación, acceda a la reunión a través del siguiente enlace o utilice el código QR en nuestro sitio web. Una vez que haya iniciado sesión, seleccione su idioma preferido y haga clic en "Asistir" para unirse.**

**Gracias por su colaboración y esperamos contar con su participación.**

**<https://attend.wordly.ai/join/THCT-8529>**

**For optimal audio quality, please use a headset with your device. If you require assistance or do not have a device, reach out to the Clerk of the Planning Commission for support.**

**Para una calidad de audio óptima, utilice auriculares con su dispositivo. Si necesita ayuda o no tiene un dispositivo, comuníquese con el secretario(a) de la Comisión de Planificación para obtener ayuda.**



The Recommended Action indicates the staff recommendation at the time the agenda was prepared. That recommendation does not limit the Planning Commission alternative actions on any matter before it.

NOTE: All agenda titles related to numbered agenda items are live web links. Click on the title to be directed to the corresponding staff report and associated documents.

In addition to attending in person, public participation will be available by ZOOM and/or telephonic means:

You may participate through ZOOM. For ZOOM participation please join by computer audio at: <https://montereycty.zoom.us/j/95316276581>

OR to participate by phone call any of these numbers below:

- + 1 669 900 6833 US (San Jose)
- + 1 346 248 7799 US (Houston)
- + 1 312 626 6799 US (Chicago)
- + 1 929 205 6099 US (New York)
- + 1 253 215 8782 US
- + 1 301 715 8592 US

Enter this Meeting ID number 953 1627 6581 when prompted.

**PLEASE NOTE: IF ALL COMMISSIONERS ARE PRESENT IN PERSON, PUBLIC PARTICIPATION BY ZOOM IS FOR CONVENIENCE ONLY AND IS NOT REQUIRED BY LAW. IF THE ZOOM FEED IS LOST FOR ANY REASON, THE MEETING MAY BE PAUSED WHILE A FIX IS ATTEMPTED BUT THE MEETING MAY CONTINUE AT THE DISCRETION OF THE CHAIRPERSON.**

If you choose not to attend the Planning Commission meeting in person, but desire to make general public comment, or comment on a specific item on the agenda, you may do so in two ways:

- a. Submit your comment via email by 5:00 p.m. on the Tuesday prior to the Planning Commission meeting. Please submit your comment to the Clerk at [phearingcomments@countyofmonterey.gov](mailto:phearingcomments@countyofmonterey.gov) . In an effort to assist the Clerk in identifying the agenda item relating to your public comment please indicate in the Subject Line, the meeting body (i.e. Planning Commission Agenda) and item number (i.e. Item No. 10). Your comment will be placed into the record at the meeting.
- b. You may participate through ZOOM or telephonically. For ZOOM or telephonic participation please join by computer audio using the links above.

**DOCUMENT DISTRIBUTION:** Documents related to agenda items that are distributed to the Planning Commission less than 72 hours prior to the meeting shall be available for public inspection at the meeting the day of the Planning Commission meeting and in the Housing and Community

Development Office located at 1441 Schilling Place, 2nd Floor, Salinas California. Documents submitted in-person at the meeting, will be distributed to the Planning Commission. All documents submitted by the public at the meeting the day of the Planning Commission must have no less than sixteen (16) copies. Comments received after the agenda item will be made part of the record if received prior to the end of the meeting.

**ALTERNATIVE FORMATS:** If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132) and the federal rules and regulations adopted in implementation thereof. For information regarding how, to whom and when a person with a disability who requires a modification or accommodation in order to participate in the public meeting may make a request for disability-related modification or accommodation including auxiliary aids or services or if you have any questions about any of the items listed on this agenda, please call the Monterey County Housing and Community Development at (831) 755-5025.

**INTERPRETATION SERVICE POLICY:** The Monterey County Planning Commission invites and encourages the participation of Monterey County residents at its meetings. If you require the assistance of an interpreter, please contact the Monterey County Housing and Community Development Department by phone at (831) 755-5025. The Clerk will make every effort to accommodate requests for interpreter assistance. Requests should be made as soon as possible, and at a minimum 24 hours in advance of any meeting.

La medida recomendada indica la recomendación del personal en el momento en que se preparó la agenda. Dicha recomendación no limita las acciones alternativas de la Comisión de Planificación sobre cualquier asunto que se le haya sometido.

Además de asistir en persona, la participación del público estará disponible por ZOOM y/o medios telefónicos:

Puede participar a través de ZOOM. Para la participación de ZOOM, únase por computadora en: <https://montereycty.zoom.us/j/95316276581>

O para participar por teléfono, llame a cualquiera de estos números a continuación:

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Presione el código de acceso de reunión: 953 1627 6581 cuando se le solicite.

**TENGA EN CUENTA: SI TODOS LOS COMISIONADOS ESTÁN PRESENTES EN PERSONA, LA PARTICIPACIÓN PÚBLICA DE ZOOM ES SOLO POR CONVENIENCIA Y NO ES**

**REQUERIDA POR LA LEY. SI LA TRANSMISIÓN DE ZOOM SE PIERDE POR CUALQUIER MOTIVO, LA REUNIÓN PUEDE PAUSARSE MIENTRAS SE INTENTA UNA SOLUCIÓN, PERO LA REUNIÓN PUEDE CONTINUAR A DISCRECIÓN DEL PRESIDENTE DE LA REUNIÓN.**

Si decide no asistir a la reunión de la Comisión de Planificación en persona, pero desea hacer comentarios públicos generales o comentar sobre un tema específico de la agenda, puede hacerlo de dos maneras:

- a. Envíe su comentario por correo electrónico antes de las 5:00 p.m. del martes anterior a la reunión de la Comisión de Planificación. Por favor, envíe su comentario al asistente de la Comisión de Planificación a: [phearingcomments@countyofmonterey.gov](mailto:phearingcomments@countyofmonterey.gov). En un esfuerzo por ayudar al asistente a identificar el tema de la agenda relacionado con su comentario público, indique en la Línea de Asunto, la audiencia de la reunión (ejemplo, la Junta de la Comisión de Planificación) y número de artículo (ejemplo, artículo n.º 10). Su comentario se incluirá en el registro de la reunión.
- b. Puede participar a través de ZOOM o telefónicamente. Para ZOOM o participación telefónica, únase por audio de computadora utilizando los enlaces anteriores.

**DISTRIBUCIÓN DE DOCUMENTOS:** Los documentos relacionados con los temas de la agenda que se distribuyan a la Comisión de Planificación menos de 72 horas antes de la reunión estarán disponibles para inspección pública en la reunión el día de la reunión de la Comisión de Planificación y en la Oficina de Vivienda y Desarrollo Comunitario ubicada en 1441 Schilling Place, 2nd Floor, Salinas California. Los documentos presentados en persona en la reunión se distribuirán a la Comisión de Planificación. Todos los documentos presentados por el público en la reunión del día de la Comisión de Planificación deben tener no menos de dieciséis (16) copias. Las observaciones recibidas después del tema del programa pasarán a formar parte del acta si se reciben antes de que finalice la sesión.

**FORMATOS ALTERNATIVOS:** Si se solicita, la agenda se pondrá a disposición de las personas con discapacidad en formatos alternativos apropiados, según lo exige la Sección 202 de la Ley de Estadounidenses con Discapacidades de 1990 (42 USC Sec. 12132) y las reglas y regulaciones federales adoptadas en implementación de la misma. Para obtener información sobre cómo, a quién y cuándo una persona con una discapacidad que requiere una modificación o adaptación para participar en la reunión pública puede hacer una solicitud de modificación o adaptación relacionada con la discapacidad, incluidas las ayudas o servicios auxiliares, o si tiene alguna pregunta sobre cualquiera de los temas enumerados en esta agenda, llame al Departamento de Vivienda y Desarrollo Comunitario del Condado de Monterey al (831) 755-5025.

**POLÍZA DE SERVICIO DE INTERPRETACIÓN:** Los miembros de la Comisión de Planificación del Condado de Monterey invita y apoya la participación de los residentes del Condado de Monterey en sus reuniones. Si usted requiere la asistencia de un intérprete, por favor comuníquese con el Departamento de Vivienda y Desarrollo Comunitario localizado en el Centro de Gobierno del Condado de Monterey, (County of Monterey Government Center), 1441 Schilling Place, segundo

piso sur, Salinas – o por teléfono al (831) 755-5025. La asistente hará el esfuerzo para acomodar los pedidos de asistencia de un intérprete. Los pedidos se deberán hacer lo más pronto posible, y no más de lo mínimo de 24 horas de anticipo para cualquier reunión.

**NOTA:** Todos los títulos de la agenda relacionados con los puntos numerados de la agenda son enlaces web en vivo. Haga clic en el título para dirigirse al informe del personal correspondiente y los documentos asociados.

**PUBLIC COMMENT:** Members of the public may address comments to the Planning Commission concerning each agenda item. The timing of public comment shall be at the discretion of the Chair.

**COMENTARIO PÚBLICO:** Los miembros del público pueden dirigir comentarios a la Comisión de Planificación sobre cada punto del orden del día. El momento de los comentarios públicos será a discreción del presidente

**NOTE: All agenda titles related to numbered items are live web links. Click on the title to be directed to corresponding Staff Report.**

**9:00 A.M. - CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Christine Shaw  
Paul C. Getzelman  
Ben Work  
Ernesto G. Gonzalez  
Francisco Javier Mendoza  
Martha Diehl  
Etna Monsalve  
Jessica Hartzell  
Ramon Gomez  
Amy Roberts

**PUBLIC COMMENTS**

This is a time set aside for the public to comment on a matter that is not on the agenda.

**AGENDA ADDITIONS, DELETIONS AND CORRECTIONS**

The Commission Clerk will announce agenda corrections, deletions and proposed additions, which may be acted on by the Planning Commission as provided in Sections 54954.2 of the California Government Code.

**COMMISSIONER COMMENTS, REQUESTS AND REFERRALS**

This is a time set aside for the Commissioners to comment, request, or refer a matter that is on or not on the agenda.

**9:00 A.M. – SCHEDULED MATTERS**

**1. PLN240178 - SAHI NAVNEET SINGH**

Public hearing to consider the removal of 53 Oak trees.

**Project Location:** 8730 Eagles Roost Rd, Salinas, North County Inland Area Plan

**Proposed CEQA action:** Find the project Categorically Exempt pursuant to CEQA Guidelines sections 15303 and 15304, and there are no exceptions pursuant to Guidelines section 15300.2

**Attachments:** [Staff Report](#)  
[Exhibit A - Draft Resolution](#)  
[Exhibit B - Vicinity Map](#)  
[Exhibit C - Biological Report](#)  
[Exhibit D - Arborist Report](#)

**2. PLN240187 - BOCCONE, NORMAN B & VICTORIA E IGEL CO-TRS AND ELKHORN SLOUGH FOUNDATION**

Public hearing to consider a Coastal Development Permit to allow a Lot Line Adjustment between three legal lots of record consisting of Parcel A (approximately 18.17 acres, APN:

181-151-009-000), Parcel B (approximately 286.05 acres, APN: 181-011-022-000), and Parcel C (approximately 4.58 acres, APN: 181-151-008-000), resulting in three parcels of 13.53 acres (Adjusted Parcel A), 290.14 acres (Adjusted Parcel B), and 5.13 acres (Adjusted Parcel C).

**Project Location:** 827 Elkhorn Road and 695 Elkhorn Road, and a third adjacent parcel without address in Royal Oaks, CA 95076

**Proposed CEQA action:** Consider a Mitigated Negative Declaration (SCH#: 2025050246) and find that no further environmental review is warranted pursuant to Section 15162 of the CEQA Guidelines.

**Attachments:** [Staff Report](#)  
[Exhibit A - Draft Resolution](#)  
[Exhibit B - LUAC Meeting Minutes for November 20, 2024](#)  
[Exhibit C - Mitigated Negative Declaration](#)

**3. PLN220229 - BOCCONE NORMAN B AND VICTORIA E IGEL CO-TRUST**

Public hearing to consider construction of a 2,676 square foot single-family dwelling, a 414 square foot detached guesthouse, an attached 507 square foot workshop, and 415 square foot garage including associated site improvements. Project requires removal of 17 Coast live oak trees and development within 100 feet of Environmentally Sensitive Habitat Areas and on slopes in excess of 25 percent.

**Project Location:** 827 Elkhorn Slough Road, North County Land Use Plan.

**Proposed CEQA Action:** Adopt a Mitigated Negative Declaration pursuant to Section 15074 of the CEQA Guidelines.

**Attachments:** [Staff Report](#)  
[Exhibit A - Draft Resolution](#)  
[Exhibit B - Vicinity Map](#)  
[Exhibit C - Biological Report](#)  
[Exhibit D - Arborist Report](#)  
[Exhibit E - Draft Initial Study/Mitigated Negative Declaration \(ISMND\)](#)  
[Exhibit F - Comments of the IS/MND](#)  
[Exhibit G - North County LUAC Nov. 1, 2023 Meeting Minutes](#)

**DEPARTMENT REPORT**

**ADJOURNMENT**



# County of Monterey

## Item No.1

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: PC 25-056

June 25, 2025

**Introduced:** 6/16/2025

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Planning Item

#### **PLN240178 - SAHI NAVNEET SINGH**

Public hearing to consider the removal of 53 Oak trees.

**Project Location:** 8730 Eagles Roost Rd, Salinas, North County Inland Area Plan

**Proposed CEQA action:** Find the project Categorically Exempt pursuant to CEQA Guidelines sections 15303 and 15304, and there are no exceptions pursuant to Guidelines section 15300.2

#### RECOMMENDATION:

It is recommended that the Planning Commission adopt a resolution to:

- 1) Find that the project qualifies as a Class 3 and Class 4 Categorical Exemption pursuant to CEQA Guidelines sections 15303 and 15304, and there are no exceptions pursuant to section 15300.2; and
- 2) Approve a Use Permit to allow the removal of 53 Oak trees.

The attached draft resolution includes findings and evidence for consideration (Exhibit A).

#### PROJECT INFORMATION:

**Agent:** Rick Castillo

**Property Owner:** Sahi Navneet Singh

**APN:** 125-621-010-000

**Parcel Size:** 212,572.8 square feet

**Zoning:** Rural Density Residential with a density of 5.01 acres per unit, or "RDR/5.01"

**Plan Area:** North County Inland Area Plan

**Flagged and Staked:** No

**Project Planner:** Joseph Alameda, Associate Planner

alamedaj@countyofmonterey.gov, 831-783-7079

#### SUMMARY/DISCUSSION:

The property is located at 8730 Eagles Roost Road in Salinas (Assessor's Parcel Number: 125-621-010-000), within the North County Inland Area Plan. The project involves the removal of 53 protected Oak trees. The site plans (Exhibit A) included in this project illustrate a 5,546 square foot single family dwelling with associated site improvements. Pursuant to Title 21, section 21.16.030.A, the first single family dwelling per lot is allowed as a principally allowed use within the Rural Density Residential zoning district, and therefore is processed ministerially. Although a planning entitlement is not required and approval for the construction of the single-family dwelling is not a part of this application, the proposed tree removal is to allow for the future development of the single-family dwelling which will be processed separately.



Based on staff's review, the project is consistent with applicable goals and policies in the 2010 General Plan, policies in the North County Inland Area Plan, and Title 21 Zoning Ordinance.

Tree Removal

Title 21 section 21.64.260.D.3.a requires approval of a Use Permit by the Monterey County Planning Commission for the removal of more than three protected trees on one lot within a one-year period. Pursuant to Title 21 section 21.64.260.C.1 and North County Inland Area Plan policy 3.4, Oak and Madrone trees are native within the North County Inland Area Plan and are therefore protected. As proposed, the project involves the removal of 53 Oak trees and one non-native tree (Monterey Pine), which were identified in the Arborist report (LIB250011) (**Exhibit D**) to be in good to poor conditions and located within the proposed structural and landscape footprint. Title 21, section 21.64.260.C.5, defines landmark trees as those trees which are 24 inches or more in diameter when measured two feet above the ground. As proposed, the project involves the removal of 3 landmark Oak trees. Removal of the 53 Oak trees (including the 3 landmark trees) requires the granting of a Use Permit and on-site replanting. The project also proposes the removal on one Monterey Pine tree, which is not protected under the North County Inland Area Plan and therefore does not require a Use Permit for removal. As proposed, the siting and design of the proposed single-family dwelling and associated landscaping (which are to be processed ministerially separately), utilizes the most suitable portion of the subject property and avoids more heavily forested portions of the lot. Additionally, as proposed, the siting and design of the residence also avoids the removal of 24 other native trees within the Building Envelope, including several landmark and multi-stem trees. Staff analyzed the development of the proposed single-family dwelling and associated site improvements and found that proposed tree removal as illustrated is the minimum under the circumstances of the subject property. The subdivision recorded a Final Map that outlined two separate envelopes for the building and leach field. The proposed development and proposed tree removal are located entirely within those envelopes. The narrow building envelope can be accessed by an existing road adjacent to the property. The future development was designed to also allow for a turn-around within the driveway as required by Monterey County Fire Codes. Additionally, Monterey County Geographic Information System identifies the subject parcel within a high fire state responsibility hazard area. Chapter 18.56.090 outlines fuel modification standards to reduce the intensity of a wildfire by reducing the volume and density of flammable vegetation and providing for setbacks for structures on parcels that are larger than one acre. Thus, the future development and associated site improvements within the building envelope is the minimum under these circumstances as outlined in Title 21 section 21.64.260.D.3. The proposed leach field is illustrated within the flattest area of the leach field envelope and has been carefully sited and designed to reduce the removal of other mature landmark trees. Therefore, the proposed tree removal is limited to that which is necessary for the proposed development.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

HCD-Public Works  
HCD-Environmental Services  
North County Fire Protection District

### LAND USE ADVISORY COMMITTEE

Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors, this application did warrant referral to the Land Use Advisory Committee (LUAC) for review as the project does not involve development requiring CEQA review (Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report), a Lot Line Adjustment involving conflicts, a Variance, or a Design Approval subject to a public hearing.

### CEQA

This project is categorically exempt from environmental review pursuant to Sections 15303 and 15304 of the CEQA Guidelines. CEQA Guidelines section 15268(d) declares that “[w]here a project involves an approval that contains elements of both a ministerial action and a discretionary action, the project will be deemed to be discretionary and will be subject to the requirements of CEQA.” In such cases, while the whole project becomes subject to CEQA, it is only those discretionary components of the project - those parts which the reviewing agency (here, the County) has authority to shape, influence, approve, or deny (CEQA Guidelines section 15040; Public Resources Code section 21004). Accordingly, while the Planning Commission’s discretionary authority is limited to consideration of the proposed tree removal, the proposed residence is subject to CEQA. CEQA Guidelines section 15303 categorically exempts the construction and location of limited numbers of new structures including single-family dwellings in residential zones. CEQA Guidelines section 15304 categorically exempts minor alterations to land, water, and/or vegetation which do not involve the removal of healthy, mature, scenic trees. There are no there are no exceptions pursuant to Section 15300.2

Prepared by: Joseph Alameda, Associate Planner, x7079

Reviewed by: Fionna Jensen, Principal Planner

Approved by: Melanie Beretti, AICP, Chief of Planning.

The following attachments are on file with the HCD:

Exhibit A - Draft Resolution

- Site Plan
- Conditions of Approval

Exhibit B - Vicinity Map

Exhibit C - Biological Report

Exhibit D - Arborist Report

cc: Front Counter Copy; California Coastal Commission; North County Fire Protection District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Joseph Alameda, Associate Planner; Fionna Jensen, Principal Planner; Jacquelyn M. Nickerson, Principal Planner; Sahi Navneet Singh, Property Owners; Rick Castillo, Agent; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Planning File PLN240178.



# County of Monterey Planning Commission

## Agenda Item No.1

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### RECOMMENDATION:

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Reviewed by: Fionna Jensen, Principal Planner

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# Exhibit A

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**EXHIBIT A  
DRAFT RESOLUTION**

**Before the Planning Commission in and for the  
County of Monterey, State of California**

In the matter of the application of:

**SAHI NAVEET SINGH (PLN240178)**

**RESOLUTION NO. 25--**

Resolution by the County of Monterey Planning  
Commission:

- 1) Finding that the project qualifies as a Class 3 and Class 4 Categorical Exemption pursuant to CEQA Guidelines sections 15303 and 15304, and there are no exceptions pursuant to section 15300.2; and
- 2) Approving a Use Permit to allow the removal of 53 Oak trees.

[PLN240178, Sahi Navneet Singh, 8730 Eagles Roost Rd, Salinas, North County Inland Area Plan, (Assessor's Parcel Number: 125-621-010-000)]

**The Sahi Navneet Singh application (PLN240178) came on for public hearing before the Monterey County Planning Commission on June 25, 2025. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:**

**FINDINGS**

1. **FINDING:** **CONSISTENCY** – The project and/or use, as conditioned, is consistent with the policies of the 2010 Monterey County General Plan, the North County Inland Area Plan (Area Plan), and the requirements of the applicable zoning ordinance (Title 21); and other County health, safety, and welfare ordinances related to land use development.  
**EVIDENCE:**
  - a) No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
  - b) The project involves the removal of 54 trees including 53 protected Oak trees and one nonprotected Monterey Pine tree.
  - c) Allowed Use. The property is located at 8730 Eagles Roost Rd, Salinas, North County Inland Area Plan (Assessor's Parcel Number: 125-621-010-000). The parcel is zoned Rural Density Residential with a density of 5.01 acres per unit, [RDR/5.01]. Title 21 section 21.64.260.D.3.a requires approval of a Use Permit by the Monterey County Planning Commission for the removal of more than three protected trees on one lot within a one-year period. Pursuant to Title 21 section 21.64.260.C.1 and North County Inland Area Plan policy 3.4, Oak and Madrone trees



are native within the North County Inland Area Plan and are therefore protected. Therefore, the project is an allowed land use for this site.

The site plans included in this project illustrate a 5,546 square foot single family dwelling with associated site improvements. Pursuant to Title 21, section 21.16.030.A, the first single family dwelling per lot is allowed as a principally allowed use within the Rural Density Residential zoning district, and therefore is processed ministerially. Although a planning entitlement is not required and approval for the construction of the single-family dwelling is not a part of this application, the tree removal is to allow for the future development of the single-family dwelling which will be processed separately under a Construction Permit. County Planning will be required to review the Construction Permit plans when submitted to ensure substantial conformance with the allotted trees under this project as illustrated within the attached plans. Modifications to the plans shown in relation to the tree removal that would require the removal of more trees than are allowed under this permit would require an amendment to this permit.

- d) Lot Legality. The subject property is identified in its current configuration (5.001 acres) as Lot 10 of Tract No. 1316 on a Final Map entitled “Hidden Canyon Ranch Subdivision”, recorded in March of 1999 (Volume 20, Cities & Towns, Page 16). Therefore, the County recognizes the subject properties as legal lots of record.
- e) Tree Removal. The project involves the removal of 54 trees, including 53 protected Oak Trees and one nonprotected Monterey Pine tree as outlined the Area Plan However, as detailed in Finding No.5 and supporting evidence, the tree removal is the minimum required under the circumstances and the removal will not involve a risk of adverse environmental impacts. Therefore, the criteria necessary to grant a Use Permit have been met in this case.
- f) Land Use Advisory Committee. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors, this application did warrant referral to the Land Use Advisory Committee (LUAC) for review as the project does not involve development requiring CEQA review (Negative Declaration, Mitigated Negative Declaration, or an Environmental Impact Report, a Lot Line Adjustment involving conflicts, a Variance, or a Design Approval subject to a public hearing.
- g) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development found in Project File PLN240178.

2.       **FINDING:**       **SITE SUITABILITY & HEALTH AND SAFETY** – The site is physically suitable for the use proposed. The establishment, maintenance, or operation of the use or structure applied for, will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use; or be detrimental or injurious to property and improvements in the neighborhood; or to the general welfare of the County.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, and North County Fire Protection District. County staff reviewed the application materials and plans to verify that the project on the subject site conforms to the applicable plans and regulations, and there has been no indication from these departments/agencies that the site is not suitable for the development or that the project will have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood. Conditions recommended have been incorporated.
  - b) Staff identified potential impacts to Forest Resources, Biological Resources, and Geotechnical Resources (soils). The following reports have been prepared:
    - “Geotechnical Investigation” (County of Monterey Library No. LIB240013) prepared by Haro, Kasunich and Associates, Inc., Watsonville, CA, October 2024.
    - “Arborist Report” (County of Monterey Library No. LIB250011) prepared by Albert Weisfuss, Carmel, CA, November 2024.
    - “Biological Report” (County of Monterey Library No. LIB250012) prepared by Patrick Regan, Carmel Valley, CA, December 2024.

The above-mentioned technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff has independently reviewed these reports and concurs with their conclusions.
  - c) Forest Resources. A Fuel Management Plan was prepared for the project (see sheet L1 of project plans), as a guideline for the implementation of defensible space/vegetation management for fire safety around the future development. The tree removal supports mitigation of fire fuel surrounding the future development of the lot and neighboring residences (see evidence in Finding 5).
  - d) No evidence has been provided to the County of Monterey HCD-Planning staff indicating that the proposed tree removal will have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
  - e) The application, project plans, and related support materials submitted by the project applicant to the County of Monterey HCD - Planning for the proposed development found in Project File PLN240178.

3. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County’s zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed County of Monterey HCD - Planning and Building Services Department records and is not aware of any violations existing on subject property.
  - b) The application, plans and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in Project File PLN240178.

4. **FINDING:** **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA): -**  
The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.
- EVIDENCE:**
- a) As detailed in Finding 1, evidence “c”, the applicant proposes the removal of 53 Oak trees to accommodate the future development of a single-family dwelling which is to be processed ministerially. CEQA Guidelines section 15268(d) declares that “[w]here a project involves an approval that contains elements of both a ministerial action and a discretionary action, the project will be deemed to be discretionary and will be subject to the requirements of CEQA.” In such cases, while the whole project becomes subject to CEQA, it is only those discretionary components of the project – those parts which the reviewing agency (here, the County) has authority to shape, influence, approve, or deny (CEQA Guidelines section 15040; Public Resources Code section 21004). Accordingly, while the Planning Commission’s discretionary authority is limited to consideration of the proposed tree removal, the proposed residence is subject to CEQA.
  - b) CEQA Guidelines section 15303 categorically exempts the construction and location of limited numbers of new structures including single-family dwellings in residential zones. CEQA Guidelines section 15304 categorically exempts minor alterations to land, water, and/or vegetation which do not involve the removal of healthy, mature, scenic trees.
  - c) The proposed project involves the future construction of a single-family dwelling and associated site improvements on a residentially zoned lot. Therefore, this portion of the project is consistent with the categorical exemption requirements of CEQA Guidelines section 15303. Additionally, the project includes the removal of 54 trees including 53 protected Oak trees and one nonprotected Monterey Pine tree, none of which are scenic. Therefore, this portion of the project is consistent with CEQA Guidelines section 15304.
  - d) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. There is no significant effect on the environment due to unusual circumstances. Project location is not within a sensitive environment. There is no cumulative impact without any prior successive projects of the same type in the same place, over time and no new land use is proposed. The site is not included on any list compiled pursuant to Section 65962.5 of the Government Code to be considered on a hazardous waste site. The tree removal will not result in an adverse environmental impact or significant long-term impacts. The proposed project will also not be visible from any scenic vista or corridor. No known historical resources are found in the geotechnical report which may cause a substantial adverse change in the significance of a historical resource.
  - e) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development found in Project File PLN240178.
5. **FINDING:** **TREE REMOVAL –** The siting, location, size, and design has been established to minimize tree removal and has been limited to that

required for the overall health and long-term maintenance of the property.

- EVIDENCE:**
- a) The project includes application for the removal of 54 trees, including 53 Oak Trees and one Monterey Pine Tree. In accordance with the applicable policies of the North County Inland Area Plan and Title 21 (Inland Zoning Ordinance), a Use Permit is required and the criteria to grant said permit have been met.
  - b) Title 21 section 21.64.260.D.3.a requires approval of a Use Permit by the Monterey County Planning Commission for the removal of more than three protected trees on one lot within a one-year period. Pursuant to Title 21 section 21.64.260.C.1 and North County Inland Area Plan policy 3.4, Oak and Madrone trees are native within the North County Inland Area Plan and are therefore protected. As proposed, the project involves the removal of 53 Oak trees and one non-native tree, which were identified in the Arborist report (LIB250011) to be in good to poor conditions and located within the proposed structural and landscape footprint. Title 21, section 21.64.260.C.5, defines landmark Oak trees as those trees which are 24 inches or more in diameter when measured two feet above the ground. As proposed, the project involves the removal of 3 landmark Oak trees. Removal of the 53 Oak trees (including the 3 landmark trees) requires the granting of a Use Permit and on-site replanting. The project also proposes the removal on one Monterey Pine tree, which is not protected under the North County Inland Area Plan and therefore does not require a Use Permit for removal. Staff analyzed the development of the proposed single-family dwelling and associated site improvements and found that proposed tree removal as illustrated is the minimum under the circumstances of the subject property. The subdivision recorded a Final Map that outlined two separate envelopes for the building and leach field. The proposed development and proposed tree removal are located entirely within those envelopes. The narrow building envelope can be accessed by an existing road adjacent to the property. The future development was designed to also allow for a turn-around within the driveway as required by Monterey County Fire Codes. Additionally, Monterey County Geographic Information System identifies the subject parcel within a high fire state responsibility hazard area. Chapter 18.56.090 outlines fuel modification standards to reduce the intensity of a wildfire by reducing the volume and density of flammable vegetation and providing for setbacks for structures on parcels that are larger than one acre. Thus, the future development and associated site improvements within the building envelope is the minimum under these circumstances as outlined in Title 21 section 21.64.260.D.3. The proposed leach field is illustrated within the flattest area of the leach field envelope and has been carefully sited and designed to reduce the removal of other mature landmark trees. Additionally, as proposed, the siting and design of the residence also avoids the removal of 24 other native trees within the Building Envelope, including several landmark and multi-stem trees. Therefore, the proposed tree removal is limited to that which is necessary for the proposed development.

- c) Measures for tree protection during construction have been incorporated as a condition of approval, and include tree protection zones, trunk protection, hand excavation and bridging roots.
- d) No significant long-term effects on the forest ecosystem are anticipated. The project as proposed will not significantly reduce the availability of wildlife habitat over the long term.
- e) The application, plans and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in Project File PLN240178.

6. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.

**EVIDENCE:** a) Board of Supervisors. Section 21.80.040 of the Monterey County Zoning Ordinance (Title 21) identifies the Board of Supervisors as the Appeal Authority to consider appeals from the discretionary decisions of the Planning Commission.

### **DECISION**

**NOW, THEREFORE**, based on the above findings and evidence, the Planning Commission does hereby:

1. Find that the project qualifies as a Class 3 and Class 4 Categorical Exemption pursuant to CEQA Guidelines sections 15303 and 15304, and there are no exceptions pursuant to section 15300.2; and
2. Approve a Use Permit to allow the removal of 53 Oak Trees.

All of which are in general conformance with the attached sketch and subject to the attached 8 conditions, all being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 25th day of June, 2025 upon motion of \_\_\_\_\_, seconded by \_\_\_\_\_, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Melanie Beretti, AICP, Chief of Planning  
Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON \_\_\_\_\_.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE \_\_\_\_\_.

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

#### NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from County of Monterey HCD-Planning and HCD-Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

# County of Monterey HCD Planning

## DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN240178

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** This Use permit (PLN240178) allows the removal of 53 Oak trees. The property is located at 8730 Eagles Roost Road, Salinas (Assessor's Parcel Number 125-621-010-000), North County Inland Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of HCD - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD - Planning)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

### 2. PD002 - NOTICE PERMIT APPROVAL

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall record a Permit Approval Notice. This notice shall state:  
"A Use Permit (Resolution Number \_\_\_\_\_) was approved by the Planning Commission for Assessor's Parcel Number 125-621-010-000 on June 25, 2025. The permit was granted subject to 5 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

Proof of recordation of this notice shall be furnished to the Director of HCD - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the HCD - Planning.

### 3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County HCD - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.  
(HCD - Planning)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County HCD - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

### 4. PD011 - TREE AND ROOT PROTECTION

**Responsible Department:** Planning

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

**Compliance or Monitoring Action to be Performed:** Prior to issuance of grading and/or building permits, the Owner/Applicant shall submit evidence of tree protection to HCD - Planning for review and approval.

During construction, the Owner/Applicant/Arborist shall submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.

Prior to final inspection, the Owner/Applicant shall submit photos of the trees on the property to HCD-Planning after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.



## 5. PD011(A) - TREE REMOVAL

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** Tree removal shall not occur until a construction permit has been issued in conformance with the appropriate stage or phase of development in this permit. Only those trees approved for removal shall be removed. (HCD-Planning)

**Compliance or Monitoring Action to be Performed:** Prior to tree removal, the Owner/ Applicant/ Tree Removal Contractor shall demonstrate that a construction permit has been issued prior to commencement of tree removal.

## 6. PD048 - TREE REPLACEMENT/RELOCATION

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** Within 60 days of permit approval, the applicant shall replace and or relocate each tree approved for removal as follows:  
- Replacement recommended by arborist: 57 Coast Live Oak

Replacement tree(s) shall be located within the same general location as the tree being removed. (HCD - Planning)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall submit evidence of tree replacement to HCD -Planning for review and approval. Evidence shall be a receipt for the purchase of the replacement tree(s) and photos of the replacement tree(s) being planted.

Six months after the planting of the replacement tree(s), the Owner/Applicant shall submit evidence demonstrating that the replacement tree(s) are in a healthy, growing condition.

One year after the planting of the replacement tree(s), the Owner/Applicant shall submit a letter prepared by a County-approved tree consultant reporting on the health of the replacement tree(s) and whether or not the tree replacement was successful or if follow-up remediation measures or additional permits are required.





LOT CENTER: LOOKING SOUTH AT EAGLES ROOST RD.



LOT ENTRY: ADJACENT TO EAGLES ROOST RD.



LOT ENTRY: LOOKING NORTH FROM EAGLES ROOST RD.

# NEW SINGLE FAMILY DWELLING

## HOUSING PROJECT PHASE DESCRIPTION

PHASES OF CONSTRUCTION:

- COUNTY USE PERMIT: TREE REMOVAL
  - DESCRIPTION: BEFORE ANY CONSTRUCTION CAN COMMENCE, THE SITE WILL UNDERGO THOROUGH GRADING TO PREPARE THE LAND FOR BUILDING. THIS PHASE INVOLVES SHAPING THE TERRAIN, LEVELING THE GROUND, AND ENSURING PROPER DRAINAGE.
  - SITE PREP: CLEARING VEGETATION, DEBRIS REMOVAL, AND EXCAVATION TO ESTABLISH THE BUILDING FOOTPRINT.
  - GRADING:(SEPARATE PERMIT) ADJUSTING THE LAND'S CONTOURS TO ACCOMMODATE THE ARCHITECTURAL PLANS AND FACILITATE PROPER WATER RUNOFF.
  - CUT AND FILL: BALANCING EARTHWORKS THROUGH CUT AND FILL OPERATIONS TO ACHIEVE THE DESIRED SITE ELEVATIONS.
  - DRAINAGE PLANNING: INSTALLING NECESSARY DRAINAGE SYSTEMS TO PREVENT WATER ACCUMULATION AND EROSION.
  - OAK TREE REMOVAL: REMOVAL OF PROTECTED OAK TREES, SUBJECT TO USE PERMIT APPROVAL, AS PER ENVIRONMENTAL REGULATIONS. MEASURES WILL BE TAKEN TO MITIGATE ENVIRONMENTAL IMPACT AND ENSURE COMPLIANCE WITH RELEVANT PERMITS.
- NEW CONSTRUCTION ENTRANCE:
  - DESCRIPTION: ESTABLISHING A DURABLE ENTRANCE TO THE CONSTRUCTION SITE IS CRUCIAL FOR FACILITATING ACCESS FOR WORKERS AND EQUIPMENT WHILE MINIMIZING ENVIRONMENTAL IMPACT. THE ENTRANCE WILL BE BUILT TO WITHSTAND HEAVY TRAFFIC AND ADVERSE WEATHER CONDITIONS.
  - BASE CONSTRUCTION: A ROBUST FOUNDATION WILL BE LAID USING COARSE AGGREGATE AND FILTER FABRIC. THIS FOUNDATION WILL PROVIDE STABILITY, PREVENT EROSION, AND ALLOW FOR EFFECTIVE DRAINAGE.
  - ENTRANCE DESIGN: THE ENTRANCE WILL BE DESIGNED TO BLEND HARMONIOUSLY WITH THE SURROUNDINGS, CONSIDERING AESTHETICS, FUNCTIONALITY, AND SAFETY.
  - ENVIRONMENTAL CONSIDERATIONS: MEASURES WILL BE IMPLEMENTED TO MINIMIZE THE ENVIRONMENTAL FOOTPRINT DURING CONSTRUCTION, SUCH AS EROSION CONTROL AND SEDIMENTATION PREVENTION.
- UTILITY INSTALLATION:
  - DESCRIPTION: CONNECTING THE NEW SINGLE-FAMILY DWELLING TO ESSENTIAL

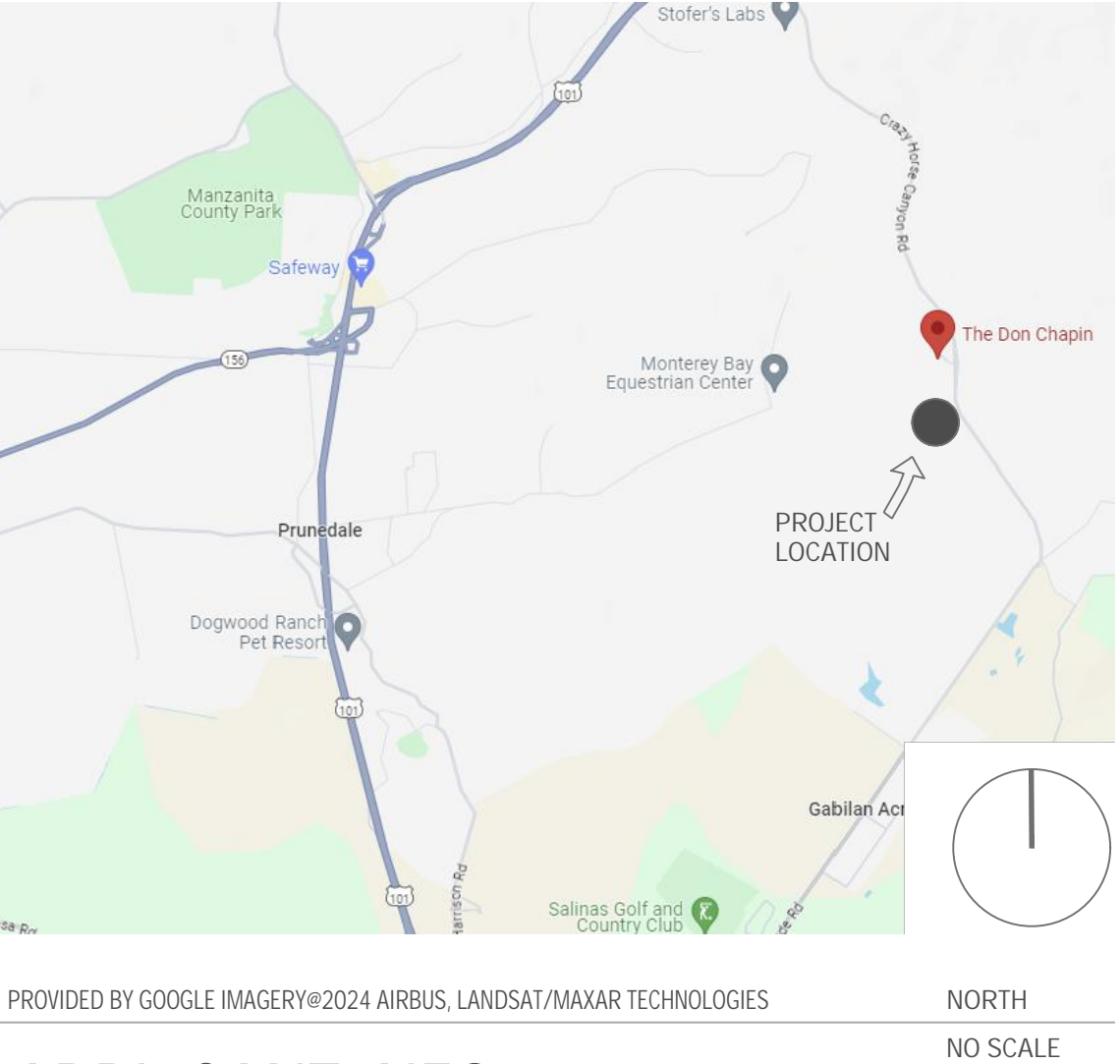
- UTILITIES SUCH AS WATER, ELECTRICITY, AND GAS IS CRITICAL FOR ITS FUNCTIONALITY AND LIVABILITY.
- WATER CONNECTION: COORDINATION WITH THE LOCAL WATER UTILITY TO ESTABLISH A CONNECTION TO THE MUNICIPAL WATER SUPPLY OR DRILL A WELL IF APPLICABLE.
  - ELECTRICAL CONNECTION: INSTALLATION OF ELECTRICAL SERVICE LINES AND CONNECTION TO THE POWER GRID TO PROVIDE ELECTRICITY TO THE DWELLING.
  - GAS CONNECTION: INSTALLATION OF GAS LINES AND CONNECTION TO THE NATURAL GAS SUPPLY OR PROPANE TANK TO FUEL APPLIANCES AND HEATING SYSTEMS.
- SEPTIC SYSTEM INSTALLATIONS
    - DESCRIPTION: GIVEN THE LOCATION'S LACK OF ACCESS TO A MUNICIPAL SEWAGE SYSTEM, A SEPTIC SYSTEM WILL BE INSTALLED TO MANAGE WASTEWATER DISPOSAL EFFICIENTLY.
    - SEPTIC TANK: INSTALLATION OF A 3000-GALLON SEPTIC TANK TO COLLECT WASTEWATER FROM THE DWELLING.
    - LEACH FIELD: EXCAVATION AND INSTALLATION OF AT LEAST 80 FEET OF LEACH LINES TO DISTRIBUTE TREATED WASTEWATER INTO THE SOIL FOR NATURAL FILTRATION AND ABSORPTION.
    - PERMITTING AND COMPLIANCE: OBTAINING NECESSARY PERMITS AND ENSURING COMPLIANCE WITH LOCAL REGULATIONS FOR SEPTIC SYSTEM INSTALLATION AND OPERATION.
    - MAINTENANCE CONSIDERATIONS: IMPLEMENTING A REGULAR MAINTENANCE SCHEDULE FOR THE SEPTIC SYSTEM TO ENSURE ITS PROPER FUNCTIONING AND LONGEVITY.
  - FOUNDATION AND STRUCTURAL CONSTRUCTION:
    - DESCRIPTION: ONCE THE SITE IS PREPARED AND THE ENTRANCE ESTABLISHED, CONSTRUCTION WILL BEGIN ON THE DWELLING'S FOUNDATION AND STRUCTURAL FRAMEWORK.
    - FOUNDATION WORK: EXCAVATION, FOOTING INSTALLATION, AND CONCRETE POURING TO CREATE A SOLID BASE FOR THE STRUCTURE.
    - STRUCTURAL FRAMEWORK: ERECTING WALLS, INSTALLING BEAMS, AND SETTING TRUSSES TO FORM THE SKELETON OF THE BUILDING.
    - QUALITY ASSURANCE: STRINGENT QUALITY CONTROL MEASURES WILL BE IMPLEMENTED AT EVERY STAGE TO ENSURE STRUCTURAL INTEGRITY AND COMPLIANCE WITH BUILDING CODES.

- ENCLOSURE AND INTERIOR FINISHING:
  - DESCRIPTION: WITH THE SKELETON OF THE BUILDING IN PLACE, WORK WILL COMMENCE ON ENCLOSING THE STRUCTURE AND FINISHING THE INTERIOR SPACES.
  - EXTERIOR ENCLOSURE: INSTALLING ROOFING, SIDING, WINDOWS, AND DOORS TO PROTECT THE INTERIOR FROM THE ELEMENTS.
  - INTERIOR FINISHING: PLUMBING, ELECTRICAL, HVAC, INSULATION, DRYWALL, FLOORING, AND FIXTURES INSTALLATION TO CREATE FUNCTIONAL AND AESTHETICALLY PLEASING LIVING SPACES.
  - CUSTOMIZATION: TAILORING FINISHES AND FEATURES TO MEET THE CLIENT'S PREFERENCES AND SPECIFICATIONS.
- FINAL INSPECTIONS AND LANDSCAPING:
  - DESCRIPTION: AS CONSTRUCTION NEARS COMPLETION, FINAL INSPECTIONS WILL BE CONDUCTED TO ENSURE COMPLIANCE WITH REGULATIONS AND STANDARDS. LANDSCAPING WILL ALSO BE UNDERTAKEN TO ENHANCE THE PROPERTY'S CURB APPEAL AND ENVIRONMENTAL SUSTAINABILITY.
  - INSPECTIONS: STRUCTURAL, ELECTRICAL, PLUMBING, AND SAFETY INSPECTIONS TO VERIFY COMPLIANCE WITH BUILDING CODES.
  - LANDSCAPING: PLANTING TREES, SHRUBS, AND VEGETATION, LAYING PATHWAYS, AND INSTALLING OUTDOOR AMENITIES TO CREATE A COHESIVE AND INVITING OUTDOOR ENVIRONMENT.

## SCOPE OF WORK

USE PERMIT TO ALLOW THE REMOVAL OF 54 OAK TREES (53 COAST LIVE OAK, 1 MONTEREY PINE). REMOVAL OF TREES IS FOR FUTURE RESIDENTIAL SINGLE FAMILY DWELLING CONSTRUCTION (TO BE FURNISHED UNDER A SEPARATE PERMIT) WHICH IS NOT PART OF THIS PROJECT. LAND MANAGEMENT TO BE LIMITED TO SITE CLEARING, AND TREE REMOVAL

## VICINITY MAP



PROVIDED BY GOOGLE IMAGERY@2024 AIRBUS, LANDSAT/MAXAR TECHNOLOGIES

NORTH  
NO SCALE

## APPLICANT INFO

DESIGNER(S):	FLOORPLANDESIGNCO LLC
ADDRESS:	1451 SUNNYSLOPE RD. HOLLISTER CA. 95023
REPRESENTATIVE:	RICK CASTILLO
DRAFTING TEAM:	RICK, FRANK
COMPANY EMAIL:	rick@floorplandesignco.com
DIRECT PHONE:	831-524-5927

## SAHI RESIDENCE

8730 EAGLES ROOST RD. SALINAS, CA. 93907  
APN: 125-621-010-000

## CO.O COVER (PRELIMINARY)



**FLOOR PLAN  
DESIGN CO.**

DESIGN, PLANNING, & ESTIMATES  
(831) 524-5927 SERVICING MONTEREY COUNTY













PROJECT ADDRESS  
8730 EAGLES ROOST RD  
SALINAS, CA 93907

1	11/22/06	MH	RELEASED TO CLIENT
NO.	DATE	BY	REVISION

SCALE: 1"=20'  
DATE: NOV 2006  
JOB NO. 590

SHEET A0.6

TOPOGRAPHIC MAP  
OF  
LOT 10, HIDDEN CANYON RANCH SUBDIVISION  
VOL 20 C&T PG 16, COUNTY OF MONTEREY, CA.

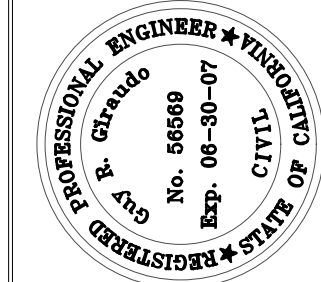
LANDSET  
ENGINEERS, INC.

520B CRAZY HORSE CANYON ROAD, SALINAS, CALIFORNIA  
(831) 443-6870 LANDSET@AOL.COM FAX (831) 443-3801

APPROVED BY:

GUY R. GIRAUDO

R.C.E. No. 56569





TREE LOG DATA SET, PROVIDED BY CERTIFIED ARBORIST. PROJECT SITE WALKTHROUGH FURNISHED PRIOR TO REPORT. 3 SITE VISITS LOGGED TO DETERMINE SCOPE AFFECTED BY AREA OF WORK. SEE FULL ARBORIST REPORT AND SHEET A1.1 FOR ENLARGED PLAN FOR FINE DETAIL.

## LEGEND

- GREEN: TAGGED  
RETAINED TREES
- BLUE: FALLEN  
TREES/ STUMPS
- EXISTING TREES  
OUTSIDE SCOPE OF  
WORK
- PROPERTY LINE
- MINOR CONTOUR LINES
- MAJOR CONTOUR LINES
- YELLOW: <4" MONTEREY  
PINES FOR REFERENCE ONLY
- RED: REQUESTED  
TREES TO BE  
REMOVED

## SITE PREPARATION NOTES:

1. TAKE NECESSARY PRECAUTIONS TO MINIMIZE DISTURBANCE OF EXISTING VEGETATION TO REMAIN. SOIL DISTURBANCE SHALL BE LIMITED TO THAT WHICH IS NECESSARY FOR SITE PREPARATION AS DESCRIBED IN THIS SECTION INCLUDING UTILITY CONNECTIONS. PREVENT WATER FROM RUNNING INTO EXCAVATED AREAS.

2. BACKFILL MATERIAL SHALL BE FREE OF ORGANIC MATTER AND ROCKS OR LUMPS OVER 6 INCHES (2 INCHES AT UTILITY TRENCHES). COMPACT BACKFILL TO AT LEAST 90 PERCENT RELATIVE COMPACTION PER ASTM D-1557; IN LIFTS NOT EXCEEDING 8 INCHES UNCOMPACTED.

3. DEPRESSION FROM REMOVAL OF OBSTRUCTIONS SHALL BE OPENED TO WORKING SIZE; REMOVE DEBRIS AND SOFT MATERIAL; BACKFILL AND COMPACT AS NECESSARY.

4. SURFACE DRAINAGE SHALL SLOPE 3% FROM BUILDING FOUNDATIONS FOR A MINIMUM OF 5 FEET AND AT LEAST 1% TO SUITABLE COLLECTION POINTS.

5. TRENCHING SHALL BE TRUE TO GRADES INDICATED. EXTEND UTILITY TRENCHES TO BE SUFFICIENT DEPTH STANDARDS AND LOCAL CODES. PROPERLY SUPPORT TRENCHES.

6. UNUSUAL CONDITIONS NOT COVERED IN THE PROJECT, IF ENCOUNTERED, SHALL BE BROUGHT TO THE ATTENTION OF THE PROJECT'S CONTACT AND RESOLVED ACCORDING TO APPLICABLE CODES.

7. IF DEEMED NECESSARY, HAZARDOUS WASTE TESTING SHALL BE CONDUCTED INCLUDING ASBESTOS TESTING & REMEDIATION.

8. STORM WATER DRAINAGE AND RETENTION SHALL BE FURNISHED DURING CONSTRUCTION. MEANS OF DRAINAGE AND RETENTION AS FOLLOWS:

9. STORM WATER CONVEYED TO A PUBLIC DRAINAGE SYSTEM SHALL BE FILTERED BY A BARRIER SYSTEM, WATTLES OR OTHER APPROVED METHOD.

10. GRADING AND PAVING SHALL BE CONDUCTED TO MANAGE SURFACE WATER INCLUDE SWALES, WATER COLLECTION AND DISPOSAL SYSTEMS, FRENCH DRAINS, WATER RETENTION GARDENS OR OTHER MEASURES AS INDICATED OR NECESSARY TO KEEP SURFACE WATER AWAY FROM BUILDINGS AND AID IN GROUNDWATER RECHARGE.

11. AVOID LAND-DISTURBING WORK DURING ANY WET WEATHER
- SEASON. PROJECT CONTACT TO VERIFY CLIMATE AND WEATHER FORECASTS PRIOR TO COMMENCING THE LAND-DISTURBING WORK.

12. EXISTING VEGETATION TO REMAIN SHALL BE PROTECTED, INSTALL APPROPRIATE/PROTECTIVE FENCING/PERIMETER CONTROLS PRIOR TO COMMENCING WORK.

13. ALL IMPERVIOUS SURFACES SHALL BE SWEEP (NOT WASHED OR HOSED DOWN), AND MAINTAINED FREE OF DEBRIS AND ACCUMULATIONS OF DIRT.

14. ALL CONSTRUCTION WASTE SHALL BE CONTAINED ON SITE AND COVERED, INCLUDING TRASH, PAINT, GROUT, CONCRETE, ETC. ANY WASH OUT FACILITY SHALL BE CONTAINED, MAINTAINED, AND ITS CONTENTS DISPOSED OF PROPERLY; NO MATERIAL SHALL BE WASHED INTO THE STREET.

15. CATCH BASINS AND/OR DROP INLETS THAT RECEIVE STORM WATER MUST BE COVERED OR OTHERWISE PROTECTED FROM RECEIVING SEDIMENT, MUD, DIRT, OR ANY DEBRIS, INCLUDING PRIOR GUTTER FILTRATION AS APPROPRIATE AND IN A MANNER NOT IMPEDING TRAFFIC SAFETY.

16. PROPERLY INSTALLED SILT FENCE OR EQUIVALENT CONTROL SHALL
- BE EVIDENT ALONG SITE PERIMETER TO PREVENT MOVEMENT OF SEDIMENT AND DEBRIS OFF-SITE. NO SEDIMENT MAY LEAVE OR RUNOFF THE SITE. PROJECT CONTACT SHALL VERIFY, IF APPLICABLE, IF ADDITIONAL SLOPE STABILIZATION BMPS SHALL BE IMPLEMENTED TO PREVENT SLOPE EROSION AND SEDIMENTATION ON-SITE AND OFF.

17. ALL STOCKPILES SHALL BE CONTAINED AND COVERED WHEN NOT ACTIVE, AND SECURED AT THE END OF EACH DAY. STOCKPILES SHALL BE SECURELY COVERED OVERNIGHT, AND PRIOR TO, DURING, AND AFTER RAIN EVENTS. NO MATERIALS SHALL LEAVE THE SITE OR BE MOVED INTO THE STREET.

18. PROJECT CONTACT AND SUBCONTRACTORS MUST ENSURE ALL CONSTRUCTION VEHICLES AND EQUIPMENT ARE MAINTAINED IN WORKING ORDER, AND WILL NOT CAUSE DIRT, MUD, OIL, GREASE, OR FUEL TO BE DISCHARGED OR TRACKED OFF-SITE INTO THE STREET.
- ## TREE REMOVAL PLAN
- SCALE: 1/16" = 1'-0"
- 
- ## VICINITY MAP
- 
- ## PROJECT DATA:
- |                             |                               |
|-----------------------------|-------------------------------|
| APN#:                       | 125-621-010-000               |
| ZONING                      | RDR/5.01                      |
| EROSION HAZARD              | HIGH                          |
| LAND USE CODE               | 3A                            |
| LOT AREA                    | 212,572.8 SF.<br>(4.88 ACRES) |
| LIQUEFACTION SUSCEPTIBILITY | LOW                           |
| FIRE HAZARD SEVERITY        | HIGH                          |
| LANDSLIDE SUSCEPTIBILITY    | LOW/ MODERATE                 |
| ADVISORY COMMITTEE          | N.C.A.C.                      |
| PROPOSED NUMBER OF STORIES  | 2                             |
| AHJ                         | MONTEREY COUNTY               |
| TREE REMOVAL COUNT          | 1 MONTEREY PINE               |
| TREE REMOVAL COUNT          | 53 COAST LIVE OAK             |
| FIRE PROTECTION DISTRICT    | NORTH COUNTY FPD              |
| TOTAL BUILDING FOOTPRINT    | 5,546 SF                      |
| PROPOSED HEIGHT             | 28'-0" MAX                    |
| PROPOSED ROOF SLOPE         | 4:12                          |
| PROPOSED FOUNDATION TYPE    | SLAB                          |
| PROPOSED ROOF TYPE          | HIP/SHED                      |
| PROPOSED GARAGE SF          | 1,717 SF                      |
| PROPOSED DECK AREA          | 805 SF                        |
| PROPOSED DRIVEWAY           | 5,931.8 SF                    |
- ## CODE COMPLIANCE
- ALL CONSTRUCTION SHALL CONFORM WITH FOLLOWING:

2022 California Residential Code	2022 California Plumbing Code
2022 California Electrical Code	2022 California Fire Code
2022 California Energy Code	2022 California Title 24
2022 California Energy Efficiency Standards	2022 California Green Code.
2022 California Mechanical Code	
- ## GENERAL SITE NOTES
1. CLEAR AND GRUB VEGETATION' SHALL INCLUDE REMOVAL OF GRASS, SHRUBS, AND UNDERBRUSH, REMOVAL OF ROOTS, ROUGH GRADING, INSTALLATION OF LOAM (IF APPLICABLE), FINE GRADING, SEEDING AND TURF ESTABLISHMENT BY THE CONTRACTOR.

2. TREES DESIGNATED FOR REMOVAL SHALL BE TAGGED BY CONTRACTOR AND APPROVED BY OWNER'S REPRESENTATIVE PRIOR TO COMMENCEMENT OF CONSTRUCTION.

3. DURING EARTHWORK OPERATIONS, CONTRACTOR SHALL TAKE CARE TO NOT DISTURB EXISTING MATERIALS TO REMAIN, OUTSIDE THE LIMITS OF EXCAVATION AND BACKFILL AND SHALL TAKE WHATEVER MEASURES NECESSARY, AT THE CONTRACTOR'S EXPENSE, TO PREVENT ANY EXCAVATED MATERIAL FROM COLLAPSING.











4. ALL BACKFILL MATERIALS SHALL BE PLACED AND COMPACTED AS SPECIFIED TO THE SUB-GRADE REQUIRED FOR THE INSTALLATION OF THE REMAINDER OF THE CONTRACT WORK.
- ## DISCLAIMER
- THE PROPERTY LINE LAYOUT (DIMENSIONS, ORIENTATION AND LOCATION) WERE PRODUCE FROM ASSESSOR MAPS. THESE MAPS DO NOT REPRESENT ACTUAL SURVEYS AND ARE ONLY USED FOR SCHEMATIC (ESTIMATE) PURPOSES.
- THE DIMENSIONS PROVIDED ON THE PLANS ARE A RESULT OF FIELD OBSERVATIONS, AND WERE TAKEN FROM ASSUMED PROPERTY LINES. IF AN ACCURATE SURVEY IS REQUIRED: THE SURVEY SHALL BE PERFORMED BY A COMPETENT LAND SURVEYOR CURRENTLY LICENSED IN THE STATE OF CALIFORNIA.
- REVISIONS | DATE | BY | DESCRIPTION
- FLOOR PLAN**  
**DESIGN CO.**
- TREE REMOVAL PLAN
- USE PERMIT FOR:
- SAHI RESIDENCE**
- CLIENT: NAVNEET SINGH SAHI  
8730 EAGLES ROOST RD. SALINAS, CA. 93907
- |       |          |
|-------|----------|
| DATE  | 11-26-24 |
| SCALE | AS SHOWN |
| DRAWN | RC       |
| JOB   | 09-24    |
| SHEET |          |
- A1.0**
- THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SET FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. REUSE, REPRODUCTION, OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT, AND VISUAL CONTACT WITH THEM CONSTITUTES AWARE FACE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS.
- 32



TREE LOG DATA SET, PROVIDED BY CERTIFIED  
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 DETERMINE SCOPE AFFECTED BY AREA OF WORK. SEE  
 FULL ARBORIST REPORT AND SHEET A1.1 FOR  
 ENLARGED PLAN FOR FINE DETAIL.



## LEGEND

- |   |  |   |  |
|---|--|---|--|
|  | GREEN: TAGGED<br>RETAINED TREES            |  | PROPERTY LINE                                    |
|  | BLUE: FALLEN<br>TREES/ STUMPS              |  | MINOR CONTOUR LINES                              |
|  | EXISTING TREES<br>OUTSIDE SCOPE OF<br>WORK |  | MAJOR CONTOUR LINES                              |
|  | FUTURE<br>DEVELOPMENT                      |  | YELLOW: <4" MONTEREY<br>PINES FOR REFERENCE ONLY |
|  | DRIVEWAY/ PAVERS                           |  | RED: REQUESTED<br>TREES TO BE<br>REMOVED         |

1 ENLARGED TREE REMOVAL PLAN

SCALE: 1/16" = 1'-0"

ENLARGED TREE REMOVAL PLAN	
USE PERMIT FOR:	
<b>SAHI RESIDENCE</b>	
CLIENT: NAVNEET SINGH SAHI	
8730 EAGLES ROOST RD. SALINAS, CA. 93907	
DATE	11-26-24
SCALE	AS SHOWN
DRAWN	RC
JOB	09-24
SHEET	

## A1.1

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RECORDED TREES

Tree Species	ID #	Diameter in Inches	Comments	Condition 0=Dead 1-2=Poor 3-4=Fair 5=Excellent	Suitable for Preservation
Monterey pine	601	25	Tree is in decline	2-Poor	Yes
Monterey pine	602	10	Suppressed	2-Poor	Yes
Coast live oak	603	17		3 - Fair	Yes
Coast live oak	604	16	Impacted by development	3 - Fair	No
Coast live oak	605	8		3 - Fair	Yes
Coast live oak	606	10		3 - Fair	Yes
Coast live oak	607	17	Impacted by development	3 - Fair	No
Coast live oak	608	23,27	Impacted by development	4 - Fair	No
Coast live oak	609	22,24	Impacted by development	2-Poor	No
Coast live oak	610	31,33		4 - Fair	Yes
Coast live oak	611	12		3 - Fair	Yes
Coast live oak	612	8,10		3 - Fair	Yes
Coast live oak	613	23,8	Impacted by development	3 - Fair	No
Coast live oak	614	8	Suppressed	2-Poor	Yes
Coast live oak	615	8,8,10	Suppressed	2-Poor	Yes
Monterey pine	616	34		4 - Fair	Yes
Coast live oak	617	19		3 - Fair	Yes
Coast live oak	618	15		3 - Fair	Yes
Coast live oak	619	10		3 - Fair	Yes
Coast live oak	620	8,6,4		3 - Fair	Yes
Coast live oak	621	10,4,6,8		3 - Fair	Yes
Monterey pine	622	8	Impacted by development	3 - Fair	No
Coast live oak	623	8	Impacted by development	2-Poor	No
Coast live oak	624	11	Impacted by development	3 - Fair	No
Coast live oak	625	8,6	Impacted by development	3 - Fair	No
Coast live oak	626	8	Impacted by development	3 - Fair	No
Coast live oak	627	8	Impacted by development	3 - Fair	No
Coast live oak	628	6,8	Impacted by development	3 - Fair	No
Coast live oak	629	8	Impacted by development	3 - Fair	No
Coast live oak	630	10,10,8,6	Impacted by development	3 - Fair	No
Coast live oak	631	8,8,19		3 - Fair	Yes

EXERPT

TREE PROTECTION

It is possible as the project develops, some crown cleaning, raising or reduction of canopies will be required to obtain proper distance between established trees and the proposed project. Visible decay was present on some trees that will require care for safety and health. This pruning cycle is recommended at the end of construction along with post construction care of the retained trees.

All pruning will be completed by a qualified professional following ISA **Best Management Pruning** guidelines.

Tree Protection - Before/During/After

Planning Phase

- Before assessing trees and other site structures and conditions, mark the site boundaries on plans and in the field to delineate which trees and stands of trees will be inventoried.
- Perform a tree inventory that includes at minimum the location, size, and health of each tree and delineates quality stands of trees. Scope of the inventory should be based on communication and needs of the project team (developer, planner, engineer, architect, landscape architect, and other professionals involved), as well as county ordinances. This is the time to confer with the project team on conceptualizations for site design, so that way long-term tree protection and health gets integrated into the design.

Design Phase

- Communicate with the project team to accurately site structures and utilities and determine the trees to remain on site. Conserve and protect trees in stands or groups where possible. Make sure the trees and stands of trees selected to be saved go into plans and construction documents. Include in all plans the Tree Protection Zone (TPZ) for all saved trees to avoid conflict with the protected area and placement of structures and utilities during construction.

Pre-construction Phase

- Prior to pre-construction activities, including tree removal, access roads, construction staging areas, and building layout, erect tree protection barriers to visually indicate TPZs. Be sure to:
  - ⇒Use tree protection barriers that are highly visible, sturdy, and restrict entry into the TPZ.
  - ⇒Install or erect signs along the tree protection barrier stating that no one is allowed to disturb this area.
  - ⇒Remove any branches or trees that pose an immediate risk to structures or people prior to any construction activities.
- Construction Phase**
  - Communicate the intent of the tree protection barriers to the construction manager and workers to ensure that TPZs are not disturbed during construction activities. Have the construction manager sign a contract of compliance.

Prohibit these activities in the TPZ:

- ⇒Stockpiling of any type, including construction material, debris, soil, and mulch
- ⇒Altering soils, including grade changes, surface treatment, and compaction due to vehicle, equipment, and foot traffic
- ⇒Trenching for utility installation or repair and irrigation system installation
- ⇒Attaching anything to trunks or use of equipment that causes injury to the tree

- Schedule site visits to ensure the contract is being met by the construction manager and that tree health is not being compromised by construction activity. Inspect and monitor trees for any decline or damages.

- Keep in place all tree protection barriers until the project is completed.

Post-construction Phase

- Perform a final inspection and continue monitoring after construction. Monitoring includes maintaining mulch, managing soil moisture, assessing tree damage, inspecting for insects and pests, and fertilization if needed.

Tree Species	ID #	Diameter In Inches	Comments	Condition 0=Dead 1-2=Poor 3-4=Fair 5=Excellent	Suitable for Preservation
Coast live oak	632	6,4,8	Impacted by development	3 - Fair	No
Coast live oak	633	17	Impacted by development	3 - Fair	No
Coast live oak	634	6	Impacted by development	3 - Fair	No
Coast live oak	635	8	Impacted by development	3 - Fair	No
Coast live oak	636	10	Impacted by development	3 - Fair	No
Coast live oak	637	6,4	Impacted by development	3 - Fair	No
Coast live oak	638	10	Impacted by development	3 - Fair	No
Coast live oak	639	6	Impacted by development	3 - Fair	No
Coast live oak	640	6,4	Impacted by development	3 - Fair	No
Coast live oak	641	12,8,8,12	Impacted by development	3 - Fair	No
Coast live oak	642	10	Impacted by development	3 - Fair	No
Coast live oak	643	10	Impacted by development	3 - Fair	No
Coast live oak	644	8	Impacted by development	3 - Fair	No
Coast live oak	645	10	Impacted by development	3 - Fair	No
Coast live oak	646	6,8,10,10	Impacted by development	3 - Fair	No
Coast live oak	647	10		3 - Fair	Yes
Coast live oak	648	10		3 - Fair	Yes
Coast live oak	649	8		3 - Fair	Yes
Coast live oak	650	12		3 - Fair	Yes
Coast live oak	651	12		3 - Fair	Yes
Coast live oak	652	16,8,6	Impacted by development	3 - Fair	No
Coast live oak	653	14	Impacted by development	3 - Fair	No
Coast live oak	654	8	Impacted by development	3 - Fair	No
Coast live oak	655	10,6,4	Impacted by development	3 - Fair	No
Coast live oak	656	14,12	Impacted by development	3 - Fair	No
Coast live oak	657	12	Impacted by development	3 - Fair	No
Coast live oak	658	10,8,6	Impacted by development	3 - Fair	No
Coast live oak	659	14,14	Impacted by development	3 - Fair	No
Coast live oak	660	23	Impacted by development	3 - Fair	No
Coast live oak	661	19	Impacted by development	3 - Fair	No
Coast live oak	662	22	Impacted by development	3 - Fair	No
Coast live oak	663	18	Impacted by development	3 - Fair	No
Coast live oak	664	12	Impacted by development	3 - Fair	No

EXERPT

Grading Limitations within the Tree Protection Zone

- Grade changes outside of the TPZ shall not significantly alter drainage to the tree.
- Grade changes within the TPZ are not permitted.
- Grade changes under specifically approved circumstances shall not allow more than 6-inches of fill soil added or allow more than 4-inches of existing soil to be removed from natural grade unless mitigated
- Grade fills over 6-inches or impervious overlay shall incorporate notes: an approved permanent aeration system, permeable material or other approved mitigation.
- Grade cuts exceeding 4-inches shall incorporate retaining walls or an appropriate transition equivalent.

Trenching, Excavation and Equipment Use

Notification. Contractor shall notify the project arborist a minimum of 24 hours in advance of the activity in the TPZ.

- Root Severance. Roots that are encountered shall be cut to sound wood and repaired Roots 2- inches and greater must remain injury free.
- Excavation.** Any approved excavation, demolition or extraction of material shall be performed with equipment siting outside the TPZ. Methods permitted are by hand digging, hydraulic or pneumatic air excavation technology. Avoid excavation within the TPZ during hot, dry weather. If excavation or trenching for drainage, utilities, irrigation lines, etc., it is the duty of the contractor to tunnel under any roots 2-inches in diameter and greater. Prior to excavation for foundation/footings/walls, grading or trenching within the TPZ, roots shall first be severed cleanly 1-foot outside the TPZ and to the depth of the future excavation. The trench must then be hand dug and roots pruned with a saw, sawzall, narrow trencher with sharp blades or other approved root pruning equipment.
- Heavy Equipment.** Use of backhoes, steel tread tractors or any heavy vehicles within the TPZ is prohibited unless approved by the project arborist. If allowed, a protective root buffer is required. The protective buffer shall consist of a base course of tree chips spread over the root area to a minimum of 6-inch depth, layered by 3/4-inch quarry gravel to stabilize 3/4-inch plywood on top. This buffer within the TPZ shall be maintained throughout the entire construction process.
  - Structural design. If injurious activity or interference with roots greater than 2-inches will occur within the TPZ, plans shall specify a design of special foundation, footing, walls, concrete slab or pavement designs subject to project arborist approval. Discontinuous foundations such as concrete pier and structural grade beam must maintain natural grade (not to exceed a 4-inch cut), to minimize root loss and allow the tree to use the existing soil.

Tree Removal

- ⇒Removal of regulated trees shall not be attempted by demolition or construction personnel, grading or other heavy equipment. A certified arborist or tree worker shall remove the tree carefully in a manner that causes no damage above or below ground to trees that are retained.

**Tree Protection Zone (TPZ)** shown in grey  
(radius of TPZ equals 10-times the diameter of the tree or 10-feet, whichever is greater).

Tree protection has three primary functions,

- Keep the foliage canopy and branching structure clear from contact by equipment, materials and activities.
- Preserve roots and soil conditions in an intact and non-compacted state.
- Identify the Tree Protection Zone (TPZ) in which no soil disturbance is permitted and activities are restricted, unless otherwise approved.
- The Tree Protection Zone (TPZ) is a restricted area around the base of the tree with a radius of ten-times the diameter of the tree's trunk or ten feet, whichever is greater, enclosed by fencing.

Tree Species	ID #	Diameter In Inches	Comments	Condition 0=Dead 1-2=Poor 3-4=Fair 5=Excellent	Suitable for Preservation
Coast live oak	665	10		3 - Fair	Yes
Coast live oak	666	23,23	Impacted by development	3 - Fair	No
Coast live oak	667	23,17	Impacted by development	3 - Fair	No
Coast live oak	668	23	Impacted by development	3 - Fair	No
Coast live oak	669	14	Impacted by development	3 - Fair	No
Coast live oak	670	23,23	Impacted by development	3 - Fair	No
Coast live oak	671	23,23	Impacted by development	3 - Fair	No
Coast live oak	672	23,10	Impacted by development	3 - Fair	No
Coast live oak	673	12,23,15,19,27		3 - Fair	Yes
Coast live oak	674	23		3 - Fair	Yes
Coast live oak	675	12,14	Impacted by development	3 - Fair	No
Coast live oak	676	27		3 - Fair	Yes
Coast live oak	451	12	Impacted by development	3 - Fair	No
Coast live oak	452	6	Impacted by development	3 - Fair	No
Coast live oak	453	8	Impacted by development	3 - Fair	No
Coast live oak	454	10	Impacted by development	3 - Fair	No
Coast live oak	455	27,23,20,22		3 - Fair	Yes

TREE REMOVAL & TREE RETENTION PLANS

Removal is based on condition or impacts from development of trees at the time of this assessment.

0 trees assessed in the excellent category.

75 trees assessed in the fair category

6 trees assessed in there poor category

0 trees assessed in the dead category

54 trees are requested for removal. 53 Quercus agrifolia and 1 Pinus radiata

27 Documented trees near the proposed project are to be retained with tree protection.

Retention is based on condition/location of trees at the time of the assessment.

Trees retained within the scope of work will require tree protection prior to any work.

Retained trees are recommended for trimming for safety and/or building clearance using Best Management Practice (BMP) developed by the International Society of Arboriculture (ISA)

EXERPT

NOTE: TREE LOG DATA SET, PROVIDED BY CERTIFIED ARBORIST. FOR COMPLETE ANALYSIS SEE FULL AMENDED REPORT. PROJECT SITE WALK-THROUGH FURNISHED PRIOR TO REPORT. 3 SITE VISITS LOGGED TO DETERMINE SCOPE AFFECTED BY AREA OF WORK. SEE FULL ARBORIST REPORT AND SHEET A1.1 FOR ENLARGED PLAN FOR FINE DETAIL.

REVISIONS

DATE	BY	DESCRIPTION

SAHI RESIDENCE

CLIENT: NAMEET SINGH SAHI

8730 EAGLES ROOST RD. SALINAS, CA. 93907

TREE SCHEDULE

USE PERMIT FOR:

DATE 11-26-24

SCALE AS SHOWN

DRAWN RC

JOB 09-24

SHEET

A1.2

FLOOR PLAN

DESIGN CO.

DESIGN, PLANNING & ESTIMATES



DISCLAIMER: PROPOSED SITE PLAN SHOWS PROPOSED FUTURE SINGLE FAMILY DWELLING DEVELOPMENT AS THE PURPOSE FOR TREE REMOVAL PER USE PERMIT. OWNER ACKNOWLEDGES A SEPARATE GRADING PERMIT AND BUILDING PERMIT ARE TO BE FURNISHED AT A LATER DATE.

ADDITIONAL NOTES

APN#:	125-621-010-000
ZONING	RDR/5.01
EROSION HAZARD	HIGH
LAND USE CODE	3A
LOT AREA	212,572.8 SF. (4.88 ACRES)
LIQUEFACTION SUSCEPTIBILITY	LOW
FIRE HAZARD SEVERITY	HIGH
LANDSLIDE SUSCEPTIBILITY	LOW/ MODERATE
ADVISORY COMMITTEE	N.C.A.C.
PROPOSED NUMBER OF STORIES	2
AHJ	MONTEREY COUNTY

PROPOSED LOT COVERAGE	14,057 SF (.0661%)
FIRE PROTECTION DISTRICT	NORTH COUNTY FPD
PROPOSED IMPERVIOUS AREA	16,173 SF
TOTAL PROPOSED PERVIOUS AREA	5,818.4 SF
PROPOSED DRIVEWAY AREA	5,931.8 SF
PROPOSED LANDSCAPING	3,321.6 SF
PROPOSED POOL AREA	503 SF
ACCESSORY STRUCTURE TOTAL AREA	476 SF
LINEAR FT OF RETAINING WALLS	± 287 LF
PROPOSED FIRE TURNAROUND	1,800 SF + r28'

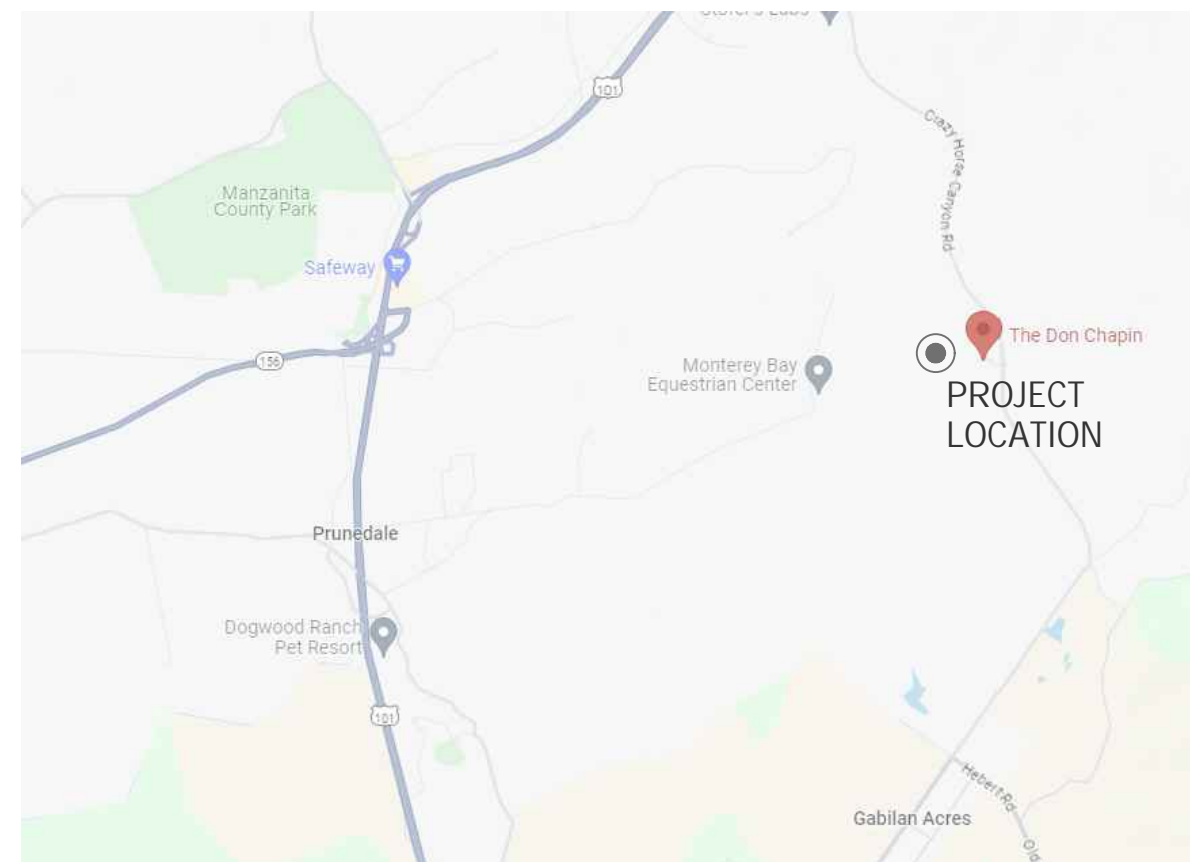
PROPOSED CUT	1161 cu. yds.
PROPOSED FILL	523 cu. yds.
UNIFORM LOT SETBACKS	30'-0" NORTH, EAST 20'-0" SOUTH

LEGEND

(N) LANDSCAPING	PROPERTY LINE
(E) LANDSCAPING	FENCE LINE
FUTURE DEVELOPMENT	LEACH FIELD ENVELOPE
DRIVEWAY/ PAVERS	SEPTIC SEWER LINE
PROPOSED WATER LINE	WATER FLOW DIRECTION
EXISTING WATER LINE	ELECTRICAL SERVICE PANEL
PROPOSED ELECTRICAL LINE	PROPOSED WATER METER
PROPOSED DOWNSPOUTS	EXISTING WATER METER
	EXISTING GAS METER



VICINITY MAP



PROPOSED LOCATIONS

PROPOSED LOCATIONS FOR PROJECT SCOPE ARE LIMITED. THE PROPOSED SITE PLAN SHOWS IDEAL LOCATION FOR ALL BUILDING ELEMENTS WITHOUT CONFLICT.

MOVING NORTH INCREASES SLOPE AND TREE REMOVAL, SHIFTING RIGHT IMPACTS THE LEACH FIELD, MOVING LEFT VIOLATES SETBACKS, AND SHIFTING SOUTH CONFLICTS WITH BUILDING ENVELOPE LIMITS AND FIRE TRUCK ACCESS

PROJECT DATA:

TOTAL PROPOSED FOOTPRINT	5,546 SF
PROPOSED HEIGHT	28'-0" MAX
PROPOSED ROOF SLOPE	4:12
PROPOSED FOUNDATION TYPE	SLAB
PROPOSED ROOF TYPE	HIP/SHED
PROPOSED GARAGE SF	1,717 SF
PROPOSED DECK AREA	805 SF
DECK FOUNDATION	PIER & BEAM

CODE COMPLIANCE

ALL CONSTRUCTION SHALL CONFORM WITH FOLLOWING:  
2022 California Residential Code  
2022 California Electrical Code  
2022 California Energy Code  
2022 California Energy Efficiency Standards  
2022 California Mechanical Code  
2022 California Plumbing Code  
2022 California Fire Code  
2022 California Title 24  
2022 California Green Code.

GENERAL NOTES

- WORKMANSHIP: WHERE NOT SPECIFICALLY DESCRIBED IN ANY OF THE DRAWINGS AND OR SPECIFICATIONS, WORKMANSHIP SHALL CONFORM TO ALL METHODS AND OPERATIONS OF THE BEST STANDARDS AND ACCEPTED PRACTICES OF THE TRADES INVOLVED. THE CONTRACTOR SHALL VERIFY ALL WORK, DIMENSIONS AND DRAWINGS, REPORT ANY DISCREPANCIES TO THE ARCHITECT BEFORE COMMENCING ANY WORK.
- CLEAN-UP: THE ENTIRE PREMISES SHALL BE MAINTAINED REASONABLY NEAT. CLEAN AND HAZARD FREE DURING THE COURSE OF CONSTRUCTION. ALL TRADES SHALL REMOVE TOOLS, RUBBISH, AND UNUSED MATERIALS AS SOON AS THEIR RESPECTIVE WORK IS COMPLETE, LEAVING ALL AREAS IN BROOM CLEAN CONDITION. THE TRASH SHALL BE REMOVED DAILY AND NOT BE ALLOWED TO ACCUMULATE.
- LOCATION OF ALL UTILITIES SHOWN IS APPROXIMATE AND THE CONTRACTOR SHALL CONTACT THE OWNER IF UNKNOWN CONDITIONS ARISE.
- THE CONTRACTOR SHALL PROVIDE ANY OR ALL SHORING AND BRACING TO THE STABILITY OF ANY OF THE PARTS OF THE PROJECT DURING CONSTRUCTION TO ASSURE SAFETY.
- MATERIAL: UNLESS OTHERWISE NOTED, ALL MATERIALS SHALL BE NEW AND DELIVERED TO THE JOB IN THE MANUFACTURE'S ORIGINAL PACKAGE, AND CONTAINERS OR BUNDLES, BEARING THE FULL IDENTIFICATION. REJECTED MATERIALS SHALL BE IMMEDIATELY REMOVED FROM THE SITE BY THE CONTRACTOR.
- PROTECTION: ALL FINISH MATERIALS SHALL BE PROTECTED AT ALL TIMES, AGAINST SUBSEQUENT DAMAGE UNTIL FINAL ACCEPTANCE BY THE OWNER.
- SITE GRADES: THE CONTRACTOR SHALL BE RESPONSIBLE TO VERIFY SITE GRADE ELEVATIONS TO ENSURE PROPER SITE DRAINAGE. SITE SHALL BE FINE GRADED TO DIRECT WATER AWAY FROM BUILDING OR FOUNDATIONS.
- DIMENSIONS: DO NOT SCALE PLANS, VERIFY ALL DIMENSIONS PRIOR TO START OF CONSTRUCTION.
- CONSTRUCTION WASTE MANAGEMENT: RECYCLE AND/OR SALVAGE FOR REUSE A MINIMUM OF 65 PERCENT OF THE NONHAZARDOUS CONSTRUCTION AND DEMOLITION WASTE IN ACCORDANCE WITH THE CALIFORNIA GREEN BUILDING STANDARDS, SECTION 4.408.1

REVISIONS / DATE / BY / DESCRIPTION

PROPOSED SITEPLAN

USE PERMIT FOR:

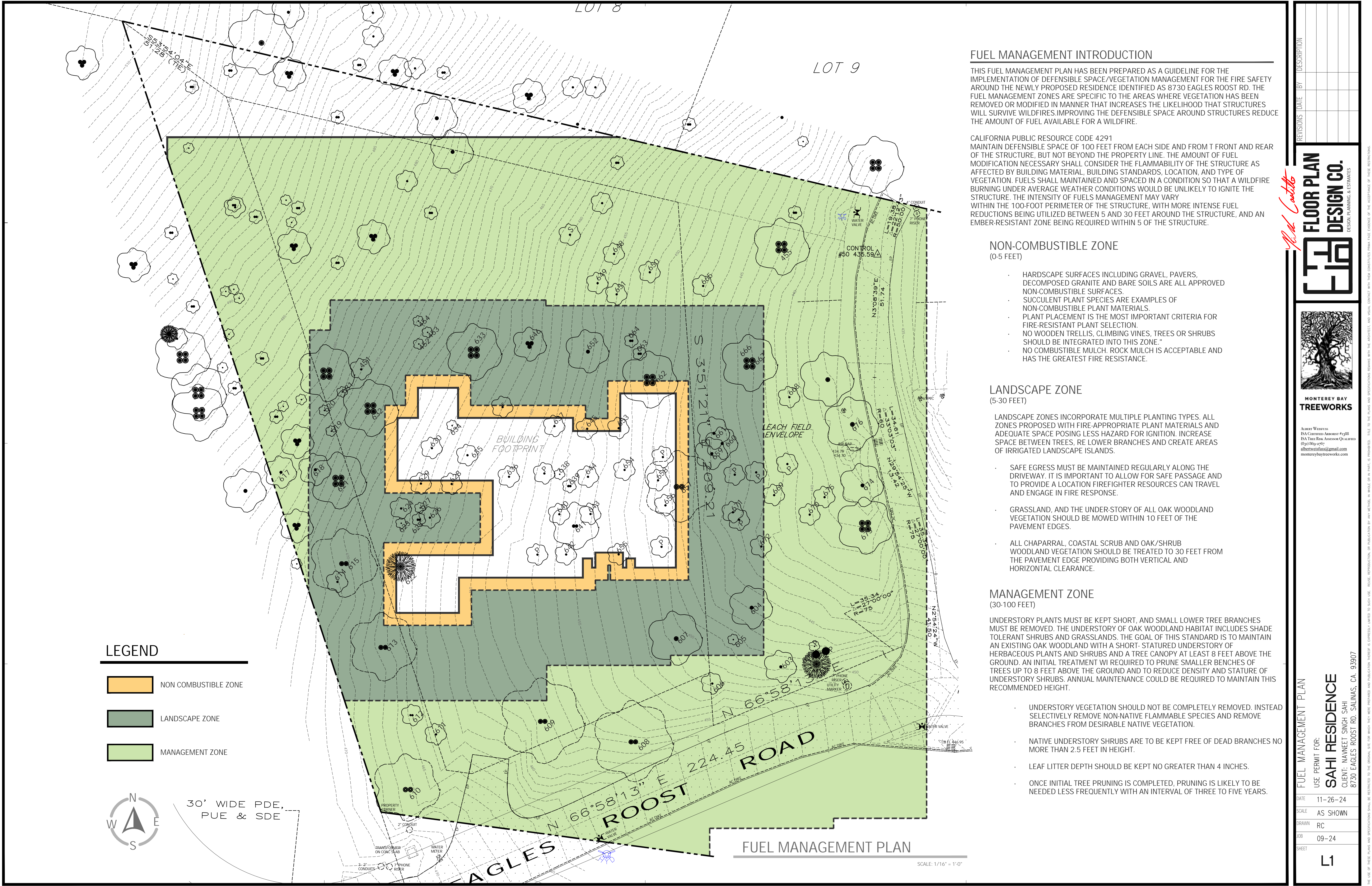
SAHI RESIDENCE

CLIENT: NAMEET SINGH SAHI

8730 EAGLES ROOST RD. SALINAS, CA. 93907

DATE	11-26-24
SCALE	AS SHOWN
DRAWN	RC
JOB	09-24
SHEET	A13





FUEL MANAGEMENT INTRODUCTION

THIS FUEL MANAGEMENT PLAN HAS BEEN PREPARED AS A GUIDELINE FOR THE IMPLEMENTATION OF DEFENSIBLE SPACE/VEGETATION MANAGEMENT FOR THE FIRE SAFETY AROUND THE NEWLY PROPOSED RESIDENCE IDENTIFIED AS 8730 EAGLES ROOST RD. THE FUEL MANAGEMENT ZONES ARE SPECIFIC TO THE AREAS WHERE VEGETATION HAS BEEN REMOVED OR MODIFIED IN MANNER THAT INCREASES THE LIKELIHOOD THAT STRUCTURES WILL SURVIVE WILDFIRES.IMPROVING THE DEFENSIBLE SPACE AROUND STRUCTURES REDUCE THE AMOUNT OF FUEL AVAILABLE FOR A WILDFIRE.

CALIFORNIA PUBLIC RESOURCE CODE 4291 MAINTAIN DEFENSIBLE SPACE OF 100 FEET FROM EACH SIDE AND FROM T FRONT AND REAR OF THE STRUCTURE, BUT NOT BEYOND THE PROPERTY LINE. THE AMOUNT OF FUEL MODIFICATION NECESSARY SHALL CONSIDER THE FLAMMABILITY OF THE STRUCTURE AS AFFECTED BY BUILDING MATERIAL, BUILDING STANDARDS, LOCATION, AND TYPE OF VEGETATION. FUELS SHALL MAINTAINED AND SPACED IN A CONDITION SO THAT A WILDFIRE BURNING UNDER AVERAGE WEATHER CONDITIONS WOULD BE UNLIKELY TO IGNITE THE STRUCTURE. THE INTENSITY OF FUELS MANAGEMENT MAY VARY WITHIN THE 100-FOOT PERIMETER OF THE STRUCTURE, WITH MORE INTENSE FUEL REDUCTIONS BEING UTILIZED BETWEEN 5 AND 30 FEET AROUND THE STRUCTURE, AND AN EMBER-RESISTANT ZONE BEING REQUIRED WITHIN 5 OF THE STRUCTURE.

NON-COMBUSTIBLE ZONE (0-5 FEET)

- HARDSCAPE SURFACES INCLUDING GRAVEL, PAVERS, DECOMPOSED GRANITE AND BARE SOILS ARE ALL APPROVED NON-COMBUSTIBLE SURFACES.
- SUCCULENT PLANT SPECIES ARE EXAMPLES OF NON-COMBUSTIBLE PLANT MATERIALS.
- PLANT PLACEMENT IS THE MOST IMPORTANT CRITERIA FOR FIRE-RESISTANT PLANT SELECTION.
- NO WOODEN TRELLIS, CLIMBING VINES, TREES OR SHRUBS SHOULD BE INTEGRATED INTO THIS ZONE."
- NO COMBUSTIBLE MULCH. ROCK MULCH IS ACCEPTABLE AND HAS THE GREATEST FIRE RESISTANCE.

LANDSCAPE ZONE (5-30 FEET)

LANDSCAPE ZONES INCORPORATE MULTIPLE PLANTING TYPES. ALL ZONES PROPOSED WITH FIRE-APPROPRIATE PLANT MATERIALS AND ADEQUATE SPACE POSING LESS HAZARD FOR IGNITION. INCREASE SPACE BETWEEN TREES, RE LOWER BRANCHES AND CREATE AREAS OF IRRIGATED LANDSCAPE ISLANDS.

- SAFE EGRESS MUST BE MAINTAINED REGULARLY ALONG THE DRIVEWAY. IT IS IMPORTANT TO ALLOW FOR SAFE PASSAGE AND TO PROVIDE A LOCATION FIREFIGHTER RESOURCES CAN TRAVEL AND ENGAGE IN FIRE RESPONSE.
- GRASSLAND, AND THE UNDER-STORY OF ALL OAK WOODLAND VEGETATION SHOULD BE MOWED WITHIN 10 FEET OF THE PAVEMENT EDGES.
- ALL CHAPARRAL, COASTAL SCRUB AND OAK/SHRUB WOODLAND VEGETATION SHOULD BE TREATED TO 30 FEET FROM THE PAVEMENT EDGE PROVIDING BOTH VERTICAL AND HORIZONTAL CLEARANCE.

MANAGEMENT ZONE (30-100 FEET)

UNDERSTORY PLANTS MUST BE KEPT SHORT, AND SMALL LOWER TREE BRANCHES MUST BE REMOVED. THE UNDERSTORY OF OAK WOODLAND HABITAT INCLUDES SHADE TOLERANT SHRUBS AND GRASSLANDS. THE GOAL OF THIS STANDARD IS TO MAINTAIN AN EXISTING OAK WOODLAND WITH A SHORT- STATURED UNDERSTORY OF HERBACEOUS PLANTS AND SHRUBS AND A TREE CANOPY AT LEAST 8 FEET ABOVE THE GROUND. AN INITIAL TREATMENT WI REQUIRED TO PRUNE SMALLER BENCHES OF TREES UP TO 8 FEET ABOVE THE GROUND AND TO REDUCE DENSITY AND STATURE OF UNDERSTORY SHRUBS. ANNUAL MAINTENANCE COULD BE REQUIRED TO MAINTAIN THIS RECOMMENDED HEIGHT.

- UNDERSTORY VEGETATION SHOULD NOT BE COMPLETELY REMOVED. INSTEAD SELECTIVELY REMOVE NON-NATIVE FLAMMABLE SPECIES AND REMOVE BRANCHES FROM DESIRABLE NATIVE VEGETATION.
- NATIVE UNDERSTORY SHRUBS ARE TO BE KEPT FREE OF DEAD BRANCHES NO MORE THAN 2.5 FEET IN HEIGHT.
- LEAF LITTER DEPTH SHOULD BE KEPT NO GREATER THAN 4 INCHES.
- ONCE INITIAL TREE PRUNING IS COMPLETED, PRUNING IS LIKELY TO BE NEEDED LESS FREQUENTLY WITH AN INTERVAL OF THREE TO FIVE YEARS.

REVISIONS

DATE	BY	DESCRIPTION

**FLOOR PLAN**  
**DESIGN CO.**  
DESIGN, PLANNING & ESTIMATES

**MONTEREY BAY**  
**TREEWORX**  
Arborists & Tree Care  
ISA Certified Arborists #1388  
ISA Tree Risk Assessor Qualified  
800-969-9970  
albert@montereybaytree.com  
montereybaytree.com

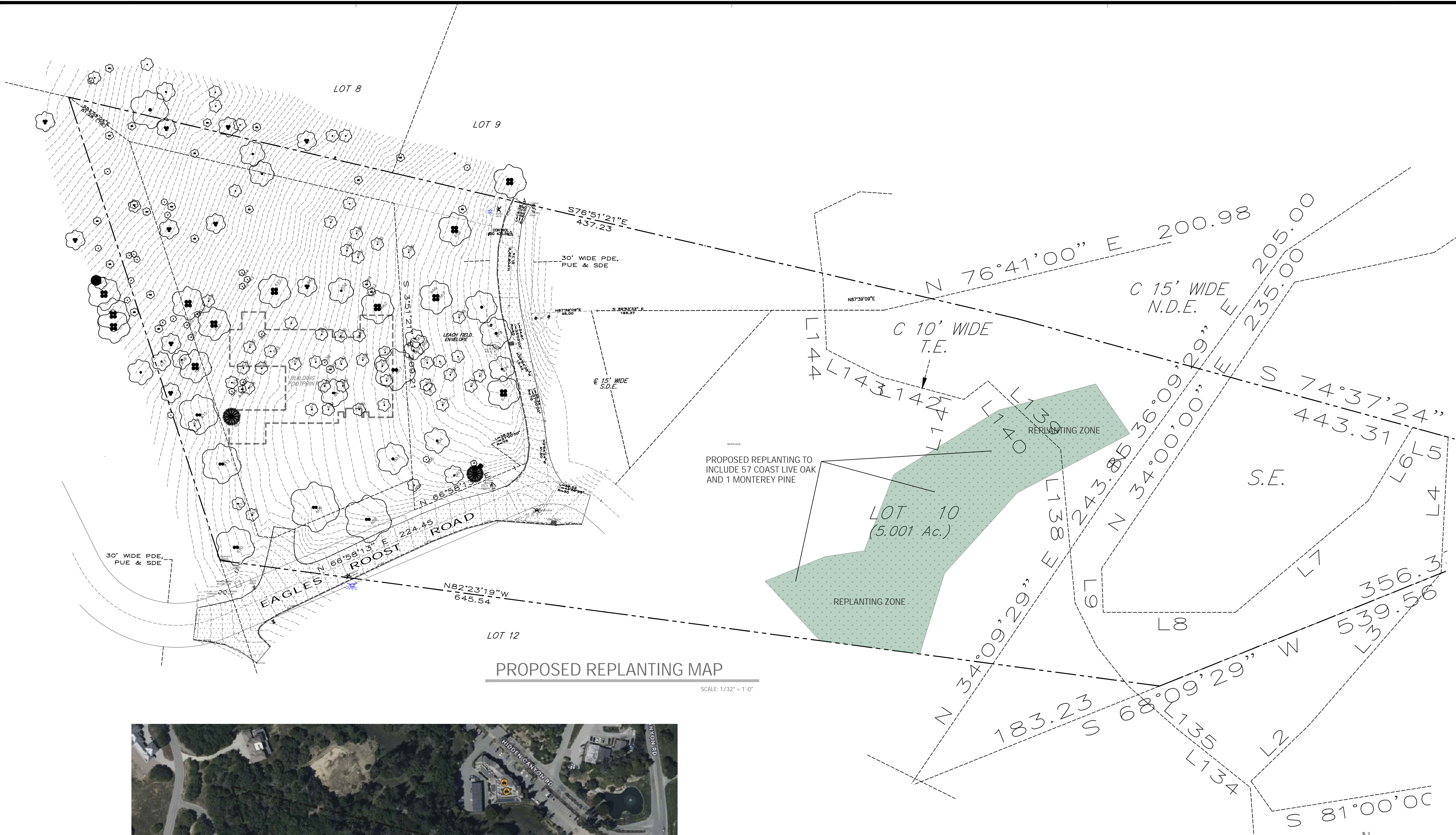
FUEL MANAGEMENT PLAN

USE PERMIT FOR:  
**SAHI RESIDENCE**  
CLIENT: NAVNEET SINGH SAHI  
8730 EAGLES ROOST RD. SALINAS, CA. 93907

DATE	11-26-24
SCALE	AS SHOWN
DRAWN	RC
JOB	09-24
SHEET	L1

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. REUSE, REPRODUCTION, OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT, AND VISUAL CONTACT WITH THEM CONSTITUTES MINOR FACE EVIDENCE OF THE ACCEPTANCE OF THESE RESTRICTIONS.





PROPOSED REPLANTING MAP  
SCALE: 1/32" = 1'-0"



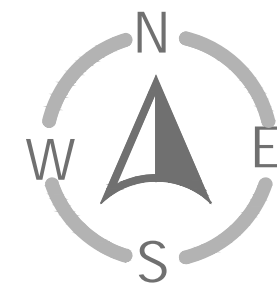
SATELLITE KEY MAP  
NTS

**REPLANTING NOTES**

THE REPLANTING RULES AIM TO MAINTAIN OR RESTORE FOREST COVER FOLLOWING TREE REMOVAL FOR DEVELOPMENT, ENSURING ECOSYSTEM CONTINUITY. THE PRESENCE OF QUERCUS AGRIFOLIA (COAST LIVE OAK) AT A NEARBY SIMILAR SITE SUGGESTS THAT THE PROPOSED SITE AND SOIL CONDITIONS ARE FAVORABLE FOR SUPPORTING NEW TREE GROWTH. REPLANTING IN THIS AREA WILL ENHANCE HABITAT SIZE AND CONNECTIVITY FOR LOCAL WILDLIFE, ALLOWING FOR HEALTHY DEVELOPMENT OF ALL TREES AND FURTHER PROMOTING BIO-DIVERSITY.

**LEGEND**

- PROPOSED BUILDING ENVELOPE
- PROPOSED REPLANTING SITES



REVISIONS

DATE	BY	DESCRIPTION

**FLOOR PLAN**

**DESIGN CO.**

*John Cottle*

PROPOSED REPLANTING MAP

USE PERMIT FOR:

**SAHI RESIDENCE**

CLIENT: NAMEET SINGH SAHI

8730 EAGLES ROOST RD. SALINAS, CA. 93907

DATE	11-26-24
SCALE	AS SHOWN
DRAWN	RC
JOB	09-24
SHEET	L2

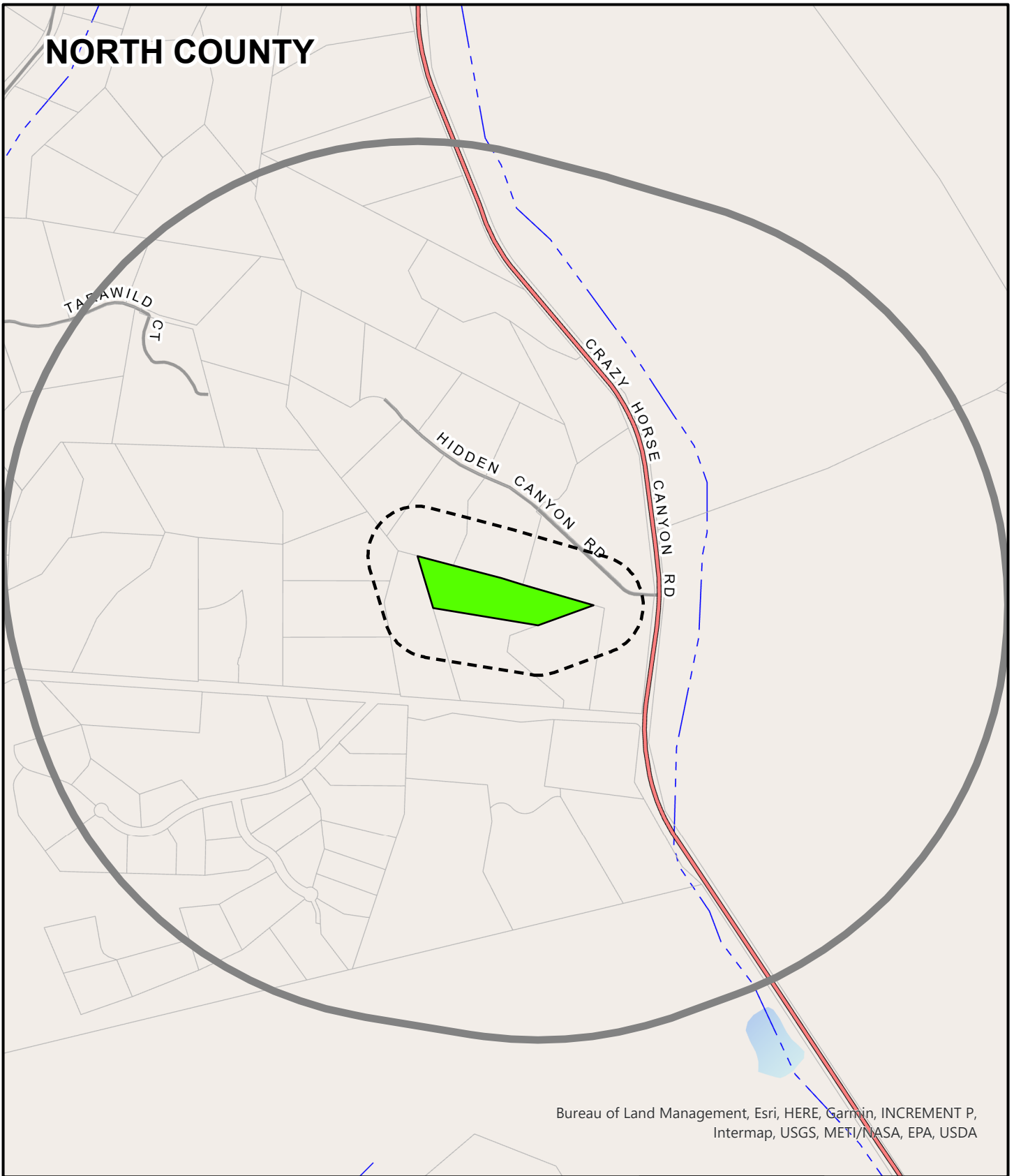
THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION THEREOF IS EXPRESSLY LIMITED TO SUCH USE. REUSE, REPRODUCTION, OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED. TITLE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT, AND VISUAL CONTACT WITH THEM CONSTITUTES A MAJOR VIOLATION OF THE ACCEPTANCE OF THESE RESTRICTIONS.



## Exhibit B

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# NORTH COUNTY



Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P,  
Intermap, USGS, METI/NASA, EPA, USDA

**APPLICANT:** SAHI

**APN:** 125621010000

**FILE #** PLN240178



Project Site



300 FT Buffer



2500 FT Buffer



PLANNER: JOSEPH ALAMEDA

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## Exhibit C



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Christina Vu Assistant Planner  
Monterey County Housing and Community Development  
1441 Schilling Place, South Building, 2nd Floor.  
Salinas, CA 93901

December 12,2024

Re: 8730 Eagles Roost Road, Salinas CA APN 125-621-010

Dear Christina,

Navneet Sahi has proposed constructing a single-family dwelling on his lot at 8730 Eagles Roost Road in Salinas CA. The design for the structure will require the removal of 54 Trees 6” or bigger dbh including three landmark size greater than twenty-four” dbh. He is proposing to replant fifty-seven trees in an open area in the lower eastern portion of the lot. By virtue of the significant tree removal and proximity to documented occurrences of special status habitat types in the region this Biological Assessment report is required.

The Eagles Roost Road is in the Hidden Canyon Ranch subdivision of large lots in North Salinas off Crazy Horse Canyon Road near the east end of the Pajaro hills and the community of Prunedale. It is near the east edge of the Prunedale quadrangle and the west edge of the San Juan Bautista quadrangle of the USGS. Aerial imagery from Google Earth indicates it is a mixture of grasslands and Oak woodland on gently to steeply sloping hills. The building envelope is at about 450-475 feet and slopes from the NW to the East SE. Historical imagery going back to the 1950’s suggests it was previously more sparsely vegetated and dominated by grasslands with fewer patches of trees and shrubs.

#### Executive summary

The Sahi property is vegetated with a complex mix of plant species that are from several different plant communities or successional stages. There are fragments of chaparral species that indicate a past cover that may have been more extensive. Coast sage scrub species and an invasion of Monterey County native, but not in north Salinas, Monterey Pine add to the unique tapestry of the property vegetation cover. The climax forest type- Coast Live oak woodland that dominates the site may provide nesting for many bird species and roosting for one or more bat species. Mitigation measures provided for bird nesting and bat roost surveys will reduce the possibility for negative impacts for these species. But *no* rare, threatened or endangered species of animals or plants were found anywhere on the project site.

#### Background database search

Upon accepting the request to do the site assessment I first conducted inquiries of the California Natural Diversity Database (CNDDB) and the California Native Plant Society Rare Plant Inventory (CRPI) for the two quadrangles (Prunedale and San Juan Bautista) to get a good sense of what special

Figure 1: 1956 aerial of Project site.



status (Rare Threatened or Endangered) species and plant communities have been

documented within the local area around the project site. Those databases spread sheets are appended to this report with notes on whether the habitat on site was suitable for them and whether they were observed on or near the site. Given my experience in the area, significant species from the two lists that could potentially occur include, from the San Juan Bautista Quad: *Neotoma macrotis luciana* the Monterey Dusky footed woodrat a California species of Special Concern, *Phrynosoma blainvillii* the Coast Horned lizard also a California Species of Concern, *Lasiurus cinereus*, the Hoary Bat with no specific state or federal listing, but becoming more rare in California, and *Arctostaphylos pajaroensis* or Pajaro manzanita a local endemic species on List 1B.1 of the CRPI and specifically protected. Additional species from the Prunedale Quad include *Microtus californicus halophilus*, the Monterey Vole a watch list species with no specific listing protections, *Lomatium parvifolium*, the small leaved lomatium which is on the lowest level of concern with the CRPI on list 4.2, and *Arctostaphylos hookeri* ssp. *hookeri* the Hookers manzanita on list 1B.2 of the CRPI. Several bird species including birds of prey are included in both quadrangles that may have the possibility of foraging in the area but the key to the potential regular or seasonal presence would be the existence of large stick nests in the trees on site. Similarly, amphibian species that are known to occur in the quadrangles require nearby breeding areas to potentially utilize the site for dry upland aestivation and actual breeding sites on the property to infer presence. There are no water bodies on the lot but there is a pond along Crazy Horse Canyon Road that is ¼ mile East SE and about two hundred feet lower in elevation. It has recent development on its west side between the pond and the Eagles Roost Road property that would limit the likelihood of dispersal of any amphibians that could be born in the pond up the hill to the Eagles Roost Road property. There is no way for me to discern what if any native species of amphibian may utilize this pond.

Regardless of those species I expected to find I took the whole of the two database outputs for my target list when I visited the site.

## Observations

On December 10, 2024, I visited the Sahi property and walked the entire site back and forth in a grid pattern to ensure seeing all the plants and wildlife that could be found on site. For clarity, this is not the ideal time of year for a biological assessment in California. For certainty of accurate identification of the most species (including migratory birds) the best time to do a complete and valid assessment is in the Spring months of April, May, and June when the most plants are in bloom and birds and other wildlife are nesting. It may be necessary to do a supplemental survey in the spring.

The proposed construction site is in the trees about sixty-five feet north of the preinstalled driveway apron. A cleared opening between the apron and the trees is dominated by annual and perennial nonnative weeds including the very invasive Bermuda buttercup (*Oxalis pes-caprae*), Hard fescue (*Festuca arundinacea*), Sheep sorrel (*Rumex crispus*), Dandelion (*Taraxacum officinale*) and the native telegraph weed (*Heterotheca grandiflora*). The wooded portion of the lot is an interesting mix of trees and shrubs that really represent the typical successional stages of oak woodland development in Coastal Monterey County. In the understory there are species typical of Coastal sage scrub which is often an early pioneering vegetation type at the edges of grasslands. Sticky monkey

flower (*Diplacus aurantiacus*), Black sage (*Salvia mellifera*), Deer weed (*Acmispon glaber*), Coyote bush (*Baccharis pilularis*), Blue witch (*Solanum xanthii*), Soap lily (*Chlorogalum pomeridianum*), Wild cucumber (*Marah fabaceus*) and purple needle grass (*Nasella pulchra*) are species regularly found in this Coast scrub or “soft” chaparral community.

In areas directly beneath the oaks and in openings on the North edge of the lot, plants of the chaparral are scattered. Brittle leaf manzanita (*Arctostaphylos crustacea* ssp. *crustacea*), Chamise (*Adenostema fascicularis*) and Golden yarrow (*Eriophyllum confertiflorum*) sporadically represent the Chaparral community that was once dominant on this hillside. The Brittle leaf manzanita is not rare, it is found in various “types” of chaparrals from Santa Barbara County to Napa and Marin Counties. It is the frequent third companion to the rare and endemic Hooker’s and Pajaro manzanitas just a short distance west of here in the subset of Northern maritime chaparral known as Pajaro manzanita maritime chaparral. While the Brittle leaf manzanita, the Chamise and the golden yarrow are often found in maritime chaparral, they are also frequent members of several inland ‘types’ of chaparral. In lieu of any of the rare species that make maritime chaparral unique and “special status” occurring on this site I would not characterize these fragments as maritime chaparral.

In many locations in Coastal Monterey County where the Monterey Pine is either naturally native or introduced as screening or landscape trees, they spread readily into new areas where they were not previously found and appear to have at least a grudging sharing of habitat space with chaparral species which they still eventually shade out. The occurrence of Monterey Pine on this site is unusual in that it usually successional spans the gap between the lower scrub and chaparral communities before it eventually succumbs to the broader, denser canopies of Coast live oak. Here it looks as though the Monterey Pines on site within the building envelope are mostly young trees that have sprouted and reached for sunlight from within the darker forest floor underneath the oak tree canopy. Down slope a few larger pines are of a size and age more typical of the aging, declining large pines where Oak woodlands move in as the climax forest type out on the peninsula and along the Coast.

Finally, the dominant feature of the site is Coast Live Oak woodland which covers most of the building envelope with a mix of ages and sizes of oak trees (*Quercus agrifolia* ssp. *agrifolia*). At the upper west end of the lot, trees are younger and close together, as you progress down slope to the east, there are fewer but much larger, older multi trunk trees. Typical Oak woodland understory species like Yerba buena (*Clinopodium douglasii*), Poison oak (*Toxicodendron diversilobum*), Hedge nettle or Woodmint (*Stachys bullata*) and the shrubby Toyon (*Heteromeles arbutifolia*) are present under the dense canopies. The Coast Live oak woodland is the climax forest in much of Coastal California. After the successional stages mentioned above have improved soil conditions, adding an organic layer over time, the Coast live oaks eventually find their way in by animal seed dispersal and eventually shade out other species that require full sun to thrive. Even in this small sample size, manzanita and other sun loving plants are showing significant dieback induced primarily by increasing levels of shade.

Oak woodlands offer habitat to the most diverse group of plants and animals in California. They provide food, and nesting, for a broad range of animals including hundreds of moths and butterflies that in turn provide caterpillars for hundreds of bird species. Acorns are consumed by many different mammals and birds and their leaf litter provides refuge for ground dwelling insects, other

invertebrates and amphibians. The removal of the fifty-four trees is a significant impact to the woodland on this property but replacement planting of oak trees nearby will make this a temporary impact, mitigated over time by the filling in and expansion of intact oak woodland on the eastern edge of the property.

Coast live oak woodlands are not uncommon in California and have not yet been included in special status plant community classification lists. However, the state of California does have an Oak woodlands Conservation Act that is still not fully implemented, and the County of Monterey has strict regulations regarding the removal of oak trees. In this case the removal of 53 Coast live oak trees is a significant impact to the site that requires a Forest management plan including the planting of the same number (at minimum) of trees on the property. (see the arborist report by Albert Weisfuss of Monterey Tree Works dated 11/06/2024). It is included with the permit request package. It does not specify locations or methods or monitoring criteria for planting the replacement trees but does specify that replacement trees should be of local stock and at minimum 3-feet tall with at least a ½” inch caliper. Mr. Sahi has provided a document showing replacement planting in an opening of the oak woodland east of the development area, I would suggest that rather than simply filling in the area with 58 oak trees at 15’ foot spacing, the plantings should be added to the forest edge at the west and north sides of the grassland opening to increase the canopy cover in one contiguous swath. It is not apparent that conditions are ideal for oak tree growth in this grassland opening. The aerial photography available for the site going back to 1937 shows no trees have been found in this area for at least 87 years. This may be a soil issue but starting the replacement planting close to the current edge of the existing woodland surrounding the site will have the best likelihood for survival success.

Coast live oaks are key nesting and roosting trees for many local and migratory bird species and bats. The nesting of all native birds is protected by state, federal, and international laws. The Migratory Bird Treaty Act (MBTA) establishes special protection for migratory birds by regulating hunting or trade in migratory birds. The MBTA prohibits anyone to take, possess, buy, sell, purchase, or barter any migratory birds list in 50 CFR 10, including feathers or other part, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). The definition of “take” *includes any disturbance that causes nest abandonment and/or loss of reproductive effort (e.g., killing or abandonment of eggs or young).*

The Federal Migratory Bird Treaty Act (16 USC §703-711.), 50 CFR 10, and Fish & Game Code §3503, §3513, and §3800, protect migratory and nongame birds, their occupied nests, and their eggs.

The Federal Endangered Species Act of 1973 (16 USC §1531, §1543) and California Endangered Species Act (Fish & Game Code §2050-§2115.5) prohibit the take of listed species and protect occupied and unoccupied nests of threatened and endangered bird species. The Bald Eagle Protection Act (16 USC §668) prohibits the destruction of bald and golden eagles occupied and unoccupied nests.

California Fish and Game Code 3503 - It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant

thereto.

California Fish and Game Code 3513 - It is unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Treaty Act.

To avoid any potential for take of nesting, or disturbances that affect egg laying, rearing, or fledging of native birds on site the work to remove trees and begin groundbreaking activities should be done only between August 15 and February 15 of the year. If it is not possible to begin tree removal or grading during this period a pre-construction/tree removal survey should be conducted by a qualified Biologist from the Monterey County Approved Biologist list. If tree removal or groundbreaking is scheduled to begin between February 16 and August 14, at maximum 4 days prior to commencement the biologist shall survey the building envelope area and a 100-foot radius around the envelope for active nest building, egg laying or rearing activity. If no such activity is found, they may report to the County that all areas are clear and ready for the project to begin. If any such activity is found, it will be up to the biologist, in consultation with California Department of Fish and Wildlife (CDFW) to determine if any portion of the work can commence while keeping a minimum 100' buffer around the specific nest, (300' if the nest is a raptor's) or if the entire project must be delayed until all nesting and rearing behavior has commenced and the nest is abandoned.

Of the three Bat species documented in the local area by the CNDDDB, the one that utilizes Coast Live oak trees for roosting and nesting is the Hoary Bat *Lasiurus cinereus*. The Central Coast has a resident population that does not migrate from north to south but rather moves from inland areas to the Coast in the winter. They are solitary, and little seen during the winter. They breed in the fall and give birth between May and July.

To avoid any impacts to Hoary bats or other non-listed bats, During April to August, before tree removal or construction begins, the project applicant will retain a qualified bat biologist who will survey trees that will be removed in the project area and identify any snags, hollow trees, or other trees with cavities that may provide suitable roosting habitat for hoary bats and non-special-status bats. This survey will be conducted before any tree removal occurs. If no suitable roosting trees are found, the removal of trees may proceed. If snags, hollow trees, or other trees with suitable cavities are found, these will be examined for roosting bats. If bats are not found and there is no evidence of their use by bats, removal of trees may proceed. If bats are found or evidence of their use by bats is present, trees will not be removed until CDFW is consulted for guidance on measures to take to avoid and minimize disturbance of bats.

## Conclusions

I did not find any special status plant or animal on the property<sup>1</sup> (See notes on database spread sheets), nor any special status plant communities. I do not believe that a spring survey will yield any

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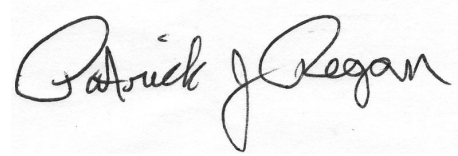
<sup>1</sup> The Monterey Pine is a CRPI list 1B.1 plant found naturally only on the Monterey peninsula and two small populations in Cambria and in San Mateo County. It is not native to the project site, yet the CNDDDB lists it as occurring in the San Juan Bautista quadrangle. It appears to be in error.



new data on species that may occur in the area that are perennials or annuals that would not be in bloom or present with noticeable new growth in December. The removal of 53 Oak trees is the biggest impact to the site but with mitigation measures outlined previously, the level of impact can be reduced to a less than significant level.

Please feel free to contact me if you have any questions.

Pat Regan

A handwritten signature in black ink that reads "Patrick J. Regan". The signature is fluid and cursive, with the first name "Patrick" and last name "Regan" clearly legible.

patrick@reganbhc.com



*Figure 2: View looking north into clearance at forest edge where the proposed SFD will be built.*





*Figure 3: View looking North NW at area where upper portion of SFD will terminate. Trees by shed will be removed.*

*Figure 4: Small Coast live oaks to be removed in the upper NW corner of building area. Declining Brittle leaf manzanita at their bases.*







*Figure 5" Group of mid-range Coast Live oaks that will be removed for the SFD.*

*Figure 6 Group of young trees near west end of proposed SFD. Several young Pine tree saplings untypically filling spaces between Coast live trees.*







*Figure 7: View looking East SE at small to mid-size trees (Oaks and Pines) that will be removed for lower end of SFD.*

*Figure 8: View looking East SE from within footprint of proposed SFD, through small trees that will be removed, out to clearing by driveway entrance.*







*Figure 9: View looking SW through lower end of proposed SFD footprint. Senescing Black sage (a full sun requiring plant) in foreground.*

*Figure 10: Majestic multi-trunk Coast Live oak prosed for removal.*







*Figure 11: Senescing Brittle leaf manzanita at base of oak tree in west end of proposed SFD footprint.*

*Figure 12: Healthy Brittle manzanita in opening north of the proposed SFD footprint.*





Figure 13: 2023 Aerial of Project site.



California Natural Diversity Database out put for Eagles Roost Road area

Scientific_Name	Common_Name	Federal status	state status	CDFW status	CRPR rank	Quad_Name	Potential presence	Observed onsite?
<b>Amphibians</b>								
Ambystoma californiense pop. 1	California tiger salamander - central California DPS	Threatened	Threatened	WL	-	SAN JUAN BAUTISTA	low	no
Rana boylei pop. 4	foothill yellow-legged frog - central coast DPS	Threatened	Endangered	-	-	SAN JUAN BAUTISTA	none	no
Rana draytonii	California red-legged frog	Threatened	None	SSC	-	SAN JUAN BAUTISTA	low	no
Taricha torosa	Coast Range newt	None	None	SSC	-	SAN JUAN BAUTISTA	fair	no
Ambystoma californiense pop. 1	California tiger salamander - central California DPS	Threatened	Threatened	WL	-	PRUNEDALE	low	no
Ambystoma macrodictylum croceum	Santa Cruz long-toed salamander	Endangered	Endangered	FP	-	PRUNEDALE	none	no
Rana draytonii	California red-legged frog	Threatened	None	SSC	-	PRUNEDALE	low	no
Taricha torosa	Coast Range newt	None	None	SSC	-	PRUNEDALE	low	no
<b>Birds</b>								
Aquila chrysaetos	golden eagle	None	None	FP   WL	-	SAN JUAN BAUTISTA	low	no
Elanus leucurus	white-tailed kite	None	None	FP	-	SAN JUAN BAUTISTA	fair	no
Haliaeetus leucocephalus	bald eagle	Delisted	Endangered	FP	-	SAN JUAN BAUTISTA	low	no
Eremophila alpestris actia	California horned lark	None	None	WL	-	SAN JUAN BAUTISTA	low	no
Ardea herodias	great blue heron	None	None	-	-	SAN JUAN BAUTISTA	low	no
Falco mexicanus	prairie falcon	None	None	WL	-	SAN JUAN BAUTISTA	low	no
Agelaius tricolor	tricolored blackbird	None	Threatened	SSC	-	SAN JUAN BAUTISTA	none	no

Setophaga petechia	yellow warbler	None	None	SSC	-	SAN JUAN BAUTISTA	low	no
Vireo bellii pusillus	least Bells vireo	Endangered	Endangered	-	-	SAN JUAN BAUTISTA	low	no
Elanus leucurus	white-tailed kite	None	None	FP	-	PRUNEDALE	low	no
Agelaius tricolor	tricolored blackbird	None	Threatened	SSC	-	PRUNEDALE	none	no
Pelecanus occidentalis californicus	California brown pelican	Delisted	Delisted	-	-	PRUNEDALE	none	no
Rallus obsoletus	California Ridgways rail	Endangered	Endangered	FP	-	PRUNEDALE	none	no
Numenius americanus	long-billed curlew	None	None	WL	-	PRUNEDALE	none	no
Athene cunicularia	burrowing owl	None	Candidate Endangered	SSC	-	PRUNEDALE	low	no
<b>Fish</b>								
Lavinia exilicauda						SAN JUAN		
harengus	Monterey hitch	None	None	SSC	-	BAUTISTA	none	no
Oncorhynchus mykiss irideus pop. 9	steelhead - south-central California coast DPS	Threatened	None	SSC	-	SAN JUAN BAUTISTA	none	no
Oncorhynchus mykiss irideus pop. 9	steelhead - south-central California coast DPS	Threatened	None	SSC	-	PRUNEDALE	none	no
<b>Insects</b>								
Bombus crotchii	Crotchs bumble bee	None	Candidate Endangered	-	-	SAN JUAN BAUTISTA	low	no
	Pinnacles optioservus riffle					SAN JUAN		
Optioservus canus	beetle	None	None	-	-	BAUTISTA	low	no
Bombus caliginosus	obscure bumble bee	None	None	-	-	PRUNEDALE	low	no
<b>Mammals</b>								
Neotoma fuscipes annectens	San Francisco dusky-footed woodrat	None	None	SSC	-	SAN JUAN BAUTISTA	low	no
Neotoma macrotis luciana	Monterey dusky-footed woodrat	None	None	SSC	-	SAN JUAN BAUTISTA	good	no nests
Dipodomys venustus						SAN JUAN		
venustus	Santa Cruz kangaroo rat	None	None	-	-	BAUTISTA	low	no



Taxidea taxus	American badger	None	None	SSC	-	SAN JUAN BAUTISTA	low	no
Sorex ornatus salarius	Monterey shrew	None	None	SSC	-	SAN JUAN BAUTISTA	low	no
Antrozous pallidus	pallid bat	None	None	SSC	-	SAN JUAN BAUTISTA	fair	no
Corynorhinus townsendii	Townsend's big-eared bat	None	None	SSC	-	SAN JUAN BAUTISTA	low	no
Lasiurus cinereus	hoary bat	None	None	-	-	SAN JUAN BAUTISTA	fair	no
Microtus californicus								
halophilus	Monterey vole	None	None	-	-	PRUNEDALE	good	no
Neotoma fuscipes	San Francisco dusky-footed							
annectens	woodrat	None	None	SSC	-	PRUNEDALE	low	no
Neotoma macrotis luciana	Monterey dusky-footed woodrat	None	None	SSC	-	PRUNEDALE	good	no nests
Reithrodontomys								
megalotis distichlis	Salinas harvest mouse	None	None	-	-	PRUNEDALE	low	no
Enhydra lutris nereis	southern sea otter	Threatened	None	FP	-	PRUNEDALE	none	no
Taxidea taxus	American badger	None	None	SSC	-	PRUNEDALE	low	no
Sorex ornatus salarius	Monterey shrew	None	None	SSC	-	PRUNEDALE	low	no
Sorex vagrans paludivagus	Monterey vagrant shrew	None	None	-	-	PRUNEDALE	low	no
<b>Mollusks</b>								
Helminthoglypta						SAN JUAN		
sequoicola consors	redwood shoulderband	None	None	-	-	BAUTISTA	none	no
	mimic tryonia (=California							
Tryonia imitator	brackishwater snail)	None	None	-	-	PRUNEDALE	none	no
<b>Reptiles</b>								
		Proposed				SAN JUAN		
Actinemys marmorata	northwestern pond turtle	Threatened	None	SSC	-	BAUTISTA	none	no
						SAN JUAN		
Phrynosoma blainvillii	coast horned lizard	None	None	SSC	-	BAUTISTA	fair	no

Anniella pulchra	Northern California legless lizard	None	None	SSC	-	PRUNEDALE	low	no
Actinemys marmorata	northwestern pond turtle	Proposed Threatened	None	SSC	-	PRUNEDALE	none	no
Actinemys pallida	southwestern pond turtle	Proposed Threatened	None	SSC	-	PRUNEDALE	none	no
<b>Plant Community</b>								
Central Maritime Chaparral	Central Maritime Chaparral	None	None	-	-	PRUNEDALE	good	no
Coastal Brackish Marsh	Coastal Brackish Marsh	None	None	-	-	PRUNEDALE	none	no
Northern Coastal Salt Marsh	Northern Coastal Salt Marsh	None	None	-	-	PRUNEDALE	none	no
<b>Plants</b>								
Ericameria fasciculata	Eastwoods goldenbush	None	None	-	1B.1	SAN JUAN BAUTISTA	low	no
Isocoma menziesii var. diabolica	Satans goldenbush	None	None	-	4.2	SAN JUAN BAUTISTA	low	no
Plagiobothrys diffusus	San Francisco popcornflower	None	Endangered	-	1B.1	SAN JUAN BAUTISTA	low	no
Arctostaphylos pajaroensis	Pajaro manzanita	None	None	-	1B.1	SAN JUAN BAUTISTA	good	no
Iris longipetala	coast iris	None	None	-	4.2	SAN JUAN BAUTISTA	low	no
Fritillaria agrestis	stinkbells	None	None	-	4.2	SAN JUAN BAUTISTA	low	no
Fritillaria liliacea	fragrant fritillary	None	None	-	1B.2	SAN JUAN BAUTISTA	low	no
Clarkia lewisii	Lewis clarkia	None	None	-	4.3	SAN JUAN BAUTISTA	low	no*
Pinus radiata	Monterey pine	None	None	-	1B.1	SAN JUAN BAUTISTA	none	yes
Eriastrum virgatum	virgate eriastrum	None	None	-	4.3	SAN JUAN BAUTISTA	low	no*

Chorizanthe pungens var. pungens	Monterey spineflower	Threatened	None	-	1B.2	SAN JUAN BAUTISTA	low	no*
Eriogonum nortonii	Pinnacles buckwheat	None	None	-	1B.3	SAN JUAN BAUTISTA	low	no
Eriogonum nudum var. indictum	protruding buckwheat	None	None	-	4.2	SAN JUAN BAUTISTA	low	no
Lomatium parvifolium	small-leaved lomatium	None	None	-	4.2	PRUNEDALE	fair	no
Centromadia parryi ssp. congdonii	Congdons tarplant	None	None	-	1B.1	PRUNEDALE	none	no
Ericameria fasciculata	Eastwoods goldenbush	None	None	-	1B.1	PRUNEDALE	low	no
Holocarpha macradenia	Santa Cruz tarplant	Threatened	Endangered	-	1B.1	PRUNEDALE	low	no
Lessingia hololeuca	woolly-headed lessingia	None	None	-	3	PRUNEDALE	low	no
Arctostaphylos hookeri ssp. hookeri	Hookers manzanita	None	None	-	1B.2	PRUNEDALE	good	no
Arctostaphylos pajaroensis	Pajaro manzanita	None	None	-	1B.1	PRUNEDALE	good	no
Hosackia gracilis	harlequin lotus	None	None	-	4.2	PRUNEDALE	low	no
Iris longipetala	coast iris	None	None	-	4.2	PRUNEDALE	low	no
Fritillaria liliacea	fragrant fritillary	None	None	-	1B.2	PRUNEDALE	low	no
Piperia michaelii	Michaels rein orchid	None	None	-	4.2	PRUNEDALE	low	no
Piperia yadonii	Yadons rein orchid	Endangered	None	-	1B.1	PRUNEDALE	low	no
Cordylanthus rigidus ssp. littoralis	seaside birds-beak	None	Endangered	-	1B.1	PRUNEDALE	low	no
Eriastrum virgatum	virgate eriastrum	None	None	-	4.3	PRUNEDALE	low	no
Chorizanthe pungens var. pungens	Monterey spineflower	Threatened	None	-	1B.2	PRUNEDALE	low	no
Ceanothus rigidus	Monterey ceanothus	None	None	-	4.2	PRUNEDALE	fair	no
Horkelia cuneata var. sericea	Kelloggs horkelia	None	None	-	1B.1	PRUNEDALE	low	no
Rosa pinetorum	pine rose	None	None	-	1B.2	PRUNEDALE	none	no

California Rare Plant Inventory for Eagles Roost road area.

ScientificName	CommonName	CRPR	CESA	FESA	bloom period	Habitat	elev. low	elev. high	observed on site?
Arctostaphylos hookeri ssp. hookeri	Hooker's manzanita	1B.2	None	None	Jan-Jun	Chaparral, Cismontane woodland, Closed-cone coniferous forest, Coastal scrub	150	1760	No
Arctostaphylos pajaroensis	Pajaro manzanita	1B.1	None	None	Dec-Mar	Chaparral (sandy)	100	2495	No
Ceanothus rigidus	Monterey ceanothus	4.2	None	None	Feb-Apr(Jun)	Chaparral, Closed-cone coniferous forest, Coastal scrub	10	1805	No
Centromadia parryi ssp. congdonii	Congdon's tarplant	1B.1	None	None	(Apr)May-Oct(Nov)	Valley and foothill grassland (alkaline)	0	755	No
Chorizanthe pungens var. pungens	Monterey spineflower	1B.2	None	FT	Apr-Jun(Jul-Aug)	Chaparral (maritime), Cismontane woodland, Coastal dunes, Coastal scrub, Valley and foothill grassland	10	1475	No
Clarkia lewisii	Lewis' clarkia	4.3	None	None	(Feb)May-Jul	Broadleafed upland forest, Chaparral, Cismontane woodland, Closed-cone coniferous forest, Coastal scrub	100	3920	No

<i>Cordylanthus rigidus</i> ssp. <i>littoralis</i>	seaside bird's-beak	1B.1	CE	None	Apr-Oct	Chaparral (maritime), Cismontane woodland, Closed-cone coniferous forest, Coastal dunes, Coastal scrub	0	1690	No
<i>Eriastrum virgatum</i>	virgate eriastrum	4.3	None	None	May-Jul	Chaparral, Coastal bluff scrub, Coastal dunes, Coastal scrub	150	2295	No
<i>Ericameria fasciculata</i>	Eastwood's goldenbush	1B.1	None	None	Jul-Oct	Chaparral (maritime), Closed-cone coniferous forest, Coastal dunes, Coastal scrub	100	900	No
<i>Eriogonum nortonii</i>	Pinnacles buckwheat	1B.3	None	None	(Apr)Aug(Se p)May-Jun	Chaparral, Valley and foothill grassland	985	3200	No
<i>Eriogonum nudum</i> var. <i>indictum</i>	protruding buckwheat	4.2	None	None	(Apr)May-Oct(Dec)	Chaparral, Chenopod scrub, Cismontane woodland	490	4800	No
<i>Fritillaria agrestis</i>	stinkbells	4.2	None	None	Mar-Jun	Chaparral, Cismontane woodland, Pinyon and juniper woodland, Valley and foothill grassland	35	5100	No

<i>Fritillaria liliacea</i>	fragrant fritillary	1B.2	None	None	Feb-Apr	Cismontane woodland, Coastal prairie, Coastal scrub, Valley and foothill grassland	10	1345	No
<i>Holocarpha macradenia</i>	Santa Cruz tarplant	1B.1	CE	FT	Jun-Oct	Coastal prairie, Coastal scrub, Valley and foothill grassland Broadleafed upland forest, Cismontane woodland, Closed-cone coniferous forest, Coastal bluff scrub, Coastal prairie, Coastal scrub, Marshes and swamps, Meadows and seeps, North Coast coniferous forest, Valley and foothill grassland	35	720	No
<i>Hosackia gracilis</i>	harlequin lotus	4.2	None	None	Mar-Jul	Coastal prairie, Lower montane coniferous forest, Meadows and seeps	0	2295	No
<i>Iris longipetala</i>	coast iris	4.2	None	None	Mar-May(Jun)	Cismontane woodland	0	1970	No
<i>Isocoma menziesii</i> var. <i>diabolica</i>	Satan's goldenbush	4.2	None	None	Aug-Oct		50	1310	No

Lessingia hololeuca	woolly-headed lessingia	3	None	None	Jun-Oct	Broadleafed upland forest, Coastal scrub, Lower montane coniferous forest, Valley and foothill grassland	50	1000	No
Lomatium parvifolium	small-leaved lomatium	4.2	None	None	Jan-Jun	Chaparral, Closed-cone coniferous forest, Coastal scrub, Riparian woodland	65	2295	No
Piperia michaelii	Michael's rein orchid	4.2	None	None	Apr-Aug	Chaparral, Cismontane woodland, Closed-cone coniferous forest, Coastal bluff scrub, Coastal scrub, Lower montane coniferous forest	10	3000	No
Piperia yadonii	Yadon's rein orchid	1B.1	None	FE	(Feb)May-Aug	Chaparral (maritime), Closed-cone coniferous forest, Coastal bluff scrub	35	1675	No
Plagiobothrys diffusus	San Francisco popcornflower	1B.1	CE	None	Mar-Jun	Coastal prairie, Valley and foothill grassland	195	1180	No
Rosa pinetorum	pine rose	1B.2	None	None	May-Jul	Cismontane woodland, Closed-cone coniferous forest	5	3100	No

# Exhibit D



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MONTEREY BAY  
**TREWORKS**

**11/6/24**

**ASSESSOR'S PARCEL #:** 125-621-010-000  
**TYPE OF CONSTRUCTION:** TYPE V-B NEW RESIDENCE  
**PROJECT LOCATION:** 8730 EAGLES ROOST RD SALINAS CA 93907-9215  
**MAILING ADDRESS:** 346 BELDEN ST #2022 GONZALES CA 93926

**SUMMARY**

Monterey Bay Treeworks was requested to complete a walkthrough and review site plans provided that proposes development of the site. Three site visits were completed that consisted of determining location of the proposed project and documenting trees within and near the building footprint.

Because the site is forested with protected trees that may or may not require removal, my services were requested to review the provided site plans and make available an objective assessment to monitor development of the property and minimize impacts during construction while securing the necessity of the flora and fauna habitat.

54 protected trees are impacted by development or at a level of risk that require removal based on the current site plans.  
53 Coast live oak  
1 Monterey pine

Three landmark trees are requested for removal  
Landmark trees are those trees which are twenty-four (24) inches or more in diameter.

Replacement shall consist of the following:  
1 - Monterey pine, 5 gallon  
57 - Coast live oak, 5 gallon

Bird nesting is not visible on site within 300 feet.  
***Bird nesting period is from February 22 - August 1***

The following was completed as requested.

- Site visits and field survey of all trees located within the boundary of the project.
- Inventory trees located within the boundary of the project that are protected or considered significant and 6” greater in diameter.
- Photo documentation, spreadsheets and preparation of site maps showing existing trees on proposed site map.
- Indication of trees for removal, if any, and mitigation purposes to allow for construction activities.
- Prepare a formal protected tree report as required for county submittal purposes.
- Prepare a formal Fuel Management Plan as required for county submittal purposes.

## ***Arborists Disclosure:***

1. Arborists are tree specialists who use their education, knowledge, training and experience to examine trees, recommend measures to enhance the beauty and health of the trees and attempt to reduce the risk of living near trees. Arborists cannot detect every condition that could possibly lead to the structural failure to a tree. Since trees are living organisms, conditions are often hidden within the tree and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specific period of time. Likewise, remedial treatments cannot be guaranteed. Trees can be managed but they cannot be controlled. To live near trees is to accept some degree of risk and the only way to eliminate all risk associated with trees is to eliminate all of the trees.
2. Where the treatment, pruning and/or removal of trees are involved, it is the Client's responsibility to advise Consultant of any issues regarding property boundaries, property ownership, site lines, disputes between neighbors and other related issues.
3. Consultant shall invoice Client periodically for the services rendered. Client shall pay such invoices upon receipt. If invoices are not paid within 30 days, a late payment shall be charged of 1 ½ percent per month.
4. Consultant shall perform its services in a manner consistent with the standard of care and skill ordinarily exercised by members of the profession practicing under similar conditions in the geographic vicinity and at the time the services are performed. No warranty, representation or guarantee, express or implied, is intended by this agreement.
5. Services provided under this agreement, including all reports, information or recommendations prepared or issued by Consultant, are for the exclusive use of the Client for the project specified herein. No other use is authorized under this agreement. Client will not distribute or convey Consultant's reports or recommendations to any other person or organization other than those identified in the project description without Consultant's written authorization. Client releases Consultant from liability and agrees to defend, indemnify and hold harmless Consultant from any and all claims, liabilities, damages or expenses arising, in whole or in part, from such distribution.
6. Consultant is not responsible for the completion or quality of work that is dependent upon or performed by the Client or third parties not under the direct control of the Consultant, nor responsible for their acts or omissions or for any damages resulting there from.
7. Client and Consultant agree to mediate any claims or disputes arising out of this agreement, before initiating any litigation. The mediation shall be conducted by a mediation service acceptable to the parties. The parties shall make a demand for mediation within a reasonable time after a claim or dispute arises and the parties agree to mediate in good faith. In no event shall any demand for mediation be made after such claim or dispute would be barred by applicable law. Mediation fees would be shared equally. In the event that mediation does not resolve the issue, the parties agree to proceed through binding arbitration. The prevailing party in such proceeding shall be entitled to a reasonable sum for attorney's fees and expert witness fees.
8. Client agrees to indemnify, defend and hold harmless Consultant from and against any and all claims, liabilities, suits, demands, losses, costs and expenses, including, but not limited to, reasonable attorneys' fees and all legal expenses and fees incurred through appeal, and all interest thereon, accruing or resulting to any and all persons, firms or any other legal entities on account of any damages or losses to property or persons, including injuries or death, or economic losses, arising out of the project and/or this agreement, except to the extent that said damages or losses are caused by Consultant's sold negligence or willful misconduct.
9. If, during the course of performance of this agreement, conditions or circumstances are discovered which were not contemplated by Consultant at the commencement of this agreement, Consultant shall notify Client in writing of the newly discovered conditions or circumstances, and Client and Consultant shall renegotiate, in good faith, the terms and conditions of this agreement. If amended terms and conditions cannot be agreed upon within 30 days after notice, Consultant may terminate this agreement and be compensated under paragraph 4 in this agreement.
10. This agreement may be terminated by either party upon 10 days' notice sent first class mail. In the event of a termination, Client shall pay for all reasonable charges for work performed by Consultant through the 10<sup>th</sup> day after mailing the notice of termination. The limitation of liability and indemnity obligations of this agreement shall be binding notwithstanding any termination of this agreement.
11. This agreement is the entire and integrated agreement between Client and Consultant and supersedes all prior negotiations, statements or agreements, either written or oral. Writing signed by both parties may only amend this agreement.
12. In the event that any term or provision in this agreement is found to be unenforceable or invalid for any reason, the remainder of this agreement shall continue in full force and effect, and the parties agree that any unenforceable or invalid term or provision shall be amended to the minimum extent required to make such term or provision enforceable and valid.
13. Neither Client nor Consultant shall assign this agreement without the written consent of the other.
14. Nothing in this agreement shall create a contractual relationship for the benefit of any third party.

## Arborist's Report: Introduction, Overview, Methods, and Limitations

### Introduction and Overview

I, **Albert Weisfuss**, conducted a comprehensive assessment of the regulated trees on the subject property and prepared this arborist's report in compliance with the requirements of **Monterey County**. This report is intended to support the preparation of development plans, ensuring that proper consideration is given to tree preservation, management, and the potential risks posed by the trees during the development process.

Forest management, as defined in this context, involves applying appropriate technical forestry principles and practices to ensure that trees are maintained, preserved, and integrated into the development process. **Monterey County's primary management objective** is to balance wildlife habitat protection with the enhancement of the environment. The management of trees on streets and publicly owned properties offers multiple benefits, including:

- **Aesthetic value:** Trees contribute significantly to the landscape's visual appeal.
- **Environmental benefits:** Trees improve air quality, provide shade, and support local wildlife.
- **Monetary value:** Well-maintained trees increase in value over time, enhancing the overall property value.

Unlike other public infrastructure elements, trees are dynamic assets that can grow in value, both in terms of aesthetics and practical benefits. Proper planting, care, and maintenance of these trees will not only improve their health but will also positively impact the surrounding environment and property value.

### Methods / Limitations

The following methods were used to conduct the tree assessment:

#### 1. Trunk Measurement:

- Tree trunks were measured at **48 inches above soil grade** (referred to as **Diameter at Breast Height (DBH)**). In cases where the main trunk divides below this height, the measurement was taken at the point of division.
- For multi-trunk trees, each trunk was measured separately, and the diameter was averaged to determine the overall DBH.

#### 2. Tree Condition Assessment:

- The condition of each tree was evaluated through **visual inspection only**, conducted from a standing position. No climbing or aerial equipment was used.
- As such, this assessment is limited to visible, above-ground indicators of health. Internal or underground issues, such as root rot, pest infestations, or internal structural defects, may not be detectable through this method.

#### 3. Assessment Categories:

- **Good:** The tree is healthy and structurally sound.
- **Fair:** The tree is in moderate condition but may show early signs of stress or damage.
- **Poor:** The tree is failing or severely compromised due to disease, pests, structural issues, or other factors.
- **Dead:** The tree has died and poses a higher risk to the surrounding targets.

#### 4. **Inventory Process:**

- The inventory was conducted over multiple site visits.
  - The **first and second visits** involved walkthroughs with the property owner and a review of the development site plans.
  - A **third site visit** involved the use of a **Lufkin diameter tape**, an **iPhone camera**, and mapping tools to record the condition of each subject tree and document it accurately.
- All trees requested for inclusion in the assessment were inventoried, tagged with aluminum tree tags, and assigned identification numbers. Information recorded for each tree included:
  - **Tree number**
  - **Species**
  - **DBH**
  - **Condition rating**

#### **Limitations**

##### 1. **Visual Assessment:**

This assessment is based on visual observation only, with no invasive testing or equipment used (e.g., climbing, aerial inspections, or root zone examination). As such, internal health issues or structural defects that may not be visible from ground level or on the surface could potentially be overlooked.

##### 2. **Tree Condition Changes Over Time:**

The condition of trees may change between the time of inspection and the implementation of development plans. Regular reassessments are recommended, especially if tree retention is part of the development proposal. This annual reassessment will help ensure that the trees remain safe and viable during construction.

##### 3. **Mapping and Inventory:**

The tree inventory is based on the provided site plans, and trees have been mapped to the best of my knowledge. Variations in the site conditions, potential changes in tree health, or unforeseen obstacles may not be fully reflected.

##### 4. **Purpose of the Report:**

This report is prepared specifically for decision-making purposes related to the proposed development. It is not intended to serve as a general tree management or maintenance plan. Use of the report for any other purpose beyond the scope outlined would be inappropriate.

##### 5. **Tree Protection and Care:**

If tree retention is recommended as part of the development project, ongoing care and protection measures will be essential to preserve the trees' health and prevent damage during construction. This includes installation of Tree Protection Zones (TPZs), regular monitoring, and adjustments to project plans to avoid root or crown damage.

This arborist's report aims to provide a clear, accurate, and comprehensive evaluation of the trees on the subject property, offering an informed perspective on their condition, potential risks, and viability in relation to the proposed development. By following the guidance provided and taking proactive steps to manage tree health and safety, the development can proceed in harmony with the natural environment, balancing ecological and aesthetic values with the functional needs of the property.

Should you have any further questions or require additional clarifications, please feel free to contact me.

## Assessment Methods

Subject tree(s) were assessed on 10/9, 10/17 and 10/23/24. The data collection consisted of the following steps:

1. Identify the subject tree(s) as requested .
2. Tagging of subject tree(s) with an identifying number and recording findings of diameter and condition of subject tree(s).
3. Determine if the tree was within the footprint or impacted by development
4. iPhone documentation
5. Evaluating the health and structural condition using a scale of 0 – 5.
  - 5** A healthy, vigorous tree, reasonably free of signs and symptoms of disease, with good structure and form typical of the species.
  - 4** Tree with slight decline in vigor, small amount of twig dieback, minor structural defects that could be corrected.
  - 3** Tree with moderate vigor, moderate twig and small branch dieback, thinning of crown, poor leaf color, moderate structural defects that might be mitigated with regular care.
  - 2** Tree in decline, epicormic growth, extensive dieback of medium to large branches, significant structural defects that cannot be abated.
  - 1** Tree in severe decline, dieback of scaffold branches and/or trunk; most of foliage from epicormics; extensive structural defects that cannot be abated.
  - 0** Dead with no living foliage.

*The following trees within the proposed footprint have been recorded in the field and listed on table 1:1. Trees were rated as good, fair, poor and dead with poor and dead being recommended for removal. Trees rated fair may have some degree of health conditions or structural integrity limiting their development. Trees rated as good would be considered the best candidates on site for the age and condition of the stand.*

Table 1:1

Tree Species	ID #	Diameter in Inches	Comments	Condition 0=Dead 1-2=Poor 3-4=Fair 5=Excellent	Suitable for Preservation
Monterey pine	601	25	Tree is in decline	2-Poor	Yes
Monterey pine	602	10	Suppressed	2-Poor	Yes
Coast live oak	603	17		3 - Fair	Yes
Coast live oak	604	16	Impacted by development	3 - Fair	No
Coast live oak	605	8		3 - Fair	Yes
Coast live oak	606	10		3 - Fair	Yes
Coast live oak	607	17	Impacted by development	3 - Fair	No
Coast live oak	608	23,27	Impacted by development	4 - Fair	No
Coast live oak	609	22,24	Impacted by development	2-Poor	No
Coast live oak	610	31,33		4 - Fair	Yes
Coast live oak	611	12		3 - Fair	Yes
Coast live oak	612	8,10		3 - Fair	Yes
Coast live oak	613	23,8	Impacted by development	3 - Fair	No
Coast live oak	614	8	Suppressed	2-Poor	Yes
Coast live oak	615	8,8,10	Suppressed	2-Poor	Yes
Monterey pine	616	34		4 - Fair	Yes
Coast live oak	617	19		3 - Fair	Yes
Coast live oak	618	15		3 - Fair	Yes
Coast live oak	619	10		3 - Fair	Yes
Coast live oak	620	8.6.4		3 - Fair	Yes
Coast live oak	621	10,4,6,8		3 - Fair	Yes
Monterey pine	622	8	Impacted by development	3 - Fair	No
Coast live oak	623	8	Impacted by development	2-Poor	No
Coast live oak	624	11	Impacted by development	3 - Fair	No
Coast live oak	625	8,6	Impacted by development	3 - Fair	No
Coast live oak	626	8	Impacted by development	3 - Fair	No
Coast live oak	627	8	Impacted by development	3 - Fair	No
Coast live oak	628	6,8	Impacted by development	3 - Fair	No
Coast live oak	629	8	Impacted by development	3 - Fair	No
Coast live oak	630	10,10,8,8,6	Impacted by development	3 - Fair	No
Coast live oak	631	8,8,19		3 - Fair	Yes

Tree Species	ID #	Diameter In Inches	Comments	Condition 0=Dead 1-2=Poor 3-4=Fair 5=Excellent	Suitable for Preservation
Coast live oak	632	6,4,8	Impacted by development	3 - Fair	No
Coast live oak	633	17	Impacted by development	3 - Fair	No
Coast live oak	634	6	Impacted by development	3 - Fair	No
Coast live oak	635	8	Impacted by development	3 - Fair	No
Coast live oak	636	10	Impacted by development	3 - Fair	No
Coast live oak	637	6,4	Impacted by development	3 - Fair	No
Coast live oak	638	10	Impacted by development	3 - Fair	No
Coast live oak	639	6	Impacted by development	3 - Fair	No
Coast live oak	640	6,4	Impacted by development	3 - Fair	No
Coast live oak	641	12,8,8,12	Impacted by development	3 - Fair	No
Coast live oak	642	10	Impacted by development	3 - Fair	No
Coast live oak	643	10	Impacted by development	3 - Fair	No
Coast live oak	644	8	Impacted by development	3 - Fair	No
Coast live oak	645	10	Impacted by development	3 - Fair	No
Coast live oak	646	6,8,10,10	Impacted by development	3 - Fair	No
Coast live oak	647	10		3 - Fair	Yes
Coast live oak	648	10		3 - Fair	Yes
Coast live oak	649	8		3 - Fair	Yes
Coast live oak	650	12		3 - Fair	Yes
Coast live oak	651	12		3 - Fair	Yes
Coast live oak	652	16,8,6	Impacted by development	3 - Fair	No
Coast live oak	653	14	Impacted by development	3 - Fair	No
Coast live oak	654	8	Impacted by development	3 - Fair	No
Coast live oak	655	10,6,4	Impacted by development	3 - Fair	No
Coast live oak	656	14,12	Impacted by development	3 - Fair	No
Coast live oak	657	12	Impacted by development	3 - Fair	No
Coast live oak	658	10,8,6	Impacted by development	3 - Fair	No
Coast live oak	659	14,14	Impacted by development	3 - Fair	No
Coast live oak	660	23	Impacted by development	3 - Fair	No
Coast live oak	661	19	Impacted by development	3 - Fair	No
Coast live oak	662	22	Impacted by development	3 - Fair	No
Coast live oak	663	18	Impacted by development	3 - Fair	No
Coast live oak	664	12	Impacted by development	3 - Fair	No



Tree Species	ID #	Diameter In Inches	Comments	Condition 0=Dead 1-2=Poor 3-4=Fair 5=Excellent	Suitable for Preservation
Coast live oak	665	10		3 - Fair	Yes
Coast live oak	666	25,25	Impacted by development	3 - Fair	No
Coast live oak	667	23,17	Impacted by development	3 - Fair	No
Coast live oak	668	23	Impacted by development	3 - Fair	No
Coast live oak	669	14	Impacted by development	3 - Fair	No
Coast live oak	670	23,23	Impacted by development	3 - Fair	No
Coast live oak	671	23,23	Impacted by development	3 - Fair	No
Coast live oak	672	23,10	Impacted by development	3 - Fair	No
Coast live oak	673	12,23,15,19,27		3 - Fair	Yes
Coast live oak	674	23		3 - Fair	Yes
Coast live oak	675	12,14	Impacted by development	3 - Fair	No
Coast live oak	676	27		3 - Fair	Yes
Coast live oak	451	12	Impacted by development	3 - Fair	No
Coast live oak	452	6	Impacted by development	3 - Fair	No
Coast live oak	453	8	Impacted by development	3 - Fair	No
Coast live oak	454	10	Impacted by development	3 - Fair	No
Coast live oak	455	27,25,20,22		3 - Fair	Yes

## TREE REMOVAL & TREE RETENTION PLANS

Removal is based on condition or impacts from development of trees at the time of this assessment.

0 trees assessed in the excellent category.

75 trees assessed in the fair category

6 trees assessed in there poor category

0 trees assessed in the dead category

54 trees are requested for removal. 53 *Quercus agrifolia* and 1 *Pinus radiata*

27 Documented trees near the proposed project are to be retained with tree protection.

Retention is based on condition/location of trees at the time of the assessment.

Trees retained within the scope of work will require tree protection prior to any work.

Retained trees are recommended for trimming for safety and/or building clearance using Best Management Practice (BMP) developed by the International Society of Arboriculture (ISA)

## Conclusion

Subject trees requested for removal will not involve a risk of adverse environmental impacts such as:

1. Soil erosion.
2. Water Quality: The removal of the trees will not substantially lessen the ability for the natural assimilation of nutrients, chemical pollutants, heavy metals, silt and other noxious substances from ground and surface waters;
3. Ecological Impacts: The removal will not have a substantial adverse impact upon existing biological and ecological systems, climatic conditions which affect these systems, or such removal will not create conditions which may adversely affect the dynamic equilibrium of associated systems;
4. Noise Pollution: The removal will not significantly increase ambient noise levels to the degree that a nuisance is anticipated to occur;
5. Air Movement: The removal will not significantly reduce the ability of the existing vegetation to reduce wind velocities to the degree that a nuisance is anticipated to occur;
6. Wildlife Habitat: The removal will not significantly reduce available habitat for wildlife existence and reproduction or result in the immigration of wildlife from adjacent or associated ecosystems. The tree is diseased, injured, in danger of falling too close to existing or proposed structures, creates unsafe vision clearance, or is likely to promote the spread of insects of disease.

### Conditions of Approval:

In granting any permit as provided herein, the appropriate authority may attach reasonable conditions to mitigate environmental impacts and ensure compliance with the provisions of this Section, including but not limited to replacement of trees removed.

The site is a mixed oak and pine forest, a unique ecosystem known for high biodiversity due to the "edge effect"—where species diversity thrives at the transition zone between different habitats. This area's diverse community of species benefits from the boundary between oak and pine ecosystems, allowing for greater biodiversity. However, urbanization has increasingly fragmented these landscapes, intensifying edge effects, which can benefit some species, particularly invasive ones like *Genista*. Despite these changes, pine-oak forests offer valuable natural habitats and even the potential to support human needs, though many have been developed into urban or suburban areas. With proper restoration and planning, these ecosystems can be preserved for the future.

In Monterey County, tree replacement for protected trees follows specific guidelines. For trees under 24 inches in diameter, a 1:1 replacement is required, while trees over 24 inches require a 2:1 replacement ratio. The removed trees will be replanted in locations that provide adequate space (at least 15 feet apart) for canopy and root growth, and initial care includes deep watering once or twice a week through the first two years, with supplemental watering during dry months.

For this development project, 54 trees are slated for removal, including three landmark trees with a diameter at breast height (DBH) of over 24 inches. Fifty-eight trees will be replanted using local stock, with each sapling standing at least 3 feet tall and having a minimum caliper of ½ inch.

Replant list			
<i><b>Species</b></i>	<i><b>Common name</b></i>	<i><b>Size</b></i>	<i><b># of trees replanted</b></i>
Quercus agrifolia	Coast live oak	5 gallon	57
Pinus radiata	Monterey pine	5 gallon	1

It is possible as the project develops, some crown cleaning, raising or reduction of canopies will be required to obtain proper distance between established trees and the proposed project. Visible decay was present on some trees that will require care for safety and health. This pruning cycle is recommended at the end of construction along with post construction care of the retained trees.

All pruning will be completed by a qualified professional following ISA **B**est **M**anagement **P**runing guidelines.

## **Tree Protection - Before/During/After**

### Planning Phase

1. Before assessing trees and other site structures and conditions, mark the site boundaries on plans and in the field to delineate which trees and stands of trees will be inventoried.
2. Perform a tree inventory that includes at minimum the location, size, and health of each tree and delineates quality stands of trees. Scope of the inventory should be based on communication and needs of the project team (developer, planner, engineer, architect, landscape architect, and other professionals involved), as well as county ordinances. This is the time to confer with the project team on conceptualizations for site design, so that way long- term tree protection and health gets integrated into the design.

### Design Phase

3. Communicate with the project team to accurately site structures and utilities and determine the trees to remain on site. Conserve and protect trees in stands or groups where possible. Make sure the trees and stands of trees selected to be saved go into plans and construction documents. Include in all plans the Tree Protection Zone (TPZ) for all saved trees to avoid conflict with the protected area and placement of structures and utilities during construction.

### Pre-construction Phase

4. Prior to pre-construction activities, including tree removal, access roads, construction staging areas, and building layout, erect tree protection barriers to visually indicate TPZs. Be sure to:
  - ⇒ Use tree protection barriers that are highly visible, sturdy, and restrict entry into the TPZ.
  - ⇒ Install or erect signs along the tree protection barrier stating that no one is allowed to disturb this area.
  - ⇒ Remove any branches or trees that pose an immediate risk to structures or people prior to any construction activities.

### Construction Phase

5. Communicate the intent of the tree protection barriers to the construction manager and workers to ensure that TPZs are not disturbed during construction activities. Have the construction manager sign a contract of compliance.

### Prohibit these activities in the TPZ:

- ⇒ Stockpiling of any type, including construction material, debris, soil, and mulch
- ⇒ Altering soils, including grade changes, surface treatment, and compaction due to vehicle, equipment, and foot traffic
- ⇒ Trenching for utility installation or repair and irrigation system installation
- ⇒ Attaching anything to trunks or use of equipment that causes injury to the tree

7. Schedule site visits to ensure the contract is being met by the construction manager and that tree health is not being compromised by construction activity. Inspect and monitor trees for any decline or damages.

8. Keep in place all tree protection barriers until the project is completed.

### Post-construction Phase

9. Perform a final inspection and continue monitoring after construction. Monitoring includes maintaining mulch, managing soil moisture, assessing tree damage, inspecting for insects and pests, and fertilization if needed.

### Grading Limitations within the Tree Protection Zone

1. Grade changes outside of the TPZ shall not significantly alter drainage to the tree.
2. Grade changes within the TPZ are not permitted.
3. Grade changes under specifically approved circumstances shall not allow more than 6-inches of fill soil added or allow more than 4-inches of existing soil to be removed from natural grade unless mitigated
4. Grade fills over 6-inches or impervious overlay shall incorporate notes: an approved permanent aeration system, permeable material or other approved mitigation.
5. Grade cuts exceeding 4-inches shall incorporate retaining walls or an appropriate transition equivalent.

### Trenching, Excavation and Equipment Use

**Notification.** Contractor shall notify the project arborist a minimum of 24 hours in advance of the activity in the TPZ.

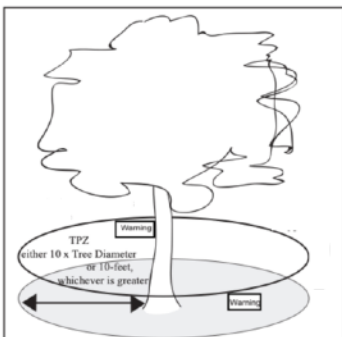
1. **Root Severance.** Roots that are encountered shall be cut to sound wood and repaired. Roots 2-inches and greater must remain injury free.
2. **Excavation.** Any approved excavation, demolition or extraction of material shall be performed with equipment sitting outside the TPZ. Methods permitted are by hand digging, hydraulic or pneumatic air excavation technology. Avoid excavation within the TPZ during hot, dry weather. If excavation or trenching for drainage, utilities, irrigation lines, etc., it is the duty of the contractor to tunnel under any roots 2-inches in diameter and greater. Prior to excavation for foundation/footings/walls, grading or trenching within the TPZ, roots shall first be severed cleanly 1-foot outside the TPZ and to the depth of the future excavation. The trench must then be hand dug and roots pruned with a saw, sawzall, narrow trencher with sharp blades or other approved root pruning equipment.
3. **Heavy Equipment.** Use of backhoes, steel tread tractors or any heavy vehicles within the TPZ is prohibited unless approved by the project arborist. If allowed, a protective root buffer is required. The protective buffer shall consist of a base course of tree chips spread over the root area to a minimum of 6-inch depth, layered by 3/4-inch quarry gravel to stabilize 3/4-inch plywood on top. This buffer within the TPZ shall be maintained throughout the entire construction process.
  - **Structural design.** If injurious activity or interference with roots greater than 2-inches will occur within the TPZ, plans shall specify a design of special foundation, footing, walls, concrete slab or pavement designs subject to project arborist approval. Discontinuous foundations such as concrete pier and structural grade beam must maintain natural grade (not to exceed a 4-inch cut), to minimize root loss and allow the tree to use the existing soil.

### Tree Removal

⇒ Removal of regulated trees shall not be attempted by demolition or construction personnel, grading or other heavy equipment. A certified arborist or tree worker shall remove the tree carefully in a manner that causes no damage above or below ground to trees that are retained.

#### Tree Protection Zone (TPZ) shown in grey

(radius of TPZ equals 10-times the diameter of the tree or 10-feet, whichever is greater).



Tree protection has three primary functions,

- Keep the foliage canopy and branching structure clear from contact by equipment, materials and activities.
- Preserve roots and soil conditions in an intact and non-compacted state.
- Identify the Tree Protection Zone (TPZ) in which no soil disturbance is permitted and activities are restricted, unless otherwise approved.
- The Tree Protection Zone (TPZ) is a restricted area around the base of the tree with a radius of ten-times the diameter of the tree's trunk or ten feet; whichever is greater, enclosed by fencing.

## INSPECTION SCHEDULE

### Fuel Management - Introduction

This fuel management plan has been prepared as a guideline for the implementation of defensible space / vegetation management for the fire safety around the newly proposed residence identified as Lot 49 - #62 Marguerite Carmel, CA. The Fuel Management Zones are specific to the areas where vegetation has been removed or modified in a manner that increases the likelihood that structures will survive wildfires. Improving the defensible space around structures reduces the amount of fuel available for a wildfire.

### California Public Resource Code 4291

Maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line. The amount of fuel modification necessary shall consider the flammability of the structure as affected by building material, building standards, location, and type of vegetation. Fuels shall be maintained and spaced in a condition so that a wildfire burning under average weather conditions would be unlikely to ignite the structure. The intensity of fuels management may vary within the 100-foot perimeter of the structure, with more intense fuel reductions being utilized between 5 and 30 feet around the structure, and an ember-resistant zone being required within 5 feet of the structure.

### Non-Combustible Zone:

#### (0-5 feet)

- Hardscape surfaces including gravel, pavers, decomposed granite and bare soils are all approved non-combustible surfaces.
- Succulent plant species are examples of non-combustible plant materials.
- Plant placement is the most important criteria for fire-resistant plant selection.
- No wooden trellis, climbing vines, trees or shrubs should be integrated into this zone.
- No combustible mulch. Rock mulch is acceptable and has the greatest fire resistance.

### Landscape Zone:

#### (5-30 feet)

Landscape Zones incorporate multiple planting types. All zones are proposed with fire-appropriate plant materials and adequate spacing posing less hazard for ignition. Increase space between trees, remove lower branches and create areas of irrigated landscape islands.

- Safe egress must be maintained regularly along the driveway. It is important to allow for safe passage and to provide a location where firefighter resources can travel and engage in fire response.
- Grassland, and the understory of all oak woodland vegetation should be mowed within 10 feet of the pavement edges.
- All chaparral, coastal scrub and oak/shrub woodland vegetation should be treated to 30 feet from the pavement edge providing both vertical and horizontal clearance.

### Management Zone

#### (30-100 feet)

Understory plants must be kept short, and small lower tree branches must be removed. The understory of oak woodland habitat includes shade tolerant shrubs and grasslands. The goal of this standard is to maintain an existing oak woodland with a short-statured understory of herbaceous plants and shrubs and a tree canopy at least 8 feet above the ground. An initial treatment will be required to prune smaller benches of trees up to 8 feet above the ground and to reduce density and stature of understory shrubs. Annual maintenance could be required to maintain this recommended height.

- Understory vegetation should not be completely removed. Instead, selectively remove non-native flammable species and remove dead branches from desirable native vegetation.
- Native understory shrubs are to be kept free of dead branches and no more than 2.5 feet in height.
- Leaf litter depth should be kept no greater than 4 inches.
- Once initial tree pruning is completed, pruning is likely to be needed less frequently with an interval of three to five years.





## FUEL MANAGEMENT INTRODUCTION

THIS FUEL MANAGEMENT PLAN HAS BEEN PREPARED AS A GUIDELINE FOR THE IMPLEMENTATION OF DEFENSIBLE SPACE/VEGETATION MANAGEMENT FOR THE FIRE SAFETY AROUND THE NEWLY PROPOSED RESIDENCE IDENTIFIED AS 8730 EAGLES ROOST RD. THE FUEL MANAGEMENT ZONES ARE SPECIFIC TO THE AREAS WHERE VEGETATION HAS BEEN REMOVED OR MODIFIED IN MANNER THAT INCREASES THE LIKELIHOOD THAT STRUCTURES WILL SURVIVE WILDFIRES.IMPROVING THE DEFENSIBLE SPACE AROUND STRUCTURES REDUCE THE AMOUNT OF FUEL AVAILABLE FOR A WILDFIRE.

CALIFORNIA PUBLIC RESOURCE CODE 4291  
MAINTAIN DEFENSIBLE SPACE OF 100 FEET FROM EACH SIDE AND FROM THE FRONT AND REAR  
OF THE STRUCTURE, BUT NOT BEYOND THE PROPERTY LINE. THE AMOUNT OF FUEL  
MODIFICATION NECESSARY SHALL CONSIDER THE FLAMMABILITY OF THE STRUCTURE AS  
AFFECTED BY BUILDING MATERIAL, BUILDING STANDARDS, LOCATION, AND TYPE OF  
VEGETATION. FUELS SHALL MAINTAINED AND SPACED IN A CONDITION SO THAT A WILDFIRE  
BURNING UNDER AVERAGE WEATHER CONDITIONS WOULD BE UNLIKELY TO IGNITE THE  
STRUCTURE. THE INTENSITY OF FUELS MANAGEMENT MAY VARY  
WITHIN THE 100-FOOT PERIMETER OF THE STRUCTURE, WITH MORE INTENSE FUEL  
REDUCTIONS BEING UTILIZED BETWEEN 5 AND 30 FEET AROUND THE STRUCTURE, AND AN  
EMBER-RESISTANT ZONE BEING REQUIRED WITHIN 5 FEET OF THE STRUCTURE.

NON-COMBUSTIBLE ZONE  
(0-5 FEET)

- HARDSCAPE SURFACES INCLUDING GRAVEL, PAVERS, DECOMPOSED GRANITE AND BARE SOILS ARE ALL APPROVED. NON-COMBUSTIBLE SURFACES.
- SUCCULENT PLANT SPECIES ARE EXAMPLES OF NON-COMBUSTIBLE PLANT MATERIALS.
- PLANT PLACEMENT IS THE MOST IMPORTANT CRITERIA FOR FIRE-RESISTANT PLANT SELECTION.
- NO WOODEN TRELLIS, CLIMBING VINES, TREES OR SHRUBS SHOULD BE INTEGRATED INTO THIS ZONE."
- NO COMBUSTIBLE MULCH. ROCK MULCH IS ACCEPTABLE AND HAS THE GREATEST FIRE RESISTANCE.

LANDSCAPE ZONE  
(5-30 FEET)

LANDSCAPE ZONES INCORPORATE MULTIPLE PLANTING TYPES. ALL ZONES PROPOSED WITH FIRE-APPROPRIATE PLANT MATERIALS AND ADEQUATE SPACE POSING LESS HAZARD FOR IGNITION. INCREASE SPACE BETWEEN TREES, RE LOWER BRANCHES AND CREATE AREAS OF IRRIGATED LANDSCAPE ISLANDS.

- SAFE EGRESS MUST BE MAINTAINED REGULARLY ALONG THE DRIVEWAY. IT IS IMPORTANT TO ALLOW FOR SAFE PASSAGE AND TO PROVIDE A LOCATION FIREFIGHTER RESOURCES CAN TRAVEL AND ENGAGE IN FIRE RESPONSE.
- GRASSLAND, AND THE UNDER-STORY OF ALL OAK WOODLAND VEGETATION SHOULD BE MOWED WITHIN 10 FEET OF THE PAVEMENT EDGES.
- ALL CHAPARRAL, COASTAL SCRUB AND OAK/SHRUB WOODLAND VEGETATION SHOULD BE TREATED TO 30 FEET FROM THE PAVEMENT EDGE PROVIDING BOTH VERTICAL AND HORIZONTAL CLEARANCE.

MANAGEMENT ZONE  
(30-100 FEET)

UNDERSTORY PLANTS MUST BE KEPT SHORT, AND SMALL LOWER TREE BRANCHES MUST BE REMOVED. THE UNDERSTORY OF OAK WOODLAND HABITAT INCLUDES SHADE TOLERANT SHRUBS AND GRASSLANDS. THE GOAL OF THIS STANDARD IS TO MAINTAIN AN EXISTING OAK WOODLAND WITH A SHORT- STATURED UNDERSTORY OF HERBACEOUS PLANTS AND SHRUBS AND A TREE CANOPY AT LEAST 8 FEET ABOVE THE GROUND. AN INITIAL TREATMENT W/ REQUIRED TO PRUNE SMALLER BENCHES OF TREES UP TO 8 FEET ABOVE THE GROUND AND TO REDUCE DENSITY AND STATURE OF UNDERSTORY SHRUBS. ANNUAL MAINTENANCE COULD BE REQUIRED TO MAINTAIN THIS RECOMMENDED HEIGHT.

- UNDERSTORY VEGETATION SHOULD NOT BE COMPLETELY REMOVED. INSTEAD SELECTIVELY REMOVE NON-NATIVE FLAMMABLE SPECIES AND REMOVE BRANCHES FROM DESIRABLE NATIVE VEGETATION.
- NATIVE UNDERSTORY SHRUBS ARE TO BE KEPT FREE OF DEAD BRANCHES NO MORE THAN 2.5 FEET IN HEIGHT.
- LEAF LITTER DEPTH SHOULD BE KEPT NO GREATER THAN 4 INCHES.
- ONCE INITIAL TREE PRUNING IS COMPLETED, PRUNING IS LIKELY TO BE NEEDED LESS FREQUENTLY WITH AN INTERVAL OF THREE TO FIVE YEARS.

FUEL MANAGEMENT PLAN  
USE PERMIT FOR:

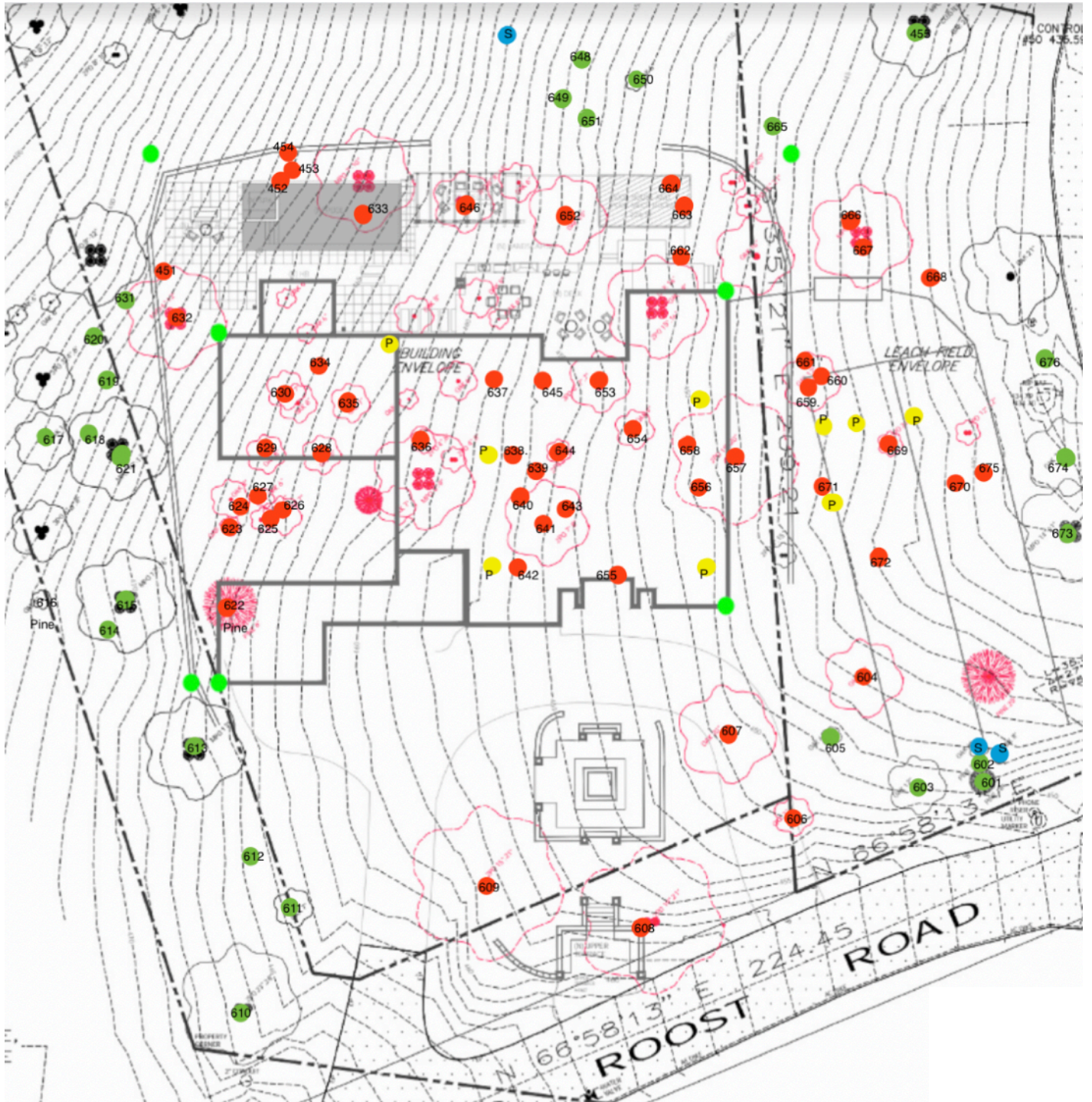
**SAHI RESIDENCE**  
CLIENT: NAVNEET SINGH SAHI  
8730 EAGLES ROOST RD. SALINAS, CA.

DATE	11-26-24
SCALE	AS SHOWN
DRAWN	RC
JOB	09-24
SHEET	

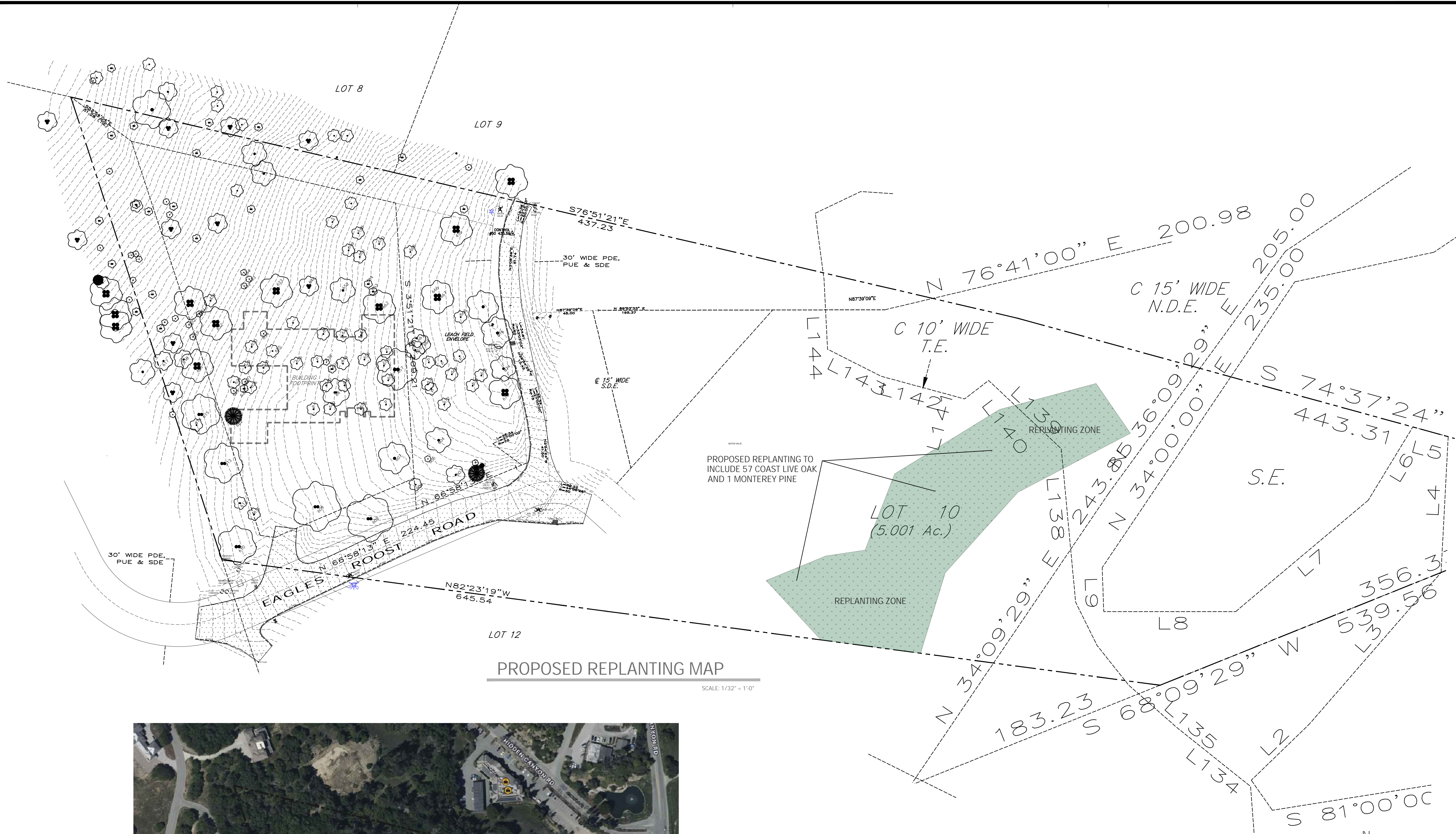
L1



Tree mapping using provided site plan.  
 Yellow represents small <4" DBH Monterey pine for reference only.  
 Blue are low <18" in total height stumps for reference only.  
 Red is requested removals  
 Green are retained trees.  
 Yellow are Monterey pine under 6" DBH. Trees are for making references only.







PROPOSED REPLANTING MAP  
SCALE: 1/32" = 1'-0"



SATELLITE KEY MAP  
NTS

**REPLANTING NOTES**

THE REPLANTING RULES AIM TO MAINTAIN OR RESTORE FOREST COVER FOLLOWING TREE REMOVAL FOR DEVELOPMENT, ENSURING ECOSYSTEM CONTINUITY. THE PRESENCE OF QUERCUS AGRIFOLIA (COAST LIVE OAK) AT A NEARBY SIMILAR SITE SUGGESTS THAT THE PROPOSED SITE AND SOIL CONDITIONS ARE FAVORABLE FOR SUPPORTING NEW TREE GROWTH. REPLANTING IN THIS AREA WILL ENHANCE HABITAT SIZE AND CONNECTIVITY FOR LOCAL WILDLIFE, ALLOWING FOR HEALTHY DEVELOPMENT OF ALL TREES AND FURTHER PROMOTING BIO-DIVERSITY.

- LEGEND**
- PROPOSED BUILDING ENVELOPE
  - PROPOSED REPLANTING SITES

REVISIONS

DATE	BY	DESCRIPTION

MONTEREY BAY  
TREETWORKS

Albert Weissman  
RSA Certified Arborist #1980  
RSA Tree Res. Assessor (Qualified)  
(831) 866-2797  
albertweissman@gmail.com  
montereybaytreetworks.com

PROPOSED REPLANTING MAP  
USE PERMIT FOR:  
**SAHI RESIDENCE**  
CLIENT: NAMEET SINGH SAHI  
8730 EAGLES ROOST RD., SALINAS, CA. 93907

DATE	11-26-24
SCALE	AS SHOWN
DRAWN	RC
JOB	09-24
SHEET	L2

THE USE OF THESE PLANS AND SPECIFICATIONS SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATION HEREOF IS EXPRESSLY LIMITED TO SUCH USE. REUSE, REPRODUCTION, OR PUBLICATION BY ANY METHOD, IN WHOLE OR IN PART, IS PROHIBITED. FILE TO THE PLANS AND SPECIFICATIONS REMAINS WITH THE ARCHITECT, AND VISUAL CONTACT WITH THEM CONSTITUTES A MAJOR FACE EVIDENCE OF THE ACCEPTANCE OF THESE REVISIONS.



BMP's (Pruning) definitions to be followed throughout the course or duration of the project.

**Crown Cleaning** is the removal of dead, dying, diseased, crowded, weakly attached, low-vigor branches, and from a tree's crown. *Dead-wooding* is a *crown-cleaning* practice and commonly includes the removal of dead, dying and low-vigor branches. **Crown-thinning** includes crown cleaning and the selective thinning of branches to increase light penetration and air movement through the crown.

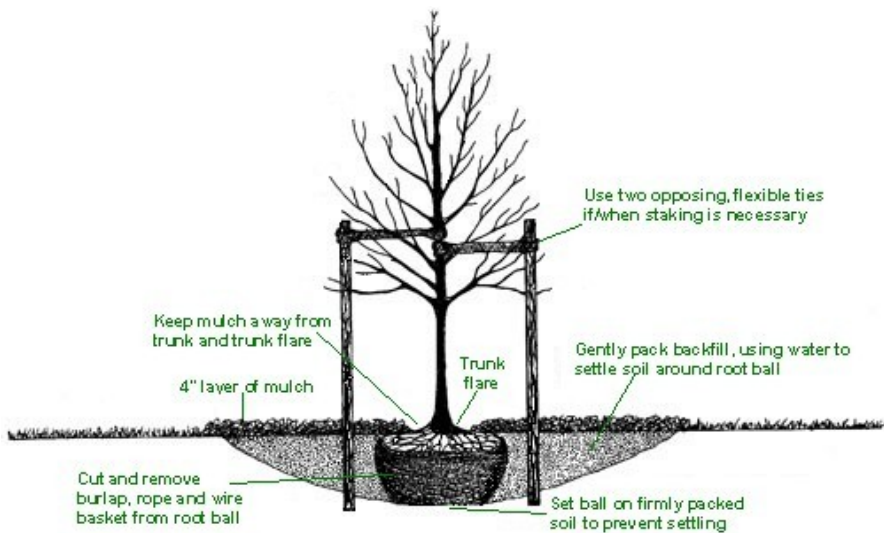
**Crown Raising** removes the lower branches of a tree in order to provide clearance for buildings, vehicles, pedestrians, vistas, etc.

**Crown Reduction** (Crown Shaping) reduces the height and/or spread of a tree, because all too often, it was a poor selection for the site or its landscape use has changed.

**Crown Restoration** is more than a maintenance operation. It is the improvement of the structure, form and appearance of trees whose branches have been severely headed, vandalized, or storm damaged.

### Planting Detail

If trees must be staked, place stakes as low as possible but no higher than 2/3 the height of the tree. Materials used to tie the tree to the stake should be flexible and allow for movement all the way down to the ground so that trunk taper develops correctly. Remove all staking material after roots have established. This can be as early as a few months, but should be no longer than one growing season. Materials used for permanent tree protection should never be attached to the tree.



### Watering Guidelines

Tree Age	Frequency	Quantity	Drip* & Sprinkler*** Run Time
Three days after planted	Fill the watering basin 3 times, using a total of 15-20 gallons	15-20 gallons	Hand watering best at this stage
First three weeks after planting	Fill the watering basin once a week	5-10 gallons	Drip & Bubbler run time: Depends on flow rate
Two - Six months following planting	Fill the watering basin every week or every other week	10-15 gallons	Drip & Bubbler run time: Depends on flow rate
Remainder of first year	Water every other week in absence of soaking rain	10-15 gallons	Drip & Bubbler run time: Depends on flow rate
Year Two	Every two to four weeks when rain is scarce	15-20 gallons	Drip & Bubbler run time: Depends on flow rate
Year Three-Five	Once a month	20-30 gallons	Drip & Bubbler run time: Depends on flow rate

### Certifying Statement

I, Albert Weisfuss, certify that:

- I have personally overseen the inspection of this tree and property referred to in this report, and have stated my findings accurately.
- I have no current or prospective interest in the vegetation or the property that is the subject of this report and have no personal interest or bias with respect to the parties involved.
- The opinions and conclusions stated herein are my own.
- My compensation is not contingent upon the reporting of a predetermined conclusion that favors the cause of the client or any other party.



Albert Weisfuss

November 7, 2024

Date



# County of Monterey

## Item No.2

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: PC 25-057

June 25, 2025

Introduced: 6/17/2025

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

#### **PLN240187 - BOCCONE, NORMAN B & VICTORIA E IGEL CO-TRS AND ELKHORN SLOUGH FOUNDATION**

Public hearing to consider a Coastal Development Permit to allow a Lot Line Adjustment between three legal lots of record consisting of Parcel A (approximately 18.17 acres, APN:

181-151-009-000), Parcel B (approximately 286.05 acres, APN: 181-011-022-000), and Parcel C (approximately 4.58 acres, APN: 181-151-008-000), resulting in three parcels of 13.53 acres (Adjusted Parcel A), 290.14 acres (Adjusted Parcel B), and 5.13 acres (Adjusted Parcel C).

**Project Location:** 827 Elkhorn Road and 695 Elkhorn Road, and a third adjacent parcel without address in Royal Oaks, CA 95076

**Proposed CEQA action:** Consider a Mitigated Negative Declaration (SCH#: 2025050246) and find that no further environmental review is warranted pursuant to Section 15162 of the CEQA Guidelines.

#### RECOMMENDATION:

It is recommended that the County of Monterey Planning Commission adopt a resolution to:

- a. Consider a Mitigated Negative Declaration and find that no further environmental review is warranted pursuant to Section 15162 of the CEQA Guidelines; and
- b. Approve a Lot Line Adjustment between three legal lots of record consisting of Parcel A (approximately 18.17 acres; Assessor's Parcel Number 181-151-009-000), Parcel B, (approximately 286.05 acres; Assessor's Parcel Number 181-011-022-000), and Parcel C (approximately 4.58 acres; Assessor's Parcel Number 181-151-008-000), resulting in three parcels of 13.53 acres (Adjusted Parcel A), 290.14 acres (Adjusted Parcel B), and 5.13 acres (Adjusted Parcel C).

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to six conditions of approval.

#### PROJECT INFORMATION

**Agent:** Norman B. Boccone (applicant)

**Property Owners:** Norman B. Boccone & Victoria E. Igel CO-TRS and Elkhorn Slough Foundation

**APNs:** 181-151-009-000, 181-011-022-000, and 181-151-008-000

**Parcel Sizes:** 18.17 acres, 286.05 acres, and 4.58 acres, respectively

**Zoning:** Rural Density Residential ("RDR")/10(CZ), RDR/40(CZ), RDR/5(CZ)

**Plan Area:** North County Land Use Plan

**Flagged and Staked:** N/A

**Project Planner:** Mary Israel, Supervising Planner

israelm@countyofmonterey.gov; (831) 755-5183

### SUMMARY

The subject parcels are located in a rural residential area, on Elkhorn Slough Road. The largest parcel (approx. 287 acres, APN 181-011-022-000) is the Blohm Ranch which is held in conservation by the Elkhorn Slough Foundation (ESF), and the smallest parcel (approx. 4.6 acres, APN 181-151-008-000) is also owned by the ESF. The midsized parcel (approx. 18 acres, APN 181-151-009-000) is owned by Norman B. Boccone & Victoria E. Igel Co-Trust. The properties are near Kirby Park and the Elkhorn Slough, surrounded residentially developed 5+ acre lots to the southeast and south. This project was referred to the County of Monterey Planning Commission in connection to PLN220229/ Norman B. Boccone & Victoria E. Igel Co-Trust which requires public hearing as a Combined Development Permit. The decision on this project is appealable to the Board of Supervisors.

### PROJECT DESCRIPTION/DISCUSSION

The Project is a Lot Line Adjustment (LLA) between three legal lots of record with a total area of 308.80 acres.

Norman B. Boccone & Victoria E. Igel Co-Trust own Parcel A (approx. 18 acres, APN 181-151-009-000), a vacant residentially zoned parcel, and want to build a residence. This residence is being processed under a separate discretionary permit, subject to separate Planning Commission consideration, PLN220229. An existing shared driveway enters Parcel A from Elkhorn Slough Road and exits it onto Parcel C, which is owned by ESF (approx. 4.6 acres, APN 181-151-008-000). Under the current configuration of Parcel A, Boccone and Igel would need to construct a private driveway for the proposed residence on slopes in excess of 25 percent, resulting in excessive ground disturbance and Coast live oak tree removals on said steeper slopes. Therefore, in order to comply with North County LUP Resource Management policies that require development to be sited off steep slopes, minimize tree removal, and minimize ground disturbance, the owners want to adjust Parcel A's boundaries to construct a shorter driveway on flatter ground, which is currently part of Parcel C. To accomplish this, Boccone and Igel have worked with the adjacent property owner, ESF, to propose this LLA. The LLA rearranges acreage to achieve three primary goals: 1) allow a shorter driveway to the proposed residence on Parcel A by receiving 0.48 acres from Parcel C, 2) protect approximately 5 acres of contiguous oak woodland on Parcel A by transferring 4.09 acres to Parcel B and 1.03 acres to Parcel C, both of which are under ownership by ESF; and 3) bringing Parcel C into compliance with minimum building site requirements (5 acres) by receiving 1.03 acres from Parcel A.



The LLA between these three legal lots of record is proposed as follows:

- Parcel A, currently 18.17 acres in size (181-151-009-000), will gain 0.48 acres from Parcel C (181-151-008-000) and donate 1.03 acres to Parcel C; in sum will be adjusted to 13.53 acres. It is zoned Rural Density Residential ("RDR")/10(CZ) and is currently vacant, other than a shared private drive. A residence and site improvements are being concurrently processed under PLN220229.
- Parcel B, currently 286.05 acres in size (181-011-022-000), will be adjusted to 290.14 acres. It is zoned RDR/40(CZ). This parcel includes an existing residence with a septic system.
- Parcel C, currently 4.58 acres in size (181-151-008-000), will lose 0.48 acre from the southwestern corner to Parcel A and will gain 1.03 acre from Parcel A, adding to the northwest corner. In sum, Parcel C will be adjusted to 5.13 acres. It is zoned RDR/5(CZ). This parcel has a shared drive formalized in a December 31, 1979 agreement in Reel 1381 of Official Records, Page 285, but there is no residential development.

No resulting lots will be of a size or shape that are inconsistent with the underlying zoning district (RDR). Title 20 section 20.16.060.A requires RDR zoned properties to have a minimum building site of 5 acres. As described above, all resulting parcels will exceed the minimum 5 acre building site requirement. Parcels A, B, and C have varied maximum density development standards - 10 acres per unit, 40 acres per unit, and 5 units per acre, respectively.

With implementation of the proposed LLA, and subject to approval of PLN220229, Adjusted Parcel A would include the private driveway connection to a shared private driveway, construction of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, solar energy system, water storage tanks and on-site wastewater treatment system. Adjusted Parcel B would retain its existing residence, and Adjusted Parcel C would continue to be vacant, except for an existing access easement.

The lot line adjustment is consistent with Title 19 (Coastal), the 1982 General Plan, and the Coastal Zoning Ordinance (Title 20). The resulting lots are of suitable size and shape for their respective zoning districts and will serve purposes allowable in RDR zoned lands. No new lots would be created. Sufficient access is provided to all three lots. The LLA will not result in foreseeable development being sited on slopes in excess of 30 percent and will allow Parcel A's driveway to be sited off of steeper slopes. The LLA will not cause excessive grading; it will remove the need for a lengthier private driveway to connect with the existing shared private drive on the same parcel.

### CEQA

California Environmental Quality Act (CEQA) Guidelines Section 15162 states that when a negative declaration has been adopted for a project, no subsequent environmental document shall be prepared unless the lead agency determines, on the basis of substantial evidence in the light of whole record, unless substantial changes are proposed in the project or with respect to the circumstances under which the project is undertaken, or new information of substantial importance which was not known has come forward since the adoption of the negative declaration.

An Initial Study/Mitigated Negative Declaration (IS/MND) (SCH# 2025050246) was prepared by the County of Monterey and analyzed the project as a whole: the proposed LLA, single-family dwelling, guesthouse, garage, and other associated site improvements on Parcel A. This IS/MND will be considered by the Planning Commission concurrent with consideration of the proposed development on Parcel A (PLN220229). The IS found that implementation of the proposed LLA (PLN240178) would not result in any direct or indirect physical impacts to the environment. However, the IS/MND found that potential direct and indirect impacts on the environment would result from the residential development proposed under PLN220229, and thus recommends mitigation measures to lessen the severity of impact, for which responsibilities are assigned to Boccone & Igel. The proposed LLA is the same as the one described in the IS/MND. Pursuant to CEQA Guidelines section 15162, there is no change, substantial or otherwise, in the project, the circumstances, or the available information about the project that warrants additional environmental review.

### LAND USE ADVISORY COMMITTEE

On November 20, 2024, the North County Land Use Advisory Committee reviewed the project and voted unanimously to recommend approval as proposed (7 ayes, 0 noes, 2 absent) to support the project as proposed (**Exhibit B**). No concerns or comments were raised by the LUAC or members of the public.

### OTHER AGENCY INVOLVEMENT

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

- HCD-Engineering Services
- Environmental Health Bureau
- HCD-Environmental Services
- North County Fire Protection District

Prepared by: Mary Israel, Supervising Planner, [israelm@countyofmonterey.gov](mailto:israelm@countyofmonterey.gov)

Reviewed by: Fionna Jensen, Principal Planner

Approved by: Melanie Beretti, AICP, Chief of Planning

The following attachments are on file with HCD:

Exhibit A - Draft Resolution including:

- Recommended Conditions of Approval
- Lot Line Adjustment Map

Exhibit B - LUAC Meeting Minutes for November 20, 2024

Exhibit C - Mitigated Negative Declaration

cc: Front Counter Copy; North County Fire Protection District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Mary Israel, Project Planner; Fionna Jensen, Principal Planner; Norman B. Boccone & Victoria E. Igel, Property Owners; Elkhorn Slough Foundation, Property Owner; Lozeau Drury LLP; The Open Monterey Project; (Molly Erickson); LandWatch (Executive Director); Christina McGinnis, Keep Big Sur Wild; Planning File PLN240187.



# County of Monterey Planning Commission

## Agenda Item No.2

Legistar File Number: PC 25-057

## Item No.2

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

June 25, 2025

Introduced: 6/17/2025

Version: 1

Current Status: Agenda Ready

Matter Type: Planning Item

### **PLN240187 - BOCCONE, NORMAN B & VICTORIA E IGEL CO-TRS AND ELKHORN SLOUGH FOUNDATION**

Public hearing to consider a Coastal Development Permit to allow a Lot Line Adjustment between three legal lots of record consisting of Parcel A (approximately 18.17 acres, APN:

181-151-009-000), Parcel B (approximately 286.05 acres, APN: 181-011-022-000), and Parcel C (approximately 4.58 acres, APN: 181-151-008-000), resulting in three parcels of 13.53 acres (Adjusted Parcel A), 290.14 acres (Adjusted Parcel B), and 5.13 acres (Adjusted Parcel C).

**Project Location:** 827 Elkhorn Road and 695 Elkhorn Road, and a third adjacent parcel without address in Royal Oaks, CA 95076

**Proposed CEQA action:** Consider a Mitigated Negative Declaration (SCH#: 2025050246) and find that no further environmental review is warranted pursuant to Section 15162 of the CEQA Guidelines.

#### RECOMMENDATION:

It is recommended that the County of Monterey Planning Commission adopt a resolution to:

- a. Consider a Mitigated Negative Declaration and find that no further environmental review is warranted pursuant to Section 15162 of the CEQA Guidelines; and
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The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to six conditions of approval.

#### PROJECT INFORMATION

**Agent:** Norman B. Boccone (applicant)

**Property Owners:** Norman B. Boccone & Victoria E. Igel CO-TRS and Elkhorn Slough Foundation

**APNs:** 181-151-009-000, 181-011-022-000, and 181-151-008-000

**Parcel Sizes:** 18.17 acres, 286.05 acres, and 4.58 acres, respectively

**Zoning:** Rural Density Residential ("RDR")/10(CZ), RDR/40(CZ), RDR/5(CZ)

**Plan Area:** North County Land Use Plan

**Flagged and Staked:** N/A

**Project Planner:** Mary Israel, Supervising Planner

israelm@countyofmonterey.gov; (831) 755-5183

### SUMMARY

The subject parcels are located in a rural residential area, on Elkhorn Slough Road. The largest parcel (approx. 287 acres, APN 181-011-022-000) is the Blohm Ranch which is held in conservation by the Elkhorn Slough Foundation (ESF), and the smallest parcel (approx. 4.6 acres, APN 181-151-008-000) is also owned by the ESF. The midsized parcel (approx. 18 acres, APN 181-151-009-000) is owned by Norman B. Boccone & Victoria E. Igel Co-Trust. The properties are near Kirby Park and the Elkhorn Slough, surrounded residentially developed 5+ acre lots to the southeast and south. This project was referred to the County of Monterey Planning Commission in connection to PLN220229/ Norman B. Boccone & Victoria E. Igel Co-Trust which requires public hearing as a Combined Development Permit. The decision on this project is appealable to the Board of Supervisors.

### PROJECT DESCRIPTION/DISCUSSION

The Project is a Lot Line Adjustment (LLA) between three legal lots of record with a total area of 308.80 acres.

Norman B. Boccone & Victoria E. Igel Co-Trust own Parcel A (approx. 18 acres, APN 181-151-009-000), a vacant residentially zoned parcel, and want to build a residence. This residence is being processed under a separate discretionary permit, subject to separate Planning Commission consideration, PLN220229. An existing shared driveway enters Parcel A from Elkhorn Slough Road and exits it onto Parcel C, which is owned by ESF (approx. 4.6 acres, APN 181-151-008-000). Under the current configuration of Parcel A, Boccone and Igel would need to construct a private driveway for the proposed residence on slopes in excess of 25 percent, resulting in excessive ground disturbance and Coast live oak tree removals on said steeper slopes. Therefore, in order to comply with North County LUP Resource Management policies that require development to be sited off steep slopes, minimize tree removal, and minimize ground disturbance, the owners want to adjust Parcel A's boundaries to construct a shorter driveway on flatter ground, which is currently part of Parcel C. To accomplish this, Boccone and Igel have worked with the adjacent property owner, ESF, to propose this LLA. The LLA rearranges acreage to achieve three primary goals: 1) allow a shorter driveway to the proposed residence on Parcel A by receiving 0.48 acres from Parcel C, 2) protect approximately 5 acres of contiguous oak woodland on Parcel A by transferring 4.09 acres to Parcel B and 1.03 acres to Parcel C, both of which are under ownership by ESF; and 3) bringing Parcel C into compliance with minimum building site requirements (5 acres) by receiving 1.03 acres from Parcel A.



The LLA between these three legal lots of record is proposed as follows:

- Parcel A, currently 18.17 acres in size (181-151-009-000), will gain 0.48 acres from Parcel C (181-151-008-000) and donate 1.03 acres to Parcel C; in sum will be adjusted to 13.53 acres. It is zoned Rural Density Residential ("RDR")/10(CZ) and is currently vacant, other than a shared private drive. A residence and site improvements are being concurrently processed under PLN220229.
- Parcel B, currently 286.05 acres in size (181-011-022-000), will be adjusted to 290.14 acres. It is zoned RDR/40(CZ). This parcel includes an existing residence with a septic system.
- Parcel C, currently 4.58 acres in size (181-151-008-000), will lose 0.48 acre from the southwestern corner to Parcel A and will gain 1.03 acre from Parcel A, adding to the northwest corner. In sum, Parcel C will be adjusted to 5.13 acres. It is zoned RDR/5(CZ). This parcel has a shared drive formalized in a December 31, 1979 agreement in Reel 1381 of Official Records, Page 285, but there is no residential development.

No resulting lots will be of a size or shape that are inconsistent with the underlying zoning district (RDR). Title 20 section 20.16.060.A requires RDR zoned properties to have a minimum building site of 5 acres. As described above, all resulting parcels will exceed the minimum 5 acre building site requirement. Parcels A, B, and C have varied maximum density development standards - 10 acres per unit, 40 acres per unit, and 5 units per acre, respectively.

With implementation of the proposed LLA, and subject to approval of PLN220229, Adjusted Parcel A would include the private driveway connection to a shared private driveway, construction of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, solar energy system, water storage tanks and on-site wastewater treatment system. Adjusted Parcel B would retain its existing residence, and Adjusted Parcel C would continue to be vacant, except for an existing access easement.

The lot line adjustment is consistent with Title 19 (Coastal), the 1982 General Plan, and the Coastal Zoning Ordinance (Title 20). The resulting lots are of suitable size and shape for their respective zoning districts and will serve purposes allowable in RDR zoned lands. No new lots would be created. Sufficient access is provided to all three lots. The LLA will not result in foreseeable development being sited on slopes in excess of 30 percent and will allow Parcel A's driveway to be sited off of steeper slopes. The LLA will not cause excessive grading; it will remove the need for a lengthier private driveway to connect with the existing shared private drive on the same parcel.

### CEQA

California Environmental Quality Act (CEQA) Guidelines Section 15162 states that when a negative declaration has been adopted for a project, no subsequent environmental document shall be prepared unless the lead agency determines, on the basis of substantial evidence in the light of whole record, unless substantial changes are proposed in the project or with respect to the circumstances under which the project is undertaken, or new information of substantial importance which was not known has come forward since the adoption of the negative declaration.

An Initial Study/Mitigated Negative Declaration (IS/MND) (SCH# 2025050246) was prepared by the County of Monterey and analyzed the project as a whole: the proposed LLA, single-family dwelling, guesthouse, garage, and other associated site improvements on Parcel A. This IS/MND will be considered by the Planning Commission concurrent with consideration of the proposed development on Parcel A (PLN220229). The IS found that implementation of the proposed LLA (PLN240178) would not result in any direct or indirect physical impacts to the environment. However, the IS/MND found that potential direct and indirect impacts on the environment would result from the residential development proposed under PLN220229, and thus recommends mitigation measures to lessen the severity of impact, for which responsibilities are assigned to Boccone & Igel. The proposed LLA is the same as the one described in the IS/MND. Pursuant to CEQA Guidelines section 15162, there is no change, substantial or otherwise, in the project, the circumstances, or the available information about the project that warrants additional environmental review.

### LAND USE ADVISORY COMMITTEE

On November 20, 2024, the North County Land Use Advisory Committee reviewed the project and voted unanimously to recommend approval as proposed (7 ayes, 0 noes, 2 absent) to support the project as proposed (**Exhibit B**). No concerns or comments were raised by the LUAC or members of the public.

### OTHER AGENCY INVOLVEMENT

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

- HCD-Engineering Services
- Environmental Health Bureau
- HCD-Environmental Services
- North County Fire Protection District

Prepared by: Mary Israel, Supervising Planner, [israelm@countyofmonterey.gov](mailto:israelm@countyofmonterey.gov)

Reviewed by: Fionna Jensen, Principal Planner

Approved by: Melanie Beretti, AICP, Chief of Planning

The following attachments are on file with HCD:

Exhibit A - Draft Resolution including:

- Recommended Conditions of Approval
- Lot Line Adjustment Map

Exhibit B - LUAC Meeting Minutes for November 20, 2024

Exhibit C - Mitigated Negative Declaration

cc: Front Counter Copy; North County Fire Protection District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Mary Israel, Project Planner; Fionna Jensen, Principal Planner; Norman B. Boccone & Victoria E. Igel, Property Owners; Elkhorn Slough Foundation, Property Owner; Lozeau Drury LLP; The Open Monterey Project; (Molly Erickson); LandWatch (Executive Director); Christina McGinnis, Keep Big Sur Wild; Planning File PLN240187.

# Exhibit A



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## Draft Resolution

### Before the Planning Commission in and for the County of Monterey, State of California

In the matter of the application of:

**BOCCONE, NORMAN B & VICTORIA E IGEL CO-TRS AND ELKHORN SLOUGH  
FOUNDATION (PLN240187)**

#### **RESOLUTION NO. 25-**

Resolution by the County of Monterey Planning  
Commission:

- 1) Considering a previously adopted Mitigated Negative Declaration (SCH# 2025050246) and finding that no further environmental review is warranted pursuant to CEQA Guidelines section 15162; and
- 2) Approving a Lot Line Adjustment between three legal lots of record, consisting of Parcel A (approximately 18.17 acres; Assessor's Parcel Number 181-151-009-000), Parcel B (approximately 286.05 acres; Assessor's Parcel Number 181-011-022-000), and Parcel C (approximately 4.58 acres; Assessor's Parcel Number 181-151-008-000), resulting in three parcels of 13.53 acres (Adjusted Parcel A), 290.14 acres (Adjusted Parcel B), and 5.13 acres (Adjusted Parcel C).

[PLN240187, Norman Boccone and Victoria Igel Co-Trust and Elkhorn Slough Foundation, (Assessor's Parcel Numbers 181-151-009-000, 181-011-022-000 and 181-011-022-000), North County Land Use Plan Coastal Zone]

**The BOCCONE AND VICTORIA IGEL CO-TRUST AND ELKHORN SLOUGH FOUNDATION (PLN240187) Lot Line Adjustment came on for public hearing before the County of Monterey Planning Commission on June 25, 2025. Having considered all the written and documentary evidence, the administrative record, the staff report, and other evidence presented, the Planning Commission finds and decides as follows:**

#### **FINDINGS**

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

- EVIDENCE:** a) The proposed project is a Lot Line Adjustment (LLA) among three legal lots of record, consisting of:
- Parcel A (APN: 181-151-009-000), a legal parcel currently 18.17 acres in size, will gain 0.48 acres from Parcel C (APN: 181-151-008-000) and transfer 1.03 acres to Parcel C and 4.09 acres to Parcel B. In sum, Adjusted Parcel A will be 13.53 acres.
  - Parcel B, a legal parcel currently 286.05 acres in size (APN:181-011-022-000), will receive 4.09 acres from Parcel A. In sum, Adjusted Parcel B will be 290.14 acres.
  - Parcel C, a legal parcel currently 4.58 acres in size (APN:181-151-008-000), will transfer 0.48 acres from the southwestern corner to Parcel A and will gain 1.03 acres from Parcel A, adding to the northwest corner. In sum, Adjusted Parcel C will be 5.13 acres.

The LLA is associated with residential development on Parcel A (PLN220229, Planning Commission Resolution No. -----). Parcel A is mostly sloped and wooded, and the proposed parcel reconfiguration allows Boccone & Igel to own and utilize a flatter, less wooded area to develop a shorter and less impactful driveway. The driveway and associated residential development are proposed under PLN220229. The LLA transfers approximately four acres of oak woodland to the Elkhorn Slough Foundation's large parcel in conservation stewardship, Parcel B, as an exchange for the ESF's land given from Parcel C. The LLA also transfers an additional 1.03 acres to Parcel C to bring it into conformance with the minimum building site area for the zoning district (five acres). The boundary adjustments conform to the Rural Density Residential zoning standards (see subsequent Evidence "d").

- b) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
- the 1982 County of Monterey General Plan;
  - North County Land Use Plan;
  - County of Monterey Coastal Subdivision Ordinance (Title 19); and
  - County of Monterey Coastal Zoning Ordinance (Title 20).

No significant conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

- c) Lot Legality. The project is a LLA between fewer than four existing adjoining parcels that the County recognizes as legal lots of record. Parcel A was in the ownership of Dean and Georgina Sanders, shown in the same configuration on the 1972 Assessor Parcel Map, Book 181, Page 1. Parcel A met the underlying zoning requirements in 1972 (Rural or "N" zoning district, minimum lot size 20,000 square



feet); therefore, Parcel A is recognized as a legal lot of record. Parcel B was created by Quitclaim Deed to Estelle M. Blohm dated October 24, 1967 in Reel 527, Page 929 of County of Monterey records. This deed's legal description matches the current size and shape of Parcel B and conforms to the zoning regulations at the time (Rural or "N" zoning district, minimum lot size 20,000 square feet). Therefore, Parcel B is recognized by the County as a legal lot of record. Parcel C was described in a Grant Deed to Shirley Anne Brinkley dated March 3, 1972 in Reel 757, Page 301 of County of Monterey Records. This deed's legal description matches the current size and shape of Parcel C and conforms with the zoning regulations at the time (Rural or "N" zoning district, minimum lot size 20,000 square feet). Therefore, Parcel C is recognized by the County as a legal lot of record.

- d) Allowed Uses and Site Development Standards. The properties are located at 827 Elkhorn Road and 695 Elkhorn Road and a third adjacent parcel without address in Royal Oaks, (Assessor's Parcel Numbers 181-151-009-000, 181-011-022-000 and 181-151-008-000), in the North County Land Use Plan area. The parcels are zoned Rural Density Residential ("RDR") and have three different density requirements.

- Parcel A has a density requirement of 10 acres per unit (RDR)/10(CZ). This parcel is currently vacant, other than a shared private drive. A residence and site improvements are being concurrently processed under PLN220229. Adjusted Parcel A will conform to the allowed density.
- Parcel B has a density requirement of 40 acres per unit (RDR)/40(CZ). This parcel includes an existing residence with a septic system. Adjusted Parcel B will conform to the allowed density.
- Parcel C has a density requirement of 5 acres per unit (RDR)/5(CZ). This parcel has a shared drive formalized in a December 31, 1979, agreement in Reel 1381 of Official Records, Page 285, but there is no residential development

As described above, development on Adjusted Parcel A is proposed through PLN220229. No development is proposed under this permit (PLN240187). The reconfiguration of the parcels will not otherwise intensify groundwater use or impacts to natural resources or create potential development beyond what currently exists. Minimum building site for the RDR zoning district is 5 acres. Parcels A and B meet this requirement; however, Parcel C is only 4.58 acres and therefore is non-conforming to the minimum building site acreage. With the implementation of the LLA, Adjusted Parcel A -- 13.53 acres and Adjusted Parcel B -- 290.14 acres will continue to the minimum lot size, and Adjusted Parcel C -- 5.13 acres will come into compliance with the minimum building site requirement. The building site coverage requirements for the RDR/10(CZ) and

RDR/40(CZ) zoned parcels (Adjusted Parcels A and B) will continue to be met, as they will result in parcels of 13.53 acres and 290.14 acres, respectively. Finally, all setback requirements will continue to be complied with. Therefore, the project is an allowed land use for this site, and the LLA ensures compliance with required site development standards.

- e) Land Use Advisory Committee. The project was referred to the North County Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors, this application warranted referral to the LUAC because it involves a lot line adjustment in the coastal zone. In a duly-noticed hearing on November 20, 2024, the LUAC voted unanimously to recommend approval as proposed (7 ayes, 0 noes, 2 absent).
- f) LUP Visual Resources. During a site visit on May 7, 2024, staff assessed the potential viewshed impact of the shorter driveway area that would result from this LLA as viewed from Elkhorn Slough Road, which is classified as a scenic corridor in the North County LUP, and Highway 1, which is classified as a scenic highway, and from the Elkhorn Slough's trail and trailheads, also public viewing areas. The areas that are proposed for exchange in this LLA are not within the viewsheds from these roadways or from Elkhorn Slough due to topography, vegetation, and distance.
- g) Subdivision Map Act Consistency. Pursuant to section 66412(d) of the Subdivision Map Act (SMA), the SMA is inapplicable to this LLA because the final outcome of the LLA is not more than four adjoining parcels, and a greater number of parcels than previously existed is not being created. See also Finding No. 6 and supporting evidence.
- h) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD Planning Services for the proposed development found in Project File PLN240187.

**2. FINDING: SITE SUITABILITY** – The site is physically suitable for the use proposed.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: HCD Planning Services, North Monterey County Fire Protection District, HCD Engineering Services, HCD Environmental Services and the County of Monterey Environmental Health Bureau (EHB). There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended by HCD Planning have been incorporated.
  - b) Parcel C was granted to the Elkhorn Slough Foundation for the purpose of resource protection and enhancement, consistent with the

Elkhorn Slough Wetland Management Plan of 1988 (as it may be revised from time to time). By transferring approximately 4 acres from Parcel A (Boccone & Igel) to Parcel B (Elkhorn Slough Foundation, or ESF), the area will be protected as an environmental resource. The transfer was negotiated between the parties so that Boccone & Igel can own and utilize the 0.48 acre area on ESF's Parcel C between the existing shared drive and a new residential development proposed by PLN220229 on Parcel A. The owners will use the 0.48 acres area of Parcel C to install a driveway for the residence. The 0.48-acre area is more suitable for driveway installation than areas on Parcel A, where steep slopes and oak woodland occupy potential areas for a driveway.

- c) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD Planning Services for the proposed development are found in Project File PLN240187.

**3. FINDING:**

**HEALTH AND SAFETY** – The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

**EVIDENCE:**

- a) The project was reviewed by the HCD Planning Services, North Monterey County Fire Protection District, HCD Engineering Services, HCD Environmental Services and County of Monterey EHB. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
- b) EHB records confirmed the presence of a well within Parcel A, Elkhorn Road Water System #9 (a small water system with six available connections), that provides drinking water to four other parcels. Parcel B has an onsite wastewater treatment system (OWTS), a well, and a residential dwelling, and as adjusted, meets horizontal setback requirements outlined in Monterey County Code (MCC) 15.20 and the Monterey County Local Agency Management Plan (LAMP). EHB reviewed a planned OWTS for Parcel A (as part of residential development in project PLN220229) and found that there will be an adequate amount of future OWTS replacement area on the parcel with the implementation of this lot line adjustment. There is no proposed dwelling on Parcel C at this time; however, based on size, it is presumed that there is sufficient room for a future OWTS, and water could be served by either Elkhorn Road Water System #9 or the existing well on Parcel B (property under common ownership).



Accordingly, EHB found Parcel C acceptable for the LLA to proceed as proposed without additional requirements or conditions.

- c) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD Planning Services for the proposed development are found in Project File PLN240187.

4. **FINDING:** **NO VIOLATIONS** – The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County’s zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed Monterey County HCD Planning Services and Building Services records and is not aware of any violations existing on subject property.
  - b) There are no known violations on the subject parcels.
  - c) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD Planning Services for the proposed development are found in Project File PLN240187.

5. **FINDING:** **CEQA (Previously Mitigated Negative Declaration)** –A Mitigated Negative Declaration was previously adopted for the project, and in accordance with CEQA Guidelines section 15162, the proposed LLA does not require any further environmental documentation.

- EVIDENCE:**
- a) Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, when an EIR has been certified or a negative declaration has been adopted, no subsequent EIR or negative declaration shall be prepared for the project unless the agency determines that substantial changes are proposed, or substantial changes occur with respect to the circumstances under which the project is undertaken. In this case, no new information has been presented to warrant further environmental review. None of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred.
  - b) On June 25, 2025, the County of Monterey Planning Commission adopted a Mitigated Negative Declaration for the construction of the (SCH No. 2025050246), pursuant to Planning Commission Resolution No. -----.
  - c) An Initial Study/Mitigated Negative Declaration (IS/MND) (SCH# 2025050246) analyzed the project as a whole: the proposed LLA, single-family dwelling, guesthouse, garage, and other associated site improvements on Parcel A.
  - d) Resource areas that were analyzed in the Draft IS/MND included: aesthetics, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation, tribal cultural resources, utilities/service systems, and wildfire. Potentially significant impacts were identified on biological

and tribal cultural resources. Eleven mitigation measures were adopted to reduce identified impacts to less than significant.

- e) The County identified no impacts to agriculture and forest resources, mineral resources, population and housing, public services, and recreation.
- f) No new information of substantial importance has been identified which was not known at the time the Mitigated Negative Declaration was adopted which would indicate that: the project would have significant effects which have not been evaluated, an increase in severity for any potential environmental effects, or the modification of any of the adopted mitigation measures.
- g) No substantial changes have occurred with respect to the circumstances under which the project is undertaken which would involve new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- h) There are no significant adverse impacts associated with the project that have not been adequately analyzed and mitigated in the MMRP adopted by Planning Commission Resolution No. -----.
- i) None of the previously adopted mitigation measures are applied to this project as no impacts on the environment will occur with the implementation of this lot line adjustment.
- j) Evidence that has been received and considered includes: the application, technical studies/reports, staff reports that reflect the County's independent judgment, comment letters, and information and testimony presented during public meetings and the Planning Commission hearing. These documents are on file in HCD-Planning (File Nos. PLN220229 and PLN240187) and are hereby incorporated herein by reference.
- k) County of Monterey HCD-Planning, located at 1441 Schilling Place, 2nd Floor, Salinas, California, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the MND is based.

**6. FINDING:**

**LOT LINE ADJUSTMENT** – Section 66412 of the California Government Code (Subdivision Map Act) Title 19 (Subdivision Ordinance) of the Monterey County Code states that lot line adjustments may be granted based upon the following findings:

1. The LLA is between four (or fewer) existing adjoining parcels;
2. A greater number of parcels than originally existed will not be created as a result of the LLA; and
3. The parcels resulting from the LLA conform to the County's 1982 General Plan, the North County Land Use Plan, and applicable building ordinances and do not conflict in a significant way with Title 20, the applicable Zoning Ordinance.

**EVIDENCE:** a) The subject parcels are zoned Rural Density Residential and each has a different density requirement as discussed in Finding 1, Evidence

“d.” The LLA is consistent with the Title 20 development density and building site area requirements. As described in Finding 1, Evidence “a” and “b”, the intent of the policies and regulations of the 1982 General Plan and the North County Area Plan is met. (See Finding No. 1 for consistency review.)

- b) Three contiguous separate legal parcels of record will be adjusted, and three contiguous separate legal parcels of record will result from the adjustment. Therefore, the lot line adjustment will not create a greater number of parcels than originally existed.
- c) The proposed lot line adjustment is consistent with the Monterey County Zoning Ordinance (Title 20). County staff verified that the subject property complies with all rules and regulations pertaining to the use of the property, and that no violations exist on the property (see Finding Nos. 1, 2, 3, and 4; and supporting evidence).
- d) The subject properties are zoned for residential purposes. Parcels B is developed with a single-family dwelling, and Parcels A and C are vacant at the time of this permit. No changes in residential use are proposed. None of the property area is under a Williamson Act contract or used for agricultural purposes.
- e) No map is recorded for a LLA because it is a process excluded from the Subdivision Map Act. In order to appropriately document the boundary changes, a Certificate of Compliance for each new lot is required per a standard condition of approval.
- f) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD Planning Services for the proposed development are found in Project File PLN240187.

**7. FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and applicable Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) No public access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.145.150 of the County of Monterey Coastal Implementation Plan can be demonstrated.
  - b) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over the areas that are proposed for transfer.
  - c) The subject project site is located on Elkhorn Road more than 1 and ¼ miles from Highway 1 and is on Elkhorn Slough Road, accessed by a private driveway. The area is not illustrated or described as one requiring physical public access pursuant to the Local Coastal Program (Figure 4, Public Access and Recreation, in the North County LUP).
  - d) The subject project site is identified as an area adjacent to Elkhorn Slough, where the Local Coastal Program requires visual public access



(Figure 4, Public Access and Recreation, in the North County LUP). Visual impacts were analyzed in the IS/MND and were found to be less than significant.

- 8. FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.
- EVIDENCE:**
- a) Section 19.16.020.A of the Monterey County Zoning Ordinance and Section 20.86.030 of the Monterey County Zoning Ordinance (Title 20) allows an appeal to be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.
  - b) Coastal Commission. Pursuant to Title 20 section 20.86.080.A, the project is subject to appeal by/to the California Coastal Commission because it involves development project involving development that is permitted in the underlying zone as a conditional use.

## **DECISION**

**NOW, THEREFORE**, based on the above findings and evidence, the County of Monterey Planning Commission does hereby:

- 1) Consider a previously adopted Mitigated Negative Declaration (SCH# 2025050246) and finding that no further environmental review is warranted pursuant to CEQA Guidelines section 15162; and
- 2) Approve a Lot Line Adjustment between three legal lots of record consisting of Parcel A (approximately 18.17 acres; Assessor's Parcel Number 181-151-009-000), Parcel B (approximately 286.05 acres; Assessor's Parcel Number 181-011-022-000), and Parcel C (approximately 4.58 acres; Assessor's Parcel Number 181-151-008-000), resulting in three parcels of 13.53 acres (Adjusted Parcel A), 290.14 acres (Adjusted Parcel B), and 5.13 acres (Adjusted Parcel C), respectively.

All of which are in general conformance with the attached sketch and subject to the attached six conditions, all being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 25<sup>th</sup> day of June, 2025, upon motion of \_\_\_\_\_, seconded by \_\_\_\_\_, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

Melanie Beretti, AICP  
Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE [DATE]

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION-MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.



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# County of Monterey HCD Planning

## DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN240187

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** This Coastal Development permit (PLN240187) allows a Lot Line Adjustment among three legal lots of record consisting of Parcel A, approximately 18.17 acres (Assessor's Parcel Number 181-151-009-000), Parcel B, approximately 286.05 acres (Assessor's Parcel Number 181-011-022-000), and Parcel C, approximately 4.58 acres (Assessor's Parcel Number 181-151-008-000). The adjustment would result in three parcels of 13.53 acres (Adjusted Parcel A), 290.14 acres (Adjusted Parcel B), and 5.13 acres (Adjusted Parcel C), respectively. The properties are located at 827 Elkhorn Road and 695 Elkhorn Road, and a third adjacent parcel without address in Royal Oaks (Assessor's Parcel Number 181-151-009-000, 181-011-022-000 and 181-151-008-000), North County Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of HCD - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD - Planning)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

## 2. PD002 - NOTICE PERMIT APPROVAL

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall record a Permit Approval Notice. This notice shall state:  
"A Coastal Development Permit (Resolution Number \_\_\_\_\_) was approved by Planning Commission for Assessor's Parcel Numbers 181-151-009-000, 181-011-022-000 and 181-011-022-000 on June 25, 2025. The permit was granted subject to 6 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

Proof of recordation of this notice shall be furnished to the Director of HCD - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the HCD - Planning.

## 3. PD006(A) - CONDITION COMPLIANCE FEE

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

**Compliance or Monitoring Action to be Performed:** Prior to clearance of conditions, the Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.



#### 4. LOT LINE ADJUSTMENT DEED (NON-STANDARD CONDITION)

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** Owner(s)/Applicant(s) shall prepare, execute and record deeds that reflect the lot line adjustment as required by California Government Code §66412(d) and request an unconditional Certificate of Compliance for each of the adjusted parcels. (HCD-Planning)

**Compliance or Monitoring Action to be Performed:**

1. An updated title report (current within 30 days) for each subject parcel of the lot line adjustment.
2. Draft legal descriptions, plats and closure calculations for each newly adjusted parcel of the lot line adjustment for which a Certificate of Compliance will be issued. The legal description, plat, and closure calculations shall be prepared by a professional land surveyor. The legal description shall be entitled "Exhibit A" and shall have the planning permit no. (PLN) in the heading. The plat may be incorporated by reference into Exhibit "A," or be entitled Exhibit "B."
3. Draft deeds for all adjustment parcels, being all areas being conveyed by Owners in conformance to the approved lot line adjustment. The deeds shall contain a legal description and plat of the areas to be conveyed in conformance to the approved lot line adjustment. The legal description, plat, and closure calculations shall be prepared by a professional land surveyor. The legal description shall be entitled "Exhibit A" and shall have the planning permit no. (PLN) in the heading. The plat may be incorporated by reference into Exhibit "A," or be entitled Exhibit "B." The deed shall comply with the Monterey County Recorder's guidelines as to form and content.
  - a. The Owner(s)/Applicant(s) shall be responsible for ensuring the accuracy and completeness of all parties listed as Grantor and Grantee on the deeds.
  - b. Each deed shall state in the upper left corner of the document the party requesting the recording and to whom the recorded document shall be returned.
  - c. The purpose of the deed shall be stated on the first page of the deed, as follows:

"The purpose of this deed is to adjust the parcel boundaries in conformance to the lot line adjustment approved by the County of Monterey, PLN240187. This deed is being recorded pursuant to §66412(d) of the California Government Code and shall reconfigure the subject parcels in conformance to said approved lot line adjustment."

PLEASE NOTE: Owner(s) is/are responsible for securing any reconveyance, partial reconveyance and/or subordination in connection with any loan, mortgage, lien or other financial obligation on all property being transferred between parties.

4. Following review and any corrections of the legal descriptions and plats by County Surveyor:
  - a. Owner/Applicant submit copies of the fully executed and acknowledged deed(s) for the adjustment parcels to the project planner for review & approval by County Surveyor.
  - b. Owner/Applicant shall submit the legal description and plat for each Certificate of Compliance to HCD-Planning for final processing.
  - c. Using a title company, execute the deeds before a notary public, and have the deeds recorded.
  - d. Owner/Applicant shall submit copies of all recorded deeds to the project planner.

## 5. PD045 - COC (LOT LINE ADJUSTMENTS)

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall request unconditional Certificates of Compliance for the newly configured parcels. (HCD - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the expiration of the entitlement, the Owner/Applicant/Surveyor shall prepare legal descriptions for each newly configured parcel and submit them to HCD -Planning for review and approval. The legal descriptions shall be entitled "Exhibit A." The legal description shall comply with the Monterey County Recorder's guidelines as to form and content. The Applicant shall submit the legal descriptions with a check, payable to the Monterey County Recorder, for the appropriate fees to record the Certificates of Compliance.

Prior to the expiration of the entitlement and after the Certificates are recorded, the Owner/Applicant shall file a request and pay the fees for separate assessments or combination assessments (for lot mergers) with the Assessor's Office.

## 6. CC01 INDEMNIFICATION

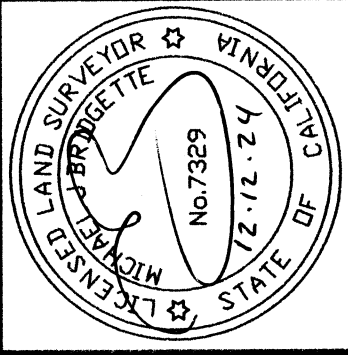
**Responsible Department:** County Counsel-Risk Management

**Condition/Mitigation Monitoring Measure:** Owner/Applicant agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code section 66474.9, defend, indemnify, and hold harmless the County of Monterey and/or its agents, officers, and/or employees from any claim, action, or proceeding against the County and/or its agents, officers, and/or or employees to attack, set aside, void, or annul this approval and/or related subsequent approvals, including, but not limited to, design approvals, which action is brought within the time provided for under law. Owner/Applicant shall reimburse the County for any court costs and attorney's fees that the County may be required by a court to pay as a result of such action.

The County shall notify Owner/Applicant of any such claim, action, and/or proceeding as expeditiously as possible. The County may, at its sole discretion, participate in the defense of such action. However, such participation shall not relieve Owner/Applicant of his/her/its obligations under this condition. Regardless, the County shall cooperate fully in defense of the claim, action, and/or proceeding.

(County Counsel-Risk Management)

**Compliance or Monitoring Action to be Performed:** This Indemnification Obligation binds Owner/Applicant from the date of approval of this discretionary development permit forward. Regardless, on written demand of the County County's Office, Owner/Applicant shall also execute and cause to be notarized an agreement to this effect. The County Counsel's Office shall send Owner/Applicant an indemnification agreement. Owner/Applicant shall submit such signed and notarized Indemnification Agreement to the Office of the County Counsel for County's review and signature. Owner/Applicant shall then record such indemnification agreement with the County of Monterey Recorder's Office. Owner/Applicant shall be responsible for all costs required to comply with this paragraph including, but not limited to, notary costs and Recorder fees.



**BRIDGETTE LAND SURVEYING**  
80 ASPEN WAY, STE A, WATSONVILLE, CA 95076  
T.831.722.5800    bridgettelandsurveying.com

TENTATIVE MAP FOR LOT LINE ADJUSTMENT

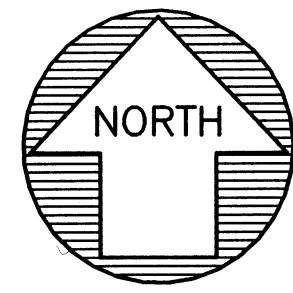
**Mr. Norman Boccone**  
827 Elkhorn Road, Royal Oaks, CA 95076

**APNs 181-151-008, 181-151-009  
& 181-011-022**  
MONTEREY COUNTY  
CALIFORNIA

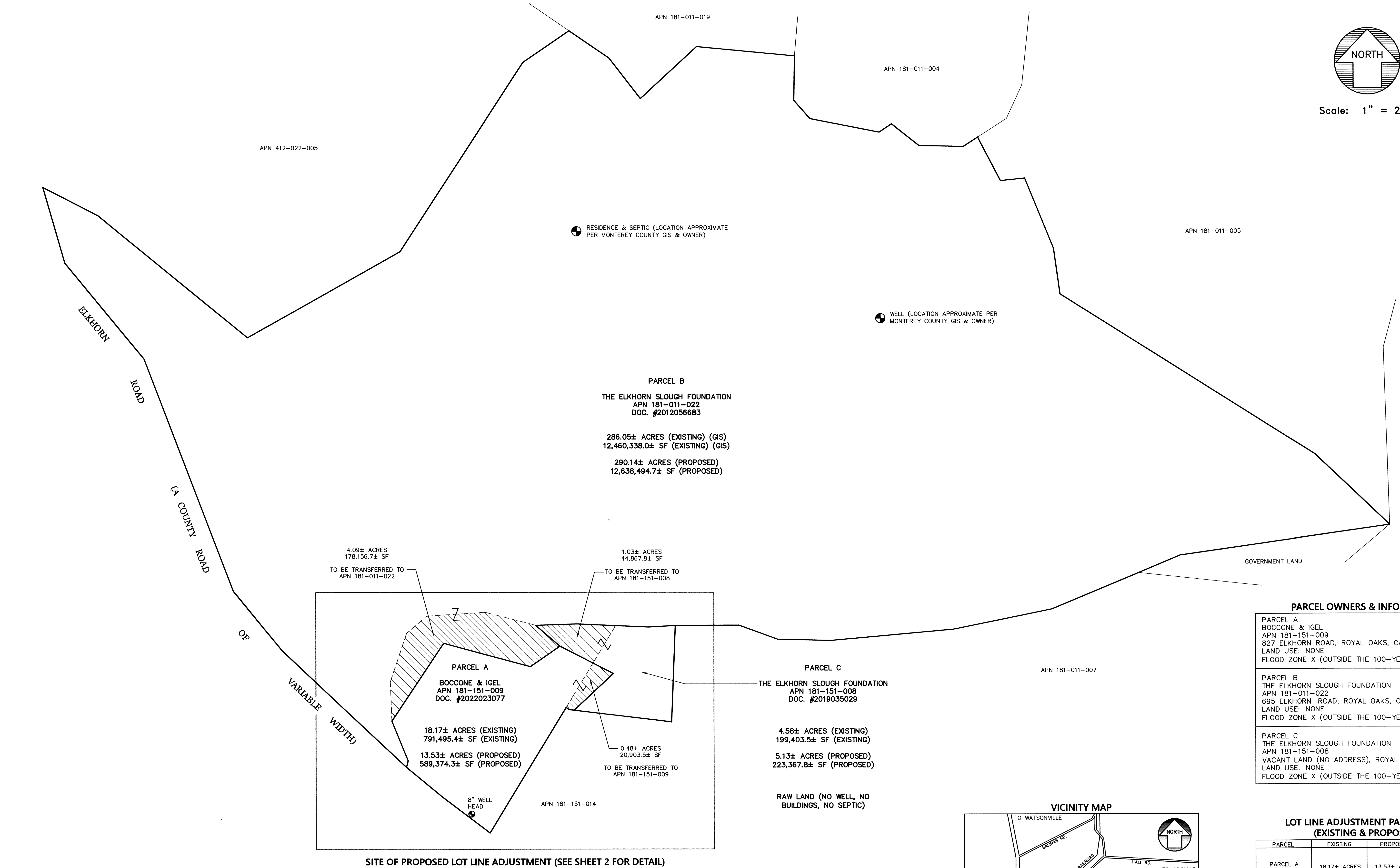
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REVISIONS: 12-11-2024

Sheet  
**1**  
of 2

**22-30**



Scale: 1" = 240'



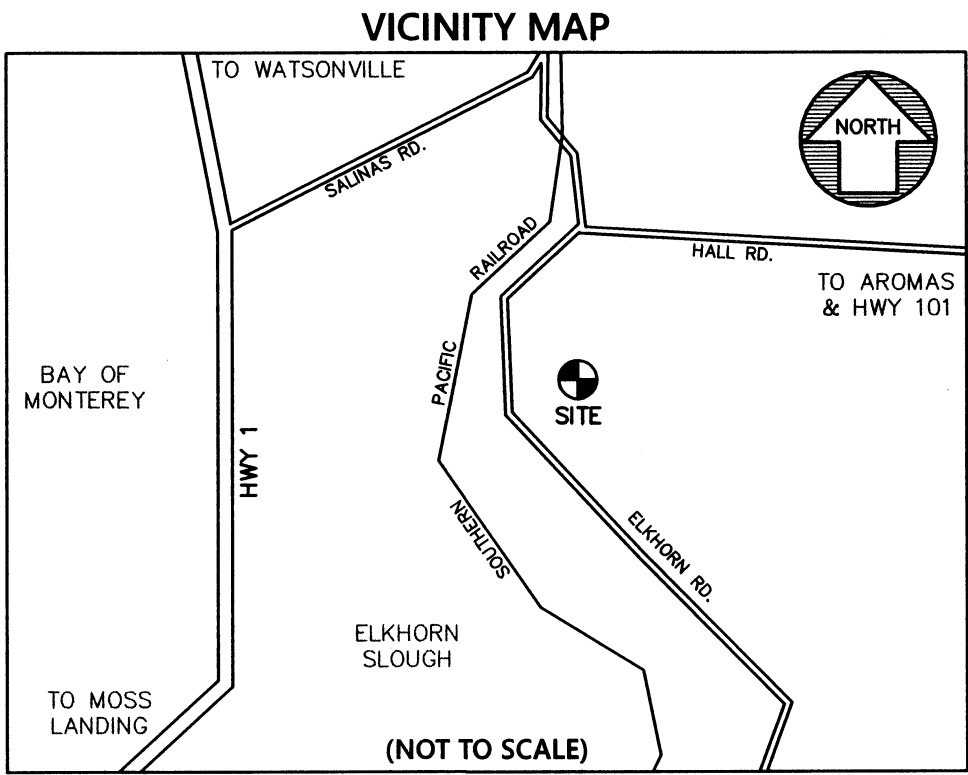
- LEGEND**
- AREA(S) TO BE TRANSFERRED
  - BOUNDARY LINE (TO BE ELIMINATED)
  - BOUNDARY LINE (PROPOSED AND/OR RESULTING PARCELS)

**NOTES**

DISTANCES ARE IN FEET AND DECIMALS THEREOF.  
SURVEY DATA, ADJOINING PROPERTY LINES, EASEMENTS &  
RIGHTS-OF-WAY AT SITE OF PROPOSED LOT LINE ADJUSTMENT  
SHOWN IN DETAIL ON SHEET 2.  
LAND USES SHOWN PER MONTEREY COUNTY GIS.  
PARCEL B BOUNDARY LINES AS SHOWN ARE COMPILED FROM  
MONTEREY COUNTY GIS.

PARCEL OWNERS & INFORMATION			
PARCEL A BOCCONE & IGEL APN 181-151-009 827 ELKHORN ROAD, ROYAL OAKS, CA 95076 LAND USE: NONE FLOOD ZONE X (OUTSIDE THE 100-YEAR FLOODPLAIN)			
PARCEL B THE ELKHORN SLOUGH FOUNDATION APN 181-011-022 695 ELKHORN ROAD, ROYAL OAKS, CA 95076 LAND USE: NONE FLOOD ZONE X (OUTSIDE THE 100-YEAR FLOODPLAIN)			
PARCEL C THE ELKHORN SLOUGH FOUNDATION APN 181-151-008 VACANT LAND (NO ADDRESS), ROYAL OAKS, CA 95076 LAND USE: NONE FLOOD ZONE X (OUTSIDE THE 100-YEAR FLOODPLAIN)			

LOT LINE ADJUSTMENT PARCEL SIZES (EXISTING & PROPOSED)			
PARCEL	EXISTING	PROPOSED	CHANGE
PARCEL A APN 181-151-009	18.17± ACRES 791,495.4± SF	13.53± ACRES 589,374.3± SF	-4.64± ACRES -202,121.1± SF
PARCEL B APN 181-011-022	286.05± ACRES 12,460,338.0± SF	290.14± ACRES 12,638,494.7± SF	4.09± ACRES 178,156.7± SF
PARCEL C APN 181-151-008	4.58± ACRES 199,403.5± SF	5.13± ACRES 223,367.8± SF	0.55± ACRES 23,964.3± SF





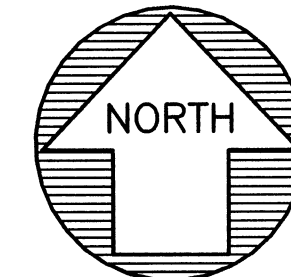
SEE SHEET 1 FOR PARCEL B ENTIRETY

PARCEL B  
THE ELKHORN SLOUGH FOUNDATION  
APN 181-011-022  
DOC. #2012056683

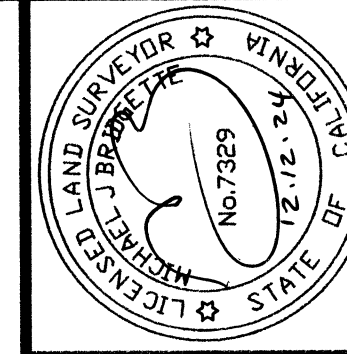
286.05± ACRES (EXISTING) (GIS)  
12,460,338.0± SF (EXISTING) (GIS)  
290.14± ACRES (PROPOSED)  
12,638,494.7± SF (PROPOSED)

RESIDENCE & SEPTIC BEAR  
NORTHERLY ±2000' PER MONTEREY  
COUNTY GIS & OWNER

WELL BEARS NORTHEASTERLY  
±2200' PER MONTEREY COUNTY GIS  
& OWNER



Scale: 1" = 60'



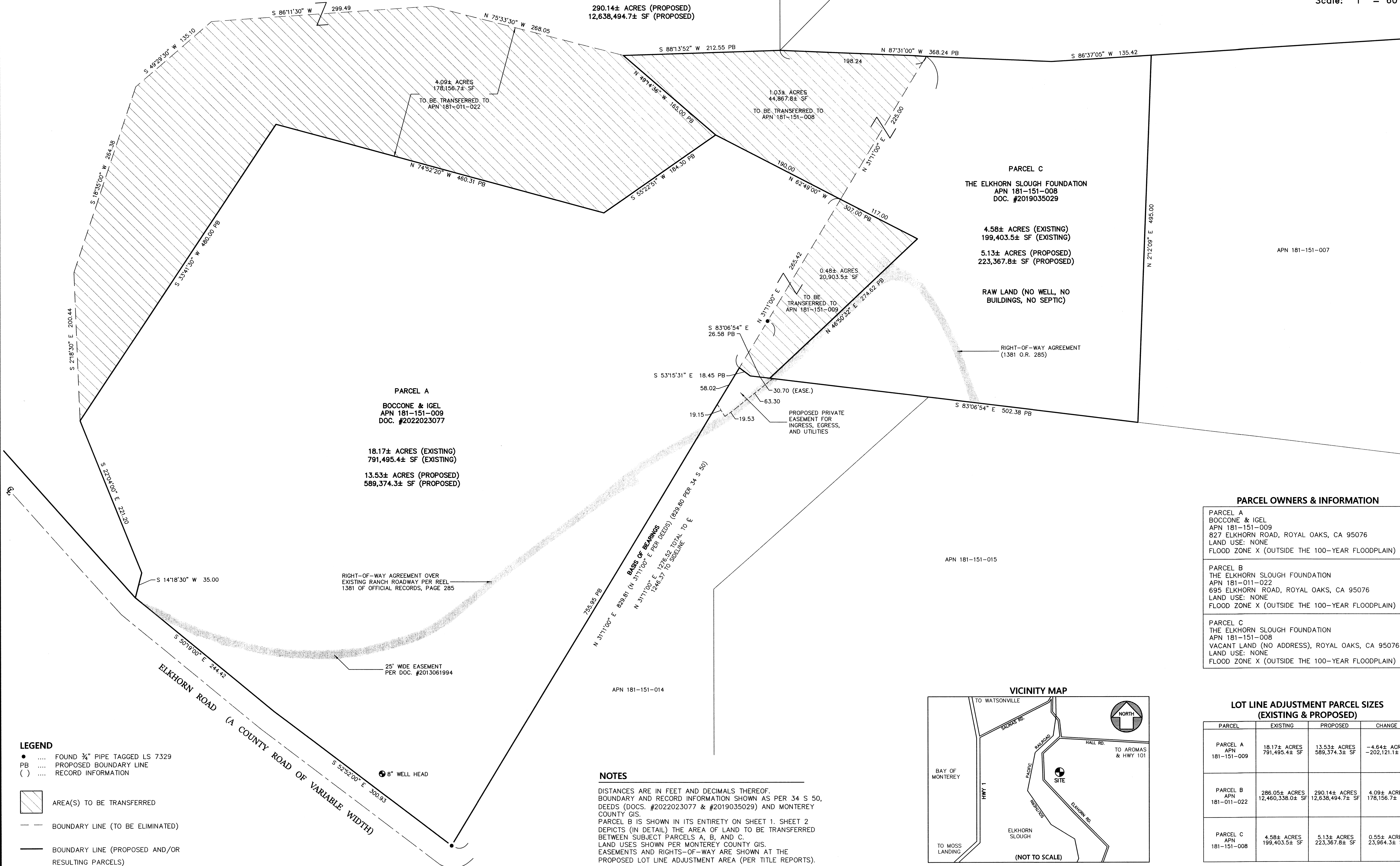
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TENTATIVE MAP FOR LOT LINE ADJUSTMENT  
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MONTEREY COUNTY  
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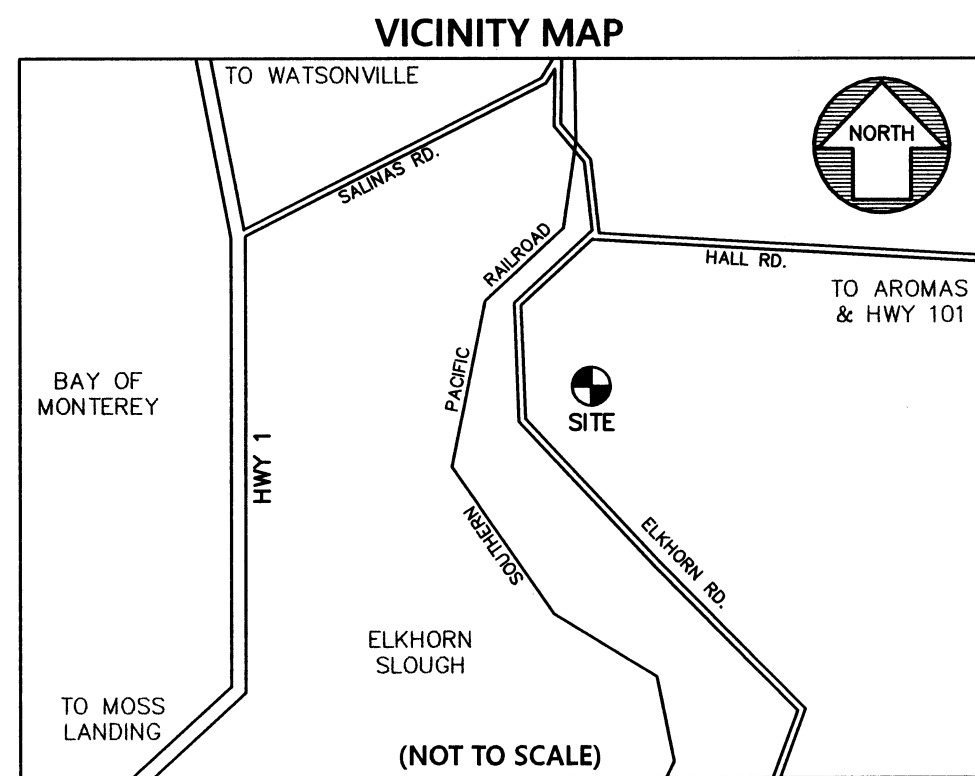
Sheet  
**2**  
of 2  
**22-30**



**LEGEND**  
• FOUND 3/4" PIPE TAGGED LS 7329  
PB ..... PROPOSED BOUNDARY LINE  
( ) ..... RECORD INFORMATION

AREA(S) TO BE TRANSFERRED  
BOUNDARY LINE (TO BE ELIMINATED)  
BOUNDARY LINE (PROPOSED AND/OR  
RESULTING PARCELS)

**NOTES**  
DISTANCES ARE IN FEET AND DECIMALS THEREOF.  
BOUNDARY AND RECORD INFORMATION SHOWN AS PER 34 S 50,  
DEEDS (DOCS. #2022023077 & #2019035029) AND MONTEREY  
COUNTY GIS.  
PARCEL B IS SHOWN IN ITS ENTIRETY ON SHEET 1. SHEET 2  
DEPICTS (IN DETAIL) THE AREA OF LAND TO BE TRANSFERRED  
BETWEEN SUBJECT PARCELS A, B, AND C.  
LAND USES SHOWN PER MONTEREY COUNTY GIS.  
EASEMENTS AND RIGHTS-OF-WAY ARE SHOWN AT THE  
PROPOSED LOT LINE ADJUSTMENT AREA (PER TITLE REPORTS).



**PARCEL OWNERS & INFORMATION**

PARCEL A  
BOCCONE & IGEL  
APN 181-151-009  
827 ELKHORN ROAD, ROYAL OAKS, CA 95076  
LAND USE: NONE  
FLOOD ZONE X (OUTSIDE THE 100-YEAR FLOODPLAIN)

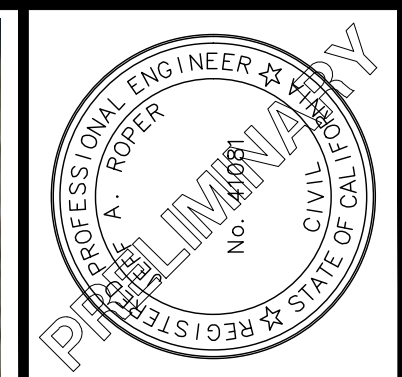
PARCEL B  
THE ELKHORN SLOUGH FOUNDATION  
APN 181-011-022  
695 ELKHORN ROAD, ROYAL OAKS, CA 95076  
LAND USE: NONE  
FLOOD ZONE X (OUTSIDE THE 100-YEAR FLOODPLAIN)

PARCEL C  
THE ELKHORN SLOUGH FOUNDATION  
APN 181-151-008  
VACANT LAND (NO ADDRESS), ROYAL OAKS, CA 95076  
LAND USE: NONE  
FLOOD ZONE X (OUTSIDE THE 100-YEAR FLOODPLAIN)

**LOT LINE ADJUSTMENT PARCEL SIZES  
(EXISTING & PROPOSED)**

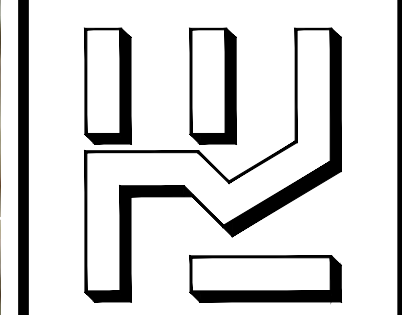
PARCEL	EXISTING	PROPOSED	CHANGE
PARCEL A APN 181-151-009	18.17± ACRES 791,495.4± SF	13.53± ACRES 589,374.3± SF	-4.64± ACRES -202,121.1± SF
PARCEL B APN 181-011-022	286.05± ACRES 12,460,338.0± SF	290.14± ACRES 12,638,494.7± SF	4.09± ACRES 178,156.7± SF
PARCEL C APN 181-151-008	4.58± ACRES 199,403.5± SF	5.13± ACRES 223,367.8± SF	0.55± ACRES 23,964.3± SF





UNLESS SIGNED BY THE ENGINEER, THIS PLAN IS FOR REFERENCE ONLY. THE SIGNED PLAN IS THE ONLY PLAN TO BE USED FOR CONSTRUCTION.

**ROPER ENGINEERING**  
CIVIL ENGINEERING & LAND SURVEYING  
48 MANN AVENUE CORRALITOS, CA 95076  
(831) 724-5300 [jeff@roperengineering.com](mailto:jeff@roperengineering.com)



NEW RESIDENCE FOR  
**NORMAN BOCCONE & VICTORIA IGEL**  
ELKHORN ROAD ROYAL OAKS APN 181-151-009  
**LOT LINE ADJUSTMENT AERIAL PHOTO**

SCALE:	AS NOTED
DESIGNED BY:	JR
DRAWN BY:	JR
DATE:	OCT. 17, 2024
REVISED:	DEC. 12, 2024
JOB NO.:	22025
SHEET	

**C1**  
OF 1 SHEETS



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## Exhibit B

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**MINUTES**  
**North County Land Use Advisory Committee**  
**November 20, 2024**

1. Meeting called to order by David Evans at 5:30 pm

2. Roll Call

**Members Present:**

David Evans, Lesley Noble, Belinda Talban, Michael Mastroianni, Gina Paolini, Lynn Riddle, John Robinett (7)

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**Members Absent:**

Sherry Owen, Andrea Estrada (2)

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3. Approval of Minutes:

A. October 2, 2024 Minutes

Motion: Lesley Noble (LUAC Member's Name)

Second: Michael Mastroianni (LUAC Member's Name)

Ayes: David Evans, Lesley Noble, Michael Mastroianni, Gina Paolini, Lynn Riddle, John Robinett (6)

Noes: 0

Absent: Sherry Owne, Andrea Estrada (2)

Abstain: Belinda Taluban

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4. **Public Comments:** The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

NONE

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5. Scheduled Item(s)

6. Other Items:

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

NONE

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B) Announcements

Lesley Noble announced that she is resigning as the Secretary. It was suggested Committee members be ready  
To nominate and vote at the next meeting. Noble will remain on the Committee, as solely a member of LUAC.

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7. Meeting Adjourned: 5:58 pm

Minutes taken by: \_\_\_\_\_

# Action by Land Use Advisory Committee

## Project Referral Sheet

Monterey County Housing & Community Development  
1441 Schilling Place 2<sup>nd</sup> Floor  
Salinas CA 93901  
(831) 755-5025

**Advisory Committee:** North County

1. **Project Name:** BOCCONE NORMAN B & VICTORIA E IGEL CO-TRS  
**File Number:** PLN240187  
**Project Location:** 827 ELKHORN RD, ROYAL OAKS, CA 95076  
**Assessor's Parcel Number(s):** 181-011-022-000, 181-151-008-000, & 181-151-009-000  
**Project Planner:** Mary Israel  
**Area Plan:** Royal Oaks, North County Land Use Plan, Coastal Zone  
**Project Description:** Coastal Development Permit to allow a Lot Line Adjustment between three (3) legal lots of record. Parcel A (Assessor's Parcel Number 181-151-009-000, 18.17 acres) will gain 0.48 acres from Parcel C (Assessor's Parcel Number 181-151-008-000, 4.7 acres). Parcel B (Assessor's Parcel Number 181-011-022-000, 286 acres) will gain 5.12 acres from Parcel A (Assessor's Parcel Number 181-151-009-000). The resulting adjusted Parcel A, B, C shall be 13.53 acres, 291.2 acres, and 4.58 acres, respectively.

**Was the Owner/Applicant/Representative present at meeting?** YES X NO       

**(Please include the names of the those present)**

Norman B. Bocconne, Victoria E. Igel, applicants, and Carol Riewe as Engineer/Architect

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**Was a County Staff/Representative present at meeting?** Benjamin Moulton (Name)

**PUBLIC COMMENT:**

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
NONE			

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**LUAC AREAS OF CONCERN**

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
NONE		

**ADDITIONAL LUAC COMMENTS**

NONE

**RECOMMENDATION:**

Motion by: John Robinett

(LUAC Member's Name)

Second by: Belinda Taluban

(LUAC Member's Name)

X Support Project as proposed

Support Project with changes

Continue the Item

Reason for Continuance:

Continue to what date:

Ayes: David Evans, Lesley Noble, Belinda Talban, Michael Mastroianni, Gina Paolini, Lynn Riddle, John Robinett (7)



Noes:	<u>0</u>
Absent:	<u>Sherry Owen, Andrea Estrada (2)</u>
Abstain:	<u>0</u>

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## Exhibit C



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MAY 07 2025

**MITIGATED NEGATIVE DECLARATION**

XOCHITL MARINA CAMACHO  
MONTEREY COUNTY CLERK  
DEPUTY

<b>Project Titles:</b>	Boccone Norman B & Victoria E Igel Co-Trs and Elkhorn Slough Foundation
<b>File Numbers:</b>	PLN220229 & PLN240187
<b>Owners:</b>	Norman Boccone & Victoria Igel & Elkhorn Slough Foundation
<b>Project Location:</b>	827 Elkhorn Road & 695 Elkhorn Road & third adjacent parcel without an address, Royal Oaks
<b>Primary APNs:</b>	181-151-009-000 (Primary, Parcel A), 181-011-022-000 (Parcel B) and 181-151-008-000 (Parcel C)
<b>Project Planner:</b>	Mary Israel
<b>Permit Type:</b>	Combined Development Permit
<b>Project Descriptions:</b>	<p>Combined Development Permit including 1) Coastal Administrative Permit for construction of a split-level two-story 2,676 square foot (sq. ft.) single family dwelling with attached 516 sq. ft. carport, 240 sq. ft. covered porch and an approximately 470 sq. ft. deck, 2) Coastal Administrative Permit for construction of a detached 414 sq. ft. guesthouse with a 133 sq. ft. covered porch and attached 507 sq. ft. workshop and approx. 415 sq. ft. garage; 3) Coastal Development Permit for removal of up to 20 Coast Live Oak trees (one classified as a landmark tree); and 4) Coastal Development Permit for development within 100 feet of ESHA (Pajaro manzanita/oak woodland). Project includes new driveway extension (approximately 4,620 sq. ft. paved and 2885 pervious pavers), new septic system, tie into existing water well system and solar power and energy storage system. The property is located at 827 Elkhorn Road, Royal Oaks (Assessor's Parcel Number 181-151-009-000), North County Land Use Plan, Coastal Zone.</p> <p>Coastal Development Permit to allow a Lot Line Adjustment between three (3) legal lots of record. Parcel A (Assessor's Parcel Number 181-151-009-000, 18.17 acres) will gain 0.48 acres from Parcel C (Assessor's Parcel Number 181-151-008-000, 4.7 acres) and donate 1.03 acres to Parcel C. Parcel B (Assessor's Parcel Number 181-011-022-000, 286 acres) will gain 4.09 acres from Parcel A (Assessor's Parcel Number 181-151-009-000). The resulting adjusted Parcel A, B, C shall be 13.53 acres, 290.14 acres, and 5.13 acres, respectively. The properties are located at 827 and 695 Elkhorn Road, Royal Oaks, North County Land Use Plan, Coastal Zone.</p>

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

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

<b>Decision Making Body:</b>	Planning Commission
<b>Responsible Agency:</b>	County of Monterey
<b>Review Period Begins:</b>	May 7, 2025
<b>Review Period Ends:</b>	June 6, 2025

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

# COUNTY OF MONTEREY

## HOUSING AND COMMUNITY DEVELOPMENT

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

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

NOTICE IS HEREBY GIVEN that Monterey County Housing & Community Development has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for a Combined Development Permit and a related Coastal Development Permit for Lot Line Adjustment (PLN220229, PLN240187) at 827 Elkhorn Road and 695 Elkhorn Road and a third adjacent parcel without an address in Royal Oaks (see description below).

The Mitigated Negative Declaration and Initial Study, as well as referenced documents, are available for review at Monterey County Housing & Community Development – Planning, 1441 Schilling Pl South 2<sup>nd</sup> Floor, Salinas, California, and the Monterey County Free Libraries Castroville Branch. The Mitigated Negative Declaration and Initial Study are also available for review in an electronic format by following the instructions at the following link:  
<https://www.countyofmonterey.gov/government/departments-a-h/housing-community-development/planning-services/current-planning/general-info/recent-environmental-documents> .

The Planning Commission is tentatively expected to consider this proposal at a meeting on June 25, 2025 at 9:00 a.m. in the Monterey County Board of Supervisors Chambers, Government Center, 168 West Alisal Street, Salinas, California. Written comments on this Mitigated Negative Declaration will be accepted from May 7, 2025 to June 6, 2025. Comments can also be made during the public hearing.

**Project Description:** Combined Development Permit including 1) Coastal Administrative Permit for construction of a split-level two-story 2,676 square foot (sq. ft.) single family dwelling with attached 516 sq. ft. carport, 240 sq. ft. covered porch and an approximately 470 sq. ft. deck, 2) Coastal Administrative Permit for construction of a detached 414 sq. ft. guesthouse with a 133 sq. ft. covered porch and attached 507 sq. ft. workshop and approx. 415 sq. ft. garage; 3) Coastal Development Permit for removal of up to 20 Coast Live Oak trees (one classified as a landmark tree); and 4) Coastal Development Permit for development within 100 feet of ESHA (Pajaro manzanita/oak woodland). Project includes new driveway extension (approx. 4,620 sq. ft. paved and 2885 pervious pavers), new septic system, tie into existing water well system and solar power and energy storage system. The property is located at 827 Elkhorn Road, Royal Oaks (Assessor's Parcel Number 181-151-009-000), North County Land Use Plan, Coastal Zone.

Coastal Development Permit to allow a Lot Line Adjustment between three (3) legal lots of record. Parcel A (Assessor's Parcel Number 181-151-009-000, 18.17 acres) will gain 0.48 acres from Parcel C (Assessor's Parcel Number 181-151-008-000, 4.7 acres) and donate 1.03 acres to Parcel C. Parcel B (Assessor's Parcel Number 181-011-022-000, 286 acres) will gain 4.09 acres from Parcel A (Assessor's Parcel Number 181-151-009-000). The resulting adjusted Parcel A, B, C shall be 13.53 acres, 290.14 acres, and 5.13 acres, respectively. The properties are located at 827 and 695 Elkhorn Road, Royal Oaks, North County Land Use Plan, Coastal Zone.

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

[CEQAcomments@countyofmonterey.gov](mailto:CEQAcomments@countyofmonterey.gov)



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

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

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

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

County of Monterey  
Housing & Community Development  
Attn: Mary Israel, Supervising Planner  
1441 Schilling Pl South 2<sup>nd</sup> Floor  
Salinas, CA 93901

Re: Boccone, Norman B & Victoria E Igel CO-TRS and Elkhorn Slough Foundation;  
File Numbers PLN220229 & PLN240187

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

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

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

## DISTRIBUTION

1. State Clearinghouse (1 copy of the Executive Summary & Notice of Completion)
2. County Clerk's Office
3. CalTrans District 5 (San Luis Obispo office)
4. Association of Monterey Bay Area Governments
5. Monterey Bay Air Resources District
6. California Department of Fish & Wildlife, Region 4, Renee Robison
7. Louise Miranda-Ramirez, C/O Ohlone/Costanoan-Esselen Nation
8. California American Water Company
9. North County Fire Protection District
10. Monterey County Agricultural Commissioner
11. Monterey County Water Resources Agency
12. Monterey County HCD-Engineering Services
13. Monterey County HCD-Environmental Services
14. Monterey County Public Works, Facilities & Parks
15. Monterey County Environmental Health Bureau
16. Monterey County Sheriff's Office
17. Monterey County Free Libraries Castroville Branch
18. Boccone, Norman B & Victoria E Igel CO-TRS, Owner
19. Elkhorn Slough Foundation
20. Carol Riewe, Agent
21. Molly Erickson on behalf of FANS & The Open Monterey Project
22. LandWatch Monterey County
23. Property Owners & Occupants within 300 feet (**Notice of Intent only**)

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

24. U.S. Army Corps of Engineers ([cespn-pa2@usace.army.mil](mailto:cespn-pa2@usace.army.mil) )
25. Juan Barboza ([jbarboza@nccrc.org](mailto:jbarboza@nccrc.org) )
26. Molly Erickson ([erickson@stamplaw.us](mailto:erickson@stamplaw.us) )
27. Margaret Robbins ([mm\\_Robbins@comcast.net](mailto:mm_Robbins@comcast.net) )
28. Michael Weaver ([michaelrweaver@mac.com](mailto:michaelrweaver@mac.com) )
29. Monterey/Santa Cruz Building & Construction ([caseyv@smw104.org](mailto:caseyv@smw104.org) )
30. Garry Hofer ([garry.hofer@amwater.com](mailto:garry.hofer@amwater.com) )
31. Jack Wang ([Jack.Wang@amwater.com](mailto:Jack.Wang@amwater.com) )
32. Jeana Arnold ([jeana.arnold@pge.com](mailto:jeana.arnold@pge.com) )
33. Louise Miranda-Ramirez ([Ramirez.louise@yahoo.com](mailto:Ramirez.louise@yahoo.com) )
34. Mimi Sheridan ([mimisheridan@msn.com](mailto:mimisheridan@msn.com) )
35. California Department of Fish & Wildlife ([r4ceqa@wildlife.ca.gov](mailto:r4ceqa@wildlife.ca.gov) )
36. Michael Lozeau C/O Lozeau Drury LLP ([michael@lozeaudrury.com](mailto:michael@lozeaudrury.com) )
37. Juliana Lopez C/O Lozeau Drury LLP ([juliana@lozeaudrury.com](mailto:juliana@lozeaudrury.com) )
38. California Department of Fish & Wildlife, Marine Region ([r7ceqa@wildlife.ca.gov](mailto:r7ceqa@wildlife.ca.gov) )
39. Margie Kay ([margie17k@aol.com](mailto:margie17k@aol.com) )

# MONTEREY COUNTY

## HOUSING & COMMUNITY DEVELOPMENT

1441 SCHILLING PL SOUTH 2<sup>nd</sup> FLOOR, SALINAS, CA 93901

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



### *INITIAL STUDY*

#### *BACKGROUND INFORMATION*

<b>Project Title:</b>	Boccone, Norman B & Victoria E Igel Co-Trs and Elkhorn Slough Foundation
<b>File Numbers:</b>	PLN220229 & PLN240187
<b>Project Location:</b>	827 Elkhorn Road & 695 Elkhorn Road and a third adjacent parcel without an address, Royal Oaks
<b>Name of Property Owners:</b>	Norman Boccone & Victoria Igel Co-Trs & Elkhorn Slough Foundation
<b>Name of Applicant:</b>	Norman Boccone & Victoria Igel
<b>Assessor's Parcel Number(s):</b>	181-151-009-000 (Parcel A), 181-011-022-000 (Parcel B) and 181-151-008-000 (Parcel C)
<b>Acreage of Property:</b>	18.14 (Parcel A), 286 (Parcel B) and 4.7 (Parcel C)
<b>General Plan Designation:</b>	Residential - Rural Density
<b>Zoning District:</b>	Rural Density Residential ("RDR")/10(CZ), RDR/40(CZ), RDR/5(CZ)
<b>Lead Agency:</b>	County of Monterey
<b>Prepared By:</b>	Mary Israel with administrative draft by Denise Duffy & Associates, Inc.
<b>Date Prepared:</b>	April 2025
<b>Contact Person:</b>	Mary Israel, Supervising Planner
<b>Phone Number:</b>	(831) 755-5183



## **II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING**

This Project includes a Lot Line Adjustment (LLA) and construction on one of the parcels of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and on-site wastewater treatment system.

The LLA portion of the Project (totaling 308.80 acres for all three parcels) grants 5.12 acres from Parcel A (owned by applicants Boccone & Igel, the single-family dwelling construction site) to Parcel B, owned by the Elkhorn Slough Foundation. Parcel A will gain 0.48 acres from Parcel C, also owned by the Elkhorn Slough Foundation, so that a private drive can be constructed with less required grading or impact to the site's tree resources. Parcel C will also gain 1.03 acres from Parcel A, so that the resulting parcel is consistent with the Title 20 zoning district's size requirement (Rural Density Residential).

The residential development portion of the Project proposes development within 100 feet ("ft") of Environmental Sensitive Habitat Areas ("ESHA") and removal of up to 20 Coast live oak trees (*Quercus agrifolia*).

This Initial Study/Mitigated Negative Declaration ("IS/MND") describes and identifies the environmental impacts associated with the Project based on existing data, Applicant-provided site plans and technical reports. This IS/MND identifies mitigation to address the impacts resulting from project construction.

### **A. Description of Project:**

#### **Introduction**

#### **Construction and a Lot Line Adjustment:**

Construction: The Project includes construction of a single-family residence and associated infrastructure at 827 Elkhorn Road, Royal Oaks, California, APN 181-151-009-000 (**Figure 1. Regional Map and Figure 2. Vicinity Map for PLN220229**). Project construction includes:

1. a split level, two-story 2,676 square foot ("sf") single family dwelling with a 516-sf attached carport and 471-sf deck;
2. a 414-sf detached guesthouse with a 133-sf covered porch, attached 507-sf workshop and 415-sf garage (**Figure 3a. Site Plan Parcel, Figure 3b. Site Plan Detail and Figure 3c. Site Plan Wastewater**).
3. Removal of up to 20 Coast live oak trees construction within 100 ft of an ESHA consisting of Pajaro manzanita and oak woodland (PLN220229).<sup>1</sup>

Lot Line Adjustment: The Project also includes a Lot Line Adjustment (LLA) between three (3) legal lots of record - APNs 181-151-008, 181-011-022 and 181-151-009 (PLN240187). The LLA allows the Project to locate the private driveway in a location that minimizes grading and impacts to Parcel A's tree resources: The LLA (**Figure 4**) between these three legal lots of record is proposes as followed:

---

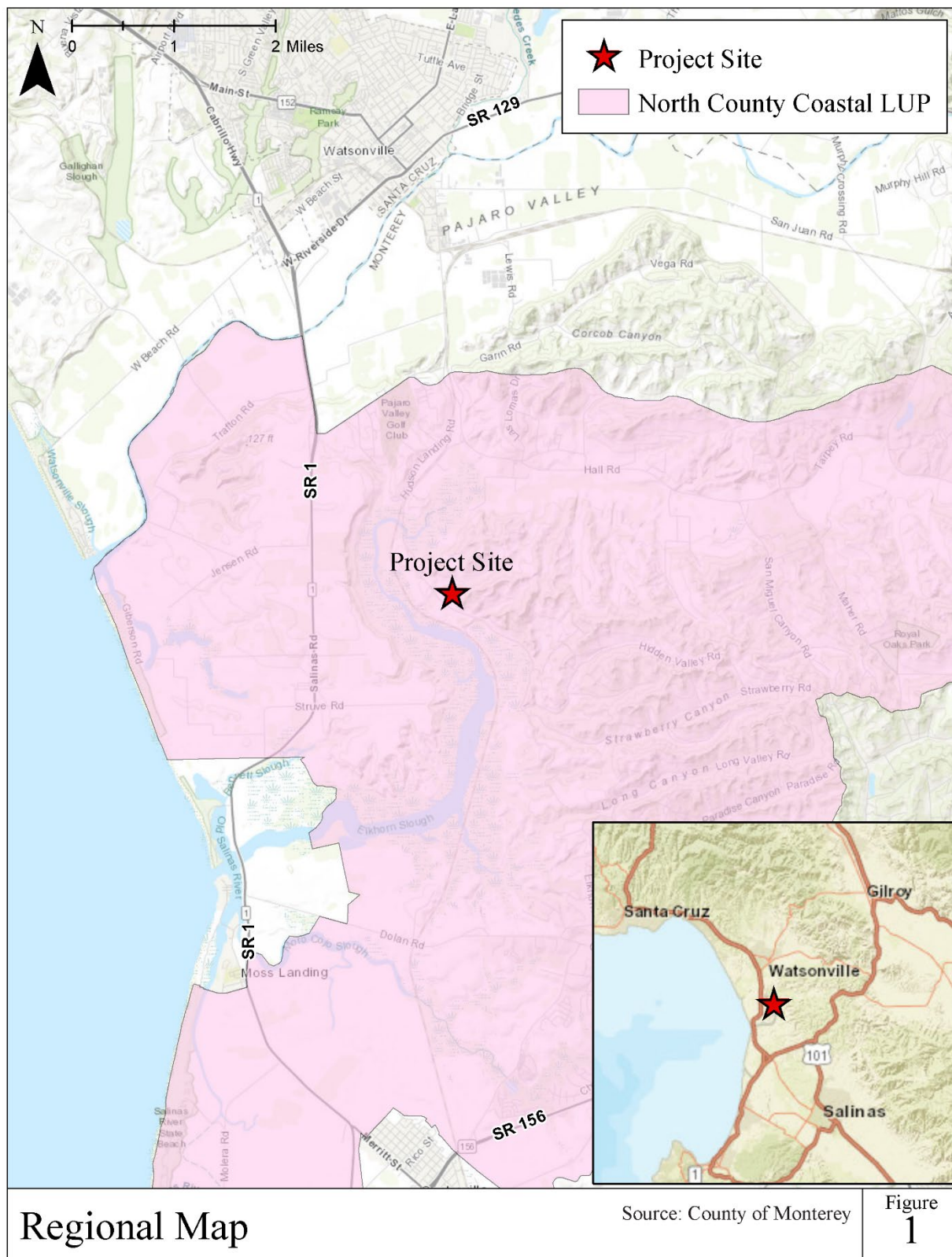
<sup>1</sup> During construction of the single family dwelling unit, a temporary residential trailer will be located onsite. See **Figure 3b Site Plan Detail**.

Parcel A, currently 18.17 acres in size, (181-151-009-000) will gain 0.48 acres from Parcel C (181-151-008-000) and donate 1.03 acres to Parcel C; in sum will be adjusted to 13.53 acres.

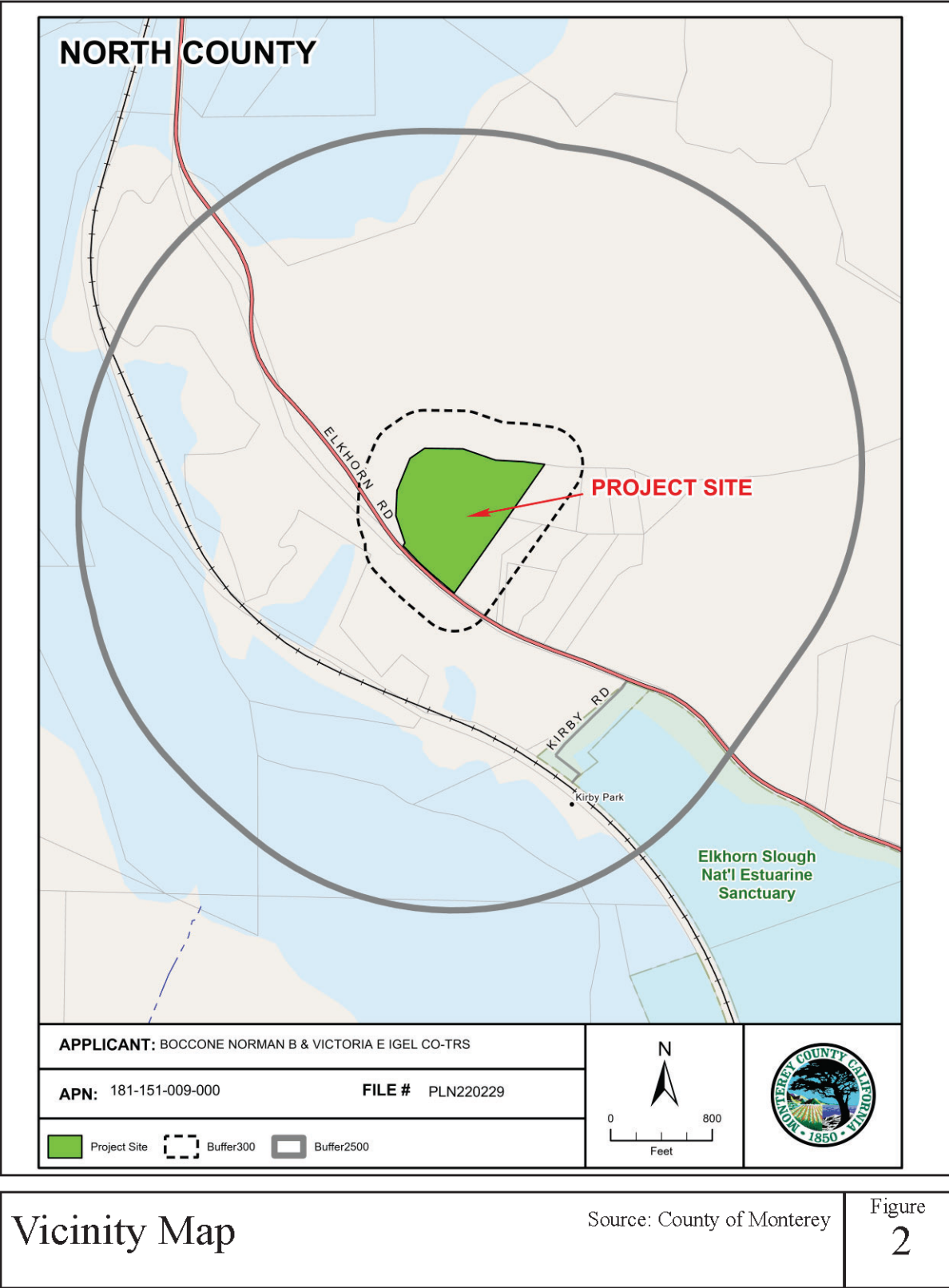
Parcel B, currently 286.05 acres in size, (181-011-022-000) will be adjusted to 290.14 acres.

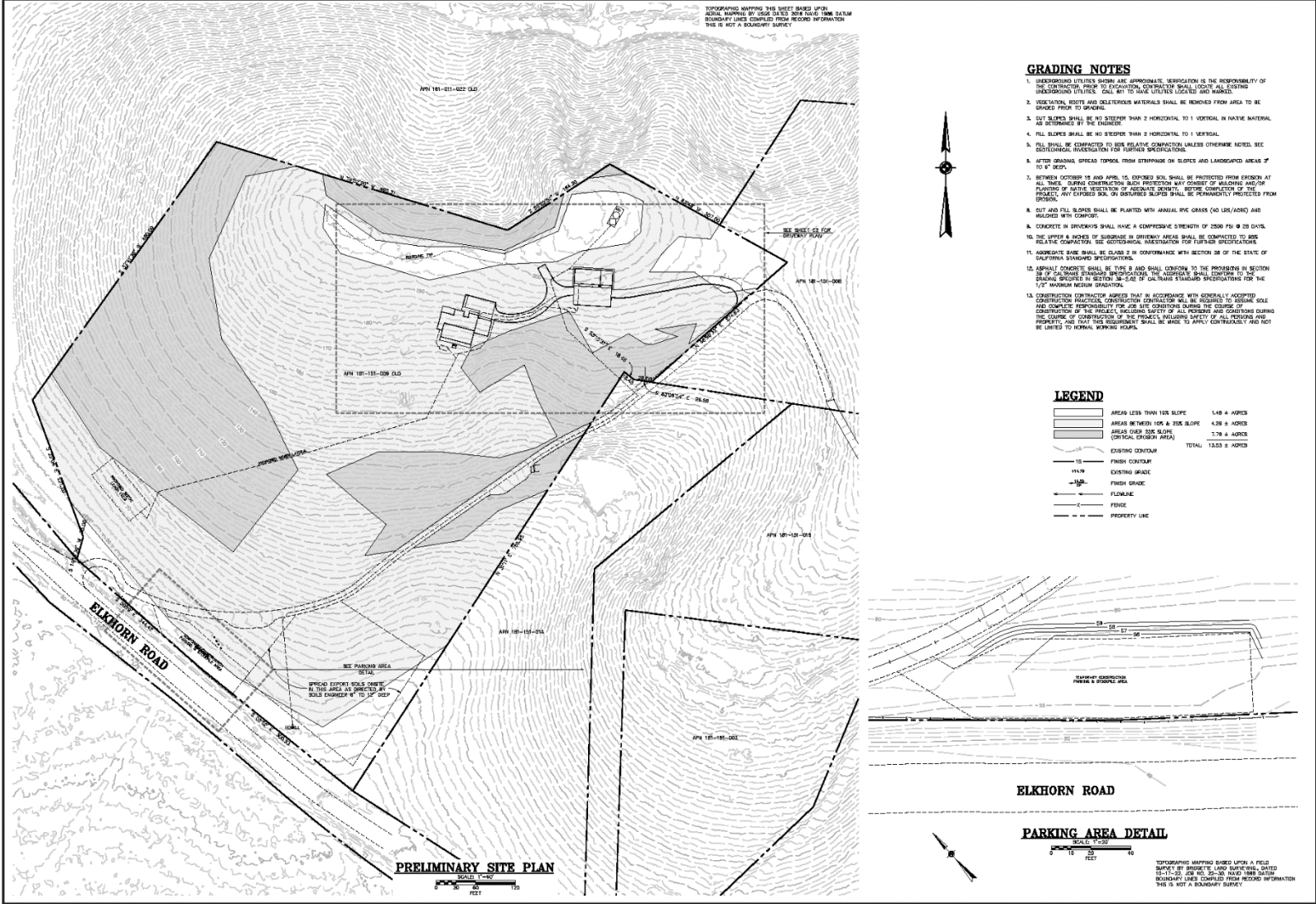
Parcel C, currently 4.58 acres in size (181-151-008-000), will lose 0.48 acre from the southwestern corner to Parcel A and will gain 1.03 acre from Parcel A, adding to the northwest corner. In sum, Parcel C will be adjusted to 5.13 acres.

The LLA will not result in any direct or indirect physical impacts to the environment and therefore is not evaluated in detail in this IS/MND. No resulting lot will be of a size or shape that is inconsistent with the Title 20 zoning district. Title 20 section 20.16.060.A Site Development Standards, minimum building site requires the minimum building site to be 5 acres. After LLA, Parcel A would include the private driveway connection a shared private driveway, construction of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, solar energy system, water storage tanks and on-site wastewater treatment system. Because the potential direct and indirect impacts to the environment result from the residential development involved in PLN220229, Parcel A, where mitigation responsibilities are described, “Applicant” and “Applicant/Owner” refers to applicants Boccone & Igel.





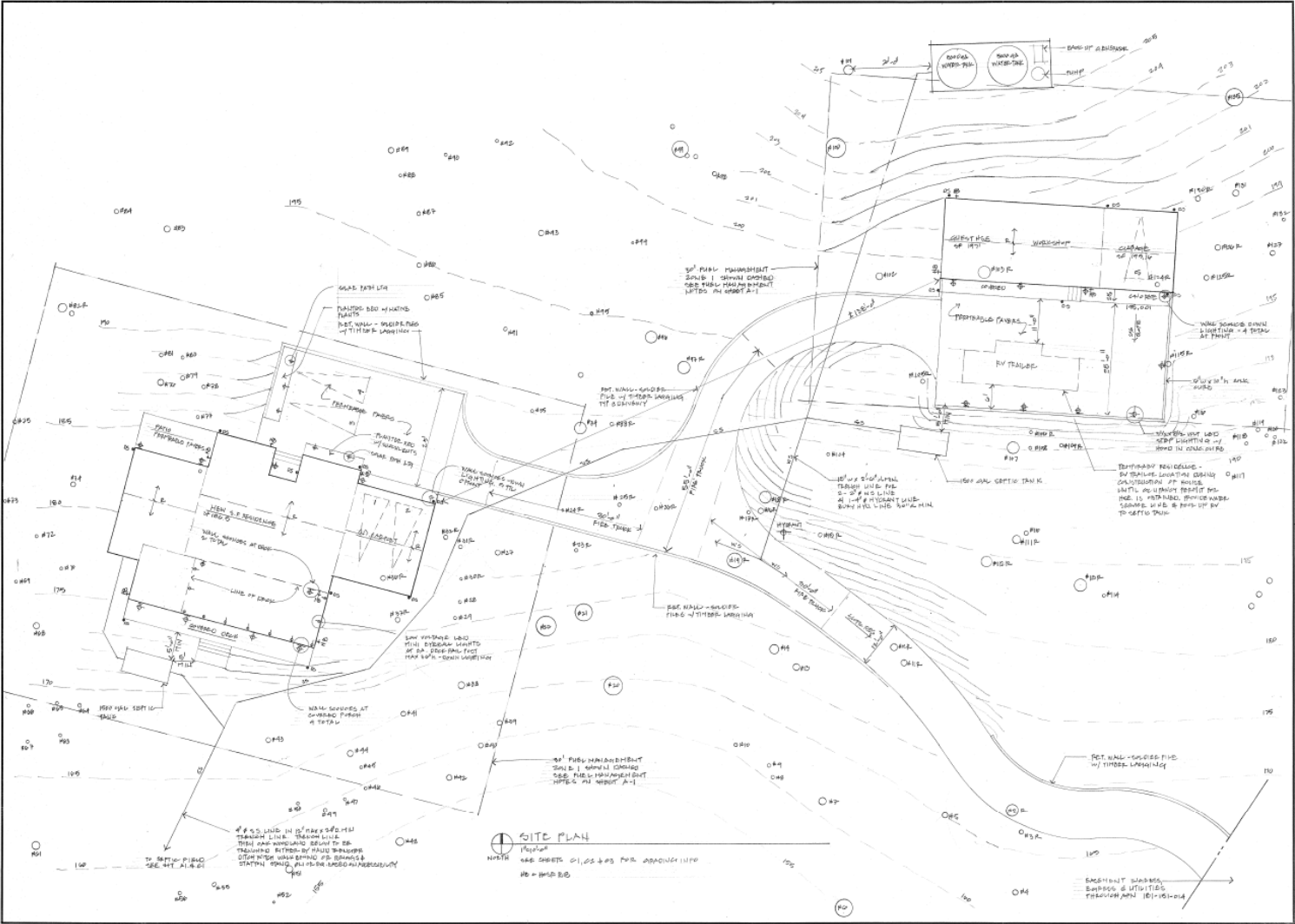




Site Plan Parcel

Source: Roper Engineering

Figure 3a



Site Plan Detail

Source: Ricwe, Carol

Figure  
3b







### Site Access

The Project site is accessible from Elkhorn Road. The Project would utilize the existing driveway on APN 181-151-009-000, which is shared by four existing residences.<sup>2</sup> The Project would construct an additional driveway to the proposed residence on what is currently Parcel C and will be Parcel A after the LLA; **(Figure 5. Driveway Plan)**. The new driveway extension proposes approx. 4,620 sf of pavement and 2885 sf of pervious pavers.

### Lighting

The Project would include exterior lighting. Exterior light fixtures would be unobtrusive, downlit and shielded to mitigate nighttime glare as much as possible. Fixtures would include wall sconces, step lights and landscape lights. LED bulbs would be utilized throughout the Project site. **(Figure 3b. Site Plan Detail)**.

### Utilities

The Project would construct and utilize on-site utility infrastructure for electrical power generation, potable water and wastewater/sewage disposal. Please see below for additional information.

#### *Electrical Power*

The Project would include a rooftop array of solar panels, an energy storage system and backup generator for electrical power generation. The Project would not connect to an existing electrical grid.

#### *Potable Water*

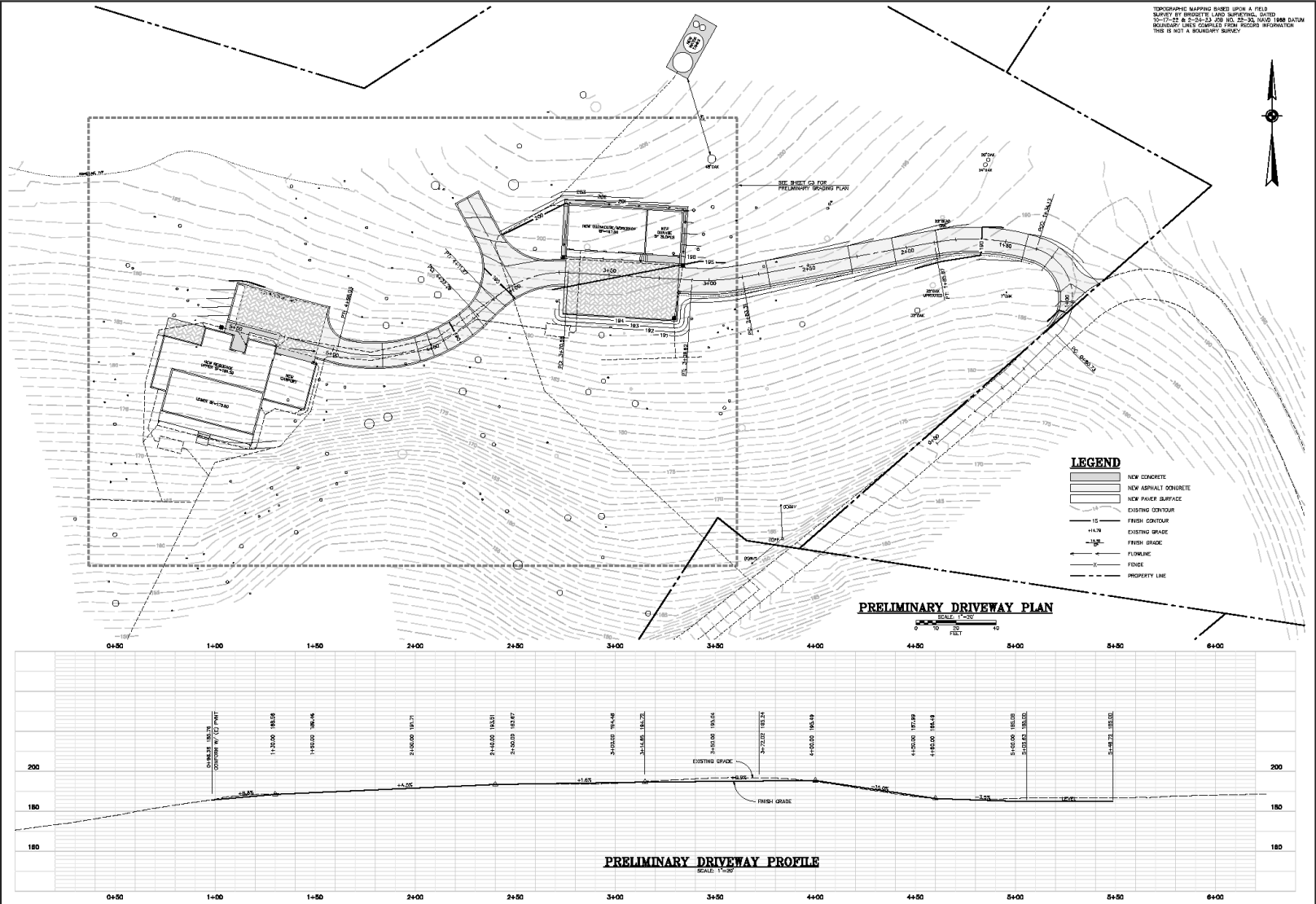
The Project would install two 5,000-gallon water tanks, a pump and backup generator to utilize an existing well (Elkhorn Road Water System #9) and associated water infrastructure (e.g., water pipelines). The existing well currently serves four connections.<sup>3</sup> The estimated well capacity is approximately 17 gallons/minute. The well has two active connections to neighbors' residences with two additional connections available without the need to upgrade the well system. The remaining connections would adequately serve the proposed residence and guesthouse. All utilities would be, where possible, underground. **(Figure 3a. Site Plan Parcel and Figure 3b. Site Plan Detail)**.

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<sup>2</sup> Easement for ingress, egress, and utilities are illustrated on Sheet 2 of the LLA Site Plans.

<sup>3</sup> The well is 160 ft deep with a 8-inch diameter casing. The static water level is currently at 50.6 feet and uses one (1) horsepower submersible pump that is set at 120 feet.





TOPOGRAPHIC MAPPING BASED UPON A FIELD SURVEY BY ENGINEER AND SURVEYING, DATED 10-17-22 & 2-28-23 AND NO. 25-20, WARD 1988 DATUM. REQUIREMENT: THIS COMPLY WITH RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY.

Source: Roper Engineering

Figure 5

# Driveway Plan

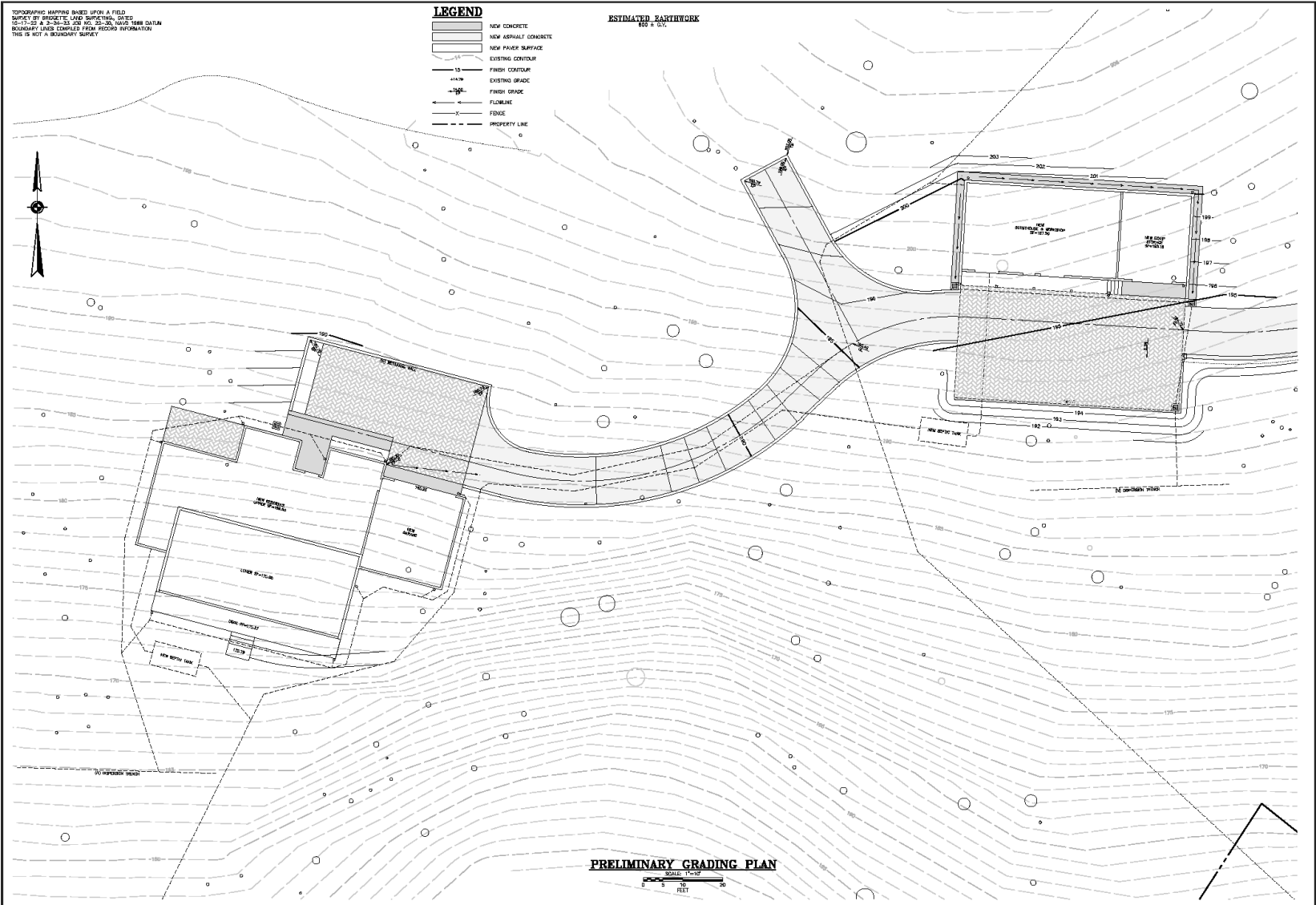
The Project would construct an onsite wastewater treatment system for wastewater disposal. The system would consist of a 1,500-gallon septic tank near the house and another of the same size near the guesthouse with a trenched line from the structures to two zones of leach fields. The primary and secondary leach fields will include 540 linear feet of pipe, in a 2,160 sf leach field area. Approximately 45 linear feet of the trenched line to the leach field would be development on slopes greater than 25 percent (**Figure 3a. Site Plan Parcel, Figure 3b. Site Plan Detail and Figure 3c. Site Plan Wastewater**).

### **Stormwater Drainage**

The Project would include a stormwater drainage system that would include dispersion trenches. The dispersion trenches would consist of a concrete catch basin or sediment trap, PVC piping and a trench filled with 1.5 inch (“in”) diameter or larger graded drain rock and lined with filter fabric. Gutters and storm drains would collect and convey stormwater to the dispersion trenches. The collected stormwater would be received, slowed, spread and infiltrated through the dispersion trenches into on-site pervious surfaces. The slowing and spreading of the stormwater flow would enhance infiltration into the soils of the Project site (**Figure 6. Grading Plan and Figure 7. Erosion Control Plan**).

### **Landscaping**

The Project does not propose the use of irrigated landscaping. Landscaping would consist of planter beds with succulents and native plants near the primary residence’s entrance. Cut and fill slopes would be planted with annual rye grass and mulched with compost. The soil stockpile area resulting from grading would be revegetated with a native grass and forb seed mix. The non-developed portions of the parcel would be conserved with existing vegetation.

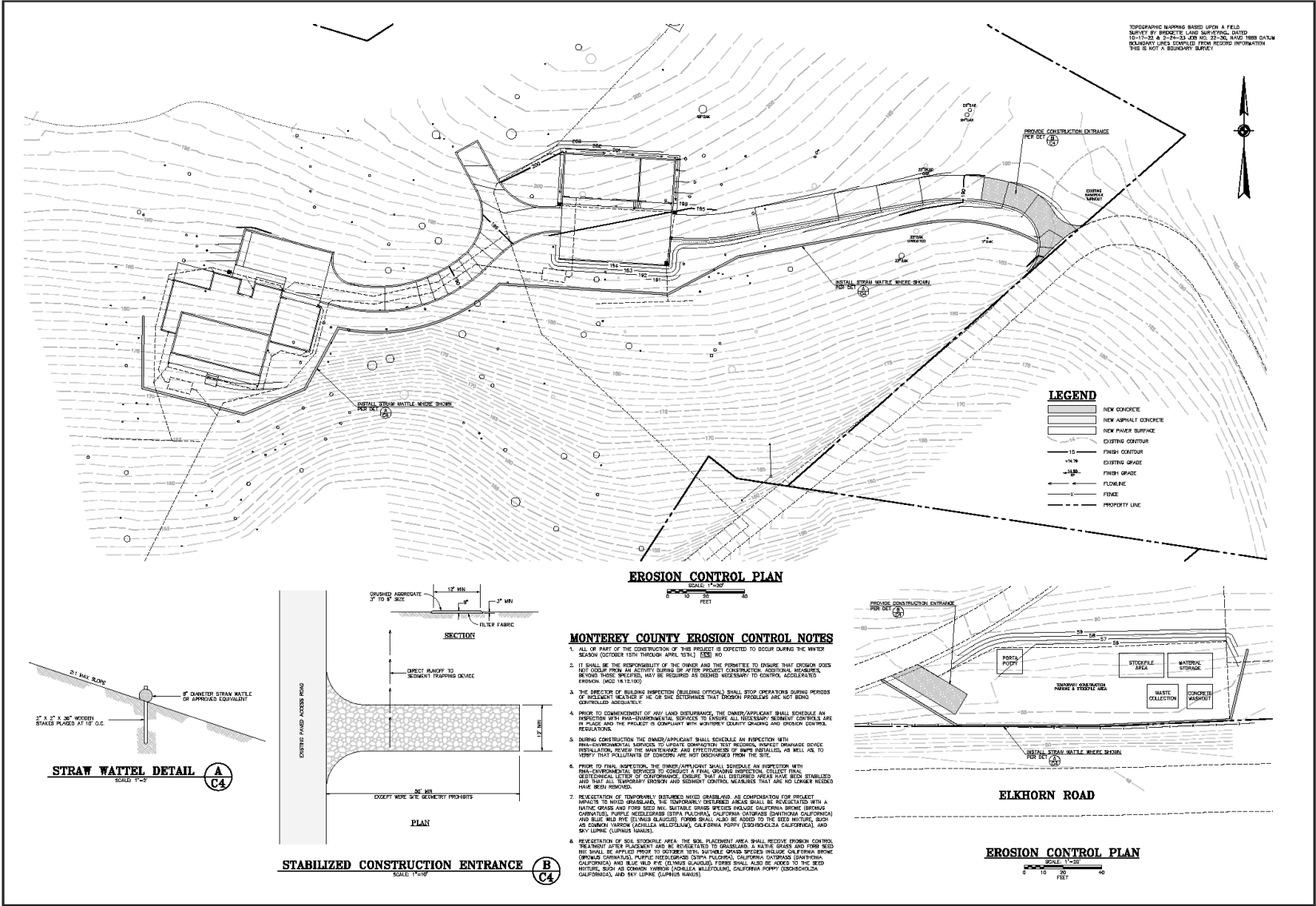


# Grading Plan

Source: Roper Engineering

Figure  
6





Erosion Control Plan

Source:Roper Engineering

Figure  
7

### **Building Heights, Colors and Materials**

The primary dwelling's maximum height (at the highest point of the roof in the structure's center) would be 21 ft, 7 in from average natural grade.

The height is only 20 ft and 1.5 in up at the east portion of the roof; height at the roof of the carport is and 17 ft and 10 in.

The guesthouse/workshop's maximum height would be 11 ft from average natural grade (**Figures 8a – 8d. Elevations and Floor Plans**).

The Project would use modern building materials. The roofs of both structures would consist of earth-tone Class A composite roofing shingles.

The structure's main floor exterior walls would consist of earth-tone smooth vertical-siding panels.

The primary dwelling's lower floor exterior walls would consist of earth-tone smooth lap-siding panels. The Project would also use concrete retaining walls (**Figure 8a Primary Dwelling Elevations and Figure 8e Guesthouse Elevation and Floor Plans**).

### **Construction**

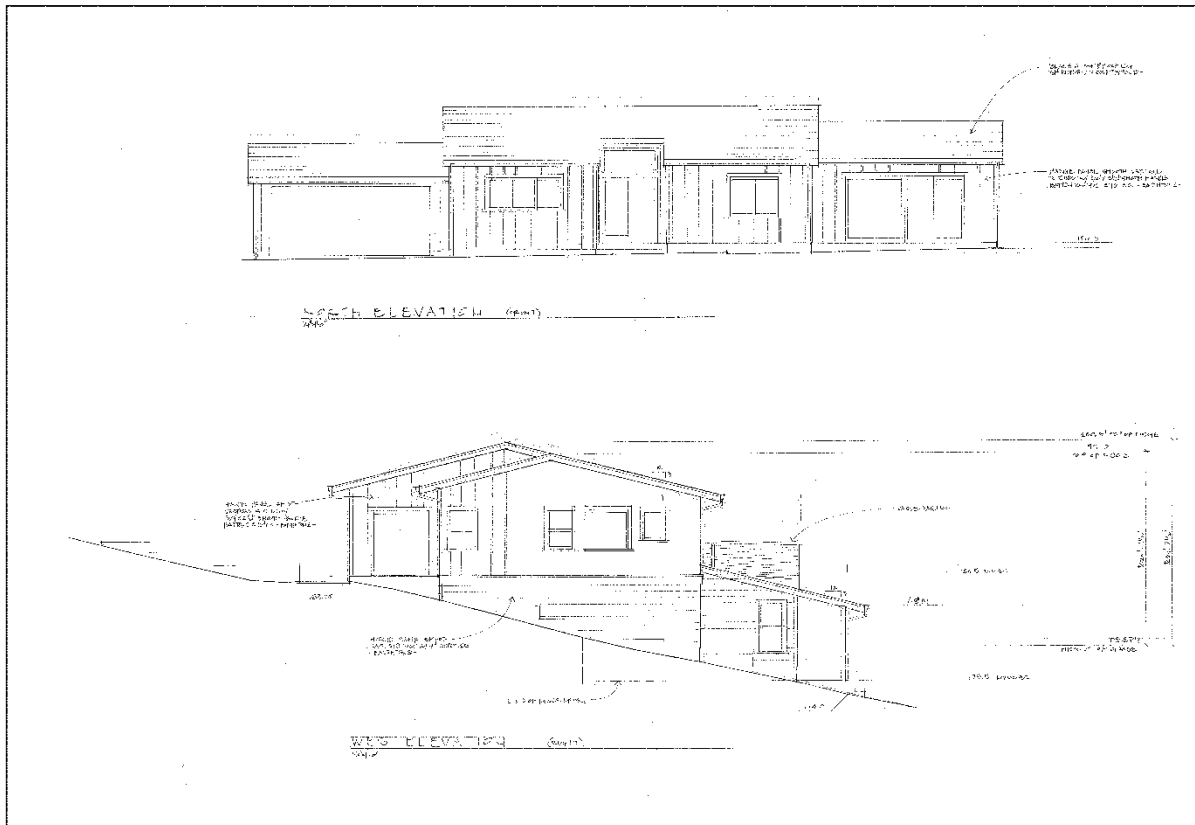
During construction, the residential development portion of the Project would generally involve dump trucks, backhoes, graders, concrete trucks, equipment and material delivery trucks, pick-up trucks, cars, etc. Most of the equipment would be brought to the site at the beginning of work and remain on-site until project completion.

Trucks would bring materials to the site, as necessary. Construction equipment and stockpiles would be kept on-site. The start of construction depends on the Project approval date, seasonal factors and the contractor's schedule. Once approved, construction is expected to last approximately 12-18 months. Construction activities would be limited to the hours between 8 AM to 5 PM, Monday through Friday and between 9 AM to 5 PM on Saturday. No construction activities would occur on Sundays or holidays.

Construction access to the Project site would be controlled through one access point on Elkhorn Road. Construction workers and materials would arrive at the site via State Route 1 ("SR 1") and/or Salinas Road. Vehicle use of the shared private driveway would be monitored and directed during grading, excavation and construction of the new driveway at locations to the north and south of the new driveway access point to the Project site.

Temporary parking for construction would be located at the base of the Project parcel near Elkhorn Road. No parking, construction access, or material delivery would be allowed from the upper turnout of the shared driveway onto the neighboring parcel.

The LLA portion of the Project (**Figure 4**, PLN240187, Boccone and Igel Co-Trust and Elkhorn Slough Foundation) involves changes in size and shape of APNs 181-151-009-000 (Parcel A), 181-011-022-000 (Parcel B) and 181-151-008-000 (Parcel C) so would not contribute construction activity.



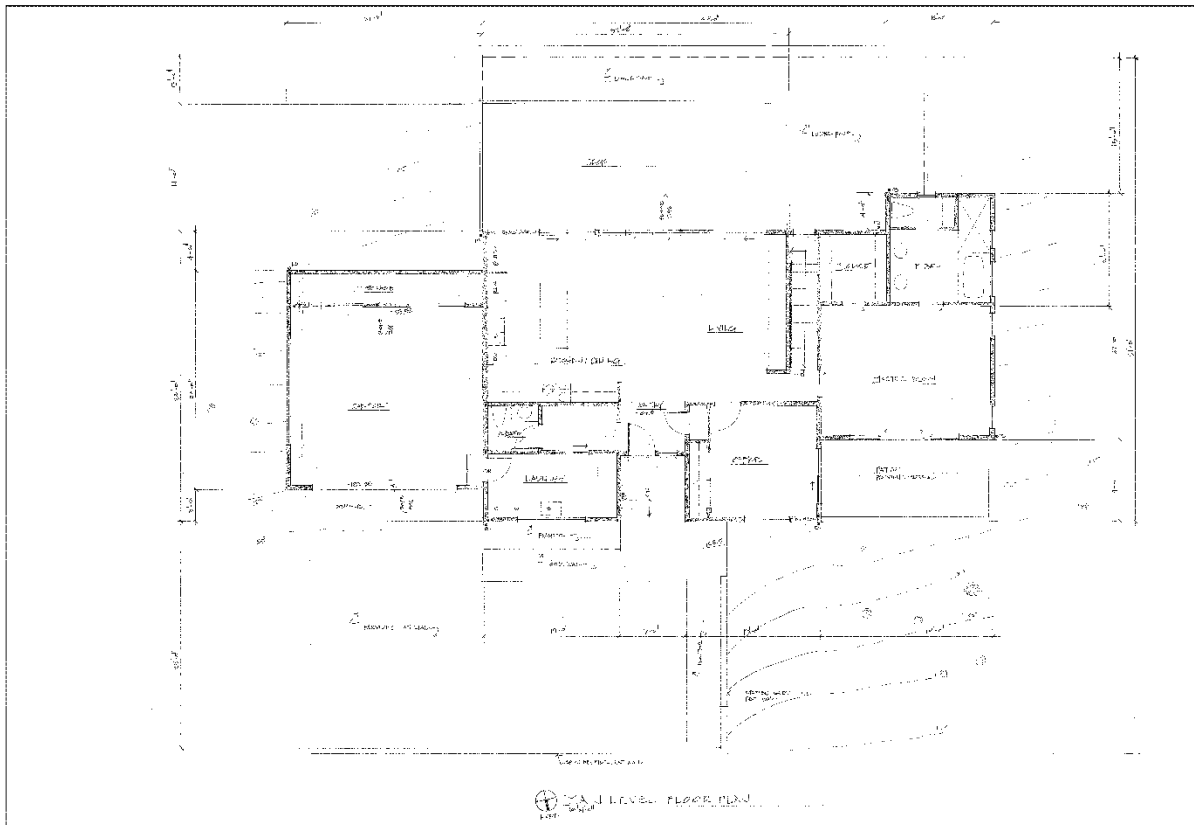
Primary Dwelling Elevations

Source: Riewe, Carol

Figure  
8a



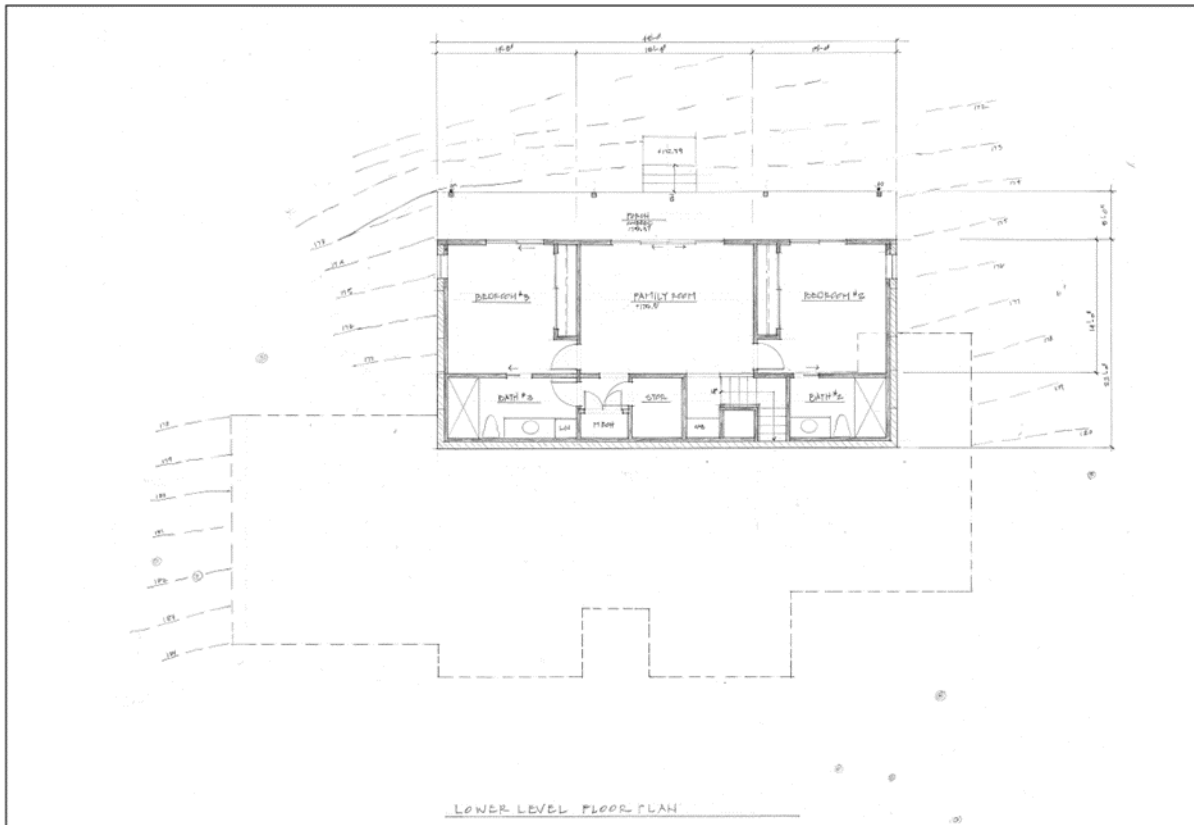




Primary Dwelling Floor Plans

Source: Riewe, Carol

Figure  
8c

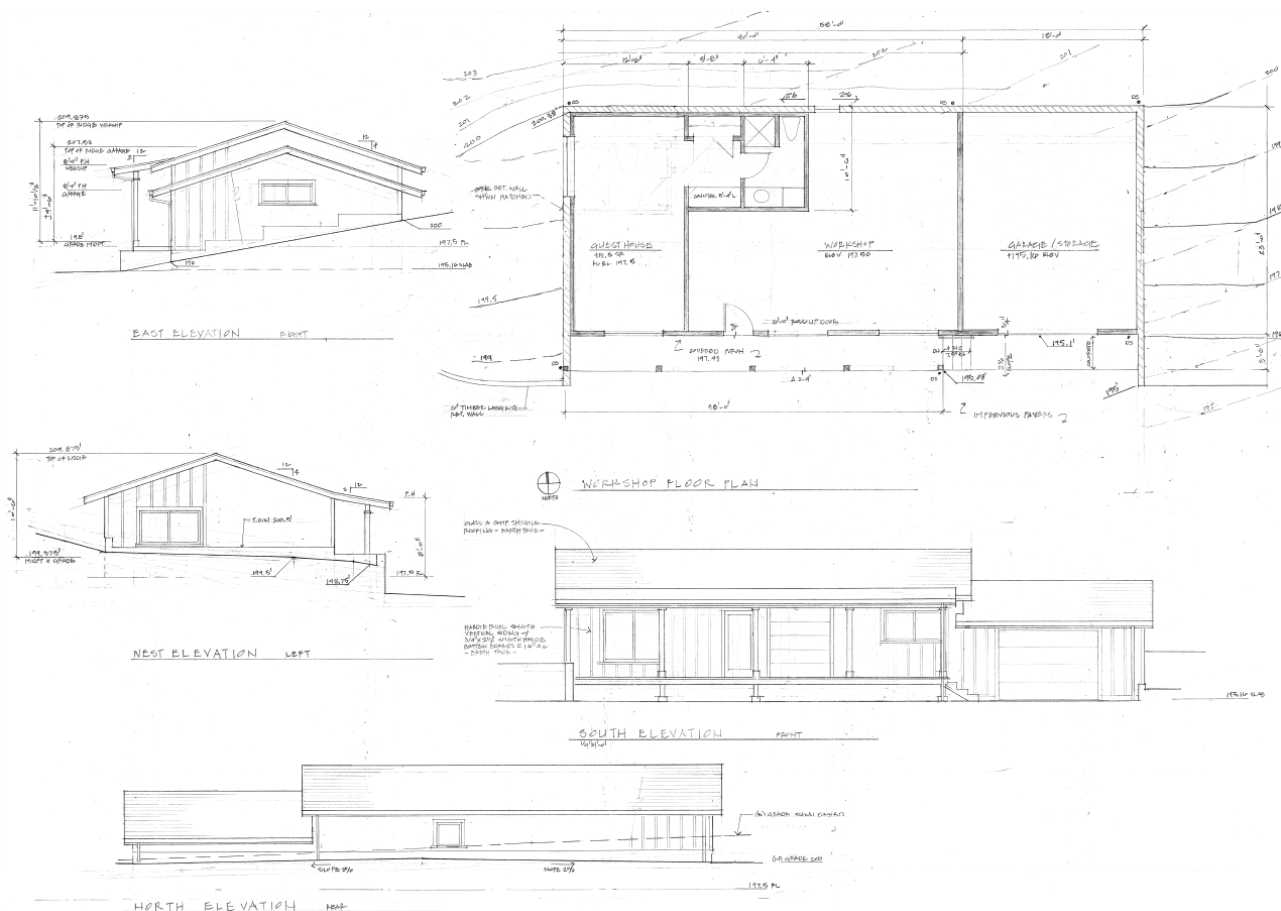


Primary Dwelling Floor Plans

Source: Riewe, Carol

Figure  
8d





Guesthouse Elevation and Floor Plans

Source: Riewe, Carol

Figure  
8e

### Grading

The Project would temporarily disturb 1.1 acres (including leach field preparation) and permanently convert approximately 0.28 acre of an approximately 18.14-acre parcel (13.53 acres after the LLA) to impervious coverage by the main dwelling, guesthouse and workshop, driveway and associated improvements.

The soil stockpile area would be located at the base of the Project parcel near Elkhorn Road, just off of the shared driveway. After construction, this area would be revegetated with a native grass and forb seed mix.

Development would result in approximately 550 cubic yards ("cy") of excess excavated soil. In consultation with the project Biologist, the Applicant (of PLN220229) identified an area where excess soils could be spread on-site on APN 181-151-008-000 within the southeastern portion of the Project site. Excavated soil would be six to twelve inches deep and would cover approximately 30,000 sf (0.69 acre) (**Figure 6. Grading Plan and Figure 7. Erosion Control Plan**).

### Tree Removal

Project construction would result in the removal of 20 trees:

- a. 15 coast live oak trees which meet the North County Land Use Plan's "protected" criteria (six inches or more in diameter as measured two ft above ground),
- b. 1 fallen coast live oak tree which meets "landmark" criteria (oak trees 24" or more in diameter when measured two ft above the ground, or trees which are visually significant, historically significant, or exemplary of their species) and
- c. 4 coast live oak trees that do not meet "protected" criteria.<sup>4</sup>

As compensation for the project's impacts to oak trees, Applicant of PLN220229/APN 181-151-008-000 shall replace oak trees at a minimum 1:1 ratio for protected trees and 2:1 for the landmark tree.

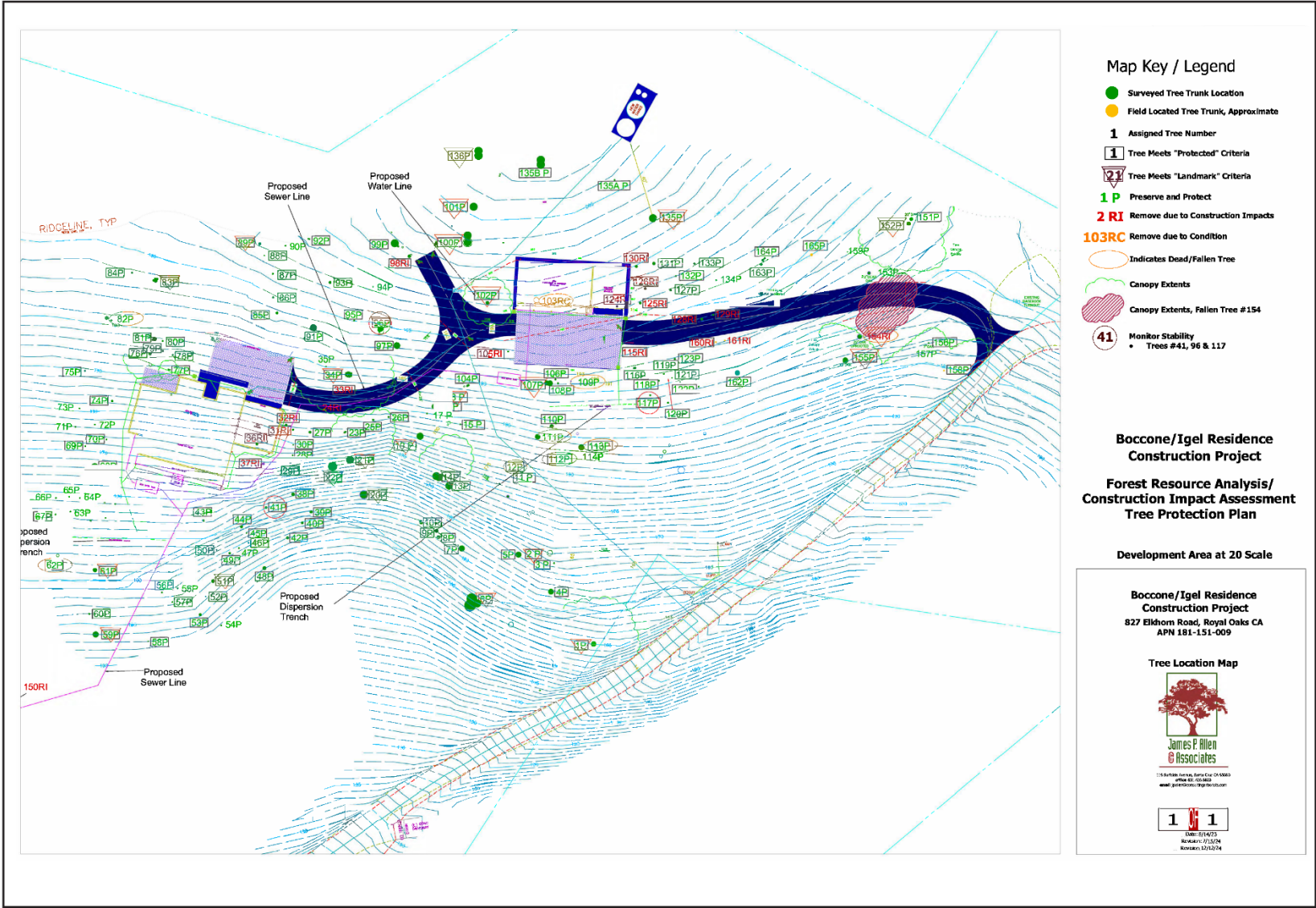
As compensation for the project's impacts to oak woodland habitat, on-site oak woodland restoration and enhancement actions will occur. All compensation activities would comply with an approved forest management plan. The forest management plan would include restoration/enhancement of approximately 0.12 acres of oak woodland concurrent with, or within one year after development of the single-family residence (**Figure 9a. Tree Removal Plan** and **Figure 9b. Tree Protection Plan**).

### **Fire Fuel Management**

The Project would implement a Fire Fuel Management Plan to mitigate wildfire risk and control vegetation on the Project site. The Fire Fuel Management Plan would remove dead vegetation, trim trees and shrubs and manage vegetation in defensible spaces within 30 ft and 100 ft of all structures in a manner that is sensitive to the biological resources and compatible with CAL FIRE guidelines. Activities within Zone 1 (30 ft from structures) would include removal of dead vegetation, trimming tree limbs and branches and creating separation between trees, shrubs and items that could catch fire such as patio furniture, wood piles, etc. Activities within Zone 2 (100 ft from all structures) would include maintaining a low (12-18 in tall) understory of native vegetation, removing fallen trees and plant material and inspection of clearances by North County Fire Protection District. (**Sections VI.4 Biological Resources, VI.9 Hazards and Hazardous Materials and VI.20 Wildfire**).

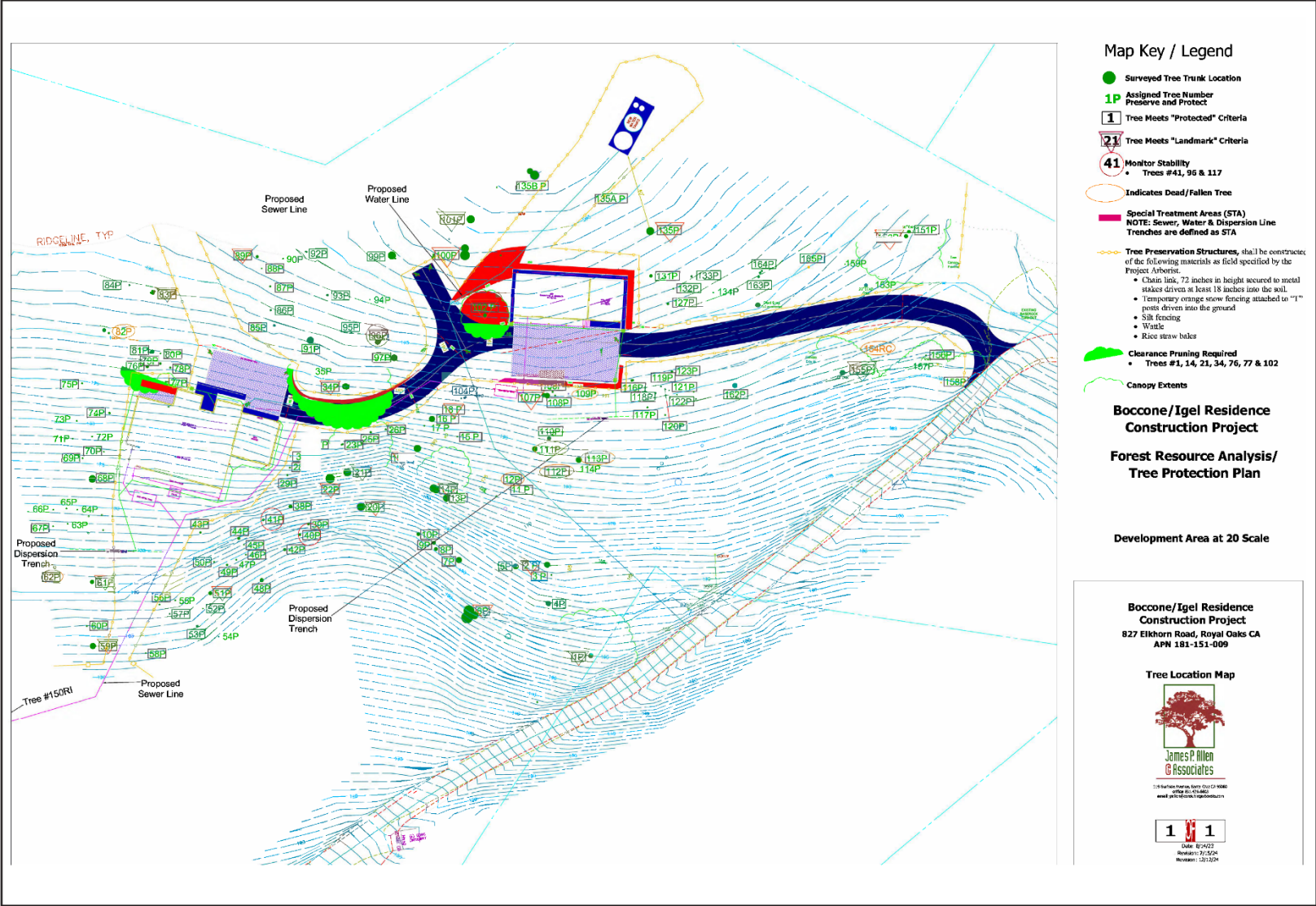
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<sup>4</sup> The Project includes a LLA to relocate the private driveway, in order to minimize grading on slopes and reduce impacts on trees. Approval of the proposed LLA would decrease tree removal requirements by 40% compared to the previously proposed driveway alignment without a Coastal Development Permit for a LLA. Most significantly, through the new driveway alignment, three landmark oak trees would not need to be removed.



<p>Tree Removal Plan</p>	<p>Source: James P. Allen &amp; Associates</p>	<p>Figure 9a</p>
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Tree Protection Plan

Source: James P. Allen & Associates

Figure  
9b

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

The Project includes residential development located at 827 Elkhorn Road in Royal Oaks, California (APN 181-151-009-000, Parcel A). The Project also includes an LLA that adjusts the size and shape of this parcel (Parcel A) and two adjacent parcels, APN 181-011-022-000 (Parcel B) and APN 181-151-008-000 (Parcel C).

The Project site is located within the Monterey County Coastal Zone and is subject to the requirements of the 1982 General Plan and North County Coastal Land Use Plan. The site is zoned “Residential Rural Density|10 (CZ)”. The Project site is surrounded by parcels zoned as Rural Density Residential to the north, west and east and Agricultural Conservation to the south. The Rural Residential parcels to the east are mostly developed with homesteads. The Rural Residential-zoned parcel to the north and west, currently undeveloped and owned by the Elkhorn Slough Foundation, is included in the Project’s LLA application. On the opposite side of Elkhorn Road, there is an approximately 0.22-mile width of Agricultural Conservation land; beyond that is the Elkhorn Slough (zoned Resource Conservation) is present.

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

This IS/MND is an informational document for both agency decision-makers and the public. County of Monterey is the lead agency responsible for adoption of the IS/MND and approving land use permits related to the Proposed Project.

Here is a list of approvals required by Monterey County. Project entitlements would include, but not be limited to:

- Combined Development Permit (PLN220229, the Proposed dwelling and accessory structures)
- Coastal Administrative Permit (PLN240187, the LLA)
- Grading Permit
- Construction Permit for Building

Other agencies that may have permit or review authority over some aspect of the Project may include Monterey Bay Air Resources District (“MBARD”), Central Coast Regional Water Quality Control Board (“CCRWQCB”) and the California Department of Fish & Wildlife (“CDFW”).

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

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

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

General Plan/Area Plan: The Project is in Royal Oaks, CA, an unincorporated area in Monterey County. Land use and development within the Project site is governed by the 1982 Monterey County General Plan, 1982 North County Coastal Land Use Plan (“LUP”) and the Monterey County Coastal Implementation Plan.

Together, these planning documents provide guidance to support development and future growth while preserving the scenic and environmental resources as much as possible. The Project site is designated as “Residential Rural Density” which allows for the first single family dwelling and guesthouse residential uses and temporary residences used as living quarters during construction of the first dwelling on a lot.

The Project consists of a single-family dwelling with an attached carport and deck; a detached guest house with a porch, attached workshop and garage and associated improvements; removal of up to 20 trees; development within 100 ft of environmentally sensitive habitat; and a Lot Line Adjustment. Therefore, construction and operation of the Project would be consistent with the land use designation upon granting of Coastal Development Permits.

The 1982 General Plan policies include guidance on natural resources, environmental constraints, human resources, area development and plan implementation. Many natural resources and environmental constraints policies are further codified by the LUP. 1982 General Plan noise ordinances are updated more recently by Countywide noise ordinance updates.

Issues discussed in the 1982 General Plan’s goals and objectives which relate to this project are the objectives for general land use which protect the natural aesthetic quality of rural areas. These include the policy that ridgeline development shall not be allowed unless a special permit is first granted based upon findings being made that the development will not create a “substantially adverse visual impact when viewed from a common public viewing area” (General Land Use Policy 26.1.9).

The project does not meet the definition of ridgeline development because it does not create a silhouette against the sky or other substantially adverse impacts.

*Lighting:* General Land Use Policy 26.1.20 requires that all exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range visibility is reduced, and offsite glare is fully controlled.

All exterior lighting is reviewed during construction permitting and compliance with the exterior lighting policy is enforced through the conditions of approval on PLN220229. As discussed in **Section VI.1 Aesthetics** of this Initial Study, the Project is consistent with these General Land Use Policies.

*Watershed:* The 1982 General Plan goals for watershed areas includes Watershed Area Policy 35.1.1, to ensure land uses in and surrounding critical watershed areas will not compromise the resource value of the area. This Policy relates to the Project because the Project site is within the North County Critical Watershed area of the Elkhorn Slough, where over-drafting the water basin has had negative effects on the watershed through seawater intrusion into the freshwater aquifers.

Watershed Area Policy 35.1.2 directs development in critical watershed areas to be designed, sited and constructed in a manner which minimizes negative effects on the watershed. The Project is consistent with these Watershed Policies because it does not involve new parcels which could lead to intensification of water use and is to be served by an established private well that currently has the potential for two additional water connections.

*Impervious Surfaces:* The Project is designed to minimize impervious surfaces, 1) using the LLA to shorten the access driveway and relocate/remove the driveway from slopes greater than 25 percent and 2) by the modest structural footprint of the house and guesthouse/workshop (0.8 percent lot coverage where 25 percent is allowed).

*Erosion Control:* Erosion control planning as enforced through the County of Monterey's Building Services construction permit inspection process will serve to minimize erosion during the construction phase. The 1982 General Plan Water Service Policy 53.1.4 states that new development shall be required to connect to existing water service where feasible. The Project includes the first residential development on the residentially zoned parcel of APN 181-151-009-000 and shall connect to an existing well shared with two other residential connections. Therefore, the Project is consistent with the relevant General Land Use, Watershed and Water Service Policies.

**North County Land Use Advisory Committee Review:** The Project is located within the North County Land Use Advisory Committee's ("LUAC") jurisdiction, which is responsible for reviewing project applications and providing advice and assistance to planning decision-makers on the development application review. After review of the Project's structures, tree removal and ESHA components. Project (PLN220229), the LUAC voted to recommend approval of the project on November 1, 2023. On November 20, 2024, the LUAC reviewed the LLA component of the Project (PLN240187) and voted to recommend approval. Through the duly-noticed public hearing review of the development applications, questions as to the ability of the Project to be consistent with the 1982 General Plan (as well as the North County Coastal Land Use Plan) development policies are addressed in a public forum. The LUAC considered conformance with the 1982 General Plan in its decisions to recommend approval. County of Monterey HCD-Planning ("HCD") found that as conditioned and mitigated the Project would be consistent with the 1982 Monterey County General Plan. **CONSISTENT**

**Water Quality Control Plan:** The Project site lies within Region 3 of the CCRWQCB which regulates water-quality related issues resulting in actual or potential impairment or degradation of beneficial uses, or the overall degradation of water quality. The Project could result in temporary construction-related effects (e.g., erosion). These effects would not likely be significant for several reasons. First, the Project appears to require only minor ground disturbing activities. Specifically, the Project would disturb approximately 1.1 acres (including leach field preparation) and permanently convert approximately 0.28 acre.

Ground disturbing activities would be temporary in nature. Construction would implement erosion control measures identified in the erosion control plan and would be required to comply with Chapters 16.08 and 16.12 of the Monterey County Code ("MCC") which address erosion and grading. Project operation would not generate pollutant runoff in amounts that would cause degradation of water quality.



Stormwater runoff would be collected by storm drains and gutters and infiltrated into soils of the Project site through dispersion trenches. For additional discussion on hydrology and water quality, please refer to **Section VI.9 Hydrology and Water Quality** of this Initial Study. **CONSISTENT**

Air Quality Management Plan: The Project is located within the North Central Coast Air Basin (“NCCAB”), which includes unincorporated areas of Monterey County. Air quality in the Project area is managed and regulated by MBARD. MBARD has developed Air Quality Management Plans (“AQMPs”) and CEQA Air Quality Guidelines to address attainment and maintenance of state and federal ambient air quality standards within the NCCAB.

The 2012-2015 AQMP, the 2008 CEQA Air Quality Guidelines and 2016 Guidelines for Implementing the California Environmental Quality Act are the most recent documents used to evaluate attainment and maintenance of air quality standards. The California Air Resources Board (“CARB”) uses ambient data from each air monitoring site in the NCCAB to calculate Expected Peak Day Concentration over a consecutive three-year period. The closest air monitoring station is in Salinas. There are no indications that the Project would cause a significant impact to air quality or greenhouse gas emissions (“GHGs”) based on available air quality monitoring data. **CONSISTENT**

Local Coastal Program LUP: The Project is subject to the North County Coastal Land Use Plan (“LUP”), a segment of the County of Monterey’s adopted Local Coastal Program. Regulations for this plan are found within the County of Monterey Coastal Implementation Plan (CIP). The LUP establishes policies that preserve, conserve and enhance the natural resources within the North County Coastal LUP area. These policies address issues including, but not limited to visual resources, environmentally sensitive habitats, water resources, hazards and land use. The CIP directs the regulations of the LUP and is an extension of Title 20 of the MCC.

As discussed in **Sections VI.1 Aesthetics and VI.10 Land Use and Planning**, the Project would not conflict with the LUP. The Project measures its land disturbance pursuant to the land disturbance computation requirements of the LUP. The Project does not significantly impact public viewsheds.

Due to the existing topography and vegetation as well as the Project’s design, materials and colors, the Project would be visually screened when viewed from the Elkhorn Slough and the trail that extends along the Slough to the north of Kirby Park, which are protected public viewsheds. As designed, the Project is tucked into a wooded section of the parcel with one structure partially visible from public viewing areas, which is consistent with the rural residential characteristics of the surrounding area. The Project is not visible from a public roadway, due to the topography and design.

*Biological Sensitivity:* The Project site includes maritime chaparral and oak woodland vegetation, designated as sensitive resources in the North County Coastal LUP. Forest Resources Policy 2.3.3.A.4 requires development on North County parcels within oak woodland habitat to minimize oak tree removal to the minimum required construction of structures and access roads.

CIP section 20.144.040.C.1.e describes protection of oak woodland within the Environmentally sensitive habitat development standards. This section also provides regulations for development within 100 feet of Pajaro Manzanita species. The Project will involve construction within 100 feet of maritime chaparral. Impacts to maritime chaparral are avoided and impacts to oak woodland are minimized and mitigated, as discussed in **Section VI.4 Biological Resources**.

*Water:* Similar to the 1982 General Plan, LUP Water Resources includes a Key Policy requiring that

- a. the water quality of the North County groundwater aquifers shall be protected and new development shall be controlled to a level that can be served by identifiable, available, long term-water supplies; and
- b. the estuaries and wetlands of North County shall be protected from excessive sedimentation resulting from land use and development practices in the watershed areas.

The Project is located and developed in accordance with erosion controls to protect the Elkhorn Slough watershed from excessive sedimentation during construction. The shared well, which will provide the potable water for the Proposed Project, is already permitted by the Environmental Health Bureau (EHB) and meets water quantity for this residential unit and another future connection in the area. The proposed residence is the first dwelling on the parcel; the Project does not include new parcels. Project Water Resources Policy 2.5.3.B.4 is also applicable to the project, which requires adequate maintenance and repair of septic systems to limit pollution of surface waters and protect the public health. The EHB found the proposed new septic system's design is adequate to limit pollution of surface waters and protect public health.

*Hazards:* LUP Hazards Policies are intended to minimize risks to life and property in areas of high geologic flood and fire hazards. New development is required to assure stability and structural integrity, and to neither create nor contribute to erosion and landslide hazards. The Project site is designated "moderate" for landslide risk and for erosion hazard.

Portions of the site are within high State Regulated Fire Hazard Zones. As discussed in **Sections VI.7 Geology/Soils, VI.9 Hazards and Hazardous Materials and VI.20 Wildfire**, the North County FPD, HCD-Environmental Services, HCD-Planning and other agencies reviewed the application submittals review of the Project and these agencies found appropriate foundation engineering is proposed in the Geotechnical Report to accommodate the landslide risk on life and property and, as previously stated, the erosion control plan incorporates standard measures to limit erosion hazards. The project shall implement a Fire Fuel Management Plan. Fire hazards are further reduced by the proposed use of metal roofing materials and the Project driveway was found to include appropriate hammerhead turnaround for FPD engines. As designed and regulated by standard MCC Fire and Building Codes, the Project conforms with the LUP Hazards Policies.

*Archaeological Resources:* LUP Archaeological Resources Policies are intended to maintain and protect North County's archaeological resources, including those areas considered to be archaeologically sensitive but not yet surveyed. PLN220229 includes a lower elevation swath of land close to Elkhorn Slough Road containing high archaeological sensitivity. As discussed in **Sections VI.5 Cultural Resources and VI.18 Tribal Cultural Resources**, Applicant of PLN220229 caused an appropriate site assessment to be performed; the County contacted representatives of tribal groups to give them an opportunity to consult on the Proposed Project. As proposed, conditioned and mitigated, the Project would be consistent with the LUP. **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/Forestry Resources      | <input checked="" type="checkbox"/> Air Quality                        |
| <input checked="" type="checkbox"/> Biological Resources      | <input checked="" type="checkbox"/> Cultural Resources       | <input checked="" type="checkbox"/> Energy                             |
| <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 checked="" 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           | <input checked="" type="checkbox"/> Tribal Cultural Resources          |
| <input checked="" type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> Wildfire                 | <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:**

***Agricultural and Forestry Resources:*** The California Department of Conservation Division of Land Resource Protection and the Farmland Mapping and Monitoring Program (“FMMP”) maps California’s agricultural resources. The FMMP designated the Project site as “Other Land” and therefore would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The Project is not zoned for agricultural use and is not under a Williamson Act contract. The Project site is not zoned or designated as forestland and therefore would not result in the loss or conversion of forest land for non-forestland use. The Project would not result in the loss or conversion of forest land for non-forest land use. Therefore, the Project would not result in impacts to agriculture and forestry resources.

**Mineral Resources:** Mineral resources are determined in accordance with the Surface Mining and Reclamation Act (“SMARA”) of 1975 and the California Geological Survey which maps mineral resources of regional significance. There are no known mineral resources on the Project site. As a result, the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. Additionally, the Project site is not designated as a mineral resource recovery site. Therefore, the Project would not result in the loss of availability of a locally important mineral resource recovery site. Therefore, the Project would not result in any impacts to mineral resources.

**Population and Housing:** The Project would alter the size and dimensions of three adjacent parcels through a LLA and construct a single-family dwelling unit, with a detached guesthouse, workshop and garage and supporting infrastructure on one of the three parcels. The residential unit would not significantly contribute to regional growth that was not previously forecasted. The Association of Monterey Bay Area Governments (“AMBAG”) projects the region’s population, housing and employment and documents anticipated changes in the regional growth forecast. The current regional growth forecast was adopted on June 15, 2022. The regional growth forecast does not evaluate individual areas of unincorporated County of Monterey and therefore growth projections for Royal Oaks are combined under *Unincorporated*. The population within this area is anticipated to increase by 6,317 persons between 2015 and 2045, representing a 6-percent increase. The Project would not induce substantial population growth either directly or indirectly. Additionally, construction and operation of the Project would not displace existing housing units. Therefore, the Project would not result in any population or housing-related impacts.

**Public Services:** The Project would not result in any adverse impacts resulting in the need for new, or physically altered, government facilities to maintain acceptable service ratios, response times, or other performance objectives for any public services (i.e., fire protection, police protection, schools, parks, or other public facilities). The North County Fire Protection District provides fire protection services to the Project site. The Monterey County Sheriff’s Department provides police protection services in Royal Oaks. The Pajaro Valley Unified School District (“PVUSD”) serves the community of Royal Oaks. The Project would alter the size and shapes of three adjacent parcels through a LLA and construct a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and on-site wastewater treatment system on one of the parcels. County departments and service providers reviewed the project application and did not identify any impacts. Therefore, the Project would not result in impacts related to public services.

**Recreation:** The Project would not result in an increased use of existing neighborhood and/or regional parks or other recreational facilities causing a substantial physical deterioration. The Project would not adversely impact parks, trail easements, or other recreational opportunities. Therefore, the Project would not result in any adverse recreation-related impacts. Moreover, the Project would not induce population growth or result in a substantial change in the population where recreational resources would be negatively impacted or require expansion.



**B. DETERMINATION**

On the basis of this initial evaluation:

- ☐ I find that the Project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the 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 Project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the 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 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.

Mary Israel  
Mary Israel, Supervising Planner  
Monterey County Housing & Community Development

April 30, 2025  
Date

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

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including 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		Less Than Significant			
Except as provided in Public Resources Code Section 21099, would the project:		Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista? (sources: 13, 26, 27, 28)	<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? (sources: 3, 13, 26, 27, 28, 33)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (sources: 13, 26, 27, 28, 31, 32)	<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? (sources: 3, 13, 26, 27, 28, 31)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion:

The Project site is located at 827 Elkhorn Road, 695 Elkhorn Road and a third adjacent parcel without address in Royal Oaks, California. The Project site is located on upper western slope of a ridge and is approximately 1,200 ft (0.22 miles) to the east of Elkhorn Slough. Nearby land uses include rural residences to the east, undeveloped land to the north and northwest and agricultural uses to the west and south of the Project Site. The site is currently developed with an access road that connects to residences on the upper slope of a nearby ridge, but the parcels involved in the Project are otherwise undeveloped. Scenic vistas within the vicinity of the Project site include views of the Elkhorn Slough, Santa Lucia Mountains and the Pacific Ocean. The Project site is located adjacent to the Elkhorn Slough, defined as a sensitive viewshed in the LUP. The LUP also identifies Elkhorn Road between Waugh Road north of the project site to Walker Road south of the project site as a County Scenic Route and recommends that the visual character of the adjacent scenic corridor should be preserved and where feasible, restored (LUP Recommended Action 2.2.2.5). Consequently, the section of Elkhorn Road in the vicinity of the Project is classified in County GIS as a locally recognized scenic corridor.

During PLN220229's project application review (the residential development part of the Proposed Project), public comments, including communications from the Elkhorn Slough Foundation, expressed concerns about the project's siting. These concerns stemmed from the perception that the residential design of the Project had the potential to conflict with LUP Visual Resources Policy 2.2.2.1, which requires "views to and along the ocean shoreline from Highway One, Molera Road, Struve Road and public beaches and to and along the shoreline of Elkhorn Slough from public vantage points to be protected." Early in the application process, Applicant of PLN220229 was made aware of the development standards for

development within the Elkhorn Slough corridor as described in CIP Visual Resources section 20.144.030.B.2:

“a. Location and siting of structures shall allow for their maximum screening from public view by existing topography or vegetation to minimize obstruction of or intrusion of views on the shoreline from public viewing areas;

b. The design of structures, including fencing, shall incorporate natural materials, earth-tone colors and otherwise blend with the rural setting;

c. Landscaping and lighting shall be unobtrusive and blend with the rural setting. Landscaping and incorporate native plants common to the area, as contained in Attachment 3 [of the CIP]; and

d. The structures shall be modified for bulk, size and height where necessary to protect and minimize visibility from the public viewshed.”

On May 7<sup>th</sup>, 2024, before the applications were deemed complete, HCD staff performed a Viewshed Determination pursuant to CIP Development Standards for Visual Resources, section 20.144.030.A.. The Project was staked and flagged following County protocol. At the May 7<sup>th</sup> visit, staff was not able to see the staking and flagging from any portion of Elkhorn Road. Staff were able to see staking and flagging from the public trail north of Kirby Park; pursuant to the direction of the CIP Visual Resources development standards listed above, the trail qualifies as “views on the shoreline” of the Elkhorn Slough.

No ridgeline effect was noted, but staff found the main dwelling’s west elevation visible at approximately 1/3 mile away; therefore, the proposed design would have some potential to impact the public viewshed. Staff contacted the Project agent about this potential; they responded by redesigning the main dwelling to lower its’ maximum height, changing the pitch of the main dwelling roof from 4/12 to 3/12 and lower the maximum height to 21 ft, 7 in.

Dwelling colors and materials were updated to earth tones of mossy grey green and brown/dark grey. Staff updated the viewshed photographs and presented them to HCD-Planning staff for internal project scoping on June 6, 2024. Staff evaluation concluded that there was no ridgeline effect and that the potential for visual impact of the Project on public viewsheds would be less than significant.

The Project would not conflict with LUP Visual Access Policies. Policy 6.4.G provides that:

“ all new structures and ancillary facilities within the public viewshed should be located and designed to be compatible with the existing character of the natural and built environments as specified in Section 2.2 of this plan and to retain existing visual access to the shoreline from major public viewpoints and viewing corridors.”

The Project does not interrupt public view of the shoreline.

1982 General Land Use Policy 26.1.20 requires that all exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range visibility is reduced and offsite glare is fully controlled. The Project does not include obtrusive exterior lighting, as shown in **Figure 3b. Site Plan Detail** and on the Project Plans available for review at the Monterey County HCD – Planning Office located in Salinas, California and online via Accela Citizen Access at <https://aca-prod.accela.com/MONTEREY/Default.aspx>.



The Project site is located approximately 1.3 miles east of SR 1, which is a State designated eligible scenic highway. HCD-Planning staff included view from SR 1 in the Viewshed Determination on May 7, 2024. The Project site was not visible from SR 1 due to topography, vegetation and distance.

**Aesthetic Impact (a) Less than Significant:** The Project would not have a substantial adverse effect on a scenic vista. The Project was evaluated by HCD-Planning staff with a Viewshed Determination. As discussed above, the original design of the residence had the potential to conflict with LUP Visual Resources Policy 2.2.2.1 and redesign reduced the potential impacts by lowering height, reducing roof pitch and adjusting colors to natural earth tones. As a result, staff found the Project would have a less than significant impact on the scenic vista along the Elkhorn Slough.

**Aesthetic Impact (b) Less than Significant:** The Project would not substantially damage scenic resources, including but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway. The Project does not contain, nor is it located near, rock outcroppings, or a historic building. Consistent with LUP Visual Resources Policy 2.2.2.4, the least visually obtrusive portion of a parcel which was also not of a steeper grade and where existing topography and vegetation provide natural screening was selected for the location of proposed structures. As a result, the Project would be visually screened from the nearest public road by vegetation and the existing uphill sloped topography.

As discussed above, the nearest public road is the section of Elkhorn Road considered a scenic corridor.

The segment of SR 1 located west of the Project site is a State designated eligible scenic highway. Views of the Project Site from SR 1 are primarily limited due to distance.

While the Project would require the removal of up to 20 trees, the Project would restore/enhance trees/woodlands onsite at approximately a 3:1 ratio replace the 15 “protected” oak trees at a 1:1 ratio and replace the “landmark” oak tree at a 2:1 ratio. The draft Forest Management Plan includes restoration/enhancement of a minimum of 0.12 acres of oak woodland within one year of development of the residence. Prior to occupancy, one oak tree would be planted to replace every one tree removed. Therefore, any removal of trees which may make visible the operation of the Project would be restored and/or replaced, minimizing impacts.

For these reasons, the Project would not have substantial adverse impacts on any scenic resources or be within view of a state designated scenic highway. The Project would have a less than significant impact.

**Aesthetic Impact (c) Less than Significant:** The Project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. As discussed above, the Project alters the size and shapes of three adjacent parcels through a LLA to allow the Project’s driveway to be shorter, located away from steep slopes, impacting fewer trees and above the area of the parcel that is in public viewshed.

The Project also involves constructing a single-family dwelling unit, with a detached guesthouse, workshop and garage and supporting infrastructure on one of the three parcels. The location of the residential development above the greater area of public viewshed maximizes tree cover for vegetative screening; the use of natural colors and materials are methods by which the Project is designed to be visually compatible with the surrounding area.

To comply with Visual Resources Policies protecting the viewshed of this section of Elkhorn Slough Road, structural development in the meadow near Elkhorn Slough Road was avoided. The Project site would be located up the slope so that no views from Elkhorn Road would be impacted. Consistent with LUP Visual

Resources Policy 2.2.3.6, with the LLA and shortened driveway, the Project has eliminated grading on slopes and increased the Project's ability to retain existing native trees and other significant vegetation while developing the driveway. Consistent with Visual Resources Policy 2.2.2.5, the structures are proposed in locations that minimize tree removal and the grading for the building site and access road is minimized through the incorporation of the LLA in the Proposed Project. Through careful siting and pursuit of the least impact to trees and slopes, the Project minimizes these visual resource related impacts. Public views from nearby public viewing points on the Elkhorn Slough and the trail north of Kirby Park are limited due to vegetation and topography but some of the main dwelling façade would be visible from points along the trail. Project redesign reduced maximum height, roof pitch; updated colors to grey moss green and brown/dark grey lowered the potential for viewshed impact from those point of public view.

In keeping with CIP Visual Resources Development Standard and after an initial staff Viewshed Determination, the Applicant modified the structures to reduce bulk and height to minimize visibility from the public viewshed. Views from trailheads such as the North Marsh overlook and Whistlestop are limited due to topography, vegetation and distance from the Project Site. In staff's final analysis, the Proposed Project's Viewshed Determination was found not to degrade public views of the site or its surroundings. For these reasons, the Project would have a less than significant impact.

**Aesthetic Impact (d) Less than Significant:** The Project does not entail any nighttime construction-related activities. The Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. The Project would include exterior lighting (**Figure 3b. Site Plan Detail**). Project approval will be conditioned to require exterior lighting be recessed or downlit.

General Land Use Policy 26.1.20 requires all exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range visibility is reduced and offsite glare is fully controlled. All exterior lighting is reviewed during construction permitting and compliance; the exterior lighting policy is enforced through the condition of approval on PLN220229. As a result, the Project would not result in a significant impact due to a new source of light or glare which would adversely affect day or nighttime views in the area. This represents a less than significant impact.

The Project shall have a less than significant impact on Aesthetic Resources by design and with the application of a standard County Planning condition of approval enforcing the exterior lighting policy.

## 2. AGRICULTURAL AND FORESTRY 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? (sources: 5, 26)	<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? (sources: 6, 26, 27, 28)	<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))? (sources: 6, 26, 27, 28)	<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? (sources: 6, 26, 27, 28)	<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? (sources: 5, 6, 26, 27, 28)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion/Conclusion/Mitigation:

Please refer to **Section IV.A Environmental Factors Potentially Affected**. The Project would have no impact on agricultural or forest land resources.

### 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? (sources: 22, 23, 24, 25, 26)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? (sources: 22, 23, 24, 27, 28)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations? (sources: 22, 23, 24, 26, 27, 28)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (sources: 34, 35)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Discussion/Conclusion/Mitigation:

The Project is located within the NCCAB, under the jurisdiction of MBARD. MBARD is responsible for producing an Air Quality Management Plan (“AQMP”) that reports air quality and regulates stationary air pollution sources throughout the NCCAB. MBARD is also responsible for measuring the concentration of pollutants and comparing those concentrations against Ambient Air Quality Standards (“AAQS”). Additionally, MBARD monitors criteria pollutants to determine whether they are in attainment or not in attainment. **Table 3-1 Attainment Status for the NCCAB** illustrates the attainment status for criteria pollutants.

**Table 3-1  
Attainment Status for the NCCAB**

Pollutant	State Designation	Federal Designation
Ozone (O <sub>3</sub> )	Nonattainment – Transitional	Attainment
Inhalable Particulates (PM <sub>10</sub> )	Nonattainment	Attainment
Fine Particulates (PM <sub>2.5</sub> )	Attainment	Attainment
Carbon Monoxide (CO)	Monterey Co. – Attainment	Attainment
	San Benito Co. – Unclassified	Attainment
	Santa Cruz Co. – Unclassified	Attainment
Nitrogen Dioxide (NO <sub>2</sub> )	Attainment	Attainment
Sulfur Dioxide (SO <sub>2</sub> )	Attainment	Attainment
Lead	Attainment	Attainment

Source: Monterey Bay Air Resources District, 2017. 2012 – 2015 Air Quality Management Plan



MBARD has set air quality thresholds of significance for the evaluation of projects. **Table 3-2 Thresholds of Significance Construction Emissions** illustrates the thresholds of significance used to determine if a project would have a significant air quality effect on the environment during construction.

**Table 3-2**  
**Thresholds of Significance Construction Emissions**

<b>Pollutant</b>	<b>Threshold of Significance (lbs./day)</b>
Nitrogen Oxides (NO <sub>x</sub> )	137
Reactive Organic Gases (ROG)	137
Respirable Particular Matter (PM <sub>10</sub> )	82
Fine Particulate Matter (PM <sub>2.5</sub> )	55
Carbon Monoxide (CO)	550

Source: Monterey Bay Unified Air Pollution Control District, 2016. Guidelines for Implementing the California Environmental Quality Act.

In addition to these thresholds, MBARD has also determined that a significant short-term construction generated impact would occur if more than 2.2 acres of major earthmoving (i.e., excavation) per day was to occur. Activities associated with this threshold include excavation and grading. For projects that require minimal earthmoving activities, MBARD has determined that a significant short-term construction generated impact would occur if more than 8.1 acres per day of earthmoving was to occur.

**Table 3-3 Thresholds of Significance Operational Emissions** illustrates the thresholds of significance used to determine if a project would have a significant air quality effect on the environment during operation.

**Table 3-3**  
**Thresholds of Significance Operational Emissions**

<b>Pollutant</b>	<b>Threshold of Significance (lbs./day)</b>
Nitrogen Oxides (NO <sub>x</sub> )	137
Reactive Organic Gases (ROG)	137
Respirable Particular Matter (PM <sub>10</sub> )	82
Fine Particulate Matter (PM <sub>2.5</sub> )	55
Carbon Monoxide (CO)	550

Source: Monterey Bay Unified Air Pollution Control District, 2016. Guidelines for Implementing the California Environmental Quality Act.

CARB defines a sensitive receptor as children, elderly, asthmatic and others who are at high risk of negative health outcomes due to exposure to air pollution. Pursuant to California Health and Safety Code Sec. 42705.5, a sensitive receptor includes hospitals, schools, day care centers and such locations as the district or state board may determine. MBARD similarly defines sensitive receptors and adds that the location of sensitive receptors be explained in terms that draw a relationship to the project site and potential air quality impacts. The nearest sensitive receptor (e.g., residence, health care center, visitor serving accommodations) is located approximately 300 ft to the southeast of the Project site and is a residence.

**Air Quality Impact (a) No Impact:** CEQA Guidelines Sec. 15125(b) requires evaluation of a project for consistency with applicable regional plans, including the AQMP. The most recent MBARD update was the 2012 – 2015 AQMP and was adopted in March 2017. This plan addresses attainment of the State ozone standard and Federal air quality standards. The AQMP accommodates growth by projecting growth in emissions based on population forecasts prepared by the Association of Monterey Bay Area Governments

(“AMBAG”) and other indicators. Consistency determinations are issued for commercial, industrial, residential and infrastructure related projects that have the potential to induce population growth. A project is considered inconsistent with the AQMP if it has not been accommodated in the forecast projects considered in the AQMP.

The Project consists of the construction of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and onsite wastewater treatment system. The Project would not induce substantial population growth or result in the need for additional residential development beyond what currently exists. The current regional growth forecast was adopted on June 15, 2022. The regional growth forecast does not evaluate individual areas of unincorporated Monterey County and therefore growth projections for Royal Oaks are combined under *Unincorporated*. The population within the Project area is anticipated to increase by 6,317 persons between 2015 and 2045, representing a 6-percent increase. The Project would not induce substantial population growth either directly or indirectly beyond what was forecasted. Therefore, the Project would not conflict with or obstruct an applicable air quality plan. For these reasons, no impact would occur.

**Air Quality Impact (b) Less than Significant:** The MBARD 2016 CEQA Air Quality Guidelines contain standards of significance for evaluating potential air quality effects of projects subject to CEQA. According to MBARD, a project would violate an air quality standard and/or contribute to an existing or projected violation if it would emit (from all sources, including exhaust and fugitive dust) more than:

- 137 pounds per day of oxides of nitrogen (NO<sub>x</sub>),
- 137 pounds per day of reactive organic gases (ROG),
- 82 pounds per day of respirable particulate matter (PM<sub>10</sub>),
- 55 pounds per day of fine particulate matter (PM<sub>2.5</sub>) and
- 550 pounds per day carbon monoxide (CO).

According to MBARD’s criteria for determining construction impacts, a project would result in a potentially significant impact if it would result in 8.1 acres of minimal earthmoving per day or 2.2 acres per day with major grading and excavation.

Project construction will temporarily disturb 1.1 acre (including leach field preparation) permanently converting approximately 0.28 acres of an approximately 18.14-acre parcel (13.53 acres after the LLA) for a main dwelling, guesthouse and workshop, driveway and accessory development.

The construction soil stockpile area would be located at the base of the Project parcel near Elkhorn Road, just off of the shared driveway. This area would be revegetated with a native grass and forb seed mix. Development would result in approximately 550 cubic yards (“cy”) of excess excavated soil. In consultation with the project Biologist, the Applicant identified an area where excess soils could be spread on-site on APN 181-151-008-000, within the southeastern portion of the Project site.

The approximate 550 cy of excavated soil would be spread six to twelve inches deep, covering approximately 30,000 sf (0.69 acre). Construction would require equipment such as tractors, backhoes, excavators, loading trucks and pickup truck, with construction related emissions coming from sources such as exhaust or fugitive dust. Project construction Project would not, however, exceed MBARD’s significance criteria. Grading and excavation-related activities occurring over several days, would not exceed MBARD’s daily ground-disturbing thresholds for excavation (2.2 acres per day) or grading (8.1 acres per day).

The Project would implement standard construction Best Management Practices (“BMPs”) related to dust suppression e.g. watering active construction areas, prohibiting grading activities during periods of high wind (over 15 mph), covering trucks hauling soil, covering exposed stockpiles, etc.) thereby further ensuring temporary construction-related effects are minimized. For these reasons, project construction Project would have a less than significant impact on air quality.

The Project could result in operational emissions but would not result in a significant impact. Operational emissions associated with the Project would not exceed an applicable MBARD threshold of significance. The Project would be used for residential uses consisting of a single-family dwelling with attached carport and deck; and a detached guesthouse with a porch, attached workshop and garage. The Project would be constructed in accordance with contemporary building standards. As discussed in **Section VI.5 Energy**, the Project would include rooftop solar arrays, energy storage system and backup generator and would not connect to an existing electrical grid. Additionally, operational emissions generated by vehicle trips would be minimal. As discussed in Section VI.17 Transportation, the Project would generate new daily trips but would not exceed the daily threshold of 110 trips as set by the Office of Planning and Research (“OPR”). For these reasons, operational emissions associated with the Project would not exceed an applicable MBARD threshold of significance. The Project would result in a less than significant impact to air quality during operation.

**Air Quality Impact (c) Less than Significant:** The Project is in a rural area of Royal Oaks; and the nearest sensitive receptor is a single-family dwelling, located approximately 300 ft to the southeast of the Project site. As discussed, Project construction would generate air quality impacts. However, these impacts would be temporary in nature and would not exceed the thresholds set by MBARD. Therefore, impacts of the Project would be less than significant.

**Air Quality Impact (d) Less than Significant:** Project construction could generate temporary odors from construction equipment (e.g., diesel exhaust) which could be noticeable at times to residences, visitors and others in the Project vicinity. However, construction-generated odors would be temporary in nature and would not create objectionable odors affecting a substantial number of persons. This represents a less than significant impact.

Through application of standard MBARD BMPs, along with County Building Services construction plan review and inspection, the Project will Project have a less-than-significant impact on Air Quality.

<b>4. BIOLOGICAL RESOURCES</b>				
<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? (sources: 2, 3, 21, 26, 27, 28, 33, 34, 35, 44)	<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 Wildlife or US Fish and Wildlife Service? (sources: 2, 21, 26, 27, 28, 33, 34, 35, 40, 44)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (sources: 2, 21, 26, 27, 28, 33, 40)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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? (sources: 2, 21, 27, 28, 43, 44)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (sources: sources: 2, 21, 27, 28, 31, 32, 34, 35, 44)	<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? (sources: 2, 21, 27, 28)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### **Discussion/Conclusion/Mitigation:**

Biotic Resources Group and Bryan Mori Biological Consulting prepared a biological resources assessment for the residential development portion of the Project (PLN220229) which was updated to include the LLA Project (PLN240187). The assessment, *Elkhorn Road Parcel APN 181-151-009 Biological Assessment (December 2024)*, evaluated the Project's potential impacts associated with the construction and operation.

James P. Allen & Associates prepared a forest resources assessment for the residential development Project (PLN220229) and then updated it to include the LLA Project (PLN240187). The assessment, *Boccone/Igel Residence, APN 181-151-009 Forest Resource Analysis/Construction Impact Assessment/Tree Protection*



*Plan (December 2024)*, focused on the Project's construction and operation. Consistent with the requirements of CEQA Guidelines Sec. 15150, findings of these technical analyses are herein incorporated by reference. For a more detailed discussion of the site's biological resources, please refer to the technical reports available for review at the Monterey County HCD – Planning Office located in Salinas, California and online via Accela Citizen Access at <https://aca-prod.accela.com/MONTEREY/Default.aspx>.

### Methodology

Kathleen Lyons conducted botanical site surveys of the Project site on July 11, 2022 and April 10, 2023. These surveys focused on identification of sensitive habitat and potential rare species and habitat within the Project site. Field surveys were conducted within blooming/identification periods for special-status plant species. To determine the site's suitability to support any special-status species, the biologist used and reviewed the soil conditions, compaction, existing vegetation and personal knowledge of the habitat conditions. The site was traversed on foot to identify botanical resources and habitat conditions. Data sources used by the biologist include Federal, State and local databases, manuals and maps.

### Natural Communities

The biological resource assessment identified that the Project site supports oak woodland, grassland (coastal prairie, annual grassland, mixed grassland), maritime chaparral and coastal scrub vegetation types. (**Figure 11a. Vegetation Types**). Sensitive habitats are defined by local, State, or Federal agencies as those habitats that support special-status species, provide important habitat values for wildlife, represent areas of unusual or regionally restricted habitat types and/or provide high biological diversity.

The project site contains sensitive Project of oak woodland, coastal scrub, maritime chaparral and native grasslands habitats (**Table 4-1 Plant Community Types, Elkhorn Road Parcel and LLA Area**).



Source: Biotic Resources Group and Bryan Mori Biological Consulting

Figure 11a

## Vegetation Types

**Table 4-1  
Plant Community Types, Elkhorn Road Parcel and LLA Area**

<b>General Plant Community Type</b>	<b>CDFW Alliance</b>	<b>Alliance Code</b>	<b>Sensitive?</b>
Oak Woodland	Coast live oak– poison oak/California blackberry/poison oak - grasses	71.060.13	No (CDFW) Yes (County)
Maritime Chaparral	Pajaro manzanita/sticky monkey flower -grasses	37.316.01	Yes (CDFW) Yes (County)
Coastal Scrub	California sagebrush/sticky monkey flower/coyote brush/poison oak – bracken fern	32.010.11	Yes (CDFW) Yes, if known rare/ endangered species of plants and animals, rookeries, major roosting sites and other wildlife breeding or nursery areas identified within the Coastal Scrub (County)
Grassland	<u>Coastal Prairie:</u> California oatgrass/purple needlegrass – lupine/California poppy/filaree	41.050.05	Yes (CDFW) Yes, as qualified above (County)
	<u>Annual Grassland:</u> Wild oat/ripgut brome/filaree/English plantain	44.150.02	No (CDFW) No (County)
	<u>Mixed Grassland:</u> Purple needlegrass/wild oat/Chilean brome/rattlesnake grass	41.150.05	No (CDFW) Yes, as qualified above (County)

Source: Biotic Resources Group and Bryan Mori Biological Consulting, 2024. Elkhorn Road Parcel APN 181-151-009 Biological Assessment.

**Table 4-2  
Impacts to Habitat by Type**

<b>Habitat</b>	<b>Permanent Impact</b>	<b>Temporary Impact</b>
Oak Woodland	0.04 acre	0.009 acre
Mixed Grassland	0 acre	0.08 acre
Total	0.04 acre	0.089 acre

Source: Biotic Resources Group and Bryan Mori Biological Consulting, 2024. Elkhorn Road Parcel APN 181-151-009 Biological Assessment.

The biological resource assessment determined sensitive habitats would be impacted by the Project.(**Table 4-2 Impacts to Habitat by Type**):

Oak Woodland: The biological resource assessment identified oak woodland in the central and northern portions of the parcel and within the proposed LLA area. The woodland is characterized by coast live oak

trees (*Quercus agrifolia*), with a few scattered Monterey pines (*Pinus radiata*). In the central portion of the parcel, the woodland has a relatively sparse understory. Commonly observed species include poison oak (*Toxicodendron diversilobum*), California blackberry (*Rubus ursinus*), sticky monkey flower (*Diplacus aurantiacus*), coyote brush (*Baccharis pilularis*) and young oaks. Herbaceous species observed include wild oat (*Avena sp.*), ripgut brome (*Bromus diandrus*), ryegrass (*Festuca perennis*), Italian thistle (*Carduus pycnocephalus*), coyote mint (*Monardella villosa*) and scarlet pimpernel (*Anagallis arvensis*).

The biological resource assessment notes that a portion of the oak woodland was thinned in 2022/23 when some young oaks were cut, limbs removed from larger trees and the understory brush cut to accommodate staking and flagging of the proposed dwellings and a longer, previously proposed driveway through the woods. This thinning is allowed in the LUP area as CIP section 20.144.050.A.1 defines “unprotected trees” as native non-oak trees less than 12 inches diameter at breast height, madrone trees less than 6 inches diameter at breast height and oak trees less than 6 inches diameter at 2 ft above the ground.

The original Parcel A’s north and east-facing slopes support a more mesic (characterized by, or adapted to a moderately moist habitat) oak woodland with dense understory vegetation. Coast live oak trees create a dense tree canopy, with an understory thick with poison oak, coffee berry (*Frangula californica*), snowberry (*Symphoricarpos albus*), California blackberry, mugwort (*Artemisia douglasiana*), wood fern (*Dryopteris arguta*), hedge nettle (*Stachys bullata*) and patches of non-native poison hemlock (*Conium maculatum*).

Coastal Prairie: The biological resource assessment identified that the Project site supports a small area of coastal prairie in the south-central portion of the parcel. This vegetation type is defined as having a dominance or co-dominance of native bunchgrasses: California oatgrass (*Danthonia californica*), a native perennial bunchgrass, with or without other bunchgrasses. Other plant species include purple needlegrass (*Stipa pulchra*) (another native perennial bunchgrass), filaree (*Erodium botrys*), catchfly (*Silene gallica*), sky lupine (*Lupinus nanus*), bicolor lupine (*Lupinus bicolor*) and California poppy (*Eschscholzia californica*).

Annual Grassland: The biological resource assessment found that the northwestern portion of the parcel supports annual grassland. This grassland type occurs in open areas next to the oak woodland. Annual, non-native grasses present the most cover and include wild oat (*Avena sp.*), ripgut brome (*Bromus diandrus*), rattlesnake grass (*Briza maxima*), false brome (*Brachypodium distachyon*) and Chilean brome (*Bromus stamineus*). The grassland also supports small patches of native purple needlegrass (*Stipa pulchra*) and California oatgrass; the cover provided by these two native grasses is less than 10%. Forbs are also present. Commonly observed native forbs include owl’s clover (*Orthocarpus densiflora*), skunkweed (*Navarretia squarrosa*), purple sanicle (*Sanicula bipinnatifida*), sky lupine, common aster (*Corethrogyne filaginifolia*), soap plant (*Chlorogalum pomeridianum*) and mule’s ears (*Wyethia angustifolia*). Nonnative forbs are prevalent, such as cat’s ear (*Hypochaeris radicata*), filaree, English plantain (*Plantago lanceolata*), fiddle dock (*Rumex acetosella*), scarlet pimpernel (*Anagallis arvensis*), catchfly (*Silene gallica*), wild radish (*Raphanus sativa*) and Italian thistle.

Mixed Grassland: The biological resource assessment identified that the lower, western slopes of the parcel near Elkhorn Road support mixed grassland. Here, native and non-native grasses and forbs co-dominate. Wild oat and purple needlegrass intermix, with a predominantly non-native forb component. Other species include suncups, sky lupine, bur clover (*Medicago polymorpha*), mule’s ears and California poppy.

Maritime Chaparral: The biological resource assessment determined that the Project site supports small areas of maritime chaparral. This chaparral is characterized by the presence of brittle-leaved manzanita (*Arctostaphylos crustacea*) and Pajaro manzanita (*Arctostaphylos pajaroensis*). Pajaro manzanita is a rare



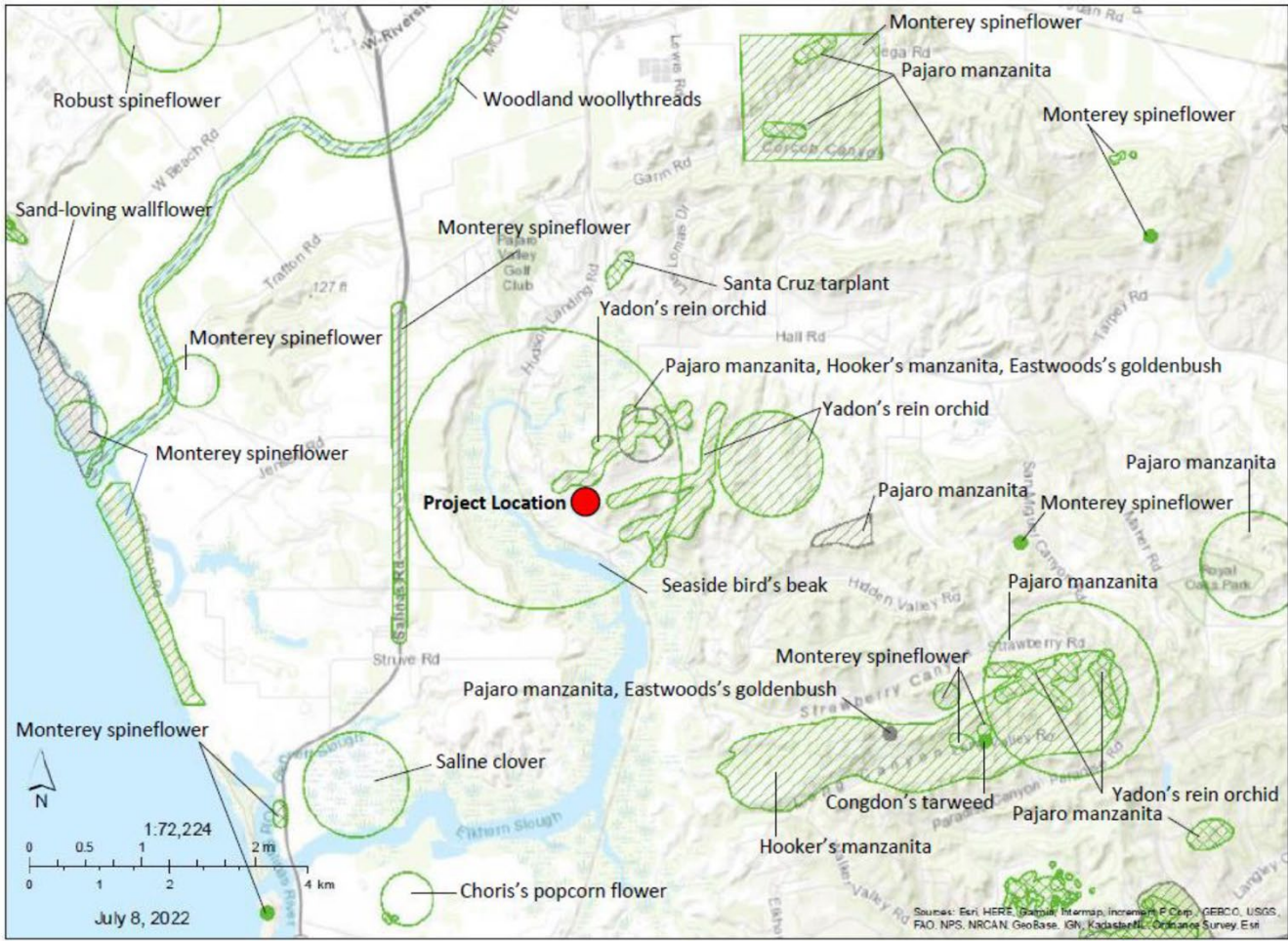
evergreen shrub. The chaparral is located on the edge of oak woodland in the central portion of the parcel. Other plant species in the chaparral include sticky monkey flower and grasses and forbs typical to the adjacent grassland.

Coastal Scrub: The biological resource assessment determined that coastal scrub is found on the parcel's northwest-facing slope. The vegetation is dominated by shrubs, such as California sagebrush (*Artemisia pycnocephalus*), coyote brush, sticky monkey flower, poison oak, black sage (*Salvia mellifera*), deerweed (*Acmispon glaber*) and coffee berry. Herbaceous species are common in openings and include native species, such as bracken fern (*Pteridium aquilinum*), soap plant, California horkelia (*Horkelia californica*), California acaena (*Acaena pinnatifida* var. *californica*), mule's ears and coyote mint. Non-native forbs also are prevalent and consist of summer mustard (*Hirschfeldia incana*), ragwort (*Senecio sp.*), dandelion (*Taraxacum officinale*), bull thistle (*Cirsium vulgare*) and yellow star thistle (*Centaurea solstitialis*).

Riparian: The biological resources assessment did not identify a riparian corridors or riparian vegetation within the Project site. However, the U.S. Fish and Wildlife Service ("USFWS") Wetlands Mapper shows a potential riverine feature and potential wetlands within 0.25 miles to the north of the Project site.

#### Special-Status Plant Species

"Species of concern" include those listed by either the Federal or State resource agencies as well as those identified as rare by California Native Plant Society ("CNPS") - List 1B. Biotic Resources Group and Bryan Mori conducted a search of the CNPS and California Natural Diversity Database ("CNDDB") and identifying several species of concern within the greater Project area; including small patches of maritime chaparral including Pajaro manzanita (*Arctostaphylos pajaroensis*), a special status shrub. No other special status plant species were found on sit (**Figure 11b. Special Status Plants**).



Source: Biotic Resources Group and Bryan Mori Biological Consulting

Special Status Plants

Figure  
11b

Pajaro manzanita (*Arctostaphylos pajaroensis*): Pajaro manzanita is listed as a Rare species (List 1B.1) by CNPS. The species is not listed under the California Endangered Species Act (“CESA”) or the Federal Endangered Species Act (“FESA”). The Pajaro manzanita evergreen perennial shrub occurs in maritime chaparral on sandy soils in northern Monterey County. It is readily identified by its leathery leaves that clasp onto the stems. The species is known from several colonies in the greater project area, including lands north of the subject parcel. A patch of Pajaro manzanita shrub was observed “located on the edge of oak woodland in the central portion” [of Parcel A]... “outside the development area” (Assessment by Biotic Resource Group, prepared May 9<sup>th</sup>, 2023).

The following special status species were not found during the 2022 and 2023 botanical surveys but could occur within the Project area.

- Monterey spineflower (*Chorizanthe pungens pungens*)
- Robust spineflower (*Chorizanthe robusta robusta*)
- Santa Cruz tarplant (*Holocarpha macradenia*)
- Yadon’s rein orchid (*Piperia yadonii*)
- Seaside bird’s beak (*Cordylanthus rigidus ssp. littoralis*)
- Hooker’s manzanita (*Arctostaphylos hookeri*)
- Eastwood’s goldenbush (*Ericameria fasciculata*)

#### Special-Status Wildlife Species

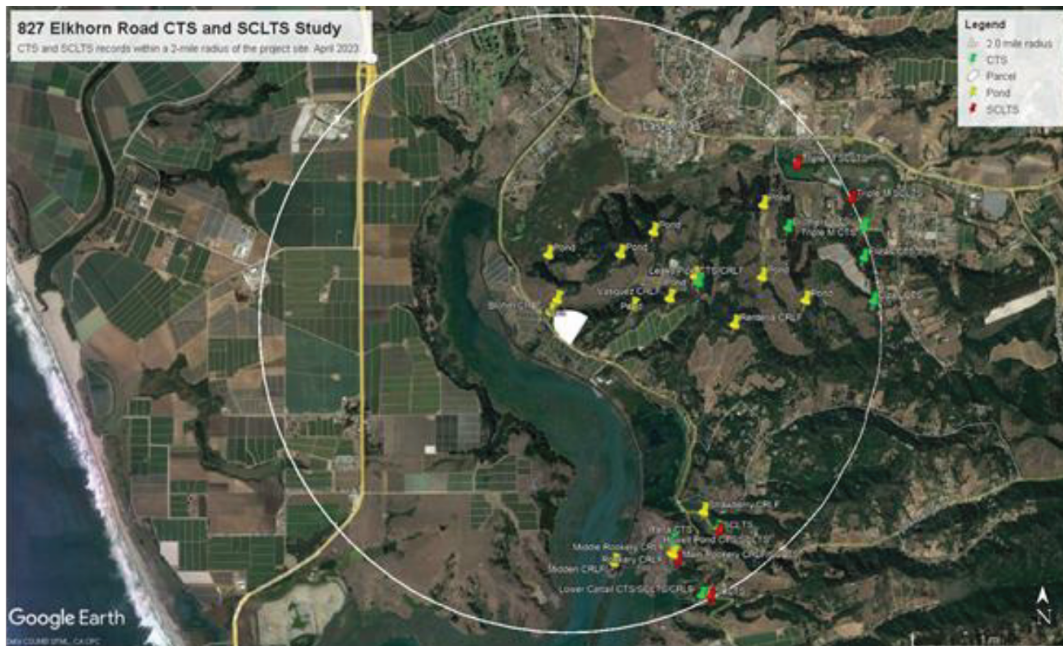
Biotic Resources Group and Bryan Mori determined 11 special-status species may occur on the Project site:

- California tiger salamander (“CTS”) (*Ambystoma californiense*),
- Santa Cruz long-toed salamander (“SCLTS”) (*Ambystoma macrodactylum croceum*),
- California red-legged frog (“CRLF”) (*Rana draytoni*),
- California legless lizard (“CLL”) (*Anniella pulchra*),
- white-tailed kite (*Elanus leucurus*),
- northern harrier (*Circus hudsonius*),
- merlin (*Falco columbarius*),
- loggerhead shrike (*Lanius ludovicianus*),
- Bryant’s savannah sparrow (*Passerculus sandwichensis alaudinus*),
- grasshopper sparrow (*Ammodramus savannarum*) and
- pallid bat (*Antrozous pallida*).

The presence of San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), a state species of special concern, was confirmed on the Project site.

The Project Site is located within the range of the state and federally threatened CTS and state and federally endangered SCLTS. Bryan Mori performed a focused pitfall trapping study during the 2022-2023 winter under Federal Permit TE778668-9 and State Scientific Collection Permit No. 200160021 with prior approval from CDFW and USFWS. The pitfall trap arrays were installed by October 21, 2022; trap monitoring was performed from November 2, 2022, to March 14, 2023. All traps were permanently closed on March 14, 2023 and completely removed by March 31, 2023.

No CTS or SCLTS were recorded during the study (**Figure 12. CTS and SCLTS Study**). Because trapping studies are only valid for one year, an additional year of pitfall trapping was completed during the 2024-2025 winter as requested by CDFW.



Biological Assessment Figure 13. Known CTS and SCLTS Breeding Sites and Potential Breeding Ponds within a 2-mile Radius of the Project Parcel, which is Shown as a White Polygon.

**Table 3. CTS and SCLTS Breeding Ponds within a 2-mile Radius of the Project Site**

Species	Site	Distance from Project Site
California Tiger Salamander	Leaky Pipe Pond	0.85 mile east
California Tiger Salamander	Brother's Pond	1.44 miles east
California Tiger Salamander	Rana Pond	1.54 miles southeast
California Tiger Salamander Santa Cruz Long-toed Salamander	Howell Pond	1.60 miles southeast
Santa Cruz Long-toed Salamander	Triple M Ranch Pond	1.65 miles northeast
Santa Cruz Long-toed Salamander	Main Rookery Pond	1.67 miles southeast
California Tiger Salamander	Elizas Pond	1.82 miles east
Santa Cruz Long-toed Salamander	Triple M Ranch Pond	1.86 miles northeast
California Tiger Salamander	Elizas Pond	1.86 miles east
California Tiger Salamander	Triple M Ranch Pond	1.88 miles northeast
California Tiger Salamander Santa Cruz Long-toed Salamander	Lower Cattail/Upper Cattail	1.94 miles southeast

## CTS and SCLTS Study

Source: Biotic Resources Group and  
Bryan Mori Biological Consulting

Figure  
12



The Biologist’s report on results of the 2024-2025 trapping studies was completed April 15, 2025. Trap monitoring was performed from November 2, 2024, to 15 March 15, 2025. On several occasions, traps were lifted in response to flooding from surface flow and soil saturation. All traps were permanently closed on March 15 and completely removed by March 18, 2025. 120 traps were monitored for 32 nights in the study period. No CTS or SCLTS were recorded during the study.

However, five CRLF young of the year (“YOY”) were captured with four of five captures occurring before January 2025. All individuals were measured, photographed and released in suitable habitat on the opposite side of the trapline. The project biologist found the captures surprising, as none were documented during the initial 2022-2023 study; however, they noted that CRLF are widely distributed in the region and they can migrate long distances. The Applicant contacted the US Fish and Wildlife Service (USFWS), Buena Vista Field Station (Chad Mitcham) for early guidance. Per communications with Mitcham, a Habitat Conservation Plan (HCP) would not be requested, given the project proposes to incorporate suitable avoidance measures through this IS/MND.

### Oak Woodland Resources

James P. Allen & Associates prepared a forest resources assessment for the Proposed Project. The assessment, *Boccone/Igel Residence, APN 181-151-009 Forest Resource Analysis/Construction Impact Assessment/Tree Protection Plan (December 2024)*, evaluated potential impacts associated with the Project’s construction and operation. James Allen conducted site inspections of the Project site between July 8, 2023 and August 1, 2023 with supplemental site inspections conducted between July 12, 2024 and July 27, 2024.

The assessments inspected and inventoried 151 trees growing within or adjacent to the development area. 130 of the trees inventoried meet “Protected” criteria (CIP section 20.144.050.A.1), 27 of the 130 are “Landmark” trees.

“Protected” tree criteria Project is defined as oak trees six inches or more in diameter as measured two ft above ground, madrone trees 6 inches or more as measured diameter at breast height (“dbh”) and any other tree included in the LUP’s native tree list measured 12 inches or more dbh.

“Landmark” trees are trees of any native North County species 24 inches or more in diameter dbh; Landmark oaks are 24 inches diameter (measured two feet above the ground). Landmark trees also include native North County trees which are visually significant, historically significant, or exemplary of their species. Tree removal for the Project is shown in **Table 4-3 Tree Removal Summary**.

**Table 4-3  
Tree Removal Summary**

Quantity of Trees Inventoried	Quantity of Protected Trees Inventoried	Quantity of Landmark Trees Inventoried	“Protected” Trees to be Removed due to Construction Impacts	“Landmark” Trees to be Removed due to Construction Impacts	Trees to be Removed due to Construction Impacts Not “Protected”	Protected Trees to be Removed due to Condition
151	130	27	15	1	3	1
<b>Quantity of Trees to be Removed</b>			<b>20</b>			

Source: James P. Allen & Associates, 2024. Boccone/Igel Residence, APN 181-151-009 Forest Resource Analysis/Construction Impact Assessment/Tree Protection Plan.

James Allen's assessment inventoried 154 trees on the Project site. As discussed, the Project would remove up to 20 Coast Live Oak trees. 15 of the trees proposed for removal meet "Protected" criteria, which requires a Coastal Development Permit and specific findings based on the LUP guidance on tree removal.

The Arborist found that the "Protected" trees proposed for removal are in "fair" to "poor" states of health with poor structure and preservation suitability.

Tree #154 meets the definition of a "Landmark" tree due to the size of its trunk (greater than 24 inches at two ft above ground) and is uprooted, with a small percentage of live foliage remaining. The remaining three trees proposed for removal do not meet "Protected" criteria.

In the Arborist Report (HCD-Planning Library Doc. No. LIB230235), James Allen determined the projected loss of tree canopy represents 0.08-acres or 1.19% of the total property canopy coverage of 10.13 acres. To compensate for Project impacts to oak woodland, the Project would implement oak woodland restoration and enhancement actions as per an approved forest management plan. The Forest Management Plan would include restoration/enhancement of a approximately 0.12 acres of oak woodland within one year after construction of the single-family residence.

To compensate for the removal of up to 15 protected oak trees, the Applicant would be required to replace removed trees on a 1:1 ratio. The landmark tree will be replaced at a 2:1 ratio (**Figure 9a. Tree Removal Plan, Figure 9b. Tree Protection Plan and Figure 13**). The Applicant shall also implement a habitat adaptive care program for habitats located outside the 100-foot defensible space/fuel management area (**Mitigation Measure BIO-9**).

#### Fuel Management

The Project would implement a Fuel Management Plan to control wildfire fuels within 100 ft from all structures on the Project site. The Fuel Management Plan has been prepared to reduce wildfire risk while minimizing impacts on biological resources; and includes the following:

##### Zone 1 – Extending 30 ft from all structures

1. Remove all dead plants, grass and weeds.
2. Remove dead or dry leaves and pine needles from yard, roof and rain gutters.
3. Remove branches that hang over roof and keep branches 10 ft away from chimney.
4. Trim dead portions of tree limbs within 10 ft from the ground.
5. Remove or prune flammable plants and shrubs near windows.
6. Create separation between trees, shrubs and items that could catch fire such as patio furniture, wood piles, etc.
7. Trim trees regularly to keep branches a minimum of 10 ft from other trees. Review by Project Arborist.
8. Trim all limbs within 6 ft of the ground. To be determined and finalized during planning review process in sensitive habitat areas. See note # 3 under Zone 2.
9. Remove all cut material or chip and spread on site.
10. Provide and maintain, at all times, a screen over the outlet of every chimney or stove pipe that is attached to a fireplace.
11. Post house numbers per NCFPD requirements.

##### Zone 2 – Extending 100 ft from all structures

1. Manage vegetation in defensible spaces in a manner sensitive to the biological resources and compatible with CAL FIRE guidelines. To reduce the fire ladder to the tree canopy, maintain a low

(12-18 in tall) understory of native vegetation. Trim tree limbs within 6 ft of ground. Remove tree limbs up to 10 to 15 ft where necessary to create vertical space between bushes and trees per note #3. Leave some logs scattered on bare soil to provide cover for wildlife. All trimming and tree pruning shall be performed under the guidance of the Project Arborist.

2. Remove fallen dead trees, see Requirement #1, Zone 1 above.
3. Create vertical space between grass, shrubs and trees by thinning undergrowth adjacent to trees and/or pruning trees. On moderate slopes 20-40%, horizontal spacing between bushes should be 4x the height of the bush. All undergrowth thinning, tree pruning and woodland thinning must be performed under the guidance of the Project Arborist in the field. Environmentally sensitive areas may require alternative fire protection measures, to be determined by the reviewing agency and the director of planning and building inspection.
4. Remove fallen leaves, twigs, bark, cones and small branches. Care must be taken not to disturb any SF dusty footed woodrat houses as located by the Project Biologist.
5. All Pajaro manzanita occurring within the fire protection zone is to be protected at all times per biotic report and Mitigation Measure BIO-1. Pajaro manzanita and maritime chaparral are never to be pruned, thinned or removed.
6. Project shall be inspected for clearances by NCFPD.

**Biological Resources Impact (a) and (d) Less than Significant with Mitigation:** Subject to these mitigation measures (and followed through the Conditions of Project approval) the Project would not have a substantial adverse effect directly or indirectly through habitat modifications on any species identified as candidate, sensitive, or special status; nor would the Project have a substantial adverse effect on any native resident or migratory fish or wildlife species.

The Project site was found to support Pajaro manzanita (*Arctostaphylos pajaroensis*), a special status shrub; however, the biological assessment determined that the Project would not result in direct impacts to Pajaro manzanita. Entitlements for PLN220229 include a Coastal Development Permit for development within 100 feet of ESHA. Permit approval requires the Project to meet specific CIP criteria. Strict adherence to these criteria will mitigate the Project's potential impacts to the Pajaro manzanita.

The Project site contains habitat that could accommodate other special-status species. Portions of the Project site provide open areas, with loose, sandy soil suitable for Monterey spineflower and Yadon's rein orchid. Occurrence of Yadon's rein orchid has been recorded within one mile of the Project site. Occurrence of Monterey spineflower has been recorded within two miles of the Project site. However, the botanical surveys conducted did not identify occurrences of these species. No other special status plant species were found on site.

The biological assessment determined 11 special-status wildlife species may occur in the Project site. The presence San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), a state species of special concern, was confirmed on the property.

CTS, CLL and SCLTS could occur on the Project site, given its location in the distributional range of these species and their abilities to migrate/disperse over long distances. Since the trapping study is valid only for one year, two years of pitfall trapping were performed during the 2023-2024 and 2024-2025 winters. The project biologist concluded, based on the negative results of the two studies, that the likelihood of CTS, CLL or SCLTS take is very low. However, due to the distribution of these species in the project vicinity, precautionary protection measures should be implemented.

Results for CRLF were positive in the 2024-2025 winter trapping period. A total of five CRLF YOY were captured, with four of five captures occurring before January. After consultation with appropriate USFWS staff, The USFWS indicated that an HCP would not be because the USFWS staff had already reviewed the proposed Biological Resources Mitigation Measures contained in this IS/MND, finding them to be sufficient.

Construction activities, as well as fire management activities needed for defensible spaces, could result in take of CTS, SCLTS, CRLF and CLL, depending on the location and/or period of ground disturbance construction activities (e.g., grubbing, grading, trenching, etc.). As described above, the presence of San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), a state species of special concern, was confirmed on the property. Project construction activities could result in the direct take of woodrat houses.

Project construction could result in short-term, temporary direct and indirect impacts to bats, raptors and other nesting bird species (e.g., wildlife harassment or mortality, nest abandonment, habitat loss) associated with construction activities (e.g., soil compaction, noise, dust, vegetation removal, erosion and sedimentation, hazardous material spills and introduction and spread of non-native, invasive species). These potentially significant impacts can be reduced to less-than-significant by implementation of the mitigations below.

Construction activities could disrupt nesting activities of potential special-status breeding birds such as white-tailed kite, northern harrier, loggerhead shrike, Bryant's savannah sparrow and grasshopper sparrow, along with raptors and other native species nesting adjacent to the Project site. Project removal of trees and/or snags and construction activities beneath and adjacent to potential bat roosts could result in the direct loss of roost sites or abandonment of roosts through noise or vibrations. Maternity roosts are most important as negative impacts can have broad, far-reaching effects, since such roosts are critical for reproduction and can support multiple generations of bats.

Monitoring is a critical component in the success of mitigation measures. Within the measures below, an adaptive care program is used to evaluate the effectiveness of seven years of site management actions and as a tool in determining if management actions should be revised to better reach goals and objectives. The ability to alter management activities based on monitoring results is the primary tenet of the adaptive management process. The Applicant is highly motivated to assist in the long-term sustainable use of and care for the Project site and can be expected to continue this stewardship beyond the required minimum.

**Mitigation Measure BIO-1 (PAJARO MANZANITA).** Pajaro manzanita is considered rare (List 1B.1) by CNPS. The species is considered ESHA in County of Monterey. A patch of Pajaro manzanita shrubs were observed within 100 feet of the construction area on the PLN220229 subject parcel (Project Biological Report, HCD-Planning Library Doc. No. LIB230236). To avoid project-related impacts to Pajaro manzanita, the landowner ("Applicant/Owner" of PLN220229/ APN 181-151-008-000) shall contract a qualified botanist to identify in the field, with stakes and orange construction fencing, all extant occurrences of Pajaro manzanita and maintain protective fencing around these occurrences throughout the residential construction period.

No ground disturbances (e.g., discing, grading, etc.), storage of materials, spoils and staging of heavy equipment shall be allowed within designated environmentally sensitive areas. Applicant/Owner shall submit annual monitoring reports during Years 1-7 to HCD-Planning, describing qualified botanist's prescribed actions for the year, results of annual monitoring visits, including any remedial actions needed or implemented. Reports shall be prepared by Applicant/Owner or their designee, by a qualified botanist, ecologist, or revegetation specialist listed in HCD-Planning's qualified list of specialists. Applicant/Owner is responsible for submitting the reports to HCD-Planning by January 31st following each monitoring year.



**Mitigation Measure BIO-1 Monitoring Action:** Prior to the issuance of any construction permit, Applicant/Owner shall submit photo evidence to HCD-Planning that staking and fencing ensuring avoidance of impacts to Pajaro manzanita has been completed. Annual monitoring reports are to be submitted to HCD – Planning for review and approval by January 31<sup>st</sup> following each monitoring year.

**Mitigation Measure BIO-2: (WILDLIFE PRE-CONSTRUCTION SURVEYS).** Parcels involved in the residential development have potential to provide dispersal and upland habitat for protected wildlife species including CTS, SCLTS, CRLF and CLL as indicated by preliminary biological studies (Mori and Lyons, HCD Planning Library Doc. LIB230236 and addenda) and information obtained from the CNDDDB. To mitigate potential harm to these wildlife species, Applicant/Owner shall avoid impacts to them to the “greatest extent feasible,” as determined by a qualified biologist.

If, after review by a qualified biologist, potential impacts cannot be avoided, Applicant/Owner shall immediately stop work and no work may proceed until authorization is obtained from CDFW and USFWS. An Incidental Take Permit (“ITP”) from the respective Wildlife Agency may be needed to continue work.

To ensure all potential impacts are avoided, a qualified biologist shall survey permanent and temporary impact areas for special status wildlife that could occur on the property no less than 48 hours prior to the start of any vegetation removal or grading.

Pre-construction surveys shall be repeated for any new construction phases beginning at any later time.

Once it is determined, through the biological survey that no sensitive animals are within the impact areas, construction may begin. If any sensitive species found within the impact area or will otherwise be at risk during construction, work activities shall be delayed in that particular area to allow the animal to leave the work zone of its own volition. The biologist shall monitor the identified area to determine when individuals of special-status species have left and work can commence. This measure shall be coordinated with Mitigation Measure BIO-3.

To further accomplish avoidance and/or required permitting, a qualified biologist shall perform a pre-construction survey for CTS, SCLTS, CRLF and CLL within 72 hours of project start. The pre-construction survey shall focus on searching beneath cover objects, such as large rocks, downed logs and other woody debris and boards, etc., within the project site work limits (e.g., staging/storage areas, access roads and grading envelope). If any individuals are found to be at risk during construction, work activities shall stop and be postponed to allow the animal(s) to leave the work zone on its/their own volition.

If CLL are observed on-site, the biologist shall direct their relocation to an appropriate habitat out of harm’s way (location to be determined by the biologist). Handling of CLL and other special-status species shall be performed only by a permitted biologist and as approved by CDFW and USFWS.

If CTS, SCLTS or CRLF are found during any construction phase, the Applicant/Owner or their designee shall immediately notify CDFW and USF. All site work shall stop immediately and be postponed until authorization to proceed has been obtained from CDFW and USFWS.

*Pre-Construction Biologist Report* - The biologist shall submit to the County a report detailing the methods and results of the wildlife preconstruction surveys. The report shall detail any sensitive species found during the survey and measures taken to avoid all harm to those species. Observations of special-status species shall be submitted to the CNDDDB. The report shall be submitted to state and federal agencies (if required) and the County of Monterey HCD within 30 days of identification of any on-site sensitive species.

**Mitigation Measure BIO-2 Monitoring Action:** Prior to the issuance of any construction permit, Applicant/Owner shall submit a contracted, qualified biologist's Scope of Work reflecting the requirements of Mitigation Measure BIO-2. Within one month of the start of construction, Applicant/Owner shall submit preconstruction survey results to HCD-Planning and any required state and federal agencies.

**Mitigation Measure BIO-3 (EXCLUSION FENCING).** Parcels involved in the residential development have potential to provide dispersal and upland habitat for protected wildlife species including CTS, SCLTS, CRLF and CLL as indicated by preliminary biological studies (Mori and Lyons, HCD Planning Library Doc. LIB230236 and addenda, and information obtained from the CNDDB). To mitigate potential harm to these wildlife species, Applicant/Owner shall avoid impacts to the greatest extent feasible with installation of exclusionary fencing.

If ground disturbing work cannot be completed prior to the first fall rains approximately mid-October), but no later than 48-hours prior to the prediction of unseasonable rainfall of a minimum 0.25 inches, Applicant/Owner shall encircle the entire perimeter of work sites with exclusion fencing to prevent CTS, SCLTS and CRLF from moving into work areas.

Exclusion fencing shall incorporate a one-way design with backfilled gaps to allow for wildlife within the enclosures to move out of work areas. 3 ft x 3 ft cover boards shall be placed every 100 ft along the inside and outside lengths of the fence to provide shelter for wildlife travelling along the fences. Standard silt fence material can be used for the exclusion fence. The silt fence should be buried a minimum 6 inches below grade.

If an entrance is needed for workers or machinery access, a removable, minimum 6-inch tall wood plank shall be placed across the gap, secured with stakes or rebar at the end of each day's work for a two-week period following rainfall. Fence installation shall be checked by a qualified biologist at least weekly to ensure appropriate installation, upkeep or to implement recommendations if improvement is needed.

**Mitigation Measure BIO-3 Monitoring Action:** Prior to the issuance of any construction permit, Applicant/Owner shall submit a contracted qualified biologist's Scope of Work reflecting the requirements of Mitigation Measure BIO-3. Within one month of the start of construction, Applicant shall update HCD – Planning regarding the status of the exclusion fencing, including site photographs and a bird's eye view sketch of the construction site.

Prior to fencing removal, Applicant/Owner shall submit the status of the exclusion fencing in the same manner with a memorandum including the biologist's recommendations regarding the appropriate time to remove the fencing.

**Mitigation Measure BIO-4 (CONSTRUCTION CREW TRAINING).** The subject parcel has potential to provide dispersal and upland habitat for special-status wildlife species as indicated by preliminary biological studies and information obtained from the CNDDB including CTS, SCLTS, CRLF and CLL.

To mitigate potential harm to these wildlife species, Applicant/Owner shall avoid impacts to the greatest extent feasible as determined by a qualified biologist. To avoid this harm, prior to the project's start, a qualified biologist shall present an "endangered species environmental training" to all construction workers. The training shall include distribution of a handout in English (and Spanish and/or other appropriate language, depending on crew makeup) addressing the natural history and legal status of all species of concern which may potentially occur on-site.

The education must focus on protection measures to be implemented as part of the project. Following the training all workers shall sign a certification of attendance. Applicant/Owner shall maintain this certificate of attendance with their records. All workers must be trained, prior to working on the project site, either by the qualified biologist or previously trained site supervisor. Any worker(s) added to the construction crew after the initial training shall also be trained before they are allowed to work onsite.

Within 30 days of training, the project biologist shall submit a memorandum describing the worker training to the County of Monterey HCD – Planning and State and Federal agencies (if required). Applicant/Owner shall submit initial training and any subsequent training sign-in sheets to HCD within 30 days.

**Mitigation Measure BIO-4 Monitoring Action:** Prior to the issuance of any construction permit, Applicant/Owner shall submit a Worker Environmental Awareness Program draft document to HCD – Planning for review and approval. Within 30 days of construction start, the project biologist shall submit a memorandum describing the worker training to State and Federal agencies (if required) and the HCD. The Applicant/Owner shall submit initial training and any subsequent training sign-in sheets to the HCD within 30 days.

**Mitigation Measure BIO-5: (BIOLOGICAL MONITOR).** Parcels involved in the residential development have potential to provide dispersal and upland habitat for special-status wildlife species as indicated by preliminary biological studies and information obtained from the CNDDDB including CTS, SCLTS, CRLF and CLL. To mitigate potential harm to these wildlife species, Applicant/Owner shall avoid impacts to these species, by contracting a qualified biologist, to ensure all handling of wildlife is done by a permitted biologist with State and Federal agency authorization.

To accomplish this, Applicant/Owner shall ensure a qualified biologist is present to monitor activities at the project site during initial vegetation removal and grading activities. Once the vegetation removal and initial grading activities have been completed, subsequent construction monitoring may be performed by the construction site supervisor.

All open trenches and potholes must have ramps or other features installed to allow for entrapped wildlife to escape. Trenches or potholes that cannot accommodate escape ramps must be covered at the end of each workday, then inspected by the construction supervisor at the start of each workday. If entrapped wildlife is observed by the Applicant/Owner, construction workers the Applicant/Owner or construction crew supervisor shall immediately contact the monitoring biologist to capture and relocate the species out of harm's way (as determined by a qualified biologist) into suitable habitat. If special-status species are observed by the crew or site supervisor during construction activities, all work in the immediate area must cease immediately and the qualified biologist (possessing the appropriate handling permit(s) shall be contacted to capture and relocate individuals out of harm's way.

No work may resume until approved by the qualified biologist. No work crew member shall handle wildlife. Following any unseasonable rains of 0.25 inches or greater, a qualified wildlife biologist shall inspect around storage piles, under vehicles parked overnight and all open holes and trenches at the beginning of each workday to check for wildlife.

Grading and other earthwork (e.g., grubbing, trenching, potholing, etc.) during all project phases (e.g., access road, water line, building pad, septic, etc.) shall be performed later than April 15 and prior to the first fall rains, likely around mid-October. If a phase of ground disturbance activities cannot be completed in this timeframe, the phase shall resume the following spring. No winter season earthwork shall be permitted.

**Mitigation Measure BIO-5 Monitoring Action:** Prior to the issuance of any construction permit, Applicant/Owner shall submit a contract Scope of Work to HCD – Planning for review and approval demonstrating the Applicant/Owner has retained a qualified biologist to conduct pre-construction survey, oversee the installation of exclusionary fencing and provide on-going construction phase monitoring, meeting the Mitigation Measure BIO-5 requirements, including photographic evidence of installation of wildlife entrapment avoidance mechanisms and trench covers. The Applicant/Owner shall maintain records of all daily monitoring activities and shall provide copies of all monitoring reports to HCD – Planning upon request and upon conclusion of the construction activities.

**Mitigation Measure BIO-6 (NESTING BIRD SURVEYS).** Special status bird species (including white-tailed kite (*Elanus leucurus*), northern harrier (*Circus hudsonius*), merlin (*Falco columbarius*), loggerhead shrike (*Lanius ludovicianus*), Bryant’s savannah sparrow (*Passerculus sandwichensis alaudinus*) and grasshopper sparrow (*Ammodramus savannarum*)) were found by a qualified biologist to have potential nesting sites near the project site during its construction (Biological Report, HCD-Planning Library Doc. No. LIB230236).

To avoid impacts to special status nesting birds, a qualified biologist shall perform pre-construction nesting bird surveys no more than one week before scheduled start of any construction activities. The nesting survey, performed by a qualified biologist, shall cover the project site.

Because nesting raptors may require buffers of a minimum 350-foot radius, a memorandum describing the survey results will be submitted to state and federal agencies (if required) and HCD-Planning within 30 days of the survey.

If active nests are observed, the nest site shall be flagged and a buffer established to prevent nest failure. The buffer widths shall be determined by the qualified biologist, based on species, site conditions and anticipated construction activities. In no case shall the buffer be less than 350 feet.

Active nests shall be monitored at a frequency determined by the monitoring biologist, but no less than once per week, until the nestlings have fledged. If any construction activities appear to be interfering with nest maintenance (e.g., feedings and incubation), the buffers shall be enlarged or nearby construction activities postponed, until the young have fledged, as determined by the qualified biologist.

**Mitigation Measure BIO-6 Monitoring Action:** Prior to the issuance of any construction permit, Applicant/Owner shall submit a contract Scope of Work to HCD – Planning for review and approval demonstrating Applicant/Owner has retained a qualified biologist to conduct preconstruction nesting bird surveys meeting the requirements of Mitigation Measure BIO-6. Within 30 days of construction start, the project biologist shall submit a memorandum describing the results of the preconstruction survey to HCD – Planning for review and approval.

**Mitigation Measure BIO-7 (BAT SURVEYS).** Special status bat species including the pallid bat (*Antrozous pallida*) were found by a qualified biologist to potentially roost near the project site during construction activities (Biological Report, HCD-Planning Library Doc. No. LIB230236). To avoid impacts to bats, no more than two weeks prior to the anticipated start of construction activities, a qualified biologist shall survey the trees and snags in and immediately adjacent to the work areas for bat roosts. If bats are found to be present, the biologist shall provide to the Applicant/Owner and their construction team a set of recommendations to implement, which may include buffer zones, installation of exclusion devices and/or scheduling constraints, depending on whether maternity, bachelor, or night roosts are identified.



If a single bat and/or only adult bats are roosting, construction activity may proceed after the bats have been safely excluded from the roost. Exclusion techniques shall be determined by the biologist and depend on roost type. Applicant/Owner shall ensure the recommendations are followed: the biologist shall prepare a memorandum describing the survey results, identified bat protection measures and their duration. Applicant/Owner shall submit the memorandum to HCD-Planning and State and Federal wildlife agencies (if required) within 30 days of construction start. Bat protection measures shall be followed for the period prescribed by the qualified biologist.

**Mitigation Measure BIO-7 Monitoring Actions:** Prior to the issuance of any construction permit, Applicant/Owner shall submit a contract Scope of Work to HCD – Planning for review and approval demonstrating the Applicant/Owner has retained a qualified biologist to conduct pre-construction bat surveys meeting the requirements of Mitigation Measure BIO-7. If bats are found to be present, Applicant/Owner shall ensure a memorandum including the bat survey results, identified bat protection measures and their duration are submitted to HCD – Planning for review and approval. On an ongoing basis during construction, bat protection measures provided in an HCD-Planning approved memorandum shall be followed.

**Mitigation Measure BIO-8 (MONTEREY DUSKY FOOTED WOODRAT).** The Monterey dusky-footed woodrat (“MDFW”) is listed as a “California Species of Special Concern”; there is evidence that individuals of the species occupy the subject parcel. To reduce the potential impact to MDFW, avoidance and/or removal of the MDFW shall be employed.

A qualified biologist shall perform a pre-construction survey for MDFW houses within the project work boundaries and a 25-foot buffer around the project site perimeter. The biologist shall flag the nests and establish buffers around each MDFW house observed. The buffer width should be determined by the qualified biologist, but shall not be less than 20 ft. If a MDFW house is present within the work area and cannot be avoided, the qualified biologist shall contact CDFW for approval to implement a woodrat relocation plan, which may include live trapping and/or the construction of alternate houses in adjacent suitable habitat. The woodrat relocation plan must be implemented by a qualified biologist possessing a Scientific Collection Permit authorizing the handling of MDFW. Authorization by CDFW must be obtained prior to the implementation of this measure.

Post-relocation monitoring may be required by CDFW, as part of the plan. A memo describing the survey results shall be submitted to state and federal agencies (if required) and the County Housing and Community Development Department within 30 days of MDFW treatment.

**Mitigation Measure BIO-8 Monitoring Action:** Prior to the issuance of any construction permit for this development, Applicant/Owner shall submit the results of the MDFW pre-construction survey to HCD – Planning for review and approval.

**Mitigation Measure BIO-9 (HABITAT ADAPTIVE CARE AND CONSERVATION SCENIC EASEMENT DEED [CRLF]).** Parcel A had positive results for California red-legged frog (“CRLF,” *Rana draytoni*) as indicated by a 2024-2025 pitfall trapping study of the Project site (Mori, 2025, HCD-Planning Library Doc. No. LIB230236).

To mitigate potential CRLF migration interruption, Applicant/Owner shall:

1) design curbs to avoid creating barriers to movement. Wherever curbs are proposed, they shall be designed as rounded curbs or angled curbs of 60 degrees or less to avoid creating movement barriers for amphibians. Drainage systems shall be designed to incorporate the use of French drains which avoid grated openings to unintentionally capture amphibians. Avoid grates with ¼ inch openings or greater or incorporate the use of

mesh screens. HCD-Planning will only approve construction permits which incorporate these designs into the construction plans.

2) implement the Habitat Adaptive Care Program outlined below and

3) dedicate a conservation scenic easement (“CSED”) for an area of oak woodland and mixed grassland of approximately 3:1 ratio to the area of CRLF dispersal habitat which the project permanently impacts.

Habitat Adaptive Care Program. Applicant shall implement an adaptive care program within habitat areas to achieve the following goals and objectives:

1. Protect habitats (oak woodland, mixed grassland, costal scrub, maritime chaparral) located outside the 100-foot fuel management zone (Figure 16 of the biological assessment) and ensure CRLF habitat is high-quality by implementing the following:
  - a. Within oak woodland, maritime chaparral and coastal scrub implement a management program that benefits oak woodland growing conditions and stimulates expression of native trees, shrubs and groundcovers. The identified best management practice is to avoid removal of native plant species and decrease the cover of target invasive non-native species. Within the mixed grassland implement a management program that benefits native perennial grasses and native forbs (i.e., wildflowers). The identified best management practice is mowing in the spring season that reduces the growth/seed production of annual, non-native grasses and forbs. Revegetate the temporarily disturbed Mixed Grassland with a native grass and forb seed mix. Suitable grass species include California brome (*Bromus carinatus*), purple needlegrass (*Stipa pulchra*), California oatgrass (*Danthonia californica*) and blue wild rye (*Elymus glaucus*). Forbs shall also be added to the seed mixture, such as common yarrow (*Achillea millefolium*), California poppy (*Eschscholzia californica*) and sky lupine (*Lupinus nanus*).
  - b. The soil stockpile area shall receive erosion control treatment after placement and be revegetated to grassland. A native grass and forb seed mix shall be applied prior to the fall rains, approximately mid-October. Suitable grass species include California brome (*Bromus carinatus*), purple needlegrass (*Stipa pulchra*), California oatgrass (*Danthonia californica*) and blue wild rye (*Elymus glaucus*). Forbs shall also be added to the seed mixture, such as common yarrow (*Achillea millefolium*), California poppy (*Eschscholzia californica*) and sky lupine (*Lupinus nanus*).
  - c. Target species observed or with potential to occur on the parcel are listed within Table 6 of the biological assessment; additional invasive plant species may be identified in the future. Manual removal techniques will be used and depending upon the species, actions will include hoeing, cutting, hand-pulling and/or weed-whipping.
2. Monitor. Applicant along with a qualified botanist, ecologist, or revegetation specialist (as needed), will inspect the seeded grassland areas one year after seed application. Plant cover will be measured; if plant cover is less than 60%, remedial actions will be implemented, such as supplemental seeding. An inspection report, describing site conditions and plant cover, shall be prepared by the Applicant/Owner, with the services of a qualified botanist, ecologist, or revegetation specialist (as needed); the landowner will be responsible for submitting the report to the County of Monterey HCD-Planning by the end of January following each monitoring year.
3. In all areas, Applicant/Owner shall implement actions to remove/control invasive, non-native plant species. Applicant shall confer with a qualified restoration specialist, as needed, to determine the most effective methods for removing and controlling the target invasive species within the area(s) and remove materials from the site. The removal of invasive plant species will likely require several consecutive treatments as new seedlings of invasive plants such as Italian

and bull thistles and French broom can sprout each spring and summer until the seed bank is exhausted. Additional invasive plant species beyond Table 6 of the biological assessment may be identified in the future.

4. Applicant/Owner shall manage habitats on the property in a manner conducive to protection of native wildlife species. Achieve this goal by implementing the following:
  - a. Prior to removal of invasive, non-native plant species conduct a walking survey to identify active bird nests and MDFW houses such that impacts to nests are avoided during invasive plant removal.
  - b. All round-disturbing activities shall occur only between April 15 and the onset of fall rains (usually mid-October) to avoid affecting animals that may be overwintering in the woodland understory or within burrows in the grassland.
5. Applicant/Owner shall provide to HCD-Planning annual monitoring reports during Years 1-7 describing yearly actions, results of monitoring and remedial actions needed or implemented. Applicant/Owner utilizing the services of a qualified botanist, ecologist, or revegetation specialist (as needed), shall periodically inspect the habitats at least once a year during Year 1-7. The inspections shall assess how the habitat management actions are proceeding and identify any problems or potential problems that may exist. During these inspections, Applicant/Owner (and specialist, as needed) shall look for plant damage, document compliance with program objectives and make recommendations to correct any significant problems or potential problems.

The inspection visits will also be used to document the need to change or adjust revegetation plan actions (i.e., altering the maintenance schedule, adding extra weed control visits, increasing or reducing the frequency or amount of irrigation water, etc.).

The progress of invasive non-native plant species removal shall be ascertained during the inspections, with a trend of decreasing cover/occurrences each year. Natural revegetation is expected to occur in areas where invasive, non-native plant species have been removed. Native seeds in the soil seedbank will likely colonize the treated areas.

Photos shall be taken of the habitat area(s) at least once a year in Years 1-7. Photos will be taken from the same vantage point and in the same direction every year; a minimum of ten photo points shall be established. The location and photo direction of each photo stations shall be established in Year 1, which shall be the first year following Planning Permit issuance. The photos shall reflect the findings discussed in the monitoring report.

Annual reports for monitoring Years 1-7 shall present data on the habitat area(s), actions implemented, the progress toward meeting program goals and any remedial actions required.

Applicant/Owner shall prepare monitoring reports, with the services of a qualified botanist, ecologist, or revegetation specialist (as needed); Applicant/Owner will be responsible for submitting the annual reports to the County of Monterey HCD-Planning by January 31<sup>st</sup> following each monitoring year.

Conservation Scenic Easement Dedication: Prior to issuance of any construction permits for Parcel A, Applicant shall dedicate a conservation scenic easement (“CSE”) for an area of oak woodland and mixed grassland of approximately 3:1 ratio to the area of CRLF dispersal habitat impacted by the Project. The

approximately 1-acre CSE area shall be chosen with the services of a qualified biologist or ecologist to best preserve an area that is of the highest quality for CRLF.

The CSE shall be conveyed to the County of Monterey. The Conservation Scenic Easement Deed (“CSED”) shall describe the area in which no structures shall be placed but which shall allow Habitat Adaptive Care Program activities and fire fuel management. The CSED shall be submitted to, reviewed and approved by the Chief of Planning and accepted by the Board of Supervisors.

Prior to issuance of building permits, the Owner/Applicant/Certified Professional shall submit the CSED and corresponding map, showing the exact location of the easement on the property along with the metes and bound description developed in consultation with a certified professional, to HCD - Planning for review and approval. Prior to or concurrent with building permits final, the Owner/Applicant shall provide recording fees for County Clerk to record the CSED.

**Mitigation Measure BIO-9 Monitoring Actions:** Prior to the issuance of any construction permit, Applicant 000 shall submit all design plans that include curb design to HCD – Planning for review. Prior to final permit approval, Applicant/Owner shall provide photographic evidence to HCD-Planning staff that the design elements described in BIO-9 have been fully incorporated into construction.

Applicant/Owner shall implement an adaptive care program within habitat areas for at least 7 years following issuance of the Planning Permit. Prior to removal of invasive, non-native plant species, Applicant/Owner, along with the services of a qualified biologist, or other specialist (as needed); shall conduct a walking survey to identify active bird nests and MDFW houses to ensure impacts to nests are avoided during invasive plant removal. Applicant/Owner shall implement ground-disturbing activities only between April 15 and the onset of fall rains (usually mid-October) to avoid affecting animals that may be overwintering in the woodland understory or within grassland burrows. In grassland and soil stockpile areas, if plant cover is less than 60% one year after construction final, remedial actions shall be implemented, such as supplemental seeding.

Remedial actions shall continue for a 7-year period from Planning Permit issuance. All monitoring reports shall be submitted to HCD – Planning within one month of the end of each of the 7 years.

**Mitigation Measure BIO-10 (OAK WOODLAND RESTORATION).** The Arborist Report for the Project (HCD-Planning Library Doc. No. LIB230235) projected a 0.08-acre loss of oak woodland tree canopy, which represents or 1.19% of the total property canopy coverage of 10.13 acres.

To compensate for Project impacts to oak woodland, Applicant/Owner shall develop and implement an oak woodland restoration, enhancement and revegetation plan consistent with the biological resources report and arborist report. The plan shall provide a 3:1 restoration or enhancement to impact ratio. This ratio will provide suitable mitigation by replacing native oak woodland impacted by construction.

The plan shall:

1. Specify restoration/enhancement of a minimum of 0.12 acres of oak woodland concurrent with, or within one year after development of the single-family residence. The primary restoration actions will be done in concert with Mitigation Measure BIO-9: removal/control of invasive, non-native plant species, reduction of annual, non-native annual grasses; seasonal weeding and mowing of restored area(s) in the oak woodland. The oak woodland plan shall specify oak tree replacement planting at a minimum 1:1 replacement ratio for “protected” trees and 2:1 ratio for “landmark” oak trees and adhere to the Project Forest Management Plan for tree protection requirements.



2. Include a program to establish oak replacement plantings and sapling recruits to meet a 60% survival rate, as outlined in the arborist's Forest Management Plan. The plan shall include implementation of a revegetation program within the designated oak recruitment area that establishes the required number of oak trees.
3. Implement a 7-year revegetation maintenance program for the planted and recruited oak trees. Provide a minimum of three years of supplemental irrigation during plant establishment period (i.e., Year 1-3). Maintain a yearly 60% survival rate for installed trees for 7 years, implementing remedial actions (i.e., replanting) if necessary, to maintain the required plant survival rate each year. The 7-year period shall start upon Planning Permit issuance. All monitoring reports shall be submitted to HCD – Planning within one month of the end of each of the 7 years.

**Mitigation Measure BIO-10 Monitoring:** Prior to building final inspection, Applicant/Owner shall submit to HCD-Planning for review and approval a final oak woodland restoration, enhancement and revegetation plan developed by a qualified biologist/arborist.

Remedial actions shall continue for a 7-year period from Planning Permit issuance. All monitoring reports shall be submitted to HCD – Planning by the end of January following each monitoring year.

Implementation of **Mitigation Measure BIO-1** through **Mitigation Measure BIO-10** will reduce potential impacts to the species discussed above to a less than significant level.

**Biological Resources Impact (b) and (c) Less than Significant with Mitigation:** The Project will not have a substantial adverse effect on any riparian habitat, wetlands, or other sensitive natural communities. No riparian habitat or wetlands were identified within the Project site. The Project will not have a substantial adverse effect on state or federally protected wetlands as none exist within the Project site. The Project site is on the upper portion of a ridge, approximately 1,200 ft east of Elkhorn Slough.

Potentially adverse indirect impacts may occur through erosion, sedimentation and introduction of hazardous materials. To minimize construction-generated water quality impacts, the contractor/engineer shall implement standard construction BMPs and is required to comply with Monterey County requirements for water-quality impacts. Additionally, project design Project shall direct drainage away from structures, septic systems and away from steep slopes and utilizing dispersion trenches and other energy reducing features for reducing runoff and erosion (**Section VI.10 Hydrology and Water Quality**).

The Project does support habitats are considered “sensitive” for ecological reasons including oak woodland, coastal scrub, maritime chaparral and native grassland. The Project does impact oak woodland and mixed grassland habitats. As shown in **Table 4-2 Impacts to Habitat**, the Project will result in a temporary impact of 0.089 acres of habitat with a permanent impact of 0.04 acres of sensitive habitat.

Additionally, as shown in **Table 4-3 Tree Removal Summary**, the Project would require the removal of oak trees. The Project includes application for a Coastal Development Permit for removal of up to 20 Coast Live Oak trees and a Coastal Development Permit for development within 100 ft of a Pajaro manzanita and oak woodland ESHA.

These potentially significant impacts can be reduced to less than significant with implementation of **Mitigation Measure BIO-1** through **Mitigation Measure BIO-10** described above.

**Biological Resources Impact (e) Less than Significant with Mitigation:** The Project, as mitigated, will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation

policy or ordinance. The Project site includes maritime chaparral and oak woodland vegetation types, designated as sensitive resources in the LUP.

Forest Resources Policy 2.3.3.A.4 requires development on North County parcels within oak woodland habitat to minimize the amount of oak tree removal to that required for construction of structures and access road. While the Project proposes removal of 20 coast live oaks and contains native habitat (i.e., ESHA), the Project has been designed to either 1) avoid development within these sensitive natural communities and 2) enhance woodlands and replace trees on the site consistent with the recommendations and mitigation measures identified in the biological resource assessment and Forest Management Plan.

CIP section 20.144.040.C.1.e describes protection of oak woodland within the Environmentally sensitive habitat development standards. This section also provides regulations for development within 100 feet of maritime chaparral. The Project involves construction within 100 feet of maritime chaparral. Impacts to maritime chaparral are avoided and significant impacts to oak woodland are minimized and mitigated, as discussed in this section. See **Mitigation Measure BIO-1** through **Mitigation Measure BIO-10**, above.

The site is designated as an ESHA, however, areas proposed for construction and operation avoid Pajaro manzanita, a protected plant, and development is sited to minimize impact to oak woodland. The Project will result in net benefits to these environments as construction will move infrastructure away from sensitive areas (i.e., Pajaro Manzanita) and restore the site through oak woodland restoration and invasive species eradication efforts.

Implementation of mitigation measures identified in this study ensure temporary impacts during construction are minimized and protection, restoration and management plans are established and adequately implemented to minimize operational impacts.

**Biological Resources Impact (f) No Impact:** The Project does not conflict with the provisions of an adopted habitat conservation plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans. Development on or within the vicinity of the site is governed by several documents including the LUP and the CIP.

Overall, the Project shall have a less than significant impact on Biological Resources through the application of Mitigation Measure BIO-1 through BIO-10 and the application of standard County and State regulations.

5. CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? (sources: 18, 26, 27, 28, 37)	<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? (sources: 18, 26, 27, 28, 37)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5. CULTURAL RESOURCES				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Disturb any human remains, including those interred outside of dedicated cemeteries? (sources: 18, 26, 27, 28, 37)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Discussion/Conclusion/Mitigation:

The southern portion of the Project Site along Elkhorn Road is in an area of high archaeological sensitivity, the remaining portion of the Project site has low archeological sensitivity. The Dudek archaeological assessment Project (HCD-Planning Library Doc. No. LIB240019). The reports, *Archaeological Assessment Results for Elkhorn Road Driveway Water Line and Septic Field Improvements, Monterey County (January 2024)* presents the results of the archaeological records searches, results of the Phase I inventory, results of local Native American and Tribal outreach and recommendations.

The Dudek Report discussed the Paleo-Indian era (pre-8000 cal BC) as representing people's initial occupation of the region which is quite sparse across the Central Coast region. Evidence of this era is generally found through isolated artifacts or sparse lithic scatters.

Possible evidence for Paleo-Indian occupation is reported north of the site at Wilder Ranch and Scotts Valley, where traditional interpretation of the Paleo-Indian is that they were highly mobile hunters of large mammals. Other archaeologists propose that the earliest inhabitants of the Central Coast region focused their economic pursuits on coastal resources. Archaeological sites that support this hypothesis are mainly from locations in southern Central Coast. More Paleo-Indian sites in the northern Central Coast region may exist but have been inundated by rising ocean levels during the Holocene.

The Dudek Report discussed human occupation of the northern Central Coast being archaeologically more common and often found in estuarine settings along the coast or along river terraces inland and are present in both Monterey and Santa Cruz Counties in what archaeologists consider the Early Period (3500 to 600 cal BC). The Middle period occupants of the northern Central Coast used more technology to hunt and collect species include small schooling fishes, sea otters, rabbits and plants such as acorn (600 cal BC to cal AD 1000). Archaeologists find the Middle-Late Transition (cal AD 1000-1250) corresponds with social reorganization across the region, responses to rapid climate shifts and a decline in regional populations. Late Period (cal AD to 1250-1769) artifacts indicate to archaeologists that the northern Central Coast occupation tended to be semi-sedentary and focused on resource acquisition; encampments related to processing resources with seasonal availability.

In the late period, the Dudek report indicated that *Tiuvta in Calendaruc* people controlled the shore of Monterey Bay from present day Moss Landing in the south to a point about halfway between present day Aptos and the Pajaro River, a territory that includes the Project area.

The Dudek report concluded the site did not include any historic resources, nor was it probable that Project implementation would cause a substantial adverse change in the significance of any archaeological resource. A pedestrian survey conducted on December 29, 2023, yielded no cultural resources.

**Cultural Resources Impact (a) No Impact:** CEQA Guidelines Sec. 15064.5 defines a historical resource as one being listed in or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources. Public Resources Code Section 21084.1 states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.

The Project does not contain a historical resource nor is the Project located near a historical resource. As a result, the Project does not have an impact on historical resources.

**Cultural Resources Impact (b) Less than Significant:** Public Resources Code Section 21083.2 requires that lead agencies evaluate potential impacts to archaeological resources and determine whether a project may have a significant effect or cause a substantial adverse change in the significance of an archaeological resource.

A records search through the Northwest Information Center of the California Historical Resources Information System (“NWIC”) was conducted on December 19, 2023 and found no archeological resources previously recorded in the Project site and found one (1) resource within 0.25 miles of the Project Site, located approximately 800 ft east on the south side of Elkhorn Road.

A Native American Heritage Commission (“NAHC”) Sacred Lands File (“SLF”) search was conducted in December 2023 and reported negative results for tribal cultural resources. A pedestrian survey for the Project was conducted on December 29, 2023, which yielded no cultural resources. Although the records search and pedestrian survey determined no known cultural resources in the Project Site, ground disturbing activities could potentially impact previously unknown or buried archaeological resources. While unlikely, the possibility of disturbing previously unknown archaeological resources represents a potentially significant impact that would be minimized with implementation of Monterey County Condition of Approval #3 –“ PD003(A) Cultural Resources Negative Archaeological Report” which requires that work be halted immediately in the event a cultural, archaeological, historical, or paleontological resource is uncovered during construction. Therefore, the Project would have a less than significant impact.

**Cultural Resources Impact (c) Less than Significant:** No human remains, including those interred outside of a dedicated cemetery, are known to occur on the Project site. As a result, finding human remains during construction would be unlikely. Nevertheless, while unlikely, the Project could impact previously unknown human remains. The implementation of a standard Monterey County Condition of Approval requiring that work halt immediately in the event of the discovery of any human remains would ensure less than significant impacts. This condition further requires that no excavation or ground-disturbing activities shall occur at the site or nearby area until the Monterey County coroner has been contacted in accordance with Section 7050.5 of the California Health and Safety Code. If the coroner determines that the human remains are of Native American origin, the appropriate Native American tribe shall be contacted to provide recommendations for the disposition of the remains. Work will not resume in the immediate area of the discovery until such time as the remains have been appropriately removed from the site. Therefore, this represents a less than significant impact with mitigation.

The Project would have a less than significant impact on Cultural Resources through the application of standard County Planning condition of approval No. 3.



<b>6. ENERGY</b>				
<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (sources: 27, 28, 33, 34, 35)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (sources: 27, 28, 33, 34, 35)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### **Discussion/Conclusion/Mitigation:**

The Project includes a rooftop array of solar panels, an energy storage system and backup generator to provide electrical power generation and does not propose any connection to an existing electrical grid.

**Energy Impact (a) and (b) Less than Significant:** The Project would not result in a potentially significant environmental effect due to the wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during construction or operation. Project construction Project will require energy for materials procurement and transportation along with site preparation (e.g., minor grading, materials hauling).

Petroleum-based fuels such as diesel fuel and gasoline would be the primary sources of energy for these activities. The construction energy use has not been quantified. However, construction will not cause inefficient, wasteful, or unnecessary consumption of energy because 1) the construction schedule and process is designed to be efficient to avoid excess monetary costs and 2) energy use required to complete construction is temporary in nature.

Operation of the Project would not result in a significant increase in energy, as the project consists of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage and associated improvements. The Project includes construction and operation of a rooftop solar system to provide electrical power on-site and will not connect to an existing electrical grid.

Project construction shall comply with the current California Building Code, which include energy efficiency standards (Title 24, Part 6) minimizing wasteful, inefficient, or unnecessary consumption of energy resources during operation. Additionally, the Project will be required to comply with the California Green Building Standards Code ("CalGreen"), which establishes mandatory green building standards for all buildings in California. For these reasons, this represents a less-than-significant impact.

The Project will have a less than significant impact on Energy through the application of standard County and State regulations during construction permitting.

7. GEOLOGY AND SOILS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (sources: 7, 20, 25, 26, 33, 36, 41, 42, 43)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking? (sources: 7, 20, 25, 26, 33, 36, 41, 42, 43)		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (sources: 7, 20, 25, 26, 33, 36, 41, 42, 43)		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides? (sources: 20, 25, 26, 33, 36, 41, 42, 43)		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (sources: 20, 25, 26, 33, 36, 42, 43)		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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? (sources: 7, 20, 25, 26, 33, 36, 42, 43)		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? (sources: 20, 25, 26, 33, 36, 42, 43)		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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? (sources: 20, 25, 26, 33, 36, 42, 43)		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (sources: 9, 20, 26, 33, 36, 37)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Discussion/Conclusion/Mitigation:

Rock Solid Engineering, Inc. prepared a geotechnical investigation for the Project. The investigation, *Geotechnical Investigation Proposed Residence and Workshop 827 Elkhorn Road Royal Oaks, California*

APN: 181-151-009-000 (June 2023), evaluated potential impacts associated with the Project's construction and operation. Rock Solid Engineering, Inc. conducted a field investigation and collected six (6) soil borings on April 20, 2023. The geotechnical investigation as conducted to determine near surface and subsurface soil conditions and determine suitability for Project construction.

Additionally, Fox Onsite Solutions LLC prepared an Onsite Wastewater Treatment System Feasibility Study for the Proposed Project. The investigation, *Monterey County Onsite Wastewater Treatment System Feasibility Study APN 181-151-009-000 827 Elkhorn Road Royal Oaks, CA 95076 (July 2023)*, evaluated potential impacts associated with the Project's onsite wastewater treatment system. As a component of the onsite wastewater treatment report, Fox Onsite Solutions LLC conducted field investigations and soil tests on May 19, 2023 and May 26, 2023, within three study sites of the Project site. Fox Onsite Solutions LLC evaluated the characteristics of the soil conditions to determine suitability and provide recommendations for the Project's on-site septic system.

### Seismicity and Fault Zones

The geologic structure of central California is primarily a result of tectonic events during the past 30 million years. Faults in the area are believed to be a result of movements along the Pacific and North American tectonic plate boundaries. Movements along these plates are northwest-trending and largely comprised of the San Andreas Fault system. Monterey's complex geology is a result of changes in sea level and tectonic uplifting. Geologic units in the region have been displaced by faulting and folding. The Granitic basement and overlying tertiary deposits have been juxtaposed along many of the northwest/southeast-trending faults.

The Project, located at 827 Elkhorn Road in Royal Oaks, California, is in the northeastern portion of the Elkhorn Slough. The site slopes towards Elkhorn Slough and towards the south end of the Site. The nearest active faults or potentially active faults Project include the Zayante-Vergeles fault zone located 6.6 miles northeast, the San Andreas fault zone located 7.4 miles northeast, the Sargent fault zone located 10.5 miles northeast, the Reliz fault zone located 11.3 miles south, the Carnadero fault located 12.3 miles north-northeast, the Chupines fault zone located 16.3 miles south and the Monterey Bay-Tularcitos fault zone located 18.4 miles south-southwest.

### Soils

The Natural Resources Conservation Service ("NRCS") characterizes the dominant soil type within the site as *Arnold*, a series of deep, excessively drained soils that formed in material weathered from soft sandstone. This series of soils typically occurs on hills and hilly uplands at elevations of 100 to 2,500 ft and have slopes of 9 to 75 percent. Arnold soils are somewhat excessively drained, with very low to medium runoff and rapid permeability above the sandstone and slow in the sandstone. The south portion of the Project Site near Elkhorn Road consists of Santa Ynez, a series of deep, moderately well drained soils that formed in material weathered in alluvium from shale, sandstone and granite. Santa Ynez soils are on coastal terraces and foot slopes between 20 to 1,200 ft and have slopes of 0 to 50 percent. Santa Ynez soils are moderately well drained, with slow to rapid runoff and very slow permeability.

**Geology and Soils Impact (a.i) No Impact:** The Project is not located within any of the Alquist-Priolo Earthquake Fault Zones established by the Alquist-Priolo Earthquake Fault Zone Act of 1972. No impact would occur.

**Geology and Soils Impact (a.ii) Less than Significant:** The Project site is in a seismically active region. Due to the proximity of the Project to active and potentially active faults, there is the potential for strong onsite seismic shaking during its design lifetime. While the Project could be exposed to seismically induced

hazards, it Project will be required to comply with California Building Code seismic design standards. As a result, potential impacts due to seismic hazards would be minimized. Therefore, the Project development will result in a less than significant impact.

**Geology and Soils Impact (a.iii) Less than Significant:** The Project is in an area of low liquefaction susceptibility. Liquefaction and lateral spreading tend to occur in loose, fine saturated sands and in places where the liquefied soils can move toward a free face (e.g., a cliff or ravine). Due to the heavy clays and hardpan present throughout of the site and low liquefaction susceptibility, the potential risk of lateral spreading is low. The potential risk for occurrence of damaging liquefaction would be low during a strong seismic event. This represents a less than significant impact.

**Geology and Soils Impact (a.iv) Less than Significant:** The Project is in an area of moderate landslide risk. While landslides are common in Monterey County due to the combination of uplifting mountains, fractured and weak rocks and periods of intense rainfall, the level of susceptibility is highly dependent on the site's geologic conditions. The geotechnical report determined that the Project Site is suitable for the proposed development from a geotechnical and engineering standpoint. The Project will be constructed in accordance with the recommendations of the geotechnical report, standard engineering and seismic safety design techniques and applicable LUP guidelines, thereby minimizing potential impacts. For these reasons, this represents a less than significant impact.

**Geology and Soils Impact (b) Less than Significant with Mitigation:** The Project is in an area identified as having high erosion hazards risk. Grading and excavation could result in localized erosion on-site. The Project would temporarily disturb 1.1 acres (including leach field preparation) and permanently convert approximately 0.28 acre of an approximately 18.14-acre parcel (13.53 acres after the LLA). Of the cut required to site the structures, approximately 550 cy of excavated soil will be produced.

The excess excavated soil is proposed to be spread on-site within an area in the southeastern portion of the Project site. The excavated soil would be six to twelve inches deep, covering approximately 30,000 sf (0.69 acres). The Project will implement standard construction BMPs to minimize potential erosion-related effects and will also be required to implement standard erosion control measures during construction (**Figure 7. Erosion Control Plan**).

The Project will implement all geotechnical analysis recommendations to further ensure erosion impacts are minimized. All disturbed areas will be revegetated consistent with **Mitigation Measure BIO-9**, which includes seven years of adaptive grassland and oak woodland management.

The Project will also be required to comply with standard County conditions of approval related to grading restrictions, as well as comply with requirements of MCC Chapter 16.08 and 16.12 and the LUP. Implementation of standard construction BMPs, in addition to adhering to applicable MCC requirements, ensures that impacts will be minimized. For these reasons, this represents a less than significant impact.

**Geology and Soils Impact (c) Less than Significant:** The Project is in an area with low liquefaction and moderate landslide risk. The soils within the Project site have low liquefaction susceptibility. The Project site is also not located in a known subsidence zone; and therefore, it is unlikely that the Project would be subject to subsidence related hazards. While the site is in a seismically active region, there are no potentially active faults in close proximity to the Project and surface rupture and lateral spreading are considered improbable.

The geotechnical report determined that, from a geotechnical and engineering standpoint, the project site is suitable for the proposed development. Because the Project will be constructed in accordance with the



geotechnical report recommendations, standard engineering and seismic safety design techniques and applicable LUP guidelines, thereby minimizing potential impacts.

The Project is not located on unstable geologic units or soil or soil that may become unstable, is not identified to result in an on- or off-site landslide, lateral spreading, subsidence, liquefaction, or located on expansive spoil creating a direct or indirect risk to life or property. For these reasons, this represents a less than significant impact. Therefore, impacts would be less than significant.

**Geology and Soils Impact (d) Less than Significant:** The Project is not located in an area known for expansive soil issues. The Site contains loam sand soils with excessive drainage. Rock Solid Engineering, Inc and Fox Onsite Solutions LLC did not identify any significant geotechnical characteristics that require immediate attention and found the Project site to be suitable for the Project. For these reasons, this represents a less than significant impact.

**Geology and Soils Impact (e) Less than Significant:** The Project will construct and operate an onsite wastewater treatment system. Fox Onsite Solutions LLC prepared a Feasibility Study for the Project and found the Project site suitable for a standard wastewater treatment system with a shallow gravity leach field in the lower hillside area. For this reason, this represents a less than significant impact. Please refer to **Section VI.19 Utilities and Service Systems** for more information regarding the wastewater disposal.

**Geology and Soils Impact (f) No Impact:** Significant paleontological resources are fossils or assemblages of fossils that are unique, unusual, rare, uncommon and diagnostically or stratigraphically important, as well as those that add to an existing body of knowledge in specific areas, stratigraphically, taxonomically, or regionally. They include fossil remains of large to very small aquatic and terrestrial vertebrates, remains of plants and animals previously not represented in certain portions of the stratigraphy and assemblages of fossils that might aid stratigraphic correlations – particularly those offering data for the interpretation of tectonic events, geomorphic evolution, paleoclimatology and the relationships of aquatic and terrestrial species.

Most fossils found in Monterey County are of marine life forms and form a record of the region's geologic history of advancing and retreating sea levels. A review of nearly 700 known fossil localities within the County was conducted in 2001; 12 fossil sites were identified as having outstanding scientific value. The Project site is not located on or near any of those sites. No impact would occur.

The Project shall have a less than significant impact on Geology and Soils through the application of Mitigation Measure BIO-9 and the standard County Building Services BMP requirements for grading and construction permits.

8. GREENHOUSE GAS EMISSIONS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (sources: 22, 23, 24, 33, 34)	<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? (sources: 22, 23, 24, 27, 28, 33, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

Various gases in the Earth's atmosphere, when exceeding naturally occurring or 'background' levels due to human activity, create a warming or greenhouse effect and are classified as atmospheric GHGs. These gases play a critical role in determining the earth's surface temperature. Solar radiation enters the atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, the radiation that otherwise would have escaped back into space is retained, resulting in a warming of the atmosphere known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect, or climate change, are carbon dioxide ("CO<sub>2</sub>"), methane ("CH<sub>4</sub>"), ozone ("O<sub>3</sub>"), water vapor, nitrous oxide ("N<sub>2</sub>O") and chlorofluorocarbons ("CFCs"). Human-caused emissions of these GHGs exceeding natural ambient concentrations are responsible for the greenhouse effect. In California, transportation is the largest emitter of GHGs.

MBARD has not yet adopted a threshold for construction-related GHG emissions but recommends utilizing thresholds set by neighboring districts (e.g., Sacramento Metropolitan Air Quality Management District ["SMAQMD"]). SMAQMD adopted an updated threshold based on the 2030 target year in April 2020. According to SMAQMD, a project would result in a significant GHG related impact if the Project would emit more than 1,100 metric tons of Carbon Dioxide equivalent-CO<sub>2</sub>e ("MTOCO<sub>2</sub>e") per year. Operation of a stationary source project will not have a significant GHG impact if the project emits less than 10,000 MTOCO<sub>2</sub>e.

**Greenhouse Gas Emissions (a) Less than Significant:** The Project is in the NCCAB, where air quality is regulated by MBARD. As discussed above, if a project emits fewer than 1,100 MTOCO<sub>2</sub>e per year, its GHG emissions impact would be less than significant. The Project will generate temporary construction related GHG emissions. Any potential effects from GHG generation during construction would be short-term and temporary.

Project operation will not increase permanent greenhouse gas emissions that may have a significant impact on the environment because of the Project's limited scope. The Project will be constructed in accordance with contemporary building standards and include energy efficient upgrades (e.g., rooftop solar arrays). The installation of the on-site electrical infrastructure will not require the Project to connect to an existing electrical grid and therefore would reduce emissions.

The Project consists of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and onsite

wastewater treatment system. The Project will result in minimal additional traffic increases once operational, (**Section VI.17 Transportation**). Therefore, there are no significant impact generated by operational emissions associated with traffic-related impacts; the Project will not create a substantial increase in traffic impacts near the Project vicinity. For these reasons, the Project will result in a less than significant impact to GHG emissions during operation.

**Greenhouse Gas Emissions (b) Less than Significant:** Monterey County does not currently have an adopted GHG reduction plan with numerical reduction targets for individual uses and developments. As described above, the Project is not expected to generate GHG emissions exceeding applicable thresholds. Therefore, the Project will not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases; Project impacts Project are less than significant.

The Project shall have a less than significant impact on Greenhouse Gasses by design and with the application of the State and County regulations and requirements through construction permitting.

9. 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? (sources: 12, 14, 33, 34)	<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? (sources: 12, 14, 33, 34)	<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? (sources: 26, 33, 34)	<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? (sources: 12, 14, 26, 33, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? (sources: 26, 33, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (sources: 26, 27, 28, 33, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

9. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (sources: 10, 11, 26, 30, 33)		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Discussion/Conclusion/Mitigation:

Hazardous materials, as defined by the California Code of Regulations, are substances with certain physical properties that could pose a substantial present or future hazard to human health or the environment when improperly handled, disposed, or otherwise managed. Hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. Hazardous materials and waste can result in public health hazards if improperly handled, released into the soil or groundwater, or through airborne releases in vapors, fumes, or dust. Soil and groundwater having concentrations of hazardous constituents higher than specific regulatory levels must be handled and disposed of as hazardous waste when excavated or pumped from an aquifer.

The Hazardous Waste and Substances Site (“Cortese”) List is a planning tool used by the state, local agencies and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. California Government Code Section 65962.5 requires the California EPA (“CalEPA”) to develop at least annually an updated Cortese List. Various state and local government agencies are required to track and document hazardous material release information for the Cortese List. There are no hazardous materials release sites in the vicinity of the Project site. Similarly, according to the California Department of Toxic Substances Control’s (“DTSC”) EnviroStor database and State Water Resources Control Board (“SWRCB”) GeoTracker database, there are no open or active cleanup sites in the vicinity of the Proposed Project.

**Hazards and Hazardous Materials Impact (a) Less than Significant:** Construction of the Project would entail the use of hazardous materials (e.g., fuel, cleaning materials, etc.). The types and amounts of hazardous materials used would vary according to the type of activity. It is unlikely that Project construction would create a significant impact due to the routine transport, use, or disposal of hazardous materials in part due to Project size and the temporary nature of construction. Hazardous materials shall be handled and stored in compliance with all local, state and federal regulations pertaining to hazardous materials. The implementation of these measures would ensure that impacts would be less than significant.

Project operation could generate surface runoff that may contain urban pollutants from vehicles, including cleaning and maintenance materials, oil, grease and heavy metals. Hazardous materials would be handled and (if needed) stored in compliance with all local, state and federal regulations pertaining to hazardous materials. Furthermore, any hazardous materials would be limited in quantity and concentrations set forth by the manufacturer and/or applicable regulations. Furthermore, any hazardous materials would be limited in quantity and concentrations set forth by the manufacture and/or applicable regulations. Therefore, this represents a less than significant impact.

**Hazards and Hazardous Materials Impact (b) Less than Significant:** Construction and operation of the Project could generate surface runoff that may contain urban pollutants from vehicles, including oil, grease and heavy metals. Hazardous materials would be handled and (if needed) stored in compliance with all



local, state and federal regulations pertaining to hazardous materials. Furthermore, any hazardous materials would be limited in quantity and concentrations set forth by the manufacture and/or applicable regulations. The Applicant/Owner shall implement erosion control measures consistent with MCC Chapter 16.12 to minimize potential impacts due to contaminated runoff. Additionally, the Project shall implement standard BMPs and erosion control measures (e.g., minimize grading, re-vegetate disturbed areas, etc.) that minimize potential impacts associated with the Project. Therefore, this represents a less than significant impact.

**Hazards and Hazardous Materials Impact (c) No Impact:** The Project is not located within one-quarter mile of an existing or proposed school. Therefore, no impact would occur.

**Hazards and Hazardous Materials Impact (d) No Impact:** The Project site is not listed on any hazardous materials sites compiled pursuant to Government Code Section 65962.5. No impact would occur.

**Hazards and Hazardous Materials Impact (e) No Impact:** The Project is not located within an airport land use plan or within two (2) miles of an airport and will not result in a safety hazard to, or significant noise for people residing or working in the Project area. No impact would occur.

**Hazards and Hazardous Materials Impact (f) Less than Significant:** The Project will be accessed via a private rural driveway connecting to Elkhorn Road. The Monterey County 2021 Evacuation and Transportation Plan does not identify specific designated evacuation routes because evacuation routes are considered dynamic and change based on the nature and location of an emergency. As a result, all local roadways in the Project's vicinity Project can potentially be utilized as evacuation routes during an emergency.

The Project will not generate additional traffic once operational that could interfere with emergency response or evacuation resulting in a significant impact. Additionally, Project design Project will comply with the Monterey County Regional Fire District Fire Prevention safety standards. Safety standards include specific driveway and road turnabout minimum widths and radii which the PLN220229 plans illustrate (and North County FPD reviewed and found suitable during application submittal review). The Project will not impair implementation or physically interfere with an adopted emergency response plan or emergency evacuation plan. For these reasons, impacts would be less than significant.

**Hazards and Hazardous Materials Impact (g) Less than Significant:** The Project is in a California Department of Forestry and Fire Protection ("CAL FIRE") State Responsibility Area, categorized as a "High Fire Hazard Severity Zone". Structures and people could be exposed to a significant risk of loss, injury or death involving wildland fires. Potential fire hazards during construction could occur in connection with the operation of equipment and other activities, which could cause sparks or other sources of ignition in dry areas. This is a temporary construction impact.

During routine residential use, potential fire hazards due to sparks or sources of ignition could occur. The Project shall comply with fire safety provisions of the California Building Code and Monterey County Code; thereby reducing the risk of damage from wildland fire to the maximum extent practicable. Additionally, the Project shall implement the fuel and vegetation management recommendations presented in the Fuel Management Plan and create defensible spaces within 30 ft and 100 ft of all structures (**Section VI.4 Biological Resources**). For these reasons, impacts would be less than significant.

The Project shall have a less than significant impact on Hazards and Hazardous Materials by design and with the application of the State and County regulations and requirements through construction permitting.

## 10. 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 or otherwise substantially degrade surface or groundwater quality? (sources: 4, 17, 20, 34, 36, 38)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (sources: 1, 4, 17, 20, 29, 33, 34, 36, 38)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 or through the addition of impervious surfaces, in a manner which would:				
i) result in substantial erosion or siltation on- or off-site? (sources: 20, 26, 33, 36)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? (sources: 19, 20, 26, 33, 36)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?; or (sources: 20, 26, 33, 36)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows? (sources: 19, 20, 26, 33, 36)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (sources: 8, 19, 20, 26, 33, 36)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (sources: 4, 17, 29, 33, 34, 38)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

The Project site is located to the east of the Elkhorn Slough. The Elkhorn Slough flows southwest into the Pacific Ocean near Moss Landing, California. The Site slopes south, east and southeast towards Elkhorn Slough.

The Project site is in the Alisal-Elkhorn Slough watershed, in a groundwater recharge area designated by the County of Monterey and within the 180/400 Foot Aquifer Subbasin of the Salinas Valley Groundwater

Basin. The subbasin is co-managed by the Salinas Valley Basin Groundwater Sustainability Agency (“SVBGSA”), Marina Coast Water District Groundwater Sustainability Agency (“MCWD GSA”) and the Monterey County Groundwater Sustainability Agency (“MCGSA”) and is categorized as critically over drafted. A Groundwater Sustainability Plan (“GSP”) for the 180/400 Foot Aquifer Subbasin was prepared for the aquifer and approved in 2020 and amended in 2022. According to the GSP, the current sustainable yield of the Subbasin is 98,000 acre-feet per year (“AFY”) of water and the 2030 projected sustainable yield is 107,200 AFY. Additionally, the GSP includes management actions and projects for achieving groundwater sustainability in the Salinas Valley Groundwater Basin and its six (6) subbasins. Examples include pumping restrictions, reservoir reoperation, Castroville Seawater Intrusion Project (“CSIP”) expansion and Monterey One Water (“M1W”) Recycled Water Plant Modifications Project.

The Project is within Federal Emergency Management Agency (“FEMA”) Flood Zone X, an Area of Minimal Flood Hazard (areas outside the Special Flood Hazard Area and higher than the elevation of the 0.2-percent-annual-chance flood). The Project site is currently developed with an existing access road with approximately 579,052 sf of pervious coverage. The Project when built out, will result in 19,679 sf of impervious coverage and 569,693 sf of pervious coverage. Specifically, the Project will result in 4,739 sf of impervious building coverage and 14,940 sf of impervious hardscape and paving.

**Hydrology and Water Quality Impact (a) Less than Significant:** The Project will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. The Project site is located on the upper western slope of a ridge, approximately 1,200 ft to the east of Elkhorn Slough. Construction will result in ground-disturbing activities from excavation and grading. Ground-disturbing activities and vegetation removal could generate temporary soil erosion and could potentially affect existing water quality.

To minimize construction-generated water quality impacts, the contractor/engineer shall implement standard construction BMPs. The Project will also be required to comply with MCC Chapter 16.08 requirements, which ensure that temporary construction-related water quality impacts are minimized. The Project will be required to comply with the drainage policies of MCC Chapter 16.14 Monterey County Stormwater Ordinance and the recommendations of the Project’s geotechnical investigation.

Project operation could result in water quality effects from hazardous material usage. Potential water quality effects could occur in connection with on-going maintenance activities, use of routine household cleaning products and operation of mechanized equipment (e.g., generator, vehicles). Similar to construction-related impacts, operational impacts will be temporary in nature and would not substantially increase potential water quality impacts. Project design will direct drainage away from structures, septic systems and away from steep slopes utilizing dispersion trenches, storm drains and gutters for reducing runoff and erosion. For these reasons, any temporary construction-related impacts associated with the Project are less than significant.

**Hydrology and Water Quality Impact (b) Less than Significant:** As discussed, the Project consists of the construction of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, water storage tanks and on-site septic system including a leach field.

The Project will not substantially decrease groundwater supplies or interfere substantially with groundwater recharge nor impede sustainable groundwater basin management. Temporary water use will occur during Project construction in connection with dust suppression activities. Construction water use will be minimal and will not decrease groundwater supplies or interfere with the process of groundwater recharge.

The Project will install two new water tanks, a pump and backup generator; utilizing an existing well (Elkhorn Road Water System #9) which currently serves two connections, which has capacity to serve four. The estimated well capacity is approximately 17 gallons/minute.

Water will be used during operation for the single-family residence, guest house, restoration activities in oak woodland for the first three years and on an as-needed basis for fire suppression. Water demand calculations were estimated by Fox Onsite Solutions and determined to be approximately .08 AFY (750 gallons per day). These estimates were further compared against Monterey Peninsula Water Management District (“MPWMD”) Rule 24 Water Use Capacity Use Factors.

Single-family-related water fixtures include:

- a. one (1) master bathroom with two (2) sinks, one (1) shower, (1) bathtub and (1) toilet;
- b. two (2) bathrooms each with one (1) sink, one (1) toilet and one (1) shower;
- c. one (1) half-bathroom with one (1) sink and one (1) toilet;
- d. one (1) kitchen sink and one (1) dishwasher; and one (1) laundry sink and one (1) clothes washer.

Guesthouse-related water fixtures include one (1) bathroom with one (1) sink, one (1) shower and one (1) toilet). The Project includes four (4) water tanks of currently unknown size. (**Figures 8c – 8d**).

MPWMD determines residential water use by identifying the water fixtures (e.g., sinks, toilets, showers, etc.)and multiplying the fixture unit value by .01 to determine acre feet per year.

**Table 10-1 Residential Unit Water Use** identifies the fixtures within the residential unit and MPWMD fixture unit value. Based on the fixtures proposed, the Project would require an estimated 0.3 AFY (with potential for demand upwards of 0.8 AFY).

<b>Table 10-1 Residential Unit Water Use for the Proposed Project</b>			
<b>Residential Unit Water Fixture</b>	<b>Number of Fixtures</b>	<b>MPWMD Water Fixture Value</b>	<b>Water Value</b>
<b>Primary Dwelling</b>			
Bathroom Sink	3	1	3
Two Master Bathroom Sinks	1	1	1
Toilet	4	1.8	7.2
Bathtub	1	2	2
Shower	3	2	6
Kitchen Sink and adjacent Dishwasher	1	2	2
Laundry Sink	1	2	2
Clothes Washer	1	2	2
<b>Guesthouse</b>			
Bathroom Sink	1	1	1
Toilet	1	1.8	1.8
Shower	1	2	2
<b>Total</b>			<b>30</b>
<b>Acre Feet per year (Water Value x 0.01)</b>			<b>0.3</b>

**Sources:** Riewe, Carol, 2024. Boccone & Igel New Residence and Workshop 827 Elkhorn Road Royal Oaks CA APN 181-151-009. Plan Submittal (PLN220229)and MPWMD, Rule 24 Calculation of Water Use Capacity and Capacity Fees, available at: <https://www.mpwmd.net/wp-content/uploads/Rule24.pdf>



The Project will result in an increase to groundwater demand, but not a significant impact. As described above, the GSP for the 180/400 Foot Aquifer Subbasin includes management actions and projects for achieving groundwater sustainability. The GSP plans for buildout of residences on residentially-zoned parcels like the Project.

AMBAG's regional growth forecast has anticipated population growth in unincorporated Monterey County; the Project will not induce substantial population growth either directly or indirectly. As a result, the Project will not substantially decrease water supplies or interfere substantially with groundwater recharge. This represents a less than significant impact.

**Hydrology and Water Quality Impact (c) Less than Significant:** The Project will not substantially alter the site's existing drainage pattern resulting in substantial erosion or siltation on- or off-site. The Project could cause temporary increases in erosion during construction due to ground-disturbing activities. The Project will include construction of new impervious surfaces, which could cause localized increases in erosion on- or off-site in the absence of drainage improvements and could result in potential operational water quality impacts. The Project includes on-site drainage improvements (i.e., dispersion trenches) to address impacts due to increases in impervious surfaces. The Project would implement an erosion control plan to reduce sediment and stormwater impacts during construction.

Project construction will result in improvements which will alter the site's existing drainage pattern through the introduction of impervious surfaces. However, the Project includes drainage improvements in the form of dispersion trenches. Runoff from new impervious surfaces will be collected by gutters and storm drains, flowing to dispersion on-site trenches to percolate runoff into the soil.

Cut and fill slopes will be planted with annual rye grass and mulched with compost. The soil stockpile area resulting from grading will be revegetated with a native grass and forb seed mix. The non-developed portions of the parcel would be conserved with existing vegetation. Therefore, the Project would provide adequate drainage to mitigate increases in surface runoff.

There are no major stormwater drainage improvements or planned improvements located within Project site boundaries. The Project will not create or contribute runoff exceeding existing or planned drainage system improvement capacity. The Project will include on-site drainage improvements construction to accommodate stormwater runoff from increased impervious surfaces.

The Project will not substantially alter the site's or area's existing drainage pattern (including through the alteration of the course of a stream or river or through the addition of impervious surfaces), in a manner to impede or redirect flood flows. As noted above, the Project site is located approximately 1,200 ft to the east of Elkhorn Slough. The distance of the Project from the Elkhorn Slough and the implementation of on-site drainage improvements will avoid potential direct and indirect environmental effects.

As a result, the Project does not entail alteration of a stream or river course. Accordingly, the Project will not impede or redirect flood flows due to changes to the site's existing drainage pattern through stream or river course alteration. This represents a less than significant impact.

**Hydrology and Water Quality Impact (d) Less than Significant:** The Project Site is not located in an area subject to significant seiche or tsunami effects and is not in a flood hazard area. The Elkhorn Slough, located south of the Project site, is in a Tsunami Hazard Area designated by the California Department of Conservation and is also in Special Flood Hazard Area Zone AE designated by FEMA. The Project does not propose construction in the flood hazard zone or tsunami zone of the Elkhorn Slough. As a result, the

Project will not result in the risk of release of pollutants due to Project inundation from a tsunami, seiche, or flood hazard. This represents a less than significant impact.

**Hydrology and Water Quality Impact (e) Less than Significant:** The Project will not conflict with or obstruct a water quality control plan or sustainable groundwater management plan. The Project proposes to connect to an existing well with an estimated capacity of approximately 286 gallons, using 0.3 AFY to 0.8 AFY of water. This represents a less than significant impact.

11. LAND USE AND PLANNING	Potentially Significant Impact	Less Than Significant	Less Than Significant Impact	No Impact
		With Mitigation Incorporated		
<b>Would the project:</b>				
a) Physically divide an established community? (sources: 3, 26, 27, 28, 33, 34, 35)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (sources: 3, 18, 26, 27, 28, 33, 34, 35, 37)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### **Discussion/Conclusion/Mitigation:**

The Project lies within the Coastal Zone and is regulated by the LUP, the certified LCP for the region. The LUP's overall philosophy is to maintain the scenic beauty and rural character of the northern Monterey County's coastal zone. The LCP's basic objectives and key policies include, but are not limited to:

- Protecting visual resources of North County,
- Protecting, maintaining, enhancing and restoring environmentally sensitive habitats,
- Preserving and protecting coastal estuaries and wetlands,
- Protecting groundwater aquifers and controlling new development to a level that can be served by available, long-term water supplies,
- Ensuring compatibility between agriculture and adjacent development,
- Regulating land uses and development in areas of natural hazards,
- Minimizing or avoiding impacts to archaeological resources,
- Expanding or managing roads to accommodate traffic volumes and provide for a safe and uncongested flow of traffic and
- Ensuring future development is consistent with the protection of the area's significant human and cultural resources, agriculture, natural resources and water quality.

The LUP identifies the Project's land use as "Rural Density Residential." The "Rural Density Residential" land use category supports low density residential and agricultural development with development densities from 1 unit on 40 or more acres to a maximum of 1 unit per 5 acres. The Rural Density Residential designation allows for a first single family dwelling and guesthouse residential uses and temporary residences used as living quarters during construction of the first dwelling on a lot.

Located within the coastal zone, the Project site must comply with the California Coastal Act to receive a Coastal Development Permit from the County of Monterey. The California Coastal Commission ("CCC")

was a voter initiative established in 1972 and made permanent by the California State Legislature through the adoption of the California Coastal Act of 1976. The CCC, in partnership with coastal cities and counties, plans and regulates the use of land and water in the coastal zone.

**Land Use and Planning Impact (a) No Impact:** The division or disruption of an established community would occur if a project creates a physical barrier that separates, isolates, or divides a portion of a built community. The physical division of a community is traditionally associated with the construction of large-scale transportation improvements (e.g., highways) or the creation of a large university campus.

The Project, located within a rural residential area, consists of the following:

1. Single-family dwelling, attached carport and deck,
2. Detached guesthouse with an attached workshop and garage,
3. Private driveway,
4. Solar energy system, water storage tanks, on-site septic system including a leach field.
5. Tree removal to accommodate structural development and a new driveway.
6. Building site and road grading.
7. Lot Line Adjustment.

The project is consistent with the area's land use and planning. Due to the nature of the Project and location, the Project would not create a barrier that would divide an established community.

**Land Use and Planning Impact (b) Less than Significant:** The Project would not conflict with any applicable land use plan, policy, or regulation adopted for the purposes of avoiding and/or mitigating an adverse environmental effect.

North County Land Use Plan's Visual Resources Policy 2.2.2.5 states that "structures should be located to minimize tree removal and grading for the building site and access road." It also requires disturbed slopes to be restored to their previous visual quality and landscape screening and restoration to consist of native plant and tree species.

PLN220229's original design included a much longer driveway with more disturbed slopes and potential to alter the public viewshed. The LLA was initiated between neighboring parcel owners to enable the owner of APN 181-151-009-000 (Parcel A, where new residential development is proposed) to shorten the driveway because the owners of the neighboring parcel preferred this solution over the granting of an access easement.

The resulting parcels involved in the LLA, A, B, and C, will conform with the development standards for Rural Density Residential (RDR) zoned parcels as to size. The three parcels have different minimum size restriction pursuant to Title 20 but are all part of the Rural Density Residential (RDR) zoning district. Table 11-1 shows the final sizes of the parcels after the LLA, and their respective minimum parcel size in the zoning district.

**Table 11-1  
Resulting Parcel Sizes and Zoning District Requirements**

Parcel	Minimum size pursuant to zoning district
Parcel A will be 13.53 acres in size.	10 acres
Parcel B will be 290.14 acres in size.	40 acres
Parcel C will be 5.13 acres in size.	5 acres

The Project Site General Plan land use designation as Residential – Rural Density and the Project would not conflict with the land use designation of the Project site or LUP Land Use Policies 4.3.5.8 and 4.3.6.D. The 1982 General Plan and LUP anticipated future residential growth within the region. The Project develops an appropriate location and alters the size and shape of three parcels to accommodate residential development according to site constraints.

The Project does not conflict with LUP Policies regulating impacts on visual resources. The Project does not significantly impact public viewsheds. Given the existing topography and vegetation and the Project's design, materials and colors, the Project will be visually screened when viewed from the Elkhorn Slough and the trail that extends along the Slough to the north of Kirby Park, (protected public viewsheds). As designed, the Project is tucked into a wooded section of the parcel with one structure partially visible from public viewing areas, consistent with the rural residential characteristics of the surrounding area. The Project is not visible from a public roadway, due to the topography and design. Therefore, the Project is consistent with LUP Policies G.1 and 2.2.2.1-5 and 2.2.3.1-6.

The Project would not conflict with LUP Policies regulating impacts to environmentally sensitive habitats. Development impacts oak woodland but those impacts have been minimized through the LLA to reduce the driveway as well as careful siting of the structures in natural openings within the oak woodland.

Pajaro manzanita is present near the construction site (within 100 feet) but direct impact is avoided by the Project's design. Mitigation Measures proposed in this Initial Study, will improve the long-term health of the oak woodland and improve grassland habitat elsewhere, creating a net benefit to environmentally sensitive habitats through Project development. These Mitigation Measures include avoidance of sensitive terrestrial and avian species and a proposed CSED over a habitat area (See **Section VI.4 Biological Resources**). Therefore, the Proposed Project, as designed and mitigated, is consistent with LUP Policies 2.3.2.1-10.

The Project would not conflict with LUP Water Resources Policies. A Key Water Resources Policy states that water quality of the North County groundwater aquifers shall be protected and new development shall be controlled to a level that can be served by identifiable, available, long term-water supplies and estuaries and wetlands of North County shall be protected from excessive sedimentation resulting from land use and development practices in the watershed areas.

As discussed in **Section IV.10 Hydrology and Water Resources**, the Project incorporates an erosion control plan and will be inspected by HCD-Building Services for plan compliance., MCC Chapter 16.08 Grading code and Chapter 16.12, Erosion Control code. The new rural development is located and developed in accordance with erosion controls to protect the Elkhorn Slough watershed from excessive sedimentation during construction.

The shared well which provides the potable water for the Project is already permitted by the Environmental Health Bureau (EHB) and meets water quantity for this residential unit and another future connection in the area. This is the first dwelling on the parcel and the Project does not include new parcels. The Project would not conflict with LUP Water Resources Policies 2.5.2.1-6 and 2.5.3.A.1-5 which direct new development to minimize point source pollution, siltation and allow adequate water to maintain aquatic and riparian life.

North County Buildout is less than 50% of the projected build out for the area. The Groundwater Sustainability Plan (GSP), and the GSP for the subject site, as well as other GSPs in North County, are making strides to balance their water basins as required by State Law to do so in adaptive management.



The Project would not conflict with LUP Water Resources Policies 2.5.3.B.3-5 which direct onsite waste disposal limitations as to minimum parcel size, appropriate maintenance and siting.

The Project's onsite wastewater treatment system is not built on slopes exceeding 30 percent; EHB found the proposed design adequate to limit pollution of surface waters and protect public health. The Project complies with the Land Disturbance Target requirements for private development described in LUP Water Resources Policy 2.5.3.C.

The Project's total "Land Disturbance by type" was measured as follows:

Temporary changes result in 1.04 acres of "new bare land." However, permanent changes result in approximately 0.28 developed footprint (including pervious pavers on a section of driveway). Land Disturbance due to this residential development avoids impact to erosion through the uniform application and enforcement of MCC Chapters 16.08 and 16.12.

The Project would not conflict with LUP Geologic Hazards Policies 2.8.2.1-4 as the Project site is not considered "high hazard" and the driveway construction is sited on the lowest slope to contribute the least to erosion and with appropriate hammerhead turnarounds for fire trucks to contribute the least to fire hazards.

The Project meets LUP Fire Hazards Policies 2.8.3.C.4 and 5 by the driveway design and choice of fire-resistant roofing materials. Both PLN220229 and PLN240187 Project applications were reviewed for conformance with applicable hazard policies by HCD offices and Fire District staff.

The Project does not conflict with applicable LUP Geologic Hazards Policy 2.8.3.A.1 as the residential design and driveway were sited to conform to site topography and adheres with key LUP Visual Resources Policies on the same issue.

There was a geotechnical report prepared for the residence which demonstrates that the Project minimizes risks to life and property.

The Project does not conflict with LUP Archaeological Policies as there was an archaeological survey prepared – the new development was found compatible with the level of archaeological sensitivity in the Project site (See **Section VI.5 Cultural Resources**).

The Project does not conflict with LUP Transportation Policies 3.1.2.6 and 3.1.3.2 and 3.1.3.5-6 because Engineering Services staff reviewed the proposed residential use and found that it would not conflict with the road capacity of Elkhorn Road. PLN220229 is required to pay regional and countywide traffic fees to support the upkeep and management of County roadways.

The Project does not conflict with LUP Wastewater Management Facilities Policies 3.2.1, 3.2.2 and 3.2.3. A new septic system is proposed and the parcel is not within a wastewater service area. The EHB found the proposed design adequate to limit pollution of surface waters and protect public health. The wastewater collection and treatment system are constructed with tanks near the habitable structures where visual resources would not be significantly impacted.

Natural resources (grasslands that have the potential to support sensitive species) are temporarily impacted by the installation of the trench and leach field. The potential for significant impact is reduced to a level of less than significant through mitigation (**Section VI.4, Biological Resources**).

12. MINERAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (sources: 9, 26, 27, 28)	<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? (sources: 9, 26, 27, 28)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

The Project would have no impact on mineral resources (Section IV.A Environmental Factors Potentially Affected).

13. NOISE		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (sources: 26, 27, 28, 33, 34, 39)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Generation of excessive groundborne vibration or groundborne noise levels? (sources: 26, 27, 28, 33, 34, 39)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (sources: 26, 27, 28, 33, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

Noise is commonly defined as unwanted sound. Sound levels are usually measured and expressed in decibels (“dB”) with zero (0) decibels corresponding roughly to the threshold of hearing. Most sounds consist of a broad band of frequencies, with each frequency differing in sound level. The intensities of each frequency add together to generate a sound. Most environmental noise includes a conglomeration of noise from distant sources, which creates a relatively steady background noise in which no source is identifiable.

The Project, located off Elkhorn Road in the Royal Oaks community, consists of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, water storage tanks and on-site septic system including a leach field.

The primary source of noise in the Project vicinity would be from vehicle traffic along Elkhorn Road and noise generated from the neighboring land uses. The nearest sensitive receptor is located approximately 300 ft to the southeast of the Project site. The North County Coastal LUP does not include specific policies related to noise but encourages land use compatibility to preserve the peace and tranquility of the existing neighbors and to reduce impacts to the environment. In the absence of noise related policies within the North County Coastal LUP, the 1982 Monterey County General Plan policies are applicable. Also, the County-wide Noise Ordinance is applied to coastal areas (MCC Chapter 10.60).

**Noise Impact (a) Less than Significant:** Project construction will generate temporary noise in the project vicinity due to the use of equipment (e.g., trucks, tractors, excavators). The North County Coastal LUP contains no specific noise policies, therefore this analysis relies on noise policies contained in the Monterey County 1982 General Plan and regulations from the current Noise Ordinance (MCC Chapter 10.60).

Construction activities are required to comply with the Monterey County Noise Ordinance as described in MCC Chapter 10.60. The ordinance applies to “any machine, mechanism, device, or contrivance” within 2,500 ft of any occupied dwelling unit and limits the noise generated to 70 dBA at a distance of 50 ft from the noise source. Noise generating construction activities are limited to the hours between 7 AM. and 7 PM. Monday through Saturday. No construction noise is allowed on Sundays or holidays.

While the extent, duration and volume of noise generated by Project construction has not been identified, it is unlikely construction noise would result in a significant impact given the site location, proximity of existing sensitive receptors, type of construction and the temporary nature of construction activities. **Table 13-1 Construction Equipment Noise Emission Levels** identifies typical noise emissions (i.e., levels) generated by construction equipment and how equipment noise reduces with distance.<sup>5</sup>

**Table 13-1**  
**Construction Equipment Noise Emission Levels**

<b>Equipment</b>	<b>Typical Noise Level (dBA) 50 ft from Source</b>	<b>Typical Noise Level (dBA) 100 ft from Source<sup>1</sup></b>	<b>Typical Noise Level (dBA) 200 ft from Source<sup>1</sup></b>	<b>Typical Noise Level (dBA) 400 ft from Source<sup>1</sup></b>
Air Compressor	81	75	69	63
Backhoe	80	74	68	62
Ballast Equalizer	82	76	70	64
Ballast Tamper	83	77	71	65
Compactor	82	76	70	64
Concrete Mixer	85	79	73	67
Concrete Pump	82	76	70	64
Concrete Vibrator	76	70	64	58
Dozer	85	79	73	67
Generator	82	76	70	64
Grader	85	79	73	67
Impact Wrench	85	79	73	67
Jack Hammer	88	82	76	70
Loader	80	74	68	62

<sup>5</sup> The rate of noise diminishes as the distance from the source of noise doubles.

**Table 13-1**  
**Construction Equipment Noise Emission Levels**

Equipment	Typical Noise Level (dBA) 50 ft from Source	Typical Noise Level (dBA) 100 ft from Source <sup>1</sup>	Typical Noise Level (dBA) 200 ft from Source <sup>1</sup>	Typical Noise Level (dBA) 400 ft from Source <sup>1</sup>
Paver	85	79	73	67
Pneumatic Tool	85	79	73	67
Pump	77	71	65	59
Roller	85	79	73	67

Source: U.S. Department of Transportation, *Transit Noise and Vibration Impact Assessment*, 2018.  
Construction generated noise levels drop off at a rate of about 6 dBA per doubling of distance between the source and receptor.

The nearest sensitive receptor is a residence located approximately 300 ft to the southeast of the Project site. Based on the proximity of the nearest receptor and the rate that noise diminishes, construction related activities would not exceed the County's noise related threshold.

Operational noise will not result in a substantial permanent increase in ambient noise within the surrounding area. The Project consists of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and on-site septic system including a leach field. The Project would result in minimal new traffic increases once operational. For these reasons, the Project would have a less than significant impact.

**Noise Impact (b) Less than Significant:** The Project would not generate excessive ground-borne vibration or ground-borne noise. Project construction would require excavation and grading. These activities will be minor and temporary in nature. Project operation will not create a new source of vibration. For these reasons, the Project would have a less than significant impact.

**Noise Impact (c) No Impact:** The Project is not located within the vicinity of a private airstrip of an airport land use plan, or within two miles of a public airport. For these reasons, no impact would occur.

14. POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (sources: 1, 27, 28, 33, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (sources: 1, 27, 28, 33, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

The Project would have no impact on population and housing. **(Section IV.A Environmental Factors Potentially Affected.**



15. PUBLIC SERVICES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
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? (sources: 26, 30, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Police protection? (sources: 26, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Schools? (sources: 26, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Parks? (sources: 26)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Other public facilities? (sources: 26, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

Please refer to **Section IV.A Environmental Factors Potentially Affected.**

16. RECREATION		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (sources: 34)	<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? (sources: 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

The Project would have no impact on recreational resources. (**Section IV.A Environmental Factors Potentially Affected**).

17. TRANSPORTATION		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? (sources: 27, 28, 31, 32, 33, 34, 35)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? (sources: 27, 28, 31, 32, 33, 34, 35)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? sources: 2, 27, 28, 31, 32, 33, 34, 35)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Result in inadequate emergency access? (sources: 2, 27, 28, 31, 32, 33, 34, 35)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Discussion/Conclusion/Mitigation:

The Project constructs a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and on-site septic system including a leach field. The Project also includes a LLA that alters shape and size of three adjacent parcels but does not create new parcels. The Project consisting of a rural residential use, is zoned Rural Residential. The Project would be required to comply with Condition of Approval PW0045 – Countywide Traffic Fee. The Applicant would be required to pay the Countywide Traffic Fee or the ad hoc fee pursuant to General Plan Policy C-1.8. Additionally, the Project would be required to comply with Condition of Approval PW0043 – Regional Development Impact Fee to pay the Regional Development Impact Fee pursuant to Monterey County Code Chapter 12.90.

#### *Significance Criteria - Vehicle Miles Traveled*

Senate Bill (SB) 743 required that starting July 2020 transportation impact for projects per CEQA be based on a project's Vehicle Miles Traveled ("VMT"). CEQA Guidelines Section 15064.3, subdivision (b)(1) calls for the evaluation of transportation impacts of projects based on Vehicle Miles Traveled ("VMT"). CEQA uses the VMT metric to evaluate a project's transportation impacts. The publication *Technical Advisory on Evaluating Transportation Impacts in CEQA*, State of California Governor's Office of Planning and Research, December 2018, suggests that a significant environmental impact would occur if a project would generate more than 110 trips per day.

**Transportation Impact (a) and (b) Less than Significant:** The Project does not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. The Project does not conflict with CEQA Guidelines Section 15064.3, subdivision (b).

The Project will result in temporary construction-related traffic. Construction is expected to last approximately 12-18 months. Construction activities shall be limited to the hours between 8 AM to 5 PM, Monday through Friday and between 9 AM to 5 PM on Saturday. Vehicle use of the shared private driveway will be monitored and directed during grading, excavation and construction of the new driveway at locations to the north and south of the new driveway access point to the Project site.

Temporary construction parking construction will be located at the base of the Project parcel near Elkhorn Road. No parking, construction access, or material delivery would be allowed from the upper turnout of the shared private driveway onto the neighboring parcel. For these reasons, impacts would be less than significant.

Operation of the Project consists of rural residential uses and would not result in a significant increase in operational traffic. For the purposes of this IS/MND, the Project would result in a significant traffic-related effect if the Project would exceed the 110 daily trip threshold recommended by the Governor's office of Land Use and Climate Innovation ("LCI") (formerly Office of Planning and Research). It is anticipated that vehicle trips per day would be low due to the size of the project and duration of construction and would be below the 110 daily trips threshold. The Project would not result in a significant VMT-related impact and impacts would be less than significant.

**Transportation Impact (c) Less than Significant:** The Project would not substantially increase hazards due to a design feature. The Project would be accessed via an existing paved private road. The driveway of the Project includes a 55 ft truck turn-around between the primary dwelling and guesthouse, has been designed to accommodate a 30 ft fire truck and has been revised to reduce grading. For these reasons, impacts would be less than significant.

**Transportation Impact (d) Less than Significant:** The Project would not result in inadequate emergency access. The Project would access Elkhorn Road via an existing paved private road and the driveway has been designed to accommodate emergency vehicles. Construction of the Project would not require the closure of any public roads and temporary construction parking would be located at the base of the Project parcel and accessed through the private road. Therefore, impacts would be less than significant.

18. TRIBAL CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
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 (sources: 18, 26, 27, 28)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

18. TRIBAL CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
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. (sources: 18, 26, 27, 28)		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

As discussed in Section VI.3 Cultural Resources, because an area on the western edge of APN 181-151-009-000 is mapped as “high archaeological sensitivity,” the Applicant for PLN220229 caused a Phase I archaeological report to be prepared. The results of the *Archaeological Assessment Results for Elkhorn Road Driveway Water Line and Septic Field Improvements, Monterey County (January 2024)* prepared by Dudek inform this section. The information contained in this discussion is supplemented with additional information provided by a Native American Tribal Representative as part of the Tribal consultation process undertaken by the County of Monterey in accordance with AB 52.

California Assembly Bill (“AB”) 52, in effect since July 2015, provides CEQA protections for tribal cultural resources. All lead agencies approving projects under CEQA are required, if formally requested by a culturally affiliated California Native American Tribe, to consult with such tribe regarding the potential impact of a project on tribal cultural resources before releasing an environmental document. Under California Public Resources Code Sec. 21074, tribal cultural resources include site features, places, cultural landscapes, sacred places, or objects that are of cultural value to a tribe and that are eligible for or listed on the California Register of Historic Resources or a local historic register, or that the lead agency has determined to be of significant tribal cultural value.

Pursuant to AB 52, Tribal notification letters were sent out on January 25, 2024. One request for consultation was received. The requesting Tribal Representative of the Ohlone/Costanoan-Esselen Nation (“OCEN”) met with County of Monterey HCD-Planning staff on February 13, 2024 and requested the presence of a Tribal Monitor during soil disturbance activities, protection of sacred sites, inclusion of mitigation and recovery programs, reburial of Ancestral remains and burial artifacts, return of cultural items to OCEN and 50 meters of protection surrounding remains and cultural disturbances.

Additionally, on December 21, 2023, Dudek sent letters to 17 Tribal contacts during the SLF search. On December 26, 2023, a Tribal Representative for the Amah Mutsun Land Trust responded to Dudek and requested a Tribal archaeologist to survey the site or perform monitoring. This letter was not a response to an AB 52 consultation request letter; rather, it signifies that there are at least two Tribal groups willing to perform onsite monitoring.

**Tribal Resources Impact (a.i) and (a.ii) Less than Significant with Mitigation:** Public Resources Code Sec. 21074 defines a tribal cultural resource as “sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American Tribe that are either of the following: a)



included or determined to be eligible for inclusion in the California Register of Historical Resources, [or] b) included in a local register of historical resources as defined in subdivision (k) of [Public Resources Code] Section 5020.1” (Public Resources Code Sec. 21027(a)).

No Tribal cultural resources, as defined in Public Resources Code Section 21074, are listed or eligible for listing in the California Register of Historic Resources, or in a local register of historic resources, are known to exist at the Project site. No known or previously recorded archeological sites are located in the Project site. Additionally, the pedestrian survey conducted December 29, 2023, did not find surface evidence of potentially significant historic period archaeological resources. While no known Tribal cultural resources exist at the Project site, construction-related activities could potentially affect a buried Tribal cultural resource or previously unknown Tribal cultural resource. This represents a potentially significant impact that would be reduced to a less than significant level through the implementation of **Mitigation Measure TR-1**.

To minimize potential impacts to previously unknown or subsurface tribal cultural resources, Native American tribes shall be notified prior to ground-disturbing activities. Prior to the issuance of any permit for ground-disturbing activities, the Applicant shall submit evidence (i.e., a contract) to HCD – Planning demonstrating that the Applicant has retained a tribal cultural monitor to monitor initial ground-disturbing activities. The tribal cultural monitor shall be responsible for preparing daily monitoring reports and shall prepare a final report following the completion of ground disturbing activities. The final report, along with the daily monitoring reports, shall be submitted to HCD – Planning for review within 60 days following the completion of ground-disturbing activities. All work shall stop if a tribal cultural resource is discovered during construction. The Tribal Monitor shall evaluate the resource to determine whether the finding is significant. If the finding is a historical resource or unique tribal cultural resource, avoidance measures or appropriate mitigation shall be implemented. Work will cease in the immediate vicinity of the find until mitigation can be implemented. In accordance with CEQA Guidelines Section 15064.5(f), work may continue in other parts of the project site during the implementation of potential resource mitigation (if necessary). The County of Monterey shall be responsible for reviewing and approving the mitigation plan in consultation with the Native American monitor prior to the resumption of ground-disturbing activities. All tribal resources shall be returned to the affected Native American tribe.

**Mitigation Measure TR-1: (TRIBAL MONITOR).** A portion of the Project site is with a “high archaeological sensitivity” area in County resource mapping, due to the proximity of the Elkhorn Slough. Therefore, through Native American Tribal consultation, it was found that there is potential for impacts to Tribal cultural resources within the “high sensitivity” area of the PLN220229 parcel during ground disturbance associated with installation of the onsite wastewater treatment system’s trenching and leach field. In order to prevent adverse impacts to potential cultural resources, a qualified Tribal Monitor shall be present during soil disturbance in the western area of APN 181-151-008-000. The monitor shall have the authority to temporarily halt work to examine any potentially significant materials. If human remains are identified, work shall be halted to within a safe working distance (approximately 165 ft), the Monterey County Coroner must be notified immediately and if said remains are determined to be Native American, the Native American Heritage Commission shall be notified as required by law. If potentially significant archaeological resources are discovered, work shall be halted in the lower western area of APN 181-151-008-000, not including vehicular passage on the existing driveway or stockpiling of soil in the soil stockpile area and otherwise to 165 ft, until the find until it can be evaluated. If suitable materials are recovered, a minimum of two samples shall be submitted for radiocarbon dating in order to provide a basic chronology of the site. If intact, significant features should be encountered, the Tribal Monitor in conjunction with an archaeologist shall recommend appropriate mitigation measures. Features are human burials, hearths, house floors, significant shell mounds and/or caches of stone tools. If a feature is an artifact that cannot be moved, it must be documented in situ. In the case of in situ documentation of an artifact, Applicant/Owner of

PLN220229/APN 181-151-009-000 shall retain a qualified archaeologist to monitor and ensure conduct of the requirements of the mitigation and monitoring plan. In the case of a significant feature, Applicant/Owner shall cause the qualified archaeologist to document any findings and to evaluate the significance of the cultural resource in a report. The report shall be submitted to HCD-Planning and appropriate State-required offices/repositories that are available at the time (as determined by the archaeologist).

**Mitigation Measure TR-1 Monitoring Action:** Prior to the issuance of construction permits, Applicant/Owner shall submit evidence (e.g., contract) to HCD – Planning for review and approval demonstrating that the Applicant/Owner has retained a Tribal Monitor and evidence that the Tribal Monitor has been made aware of the dates and times of earth disturbing activities on the lower portion of APN 181-151-008-000 (onsite wastewater treatment system installation).. During these earth disturbance activities, the approved Tribal Monitor shall be onsite observing the work. Prior to final of construction permits, Applicant/Owner shall submit a letter from the Tribal Monitor verifying all work was done consistent with the contract to HCD-Planning. The Tribal Monitor shall prepare daily monitoring reports that shall be available upon request by HCD – Planning. If no resources are encountered during the contracted period, no further reporting shall be required. In the case that resources are encountered, a final report, including the daily monitoring schedule, shall be submitted to HCD – Planning for review and approval within 60 days of completion of ground disturbing activities. If Tribal cultural resources are encountered, additional measures may be determined to be required to minimize impacts. They shall be formulated by the tribal monitor and a qualified archaeologist (to be hired from the qualified consultant list). Additional measures shall be reviewed and approved by HCD-Planning and implemented by the tribal monitor and a monitoring archaeologist. The requirements of this measure shall be included as a note on all grading and building plans.

Potential impacts to Tribal Cultural Resources would be reduced to a less than significant level through the implementation of Mitigation Measure TR-1.

19. UTILITIES AND SERVICE SYSTEMS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? (sources: 4, 17, 20, 29, 33, 34, 36, 38)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry , and multiple dry years? (sources: 4, 17, 29, 33, 34, 38)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. UTILITIES AND SERVICE SYSTEMS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
c)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (sources: 20, 33, 34, 36)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (sources: 15, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Comply with federal, state and local management and reduction statutes and regulations related to solid waste? (sources: 15, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Discussion/Conclusion/Mitigation:

The Project consists of the construction of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and on-site septic system including a leach field.

#### Electrical Power

The Project would utilize a rooftop array of solar panels, an energy storage system and backup generator to provide electrical power generation and would not connect to an existing electrical grid.

#### Potable Water

The Project would construct two 5,000-gallon water tanks, a pump and backup generator. The Project would use 0.3 AFY to 0.8 AFY of water and utilize an existing 160 ft deep well (Elkhorn Road Water System #9) with an estimated capacity of approximately 286 gallons that currently serves four (4) connections.

#### Wastewater

The septic system would consist of 540 linear ft of pipe, two (2) 1,500-gallon septic tanks located a minimum of 5 ft away from the primary dwelling and guest houses, 4 in septic system lines in a 12 in by 24 in trench line and a 2,160 sf leach field consisting of a 3 ft wide trench, with 1 ft of flow depth and 2.5 to 3 ft of total depth.

#### Solid Waste

Solid waste generated by the Project would be transported and disposed of at the Monterey Peninsula Landfill and Recycling Facility north of the City of Marina. The Monterey Regional Waste Management District ("MRWMD") operates the landfill which has a permitted capacity of 3,500 tons per day of solid waste and currently receives approximately 1,100 tons per day. The remaining capacity is approximately 48 million tons or 72 million cy. At current rates of disposal, the landfill will continue to serve the present service area for approximately 150 years. Based on Cal Recycle Residential Sector Generation Rates, a single-family residential unit generates an average of 12.23 pounds ("lb.)/household/day, which would be 0.01% of the current daily intake of solid waste at the landfill.

**Utilities and Service Systems Impact (a) Less than Significant:** As described above, the Project would utilize on-site electrical power generation including a rooftop solar array, would connect to an existing well for potable water and would utilize an on-site septic system for wastewater disposal. The potable water tanks and pump would be located uphill from the guesthouse on a gentle slope and within the Zone 2 100 ft fuel management area. The Monterey County Environmental Health Bureau (“EHB”) Drinking Water Protection Services (“DWPS”) reviewed the source capacity test for the Elkhorn Road Water System #9 well and tested the well water. The septic system would be located on the lower hillside area of the Project parcel away from the structures and existing well and in an area with appropriate soils for a septic system and with adequate space for future capacity. Additionally, EHB reviewed the Project and confirmed that soils are adequate to accommodate on-site wastewater disposal.

The Project would be required to comply with Monterey County Condition of Approval EHSP01 – Amend Public Water System Permit, where the Applicant/Owner of PLN220229/ APN 181-151-008-000 would be required to submit the application, reports and testing results to the Monterey County Environmental Health Bureau for review and approval prior to issuance of construction permits in order to receive an amended water system permit. This would have a less than significant impact.

**Utilities and Service Systems Impact (b) Less than Significant:** The Project is within the 180/400 Foot Aquifer Subbasin of the Salinas Valley Groundwater Basin. The Basin is managed by SVBGSA, MCWD GSA, MCGSA. The GSP includes management actions and projects for achieving groundwater sustainability in the Basin. The current sustainable yield of the Subbasin is 98,000 AFY and the 2030 projected sustainable yield is 107,200 AFY. The Project would use 0.3 AFY to 0.8 AFY of water. Monterey County EHB DWPS witnessed the source capacity test for the existing well. Water supplies in the Basin would be managed by the four (4) groundwater agencies and the GSP. Water would be used during operation for the single-family residence, guest house, landscaping and on an as-needed basis for fire suppression. Additionally, AMBAG’s regional growth forecast has anticipated population growth in unincorporated Monterey County and the Project would not induce substantial population growth either directly or indirectly. As a result, there is sufficient available water supply to serve the Proposed Project. See **Section VI.10 Hydrology and Water Quality**. This represents a less than significant impact.

**Utilities and Service Systems Impact (c) No Impact:** The Project will construct an on-site septic system for wastewater disposal. The septic system will be located in an area with appropriate soils for a septic system and with adequate space for future capacity. Additionally, EHB reviewed the Project, confirming the soils are adequate to accommodate on-site wastewater disposal. The Project will not affect a wastewater treatment provider and no impact would occur.

**Utilities and Service Systems Impact (d) Less than Significant:** As described above, Solid waste generated by the Project would be transported and disposed of at the Monterey Peninsula Landfill and Recycling Facility. The landfill has a remaining capacity of approximately 48 million tons or 72 million cy and will continue to serve the present service area for approximately 150 years. A single-family residential unit generates an average of 12.23 lb./household/day, which would be 0.01% of the current daily intake of solid waste at the landfill. The Project would not generate solid waste exceeding state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. This would have a less than significant impact.

**Utilities and Service Systems Impact (e) Less than Significant:** The Project complies with all Federal, State and local statutes and solid waste regulations. All waste generated in connection with the Project will be handled in accordance with all applicable statutes and regulations to the extent they are applicable to the Project. This would have a less than significant impact.

20.	WILDFIRE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</b>					
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan? (sources: 10, 11, 26, 30, 33)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Due to slope, prevailing winds and other factors, exacerbate wildfire risks and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (sources: 10, 11, 26, 30, 33)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (sources: 10, 11, 26, 30, 33)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (sources: 10, 11, 25, 26, 30, 33)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Discussion/Conclusion/Mitigation:

The Project is in a CAL FIRE State Responsibility Area and is categorized as a High Fire Hazard Severity Zone. The Project site could be subject to wildland fire hazards. The Project site and surrounding area is served by the North County Fire Protection District (“NCFPD”) and CAL FIRE. The nearest fire station to the Project site is NCFPD Station 3 at 301 Elkhorn Road, located approximately 1.4 miles to the north of the Project site.

The Project residential development (PLN220229) component would implement a Fuel Management Plan to mitigate wildfire risk and control vegetation on the Project site. The Fuel Management Plan will remove dead vegetation, trim trees and shrubs and manage vegetation in defensible spaces within 30 ft and 100 ft of all structures in a manner sensitive to the biological resources and compatible with CAL FIRE guidelines. Activities within Zone 1 (30 ft from structures) would include removal of dead vegetation, trimming tree limbs and branches and creating separation between trees, shrubs and items that could catch fire such as patio furniture, wood piles, etc. Activities within Zone 2 (100 ft from all structures) would include maintaining a low (12-18 in tall) understory of native vegetation, removing fallen trees and plant material and inspection of clearances by NCFPD. See **Section VI.4 Biological Resources**.

**Wildfire Impact (a) – (d) Less than Significant:** The Project could expose persons and structures to wildland fire hazards or exacerbate fire risks and thereby expose people and/or structures to potential



wildland fire hazards. The Project has been designed to accommodate emergency vehicles and construction of the Project would not require the closure of any public roads or interfere with an adopted emergency response plan or emergency evacuation plan. Operation of the Project would not result in a significant impact to acceptable service ratios, response times, or other performance objectives for wildfire. During construction, potential fire hazards could occur in connection with the operation of equipment and other activities that could cause sparks or other sources of ignition in dry areas. This is a temporary construction impact.

Project operation could also result in potential fire hazards due to the introduction of new development and increased site use. The Project PLN220229 component would also install a rooftop array of solar panels, an energy storage system and backup generator to provide electrical power generation and would not connect to an existing electrical grid. Pursuant to LUP Hazard Policy 2.8.2.4, the Project was evaluated for conformance with the ability to comply with adopted hazard mitigating codes and regulations that are found in the MCC Fire Code and Building Code as part of the development review process. The Project demonstrates consistency with these policies as regulations for driveway design, water tanks and recommendations for fire-resistant roof materials are incorporated. A fire hydrant would be installed along the private driveway between the single family dwelling and the guesthouse and would be utilized in the event of a fire. Additionally, the two proposed 5,000-gallon water tanks would be of sufficient capacity to serve the Project in the event of a wildfire. The Project would implement a Fuel Management Plan to mitigate wildfire risk and control vegetation on the Project site. The Fuel Management Plan would remove dead vegetation, trim trees and shrubs and manage vegetation in defensible spaces within 30 ft and 100 ft of all structures. The Project would comply with the applicable fire safety provisions of the California Building Code.

The single-family dwelling unit with attached carport and deck, detached guesthouse with an attached workshop and garage and two 5,000-gallon water storage tanks and the septic tanks of the Project is located on the upper slope of a west-facing ridge with the leach field located downslope of the other PLN220229 Project components. Structural development is designed to result in a site coverage of 4,899 sf. The new driveway extension is proposed to consist of approx. 4,620 sf pavement and 2885 sf pervious pavers. To accommodate potential changes to the surface water flow, the Project includes a stormwater drainage system. Collected stormwater will be received, spread and infiltrated through the dispersion trenches. As a result, the Project is not anticipated to expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability or drainage changes.

## VII. MANDATORY FINDINGS OF SIGNIFICANCE

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number, or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (sources: 2, 18, 21, 26, 27, 28, 33, 34)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects and the effects of probable future projects.) (sources: 2, 3, 18, 33, 34, 35)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (sources: 2, 3, 18, 33, 34, 35)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

**Mandatory Findings Impact (a) Less than Significant with Mitigation Incorporated:** As discussed in this IS/MND, the Project would not 1) degrade the quality of environment; 2) substantially reduce the habitat of a fish or wildlife species; 3) cause a fish or wildlife population to drop below self-sustaining levels; 4) threaten to eliminate plant or animal community; 5) reduce the number or restrict the range of a rare or endangered plant or animal; or 6) eliminate important examples of major periods of California history or prehistory. The Project would result in temporary construction-related impacts to biological resources that would be mitigated to less than significant through mitigation measures identified in Section VI.4. Similarly, the Project site does not contain, nor is located near, any known cultural resources.

While unlikely, construction could unearth previously unknown resources. Mitigation for potential impacts to Tribal cultural resources shall be avoided through onsite monitoring during ground disturbance in the “high sensitivity” area of the PLN220229 parcel. In addition, the Project would implement standard County Conditions of Approval to ensure potential impacts related to the inadvertent discovery of previously unknown resource are minimized. All potentially significant impacts associated with the Project would be minimized to a less than significant level through the implementation of mitigation measures identified in this IS/MND and the standards followed in construction permit issuance and inspections in compliance with County, State and Federal codes.

**Mandatory Findings Impact (b) Less than Significant:** To determine whether a cumulative effect requires an EIR, the lead agency shall consider whether the impact is significant and whether the effects of the project are cumulatively considerable (CEQA Guidelines §15064(h)(1)). In addition, CEQA allows a

lead agency to determine that a project's contribution to a potential cumulative impact is not considerable and thus not significant when mitigation measures identified in the initial study will render those potential impacts less than considerable (CEQA Guidelines 15064(h)(2)). This IS/MND contains recommendations and mitigation measures to ensure that all potentially significant impacts are minimized to a less than significant level. Furthermore, the County has identified Conditions of Approval to minimize potential impacts. Implementation of these various measures would ensure that the Project's impacts would be less than significant. As there is limited development of this type in the area and the development is organized and restricted under the General Plan, Coastal Zoning Ordinance, MCC codes and the LUP, the Proposed Project, in combination with other residential development, would not result in a cumulatively considerable adverse environmental effect.

**Mandatory Findings Impact (c) Less than Significant:** The Project would not have a substantial adverse effect on human beings, either directly or indirectly. The Project would result in temporary construction-related impacts that would be minimized to a less than significant level through the incorporation of construction best management measures and mitigation measures identified throughout this IS/MND. The Project consists of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage and associated improvements. The Project will not conflict with the allowable use at the site. Conditionally-allowed uses (development within 100 feet of Pajaro manzanita and oak woodland) are supported by the resource protections, impact avoidance, oak woodland restoration and adaptive care program that are included in the Mitigation Measures and Monitoring Plans for the Proposed Project. Additionally, the Project would not induce substantial population growth either directly or indirectly or result in a substantial increase in traffic.

# ***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](http://www.wildlife.ca.gov).

**Conclusion:** The Project will be required to pay the fee.

**Evidence:** Based on the record as embodied in the County of Monterey HCD-Planning files pertaining to PLN220229, PLN240187 and the attached Initial Study / Proposed (Mitigated) Negative Declaration.

## IX. SOURCES

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# County of Monterey

## Item No.3

### Board Report

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

Legistar File Number: PC 25-058

June 25, 2025

Introduced: 6/17/2025

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

#### **PLN220229 - BOCCONE NORMAN B AND VICTORIA E IGEL CO-TRUST**

Public hearing to consider construction of a 2,676 square foot single-family dwelling, a 414 square foot detached guesthouse, an attached 507 square foot workshop, and 415 square foot garage including associated site improvements. Project requires removal of 17 Coast live oak trees and development within 100 feet of Environmentally Sensitive Habitat Areas and on slopes in excess of 25 percent.

**Project Location:** 827 Elkhorn Slough Road, North County Land Use Plan.

**Proposed CEQA Action:** Adopt a Mitigated Negative Declaration pursuant to Section 15074 of the CEQA Guidelines.

#### RECOMMENDATION:

It is recommended that the Planning Commission adopt a resolution:

- 1) Adopt a Mitigated Negative Declaration pursuant to Section 15074 of the CEQA Guidelines (SCH#: 2025050246); and
- 2) Approving a Combined Development Permit consisting of:
  - a. Coastal Administrative Permit to allow construction of a split-level 2,676 square foot single-family dwelling with a 516 square foot attached carport and 471 square foot deck, and associated site improvements;
  - b. Coastal Administrative Permit to allow construction of a 414 square foot detached guesthouse with a 133 square foot covered porch, attached 507 square foot workshop and 415 square foot garage;
  - c. Coastal Development Permit to allow the removal of up to 17 Coast live oak trees including 1 landmark tree;
  - d. Coastal Development Permit to allow development within 100 feet of Environmentally Sensitive Habitat Area (Pajaro manzanita and Oak woodland);
  - e. Coastal Development Permit to allow development on slopes in excess of 25 percent; and
- 3) Adopt a Condition Compliance and Mitigation Monitoring and Reporting Plan.

A draft resolution, including findings and evidence, is attached for consideration (**Exhibit A**).

Staff recommends approval subject to 28 conditions.

#### PROJECT INFORMATION:

**Project Owner:** Boccone Norman B & Victoria E Igel Co-Trs

**Agent:** Carol Riewe, Architect

**APNs:** 181-151-009-000

**Zoning:** Rural Density Residential, 10 acres per unit, within Coastal Zone (“RDR/10(CZ)”)

**Parcel Size:** 13.53 acres

**Flagged and Staked:** Yes

**Project Planner:** Mary Israel, Supervising Planner

israelm@countyofmonterey.gov, (831)755-5183

**SUMMARY:**

The subject parcel is located in a rural residential area, on Elkhorn Slough Road and adjacent to the Blohm Ranch, which is held in conservation by the Elkhorn Slough Foundation. The property is surrounded by residentially developed 5+ acre lots to the southeast and south. The applicant proposes to construct a single-family dwelling, guesthouse, workshop, garage and associated site improvements on the property. Associated site improvements include a photovoltaic system, a septic system, a driveway, and the removal of up to 20 Coast live oak trees, 17 of which are protected and include one landmark tree, and approximately 550 cubic yards of grading/excavation. Through a redesign, as enabled by a proposed lot line adjustment (LLA, PLN240187), the Applicant reduced grading by half of what would otherwise be required by changing access location for the proposed driveway to provide direct access on a flatter area.

The subject property will be served potable water from a private well (Elkhorn Road Well System #9) located on the subject property and under common ownership. Additionally, the Environmental Health Bureau reviewed and approved an on-site wastewater treatment system plans designed by Fox Onsite Solutions and did not apply any conditions of approval.

A Mitigated Negative Declaration was prepared that demonstrates the project, as mitigated, will avoid direct impacts to these and any other potentially present species. Based on staff analysis, the proposed project is consistent with all rules and regulations pertaining to zoning uses and any other applicable provisions of the 1982 Monterey County General Plan, North County Land Use Plan (LUP), Monterey County Coastal Implementation Plan (CIP, Part 5) and Zoning Ordinance (Title 20).

**DISCUSSION:**

*Development Standards*

The subject property is zoned for rural density residential (RDR) use, which allows development of the first single-family dwelling on a legal lot of record and accessory structures, subject to the granting of a Coastal Administrative Permit, in each case. Required setbacks in the RDR district for main dwelling units and attached accessory structures are 30 feet (front) and 20 feet (sides and rear). Detached accessory non-habitable structures are subject to setbacks of 50 feet (front), 6 feet (side front half), 1 foot (side rear half), and 1 foot (rear). As proposed and as illustrated on the attached plan (**Exhibit B2**), the split-level single-family dwelling and attached guesthouse would have front, side, and rear setbacks greater than 100 feet. The guesthouse and attached accessory structures would also have setbacks greater than what is required by the RDR zoning district (110 feet from the nearest property line). The two water tanks, designed to be 9 feet 8 inches in height, would be approximately 70 feet from the nearest side setback.

The maximum allowed height for main structures is 30 feet, whereas guesthouse structures are limited to 12 feet, and other accessory structures are limited to 15 feet in height. The proposed main structure would have a height of approximately 21 feet 7 inches from the average natural grade (ANG). The

guesthouse would have a maximum height of approximately 11 feet from ANG. The attached garage and workshop would have a height of approximately 8 feet from ANG. The site coverage maximum in this RDR district is 25 percent. The property is 18.14 acres which would allow site coverage of approximately 197,737 square feet. As proposed, the project would result in a site coverage of approximately 5,304 square feet (0.8% of the lot). Therefore, as proposed, the project meets all required development standards.

#### *Guesthouse*

The proposed project includes the construction of an approximately 414-square-foot guesthouse. Title 20, section 20.64.020 establishes regulations and standards for guesthouse structures. Consistent with the applicable requirements, the proposed guesthouse lacks cooking facilities, shares the same architectural design and colors and materials as the main residence, and thus is visually consistent and compatible with the primary dwelling unit, and is located in close proximity at 138 feet away. Consideration of slope and Oak woodland as well as potential impacts to viewshed also influenced the siting of the guesthouse. Additionally, the guesthouse will share the same utilities as the main residence and will have sufficient parking. Condition No. 11 has been applied to require that the Applicant/Owner record a deed restriction prohibiting separate rental of the guesthouse and conformance with other guesthouse regulations.

#### *Tree Removal*

A Forest Resource Analysis, Construction Impact Assessment and Tree Protection Plan was prepared for this project by James Allen, dated November 1, 2024 (County of Monterey HCD Library No. LIB230235; **Exhibit D**). This report evaluated the health, structure, and preservation suitability of each tree within or adjacent to the proposed development. The original siting of the proposed residence and driveway improvements required the removal of 35 individual Coast live oak trees, including three landmark trees. Although the tree removal was the minimum necessary under the specific design when the driveway was located entirely within the parcel, HCD-Planning staff raised concerns about the project's direct impacts to Oak woodland on slopes of 25 percent, which are aspects of development that are encouraged to be avoided by policy of the North County LUP. To better meet the resource protection goals and policies of the North County LUP and associated CIP, the Applicant presented staff with design revisions that reduced the number of native trees proposed for removal by 15. As a result, 20 Coast live oaks, 17 of which are protected, are proposed for removal. Design changes included reconfiguring the driveway, while continuing to meet North County Fire Protection District driveway standards. Either an access easement or a Lot Line Adjustment (LLA) would have been required to facilitate this driveway redesign. The owner of the neighboring property, Elkhorn Slough Foundation, and the Applicant agreed that LLA was the preferred path forward. The proposed LLA (PLN220229) will also be presented to the Planning Commission for consideration on June 25, 2025. A condition of approval has been applied to this project to ensure that the associated LLA is implemented, or that property owner obtain authorization to cross the neighboring parcel should the LLA not be approved or not be completed. If the applicant cannot complete the LLA or gain access, driveway construction entirely onsite would require an amendment permit, as it would include more development on slopes and more tree removal.

To meet North County Fire Protection District standards, the driveway is proposed to be 12 feet wide with a firetruck turnaround and turnout. Aligning the driveway in a manner afforded by the LLA, is the



most appropriate and feasible design for the driveway that minimizes the number of trees proposed for removal and better achieves the resource protection goals and policies of the North County LUP. The arborist recommended that an Oak Woodland Restoration Plan be implemented within one year of the development for an area of 0.12 acres, which is 148 percent of the area for which the arborist estimated potential canopy loss due to the project (0.8 acres). The Mitigated Negative Declaration required adaptive care and monitoring of the restoration area for seven years to ensure the oak woodland stand on the subject parcel is fully improved by the project.

*Environmentally Sensitive Habitat Area (ESHA)*

Pursuant to the Biological Report (County of Monterey HCD Library No. LIB230236; **Exhibit C**), prepared by Biotic Resources Group and Bryan Mori Biological Consulting, dated December 2024, including supplemental surveys in April 2025, the project site is adjacent to a patch of Pajaro manzanita, which is considered environmentally sensitive habitat pursuant to Chapter 2.3 of the North County LUP. In addition, five California Red-legged Frog (CRLF) individuals were found in pitfall traps in January 2025 within the vicinity of the project. Because of the presence of CRLF, the migratory upland habitat area is considered ESHA.

LUP Policy 2.3.2.1 does not allow development other than resource dependent uses within ESHA. The LUP Policy states: "with the exception of resource dependent uses, all development, including vegetation removal, excavation, grading, filling, and the construction of roads and structures, shall be prohibited in the following environmentally sensitive habitat areas: riparian corridors, wetlands, dunes, sites of known rare and endangered species of plants and animals, rookeries, major roosting and haul out sites, and other wildlife breeding or nursery areas identified as environmentally sensitive." This policy does not include Oak woodland as an area where resource dependent uses are the only allowed use. Therefore, the proposed development may be sited within oak woodland, provided it complies with applicable LUP policies. Oak woodland is only referenced in two ESHA-related LUP Policies: Policy 2.3.3.A.4 states that disturbance of "Oak woodland on slopes of greater than 25 percent" shall be minimized, and Policy 2.3.3.A.5 requires that Oak woodland habitat in North County be subject to fuel management. The proposed development does not fall within an area specified by LUP Policy 2.3.2.1 and the proposed tree removal is not subject to LUP Policy 2.3.3.A.4.

Per Policy 2.3.2.1, all other development types (as allowed by the underlying zoning district) may be adjacent to or within 100 feet of ESHA, provided the development is compatible with the long-term maintenance of the resource. Siting of the residence does not conflict with Policy 2.3.2.1 of the North County LUP because impacts to Pajaro manzanita that could occur during construction are avoided. Additionally, through application of avoidance measures such as vegetation removal/grading/construction timing, monitoring, and exclusionary fencing, CRLF would be avoided.

On-going use and maintenance of the residence and driveway would be of a low intensity that will not disrupt or impact the sensitive habitats. The Applicant will be directly involved in a Habitat Adaptive Care Program, with the assistance of subject experts, and has indicated to staff that they are invested in remaining on the property and investing in ecological stewardship. The LLA associated with this development involves a donation of over 4 acres of Oak woodland to Elkhorn Slough Foundation, which will be added to the lands the organization conserves in perpetuity.

Condition No. 14 has been applied to require that an area of the property containing premium habitat be placed in an irrevocable conservation easement, as required by North County LUP Policy 2.3.2.6. The Applicant has expressed that the donation of land to Elkhorn Slough Foundation should be considered stronger mitigation than a conservation easement, and therefore replace the requirement. Staff discussed the potential for this interpretation with California Coastal Commission staff, and it was agreed that the specific wording of CIP section 20.144.040.B.6 does not signal an alternative to a conservation easement:

*“Deed restrictions or conservation easement dedications over environmentally sensitive habitat areas shall be required as a condition of approval for any development proposed on parcels containing environmentally sensitive habitats. Where the proposed project is to occur on an already-developed parcel, restrictions or easement dedications over the habitat area shall still be required. The restrictions and easements shall be in accordance with the requirements of Section 20.142.130. (Ref. Policy 2.3.2.6)”*

Therefore, as proposed and conditioned, the project complies with applicable ESHA policies of the North County LUP and the CIP, which encourages that sensitive habitats and plant/animal species be avoided and requires that new development be compatible with the long-term maintenance of the surrounding ESHA. Draft biological mitigation measures are briefly discussed below. The Applicant sent a comment letter on the IS/MND which is also discussed below.

#### *Public Viewshed*

The subject property is in an area of visual sensitivity. The property is east and above Elkhorn Slough, which is categorized in its entirety as a visually sensitive area by the North County LUP. Views of the project from Elkhorn Road, Highway 1, and most trailheads are interrupted by forest and topography. During application submittal reviews including a viewshed impact determination on May 7, 2024, staff determined potential for public viewshed impacts from the trail along the east side of the slough (North of Kirby Park). Staff received communications from neighboring organizations (ESF and Friends Artists and Neighbors of Elkhorn Slough, or FANS) with concerns about this potential impact, which staff also shared with the Applicant. In response to the feedback, the Applicant reduced the height and pitch of the roof of the main dwelling and updated colors and materials to muted natural colors. The project now proposes moss green painted horizontal board and batten body and earth tone trim and windows. The reduced mass, combined with muted natural colors and materials improved the potential to avoid negative visual impacts from Elkhorn Slough. The project's structures are surrounded by trees, and the topography helps to conceal the subject development. There are less than significant impacts to aesthetics, protected viewsheds, or public views, as discussed in the draft Initial Study.

#### *Development on Slopes*

The Applicant was able to design structures off of slopes in excess of 25 percent, but the Proposed Project requires an onsite wastewater treatment system, and that will entail trenching of approximately 350 feet (1 foot wide) on such slopes. A finding in support of this development can be made because the proposed development better achieves the goals, policies and objectives of the 1982 Monterey County General Plan and North County Land Use Plan than other development alternatives. The development on slopes will follow County regulation for erosion control and will be performed outside of the rainy season. The trenching allows the onsite wastewater treatment system to reach a lower area

of the parcel where the most feasible leach field would be placed on disturbed grassland. The only alternative locations for the septic would conflict more with the LUP. An alternative to trenching down the slope would be for the residence to be located below the slope near the leach field. Impacts to visual resources would be significant if the residence were placed along Elkhorn Slough Road, without the hillside masking the structures. Another alternative to trenching down the slope would be for the leach field to be closer to the residence, this would cause greater impacts to Oak woodland and would potentially impact slopes in excess of 25 percent. Therefore, the Proposed Project as designed with approximately 350 square feet of development of trenching on slope can be supported.

#### *Fire Safety*

The project is proposed in a high fire risk zone (State Regulated Area). To make the residence as defensible as possible against fire damage and to lower the risk that the use increases wildfire potential, the project is designed to be prepared by including the installation of two 5,000 gallon water tanks to serve the project's fire protection and the use of metal roofing materials and Hardee siding in structural construction. Fire hazards will also be addressed through compliance with mitigation measures for habitat management (BIO-9) and Condition No. 10, Defensible Space Requirements.

#### ENVIRONMENTAL REVIEW

The project underwent environmental review pursuant to CEQA, and an Initial Study was prepared, resulting in a Mitigated Negative Declaration (SCH#: 2025050246). The document was filed with the County Clerk on May 7, 2025, and circulated for public review from May 7, 2025 to June 6, 2025. The environmental analysis identified potentially significant impacts to Biological Resources and Tribal Cultural Resources that were reduced to less-than-significant levels through implementation of mitigation measures and standard conditions of approval, including. Ten mitigation measures related to Biological Resources and one mitigation measure related to Tribal Cultural Resources have been applied as Condition Nos. 15 through 27.

Potential impacts to Aesthetics and Wildfire were found less-than-significant in the regulatory setting of North County. Standard conditions address exterior lighting, defensible space, and the project design includes muted, natural exterior colors that are anticipated to blend into the grassland/oak canopy surrounding the residence. Topography and canopy as well as distance reduce potential impact to public viewshed, as discussed above.

The project includes comprehensive mitigation measures to protect sensitive habitat and species, including:

- Protection of Pajaro manzanita during construction
- Pre-construction wildlife surveys for special-status species
- Habitat adaptive care program with seven years of monitoring
- Oak woodland restoration to compensate for impact to Oak woodland
- At least 1:1 tree replacement for removal of protected trees (estimated at 15 trees) and 2:1 tree replacement for removal of one landmark tree
- Nesting bird surveys and bat surveys
- Construction timing restrictions
- Creation of a Conservation and Scenic Easement Deed

A portion of the Project site is with a “high archaeological sensitivity” area in County resource mapping, due to the proximity of the Elkhorn Slough. As required by California Assembly Bill (“AB”) 52, HCD-Planning notified Native American Tribal groups that had requested County notification on CEQA documents. Tribal notification letters were sent out on January 25, 2024. One request for consultation was received. The requesting Tribal Representative of the Ohlone/Costanoan-Esselen Nation (“OCEN”) met with HCD-Planning staff on February 13, 2024 and requested the presence of a Tribal Monitor during soil disturbing activities, protection of sacred sites, inclusion of mitigation and recovery programs, reburial of Ancestral remains and burial artifacts, return of cultural items to OCEN and 50 meters of protection surrounding remains and cultural disturbances. The IS/MND discussed tribal cultural resources following the Native American Tribal consultation; it was found that there is potential for impacts to Tribal cultural resources within and near the “high sensitivity” area of the western portion of the parcel during ground disturbance associated with installation of the onsite wastewater treatment system’s trenching and leach field and trenching for the new well waterline. A mitigation measure (TR-1) is applied to the project to ensure that an approved Tribal Monitor shall be onsite observing the ground disturbing work within and near the “high sensitivity” area of the western portion of the parcel. Two groups contacted County to indicate that they are available to do this monitoring - OCEN and the Amah Mutsun Land Trust.

1. Staff from the Geologic Energy Management Division of the California Dept. of Conservation sent a standardized letter alerting the property owners of all parcels that the division reviewed the parcels for presence of oil, gas or geothermal wells in the area of the proposed development. The letter concluded that no wells were found present.
2. Norman Boccone, the Applicant, sent comments on the IS to share his view of the history of the project, to correct for the record two misstatements he found in the body of the IS, and to request some minor clarification on two mitigations proposed in the MND. Staff is presenting the comments in brief here with staff responses.
  - Mr. Boccone found one instance of a miswritten count of proposed water tanks to serve the project’s fire safety. Staff notes this was found on page 78, in context of a water usage estimate. In all other instances of the mention of water tanks, the administrative draft had been corrected by HCD-Planning staff to read “two 5,000 gallon water tanks” in all key locations, including the Project Description (page 10), and in the Checklist (Chapter VI) Utilities (page 93) and Wildfire (page 96) sections. The effect on the water usage estimate was to make it more conservative. As an IS analyzes worst case impacts, no edit is required.
  - Mr. Boccone sought clarification as to how much area the MND was requiring for the CSE. He suggested that the IS was not specific about area/boundaries. The reason that the IS was not specific is that the County’s Condition of Approval for a CSED (Condition No. 14) requires a biologist to be consulted when developing the location of the CSE. The size of a CSE is location and project dependent. This project is in the Coastal Zone, where the North Coast CIP section 20.144.040.B.6 requires a CSE over “habitat areas.” In this case, the ESF indicated that the provision of access to the the proposed residence that would potentially cross an ESF-owned parcel would be preferably met by transfer of property. Similarly, ESF expressed preference for transfer of property over receipt of CSE for ESHA impacts. The owner worked with ESF on Lot Line Adjustment (“LLA,” PLN240187) to transfer 5 acres of

land to ESF and gain a 0.48-acre area from ESF to use for a shortened driveway. This LLA is on review for decision by the Planning Commission in the June 25, 2025 hearing. Therefore, in this case, staff recommends that the CSE area should total 3:1 of the permanently impacted areas on the parcel to be consistent with the requirement of the CIP. The MND arrived at “approximately one acre” in (Chapter VI) Biological Resources (top of page 62). This was an even-number estimate made from project application’s predicted permanent impacts (0.28 acres). The Applicant may request of the Planning Commission that the CSE be exactly 0.84 acres. The owner should consult a biologist in the design of the area to ensure highest quality migration habitat is included.

- Mr. Boccone expressed concern that wording in mitigation measure TR-1 states that a Tribal Monitor should not be required to write a daily report for every day they monitor, which suggests a greater amount of reporting than other project monitors. Staff agrees that the wording of TR-1 was unclear. The intent was for the Tribal Monitor to keep a daily log and to include the daily logs in the final report. Therefore, draft mitigation measure TR-1 has been clarified with the following phrase shown underlined:

*“The Tribal Monitor shall prepare daily monitoring reports (e.g. daily log) that shall be available upon request by HCD - Planning. If no resources are encountered during the contracted period, no further reporting shall be required. In the case that resources are encountered, a final report, including the daily monitoring schedule, shall be submitted to HCD - Planning for review and approval within 60 days of completion of ground disturbing activities.”*

- Mr. Boccone asked why the 5 year period of biological monitoring that was recommended in the first biological report was extended to 7 years. He asked why it would be longer after the LLA, reasoning that the LLA will strengthen the environmental enhancement of the Project. The increase from 5 to 7 years for biological enhancement in the MND relates to the final biological report, which found positive results for endangered species (CRLF). The biological enhancement occurs in the Oak woodland as well as grassland. Monitoring reports were extended for biological habitat enhancements to match the oak woodland restoration to ensure all activities done on the Oak woodland are found to best support CRLF.

One clarification to the IS/MND has been made in the Mitigation Monitoring and Reporting Plan (**Exhibit A**). No additional impacts would result from the clarifications identified as the mitigation measure ensures impact to Tribal Cultural resources shall be avoided. No additional mitigation measures are proposed as a result of the minor revisions after circulation of the IS/MND. Pursuant to CEQA Guidelines section 15073.5(c), recirculation of the IS/MND is not required because the project revision: 1) does not identify a new, avoidable significant effect requiring additional measures to reduce the effect to insignificance; and 2) the minor revisions were added in response to comments on the public draft that did not identify new, avoidable significant effects.

OTHER AGENCY INVOLVEMENT:

HCD - Environmental Services

HCD - Engineering Services

Environmental Health Bureau

North County Fire Protection District



LUAC:

Based on the Board of Supervisors adopted LUAC referral guidelines, the Proposed Project was referred to the North County LUAC because it involved the preparation of an environmental document. The project was reviewed by the North County LUAC on November 1, 2023, which voted unanimously to recommend approval (6 ayes, 0 noes, 1 absent). One public comment was received questioning consistency with visual and ESHA protection policies, which was addressed by the Applicant and found sufficient by the LUAC.

Prepared by: Mary Israel, Supervising Planner

Reviewed by: Fionna Jensen, Principal Planner

Approved by: Melanie Beretti, AICP, HCD Chief of Planning

The following attachments are on file with HCD:

Exhibit A - Draft Resolution, including:

- Recommended Conditions of Approval
- Site Plan, Floor Plans, and Elevations

Exhibit B - Vicinity Map

Exhibit C - Biological Report

Exhibit D - Arborist Report

Exhibit E - Draft Initial Study/Mitigated Negative Declaration (IS/MND)

Exhibit F - Comments of the IS/MND

Exhibit G - North County LUAC Nov. 1, 2023 Meeting Minutes

cc: Front Counter Copy; California Coastal Commission, North County Fire Protection District; HCD-Environmental Services; HCD - Engineering Services; Environmental Health Bureau; Mary Israel, Project Planner; Fionna Jensen, AICP, Principal Planner; Boccone Norman B & Victoria E Igel Co-Trust, Property Owner; Carol Riewe, Agent/Architect; Elkhorn Slough Foundation, Interested Party; The Open Monterey Project (Molly Erickson); Laborers International Union of North America (Lozeau Drury LLP); Christina McGinnis, Keep Big Sur Wild; LandWatch; Project File PLN220229.



# County of Monterey Planning Commission

## Agenda Item No. 3

Legistar File Number: PC 25-058

## Item No.3

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

June 25, 2025

Introduced: 6/17/2025

Version: 1

Current Status: Agenda Ready

Matter Type: Planning Item

### **PLN220229 - BOCCONE NORMAN B AND VICTORIA E IGEL CO-TRUST**

Public hearing to consider construction of a 2,676 square foot single-family dwelling, a 414 square foot detached guesthouse, an attached 507 square foot workshop, and 415 square foot garage including associated site improvements. Project requires removal of 17 Coast live oak trees and development within 100 feet of Environmentally Sensitive Habitat Areas and on slopes in excess of 25 percent.

**Project Location:** 827 Elkhorn Slough Road, North County Land Use Plan.

**Proposed CEQA Action:** Adopt a Mitigated Negative Declaration pursuant to Section 15074 of the CEQA Guidelines.

### RECOMMENDATION:

It is recommended that the Planning Commission adopt a resolution:

- 1) Adopt a Mitigated Negative Declaration pursuant to Section 15074 of the CEQA Guidelines (SCH#: 2025050246); and
- 2) Approving a Combined Development Permit consisting of:
  - a. Coastal Administrative Permit to allow construction of a split-level 2,676 square foot single-family dwelling with a 516 square foot attached carport and 471 square foot deck, and associated site improvements;
  - b. Coastal Administrative Permit to allow construction of a 414 square foot detached guesthouse with a 133 square foot covered porch, attached 507 square foot workshop and 415 square foot garage;
  - c. Coastal Development Permit to allow the removal of up to 17 Coast live oak trees including 1 landmark tree;
  - d. Coastal Development Permit to allow development within 100 feet of Environmentally Sensitive Habitat Area (Pajaro manzanita and Oak woodland);
  - e. Coastal Development Permit to allow development on slopes in excess of 25 percent; and
- 3) Adopt a Condition Compliance and Mitigation Monitoring and Reporting Plan.

A draft resolution, including findings and evidence, is attached for consideration (**Exhibit A**).

Staff recommends approval subject to 28 conditions.

### PROJECT INFORMATION:

**Project Owner:** Boccone Norman B & Victoria E Igel Co-Trs

**Agent:** Carol Riewe, Architect

**APNs:** 181-151-009-000

**Zoning:** Rural Density Residential, 10 acres per unit, within Coastal Zone (“RDR/10(CZ)”)

**Parcel Size:** 13.53 acres

**Flagged and Staked:** Yes

**Project Planner:** Mary Israel, Supervising Planner

israelm@countyofmonterey.gov, (831)755-5183

**SUMMARY:**

The subject parcel is located in a rural residential area, on Elkhorn Slough Road and adjacent to the Blohm Ranch, which is held in conservation by the Elkhorn Slough Foundation. The property is surrounded by residentially developed 5+ acre lots to the southeast and south. The applicant proposes to construct a single-family dwelling, guesthouse, workshop, garage and associated site improvements on the property. Associated site improvements include a photovoltaic system, a septic system, a driveway, and the removal of up to 20 Coast live oak trees, 17 of which are protected and include one landmark tree, and approximately 550 cubic yards of grading/excavation. Through a redesign, as enabled by a proposed lot line adjustment (LLA, PLN240187), the Applicant reduced grading by half of what would otherwise be required by changing access location for the proposed driveway to provide direct access on a flatter area.

The subject property will be served potable water from a private well (Elkhorn Road Well System #9) located on the subject property and under common ownership. Additionally, the Environmental Health Bureau reviewed and approved an on-site wastewater treatment system plans designed by Fox Onsite Solutions and did not apply any conditions of approval.

A Mitigated Negative Declaration was prepared that demonstrates the project, as mitigated, will avoid direct impacts to these and any other potentially present species. Based on staff analysis, the proposed project is consistent with all rules and regulations pertaining to zoning uses and any other applicable provisions of the 1982 Monterey County General Plan, North County Land Use Plan (LUP), Monterey County Coastal Implementation Plan (CIP, Part 5) and Zoning Ordinance (Title 20).

**DISCUSSION:**

*Development Standards*

The subject property is zoned for rural density residential (RDR) use, which allows development of the first single-family dwelling on a legal lot of record and accessory structures, subject to the granting of a Coastal Administrative Permit, in each case. Required setbacks in the RDR district for main dwelling units and attached accessory structures are 30 feet (front) and 20 feet (sides and rear). Detached accessory non-habitable structures are subject to setbacks of 50 feet (front), 6 feet (side front half), 1 foot (side rear half), and 1 foot (rear). As proposed and as illustrated on the attached plan (**Exhibit B2**), the split-level single-family dwelling and attached guesthouse would have front, side, and rear setbacks greater than 100 feet. The guesthouse and attached accessory structures would also have setbacks greater than what is required by the RDR zoning district (110 feet from the nearest property line). The two water tanks, designed to be 9 feet 8 inches in height, would be approximately 70 feet from the nearest side setback.

The maximum allowed height for main structures is 30 feet, whereas guesthouse structures are limited to 12 feet, and other accessory structures are limited to 15 feet in height. The proposed main structure would have a height of approximately 21 feet 7 inches from the average natural grade (ANG). The

guesthouse would have a maximum height of approximately 11 feet from ANG. The attached garage and workshop would have a height of approximately 8 feet from ANG. The site coverage maximum in this RDR district is 25 percent. The property is 18.14 acres which would allow site coverage of approximately 197,737 square feet. As proposed, the project would result in a site coverage of approximately 5,304 square feet (0.8% of the lot). Therefore, as proposed, the project meets all required development standards.

#### *Guesthouse*

The proposed project includes the construction of an approximately 414-square-foot guesthouse. Title 20, section 20.64.020 establishes regulations and standards for guesthouse structures. Consistent with the applicable requirements, the proposed guesthouse lacks cooking facilities, shares the same architectural design and colors and materials as the main residence, and thus is visually consistent and compatible with the primary dwelling unit, and is located in close proximity at 138 feet away. Consideration of slope and Oak woodland as well as potential impacts to viewshed also influenced the siting of the guesthouse. Additionally, the guesthouse will share the same utilities as the main residence and will have sufficient parking. Condition No. 11 has been applied to require that the Applicant/Owner record a deed restriction prohibiting separate rental of the guesthouse and conformance with other guesthouse regulations.

#### *Tree Removal*

A Forest Resource Analysis, Construction Impact Assessment and Tree Protection Plan was prepared for this project by James Allen, dated November 1, 2024 (County of Monterey HCD Library No. LIB230235; **Exhibit D**). This report evaluated the health, structure, and preservation suitability of each tree within or adjacent to the proposed development. The original siting of the proposed residence and driveway improvements required the removal of 35 individual Coast live oak trees, including three landmark trees. Although the tree removal was the minimum necessary under the specific design when the driveway was located entirely within the parcel, HCD-Planning staff raised concerns about the project's direct impacts to Oak woodland on slopes of 25 percent, which are aspects of development that are encouraged to be avoided by policy of the North County LUP. To better meet the resource protection goals and policies of the North County LUP and associated CIP, the Applicant presented staff with design revisions that reduced the number of native trees proposed for removal by 15. As a result, 20 Coast live oaks, 17 of which are protected, are proposed for removal. Design changes included reconfiguring the driveway, while continuing to meet North County Fire Protection District driveway standards. Either an access easement or a Lot Line Adjustment (LLA) would have been required to facilitate this driveway redesign. The owner of the neighboring property, Elkhorn Slough Foundation, and the Applicant agreed that LLA was the preferred path forward. The proposed LLA (PLN220229) will also be presented to the Planning Commission for consideration on June 25, 2025. A condition of approval has been applied to this project to ensure that the associated LLA is implemented, or that property owner obtain authorization to cross the neighboring parcel should the LLA not be approved or not be completed. If the applicant cannot complete the LLA or gain access, driveway construction entirely onsite would require an amendment permit, as it would include more development on slopes and more tree removal.

To meet North County Fire Protection District standards, the driveway is proposed to be 12 feet wide with a firetruck turnaround and turnout. Aligning the driveway in a manner afforded by the LLA, is the

most appropriate and feasible design for the driveway that minimizes the number of trees proposed for removal and better achieves the resource protection goals and policies of the North County LUP. The arborist recommended that an Oak Woodland Restoration Plan be implemented within one year of the development for an area of 0.12 acres, which is 148 percent of the area for which the arborist estimated potential canopy loss due to the project (0.8 acres). The Mitigated Negative Declaration required adaptive care and monitoring of the restoration area for seven years to ensure the oak woodland stand on the subject parcel is fully improved by the project.

*Environmentally Sensitive Habitat Area (ESHA)*

Pursuant to the Biological Report (County of Monterey HCD Library No. LIB230236; **Exhibit C**), prepared by Biotic Resources Group and Bryan Mori Biological Consulting, dated December 2024, including supplemental surveys in April 2025, the project site is adjacent to a patch of Pajaro manzanita, which is considered environmentally sensitive habitat pursuant to Chapter 2.3 of the North County LUP. In addition, five California Red-legged Frog (CRLF) individuals were found in pitfall traps in January 2025 within the vicinity of the project. Because of the presence of CRLF, the migratory upland habitat area is considered ESHA.

LUP Policy 2.3.2.1 does not allow development other than resource dependent uses within ESHA. The LUP Policy states: "with the exception of resource dependent uses, all development, including vegetation removal, excavation, grading, filling, and the construction of roads and structures, shall be prohibited in the following environmentally sensitive habitat areas: riparian corridors, wetlands, dunes, sites of known rare and endangered species of plants and animals, rookeries, major roosting and haul out sites, and other wildlife breeding or nursery areas identified as environmentally sensitive." This policy does not include Oak woodland as an area where resource dependent uses are the only allowed use. Therefore, the proposed development may be sited within oak woodland, provided it complies with applicable LUP policies. Oak woodland is only referenced in two ESHA-related LUP Policies: Policy 2.3.3.A.4 states that disturbance of "Oak woodland on slopes of greater than 25 percent" shall be minimized, and Policy 2.3.3.A.5 requires that Oak woodland habitat in North County be subject to fuel management. The proposed development does not fall within an area specified by LUP Policy 2.3.2.1 and the proposed tree removal is not subject to LUP Policy 2.3.3.A.4.

Per Policy 2.3.2.1, all other development types (as allowed by the underlying zoning district) may be adjacent to or within 100 feet of ESHA, provided the development is compatible with the long-term maintenance of the resource. Siting of the residence does not conflict with Policy 2.3.2.1 of the North County LUP because impacts to Pajaro manzanita that could occur during construction are avoided. Additionally, through application of avoidance measures such as vegetation removal/grading/construction timing, monitoring, and exclusionary fencing, CRLF would be avoided.

On-going use and maintenance of the residence and driveway would be of a low intensity that will not disrupt or impact the sensitive habitats. The Applicant will be directly involved in a Habitat Adaptive Care Program, with the assistance of subject experts, and has indicated to staff that they are invested in remaining on the property and investing in ecological stewardship. The LLA associated with this development involves a donation of over 4 acres of Oak woodland to Elkhorn Slough Foundation, which will be added to the lands the organization conserves in perpetuity.



Condition No. 14 has been applied to require that an area of the property containing premium habitat be placed in an irrevocable conservation easement, as required by North County LUP Policy 2.3.2.6. The Applicant has expressed that the donation of land to Elkhorn Slough Foundation should be considered stronger mitigation than a conservation easement, and therefore replace the requirement. Staff discussed the potential for this interpretation with California Coastal Commission staff, and it was agreed that the specific wording of CIP section 20.144.040.B.6 does not signal an alternative to a conservation easement:

*“Deed restrictions or conservation easement dedications over environmentally sensitive habitat areas shall be required as a condition of approval for any development proposed on parcels containing environmentally sensitive habitats. Where the proposed project is to occur on an already-developed parcel, restrictions or easement dedications over the habitat area shall still be required. The restrictions and easements shall be in accordance with the requirements of Section 20.142.130. (Ref. Policy 2.3.2.6)”*

Therefore, as proposed and conditioned, the project complies with applicable ESHA policies of the North County LUP and the CIP, which encourages that sensitive habitats and plant/animal species be avoided and requires that new development be compatible with the long-term maintenance of the surrounding ESHA. Draft biological mitigation measures are briefly discussed below. The Applicant sent a comment letter on the IS/MND which is also discussed below.

#### *Public Viewshed*

The subject property is in an area of visual sensitivity. The property is east and above Elkhorn Slough, which is categorized in its entirety as a visually sensitive area by the North County LUP. Views of the project from Elkhorn Road, Highway 1, and most trailheads are interrupted by forest and topography. During application submittal reviews including a viewshed impact determination on May 7, 2024, staff determined potential for public viewshed impacts from the trail along the east side of the slough (North of Kirby Park). Staff received communications from neighboring organizations (ESF and Friends Artists and Neighbors of Elkhorn Slough, or FANS) with concerns about this potential impact, which staff also shared with the Applicant. In response to the feedback, the Applicant reduced the height and pitch of the roof of the main dwelling and updated colors and materials to muted natural colors. The project now proposes moss green painted horizontal board and batten body and earth tone trim and windows. The reduced mass, combined with muted natural colors and materials improved the potential to avoid negative visual impacts from Elkhorn Slough. The project's structures are surrounded by trees, and the topography helps to conceal the subject development. There are less than significant impacts to aesthetics, protected viewsheds, or public views, as discussed in the draft Initial Study.

#### *Development on Slopes*

The Applicant was able to design structures off of slopes in excess of 25 percent, but the Proposed Project requires an onsite wastewater treatment system, and that will entail trenching of approximately 350 feet (1 foot wide) on such slopes. A finding in support of this development can be made because the proposed development better achieves the goals, policies and objectives of the 1982 Monterey County General Plan and North County Land Use Plan than other development alternatives. The development on slopes will follow County regulation for erosion control and will be performed outside of the rainy season. The trenching allows the onsite wastewater treatment system to reach a lower area

of the parcel where the most feasible leach field would be placed on disturbed grassland. The only alternative locations for the septic would conflict more with the LUP. An alternative to trenching down the slope would be for the residence to be located below the slope near the leach field. Impacts to visual resources would be significant if the residence were placed along Elkhorn Slough Road, without the hillside masking the structures. Another alternative to trenching down the slope would be for the leach field to be closer to the residence, this would cause greater impacts to Oak woodland and would potentially impact slopes in excess of 25 percent. Therefore, the Proposed Project as designed with approximately 350 square feet of development of trenching on slope can be supported.

#### *Fire Safety*

The project is proposed in a high fire risk zone (State Regulated Area). To make the residence as defensible as possible against fire damage and to lower the risk that the use increases wildfire potential, the project is designed to be prepared by including the installation of two 5,000 gallon water tanks to serve the project's fire protection and the use of metal roofing materials and Hardee siding in structural construction. Fire hazards will also be addressed through compliance with mitigation measures for habitat management (BIO-9) and Condition No. 10, Defensible Space Requirements.

#### ENVIRONMENTAL REVIEW

The project underwent environmental review pursuant to CEQA, and an Initial Study was prepared, resulting in a Mitigated Negative Declaration (SCH#: 2025050246). The document was filed with the County Clerk on May 7, 2025, and circulated for public review from May 7, 2025 to June 6, 2025. The environmental analysis identified potentially significant impacts to Biological Resources and Tribal Cultural Resources that were reduced to less-than-significant levels through implementation of mitigation measures and standard conditions of approval, including. Ten mitigation measures related to Biological Resources and one mitigation measure related to Tribal Cultural Resources have been applied as Condition Nos. 15 through 27.

Potential impacts to Aesthetics and Wildfire were found less-than-significant in the regulatory setting of North County. Standard conditions address exterior lighting, defensible space, and the project design includes muted, natural exterior colors that are anticipated to blend into the grassland/oak canopy surrounding the residence. Topography and canopy as well as distance reduce potential impact to public viewshed, as discussed above.

The project includes comprehensive mitigation measures to protect sensitive habitat and species, including:

- Protection of Pajaro manzanita during construction
- Pre-construction wildlife surveys for special-status species
- Habitat adaptive care program with seven years of monitoring
- Oak woodland restoration to compensate for impact to Oak woodland
- At least 1:1 tree replacement for removal of protected trees (estimated at 15 trees) and 2:1 tree replacement for removal of one landmark tree
- Nesting bird surveys and bat surveys
- Construction timing restrictions
- Creation of a Conservation and Scenic Easement Deed

A portion of the Project site is with a “high archaeological sensitivity” area in County resource mapping, due to the proximity of the Elkhorn Slough. As required by California Assembly Bill (“AB”) 52, HCD-Planning notified Native American Tribal groups that had requested County notification on CEQA documents. Tribal notification letters were sent out on January 25, 2024. One request for consultation was received. The requesting Tribal Representative of the Ohlone/Costanoan-Esselen Nation (“OCEN”) met with HCD-Planning staff on February 13, 2024 and requested the presence of a Tribal Monitor during soil disturbing activities, protection of sacred sites, inclusion of mitigation and recovery programs, reburial of Ancestral remains and burial artifacts, return of cultural items to OCEN and 50 meters of protection surrounding remains and cultural disturbances. The IS/MND discussed tribal cultural resources following the Native American Tribal consultation; it was found that there is potential for impacts to Tribal cultural resources within and near the “high sensitivity” area of the western portion of the parcel during ground disturbance associated with installation of the onsite wastewater treatment system’s trenching and leach field and trenching for the new well waterline. A mitigation measure (TR-1) is applied to the project to ensure that an approved Tribal Monitor shall be onsite observing the ground disturbing work within and near the “high sensitivity” area of the western portion of the parcel. Two groups contacted County to indicate that they are available to do this monitoring - OCEN and the Amah Mutsun Land Trust.

1. Staff from the Geologic Energy Management Division of the California Dept. of Conservation sent a standardized letter alerting the property owners of all parcels that the division reviewed the parcels for presence of oil, gas or geothermal wells in the area of the proposed development. The letter concluded that no wells were found present.
2. Norman Boccone, the Applicant, sent comments on the IS to share his view of the history of the project, to correct for the record two misstatements he found in the body of the IS, and to request some minor clarification on two mitigations proposed in the MND. Staff is presenting the comments in brief here with staff responses.
  - Mr. Boccone found one instance of a miswritten count of proposed water tanks to serve the project’s fire safety. Staff notes this was found on page 78, in context of a water usage estimate. In all other instances of the mention of water tanks, the administrative draft had been corrected by HCD-Planning staff to read “two 5,000 gallon water tanks” in all key locations, including the Project Description (page 10), and in the Checklist (Chapter VI) Utilities (page 93) and Wildfire (page 96) sections. The effect on the water usage estimate was to make it more conservative. As an IS analyzes worst case impacts, no edit is required.
  - Mr. Boccone sought clarification as to how much area the MND was requiring for the CSE. He suggested that the IS was not specific about area/boundaries. The reason that the IS was not specific is that the County’s Condition of Approval for a CSED (Condition No. 14) requires a biologist to be consulted when developing the location of the CSE. The size of a CSE is location and project dependent. This project is in the Coastal Zone, where the North Coast CIP section 20.144.040.B.6 requires a CSE over “habitat areas.” In this case, the ESF indicated that the provision of access to the the proposed residence that would potentially cross an ESF-owned parcel would be preferably met by transfer of property. Similarly, ESF expressed preference for transfer of property over receipt of CSE for ESHA impacts. The owner worked with ESF on Lot Line Adjustment (“LLA,” PLN240187) to transfer 5 acres of

land to ESF and gain a 0.48-acre area from ESF to use for a shortened driveway. This LLA is on review for decision by the Planning Commission in the June 25, 2025 hearing. Therefore, in this case, staff recommends that the CSE area should total 3:1 of the permanently impacted areas on the parcel to be consistent with the requirement of the CIP. The MND arrived at “approximately one acre” in (Chapter VI) Biological Resources (top of page 62). This was an even-number estimate made from project application’s predicted permanent impacts (0.28 acres). The Applicant may request of the Planning Commission that the CSE be exactly 0.84 acres. The owner should consult a biologist in the design of the area to ensure highest quality migration habitat is included.

- Mr. Boccone expressed concern that wording in mitigation measure TR-1 states that a Tribal Monitor should not be required to write a daily report for every day they monitor, which suggests a greater amount of reporting than other project monitors. Staff agrees that the wording of TR-1 was unclear. The intent was for the Tribal Monitor to keep a daily log and to include the daily logs in the final report. Therefore, draft mitigation measure TR-1 has been clarified with the following phrase shown underlined:

*“The Tribal Monitor shall prepare daily monitoring reports (e.g. daily log) that shall be available upon request by HCD - Planning. If no resources are encountered during the contracted period, no further reporting shall be required. In the case that resources are encountered, a final report, including the daily monitoring schedule, shall be submitted to HCD - Planning for review and approval within 60 days of completion of ground disturbing activities.”*

- Mr. Boccone asked why the 5 year period of biological monitoring that was recommended in the first biological report was extended to 7 years. He asked why it would be longer after the LLA, reasoning that the LLA will strengthen the environmental enhancement of the Project. The increase from 5 to 7 years for biological enhancement in the MND relates to the final biological report, which found positive results for endangered species (CRLF). The biological enhancement occurs in the Oak woodland as well as grassland. Monitoring reports were extended for biological habitat enhancements to match the oak woodland restoration to ensure all activities done on the Oak woodland are found to best support CRLF.

One clarification to the IS/MND has been made in the Mitigation Monitoring and Reporting Plan (**Exhibit A**). No additional impacts would result from the clarifications identified as the mitigation measure ensures impact to Tribal Cultural resources shall be avoided. No additional mitigation measures are proposed as a result of the minor revisions after circulation of the IS/MND. Pursuant to CEQA Guidelines section 15073.5(c), recirculation of the IS/MND is not required because the project revision: 1) does not identify a new, avoidable significant effect requiring additional measures to reduce the effect to insignificance; and 2) the minor revisions were added in response to comments on the public draft that did not identify new, avoidable significant effects.

OTHER AGENCY INVOLVEMENT:

HCD - Environmental Services

HCD - Engineering Services

Environmental Health Bureau

North County Fire Protection District

LUAC:

Based on the Board of Supervisors adopted LUAC referral guidelines, the Proposed Project was referred to the North County LUAC because it involved the preparation of an environmental document. The project was reviewed by the North County LUAC on November 1, 2023, which voted unanimously to recommend approval (6 ayes, 0 noes, 1 absent). One public comment was received questioning consistency with visual and ESHA protection policies, which was addressed by the Applicant and found sufficient by the LUAC.

Prepared by: Mary Israel, Supervising Planner

Reviewed by: Fionna Jensen, Principal Planner

Approved by: Melanie Beretti, AICP, HCD Chief of Planning

The following attachments are on file with HCD:

Exhibit A - Draft Resolution, including:

- Recommended Conditions of Approval
- Site Plan, Floor Plans, and Elevations

Exhibit B - Vicinity Map

Exhibit C - Biological Report

Exhibit D - Arborist Report

Exhibit E - Draft Initial Study/Mitigated Negative Declaration (IS/MND)

Exhibit F - Comments of the IS/MND

Exhibit G - North County LUAC Nov. 1, 2023 Meeting Minutes

cc: Front Counter Copy; California Coastal Commission, North County Fire Protection District; HCD-Environmental Services; HCD - Engineering Services; Environmental Health Bureau; Mary Israel, Project Planner; Fionna Jensen, AICP, Principal Planner; Boccone Norman B & Victoria E Igel Co-Trust, Property Owner; Carol Riewe, Agent/Architect; Elkhorn Slough Foundation, Interested Party; The Open Monterey Project (Molly Erickson); Laborers International Union of North America (Lozeau Drury LLP); Christina McGinnis, Keep Big Sur Wild; LandWatch; Project File PLN220229.



# Exhibit A

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## **DRAFT RESOLUTION**

### **Before the Planning Commission in and for the County of Monterey, State of California**

In the matter of the application of:

**BOCCONE NORMAN B & VICTORIA E IGEL CO-TRS (PLN220229)**

#### **RESOLUTION NO. 25 -**

Resolution by the County of Monterey Planning Commission:

- 1) Adopting a Mitigated Negative Declaration pursuant to CEQA Guidelines section 15074 (State Clearinghouse #: 2025050246);
- 2) Approving a Combined Development Permit consisting of:
  - a) Coastal Administrative Permit to allow construction of a split-level 2,676 square foot single-family dwelling with a 516 square foot attached carport and 471 square foot deck, and associated site improvements;
  - b) Coastal Administrative Permit to allow construction of a 414 square foot detached guesthouse with a 133 square foot covered porch, an attached 507 square foot workshop, and a 415 square foot garage;
  - c) Coastal Development Permit to allow development within 100 feet of Environmentally Sensitive Habitat Areas (Pajaro manzanita and Oak woodland);
  - d) Coastal Development Permit to allow the removal of 17 Coast live oak trees, including 1 landmark tree;
  - e) Coastal Development Permit to allow development on slopes in excess of 25%; and
- 3) Adopting a Condition Compliance and Mitigation Monitoring and Reporting Plan.

[827 Elkhorn Road, Royal Oaks (APN: 181-151-009-000), North County Land Use Plan, Coastal Zone]

**The BOCCONE NORMAN B & VICTORIA E IGEL CO-TRS application (PLN220229) came on for discretionary hearing before the County of Monterey Planning Commission on June 25, 2025. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:**

#### **FINDINGS**

1. **FINDING:** **CONSISTENCY** – The project has been reviewed for consistency with the text, policies, and regulations in the:

- 1982 County of Monterey General Plan (General Plan);
- North County Land Use Plan (LUP);
- County of Monterey Coastal Implementation Plan, Part 2 (North County CIP); and
- County of Monterey Coastal Zoning Ordinance (Title 20).

Communications were received during the course of review of the project, indicating inconsistencies with the text, policies, and regulations in these documents. Comments were fully analyzed to ensure no issues remain and addressed where appropriate. The subject property is located within the coastal zone; therefore, the 2010 County of Monterey General Plan does not apply.

- EVIDENCE:**
- a) Allowed Use. The property is located at 827 Elkhorn Road, Royal Oaks, North County Land Use Plan, (Assessor's Parcel Number (APN): 181-151-009-000). The parcel is zoned Rural Density Residential, 10 acres per unit, within the Coastal Zone ("RDR/10(CZ)"), which allows for the construction of a single-family dwelling, guesthouse, and accessory non-habitable structures, subject to the granting of a Coastal Administrative Permit in each case. As proposed, the project involves construction of a 2,676 square foot single-family dwelling with a 516 square foot attached carport and 471 square foot deck, a 414 square foot detached guesthouse with a 133 square foot covered porch, an attached 507 square foot workshop, and a 415 square foot garage, and associated site improvement including two water tanks, a rooftop solar system, septic system, removal of 17 Coast live oak trees, and development within 100 feet of Environmentally Sensitive Habitat Area (ESHA). The removal of protected trees and development within 100 feet of ESHA requires the granting of a Coastal Development Permit, in each case. Therefore, the project is an allowed land use for this site.
  - b) Lot Legality. The subject parcel (18.17 acres), APN: 181-151-009-000, was in the ownership of Dean and Georgina Sanders and shown in the same configuration on the 1972 Assessor Parcel Map Book 181 Page 1. The lot met zoning requirements for the location at the time (Rural or "N" zoning district, minimum lot size 20,000 square feet). Therefore, the County recognizes the subject property as a legal lot of record.
  - c) Review of Development Standards. As proposed, the project meets all required development standards. Development standards for the RDR zoning district are identified in Title 20 section 20.16.060. Required setbacks in this RDR district for main structures are 30 feet (front), 20 feet (rear), and 20 feet (sides). Detached accessory non-habitable structures are subject to setbacks of 50 feet (front), 6 feet (side front half), 1 foot (side rear half), and 1 foot (rear). The maximum allowed height for main structures is 30 feet, whereas guesthouse structures are limited to 12 feet, and other accessory structures are limited to 15 feet in height. As illustrated in the attached plans, the proposed split-level, two-story single-family dwelling with attached carport and deck exceeds the required setbacks, with setbacks greater than 100 feet on all sides, and has a height of approximately 21 feet 7 inches from average natural grade.

The proposed project includes the construction of a 414 square foot detached guesthouse with a 133 square foot covered porch, an attached 507 square foot workshop, and a 415 square foot garage. As demonstrated in Finding No. 5 and supporting evidence, the guesthouse complies with the required standards of Title 20 section 20.64.020. The proposed detached guesthouse/workshop/garage structure complies with the required setbacks and has a maximum height of approximately 11 feet and 10 ½ inches from average natural grade. The minimum distance between main and accessory structures for the zoning district is 10 feet. The guesthouse is approximately 138 feet from the main house. The two water tanks, designed to be 9 feet 8 inches in height, are approximately 70 feet from the nearest side setback, meeting both height and setback regulations. The project is within the required yard setbacks and height.

The site coverage maximum in this RDR district is 25 percent. The property is 18.14 acres which would allow site coverage of approximately 197,737 square feet. As proposed, the project would result in a site coverage of approximately 5,304 square feet (0.8% of the lot). As proposed, the development would conform to the required and applicable site development standards.

- d) Visual Resources/Visual Impact. The subject property is in an area of visual sensitivity. The property is east and above Elkhorn Slough, which is categorized in its entirety as a visually sensitive area by the North County LUP (Policy 2.2.2.1). Views of the project from Elkhorn Road, Highway 1, and most trailheads are interrupted by forest and topography. Based on a site visit on May 7, 2024, staff determined the project would potentially impact views from the trail along the east side of the Slough (North of Kirby Park). In response to this feedback, the applicant reduced the height and pitch of the roof of the main dwelling and updated colors and materials to muted natural colors (the applicant discussed moss green painted Hardee horizontal board and batten body and earth tone trim and windows at the Land Use Advisory Committee meeting on the project). The reduced mass, combined with muted natural colors and materials, improved the potential to avoid negative visual impacts from Elkhorn Slough. The project's structures are surrounded by trees, and the topography helps to conceal the subject development, in accordance with North County LUP Policy 2.2.2.4. There are less than significant impacts to aesthetics, protected viewsheds, or public views, as discussed in the Project Initial Study (see Finding 8).
- e) Grading and Development on Slopes in Excess of 25 percent. The project is anticipated to require approximately 550 cubic yards of grading/excavation, half of what had originally been proposed. There are steep areas within the subject parcel, the project does not include construction on slopes in excess of 25 percent but the residence requires the installation of an onsite wastewater treatment system (OWTS) in a location below it; the OWTS pipe connecting to a leach field below requires approximately 350 square feet of trenching on a sloped area between the residence and the leach field. This is discussed in Finding No. 7.



The excess excavated soil will be balanced on-site within a 0.7-acre area in the southeastern portion of the project site, where adaptive grassland management (Mitigation Measure BIO-9) will occur and enhance native planting. The project would implement standard construction BMPs intended to minimize potential erosion-related effects and would also be required to implement standard erosion control measures during construction.

The Applicant provided a land disturbance target evaluation for the subject parcel as described in the LUP Policy 2.5.3.C.2 and North County CIP section 20.144.070.B. The LUP establishes permissible densities of 0.10 acres in HDR to 5 acres in RDR in Policy 2.3.3.C.5. Implementation of this project in the zoning district identified by Title 20 as RDR/10 will require temporary changes to 1.04 acres of ground cover. These disturbed soils will be controlled to minimize erosion hazards through adherence to an erosion control plan, which is required by HCD as part of the construction permit submittal (Title 16 section 16.08.340). Temporarily bare land would be corrected within a year by mitigation measures for biological resource impacts (discussed in Finding 4, Evidence “d” and Finding 8, Evidence “i”). Permanent changes to grassland and Oak woodland for the construction of the residence, associated driveway, parking areas, and water tank pad sum to 0.28 acres. The project is within sub-watershed #23 as shown in the WQ-8 map of the 1982 General Plan periodic review. A donation of the Blohm Ranch to Elkhorn Slough Foundation in this sub-watershed changed the balance for the CIP Table 1 appendix to +107 acres of covered ground. The bare ground of 0.28 acres (conservative estimate) for the subject parcel would be more than adequately balanced in sub-watershed #23 by the ESF lands. Therefore, the planned scale minimizes erosion and is compatible with permissible land disturbance target density of the RDR zoning district.

- f) Development within 100 Feet of Environmentally Sensitive Habitat Area (ESHA). The project includes a Coastal Development Permit to allow development within 100 feet of ESHA (i.e., maritime chaparral in the form of Pajaro manzanita, and Oak woodland). Policies 2.3.1 and 2.3.2 of the North County LUP require maintenance, protection, and, where possible, enhancement of sensitive habitats. As designed, conditioned, and mitigated, the project minimizes impacts to ESHA in accordance with the applicable goals and policies of the LUP. See Finding Nos. 5 and 8 and supporting evidence.
- g) Tree Removal. The proposed project includes the removal of up to 20 Coast live oak trees, 17 of which are protected Coast live oak trees, and 1 of those is a landmark tree. Therefore, a Coastal Development Permit is required. As detailed in Finding No. 4 and supporting evidence, the proposed tree removal is the minimum required under the circumstances, the removal will not involve a risk of adverse environmental impacts, and the removal is consistent with Oak Woodlands Conservation requirements found in Public Resources Code 21083.4. Qualified arborist James P. Allen prepared a forest resources assessment for the project. The assessment, dated

November 2024 (County of Monterey Library No. LIB230235), evaluated potential impacts associated with the construction and operation of the project. This report and Mitigated Negative Declaration recommend Mitigation Measure BIO-10, Oak Woodland Restoration (see Finding 8, Evidence “i”). Through the redesign of the driveway, the applicant was able to retain several Coast live oak trees, including two landmark trees. During the redesign, the applicant also moved proposed utility lines to reduce the impacts to trees. Overall, fifteen coast live oak trees, including two landmark trees were retained due to redesign. Therefore, it can be concluded that the tree removal is the minimum required for the development.

- h) Cultural Resources. The project site for new structural development is in an area identified in County records as having a low sensitivity for cultural resources; however, the proposed project requires new ground disturbance for an onsite wastewater treatment system and well connection that will extend into an area of the parcel that County records identified as high sensitivity for cultural resources. An archaeological report was required as part of the application. Dudek prepared an archaeological assessment for the project (County of Monterey Library No. LIB240019). The report informed the MND’s Cultural Resources and Tribal Cultural Resources analysis (see Finding 3, Evidence “b” and “g” and Finding 8, Evidence “e”). Preparation of the MND included tribal cultural noticing to tribal representatives who requested County consultation. The consultation led to a recommendation for mitigation. Therefore, potential impacts to archaeological, cultural, or tribal cultural resources will be less-than-significant with application of mitigation measure TR-1 (Tribal Cultural Monitor) and County’s standard condition (Condition No. 3), which requires the contractor to stop work if previously unidentified resources are discovered during construction.
- i) Fire Hazards. The subject property is in a State Responsibility Area and is classified as a High Fire Hazard Severity Zone. Fire hazards will be addressed through compliance with mitigation measures for habitat management (BIO-9) and Condition No. 10, Defensible Space Requirements, as well as by design, through the installation of two 5,000 gallon water tanks to serve the project’s fire protection and the use of metal roofing materials and Hardee siding on structures.
- j) Guesthouse. The project includes the construction of a 414 square foot detached guesthouse with no cooking facilities. The project meets the established regulations and standards as identified in Title 20 section 20.64.020. See Finding 6 and supporting evidence. The maximum height is under the current limit, as discussed in Finding 1, evidence “d.”
- k) Land Use Advisory Committee. The project was referred to the North County Land Use Advisory Committee (LUAC) for review, based on the LUAC Procedure guidelines adopted by the County of Monterey Board of Supervisors because this application involved the preparation of an environmental document. The LUAC reviewed the project application on November 1, 2023 and voted unanimously to recommend approval (6 ayes, 0 noes, 1 absent). One members of the public commented by email to the LUAC. The letter questioned

whether the project has the ability to be consistent with the LUP's visual and ESHA protection policies. The applicant was given the opportunity to respond to the question in the LUAC. LUAC members expressed that they found the evidence sufficient to support the project. The project's consistency with LUP policies is described in Findings 1, 4, and 5.

- 1) The application, plans, comment letters, and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in Project File No. PLN220229.

**2. FINDING: HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by the HCD-Planning, North County Fire Protection District, HCD-Engineering Services, HCD-Environmental Services, California Coastal Commission, and the Environmental Health Bureau (EHB). EHB added one condition of approval, discussed in Finding 2, evidence "b." The project will not have an adverse effect on the health, safety, and welfare of persons either residing or working near the subject property.
  - b) Potable water facilities to serve the project are available from an established well on the subject parcel (Elkhorn Road Water System #9). EHB reviewed the project and witnessed source capacity testing. Although EHB found the well will support the new shared connection (main dwelling and guesthouse) without change to the existing well permit, and reviewed the water quality test results, EHB added Condition No. 6 to process the capacity and water quality paperwork.
  - c) Wastewater is proposed to be contained and dispersed in the form of an onsite wastewater treatment system which EHB has reviewed and found will be sufficient to serve the project.
  - d) The project's electricity source is proposed to be from roof-mounted solar panels. Elements of the electricity system will reviewed by County Building Services as part of the building permit to ensure it complies with onsite solar requirements and appropriate energy storage.
  - e) The application, plans, and supporting materials submitted by the project applicant to HCD for the proposed development are found in HCD-Planning File No. PLN220229.

**3. FINDING: SITE SUITABILITY** – The site is physically suitable for the development proposed.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning, North County Fire Protection District, HCD-Engineering Services, HCD-Environmental Services, California Coastal Commission, and EHB. County staff reviewed the application materials and plans, as well as the County's

GIS database, to verify that the proposed project on the subject site conforms to the applicable plans, and that the site is suitable for the proposed development. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions and mitigation measures recommended by HCD-Planning, Fire District, and Environmental Health Bureau have been incorporated.

- b) The following technical reports has been prepared:
- "Geotechnical Investigation Proposed Residence and Workshop 827 Elkhorn Road Royal Oaks, California APN: 181-151-009-000" prepared by Rock Solid Engineering, Inc., San Jose, CA dated June 2023, (LIB230237).
  - "Monterey County Onsite Wastewater Treatment System Feasibility Study APN 181-151-009-000 827 Elkhorn Road Royal Oaks, CA 95076" prepared by Fox Onsite Solutions, San Jose, CA dated July 2023 (in application submittal).
  - "Boccone/Igel Residence, APN 181-151-009 Forest Resource Analysis/Construction Impact Assessment/Tree Protection Plan" prepared by James P. Allen & Associates, Santa Cruz, CA dated November 2024, (LIB230235).
  - "Elkhorn Road Parcel APN 181-151-009 Biological Assessment" prepared by Biotic Resources Group and Bryan Mori Biological Consulting, Soquel CA dated December 2024, with supplemental surveys reported in April 2025 (HCD-Planning Library Doc. No. LIB230236).
  - "Archaeological Assessment Results for Elkhorn Road Driveway Water Line and Septic Field Improvements, Monterey County" prepared by John Schlagheck, Dudek, Santa Cruz, dated January 2024 (LIB240019).

County staff independently reviewed these reports and concurs with their conclusions. There are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed.

- c) The Geotechnical Report found the site suitable for the development. This report recommended that all structures be designed and built in accordance with the requirements of the current edition of the California Building Code for seismic safety. The geo-technician recommended the construction of retaining walls supported by augered cast-in-place piers be placed on the downhill side of the residence, and then the structures could utilize conventional shallow, continuous foundations and pad footings. These recommendations shall be incorporated into the final construction plans pursuant to Title 16 section 16.08.320.
- d) The Biological Report recommended adherence to a Fire Fuel Management Plan. Condition No. 10 requires Defensible Space Requirements.
- e) The Biological Report recommended multiple mitigation measures to ensure avoidance of special status species and protection in place for Pajaro manzanita, a special status plant. The supplemental trapping report of April 2025 indicated that five California Red-legged Frog "young of the year" were captured in January 2025 at various locations around the subject parcel (both above the proposed

development site to the northeast, as well as on lower lands toward the Slough). Based on the results of the 2022-23 and 2024-25 field studies, the biologist concluded that likelihood of California Tiger Salamander (CTS) or Santa Cruz long-toed salamander (SCLTS) direct impact is considered very low. Due to the distribution of these species in the project vicinity, the biologist recommended precautionary protection measures be implemented. The Biological Report also recommended a Habitat Adaptive Care Program for impacts to Oak woodland and to improve habitat for the wildlife species. The measures and monitoring actions for them were included in the MND for the project, discussed in Finding 8. In accordance with CIP requirements, a Conservation and Scenic Easement will be applied over portions of the property that contain ESHA. See Finding 5, evidence "d."

- f) The Arborist Report assessed the potential impact to trees as well as oak woodland. James Allen, consulting arborist, determined the projected loss of tree canopy represents 0.08-acres or 1.19 percent of the total property canopy coverage of 10.13 acres. To compensate for Project impacts to Oak woodland, the project would implement oak woodland restoration and enhancement actions as per an approved forest management plan. The Forest Management Plan would include restoration/enhancement of approximately 0.12 acre of oak woodland within one year after construction of the single-family residence. Tree replacements for 17 Coast live oak trees of 6 inches or great diameter at 2 feet height would be 1:1 minimum. One landmark tree would be replaced at a minimum of 2:1 ratio with local coast live oak saplings.
- g) The Archaeological Report did not find resources onsite, but concerns were raised in the Tribal Cultural consultation for the project and a mitigation measure to ensure potential impacts to Tribal Cultural Resources was included in the MND for the project, discussed in Finding 8.
- h) The application, plans, and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in HCD-Planning File PLN220229.

**4. FINDING:** **TREE REMOVAL/OAK WOODLAND** – The siting, location, size and design of the project minimizes tree removal in accordance with the North County LUP Policies and North County CIP and the removal will not impact the overall health and long-term maintenance of the native oak woodland found in the area of Elkhorn Road.

- EVIDENCE:**
- a) The project includes application to remove up to 20 Coast live oak trees; however only 17 trees are protected. These 17 trees include 15 that meet the North County LUP classification for "protected trees" (greater than 6 inches in diameter), one that meets the CIP classification for "landmark tree", and one stump that is now growing health sprouts. In accordance with the applicable policies of North County CIP, a Coastal Development Permit is required for the removal of living trees and the criteria to grant said permit have been met.
  - b) Pursuant to Section 20.144.050 of the North County CIP, an Arborist



Report was prepared for the proposed project (LIB230235). The arborist report evaluated the health, structure, and preservation suitability for the remaining forest around the proposed development. The Arborist found that the "protected" trees proposed for removal are in "fair" to "poor" health, with poor structure and preservation suitability. The identified "landmark" tree is uprooted, with a small percentage of live foliage remaining. The Arborist recommended compensation for project impacts to Oak trees, as well as impacts to Oak woodland. Consistent with CIP section 20.144.050, Applicant/owner shall replace oak trees at a minimum 1:1 ratio for protected trees and 2:1 for the landmark tree (Condition No. 26, BIO-10).

- c) CIP section 20.144.040.C.1.e states, "Development on a parcel within oak woodland habitat shall minimize the amount of oak tree removal to that required for construction of structures and access road." CA Pub Res Code § 21083.4 (2024), Projects undertaken in Oak woodland shall plant an appropriate number of trees, including maintaining plantings and replacing dead or diseased trees, for seven years after the trees are planted. The Arborist Report determined that the projected loss of tree canopy represents 0.08-acres or 1.19 percent of the total property canopy coverage of 10.13 acres. As compensation for project impacts to Oak woodland habitat, Oak woodland restoration and enhancement actions will occur on-site. The compensation activities would comply with an approved forest management plan. The forest management plan includes restoration/enhancement of approximately 0.12 acres of Oak woodland concurrent with, or within one year after development of the single-family residence. The recommendation was incorporated into BIO-10, which is a mitigation measure requiring seven years of monitoring to ensure survival (Condition No. 26).
- d) Many areas of the lot are within the public viewshed, include steeper slopes, and ESHA are known to exist on the lot in the form of coastal prairie where protected species have the potential to migrate, Pajaro manzanita, and North County's Oak woodland. County finds the siting of the proposed structures to be the best location that balances conservation of on-site sensitive resources and better meets the applicable resource protection policies of the NC LUP. In comparison to the original project design, the current driveway configuration is simple and direct, reduces grading, and lessens impacts to Oak woodland by over 40%. That is mainly because a lot line adjustment proposed for the subject lot and two adjacent lots (PLN240187) will allow a shortened driveway and thus less grading and impact to oak woodland/oak trees, and landmark trees in particular. Mitigation measure for adaptive restoration of Oak woodland (BIO-10) will improve the ecological vigor of the stand. The building sites and driveway are designed to minimize tree removal while adhering to LUP Policies discussed herein and also meet North County Fire Protection District requirements for driveway shape and size (required 12-ft width and hammerhead turn-around).

During North County LUAC review, a public comment letter suggested that the development does not conform with LUP Policy 2.3.2.1 which does not allow non-resource dependent development in ESHA. The LUP Policy states: "with the exception of resource dependent uses, all development, including vegetation removal, excavation, grading, filling, and the construction of roads and structures, shall be prohibited in the following environmentally sensitive habitat areas: riparian corridors, wetlands, dunes, sites of known rare and endangered species of plants and animals, rookeries, major roosting and haul out sites, and other wildlife breeding or nursery areas identified as environmentally sensitive." This policy does not include Oak woodland as an environmentally sensitive habitat where resource dependent uses are the only allowed use. No impacts to the listed ESHA in Policy 2.3.2.1 will occur with implementation of this project. Furthermore, ESHA-related LUP Policies 2.3.3.A.4 and 2.3.3.A.5 require that projects minimize the disruption of Oak woodland habitat on steeper slopes and implement fire fuel management to control wildfire risk. Consistent with these policies, the project will have no impact to Oak woodland habitat on slopes in excess of 25% and shall comply with a fuel management plan (Condition No. 10). Accordingly, the proposed development does not fall within an area specified by LUP Policy 2.3.2.1 or LUP Policy 2.3.3.A.4.

- e) Based on the conclusions of the Arborist Report and the MND, it can be concluded that no significant long-term effects on the forest ecosystem will be caused by the project. The project will not significantly degrade the overall health and long-term maintenance of the oak woodland found on the property or the Elkhorn Road area.
- f) Planning staff conducted a site inspection on May 7, 2024 to verify that the tree removal is the minimum necessary for the project.
- g) The application, plans, and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in HCD-Planning File PLN220229.

**5. FINDING:**

**DEVELOPMENT WITHIN 100 FEET OF ENVIRONMENTALLY SENSITIVE HABITAT AREAS --**

The subject project avoids or minimizes impact on environmentally sensitive habitat areas in accordance with the applicable goals and policies of the North County LUP, North County CIP, and applicable zoning codes.

**EVIDENCE:**

- a) The project includes an application for development within 100 feet of environmentally sensitive habitat areas (ESHA). A patch of Pajaro manzanita shrubs was observed within 100 feet of the main dwelling construction area. In accordance with the applicable policies of the North County LUP and Title 20, section 20.14.030, a Coastal Development Permit is required, and the authority to grant said permit has been met.
- b) The policies in Chapter 2.3 of the North County LUP are directed at maintaining, protecting, and, where possible, enhancing sensitive habitats. Only resource-dependent uses are allowed within environmentally sensitive habitat areas identified as riparian

corridors, wetlands, dunes, sites of known rare and endangered species of plants and animals, rookeries, major roosting and haul out sites, and other wildlife breeding or nursery areas. All other development types (as allowed by the underlying zoning district) may be adjacent to or within 100 feet of ESHA, provided the development is compatible with the long-term maintenance of the resource (LUP Policy 2.3.3.A.2). As designed, mitigated and conditioned, the project is consistent with applicable policies regarding avoidance and minimization of habitat disruption.

- c) A Biological Report was prepared to determine whether ESHA existed on the subject property (see Finding 3, Evidence “b”). The biological assessment found that portions of the project site support sensitive plant species, specifically Pajaro manzanita, a special status shrub. The property's Pajaro manzanita is located within 100 feet of the proposed development area. The supplemental wildlife pit trapping report of April 2025 indicated that five California Red-legged Frog (CRLF) "young of the year" were captured in January 2025 at various locations around the subject parcel (both above the proposed development site to the northeast, as well as on lower lands toward the slough). The Project Biologist has confirmed that the project's design, as mitigated, will avoid all potential direct impacts to ESHA. As discussed in Finding 8, a mitigation measure (Condition No. 1, BIO-1) has been applied to ensure a qualified botanist identifies and protects the Pajaro manzanita with protective fencing prior to construction to prevent indirect construction-related impacts. Other mitigation measures ensure that impacts to CRLF would be avoided through a combination of grading and construction timing, biological surveys and monitoring, and appropriate wildlife fencing to block entry into the construction area.
- d) The project biologist recommended a Habitat Adaptive Care Program as mitigation for direct and indirect impacts to ESHA (Mitigation Measure BIO-9). Applicant shall implement an adaptive care program within habitat areas to achieve the following goals and objectives:
  - 1. Protect habitats. (Oak woodland, mixed grassland, Coastal scrub, Maritime chaparral) located outside the 100-foot fuel management zone and ensure CRLF habitat is high-quality by stimulating healthy growth of native trees, shrubs and groundcovers while decreasing the cover of target invasive non-native species. Within the mixed grassland, implement a management program that benefits native perennial grasses and native forbs (i.e., wildflowers). The identified best management practice is mowing in the spring season to reduce the growth/seed production of annual, non-native grasses and forbs, and revegetating the temporarily disturbed mixed grassland with a native grass and forb seed mix. Manual removal techniques will be used and depending upon the species, non-native invasive species shall be removed.
  - 2. Monitor. Applicant, with review and approval by a qualified botanist, ecologist, or revegetation specialist, will inspect the seeded grassland areas one year after seed application. Plant cover will be measured; if plant cover is less than 60 percent, remedial actions will

be implemented, such as supplemental seeding. An inspection report, describing site conditions and plant cover, shall be collated by the Applicant, with the services of a qualified botanist, ecologist, or revegetation specialist to review and synthesize. The landowner will be responsible for submitting the report to the County of Monterey HCD-Planning by the end of January following each monitoring year.

3. Weeding. In all areas, Applicant shall implement actions to remove/control invasive, non-native plant species. Applicant shall confer with a qualified restoration specialist to determine the most effective methods for removing and controlling the target invasive species within the area(s) and remove materials from the site. The removal of invasive plant species will likely require several consecutive treatments.

4. Do Not Disturb Wildlife. Applicant, with review and approval by a qualified botanist, ecologist, or revegetation specialist, shall manage habitats on the property in a manner conducive to the protection of native wildlife species. The Applicant shall achieve this goal by contracting with a qualified biologist to implement the following: a) Prior to removal of invasive, non-native plant species, conduct a walking survey to identify active bird nests and MDFW houses such that impacts to nests are avoided during invasive plant removal; b) All round-disturbing activities shall occur only between April 15 and the onset of fall rains (usually mid-October) to avoid affecting animals that may be overwintering in the woodland understory or within burrows in the grassland.

5. Seven years of reporting. Applicant shall provide to HCD-Planning annual monitoring reports describing yearly actions, results of monitoring, and remedial actions needed or implemented for a total of seven years. Applicant, utilizing the services of a qualified botanist, ecologist, or revegetation specialist, shall periodically inspect the habitats at least once a year. The inspections shall assess how the habitat management actions are proceeding and identify any problems or potential problems that may exist. During these inspections, the qualified consultant shall look for plant damage, document compliance with program objectives and make recommendations to correct any significant problems or potential problems.

The inspection visits will also be used to document the need to change or adjust revegetation plan actions (i.e., altering the maintenance schedule, adding extra weed control visits, increasing or reducing the frequency or amount of irrigation water, etc.). The progress of invasive non-native plant species removal shall be ascertained during the inspections, with a trend of decreasing cover/occurrences each year. Natural revegetation is expected to occur in areas where invasive, non-native plant species have been removed. Annual reports for monitoring Years 1-7 shall present data on the habitat area(s), actions implemented, the progress toward meeting program goals and any remedial actions required.

- e) In relation to mitigation measure BIO-9, Condition No. 14 has been applied to require that continuous areas of the property containing ESHA in at least a 3:1 proportion to impacted areas be placed in an

irrevocable conservation easement, as required by LUP Policy 2.3.2.6. The easement deed shall allow fire fuel management and maintenance of the OWTS. The area shall be determined by the Applicant in consultation with the project biologist.

- f) CIP section 20.144.040.C.1.e states that development on a parcel within oak woodland habitat shall minimize the amount of Oak tree removal to that required for construction of the structures and access road. As discussed in Finding 4 and supporting evidence, the siting of the residential development was chosen to better comply with LUP policies pertaining to visual resources, avoidance of development on significant slopes, forest resources, and protection of environmentally sensitive resources. While sited to protect the viewshed and minimize impacts to coastal prairie and Pajaro manzanita, the driveway and building sites were also designed to minimize impacts to Oak woodland, while still meeting North County Fire Protection District requirements. The arborist report determined that the projected loss of tree canopy represents 0.08-acres or 1.19 percent of the total property canopy coverage of 10.13 acres. The MND identified appropriate mitigation to restore/enhance approximately 0.12 acre of Oak woodland within one year after construction of the single-family residence (Condition No. 26, BIO-10). The proposed seven years of adaptive restoration monitoring shall ensure that the replacement Oak woodland can reach its maximum ecological value, as required by LUP Policy 2.3.3.A.4.
- g) Consistent with applicable Policies of the LUP, the proposed project, as designed, sited, and mitigated/conditioned, protects the property's ESHA to the greatest extent possible and will have a low intensity that is compatible with the protection and long-term maintenance of the sensitive habitat. See Finding 8, Evidence "i". Consistent with LUP Policies 2.3.1, all relevant subsections of 2.3.2, and 2.3.3.A.2, 2.3.3.A.4, the proposed development will not directly impact EHSA and will not adversely impact the conservation of Maritime chaparral, Oak woodland, or special status wildlife in the project vicinity.

**6. FINDING:** **GUESTHOUSE** – The project meets the established regulations and standards as identified in Title 20 section 20.64.020.

- EVIDENCE:**
- a) Guesthouses and accessory structures are listed as principal uses allowed, subject to a Coastal Administrative Permit, within the Rural Density Residential Zoning District pursuant to Title 20 section 20.16.040.B and E. Standards for granting a Coastal Administrative Permit have been met in this case.
  - b) Pursuant to Title 20 section 20.64.020.C.3, guesthouses are to share utilities with the main residence, unless prohibited by public health requirements. Potable water is provided by a private well, Elkhorn Road Water System #9, and is proposed to be supplied to the guesthouse via a connection to the main residence. EHB reviewed the project and confirmed that the guesthouse will have an insubstantial effect on the mutual water system. EHB assessed that the proposed septic system for the proposed main dwelling and guesthouse and found it suitably designed. The guesthouse will also utilize solar



power, the same as the main residence. Therefore, the project is consistent with this development standard.

- c) Title 20 section 20.64.020 establishes regulations and standards for which a guesthouse, defined as a sleeping facility not integral to the main dwelling, may be permitted. The project includes the construction of an approximately 413 square foot guesthouse, under the maximum size of 425 square feet. The maximum height of the proposed guesthouse will be 11 feet, 10.5 inches in height from average natural grade, complying with the 12-foot maximum height regulation.
- d) The proposed guesthouse is the only guesthouse proposed for the subject parcel, has no cooking facilities, and shall not be separately rented. Staff has applied the standard coastal guesthouse deed restriction as Condition No. 11.
- e) The guesthouse meets the required site development standards as defined in Title 20 section 20.16.060 (Rural Density Residential Zoning). See Finding 1, evidence “d.”
- f) In relation to the size of the subject parcel, the guesthouse is located in close proximity to the principal residence, as required by Title 20 section 20.64.020. Other factors affected the siting of the guesthouse, as well, including minimizing development on slopes and conforming with LUP Visual Resources Policies. The guesthouse has been designed to be visually consistent and compatible with the main residence, as required by Title 20 section 20.64.020, as well.
- g) Title 20 section 20.58.040 requires the guesthouse to have at least one associated parking space. Consistent with this requirement, the guesthouse will have two parking spaces.
- h) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in Project File PLN220229.

**7. FINDING:** **DEVELOPMENT ON SLOPES** – The proposed development better achieves the goals, policies and objectives of the 1982 Monterey County General Plan and North County Land Use Plan than other development alternatives that do not involve development on slopes in excess of 25 percent.

- EVIDENCE:**
- a) Pursuant to the policies of the 1982, General Plan, North County Land Use Plan (LUP), and Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required for development on slopes in excess of 25 percent and the criteria to grant said permit has been met.
  - b) The Proposed Project locates structures off of excessive slopes, but it requires an onsite wastewater treatment system, and that will entail trenching of approximately 350 feet (1 foot wide) on such slopes. The trenching allows the onsite wastewater treatment system to reach a lower area of the parcel where the most feasible leach field would be placed on disturbed grassland. The only alternative to trenching down the slope would be for the residence to be located below the slope near the leach field. Impacts to visual resources would be significant if the residence were placed along Elkhorn Slough Road, without the

hillside masking the structures. Trenching to a leach field closer to the residence would increase impact to slopes and Oak woodland. Therefore, the use of a trench to connect the residence located where it produces less-than-significant impact on views to a leach field location off of steep slopes and Oak woodland is the most feasible alternative.

- c) As proposed, the subject project minimizes development on slopes in excess of 25 percent in accordance with the applicable goals and policies of the LUP. The project planner reviewed the plans and application materials to verify the subject project minimizes development on slopes. The proposed length of the OWTS trenching is the minimum necessary to allow for installation of a leach field on flatter areas at a lower elevation than the residence.
- d) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in Project File PLN220229.

**8. FINDING:** **NO VIOLATIONS** – The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County’s zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed County of Monterey Housing and Community Development (HCD) records and is not aware of any violations existing on the subject property.
  - b) The application, plans and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in Project File PLN220229.

**9. FINDING:** **CEQA (MITIGATED NEGATIVE DECLARATION)** - On the basis of the whole record before the County of Monterey Planning Commission, there is no substantial evidence that the proposed project, as designed, conditioned, and mitigated, would have a significant effect on the environment. The Mitigated Negative Declaration (MND) reflects the independent judgment and analysis of the County.

- EVIDENCE:**
- a) Pursuant to Public Resources Code Section 21083, and California Environmental Quality Act (CEQA) Guidelines sections 15063(a) and 15063(b)(2), the Lead Agency shall conduct environmental review in the form of an Initial Study (IS) to determine if the project may have a significant effect on the environment, and shall prepare a Negative Declaration if there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment.
  - b) The County prepared an IS pursuant to CEQA, which is on file in the offices of HCD-Planning and is hereby incorporated by reference (HCD-Planning File No. PLN220229).
  - c) There is no substantial evidence, based upon the whole record, that the project may have a significant effect on the environment. The IS identified potentially significant effects to Biological Resources and Tribal Cultural Resources. Based upon the analysis of the IS, HCD-

Planning prepared a Mitigated Negative Declaration (MND). The applicant has agreed to proposed mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.

- d) The Draft IS/MND for HCD-Planning File No. PLN220229 was prepared in accordance with the CEQA Guidelines, filed with the County Clerk on May 7, 2025, and circulated for public review from May 7, 2025 to June 6, 2025. (State Clearinghouse No. 2025050246).
- e) Resource areas that were analyzed in the Draft IS/MND included: aesthetics, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, transportation, tribal cultural resources, utilities/service systems, and wildfire.
- f) Evidence that has been received and considered includes: the application including a land disturbance target assessment, technical studies/reports, staff reports that reflect the County's independent judgment, comment letters, and information and testimony presented during public meetings and the Planning Commission hearing. These documents are on file in HCD-Planning (File No. PLN220229) and are hereby incorporated herein by reference.
- g) The County identified no impacts to agriculture and forest resources, mineral resources, population and housing, public services, and recreation.
- h) Pursuant to Public Resources Code Section 21080.3.1, the County (HCD-Planning staff) initiated consultation notification on January 25, 2024, with tribal groups that had requested consultation notice. On February 13, 2024, HCD-Planning staff met with a representative of the Ohlone/Costanoan-Esselen Nation (OCEN). Potential tribal cultural resources were identified through the consultation. The tribal representatives requested monitoring during ground disturbance in the area of the subject parcel that is considered a "high archaeological sensitive" area (nearest Elkhorn Road) to be made a mitigation measure in the IS/MND. OCEN reviewed the IS/MND and made no comment.
  - Mitigation Measure TR-1 (TRIBAL MONITOR) will mitigate any potential for impacts to tribal cultural resources within the "high sensitivity" area of the subject parcel during ground disturbance associated with installation of the water lines to the well and an onsite wastewater treatment system's trenching and leach field. To prevent adverse impacts to potential cultural resources, a qualified Tribal Monitor shall be present during soil disturbance in the western area of APN 181-151-008-000. The monitor shall have the authority to temporarily halt work to examine any potentially significant materials. If human remains are identified, work shall be halted to within a safe working distance (approximately 165 ft), the Monterey County Coroner must be notified immediately and if said remains are determined to be Native American, the Native American Heritage Commission shall be notified as required by law. If potentially significant

archaeological resources are discovered, work shall be halted in the lower western area of APN 181-151-008-000, not including vehicular passage on the existing driveway or stockpiling of soil in the soil stockpile area, and otherwise to 165 ft, until it can be evaluated. If suitable materials are recovered, a minimum of two samples shall be submitted for radiocarbon dating in order to provide a basic chronology of the site. If intact features should be encountered, the Tribal Monitor, in conjunction with an archaeologist shall recommend appropriate mitigation measures (Features are human burials, hearths, house floors, significant shell mounds and/or caches of stone tools). If a feature is an artifact that cannot be moved, it must be documented in situ. In the case of in situ documentation of an artifact, the Applicant shall retain a qualified archaeologist to monitor and ensure compliance with the requirements of the mitigation and monitoring plan. In the case of a significant feature, Applicant shall cause the qualified archaeologist to document any findings and to evaluate the significance of the cultural resource in a report. The report shall be submitted to HCD-Planning and appropriate State-required offices/repositories that are available at the time (as determined by the archaeologist).

- i) The County identified potentially significant impacts to biological resources. Due to the nature of the potential impacts, staff and the project biologist consulted with the California Department of Fish and Wildlife (CDFW), U.S. Fish and Wildlife Service, and California Coastal Commission during the preparation of the IS. Mitigation measures have been proposed to reduce the identified impacts to a level of less than significant.
  - Mitigation measure BIO-1 (PAJARO MANZANITA) will ensure Pajaro manzanita, a rare plant (List 1B.1 by California Native Plant Society), is avoided and protected during construction with construction fencing. No ground disturbances (e.g., discing, grading, etc.), storage of materials, spoils, and staging of heavy equipment shall be allowed within designated environmentally sensitive areas.
  - Mitigation measure BIO-2 (WILDLIFE PRE-CONSTRUCTION SURVEYS) will avoid impacts to protected wildlife species, including California tiger salamander ("CTS"), Santa Cruz long-toed salamander ("SCLTS"), California red-legged frog ("CRLF"), and California legless lizard ("CLL"), through site surveys conducted by a qualified biologist no less than 48 hours prior to the start of any vegetation removal or grading. If, after review by a qualified biologist, potential impacts cannot be avoided, the Applicant/Contractor/Biologist shall immediately stop work, and no work may proceed until authorization is obtained from CDFW and USFWS. Pre-construction surveys shall be performed within 72 hours of construction and repeated for any new construction phases beginning at any later time.

- Mitigation measure BIO-3 (EXCLUSION FENCING) involves the installation of exclusionary fencing to prevent CTS, SCLTS and CRLF from moving into work areas if ground disturbing work cannot be completed prior to the first fall rains (approximately mid-October), but no later than 48-hours prior to the prediction of unseasonable rainfall of a minimum 0.25 inches. Exclusion fencing (such as standard silt fencing) shall incorporate a one-way design with backfilled gaps to allow for wildlife within the enclosures to move out of work areas. 3 ft x 3 ft cover boards shall be placed every 100 ft along the inside and outside lengths of the fence to provide shelter for wildlife travelling along the fences. The fence should be buried a minimum of 6 inches below grade.
- Mitigation measure BIO-4 (CONSTRUCTION CREW TRAINING) will further avoid impacts to special-status wildlife species, including CTS, SCLTS, CRLF and CLL, by requiring all construction workers to receive an “endangered species environmental training” by a qualified biologist, focusing on protection measures to be implemented as part of the project. Following the training, all workers shall sign a certification of attendance. The training shall include distribution of a handout in English (and Spanish and/or other appropriate language, depending on crew makeup) addressing the natural history and legal status of all species of concern which may potentially occur on-site.
- Mitigation measure BIO-5 (BIOLOGICAL MONITOR) will further avoid impacts to special-status wildlife species, including CTS, SCLTS, CRLF and CLL, by requiring the Applicant to contract a qualified biologist to monitor activities at the project site during initial vegetation removal and grading activities. Once the vegetation removal and initial grading activities have been completed, subsequent construction monitoring may be performed by a construction site supervisor trained by the biologist. By contracting a qualified biologist, BIO-4 ensures all handling of wildlife is done by a permitted biologist with State and Federal agency authorization.
- BIO-4 also requires that grading and other earthwork (e.g., grubbing, trenching, potholing, etc.) during all project phases (e.g., access road, water line, building pad, septic, etc.) shall be performed later than April 15 and prior to the first fall rains (approximately mid-October). If a phase of ground disturbance activities cannot be completed in this timeframe, the phase shall resume the following spring. No winter season earthwork shall be permitted.
- Mitigation measure BIO-6 (NESTING BIRD SURVEYS). Special status bird species, including white-tailed kite, northern harrier, merlin, loggerhead shrike, Bryant’s savannah sparrow, and grasshopper sparrow, were found by a qualified biologist to have potential nesting sites near the project site



during its construction. To avoid impacts to special status nesting birds, a qualified biologist shall perform pre-construction nesting bird surveys no more than one week before the scheduled start of any construction activities.

Appropriate buffering and/or pauses to work recommended by the biologist upon completion of the surveys will be followed.

- Mitigation Measure BIO-7 (BAT SURVEYS) will avoid impacts to bats including the Pallid bat which the project biological report predicted could be found in the area by requiring a qualified biologist to survey the trees and snags in and immediately adjacent to the work areas for bat roosts no more than two weeks prior to the anticipated start of construction activities. If bats are found to be present, the biologist shall provide to the Applicant and their construction team a set of recommendations to implement, which may include buffer zones, installation of exclusion devices and/or scheduling constraints, depending on whether maternity, bachelor, or night roosts are identified.
- Mitigation Measure BIO-8 (MONTEREY DUSKY FOOTED WOODRAT) will avoid impacts on Monterey dusky-footed woodrat (“MDFW”) by requiring a qualified biologist perform a pre-construction survey for MDFW nests within the project work boundaries and a 25-ft buffer around the project site perimeter. The biologist shall flag the nests and establish buffers around each MDFW house observed (not less than 20 ft). If a MDFW nest is present within the work area and cannot be avoided, the qualified biologist shall contact CDFW for approval to implement a Woodrat Relocation Plan, which may include live trapping and/or the construction of alternate nests in adjacent suitable habitat. The Woodrat Relocation Plan must be implemented by a qualified biologist possessing a Scientific Collection Permit authorizing the handling of MDFW. Authorization by CDFW must be obtained prior to the implementation of this measure.
- Mitigation Measure BIO-9 (HABITAT ADAPTIVE CARE AND CONSERVATION SCENIC EASEMENT DEED [CRLF]). The subject parcel had positive results for CRLF as indicated by a 2024-2025 pitfall trapping study. To mitigate potential CRLF migration interruption, the Applicant/Owner/Project shall:
  - Design curbs to avoid creating barriers to movement. Wherever curbs are proposed, they shall be designed as rounded curbs or angled curbs of 60 degrees or less to avoid creating movement barriers for amphibians;
  - Design drainage systems to incorporate the use of French drains, which avoid grated openings to unintentionally capture amphibians. Avoid grates with ¼ inch openings or greater, or incorporate the use of mesh screens. HCD-Planning will only approve construction permits that incorporate these designs into the construction plans;

- Implement the Habitat Adaptive Care Program outlined in Finding 5, evidence “d”; and
- Dedicate a conservation scenic easement (“CSED”) for an area of oak woodland and mixed grassland of approximately a 3:1 ratio to the area of CRLF dispersal habitat, which the project permanently impacts.
- Mitigation Measure BIO-10 (OAK WOODLAND RESTORATION) will compensate for a 0.08-acre loss of Oak woodland tree canopy, which represents 1.19 percent of the total property canopy coverage of 10.13 acres. The Applicant/Owner shall contract a qualified botanist, ecologist, or revegetation specialist to develop and implement an Oak Woodland Restoration, Enhancement and Revegetation Plan consistent with the project’s biological report and arborist report. The plan shall provide restoration/enhancement of approximately 0.12 acre of oak woodland within one year after construction of the single-family residence. This will provide suitable mitigation by replacing native oak woodland impacted by construction and enhancing an additional area for the long term health of the stand.

These mitigation measures shall be discussed and coordinated in a pre-construction meeting on the site as required by Condition No. 14.

- j) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. A Condition Compliance and Mitigation Monitoring and Reporting Plan (MMRP) has been prepared in accordance with County of Monterey regulations, which is designed to ensure compliance during project implementation and is hereby incorporated herein by reference. The applicant must enter into an "Agreement to Implement a Mitigation Monitoring and Reporting Plan" as a condition of project approval (Condition No. 7).
- k) Analysis contained in the IS and the record as a whole indicate the project could result in changes to the resources listed in Section 753.5(d) of the CDFW regulations. The project is subject to a State filing fee plus the County recording fee. IS/MND was sent to CDFW for review and comment, and no comments were received. The applicant will pay the State fee and the processing fee payable to the County of Monterey Clerk/Recorder for posting the Notice of Determination (Condition No. 9).
- l) County received comments on the IS/MND during the public review period from two parties. The first comment letter was from the Geologic Energy Management Division of the California Dept. of Conservation sent a standardized letter alerting the property owners of all parcels that the division reviewed the parcels for presence of oil, gas or geothermal wells in the area of the proposed development. The letter concluded that no wells were found present. The second comment letter was from the Applicant. It identified questions about how mitigation measures would be applied. Staff communicated clarification to the Applicant in a phone conference on June 16, 2025 and also clarified in Finding 9, Evidence “m.” Staff

- proposed a minor edit to improve clarify of a mitigation measure, discussed in Finding 9, Evidence “n.”
- m) The Applicant sought clarification as to how much area the MND was requiring for the CSE. They suggested that the IS was not specific about area/boundaries. The reason that the IS was not specific is that the County’s Condition of Approval for a CSED (Condition No. 14) requires a biologist to be consulted when developing the location of the CSE. The size of a CSE is location and project dependent. The MND arrived at “approximately one acre” in (Chapter VI) Biological Resources (top of page 62) with the donation of 5 acres of habitat to ESF through PLN240187. One acre was a rounded-up estimate made from project application’s predicted permanent impacts (0.28 acre) multiplied by a 3:1 ratio (0.84 acre). The owner should consult a biologist in the design of the area to ensure highest quality migration habitat is included.
  - n) The Applicant expressed concern that wording in mitigation measure TR-1 states that a Tribal Monitor should not be required to write a daily report for every day they monitor, which suggests a greater amount of reporting than other project monitors. Staff agrees that the wording of TR-1 was unclear. The intent was for the Tribal Monitor to keep a daily log and to include the daily logs in the final report. Therefore, draft mitigation measure TR-1 has been clarified with the following phrase shown underlined:  
*“The Tribal Monitor shall prepare daily monitoring reports (e.g. daily log) that shall be available upon request by HCD – Planning. If no resources are encountered during the contracted period, no further reporting shall be required. In the case that resources are encountered, a final report, including the daily monitoring schedule, shall be submitted to HCD – Planning for review and approval within 60 days of completion of ground disturbing activities.”*
  - o) Pursuant to CEQA Guidelines section 15073.5(c), recirculation of the IS/MND is not required. A minor revision was made to MM TR-1, memorialized in the project MMRP. No additional impacts would result from the clarifications identified as other Tribal Cultural mitigation measures ensure that all impacts shall be avoided. Recirculation is not required because the comment on the public draft did not present evidence of potentially significant effects caused by the project that were not analyzed in the public draft or significantly alter recommended mitigations.
  - p) The County finds that there is no substantial evidence supporting a fair argument of a significant environmental impact. The analysis and recommendations of the Biological Report, Arborist Report, Tribal Consultation, and Geotechnical Report informed the IS/MND. All potential impacts can be reduced to a less-than-significant impact through requirements of the MMRP and adherence with County and State regulations during subsequent ministerial permit processing.
  - q) The County of Monterey Planning Commission considered the MND, along with the Combined Development Permit at a duly noticed public hearing held on June 25, 2025.
  - r) County of Monterey HCD-Planning, located at 1441 Schilling Place, 2nd Floor, Salinas, California, is the custodian of documents and other

materials that constitute the record of proceedings upon which the decision to adopt the MND is based.

**10. FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and applicable Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) No public access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.144.150 of the County of Monterey Coastal Implementation Plan can be demonstrated.
  - b) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over the project site.
  - c) The subject project site is located on Elkhorn Road more than 1 and ¼ miles from Highway 1 and is on Elkhorn Slough Road, accessed by a private driveway. The area is not illustrated or described as one requiring physical public access pursuant to the Local Coastal Program (Figure 4, Public Access and Recreation, in the North County LUP).
  - d) The subject project site is identified as an area adjacent to Elkhorn Slough, where the Local Coastal Program requires visual public access (Figure 4, Public Access and Recreation, in the North County LUP). Visual impacts were analyzed in the IS/MND and were found to be less than significant.

**11. FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.

- EVIDENCE:**
- a) Board of Supervisors. Pursuant to CEQA Guidelines Section 15074(f), when a non-elected decision-making body within a local lead agency adopts a negative declaration, that adoption may be appealed to the agency's elected decision-making body. Therefore, and pursuant to Title 20 section 20.86.030, an appeal may be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.
  - b) Coastal Commission. Pursuant to Title 20 section 20.86.080.A, the project is subject to appeal by/to the California Coastal Commission because it involves development project involving development that is permitted in the underlying zone as a conditional use.

## **DECISION**

**NOW, THEREFORE**, based on the above findings and evidence, the County of Monterey Planning Commission does hereby:

- A) Adopt a Mitigated Negative Declaration pursuant to Section 15074 of the CEQA Guidelines (SCH#: 2025050246);
- B) Approve a Combined Development Permit consisting of:
  - 1. Coastal Administrative Permit to allow construction of a split-level 2,676 square foot single-family dwelling with a 516 square foot attached carport and 471 square foot deck, and associated site improvements;
  - 2. Coastal Administrative Permit to allow construction of a 414 square foot detached guesthouse with a 133 square foot covered porch, attached 507 square foot workshop and 415 square foot garage;
  - 3. Coastal Development Permit to allow development within 100 feet of Environmentally Sensitive Habitat Areas (Pajaro manzanita and oak woodland);
  - 4. Coastal Development Permit to allow the removal of 17 Coast live oak trees, including 1 landmark tree;
  - 5. Coastal Development Permit to allow development on slopes in excess of 25%; and
- C) Adopt a Condition Compliance and Mitigation Monitoring and Reporting Plan.

This approval is for project to be constructed in general conformance with the plans and adhering to the mitigation monitoring and reporting plan, both being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 25<sup>th</sup> day of June, 2025.

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Melanie Beretti, AICP,  
Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON \_\_\_\_\_.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS. IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE \_\_\_\_\_.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.



## NOTES

1. The Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and/or use clearances from County of Monterey HCD-Planning office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction permits are started within this period.

# County of Monterey HCD Planning

## DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN220229

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** Planning

**Condition/Mitigation  
Monitoring Measure:**

This Combined Development Permit (PLN220229) allows 1) Coastal Administrative Permit for construction of a split-level two-story 2,676 square foot (sq ft) single family dwelling with attached 516 sq. ft. carport, 240 sq ft covered porch and an approximately 470 sq. ft. deck, 2) Coastal Administrative Permit for construction of a detached 414 sq ft guesthouse with a 133 sq ft covered porch and attached approx. 507 sq ft workshop and approx. 415 sq ft garage; new driveway extension (approx. 4,620 sq. ft. paved and 2885 pervious pavers); new onsite wastewater treatment system and associated improvements; 3) Coastal Development Permit for development within 100 feet of environmentally sensitive habitat areas and 4) Coastal Development Permit for development on slopes in excess of 25 percent. The property is located at 827 Elkhorn Slough Road (Assessor's Parcel Number 181-151-009-000), North County Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of HCD - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD - Planning)

**Compliance or  
Monitoring  
Action to be  
Performed:**

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

## 2. PD002 - NOTICE PERMIT APPROVAL

**Responsible Department:** Planning

**Condition/Mitigation** The applicant shall record a Permit Approval Notice. This notice shall state:

**Monitoring Measure:** "A Combined Development Permit (Resolution Number \_\_\_\_\_) was approved by the Planning Commission for Assessor's Parcel Number 181-151-009-000 on June 25, 2025. The permit was granted subject to 28 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

Proof of recordation of this notice shall be furnished to the Director of HCD - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD - Planning)

**Compliance or Monitoring** Prior to the issuance of grading and building permits, certificates of compliance, or  
**Action to be** commencement of use, whichever occurs first and as applicable, the Owner/Applicant  
**Performed:** shall provide proof of recordation of this notice to the HCD - Planning.

## 3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

**Responsible Department:** Planning

**Condition/Mitigation** If, during the course of construction, cultural, archaeological, historical or  
**Monitoring Measure:** paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County HCD - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.  
(HCD - Planning)

**Compliance or** The Owner/Applicant shall adhere to this condition on an on-going basis.

**Monitoring**  
**Action to be**  
**Performed:**

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County HCD - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

#### 4. PW0043 - REGIONAL DEVELOPMENT IMPACT FEE

**Responsible Department:** Public Works

**Condition/Mitigation Monitoring Measure:** Prior to issuance of building permits, applicant shall pay the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90. The fee amount shall be determined based on the parameters adopted in the current fee schedule.

**Compliance or Monitoring Action to be Performed:** Prior to issuance of Building Permits Owner/Applicant shall pay Monterey County Building Services Department the traffic mitigation fee. Owner/Applicant shall submit proof of payment to the HCD-Engineering Services.

#### 5. PW0045 – COUNTYWIDE TRAFFIC FEE

**Responsible Department:** Public Works

**Condition/Mitigation Monitoring Measure:** Prior to issuance of building permits, the Owner/Applicant shall pay the Countywide Traffic Fee or the ad hoc fee pursuant to General Plan Policy C-1.8. The fee amount shall be determined based on the parameters in the current fee schedule.

**Compliance or Monitoring Action to be Performed:** Prior to issuance of Building Permits, the Owner/Applicant shall pay Monterey County HCD-Building Services the traffic mitigation fee. The Owner/Applicant shall submit proof of payment to HCD-Engineering Services.

#### 6. EHSP01 – AMEND PUBLIC WATER SYSTEM PERMIT

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** Obtain an amended water system permit from the Environmental Health Bureau pursuant to Monterey County Code, Chapter 15.04, Domestic Water Systems, and the California Health & Safety Code, California Safe Drinking Water Act, and Title 22 of the California Code of Regulations. (Environmental Health)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of construction permits, submit necessary application, reports and testing results to Environmental Health Bureau for review and approval. Obtain an amended water system permit.

## 7. PD006 - CONDITION OF APPROVAL / MITIGATION MONITORING PLAN

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring and/or Reporting Plan (Agreement) in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed Agreement. The agreement shall be recorded. (HCD- Planning)

**Compliance or Monitoring Action to be Performed:** Within sixty (60) days after project approval or prior to the issuance of building and grading permits, whichever occurs first, the Owner/Applicant shall:

- 1) Enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring Plan.
- 2) Fees shall be submitted at the time the property owner submits the signed Agreement.
- 3) Proof of recordation of the Agreement shall be submitted to HCD-Planning.

## 8. CC01 INDEMNIFICATION AGREEMENT

**Responsible Department:** County Counsel-Risk Management

**Condition/Mitigation Monitoring Measure:** Owner/Applicant agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code section 66474.9, defend, indemnify, and hold harmless the County of Monterey and/or its agents, officers, and/or employees from any claim, action, or proceeding against the County and/or its agents, officers, and/or or employees to attack, set aside, void, or annul this approval and/or related subsequent approvals, including, but not limited to, design approvals, which action is brought within the time provided for under law . Owner/Applicant shall reimburse the County for any court costs and attorney's fees that the County may be required by a court to pay as a result of such action.

The County shall notify Owner/Applicant of any such claim, action, and/or proceeding as expeditiously as possible. The County may, at its sole discretion, participate in the defense of such action. However, such participation shall not relieve Owner/Applicant of his/her/its obligations under this condition. Regardless, the County shall cooperate fully in defense of the claim, action, and/or proceeding.  
(County Counsel-Risk Management)

**Compliance or Monitoring Action to be Performed:** This Indemnification Obligation binds Owner/Applicant from the date of approval of this discretionary development permit forward. Regardless, on written demand of the County County's Office, Owner/Applicant shall also execute and cause to be notarized an agreement to this effect. The County Counsel's Office shall send Owner/Applicant an indemnification agreement. Owner/Applicant shall submit such signed and notarized Indemnification Agreement to the Office of the County Counsel for County's review and signature. Owner/Applicant shall then record such indemnification agreement with the County of Monterey Recorder's Office. Owner/Applicant shall be responsible for all costs required to comply with this paragraph including, but not limited to, notary costs and Recorder fees.



## 9. PD005 - FISH & GAME FEE NEG DEC/EIR

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** Pursuant to the State Public Resources Code Section 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (HCD - Planning)

**Compliance or Monitoring Action to be Performed:** Within five (5) working days of project approval, the Owner/Applicant shall submit a check, payable to the County of Monterey, to the Director of HCD - Planning.

If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the County of Monterey, to the Director of HCD - Planning prior to the recordation of the final/parcel map, the start of use, or the issuance of building permits or grading permits.

## 10. FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)

**Responsible Department:** Fire

**Condition/Mitigation Monitoring Measure:** Manage combustible vegetation from within a minimum of 100 feet of structures, or to the property line, whichever is closer. Trim tree limbs to a minimum height of 6 feet from the ground. Remove tree limbs from within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. Responsible Land Use Department: HCD-Planning and North County Fire District.

**Compliance or Monitoring Action to be Performed:** Prior to issuance of grading and/or building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on construction plans.

Prior to requesting a final building inspection, the Applicant shall complete the vegetation management and shall obtain fire department approval of the final fire inspection.

## 11. PD019(B) - DEED RESTRICTION-GUESTHOUSE (COASTAL)

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall record a deed restriction stating the regulations applicable to a Guesthouse (Coastal) as follows:

- Only 1 guesthouse shall be allowed per lot.
- Detached guesthouses shall be located in close proximity to the principal residence.
  - Guesthouses shall share the same utilities with the main residence, unless prohibited by public health requirements.
- The guesthouse shall not have cooking or kitchen facilities, including but not limited to microwave ovens, hot plates and toaster ovens.
- The guesthouse shall have a maximum of 6 linear feet of counter space, excluding counter space in a bathroom. There shall be a maximum of 8 square feet of cabinet space, excluding clothes closets.
- The guesthouse shall not exceed 425 square feet of livable floor area.
- The guesthouse shall not be separately rented, let or leased from the main residence whether compensation be direct or indirect.
- Subsequent subdivisions which divide a main residence from a guesthouse shall be prohibited.
- The guesthouse shall be designed in such a manner as to be visually consistent and compatible with the main residence on site and other residences in the area.
- The guesthouse height shall not exceed 12 feet nor be more than one story.

(HCD - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of grading or building permits, the Owner/Applicant shall submit a signed and notarized document to the Director of HCD-Planning for review and signature by the County.

Prior to occupancy or commencement of use, the Owner/Applicant shall submit proof of recordation of the document to the Director of the HCD-Planning.

## 12. PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The lighting source shall be shielded and recessed into the fixture. The applicant shall submit three (3) copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations Title 24 Part 6. The exterior lighting plan shall be subject to approval by the Director of HCD - Planning, prior to the issuance of building permits.  
(HCD - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of building permits, the Owner/Applicant shall submit three copies of the lighting plans to HCD - Planning for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to final/occupancy, the Owner/Applicant/Contractor shall submit written and photographic evidence demonstrating that the lighting has been installed according to the approved plan.

On an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

## 13. PD052 - PRE-CONSTRUCTION MEETING

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** Prior to the commencement of any grading or construction activities, a pre-construction meeting shall be held on the site. The meeting shall include representatives of each of the selected contractors, any consultant who will conduct required monitoring, the Owner/Applicant, the HCD -Planning Department and any other appropriate County Departments. The purpose of the meeting is to review the conditions of approval that are applicable to the grading and construction of the approved development. (HCD - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to commencement of any grading or construction activities, the Owner/Applicant shall contact HCD -Planning to schedule a pre-construction meeting prior to commencement of any grading or construction activities. The Owner/Applicant shall be responsible for ensuring that all appropriate contractors and technical consultants are in attendance. HCD -Planning staff shall be responsible for identifying and notifying other County Departments that should attend the meeting (if applicable).

#### 14. PD022(C) - EASEMENT-CONSERVATION AND SCENIC (COASTAL)

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** A conservation and scenic easement shall be conveyed to the County over those portions of the property where upland habitats vital to endangered wildlife are known to exist in accordance with mitigation measure BIO-9 and the procedures in Monterey County Code § 20.64.280.A. Specifically, this conservation scenic easement ("CSE") shall be for an area of oak woodland and mixed grassland of approximately 3:1 ratio to the area of CRLF dispersal habitat impacted by the Project. The approximately one-acre CSE area shall be chosen with the services of a qualified biologist or ecologist to best preserve an area that is of the highest quality for CRLF. The CSE Deed shall describe the area in which no structures shall be placed in future but which shall allow Habitat Adaptive Care Program activities and fire fuel management. A Subordination Agreement shall be required, where necessary. The easement shall be developed in consultation with certified professional biologist/ecologist and land surveyor/civil engineer. An easement deed shall be submitted to, reviewed and approved by the Director of HCD - Planning and the Executive Director of the California Coastal Commission, and accepted by the Board of Supervisors prior to recording the parcel/final map or prior to issuance of grading and building permits. (HCD - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to recording the parcel/final map or prior to issuance of building permits, the Owner/Applicant/Certified Professional shall submit the conservation and scenic easement deed and corresponding map, showing the exact location of the easement on the property along with the metes and bound description developed in consultation with a certified professional, to HCD - Planning for review and approval.

Prior to recording the parcel/final map or prior to issuance of building permits, the Owner/Applicant shall submit a signed and notarized Subordination Agreement, if required, to HCD - Planning for review and approval.

Prior to or concurrent with recording the parcel/final map or prior to issuance of building permits, the Owner/Applicant shall record the deed and map showing the approved conservation and scenic easement. Submit a copy of the recorded deed and map to HCD - Planning.

## 15. MM BIO-1 (PAJARO MANZANITA)

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** Pajaro manzanita is considered rare (List 1B.1) by CNPS. The species is considered ESHA in County of Monterey. A patch of Pajaro manzanita shrubs were observed within 100 feet of the construction area on the PLN220229 subject parcel (Project Biological Report, HCD-Planning Library Doc. No. LIB230236). To avoid project-related impacts to Pajaro manzanita, the landowner ("Applicant/Owner" of PLN220229/ APN 181-151-008-000) shall contract a qualified botanist to identify in the field, with stakes and orange construction fencing, all extant occurrences of Pajaro manzanita and maintain protective fencing around these occurrences throughout the residential construction period.

No ground disturbances (e.g., discing, grading, etc.), storage of materials, spoils and staging of heavy equipment shall be allowed within designated environmentally sensitive areas. Applicant/Owner shall submit annual monitoring reports during Years 1-7 to HCD-Planning, describing qualified botanist's prescribed actions for the year, results of annual monitoring visits, including any remedial actions needed or implemented. Reports shall be prepared by Applicant/Owner or their designee, by a qualified botanist, ecologist, or revegetation specialist listed in HCD-Planning's qualified list of specialists. Applicant/Owner is responsible for submitting the reports to HCD-Planning by January 31st following each monitoring year.

**Compliance or Monitoring Action to be Performed:** A qualified botanist or ecologist shall oversee the placement of protective staking and fencing around the Pajaro manzanita.

Prior to the issuance of any construction permit, Applicant/Owner shall submit photo evidence to HCD-Planning that staking and fencing ensuring avoidance of impacts to Pajaro manzanita has been completed. Annual monitoring reports are to be submitted to HCD – Planning for review and approval by January 31st following each monitoring year.



## 16. MM BIO-2: WILDLIFE PRE-CONSTRUCTION SURVEYS

**Responsible Department:** Planning

**Condition/Mitigation  
Monitoring Measure:**

Parcels involved in the residential development have potential to provide dispersal and upland habitat for protected wildlife species including CTS, SCLTS, CRLF and CLL as indicated by preliminary biological studies (Mori and Lyons, HCD Planning Library Doc. LIB230236 and addenda) and information obtained from the CNDDDB. To mitigate potential harm to these wildlife species, Applicant/Owner shall avoid impacts to them to the "greatest extent feasible," as determined by a qualified biologist.

If, after review by a qualified biologist, potential impacts cannot be avoided, Applicant/Owner shall immediately stop work and no work may proceed until authorization is obtained from CDFW and USFWS. An Incidental Take Permit ("ITP") from the respective Wildlife Agency may be needed to continue work.

To ensure all potential impacts are avoided, a qualified biologist shall survey permanent and temporary impact areas for special status wildlife that could occur on the property no less than 48 hours prior to the start of any vegetation removal or grading.

Pre-construction surveys shall be repeated for any new construction phases beginning at any later time.

Once it is determined, through the biological survey that no sensitive animals are within the impact areas, construction may begin. If any sensitive species found within the impact area or will otherwise be at risk during construction, work activities shall be delayed in that particular area to allow the animal to leave the work zone of its own volition. The biologist shall monitor the identified area to determine when individuals of special-status species have left and work can commence. This measure shall be coordinated with Mitigation Measure BIO-3.

To further accomplish avoidance and/or required permitting, a qualified biologist shall perform a pre-construction survey for CTS, SCLTS, CRLF and CLL within 72 hours of project start. The pre-construction survey shall focus on searching beneath cover objects, such as large rocks, downed logs and other woody debris and boards, etc., within the project site work limits (e.g., staging/storage areas, access roads and grading envelope). If any individuals are found to be at risk during construction, work activities shall stop and be postponed to allow the animal(s) to leave the work zone on its/their own volition.

If CLL are observed on-site, the biologist shall direct their relocation to an appropriate habitat out of harm's way (location to be determined by the biologist). Handling of CLL and other special-status species shall be performed only by a permitted biologist and as approved by CDFW and USFWS.

If CTS, SCLTS or CRLF are found during any construction phase, the Applicant/Owner or their designee shall immediately notify CDFW and USF. All site work shall stop immediately and be postponed until authorization to proceed has been obtained from CDFW and USFWS.

**Pre-Construction Biologist Report** - The biologist shall submit to the County a report detailing the methods and results of the wildlife preconstruction surveys. The report shall detail any sensitive species found during the survey and measures taken to avoid all harm to those species. Observations of special-status species shall be submitted to the CNDDDB. The report shall be submitted to state and federal agencies (if required) and the County of Monterey HCD within 30 days of identification of any on-site sensitive species.

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of any construction permit, Applicant/Owner shall submit a contracted, qualified biologist's Scope of Work reflecting the requirements of Mitigation Measure BIO-2. Within one month of the start of construction, Applicant/Owner shall submit preconstruction survey results to HCD-Planning and any required state and federal agencies.

#### 17. MM BIO-3: EXCLUSION FENCING

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** Parcels involved in the residential development have potential to provide dispersal and upland habitat for protected wildlife species including CTS, SCLTS, CRLF and CLL as indicated by preliminary biological studies (Mori and Lyons, HCD Planning Library Doc. LIB230236 and addenda, and information obtained from the CNDDDB). To mitigate potential harm to these wildlife species, Applicant/Owner shall avoid impacts to the greatest extent feasible with installation of exclusionary fencing.

If ground disturbing work cannot be completed prior to the first fall rains approximately mid-October), but no later than 48-hours prior to the prediction of unseasonable rainfall of a minimum 0.25 inches, Applicant/Owner shall encircle the entire perimeter of work sites with exclusion fencing to prevent CTS, SCLTS and CRLF from moving into work areas.

Exclusion fencing shall incorporate a one-way design with backfilled gaps to allow for wildlife within the enclosures to move out of work areas. 3 ft x 3 ft cover boards shall be placed every 100 ft along the inside and outside lengths of the fence to provide shelter for wildlife travelling along the fences. Standard silt fence material can be used for the exclusion fence. The silt fence should be buried a minimum 6 inches below grade.

If an entrance is needed for workers or machinery access, a removable, minimum 6-inch tall wood plank shall be placed across the gap, secured with stakes or rebar at the end of each day's work for a two-week period following rainfall. Fence installation shall be checked by a qualified biologist at least weekly to ensure appropriate installation, upkeep or to implement recommendations if improvement is needed.

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of any construction permit, Applicant/Owner shall submit a contracted qualified biologist's Scope of Work reflecting the requirements of Mitigation Measure BIO-3. Within one month of the start of construction, Biologist shall update HCD – Planning regarding the status of the exclusion fencing, including site photographs and a bird's eye view sketch of the construction site.

Prior to fencing removal, Applicant/Owner shall submit the status of the exclusion fencing with a memorandum including the biologist's recommendations regarding the appropriate time to remove the fencing.

## 18. MM BIO-4: CONSTRUCTION CREW TRAINING

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** Mitigation Measure BIO-4 (CONSTRUCTION CREW TRAINING). The subject parcel has potential to provide dispersal and upland habitat for special-status wildlife species as indicated by preliminary biological studies and information obtained from the CNDDDB including CTS, SCLTS, CRLF and CLL.

To mitigate potential harm to these wildlife species, Applicant/Owner shall avoid impacts to the

greatest extent feasible as determined by a qualified biologist. To avoid this harm, prior to the project's start, a qualified biologist shall present an "endangered species environmental training"

to all construction workers. The training shall include distribution of a handout in English (and Spanish and/or other appropriate language, depending on crew makeup) addressing the natural history and legal status of all species of concern which may potentially occur on-site.

The education must focus on protection measures to be implemented as part of the project. Following the training all workers shall sign a certification of attendance. Applicant/Owner shall maintain this certificate of attendance with their records. All workers must be trained, prior to working on the project site, either by the qualified biologist or previously trained site supervisor. Any worker(s) added to the construction crew after the initial training shall also be trained before they are allowed to work onsite.

Within 30 days of training, the project biologist shall submit a memorandum describing the worker training to the County of Monterey HCD – Planning and State and Federal agencies (if required). Applicant/Owner shall submit initial training and any subsequent training sign-in sheets to HCD within 30 days.

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of any construction permit, Applicant/Owner shall submit a Worker Environmental Awareness Program draft document to HCD – Planning for review and approval. Within 30 days of construction start, the project biologist shall submit a memorandum describing the worker training to State and Federal agencies (if required) and the HCD. The Applicant/Owner shall submit initial training and any subsequent training sign-in sheets to the HCD within 30 days.

## 19. MM BIO-5: BIOLOGICAL MONITOR

**Responsible Department:** Planning

**Condition/Mitigation  
Monitoring Measure:**

Parcels involved in the residential development have potential to provide dispersal and upland habitat for special-status wildlife species as indicated by preliminary biological studies and information obtained from the CNDDDB including CTS, SCLTS, CRLF and CLL. To mitigate potential harm to these wildlife species, Applicant/Owner shall avoid impacts to these species, by contracting a qualified biologist, to ensure all handling of wildlife is done by a permitted biologist with State and Federal agency authorization.

To accomplish this, Applicant/Owner shall ensure a qualified biologist is present to monitor activities at the project site during initial vegetation removal and grading activities. Once the vegetation removal and initial grading activities have been completed, subsequent construction monitoring may be performed by the construction site supervisor.

All open trenches and potholes must have ramps or other features installed to allow for entrapped wildlife to escape. Trenches or potholes that cannot accommodate escape ramps must be covered at the end of each workday, then inspected by the construction supervisor at the start of each workday. If entrapped wildlife is observed by the Applicant/Owner, construction workers the Applicant/Owner or construction crew supervisor shall immediately contact the monitoring biologist to capture and relocate the species out of harm's way (as determined by a qualified biologist) into suitable habitat. If special-status species are observed by the crew or site supervisor during construction activities, all work in the immediate area must cease immediately and the qualified biologist (possessing the appropriate handling permit(s) shall be contacted to capture and relocate individuals out of harm's way.

No work may resume until approved by the qualified biologist. No work crew member shall handle wildlife. Following any unseasonable rains of 0.25 inches or greater, a qualified wildlife biologist shall inspect around storage piles, under vehicles parked overnight and all open holes and trenches at the beginning of each workday to check for wildlife.

Grading and other earthwork (e.g., grubbing, trenching, potholing, etc.) during all project phases (e.g., access road, water line, building pad, septic, etc.) shall be performed later than April 15 and prior to the first fall rains, likely around mid-October. If a phase of ground disturbance activities cannot be completed in this timeframe, the phase shall resume the following spring. No winter season earthwork shall be permitted.

**Compliance or  
Monitoring  
Action to be  
Performed:**

Prior to the issuance of any construction permit, Applicant/Owner shall submit a contract Scope of Work to HCD – Planning for review and approval demonstrating the Applicant/Owner has retained a qualified biologist to conduct pre-construction survey, oversee the installation of exclusionary fencing and provide on-going construction phase monitoring, meeting the Mitigation Measure BIO-5 requirements, including photographic evidence of installation of wildlife entrapment avoidance mechanisms and trench covers. The Applicant/Owner shall maintain records of all daily monitoring activities and shall provide copies of all monitoring reports to HCD – Planning upon request and upon conclusion of the construction activities.

## 20. MM BIO-6: NESTING BIRD SURVEYS

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** special status bird species (including white-tailed kite (*Elanus leucurus*), northern harrier (*Circus hudsonius*), merlin (*Falco columbarius*), loggerhead shrike (*Lanius ludovicianus*), Bryant's savannah sparrow (*Passerculus sandwichensis alaudinus*) and grasshopper sparrow (*Ammodramus savannarum*)) were found by a qualified biologist to have potential nesting sites near the project site during its construction (Biological Report, HCD-Planning Library Doc. No. LIB230236).

To avoid impacts to special status nesting birds, a qualified biologist shall perform pre-construction nesting bird surveys no more than one week before scheduled start of any construction activities. The nesting survey, performed by a qualified biologist, shall cover the project site.

Because nesting raptors may require buffers of a minimum 350-foot radius, a memorandum describing the survey results will be submitted to state and federal agencies (if required) and HCD-Planning within 30 days of the survey.

If active nests are observed, the nest site shall be flagged and a buffer established to prevent nest failure. The buffer widths shall be determined by the qualified biologist, based on species, site conditions and anticipated construction activities. In no case shall the buffer be less than 350 feet.

Active nests shall be monitored at a frequency determined by the monitoring biologist, but no less than once per week, until the nestlings have fledged. If any construction activities appear to be interfering with nest maintenance (e.g., feedings and incubation), the buffers shall be enlarged or nearby construction activities postponed, until the young have fledged, as determined by the qualified biologist.

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of any construction permit, Applicant/Owner shall submit a contract Scope of Work to HCD – Planning for review and approval demonstrating Applicant/Owner has retained a qualified biologist to conduct preconstruction nesting bird surveys meeting the requirements of Mitigation Measure BIO-6. Within 30 days of construction start, the project biologist shall submit a memorandum describing the results of the preconstruction survey to HCD – Planning for review and approval.



## 21. MM BIO-7: BAT SURVEYS

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** Special status bat species including the pallid bat (*Antrozous pallida*) were found by a qualified biologist to potentially roost near the project site during construction activities (Biological Report, HCD-Planning Library Doc. No. LIB230236). To avoid impacts to bats, no more than two weeks prior to the anticipated start of construction activities, a qualified biologist shall survey the trees and snags in and immediately adjacent to the work areas for bat roosts. If bats are found to be present, the biologist shall provide to the Applicant/Owner and their construction team a set of recommendations to implement, which may include buffer zones, installation of exclusion devices and/or scheduling constraints, depending on whether maternity, bachelor, or night roosts are identified.

If a single bat and/or only adult bats are roosting, construction activity may proceed after the bats have been safely excluded from the roost. Exclusion techniques shall be determined by the biologist and depend on roost type. Applicant/Owner shall ensure the recommendations are followed: the biologist shall prepare a memorandum describing the survey results, identified bat protection measures and their duration. Applicant/Owner shall submit the memorandum to HCD-Planning and State and Federal wildlife agencies (if required) within 30 days of construction start. Bat protection measures shall be followed for the period prescribed by the qualified biologist.

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of any construction permit, Applicant/Owner shall submit a contract Scope of Work to HCD – Planning for review and approval demonstrating the Applicant/Owner has retained a qualified biologist to conduct pre-construction bat surveys meeting the requirements of Mitigation Measure BIO-7. If bats are found to be present, Applicant/Owner shall ensure a memorandum including the bat survey results, identified bat protection measures and their duration are submitted to HCD – Planning for review and approval. On an ongoing basis during construction, bat protection measures provided in an HCD-Planning approved memorandum shall be followed.

## 22. BIO-8: MONTEREY DUSKY FOOTED WOODRAT

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** The Monterey dusky-footed woodrat ("MDFW") is listed as a "California Species of Special Concern"; there is evidence that individuals of the species occupy the subject parcel. To reduce the potential impact to MDFW, avoidance and/or removal of the MDFW shall be employed.

A qualified biologist shall perform a pre-construction survey for MDFW houses within the project work boundaries and a 25-foot buffer around the project site perimeter. The biologist shall flag the nests and establish buffers around each MDFW house observed. The buffer width should be determined by the qualified biologist, but shall not be less than 20 ft. If a MDFW house is present within the work area and cannot be avoided, the qualified biologist shall contact CDFW for approval to implement a woodrat relocation plan, which may include live trapping and/or the construction of alternate houses in adjacent suitable habitat. The woodrat relocation plan must be implemented by a qualified biologist possessing a Scientific Collection Permit authorizing the handling of MDFW. Authorization by CDFW must be obtained prior to the implementation of this measure.

Post-relocation monitoring may be required by CDFW, as part of the plan. A memo describing the survey results shall be submitted to state and federal agencies (if required) and the County Housing and Community Development Department within 30 days of MDFW treatment.

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of any construction permit for this development, Applicant/Owner shall submit the results of the MDFW pre-construction survey to HCD – Planning for review and approval.

### 23. MM BIO-9 HABITAT ADAPTIVE CARE (CALIFORNIA RED-LEGGED FROG)

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** This parcel had positive results for California red-legged frog ("CRLF," *Rana draytoni*) as indicated by a 2024-2025 pitfall trapping study of the Project site (Mori, 2025, HCD-Planning Library Doc. No. LIB230236).

To mitigate potential CRLF migration interruption, Applicant/Owner shall:

1) design curbs to avoid creating barriers to movement. Wherever curbs are proposed, they shall be designed as rounded curbs or angled curbs of 60 degrees or less to avoid creating movement barriers for amphibians. Drainage systems shall be designed to incorporate the use of French drains which avoid grated openings to unintentionally capture amphibians. Avoid grates with ¼ inch openings or greater or incorporate the use of mesh screens. HCD-Planning will only approve construction permits which incorporate these designs into the construction plans.

2) implement the Habitat Adaptive Care Program outlined below and in the following condition of approval.

3) dedicate a conservation scenic easement ("CSED") for an area of oak woodland and mixed grassland of approximately 3:1 ratio to the area of CRLF dispersal habitat which the project permanently impacts (see Condition No. 14).

Habitat Adaptive Care Program. Applicant shall implement an adaptive care program within habitat areas to achieve the following goals and objectives:

1. Protect habitats (oak woodland, mixed grassland, coastal scrub, maritime chaparral) located outside the 100-foot fuel management zone (Figure 16 of the biological assessment) and ensure CRLF habitat is high-quality by implementing the following:

a. Within oak woodland, maritime chaparral and coastal scrub implement a management program that benefits oak woodland growing conditions and stimulates expression of native trees, shrubs and groundcovers. The identified best management practice is to avoid removal of native plant species and decrease the cover of target invasive non-native species. Within the mixed grassland implement a management program that benefits native perennial grasses and native forbs (i.e., wildflowers). The identified best management practice is mowing in the spring season that reduces the growth/seed production of annual, non-native grasses and forbs. Revegetate the temporarily disturbed Mixed Grassland with a native grass and forb seed mix. Suitable grass species include California brome (*Bromus carinatus*), purple needlegrass (*Stipa pulchra*), California oatgrass (*Danthonia californica*) and blue wild rye (*Elymus glaucus*). Forbs shall also be added to the seed mixture, such as common yarrow (*Achillea millefolium*), California poppy (*Eschscholzia californica*) and sky lupine (*Lupinus nanus*).

b. The soil stockpile area shall receive erosion control treatment after placement and be revegetated to grassland. A native grass and forb seed mix shall be applied prior to the fall rains, approximately mid-October. Suitable grass species include California brome (*Bromus carinatus*), purple needlegrass (*Stipa pulchra*), California oatgrass (*Danthonia californica*) and blue wild rye (*Elymus glaucus*). Forbs shall also be added to the seed mixture, such as common yarrow (*Achillea millefolium*), California poppy (*Eschscholzia californica*) and sky lupine (*Lupinus nanus*).

c. Target species observed or with potential to occur on the parcel are listed within Table 6 of the biological assessment; additional invasive plant species may be identified in the future. Manual removal techniques will be used and depending upon the species, actions will include hoeing, cutting, hand-pulling and/or weed-whipping.

...

**Compliance or  
Monitoring  
Action to be  
Performed:**

Prior to the issuance of any construction permit, Applicant/Owner shall submit all design plans that include curb design to HCD – Planning for review. Prior to final permit approval, Applicant/Owner shall provide photographic evidence to HCD-Planning staff that the design elements described in BIO-9 have been fully incorporated into construction.

Applicant/Owner shall implement an adaptive care program within habitat areas for at least 7 years following issuance of the Planning Permit. Prior to removal of invasive, non-native plant species, Applicant/Owner, along with the services of a qualified biologist, or other specialist; shall conduct a walking survey to identify active bird nests and MDFW houses to ensure impacts to nests are avoided during invasive plant removal. Applicant/Owner shall implement ground-disturbing activities only between April 15 and the onset of fall rains (usually mid-October) to avoid affecting animals that may be overwintering in the woodland understory or within grassland burrows. In grassland and soil stockpile areas, if plant cover is less than 60% one year after construction final, remedial actions shall be implemented, such as supplemental seeding.

Remedial actions shall continue for a 7-year period from Planning Permit issuance. Applicant/Owner may collate annual monitoring reports, and a qualified botanist, ecologist, or revegetation specialist shall review and synthesize the reports with a cover letter. All monitoring reports shall be submitted to HCD – Planning within one month of the end of each of the 7 years.

## 24. MM BIO-9: HABITAT ADAPTIVE CARE (CRLF) PART 2

**Responsible Department:** Planning

**Condition/Mitigation** (continued from Cond. #23)

**Monitoring Measure:**

2. Monitor. Applicant, with review and approval by a qualified botanist, ecologist, or revegetation specialist, will inspect the seeded grassland areas one year after seed application. Plant cover will be measured; if plant cover is less than 60%, remedial actions will be implemented, such as supplemental seeding. An inspection report, describing site conditions and plant cover, shall be collated by the Applicant/Owner, with the services of a qualified botanist, ecologist, or revegetation specialist to review and synthesize. The landowner will be responsible for submitting the report to the County of Monterey HCD-Planning by the end of January following each monitoring year.

3. In all areas, Applicant/Owner shall implement actions to remove/control invasive, non-native plant species. Applicant shall confer with a qualified restoration specialist to determine the most effective methods for removing and controlling the target invasive species within the area(s) and remove materials from the site. The removal of invasive plant species will likely require several consecutive treatments as new seedlings of invasive plants such as Italian and bull thistles and French broom can sprout each spring and summer until the seed bank is exhausted. Additional invasive plant species beyond Table 6 of the biological assessment may be identified in the future.

4. Applicant/Owner shall manage habitats on the property in a manner conducive to protection of native wildlife species. Achieve this goal by implementing the following:

a. Prior to removal of invasive, non-native plant species a qualified biologist shall conduct a walking survey to identify active bird nests and MDFW houses such that impacts to nests are avoided during invasive plant removal.

b. All round-disturbing activities shall occur only between April 15 and the onset of fall rains (usually mid-October) to avoid affecting animals that may be overwintering in the woodland understory or within burrows in the grassland. Applicant/Owner shall provide to HCD-Planning annual monitoring reports during Years 1-7 describing yearly actions, results of monitoring and remedial actions needed or implemented. Applicant/Owner utilizing the services of either qualified botanist, ecologist, or revegetation specialist, shall periodically inspect the habitats at least once a year during Year 1-7. (Continued in next condition)



**Compliance or  
Monitoring  
Action to be  
Performed:**

Prior to the issuance of any construction permit, Applicant/Owner shall submit all design plans that include curb design to HCD – Planning for review. Prior to final construction permit approval, Applicant/Owner shall provide photographic evidence to HCD-Planning staff that the design elements described in BIO-9 have been fully incorporated into construction.

Applicant/Owner shall implement an adaptive care program within habitat areas for at least 7 years following issuance of the Planning Permit. Prior to removal of invasive, non-native plant species, a qualified biologist shall conduct a walking survey to identify active bird nests and MDFW houses to ensure impacts to nests are avoided during invasive plant removal. Applicant/Owner shall implement ground-disturbing activities only between April 15 and the onset of fall rains (usually mid-October) to avoid affecting animals that may be overwintering in the woodland understory or within grassland burrows. In grassland and soil stockpile areas, if plant cover is less than 60% one year after construction final, remedial actions shall be implemented, such as supplemental seeding.

Remedial actions shall continue for a 7-year period from Planning Permit issuance. Applicant/Owner may collate annual monitoring reports, and a qualified botanist, ecologist, or revegetation specialist shall review and synthesize the reports with a cover letter. All monitoring reports shall be submitted to HCD – Planning within one month of the end of each of the 7 years.

## 25. MM BIO-9: HABITAT ADAPTIVE CARE (CRLF) PART 3

**Responsible Department:** Planning

**Condition/Mitigation** (Continued from Cond. #24)

**Monitoring Measure:**

Applicant, utilizing the services of a qualified botanist, ecologist, or revegetation specialist, shall periodically inspect the habitats at least once a year during Year 1-7. The inspections shall assess how the habitat management actions are proceeding and identify any problems or potential problems that may exist. During these inspections, the qualified consultant shall look for plant damage, document compliance with program objectives and make recommendations to correct any significant problems or potential problems.

The inspection visits will also be used to document the need to change or adjust revegetation plan actions (i.e., altering the maintenance schedule, adding extra weed control visits, increasing or reducing the frequency or amount of irrigation water, etc.).

The progress of invasive non-native plant species removal shall be ascertained during the inspections, with a trend of decreasing cover/occurrences each year. Natural revegetation is expected to occur in areas where invasive, non-native plant species have been removed. Native seeds in the soil seedbank will likely colonize the treated areas.

Photos shall be taken of the habitat area(s) at least once a year in Years 1-7. Photos will be taken from the same vantage point and in the same direction every year; a minimum of ten photo points shall be established. The location and photo direction of each photo stations shall be established in Year 1, which shall be the first year following Planning Permit issuance. The photos shall reflect the findings discussed in the monitoring report.

Annual reports for monitoring Years 1-7 shall present data on the habitat area(s), actions implemented, the progress toward meeting program goals and any remedial actions required. Applicant/Owner may collate monitoring reports, and a qualified botanist, ecologist, or revegetation specialist shall review and synthesize the reports with a cover letter; Applicant/Owner will be responsible for submitting the annual reports to the County of Monterey HCD-Planning by January 31st following each monitoring year.

**Compliance or  
Monitoring  
Action to be  
Performed:**

Prior to the issuance of any construction permit, Applicant/Owner shall submit all design plans that include curb design to HCD – Planning for review. Prior to final permit approval, Applicant/Owner shall provide photographic evidence to HCD-Planning staff that the design elements described in BIO-9 have been fully incorporated into construction.

Applicant/Owner shall implement an adaptive care program within habitat areas for at least 7 years following issuance of the Planning Permit. Prior to removal of invasive, non-native plant species, a qualified biologist shall conduct a walking survey to identify active bird nests and MDFW houses to ensure impacts to nests are avoided during invasive plant removal. Applicant/Owner shall implement ground-disturbing activities only between April 15 and the onset of fall rains (usually mid-October) to avoid affecting animals that may be overwintering in the woodland understory or within grassland burrows. In grassland and soil stockpile areas, if plant cover is less than 60% one year after construction final, remedial actions shall be implemented, such as supplemental seeding.

Remedial actions shall continue for a 7-year period from Planning Permit issuance. Applicant/Owner may collate annual monitoring reports, and a qualified botanist, ecologist, or revegetation specialist shall review and synthesize the reports with a cover letter. All monitoring reports shall be submitted to HCD – Planning within one month of the end of each of the 7 years.

## 26. MM BIO-10: OAK WOODLAND RESTORATION

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** The Arborist Report for the Project (HCD-Planning Library Doc. No. LIB230235) projected a 0.08-acre loss of oak woodland tree canopy, which represents or 1.19% of the total property canopy coverage of 10.13 acres.

To compensate for Project impacts to oak woodland, Applicant/Owner shall contract a botanist, ecologist, or revegetation specialist to develop and implement an oak woodland restoration, enhancement and revegetation plan consistent with the biological resources report and arborist report. The plan shall provide a 3:1 restoration or enhancement to impact ratio. This ratio will provide suitable mitigation by replacing native oak woodland impacted by construction.

The plan shall:

1. Specify restoration/enhancement of a minimum of 0.12 acres of oak woodland concurrent with, or within one year after development of the single-family residence. The primary restoration actions will be done in concert with Mitigation Measure BIO-9: removal/control of invasive, non-native plant species, reduction of annual, non-native annual grasses; seasonal weeding and mowing of restored area(s) in the oak woodland. The oak woodland plan shall specify oak tree replacement planting at a minimum 1:1 replacement ratio for "protected" trees and 2:1 ratio for "landmark" oak trees and adhere to the Project Forest Management Plan for tree protection requirements.

2. Include a program to establish oak replacement plantings and sapling recruits to meet a 60% survival rate, as outlined in the arborist's Forest Management Plan. The plan shall include implementation of a revegetation program within the designated oak recruitment area that establishes the required number of oak trees.

3. Implement a 7-year revegetation maintenance program for the planted and recruited oak trees. Provide a minimum of three years of supplemental irrigation during plant establishment period (i.e., Year 1-3). Maintain a yearly 60% survival rate for installed trees for 7 years, implementing remedial actions (i.e., replanting) if necessary, to maintain the required plant survival rate each year. The 7-year period shall start upon Planning Permit issuance. All monitoring reports shall be submitted to HCD – Planning within one month of the end of each of the 7 years.

**Compliance or Monitoring Action to be Performed:** Prior to building final inspection, Applicant/Owner shall submit to HCD-Planning for review and approval a final oak woodland restoration, enhancement and revegetation plan developed by a qualified botanist, ecologist, or revegetation specialist.

Remedial actions shall continue for a 7-year period from Planning Permit issuance. Applicant/Owner may collate annual monitoring reports, and a qualified botanist, ecologist, or revegetation specialist shall review and synthesize reports with a cover letter. All monitoring reports shall be submitted to HCD – Planning by the end of January following each monitoring year.

## 27. MM TR-1: TRIBAL MONITOR

**Responsible Department:** Planning

**Condition/Mitigation  
Monitoring Measure:**

A portion of the Project site is with a “high archaeological sensitivity” area in County resource mapping, due to the proximity of the Elkhorn Slough. Therefore, through Native American Tribal consultation, it was found that there is potential for impacts to Tribal cultural resources within and near the “high sensitivity” area of the PLN220229 parcel during ground disturbance associated with installation of the onsite wastewater treatment system’s trenching and leach field and new well waterline trenching. In order to prevent adverse impacts to potential cultural resources, a qualified Tribal Monitor shall be present during soil disturbance in the western area of APN 181-151-009-000. The monitor shall have the authority to temporarily halt work to examine any potentially significant materials. If human remains are identified, work shall be halted to within a safe working distance (approximately 165 ft), the Monterey County Coroner must be notified immediately and if said remains are determined to be Native American, the Native American Heritage Commission shall be notified as required by law. If potentially significant archaeological resources are discovered, work shall be halted in the lower western area of APN 181-151-009-000, not including vehicular passage on the existing driveway or stockpiling of soil in the soil stockpile area and otherwise to 165 ft, until the find until it can be evaluated. If suitable materials are recovered, a minimum of two samples shall be submitted for radiocarbon dating in order to provide a basic chronology of the site. If intact, significant features should be encountered, the Tribal Monitor in conjunction with an archaeologist shall recommend appropriate mitigation measures. Features are human burials, hearths, house floors, significant shell mounds and/or caches of stone tools. If a feature is an artifact that cannot be moved, it must be documented in situ. In the case of in situ documentation of an artifact, Applicant/Owner shall retain a qualified archaeologist to monitor and ensure conduct of the requirements of the mitigation and monitoring plan. In the case of a significant feature, Applicant/Owner shall cause the qualified archaeologist to document any findings and to evaluate the significance of the cultural resource in a report. The report shall be submitted to HCD-Planning and appropriate State-required offices/repositories that are available at the time (as determined by the archaeologist).

**Compliance or  
Monitoring  
Action to be  
Performed:**

Prior to the issuance of construction permits, Applicant/Owner shall submit evidence (e.g., contract) to HCD – Planning for review and approval demonstrating that the Applicant/Owner has retained a Tribal Monitor and evidence that the Tribal Monitor has been made aware of the dates and times of earth disturbing activities on the lower portion of APN 181-151-009-000 (onsite waste water system trenching and leach field and new well waterline trenching). During these earth disturbance activities, the approved Tribal Monitor shall be onsite observing the work. Prior to final of construction permits, Applicant/Owner shall submit a letter from the Tribal Monitor verifying all work was done consistent with the contract to HCD-Planning. The Tribal Monitor shall prepare daily monitoring reports (e.g. daily log) that shall be available upon request by HCD – Planning. If no resources are encountered during the contracted period, no further reporting shall be required. In the case that resources are encountered, a final report, including the daily monitoring schedule, shall be submitted to HCD – Planning for review and approval within 60 days of completion of ground disturbing activities. If Tribal cultural resources are encountered, additional measures may be determined to be required to minimize impacts. They shall be formulated by the tribal monitor and a qualified archaeologist (to be hired from the qualified consultant list). Additional measures shall be reviewed and approved by HCD-Planning and implemented by the tribal monitor and a monitoring archaeologist. The requirements of this measure shall be included as a note on all grading and building plans.

## 28. PDSP001: ENSURE ACCESS TO PARCEL

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** Prior to issuance of any building and/or grading permits on the parcel, an appropriate legal mechanism to ensure access to the parcel shall be implemented and submitted for review and approval to the satisfaction of the Chief of Planning and the Office of County Counsel. This may be the legal transfer of approximately 0.5 acres of land from APN 181-151-008-000 as proposed in PLN240187 or recordation of an access easement over APN 181-151-008-000. If LLA or access easement are not granted, the Applicant/Owner shall amend the PLN220229 project to add a driveway within the lot. (HCD-Planning)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any building and/or grading permits on the parcel, an appropriate legal mechanism to ensure access to the parcel shall be implemented and submitted for review and approval to the satisfaction of the Chief of Planning and the Office of County Counsel. This may be the legal transfer of approximately 0.5 acres of land from APN 181-151-008-000 as proposed in PLN240187 or recordation of an access easement over APN 181-151-008-000.

OWNER	Norman Boccone & Victoria Igel 7150 Rainbow Drive #3 San Jose CA 95129 408-209-1918
ARCHITECT	Carol Riewe AIA 1416 Laurent Street Santa Cruz, CA 95060 831-426-0658
GEOTECHNICAL ENGINEER	Rock Solid Engineering Inc. 1100 Main Street Suite A Watsonville, CA 95076 831-724-5868
CIVIL ENGINEER	Roper Engineering 48 Mann Avenue Corralitos, CA 95076 831-724-5300
STRUCTURAL	John Buchanan 1515 Capitola Road Suite H Santa Cruz, CA 95062 831-476-3145
ARBORIST & FORESTER	James P Allen & Assoc. 119 Surfside Ave. Santa Cruz CA 95060 831-234-7739
BIOLOGIST	Biotic Resources Group 2552 S. Rodeo Gulch Rd Soquel, CA 95073 831-476-4803
	Bryan Mori Biological Consulting 1016 Brewington Ave. Watsonville, CA 95076 831-728-1043
ENERGY	Bright Green Strategies 1717 Seabright Ave. Suite 4 Santa Cruz, CA 95062 831-454-9996
SEPTIC	Fox Onsite Solutions 1409 Beringer Ct. San Jose CA 95125 831-531-7205
SITE ADDRESS	827 Elkhorn Road Royal Oaks CA
APN	181-151-009
ZONING	RDR40/CZ - RDR10/CZ
OCCUPANCY	R-3 & U
CONSTRUCTION	Type VB
SRA	Moderate/High
LOT AREA	+/-18.14031227 Acres (+/- 791,495 SF) Prior to LLA +/- 13.53 Acres (589,374 SF) after LLA
WELL	ELKHORN WS #9
PROJECT DESCRIPTION	Construct new single family residence to include 3 bdrm/3bath plus office and deck with attached carport. Detached guest house/workshop/garage. Development will be off grid using roof top solar panels with ESS and b/u generator. Site plans reflect proposed LLA under application PLN 240187.

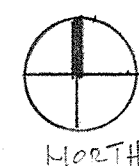
All work and materials shall be in full accordance with the 2022 edition of the following codes: California Bldg. Code, California Residential Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Fire Code, California Energy Code, California Green Building Standards Code.

**ZONE 1 EXTENDING 30 FEET FROM ALL STRUCTURES**

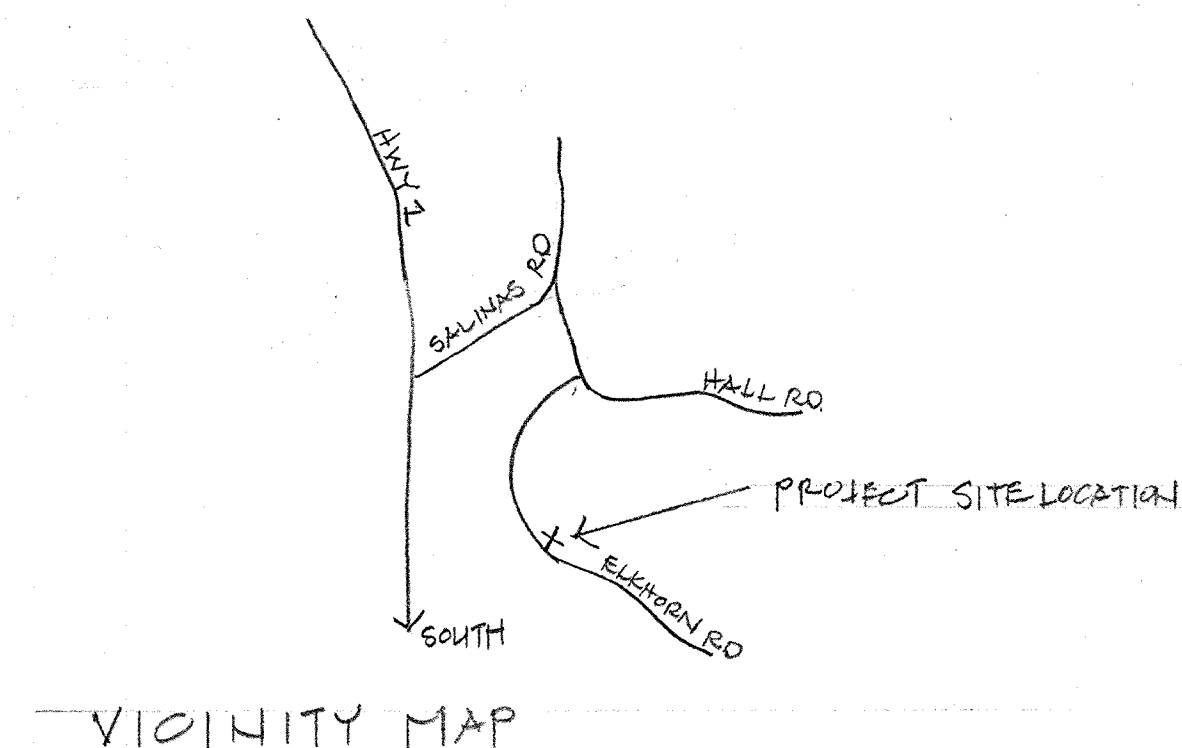
1. Remove all dead plants, grass and weeds
2. Remove dead or dry leaves and pine needles from yard, roof and rain gutters.
3. Remove branches that hang over roof and keep branches 10 away from chimney.
4. Trim dead portions of tree limbs within 10 feet from the ground.
5. Remove or prune flammable plants and shrubs near windows.
6. Create a separation between trees, shrubs and items that could catch fire such as patio furniture, wood piles etc.
7. Trim trees regularly to keep branches a minimum of 10 feet from other trees. *Review by project manager*
8. Trim all limbs within 6 feet of the ground. To be determined and finalized during planning review process in sensitive habitat areas. See note #3 under zone 2.
9. Remove all cut material or chip and spread on site.
10. Provide and maintain at all times a screen over the outlet of every chimney or stovepipe that is attached to a fireplace.
11. Post house numbers per Fire Departments requirements.

1. Manage vegetation in defensible spaces in a manner that is sensitive to the biological resources and compatible with CalFire guidelines. To reduce the fire ladder to the tree canopy, maintain a low (12-18 inches tall) understory of native vegetation. Trim tree limbs within 6 feet of ground. Remove tree limbs up to 15 feet where necessary to create vertical space between bushes and trees per note #3. Leave some logs scattered on bare soil to provide cover for wildlife. All trimming and tree pruning shall be performed under the guidance of the project Arborist.
2. Remove fallen dead trees, see #1.
3. Create vertical space between grass, shrubs and trees by thinning undergrowth adjacent to trees and or pruning trees. On moderate slopes 20-40%, horizontal spacing between bushes should be 4x the height of the bush. All undergrowth thinning, tree pruning and woodland thinning must be performed under the guidance of the project Arborist in the field. Environmentally sensitive areas must be alternative fire protection measures, to be determined by the reviewing agency and the director of planning and building inspection.
4. Remove fallen leaves, twigs, bark cones and small branches. Care must be taken not to disturb any SF dusted footed woodhous as located by project biologist.
5. Any Pajaro manzanita occurring within the fire protection zone is to be protected at all times per biotic report and mitigation measure note #1 on this sheet. Pajaro manzanita and maritime chaparral are never to be pruned, thinned or removed.
6. Project shall be inspected for clearances by the fire department.

- A1 OVERALLSITE PLAN , PROJECT DATA
- A2 PROJECT SITE PLAN, LIGHTING & PLANTING
- C1 SITE PLAN
- C2 DRIVEWAY PLAN
- C3 GRADING PLAN
- C4 EROSION CONTROL PLAN
- FR1 FOREST RESOURCE ANALYSIS, CONST. IMPACT ASSESSMENT
- FR2 FOREST RESOURCE ANALYSIS, TREE PROTECTION PLAN
- A3 MAIN FLOOR PLAN
- A4 LOWER FLOOR PLAN
- A5 ELEVATIONS
- A6 ELEVATIONS
- A7 GUEST HOUSE - WORKSHOP PLAN & ELEVATIONS



112100



**Carol Riewe**  
Architect AIA

voice/facsimile  
831.426.0658  
1416 laurent street  
santa cruz, ca. 95060

SITE PLAN, PROJECT DATA, FIRE  
MITIGATION & HABITAT MITIGATION

**BOCCONE & IGEL**  
NEW RESIDENCE AND WORKSHOP  
827 ELKHORN ROAD ROYAL OAKS CA  
APN 181-151-009

Date 10/25/24

Scale 1"=100

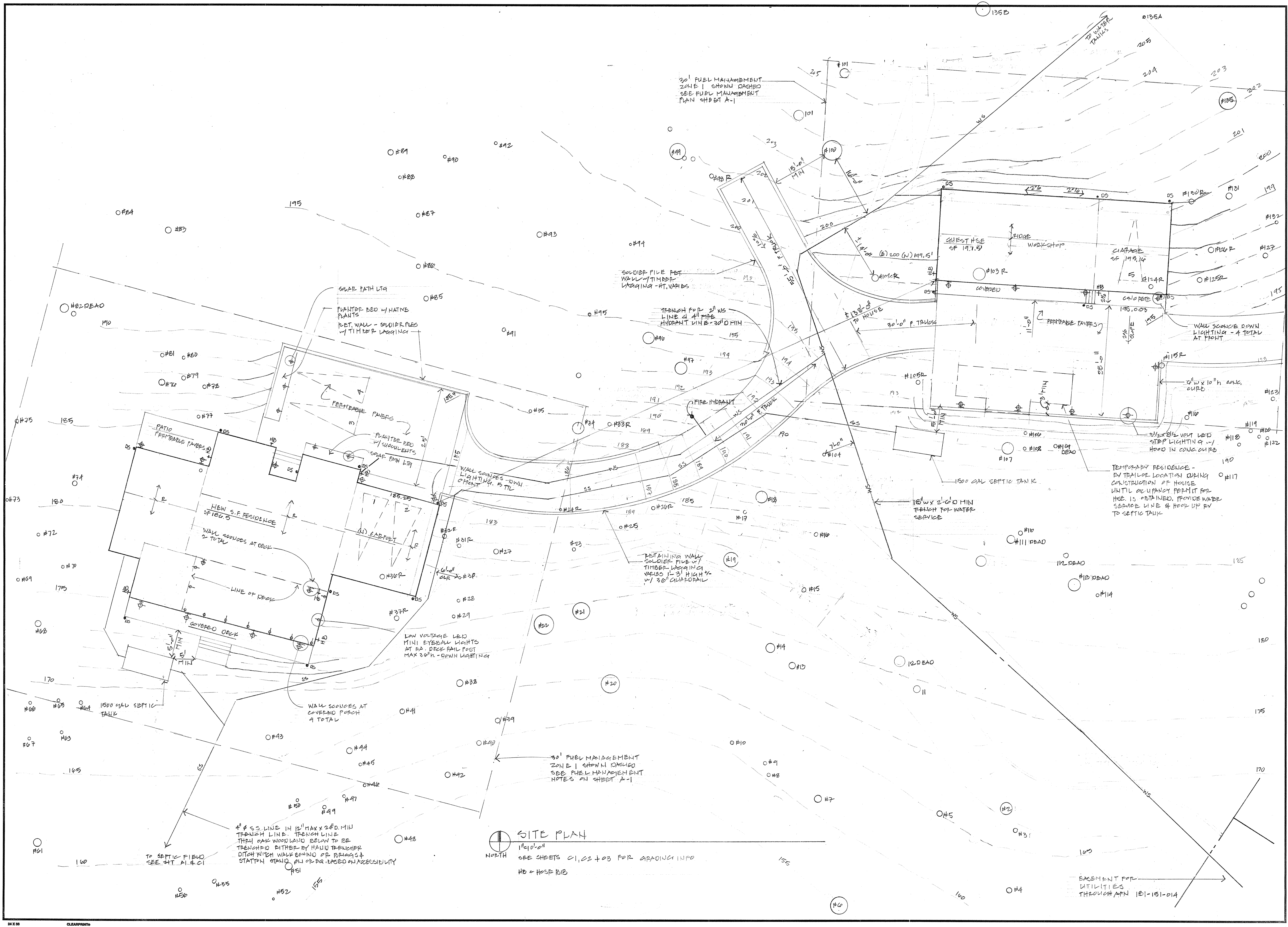
Drawn CAR

Job


Sheet

Of **A** Sheets





REVISIONS	BY



Carol Riewe  
Architect AIA

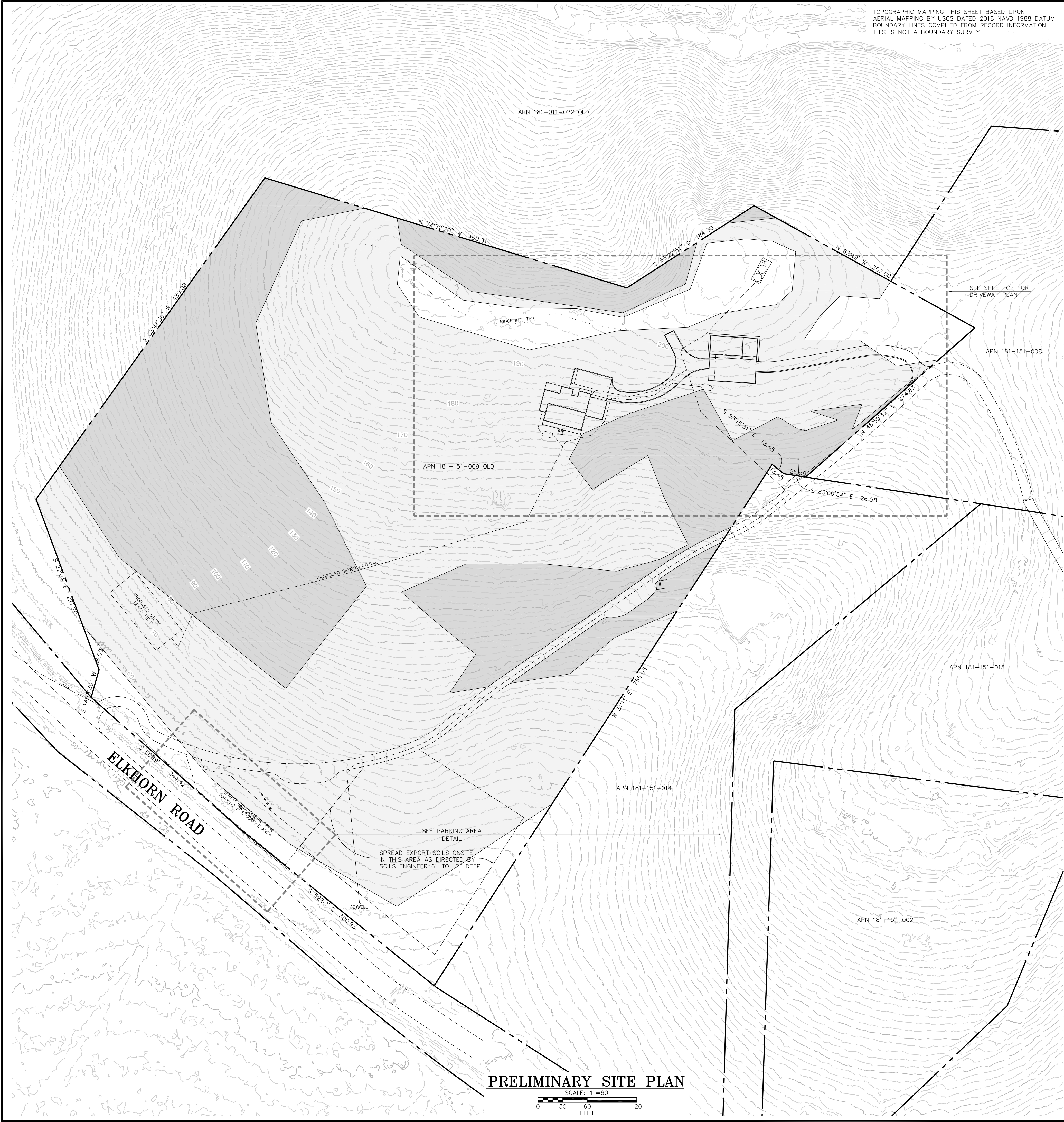
voice/facsimile  
831.426.0658  
1416 laurent street  
santa cruz, ca. 95060

PROJECT SITE PLAN AND  
EXTERIOR LIGHTING PLAN

**BOCCONE & IGEL**  
NEW RESIDENCE AND WORKSHOP  
827 ELKHORN ROAD ROYAL OAKS CA  
APN 181-151-009

Date 10/25/24  
Scale 1" = 10'  
Drawn CAR  
Job  
Sheet **A2**  
Of Sheets



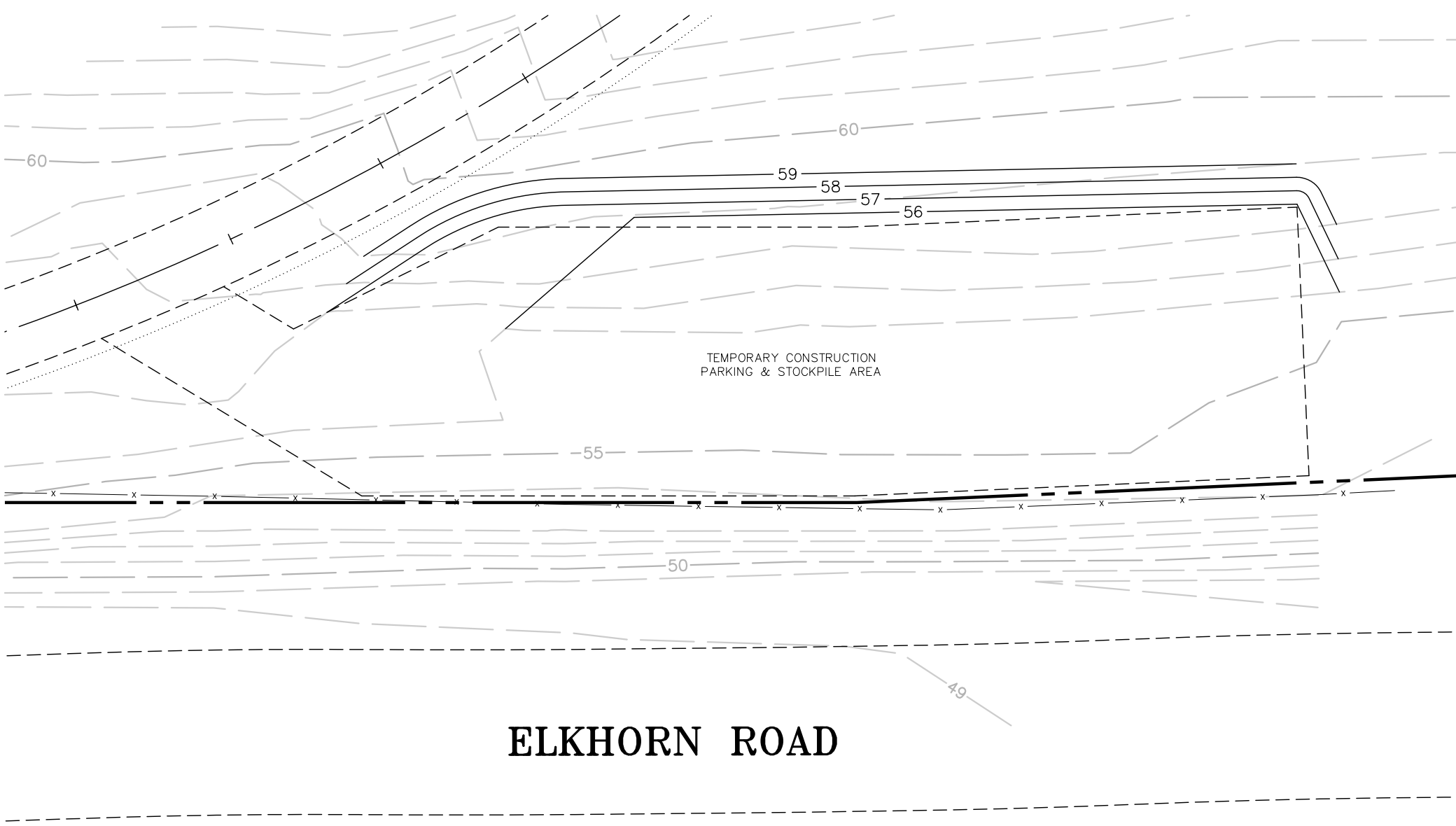


GRADING NOTES

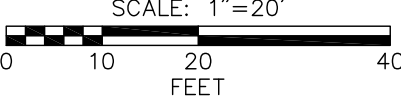
1. UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE. VERIFICATION IS THE RESPONSIBILITY OF THE CONTRACTOR. PRIOR TO EXCAVATION, CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES. CALL 811 TO HAVE UTILITIES LOCATED AND MARKED.
2. VEGETATION, ROOTS AND DELETERIOUS MATERIALS SHALL BE REMOVED FROM AREA TO BE GRADED PRIOR TO GRADING.
3. CUT SLOPES SHALL BE NO STEEPER THAN 2 HORIZONTAL TO 1 VERTICAL IN NATIVE MATERIAL AS DETERMINED BY THE ENGINEER.
4. FILL SLOPES SHALL BE NO STEEPER THAN 2 HORIZONTAL TO 1 VERTICAL.
5. FILL SHALL BE COMPACTED TO 90% RELATIVE COMPACTION UNLESS OTHERWISE NOTED. SEE GEOTECHNICAL INVESTIGATION FOR FURTHER SPECIFICATIONS.
6. AFTER GRADING, SPREAD TOPSOIL FROM STRIPPINGS ON SLOPES AND LANDSCAPED AREAS 3" TO 6" DEEP.
7. BETWEEN OCTOBER 15 AND APRIL 15, EXPOSED SOIL SHALL BE PROTECTED FROM EROSION AT ALL TIMES. DURING CONSTRUCTION SUCH PROTECTION MAY CONSIST OF MULCHING AND/OR PLANTING OF NATIVE VEGETATION OF ADEQUATE DENSITY. BEFORE COMPLETION OF THE PROJECT, ANY EXPOSED SOIL ON DISTURBED SLOPES SHALL BE PERMANENTLY PROTECTED FROM EROSION.
8. CUT AND FILL SLOPES SHALL BE PLANTED WITH ANNUAL RYE GRASS (40 LBS/ACRE) AND MULCHED WITH COMPOST.
9. CONCRETE IN DRIVEWAYS SHALL HAVE A COMPRESSIVE STRENGTH OF 2500 PSI @ 28 DAYS.
10. THE UPPER 6 INCHES OF SUBGRADE IN DRIVEWAY AREAS SHALL BE COMPACTED TO 95% RELATIVE COMPACTION. SEE GEOTECHNICAL INVESTIGATION FOR FURTHER SPECIFICATIONS.
11. AGGREGATE BASE SHALL BE CLASS 2 IN CONFORMANCE WITH SECTION 26 OF THE STATE OF CALIFORNIA STANDARD SPECIFICATIONS.
12. ASPHALT CONCRETE SHALL BE TYPE B AND SHALL CONFORM TO THE PROVISIONS IN SECTION 39 OF CALTRANS STANDARD SPECIFICATIONS. THE AGGREGATE SHALL CONFORM TO THE GRADING SPECIFIED IN SECTION 39-2.02 OF CALTRANS STANDARD SPECIFICATIONS FOR THE 1/2" MAXIMUM MEDIUM GRADATION.
13. CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, AND THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.

LEGEND

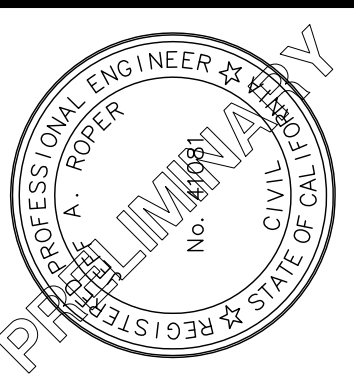
	AREAS LESS THAN 10% SLOPE	1.48 ± ACRES
	AREAS BETWEEN 10% & 25% SLOPE	4.26 ± ACRES
	AREAS OVER 25% SLOPE (CRITICAL EROSION AREA)	7.79 ± ACRES
		TOTAL: 13.53 ± ACRES
	EXISTING CONTOUR	
	FINISH CONTOUR	
	EXISTING GRADE	
	FINISH GRADE	
	FLOWLINE	
	FENCE	
	PROPERTY LINE	



PARKING AREA DETAIL

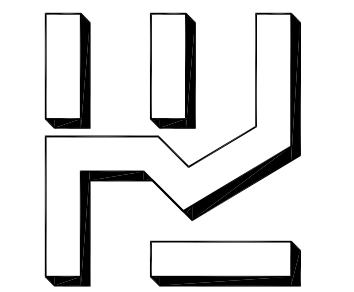


TOPOGRAPHIC MAPPING BASED UPON A FIELD SURVEY BY BRIDGETTE LAND SURVEYING., DATED 10-17-22. JOB NO. 22-30, NAVD 1988 DATUM BOUNDARY LINES COMPILED FROM RECORD INFORMATION THIS IS NOT A BOUNDARY SURVEY



UNLESS SIGNED BY THE ENGINEER, THIS PLAN IS FOR REFERENCE ONLY. THE SIGNED PLAN IS THE ONLY PLAN TO BE USED FOR CONSTRUCTION.

**ROPER ENGINEERING**  
CIVIL ENGINEERING & LAND SURVEYING  
48 MANN AVENUE CORRALITOS, CA 95076  
(831) 724-5300 [jeff@roperengineering.com](mailto:jeff@roperengineering.com)



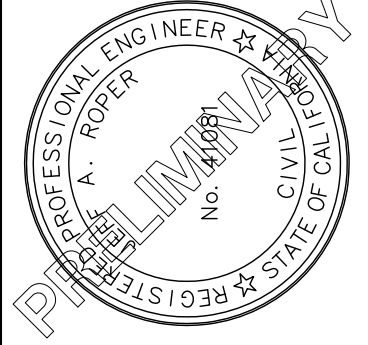
NEW RESIDENCE FOR  
**NORMAN BOCCONE & VICTORIA IGEL**  
ELKHORN ROAD ROYAL OAKS APN 181-151-009  
**PRELIMINARY SITE PLAN**

SCALE:	AS NOTED
DESIGNED BY:	JR
DRAWN BY:	JR
DATE:	OCT. 25, 2024
REVISED:	
JOB NO.:	22025
SHEET	

**C1**

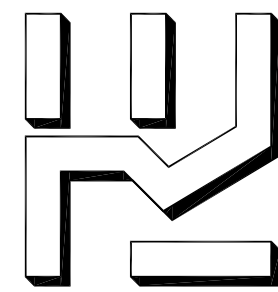


TOPOGRAPHIC MAPPING BASED UPON A FIELD SURVEY BY BRIDGETTE LAND SURVEYING, DATED 10-17-22 & 2-24-23. JOB NO. 22-30, NAVD 1988 DATUM. BOUNDARY LINES COMPILED FROM RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY.



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48 MAIN AVENUE CORRALITOS, CA 95076  
(831) 724-5300 jeff@roperengineering.com

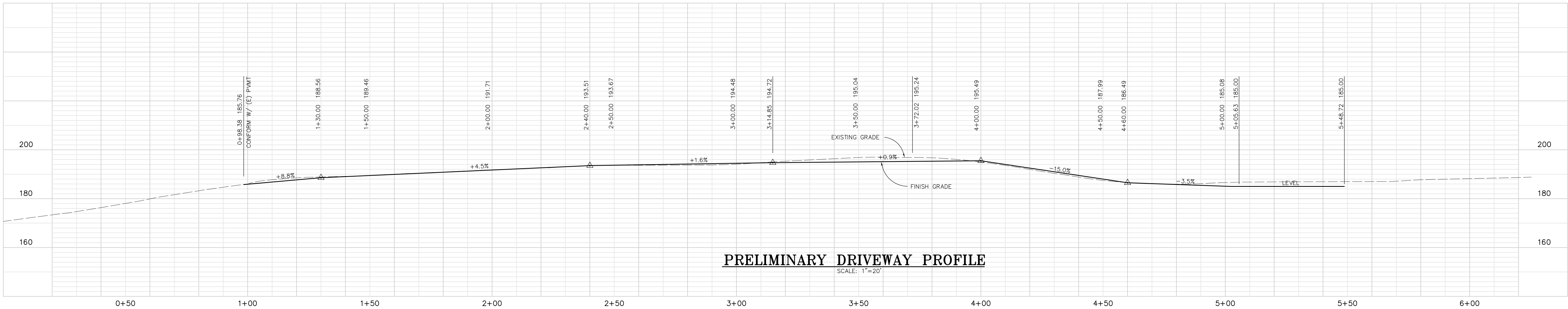
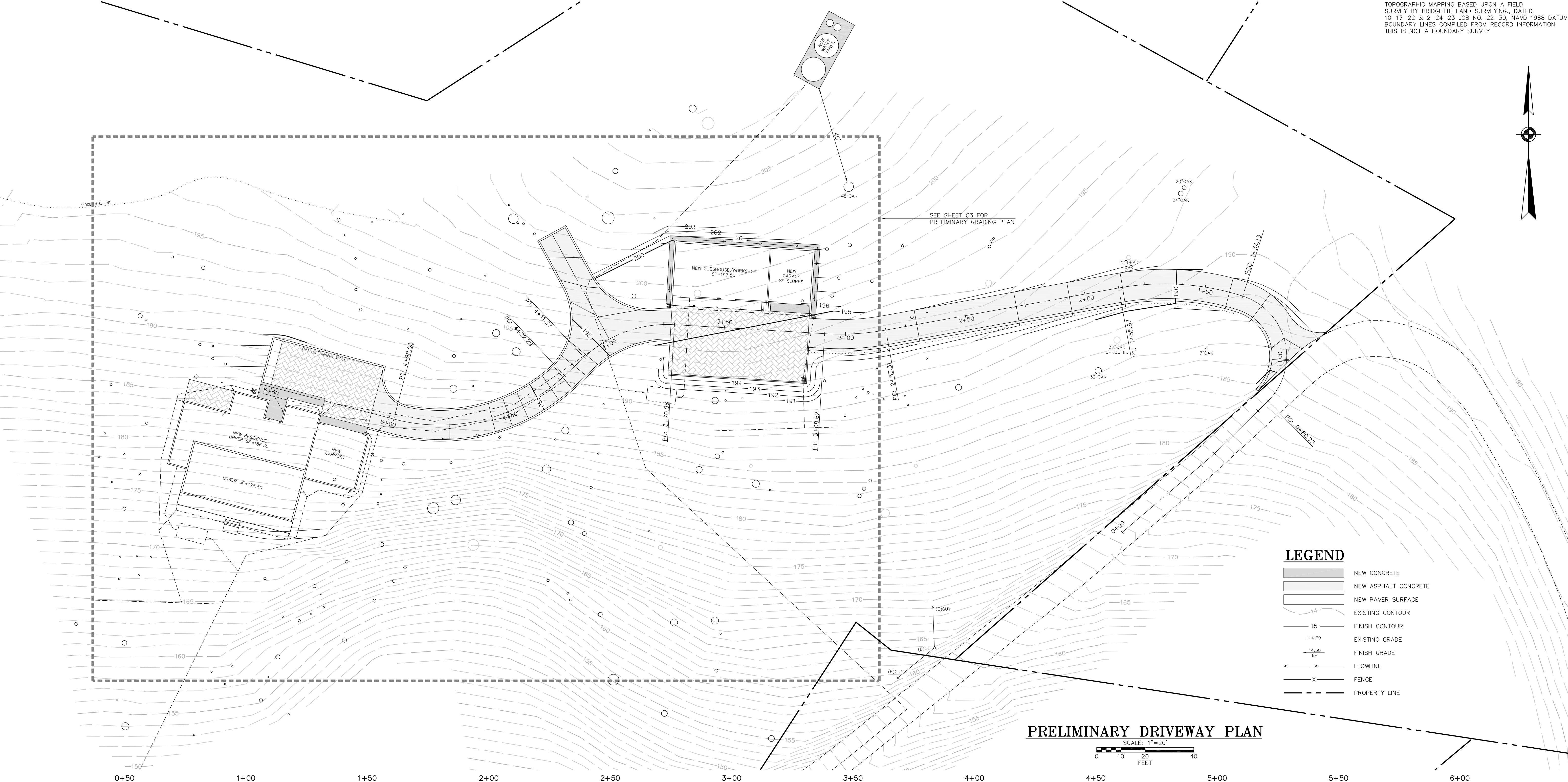


**NEW RESIDENCE FOR**  
**NORMAN BOCCONE & VICTORIA IGEL**  
ELKHORN ROAD ROYAL OAKS APN 181-151-009  
**PRELIMINARY DRIVEWAY PLAN**

SCALE: AS NOTED  
DESIGNED BY: JR  
DRAWN BY: JR  
DATE: OCT. 25, 2024  
REVISED:  
JOB NO.: 22025  
SHEET

**C2**

OF 4 SHEETS

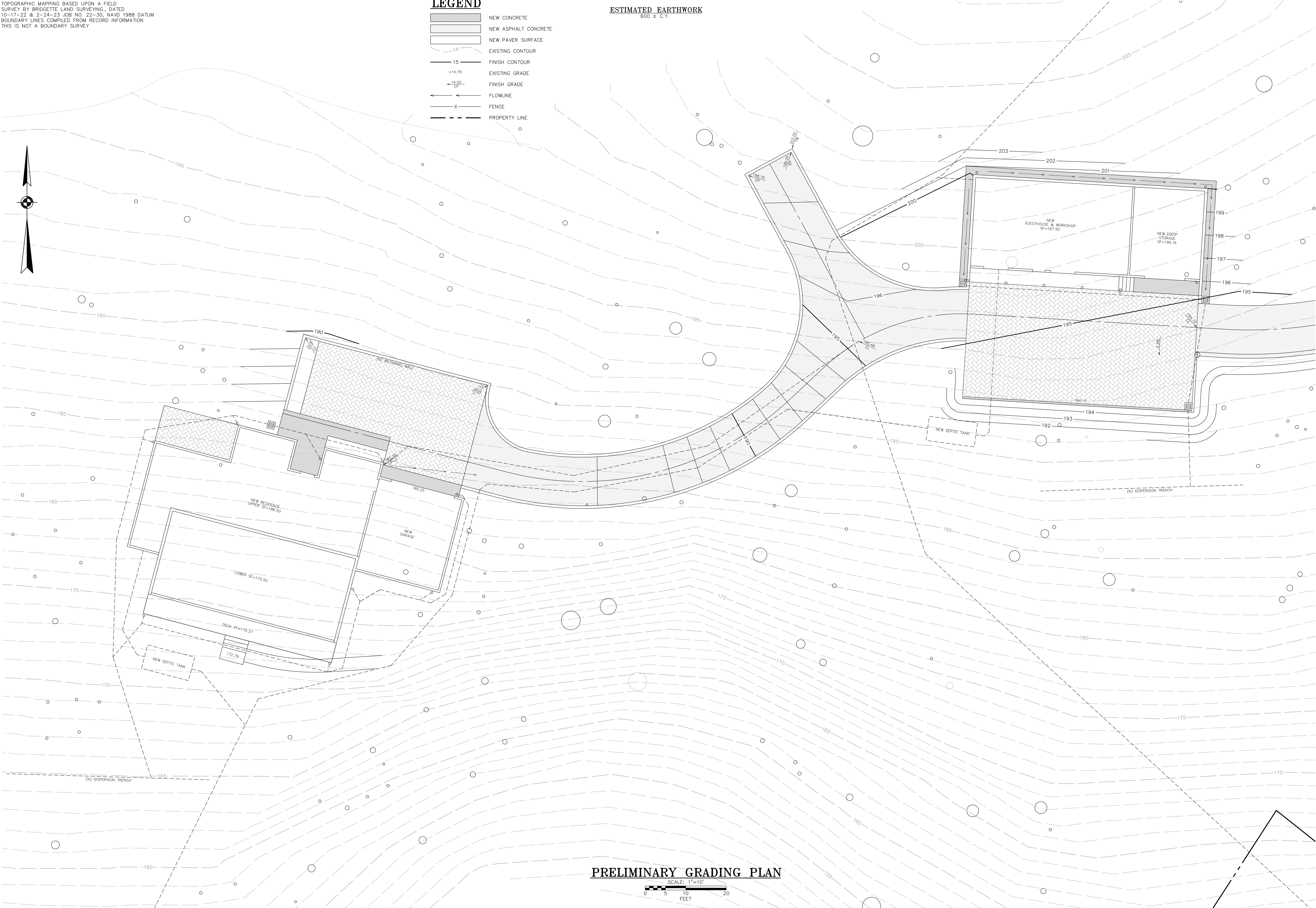


TOPOGRAPHIC MAPPING BASED UPON A FIELD SURVEY BY BRIDGETTE LAND SURVEYING., DATED 10-17-22 & 2-24-23 JOB NO. 22-30, NAVD 1988 DATUM  
BOUNDARY LINES COMPILED FROM RECORD INFORMATION  
THIS IS NOT A BOUNDARY SURVEY

LEGEND

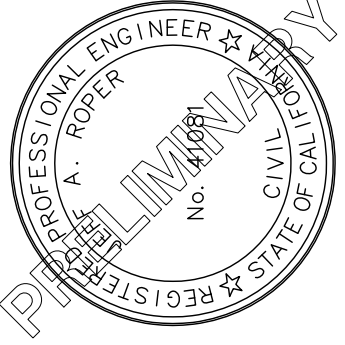
- NEW CONCRETE
- NEW ASPHALT CONCRETE
- NEW PAVER SURFACE
- EXISTING CONTOUR
- FINISH CONTOUR
- EXISTING GRADE
- FINISH GRADE
- FLOWLINE
- FENCE
- PROPERTY LINE

ESTIMATED EARTHWORK  
600 ± C.Y.



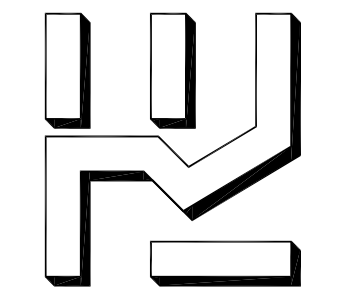
PRELIMINARY GRADING PLAN

SCALE: 1"=10'  
0 5 10 20  
FEET



UNLESS SIGNED BY THE ENGINEER, THIS PLAN IS FOR REFERENCE ONLY. THE SIGNED PLAN IS THE ONLY PLAN TO BE USED FOR CONSTRUCTION.

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(831) 724-5300 jef@roperengineering.com



NEW RESIDENCE FOR  
**NORMAN BOCCONE & VICTORIA IGEL**  
ELKHORN ROAD ROYAL OAKS APN 181-151-009  
**PRELIMINARY GRADING PLAN**

SCALE:	AS NOTED
DESIGNED BY:	JR
DRAWN BY:	JR
DATE:	OCT. 25, 2024
REVISED:	
JOB NO.:	22025
SHEET	

**C3**

OF 4 SHEETS

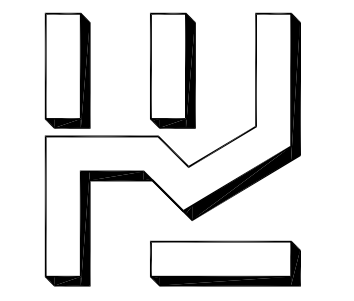


TOPOGRAPHIC MAPPING BASED UPON A FIELD SURVEY BY BRIDGETTE LAND SURVEYING, DATED 10-17-22 & 2-24-23, JOB NO. 22-30, NAVD 1988 DATUM. BOUNDARY LINES COMPILED FROM RECORD INFORMATION. THIS IS NOT A BOUNDARY SURVEY.



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48 MANN AVENUE CORRALITOS, CA 95076  
(831) 724-5300 jef@roperengineering.com

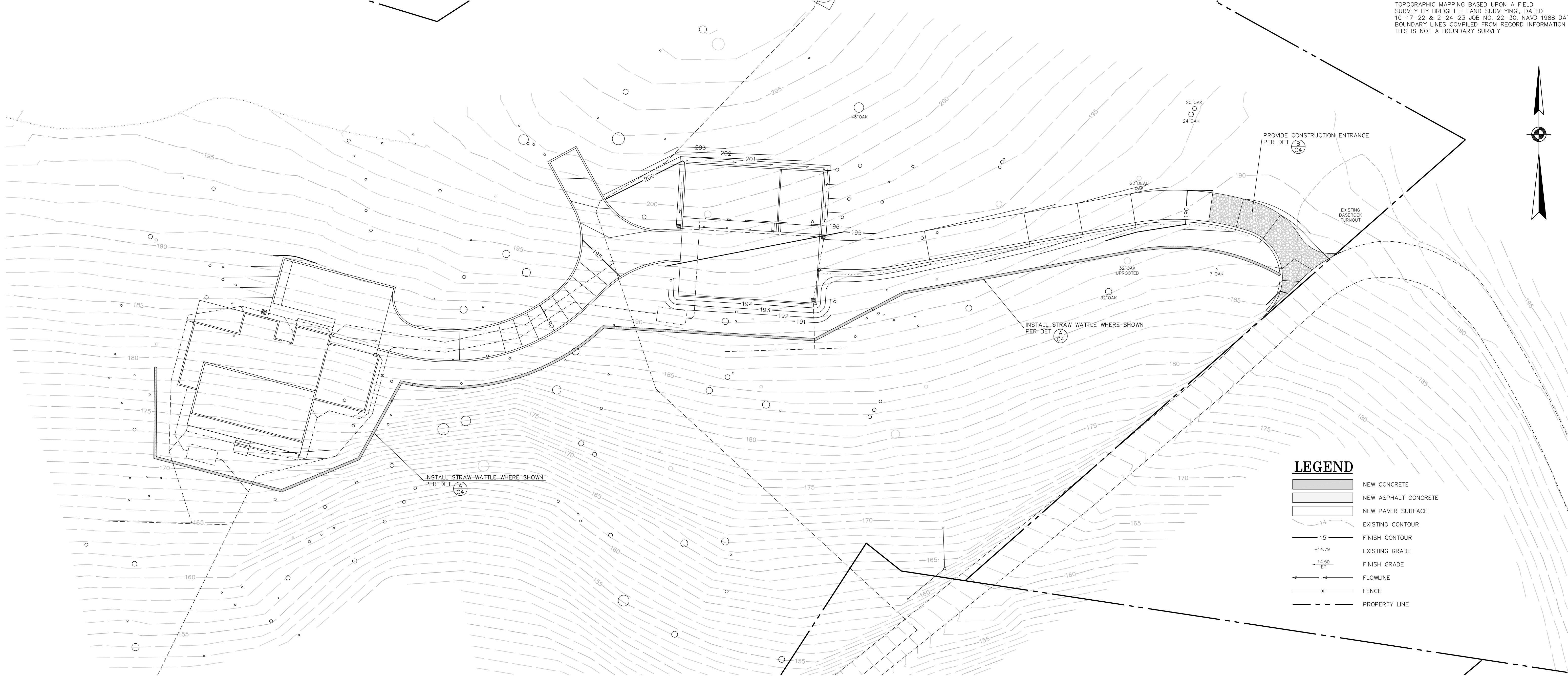


**NEW RESIDENCE FOR**  
**NORMAN BOCCONE & VICTORIA IGEL**  
ELKHORN ROAD ROYAL OAKS APN 181-151-009  
**EROSION CONTROL PLAN**

SCALE: AS NOTED  
DESIGNED BY: JR  
DRAWN BY: JR  
DATE: OCT. 25, 2024  
REVISED:  
JOB NO.: 22025  
SHEET

**C4**

OF 4 SHEETS

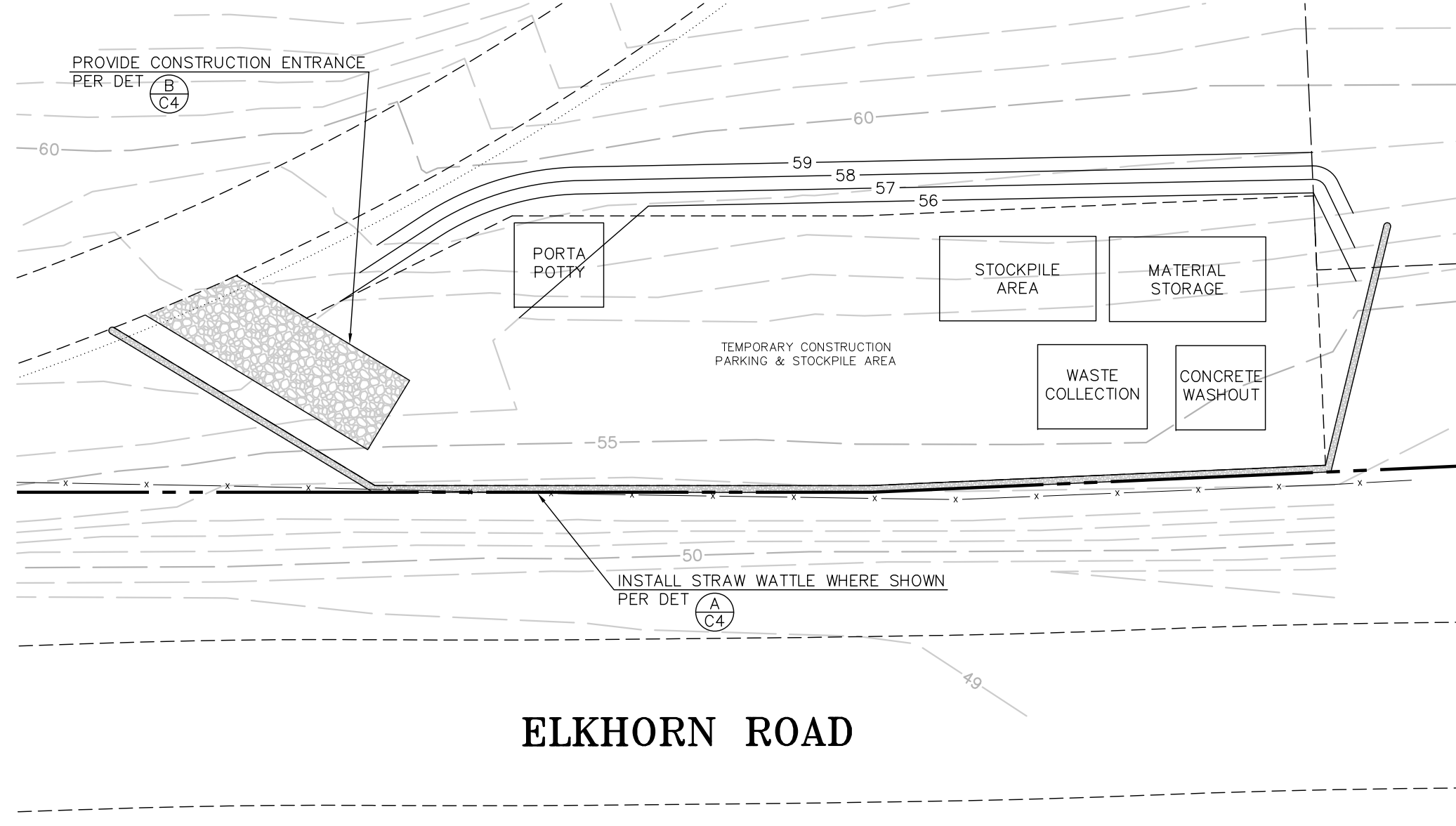


**EROSION CONTROL PLAN**



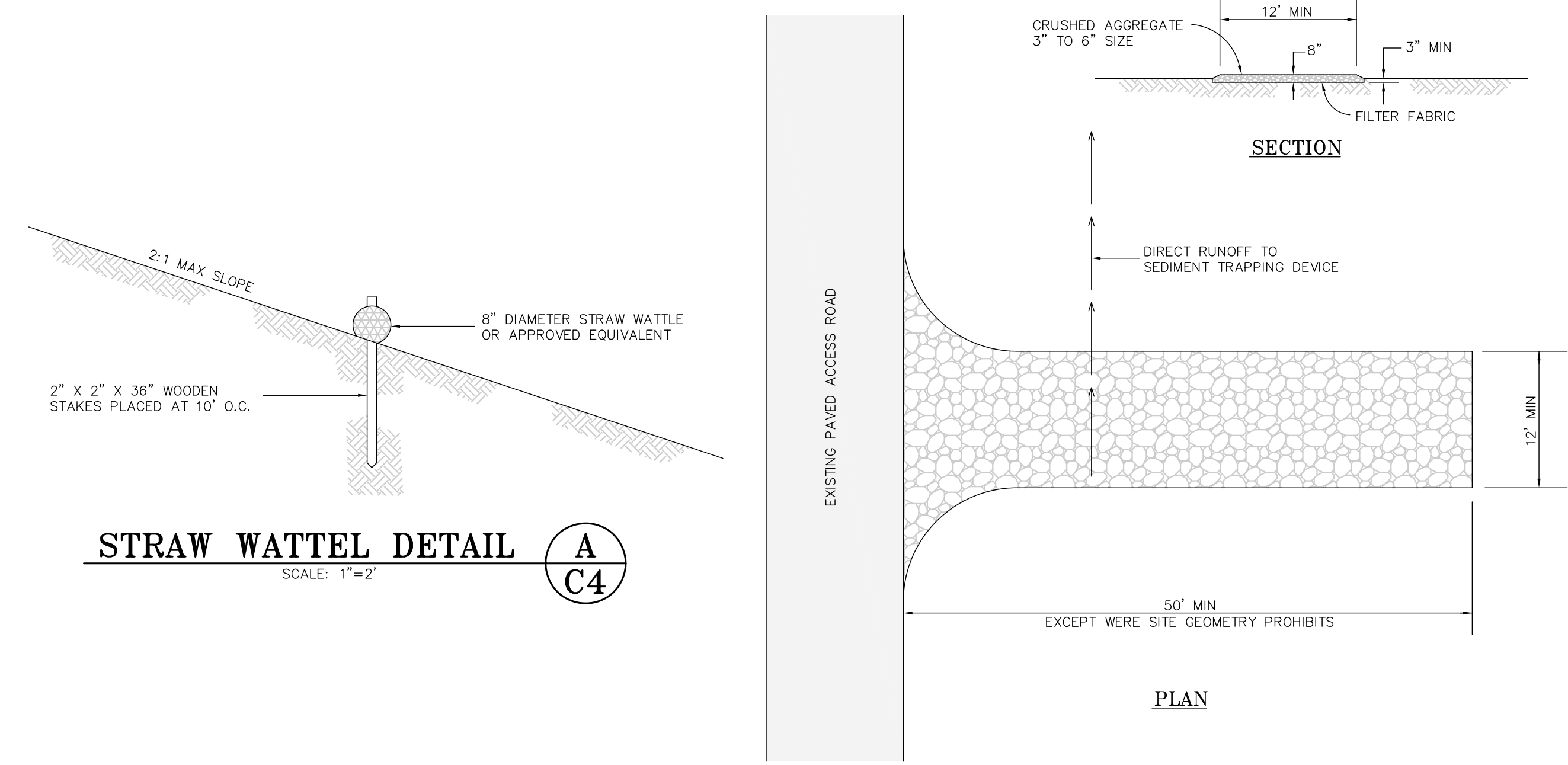
**MONTEREY COUNTY EROSION CONTROL NOTES**

- ALL OR PART OF THE CONSTRUCTION OF THIS PROJECT IS EXPECTED TO OCCUR DURING THE WINTER SEASON (OCTOBER 15TH THROUGH APRIL 15TH.) **[YES]** NO
- IT SHALL BE THE RESPONSIBILITY OF THE OWNER AND THE PERMITEE TO ENSURE THAT EROSION DOES NOT OCCUR FROM AN ACTIVITY DURING OR AFTER PROJECT CONSTRUCTION. ADDITIONAL MEASURES, BEYOND THOSE SPECIFIED, MAY BE REQUIRED AS DEEMED NECESSARY TO CONTROL ACCELERATED EROSION. (MCC 16.12.100)
- THE DIRECTOR OF BUILDING INSPECTION (BUILDING OFFICIAL) SHALL STOP OPERATIONS DURING PERIODS OF INCLEMENT WEATHER IF HE OR SHE DETERMINES THAT EROSION PROBLEMS ARE NOT BEING CONTROLLED ADEQUATELY.
- PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE, THE OWNER/APPLICANT SHALL SCHEDULE AN INSPECTION WITH RMA-ENVIRONMENTAL SERVICES TO ENSURE ALL NECESSARY SEDIMENT CONTROLS ARE IN PLACE AND THE PROJECT IS COMPLIANT WITH MONTEREY COUNTY GRADING AND EROSION CONTROL REGULATIONS.
- DURING CONSTRUCTION THE OWNER/APPLICANT SHALL SCHEDULE AN INSPECTION WITH RMA-ENVIRONMENTAL SERVICES TO UPDATE COMPACTION TEST RECORDS, INSPECT DRAINAGE DEVICE INSTALLATION, REVIEW THE MAINTENANCE AND EFFECTIVENESS OF BMPs INSTALLED, AS WELL AS, TO VERIFY THAT POLLUTANTS OF CONCERN ARE NOT DISCHARGED FROM THE SITE.
- PRIOR TO FINAL INSPECTION, THE OWNER/APPLICANT SHALL SCHEDULE AN INSPECTION WITH RMA-ENVIRONMENTAL SERVICES TO CONDUCT A FINAL GRADING INSPECTION, COLLECT FINAL GEOTECHNICAL LETTER OF CONFORMANCE, ENSURE THAT ALL DISTURBED AREAS HAVE BEEN STABILIZED AND THAT ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES THAT ARE NO LONGER NEEDED HAVE BEEN REMOVED.
- REVEGETATION OF TEMPORARILY DISTURBED MIXED GRASSLAND, AS COMPENSATION FOR PROJECT IMPACTS TO MIXED GRASSLAND, THE TEMPORARILY DISTURBED AREAS SHALL BE REVEGETATED WITH A NATIVE GRASS AND FORB SEED MIX. SUITABLE GRASS SPECIES INCLUDE CALIFORNIA BROME (BROMUS CARINATUS), PURPLE NEEDLEGRASS (STIPA PULCHRA), CALIFORNIA OATGRASS (DANTHONIA CALIFORNICA) AND BLUE WILD RYE (ELYMUS GLAUCUS). FORBS SHALL ALSO BE ADDED TO THE SEED MIXTURE, SUCH AS COMMON YARROW (ACHILLEA MILLEFOLIUM), CALIFORNIA POPPY (ESCHSCHOLZIA CALIFORNICA), AND SKY LUPINE (LUPINUS NANUS).
- REVEGETATION OF SOIL STOCKPILE AREA: THE SOIL PLACEMENT AREA SHALL RECEIVE EROSION CONTROL TREATMENT AFTER PLACEMENT AND BE REVEGETATED TO GRASSLAND. A NATIVE GRASS AND FORB SEED MIX SHALL BE APPLIED PRIOR TO OCTOBER 15TH. SUITABLE GRASS SPECIES INCLUDE CALIFORNIA BROME (BROMUS CARINATUS), PURPLE NEEDLEGRASS (STIPA PULCHRA), CALIFORNIA OATGRASS (DANTHONIA CALIFORNICA) AND BLUE WILD RYE (ELYMUS GLAUCUS). FORBS SHALL ALSO BE ADDED TO THE SEED MIXTURE, SUCH AS COMMON YARROW (ACHILLEA MILLEFOLIUM), CALIFORNIA POPPY (ESCHSCHOLZIA CALIFORNICA), AND SKY LUPINE (LUPINUS NANUS).



**ELKHORN ROAD**

**EROSION CONTROL PLAN**



**STABILIZED CONSTRUCTION ENTRANCE**

SCALE: 1"=10'

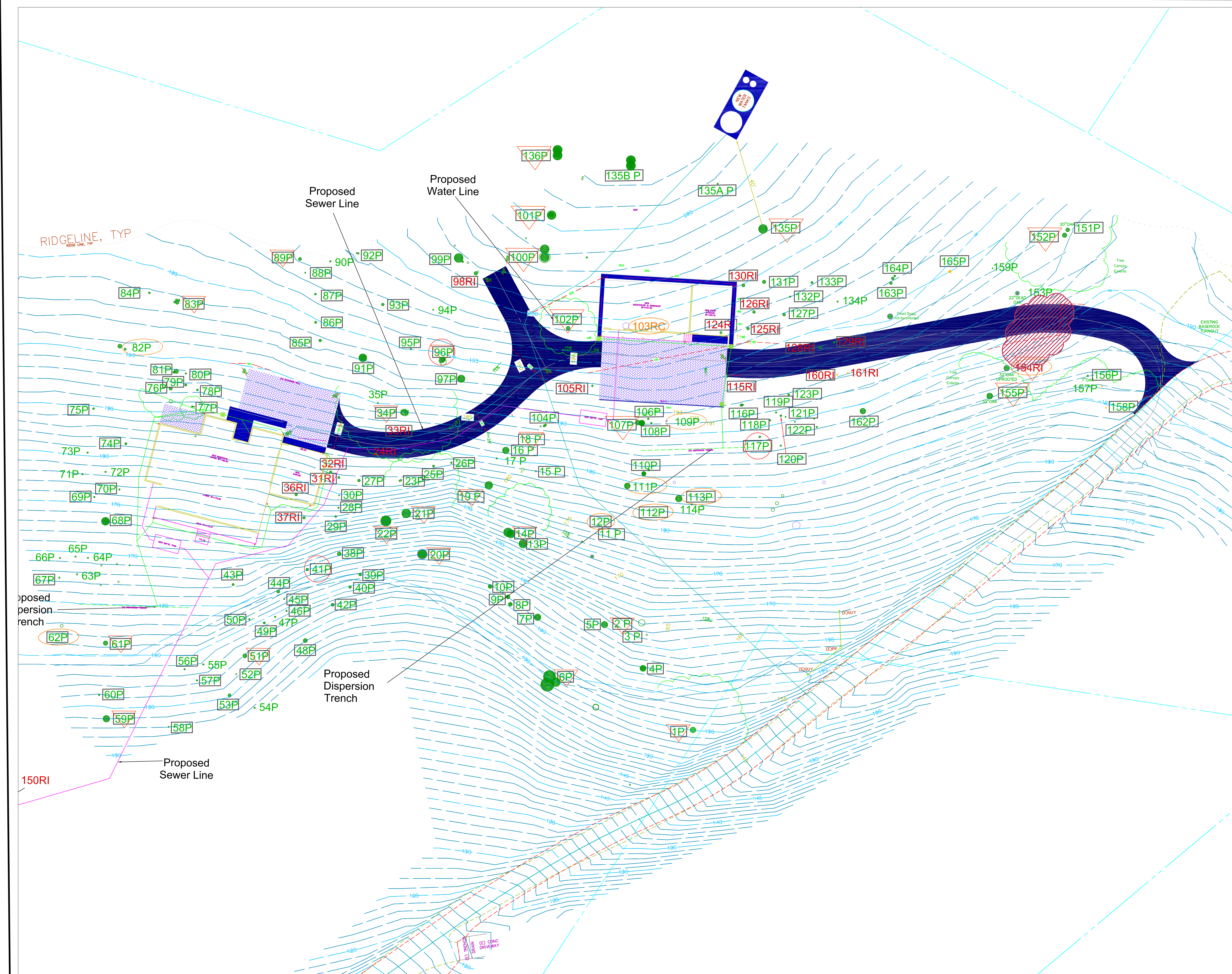
**B C4**

**STRAW WATTLE DETAIL**









SCALE: 1"=2'

**A C4**





### Map Key / Legend

-  Surveyed Tree Trunk Location
-  Field Located Tree Trunk, Approximate
- 1** Assigned Tree Number
-  Tree Meets "Protected" Criteria
-  Tree Meets "Landmark" Criteria
- 1 P** Preserve and Protect
- 2 RI** Remove due to Construction Impacts
- 103RC** Remove due to Condition
-  Indicates Dead/Fallen Tree
-  Canopy Extents
-  Canopy Extents, Fallen Tree #154
-  Monitor Stability
  - Trees #41, 96 & 117

**Boccone/Igel Residence  
Construction Project**

**Forest Resource Analysis/  
Construction Impact Assessment  
Tree Protection Plan**

### Development Area at 20 Scale

**Boccone/Igel Residence  
Construction Project**  
827 Elkhorn Road, Royal Oaks CA  
APN 181-151-009

### Tree Location Map

James P. Allen  
& Associates






119 Surfside Avenue, Santa Cruz CA 95060  
**office** 831.426.6603  
**email** [inallen@consultingarborists.com](mailto:inallen@consultingarborists.com)



Date: 8/14/23  
Revision: 7/15/24  
Revision: 11/1/24




Map Key / Legend

-  **Surveyed Tree Trunk Location**
-  **Assigned Tree Number Preserve and Protect**
-  **Tree Meets "Protected" Criteria**
-  **Tree Meets "Landmark" Criteria**
-  **Monitor Stability**
  - Trees #41, 96 & 117

 **Indicates Dead/Fallen Tree**

 **Special Treatment Areas (STA)**  
**NOTE: Sewer, Water & Dispersion Line Trenches are defined as STA**

-  **Tree Preservation Structures**, shall be constructed of the following materials as field specified by the Project Arborist.
- Chain link, 72 inches in height secured to metal stakes driven at least 18 inches into the soil.
  - Temporary orange snow fencing attached to "T" posts driven into the ground
  - Silt fencing
  - Wattle
  - Rice straw bales

 **Clearance Pruning Required**

- Trees #1, 14, 21, 34, 76, 77 & 102

 **Canopy Extents**

**Boccone/Igel Residence Construction Project**

**Forest Resource Analysis/ Tree Protection Plan**

**Development Area at 20 Scale**

**Boccone/Igel Residence Construction Project**  
827 Elkhorn Road, Royal Oaks CA  
APN 181-151-009

**Tree Location Map**

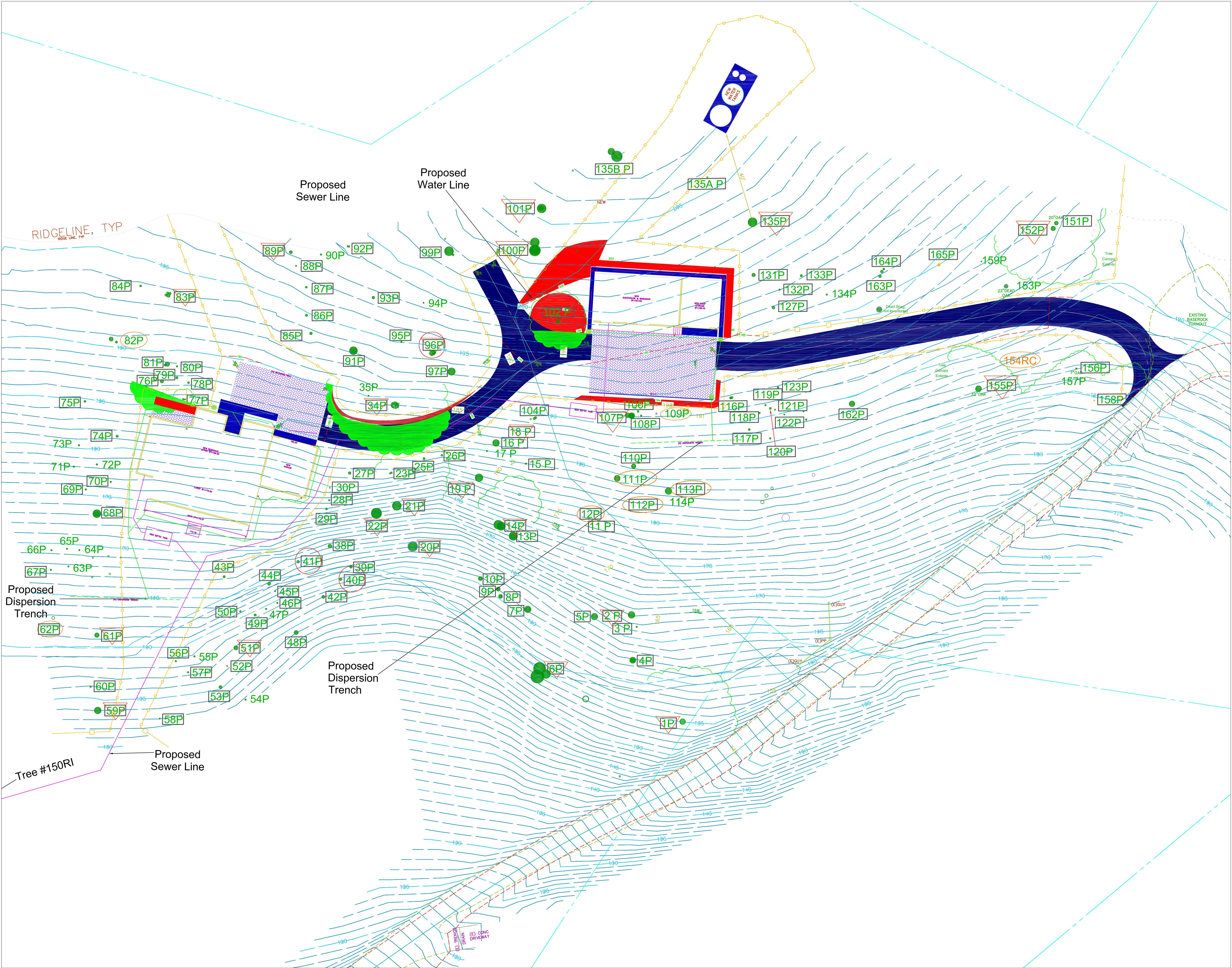


**James P. Allen & Associates**

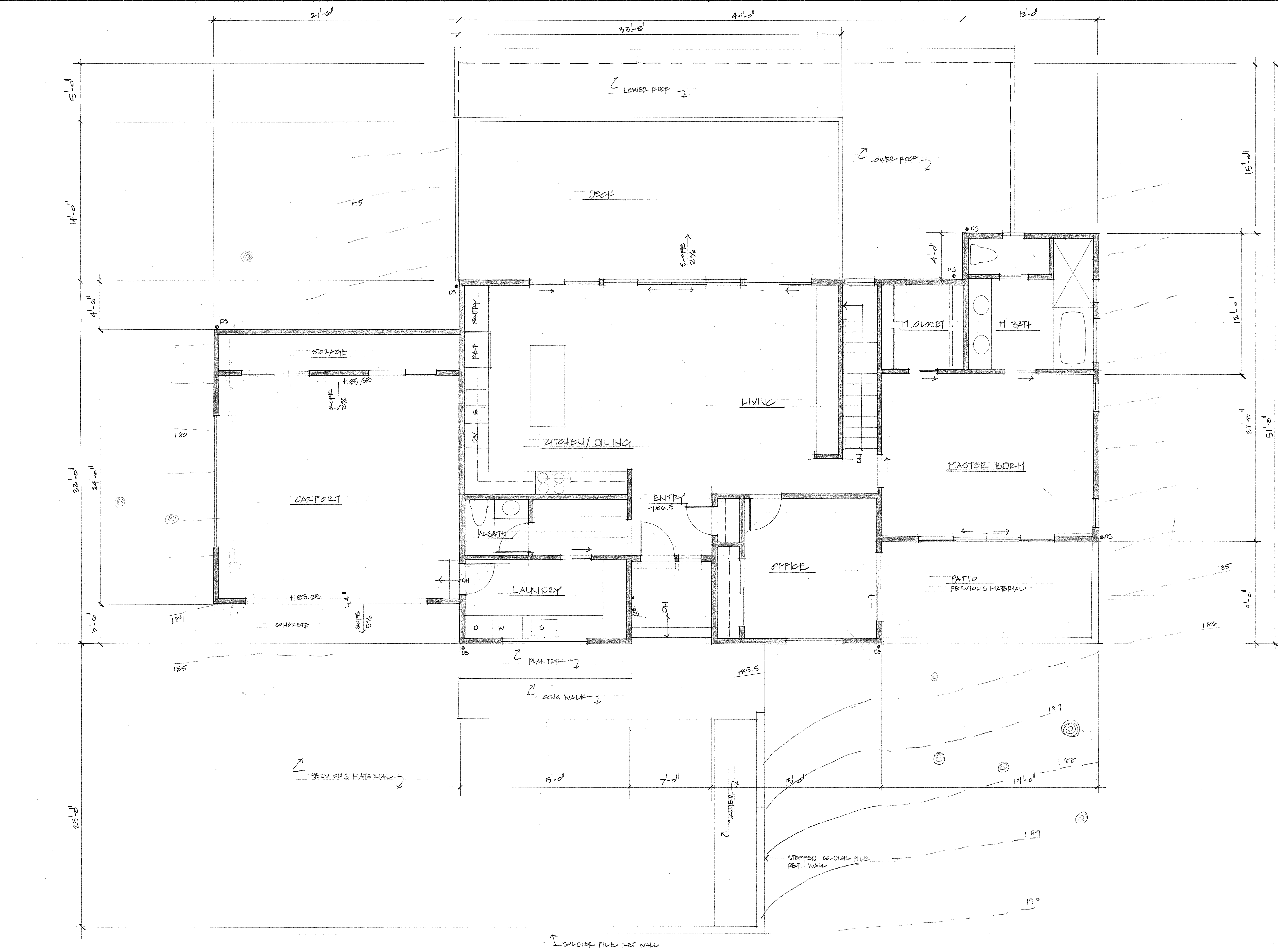
119 Surfside Avenue, Santa Cruz CA 95060  
Office 831-426-6603  
email jpalen@consultingarborists.com

**1 0 1**

Date: 8/14/23  
Revision: 7/15/24  
Revision: 11/1/24







MAIN LEVEL FLOOR PLAN  
1/8" = 1'-0"  
NORTH

REVISIONS	BY



Carol Riewe  
Architect AIA

voice/facsimile  
831.426.0658  
1416 laurent street  
santa cruz, ca. 95060

MAIN FLOOR PLAN

**BOCCONE & IGEL**  
NEW RESIDENCE AND WORKSHOP  
827 ELKHORN ROAD ROYAL OAKS CA  
APN 181-151-009

Date	10/25/24
Scale	1/4" = 1'
Drawn	CAR
Job	
Sheet	A3
Of	Sheets





voice/facsimile  
831.426.0658  
1416 laurent street  
santa cruz, ca. 95060

ELEVATIONS

**BOCCONE & IGEL**  
NEW RESIDENCE AND WORKSHOP  
827 ELKHORN ROAD ROYAL OAKS CA  
APN 181-151-009

Date 10/25/24

Scale  $1/4" = 1'0"$

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Sheet **A5**  
Of **5** Sheets





REVISIONS	BY



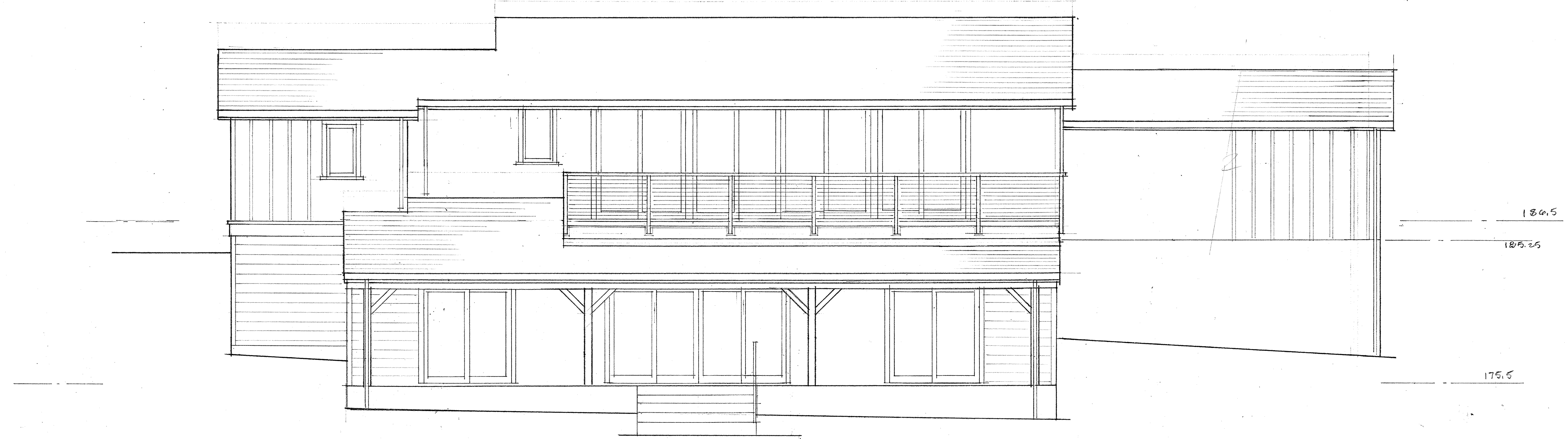
Carol Riewe  
Architect AIA

voice/facsimile  
831.426.0658  
1416 laurent street  
santa cruz, ca. 95060

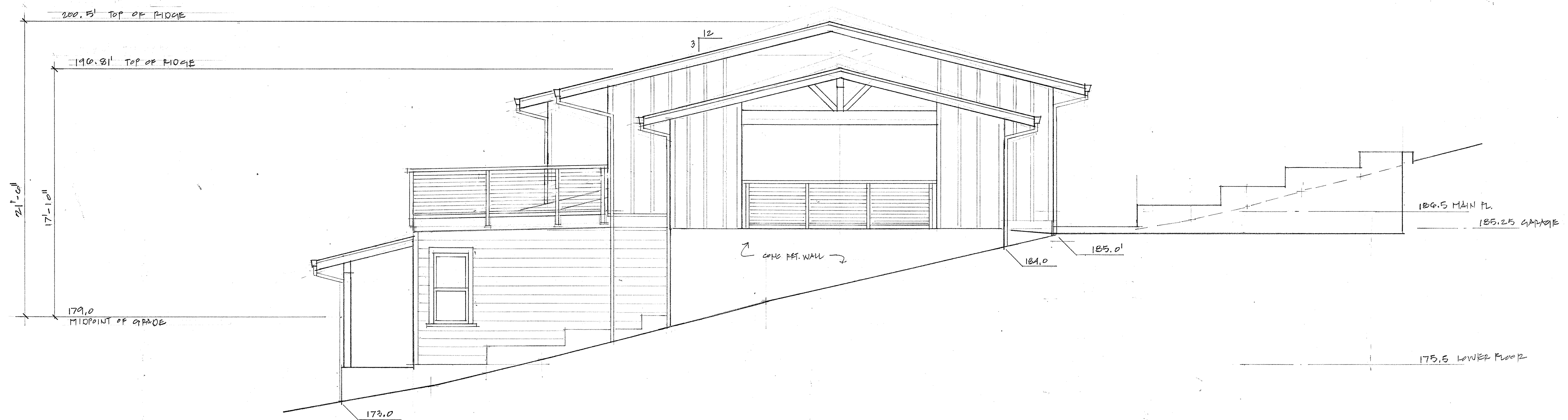
ELEVATIONS

**BOCCONE & IGEL**  
NEW RESIDENCE AND WORKSHOP  
827 ELKHORN ROAD ROYAL OAKS CA  
APN 181-151-009

Date 10/25/24  
Scale 1/4"=1'-0"  
Drawn C.R.  
Job  
Sheet  
Of A6  
Sheets



SOUTH ELEVATION (PEAR)  
1/4"=1'-0"



EAST ELEVATION (LEFT)  
1/4"=1'-0"

[illegible]

**Carol Riewe**  
Architect AIA

voice/facsimile  
831.426.0658  
1416 laurent street  
santa cruz, ca. 95060

WORKSHOP and EQUIPMENT STORAGE  
FLOOR PLAN & ELEVATIONS

**BOCCONE & IGEL**  
NEW RESIDENCE AND WORKSHOP  
827 ELKHORN ROAD ROYAL OAKS CA  
APN 181-151-009

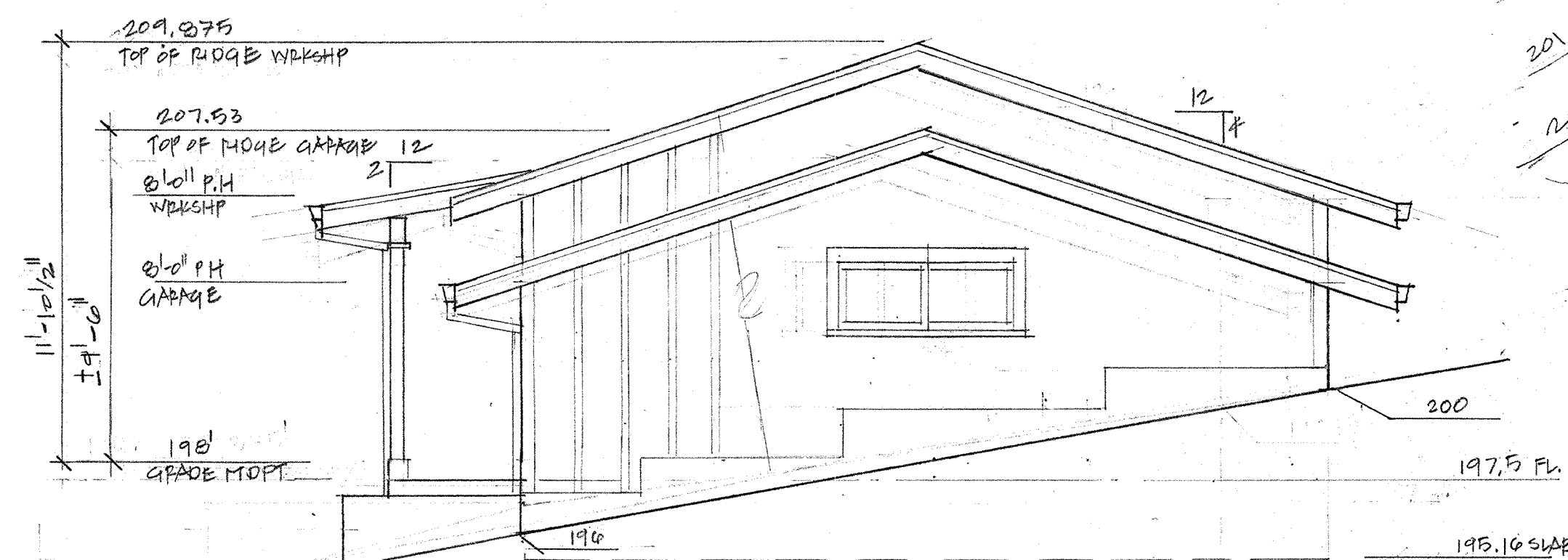
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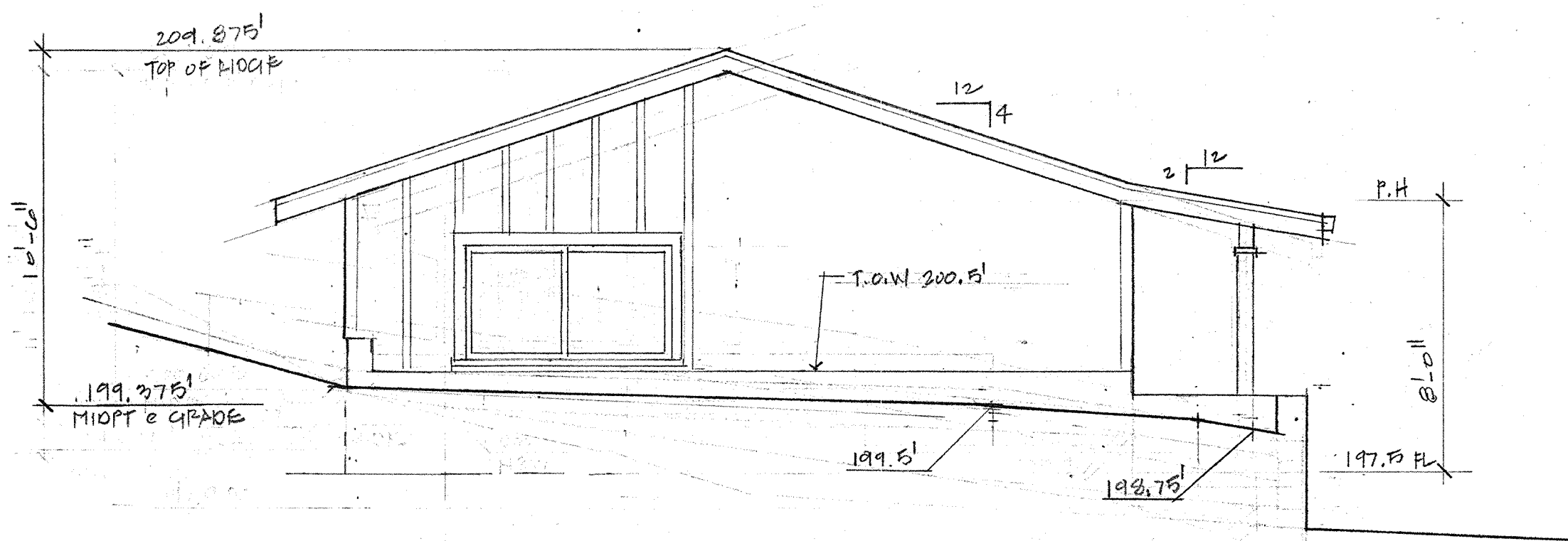
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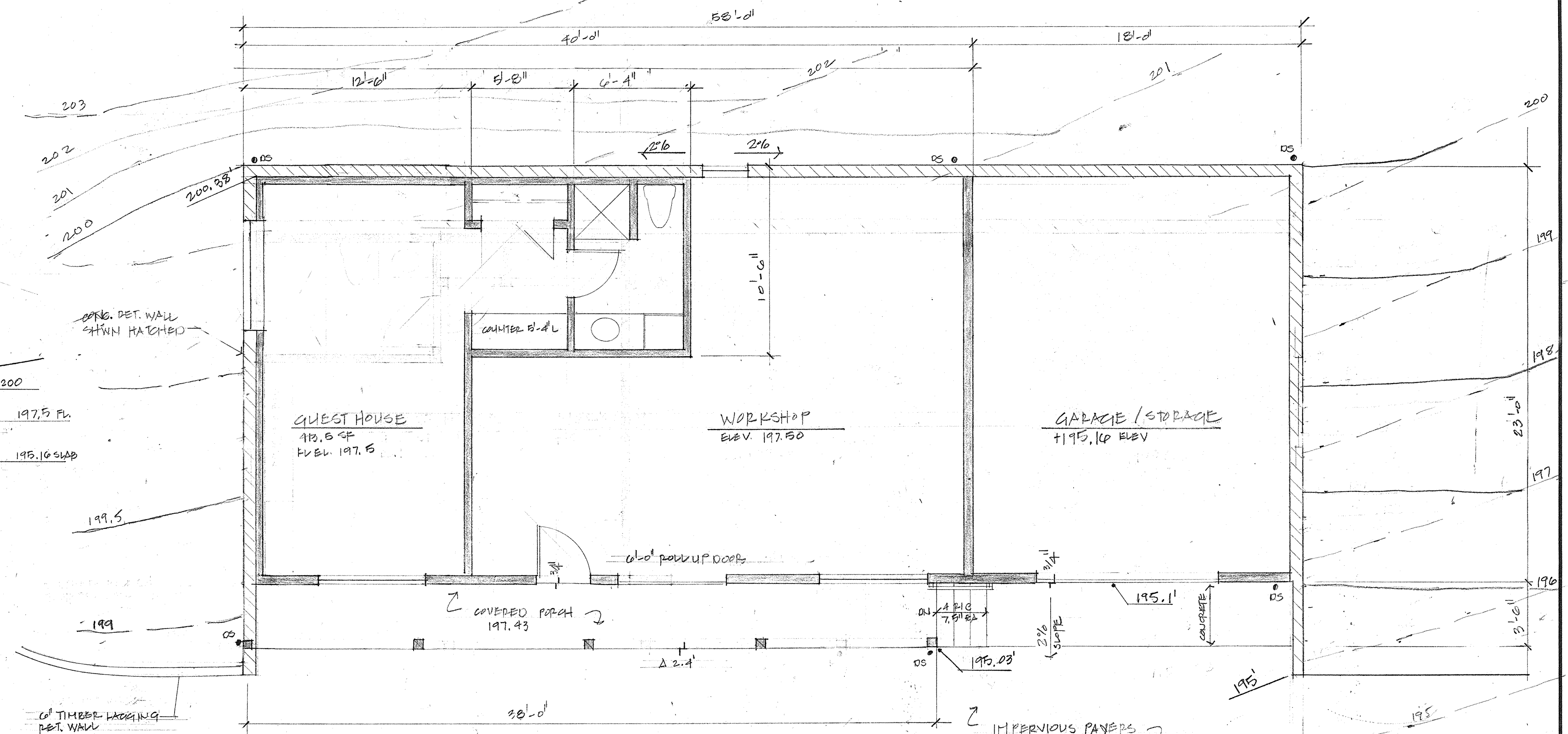
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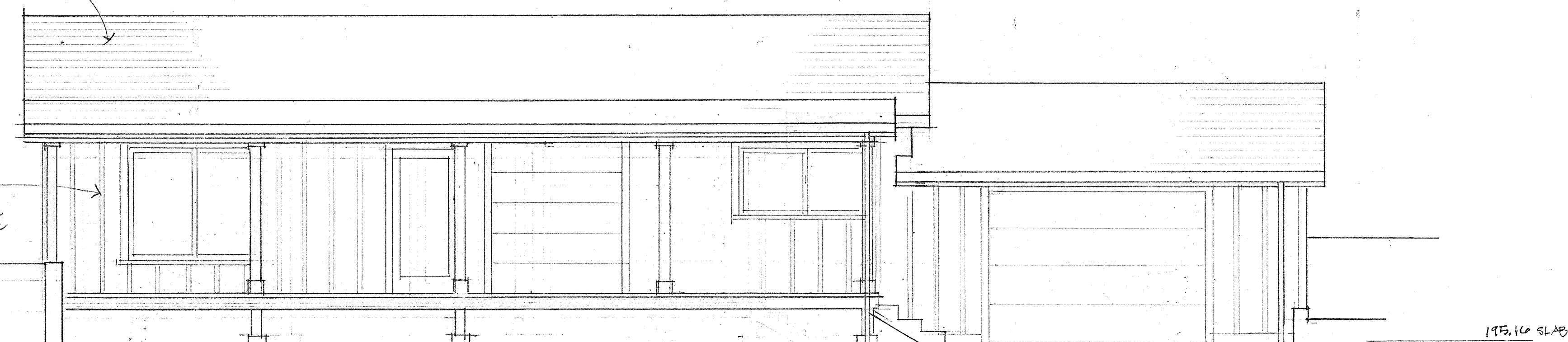
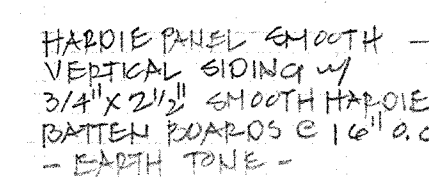
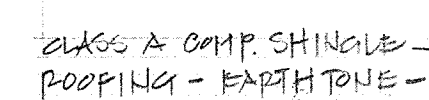
EAST ELEVATION RIGHT



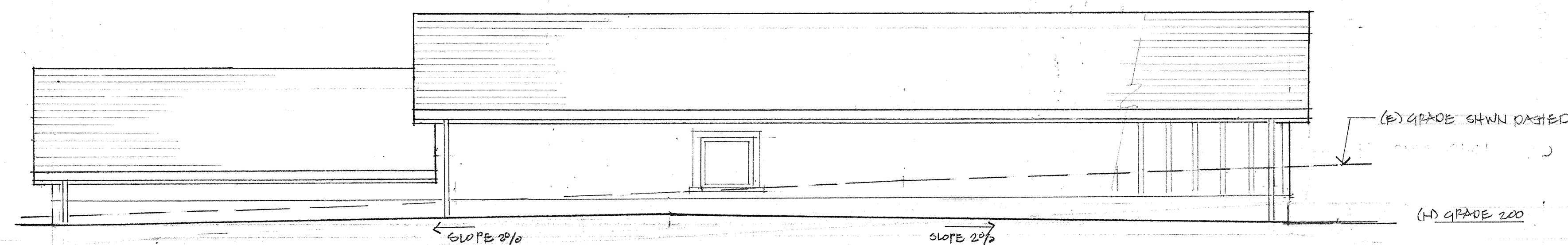
WEST ELEVATION LEFT



WORKSHOP FLOOR PLAN



SOUTH ELEVATION FRONT



NORTH ELEVATION

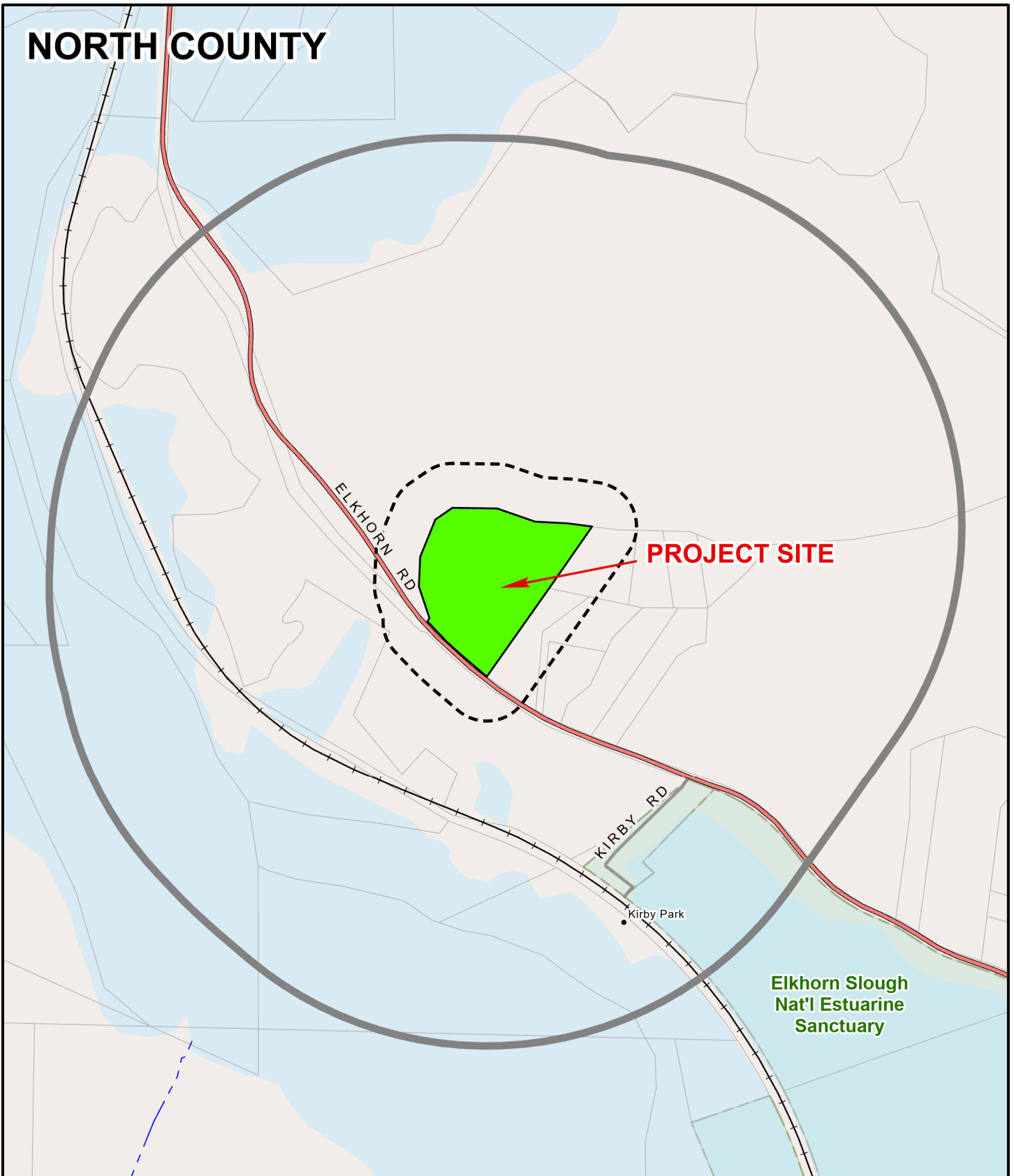


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## Exhibit B

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# NORTH COUNTY



**APPLICANT:** BOCCONE NORMAN B & VICTORIA E I GEL CO-TRS

**APN:** 181-151-009-000

**FILE #** PLN220229



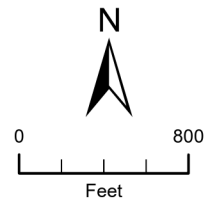
Project Site



Buffer300



Buffer2500



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## Exhibit C



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**ELKHORN ROAD PARCEL  
APN 181-151-009  
BIOLOGICAL ASSESSMENT**



*Prepared by:*

***Biotic Resources Group  
Contact: Kathleen Lyons***

*And*

***Bryan Mori Biological Consulting Services  
Contact: Bryan Mori***

*Prepared for:*

***Norman Boccone and Victoria Igel***

**Updated, November 4, 2024**

## EXECUTIVE SUMMARY

A single-family residential project is proposed on the 18.1-acre parcel at 827 Elkhorn Road in Royal Oaks, Monterey County. The parcel (APN 181-151-009) is located east of Elkhorn Road and is accessed from a private driveway. The property is located within Monterey County's coastal zone and subject to regulations in the North County Coastal Land Use Plan. The parcel is currently undeveloped. The proposed project involves construction of a new 3-bedroom/3 bath single-family residence, a detached guest house/workshop and garage, related infrastructure (driveway, septic system, and utilities) and the placement of approximately 550 cubic yards of excavated spoils in the southeastern portion of the property. The project also includes defensible space as required by CalFire for fire safety and encompasses a 100-foot perimeter around the proposed residential developments. Land disturbance (permanent and temporary) for the proposed project is approximately 1.39 acre, affecting grassland and oak woodland.

A lot line adjustment (LLA) is proposed to facilitate upper driveway access to the development. The proposed LLA will result in approximately 5.12 acres of oak woodland, coastal scrub, and mixed grassland to be transferred from the subject parcel (APN 181-151-009) to the Elkhorn Slough Foundation (APN 181-011-022) in exchange for approximately 0.48 acre of land adjacent to the existing access road from APN 181-151-008 to APN 181-151-009. The donated area has the highest potential for special status wildlife species. The land donation will preserve this environmentally sensitive habitat area (ESHA) and is a beneficial effect of the project.

### Botanical

A botanical assessment was conducted in summer 2022 and spring 2023 to document plant resources on the property and LLA area, with a focus given to areas proposed for residential development. The parcel was found to support these primary vegetation types: grassland (annual grassland, coastal prairie and mixed grassland), oak woodland, maritime chaparral, and coastal scrub. As per the North County Coastal Land Use Plan, maritime chaparral, coastal scrub, and oak woodland are sensitive resources. Coastal prairie, mixed grassland, maritime chaparral, and oak woodlands also are considered sensitive vegetation types by the California Department of Fish and Wildlife (CDFW). Small patches of maritime chaparral were found on the parcel supporting Pajaro manzanita (*Arctostaphylos pajaroensis*), a special status shrub.

The proposed development will impact mixed grassland and oak woodland. Project construction will remove 20 trees greater than 6" in diameter, permanently affecting 0.04 acre of oak woodland. The project will temporarily impact 0.08 acre of mixed grassland. The project will not impact special-status plant species. As compensation for project impacts to oak woodland, oak woodland restoration and enhancement actions will occur on-site at a minimum 3:1 ratio and oak tree replacement will occur at a minimum 1:1 ratio, as per an approved forest management plan. As compensation for project impacts to mixed grassland, the temporarily disturbed areas will be revegetated with a native grass and forb seed mix. Successful implementation of the measures outlined in this report will reduce impacts to sensitive botanical resource to a less than significant level.

### Wildlife

The property is located within the range of the state and federally threatened California tiger salamander (CTS) (*Ambystoma californiense*) and state and federally endangered Santa Cruz long-toed

salamander (SCLTS) (*Ambystoma macrodactylum croceum*). The property supports potential CTS and SCLTS upland habitats, based on the plant communities on the property and the proximity of known CTS and SCLTS breeding ponds in the region. Thus, a focused pitfall trapping study was performed during the 2022-23 winter, as part of this assessment (Bryan Mori Biological Consulting 2023). No CTS or SCLTS were recorded during the study. However, these species could occur on the property in the future, given its location in the distributional range of these species and their abilities to migrate/disperse over long distances. Since the trapping study is valid only for one year, an additional year of pitfall trapping will be performed during the upcoming 2024-25 winter, as requested by the California Department of Fish and Wildlife. Regarding other special-status wildlife, the presence of San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), a state species of special concern, was confirmed on the property, and twelve other species are considered as potentially occurring on the property. Measures to protect significant wildlife resources are included in this report.

#### *Intended Use of this Report*

*The findings presented in this botanical report are intended for the sole use of the current property owners (Norman Boccone and Victoria Igel), and Monterey County in evaluating the proposed residential project. The findings presented by Biotic Resources Group and Bryan Mori Biological Consulting Services in this report are for information purposes only; they are not intended to represent the interpretation of any State, Federal or County law or ordinance pertaining to permitting actions within sensitive habitat or endangered species. The interpretation of such laws and/or ordinances is the responsibility of the applicable governing body.*

## INTRODUCTION

Biotic Resources Group and Bryan Mori Biological Consulting collaborated to perform a biological assessment of the project parcel. The focus of the assessment was to identify special-status botanical and wildlife resources on the parcel and evaluate potential impacts to such resources from the proposed development. Measures to avoid, reduce or compensate for significant impacts also were identified. The findings of this evaluation are presented in this report.

### Proposed Project

The project site is located along the east side of Elkhorn Road and is accessed off a private driveway (**Figure 1**). The 18.1-acre parcel is currently undeveloped. The proposed project is a new single-family residence, detached workshop, and related infrastructure (driveway, septic system, and utilities). The applicant proposes to place approximately 550 cubic yards of excavated soil within a 150'x 200' area in the southeastern corner of the property. The soil would be six inches deep, covering approximately 30,000 square feet (0.69 acre).

The project proposes a lot line adjustment (LLA) to facilitate upper driveway access to the development. The proposed LLA will result in approximately 5.12 acres of oak woodland, coastal scrub, and mixed grassland to be transferred from the subject parcel (APN 181-151-009) to the Elkhorn Slough Foundation (APN 181-011-022) in exchange for approximately 0.48 acre of land adjacent to the existing access road from APN 181-151-008 to APN 181-151-009. The donated area has the highest potential for special status wildlife species, especially the Santa Cruz long-toed salamander (SCLTS).

Land disturbance (permanent and temporary) for the proposed project is approximately 1.39 acre, affecting grassland and oak woodland.

## METHODS

### Botanical

The botanical resources on the parcel were assessed through literature review and field observations. A site survey was conducted by Kathleen Lyons (plant ecologist) on July 11, 2022 and April 10, 2023 to assess the proposed development area (i.e., project site) for sensitive habitat and/or potential rare species/habitat; parcel lands outside of the project site were viewed in a more cursory manner. The project site was traversed on foot to identify botanical resources and habitat conditions, and site features were recorded in a notebook.

Vegetation types were documented during the field surveys, based on the classification system in California Natural Communities List (CaCode) (California Department of Fish and Game, 2022) and A Manual of California Vegetation (Sawyer and Keeler-Wolf 1995) and amended to reflect site conditions. Modifications to the classification system's nomenclature were made, as necessary, to accurately describe the site's resources. The Jepson Manual – Vascular Plants of California (Baldwin *et al* 2012) and Plants of Monterey County (CNPS, 2013) were the principal taxonomic references used for the botanical work. Other data sources also were reviewed, including mapped data from Monterey County GIS, County LCP resource maps, and the Elkhorn Slough Foundation GIS; the subject parcel abuts the Foundation's 337-acre Blohm Ranch.



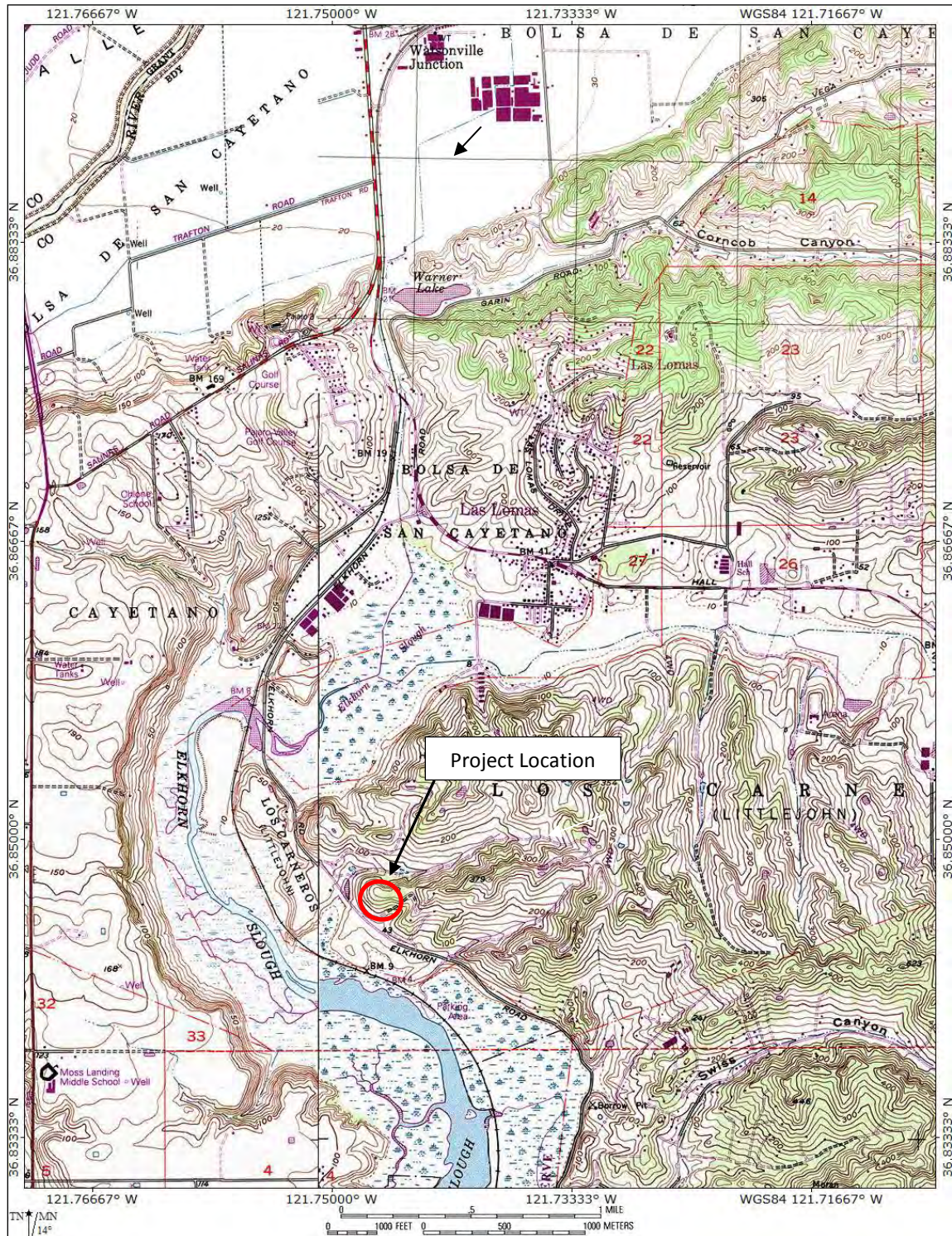


Figure 1. Location of Elkhorn Slough Parcel (USGS Prunedale Topographic Map)



To assess the potential occurrence of special-status botanical resources, two electronic databases were accessed to determine recorded occurrences of sensitive plant communities and sensitive species. Information was obtained from the California Native Plant Society's (CNPS) Electronic Inventory (2022/23), and CDFW RareFind database (CDFW, 2022/23) for the USGS Prunedale and surrounding quadrangles. The summer 2022 and spring 2023 field surveys were conducted within the blooming/identification period for special-status plant species. In addition, the suitability of the site to support special-status species was determined based on a review of soil conditions, compaction, existing vegetation and the plant ecologist's knowledge of the habitat conditions required for the species.

### Wildlife

**California Tiger Salamander and Santa Cruz Long-toed Salamander.** The CTS and SCLTS habitat assessment was performed following the protocols: Interim Guidance on Site Assessment for Determining the Presence or a Negative Finding of the California Tiger Salamander, October 2003 (USFWS and CDFW 2003) and Guidance on Site Assessment and Field Surveys to Detect Presence or Report a Negative Finding of the Santa Cruz Long-toed Salamander December 2012 (USFWS and CDFW 2012) and includes the identification of upland and aquatic habitats on and adjacent to the project site. As part of the habitat assessment, an upland pitfall trapping study was performed during the 2022-23 winter season under Federal Permit TE778668-10 and State Scientific Collection Permit No. 200160021, with prior approval from CDFW and the US Fish and Wildlife Service (USFWS). The details of the study, including methods, results and conclusions, can be found in a separate report: 827 Elkhorn Road Proposed Single Family Home & Guest House California Tiger Salamander (*Ambystoma californiense*) Santa Cruz Long-Toed Salamander (*Ambystoma macrodactylum croceum*) Habitat Assessment and 2022-23 Winter Pitfall Trapping Study (Bryan Mori Biological Consulting 2023). An additional pitfall trapping study will be performed during the upcoming 2024-25 winter, as requested by CDFW, as such studies are valid only for one year.

**Other Special-Status Wildlife.** A background literature review was conducted to identify special-status species occurrences, in addition to CTS and SCLTS, in the surrounding project vicinity. These included State Species of Special Concern, State Fully Protected Species, State and Federal Endangered and Threatened Species, and candidate or proposed species for state or federal listing. Sources for the literature search included the Moss Landing and Prunedale USGS quads of the CNDDDB (2023), California Amphibian and Reptile Species of Special Concern (Thomson et al 2016), California Bird Species of Special Concern (Shuford and Gardali 2008), DRAFT Terrestrial Mammal Species of Special Concern in California (Bolster 1998), Atlas of the Breeding Birds of Monterey County (Roberson and Tenney 1993), Monterey Birds (Roberson 2002), and eBird records (<https://ebird.org>). Habitat suitability of the property for special-status species was evaluated concurrent to the CTS/SCLTS pitfall trapping study.

### RESULTS - BOTANICAL

The project site supports the following primary vegetation types: grassland, oak woodland, maritime chaparral, and coastal scrub. **Figure 2** displays the location of the parcel and the area proposed for the LLA with the Elkhorn Slough Foundation on an aerial image from the Monterey County GIS system. As portrayed in **Table 1** below, three sub-sets of grassland were identified. The distribution of vegetation types is presented on **Figure 3**.

The soils on the property and the LLA area are mapped as Arnold loamy sand, 15 to 50 percent slopes, MLRA 15 (AkF) and Santa Ynez fine sandy loam, 15 to 30 percent slopes (ShE). The area of the proposed residence is mapped as Arnold loamy sand. This soil type is somewhat excessively well-drained; it is not a hydric soil; bedrock may be encountered at 122 cm. The low elevation areas along Elkhorn Road are mapped as Santa Ynez fine sandy loam. This soil is moderately well-drained, with bedrock at 56 cm. It is not considered a hydric soil.

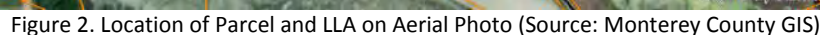






Figure 3. Distribution of Vegetation Types

### Oak Woodland

Oak woodland occurs in the central and northern portions of the parcel and within the proposed LLA area, as depicted on **Figure 3**. The woodland is characterized by trees of coast live oak (*Quercus agrifolia*), with a few scattered Monterey pines (*Pinus radiata*). In the central portion of the parcel, the woodland has a relatively sparse understory. Commonly observed species include poison oak (*Toxicodendron diversilobum*), California blackberry (*Rubus ursinus*), sticky monkey flower (*Diplacus aurantiacus*), coyote brush (*Baccharis pilularis*) and young oaks. Herbaceous species observed include wild oat (*Avena sp.*), ripgut brome (*Bromus diandrus*), ryegrass (*Festuca perennis*), Italian thistle (*Carduus pycnocephalus*), coyote mint (*Monardella villosa*), and scarlet pimpernel (*Anagallis arvensis*). The character of this oak woodland is depicted in **Figure 4**. A portion of the oak woodland was thinned in 2022/23 wherein young oaks were cut, limbs removed from larger trees, and the understory brush cut. The approximate extent of the thinning work is depicted on **Figure 3**. The character of an area within this thinned oak woodland is depicted in **Figure 5**.



Figure 4. Character of Oak Woodland in Center of Parcel, July 2022



Figure 5. Character of Thinned Oak Woodland, April 2023



The north and east-facing slopes of the parcel support a more mesic oak woodland with dense understory vegetation. Coast live oak trees create a dense tree canopy, with an understory thick with poison oak, coffee berry (*Frangula californica*), snowberry (*Symphoricarpos albus*), California blackberry, mugwort (*Artemisia douglasiana*), wood fern (*Dryopteris arguta*), hedgenettle (*Stachys bullata*), and patches of non-native poison hemlock (*Conium maculatum*). The character of this oak woodland is depicted in **Figure 6**.



Figure 6. Character of Oak Woodland in North Portion of Parcel, July 2022

### Grassland

Three types of grassland occur on the parcel: coastal prairie, annual grassland, and mixed grassland.

**Coastal Prairie.** The parcel supports a small area of coastal prairie in the south-central portion of the parcel. This vegetation type is defined as having a dominance or co-dominance of native bunchgrasses: California oatgrass (*Danthonia californica*), a native perennial bunchgrass, with or without other bunchgrasses. Other plant species include purple needlegrass (*Stipa pulchra*) (another native perennial bunchgrass), filaree (*Erodium botrys*), catchfly (*Silene gallica*), sky lupine (*Lupinus nanus*), bicolor lupine (*Lupinus bicolor*), and California poppy (*Eschscholzia californica*). The location of the coastal prairie is shown on **Figure 3**.

**Annual Grassland.** The northwestern portion of the parcel supports annual grassland. This grassland type occurs in open areas next to the oak woodland, as depicted on **Figure 3**. Annual, non-native grasses present the most cover and include wild oat (*Avena sp.*), ripgut brome (*Bromus diandrus*), rattlesnake grass (*Briza maxima*), false brome (*Brachypodium distachyon*), and Chilean brome (*Bromus stamineus*). The grassland also supports small patches of native purple needlegrass (*Stipa pulchra*) and California oatgrass; the cover provided by these two native grasses is less than 10%. Forbs are also present. Commonly observed native forbs include owl's clover (*Orthocarpus densiflora*), skunkweed (*Navarretia squarrosa*), purple sanicle (*Sanicula bipinnatifida*), sky lupine, common aster (*Corethrogyne filaginifolia*), soap plant (*Chlorogalum pomeridianum*), and mule's ears (*Wyethia angustifolia*). Non-native forbs are prevalent, such as cat's ear (*Hypochaeris radicata*), filaree, English plantain (*Plantago lanceolata*), fiddle dock (*Rumex acetosella*), scarlet pimpernel (*Anagallis arvensis*), catchfly (*Silene*

*gallica*), wild radish (*Raphanus sativa*), and Italian thistle. The character of the annual grassland is shown in **Figure 7**.

**Mixed Grassland.** The lower, western slopes of the parcel near Elkhorn Road support mixed grassland. Here, native and non-native grasses and forbs co-dominate. Wild oat and purple needlegrass intermix, with a pre-dominantly non-native forb component. Other species include suncups, sky lupine, bur clover (*Medicago polymorpha*), mule's ears, and California poppy. **Figure 8** shows the mixed grassland near Elkhorn Road. **Figure 9** shows a wildflower field (sky lupine) within the mixed grassland.



Figure 7. Annual Grassland, April 2023



Figure 8. Mixed Grassland near Elkhorn Road, April 2023.





Figure 9. Wildflowers (sky lupine) within Mixed Grassland near Elkhorn Road, April 2023.

### Maritime Chaparral

The parcel supports small areas of maritime chaparral. This chaparral is characterized by the presence of brittle-leaved manzanita (*Arctostaphylos crustacea*) and Pajaro manzanita (*Arctostaphylos pajaroensis*). Pajaro manzanita is a rare evergreen shrub. The chaparral is located on the edge of oak woodland in the central portion of the parcel, as shown on **Figure 3**. Other plant species in the chaparral include sticky monkey flower and grasses and forbs typical to the adjacent grassland. **Figure 10** shows the Pajaro manzanita within the chaparral.



Figure 10. Maritime Chaparral with Pajaro manzanita in Central Portion of Parcel, April 2023.

### Coastal Scrub

Coastal scrub is found on the parcel's northwest -facing slope, as shown on **Figure 3**. The vegetation is dominated by shrubs, such as California sagebrush (*Artemisia pycnocephalus*), coyote brush, sticky monkey flower, poison oak, black sage (*Salvia mellifera*), deerweed (*Acmispon glaber*), and coffee berry. Herbaceous species are common in openings and include native species, such as bracken fern (*Pteridium aquilinum*), soap plant, California horkelia (*Horkelia californica*), California acaena (*Acaena pinnatifida* var. *californica*), mule's ears, and coyote mint. Non-native forbs also are prevalent and consist of summer mustard (*Hirschfeldia incana*), ragwort (*Senecio* sp.), dandelion (*Taraxacum officinale*), bull thistle (*Cirsium vulgare*), and yellow star thistle (*Centaurea solstitialis*). The scrub is depicted in **Figure 11**.



Figure 11. Coastal Scrub in North-central Portion of Parcel, April 2023.

### Sensitive Botanical Resources

Sensitive habitats are defined by local, State, or Federal agencies as those habitats that support special-status species, provide important habitat values for wildlife, represent areas of unusual or regionally restricted habitat types, and/or provide high biological diversity.

**Monterey County.** The project area is located within an unincorporated area of Monterey County subject to regulations in the North County Coastal Land Use Plan (NCCLUP). Within the coastal zone, environmentally sensitive habitats areas (ESHA) are areas in which plant or animal life or their habitats are rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. These include Areas of Special Biological Significance as identified by the State Water Resources Control Board; rare and endangered species habitat, all coastal wetlands and lagoons, all marine wildlife, and kelp beds; and indigenous dune plant habitats. The County has adopted several policies pertaining the ESHA's and the subject property, as listed below:

1. With the exception of resource dependent uses, all development, including vegetation removal, excavation, grading, filling, and the construction of roads and structures, shall be prohibited in the following environmentally sensitive habitat areas: riparian corridors, wetlands, dunes, sites of known rare and endangered species of plants and animals, rookeries, major roosting and haul out sites, and other wildlife breeding or nursery areas identified as environmentally sensitive. Resource dependent uses, including nature education and research hunting, fishing and aquaculture, where allowed by the plan, shall be allowed within environmentally sensitive habitats only if such uses will not cause significant disruption of habitat values.
2. Land uses adjacent to locations of environmentally sensitive habitats shall be compatible with the long-term maintenance of the resource. New land uses shall be considered compatible only where they incorporate all site planning and design features needed to prevent habitat impacts, upon habitat values and where they do not establish a precedent for continued land development which, on a cumulative basis, could degrade the resource.
3. New development adjacent to locations of environmentally sensitive habitats shall be compatible with the long-term maintenance of the resource. New subdivisions shall be approved only where significant impacts to environmentally sensitive habitats from development of proposed parcels will not occur.
4. To protect environmentally sensitive habitats and the high wildlife values associated with large areas of undisturbed habitat, the County shall maintain significant and, where possible, contiguous areas of undisturbed land for low intensity recreation, education, or resource conservation use. To this end, parcels of land totally within sensitive habitat areas shall not be further subdivided. On parcels adjacent to sensitive habitats, or containing sensitive habitats as part of their acreage, development shall be clustered to prevent habitat impacts.
5. Where private or public development is proposed in documented or potential locations of environmentally sensitive habitats - particularly those habitats identified in General Policy No. 1 - field surveys by qualified individuals or agencies shall be required in order to determine precise locations and to recommend mitigating measures to ensure protection of any sensitive habitat present. The required survey shall document that the proposed development complies with all applicable environmentally sensitive habitat policies.

6. The County shall ensure the protection of environmentally sensitive habitats through deed restrictions or dedications of permanent conservation easements. Where land divisions or development are proposed in areas containing environmentally sensitive habitats, such restrictions or easements shall be established through the development review process. Where development has already occurred in areas supporting sensitive habitat, property owners should be encouraged to voluntarily establish conservation easements or deed restrictions.
7. Where public access exists or is permitted in areas of environmentally sensitive habitats, it shall be limited to low intensity recreation, scientific or education uses such as nature study and observation, education programs in which collecting is restricted, photography, and hiking. Access in such locations shall be confined to appropriate areas on designated trails and paths. No access shall be approved which results in significant disruption of habitat.
8. Where development is permitted in or adjacent to environmentally sensitive habitat areas (consistent with all other resource protection policies), the County, through the development review process, shall restrict the removal of indigenous vegetation and land disturbance (grading, excavation, paving, etc.) to the minimum amount necessary for structural improvements.
9. The County shall require the use of non-invasive plant species in proposed landscaping and should encourage the use of appropriate native species or species that are compatible with native plants.
10. Construction activities, industrial, and public and commercial recreational uses which would affect rare and endangered birds shall be regulated to protect habitats of rare, endangered, and threatened birds during breeding and nesting seasons. Regulations may include restriction of access, noise abatement, and restriction of hours of operation of public or private facilities. Regulations shall not prohibit emergency operation of service and public utility equipment.

The Coastal Land Use Plan also has several policies that are specific to vegetation types, as presented, below.

1. Maritime chaparral is an uncommon, highly localized and variable plant community that has been reduced in North County by residential and agricultural development. Further conversion of maritime chaparral habitat to agricultural uses is highly discouraged. Where new residential development is proposed in chaparral areas, it shall be sited and designed to protect the maximum amount of maritime chaparral. All chaparral on land exceeding 25 percent slope should be left undisturbed to prevent potential erosion impacts, as well as to protect the habitat itself.
2. Oak woodland on land exceeding 25% slope should be left in its native state to protect this plant community and animal habitat from the impacts of development and erosion. Development within oak woodland on 25% slope or less shall be sited to minimize disruption of vegetation and habitat loss.
3. A fuel reduction program should be developed for North County's oak woodland and chaparral to reduce the potential risk of wildfires, to maintain the vigor of plant communities, and to maintain the diversity and value of habitat areas. Controlled burning should be strictly limited and managed in maritime chaparral areas.
4. Riparian plant communities shall be protected by establishing setback requirements consisting of 150 feet on each side of the bank of perennial streams, and 50 feet on each side of the bank of intermittent streams, or the extent of riparian vegetation, whichever is greater. In all cases,



the setback must be sufficient to prevent significant degradation of the habitat area. The setback requirement may be modified if it can be conclusively demonstrated by a qualified biologist that a narrower corridor is sufficient or a wider corridor is necessary to protect existing riparian vegetation from the impacts of adjacent use.

5. Existing native trees and other significant vegetation shall be retained to the maximum extent possible, as an essential element of the scenic beauty and character of the North County coastal area. Removal of native trees and vegetation and landmark trees shall be permitted in accordance with this plan and other policies that may apply. In addition, a Tree Ordinance shall be developed and rigorously enforced that will regulate removal of trees and other significant vegetation throughout the North County Coastal Zone

**US Army Corps of Engineers (USACE).** The USACE regulates activities within waters of the United States pursuant to congressional acts: Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (1977, as amended). Section 10 of the Rivers and Harbors Act requires a permit for any work in, over, or under navigable waters of the United States. Navigable waters are defined as those waters subject to the ebb and flow of the tide to the Mean High-Water mark (tidal areas) or below the Ordinary High-Water mark (freshwater areas). Areas with a significant hydrological connection to navigable waters are also regulated by the USACE. No drainage swales or other wetland features were observed on the parcel.

**Regional Water Quality Control Board (RWQCB).** Water quality in California is governed by the Porter-Cologne Water Quality Control Act and certification authority under Section 401 of the Clean Water Act, as administered by the RWQCB. The Section 401 water quality certification program allows the State to ensure that activities requiring a Federal permit or license comply with State water quality standards. Water quality certification must be based on a finding that the proposed discharge will comply with water quality standards which are in the regional board's basin plans. The Porter-Cologne Act requires any person discharging waste or proposing to discharge waste in any region that could affect the quality of the waters of the state to file a report of waste discharge. The RWQCB issues a permit or waiver that includes implementing water quality control plans that take into account the beneficial uses to be protected. Waters of the State subject to RWQCB regulation extend to the top of bank, as well as isolated water/wetland features and saline waters. Should there be no Section 404 nexus (i.e., isolated feature not subject to USACE jurisdiction), a report of waste discharge (ROWD) is filed with the RWQCB. The RWQCB interprets waste to include fill placed into water bodies. No drainage swales or other features within RWQCB jurisdiction were observed on the parcel.

**California Department of Fish and Wildlife (CDFW).** CDFW is a trustee agency that has jurisdiction under Section 1600 et seq. of the Sections 1600-1603 of the California Fish and Game Code. CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel or bank of any river, stream or lake which supports fish or wildlife. CDFW also regulates the deposit of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake. CDFW defines a "stream" as a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having surface or subsurface flow that supports or has supported riparian vegetation. No drainage swales or other features within CDFW jurisdiction were observed on the parcel. CDFW also identifies sensitive natural communities. CDFW also recognizes several vegetation types as sensitive. These include the maritime chaparral, mixed grassland, and coastal prairie (CDFW, 2022).



### Special-Status Plant Species

Species of concern include those listed by either the Federal or State resource agencies as well as those identified as rare by CNPS (List 1B). Based on a search of the CNPS and CNDDB inventories, there are several species of concern within the greater project area, as listed in **Table 2**. **Figure 12** displays information from the CNDDB on plant species with records from a 5-mile radius of the subject parcel.

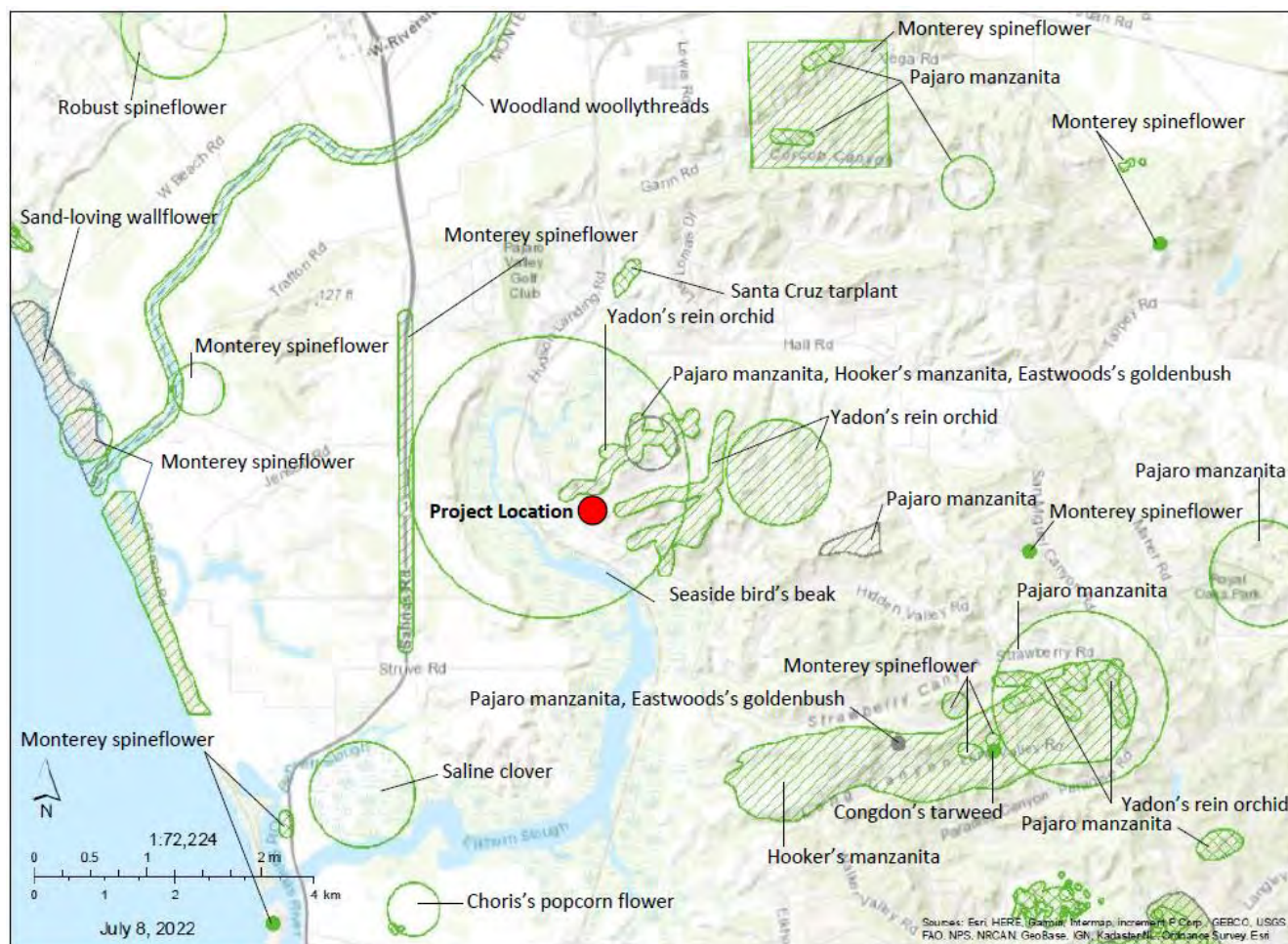


Figure 12. Special Status Plant Records from Project Vicinity (Source: CNDDB, 2022)

The July 2022 and April 2023 surveys were suitable for the detection of special status plant species. The site was found to support Pajaro manzanita (*Arctostaphylos pajaroensis*), a species ranked List 1B.1 (rare) by the CNPS. No other special status plant species were found on site.

**Pajaro manzanita** (*Arctostaphylos pajaroensis*). The Pajaro manzanita is considered rare (List 1B.1) by the California Native Plant Society. The species is not listed under the California Endangered Species Act (CESA) or the Federal Endangered Species Act (FESA). This evergreen perennial shrub occurs in maritime chaparral on sandy soils in northern Monterey County. It is readily identified by its leathery leaves that clasp onto the stems. The species is known from several colonies in the greater project area, including lands north of the

subject parcel (see **Figure 9**). A patch of Pajaro manzanita shrubs were observed on the parcel, as shown in the area mapped as maritime chaparral on **Figure 3**.

Monterey spineflower (*Chorizanthe pungens pungens*) and robust spineflower (*Chorizanthe robusta robusta*). Both the Monterey spineflower and robust spineflower are annual species that grow in sandy soils within Monterey and Santa Cruz counties. As shown on **Figure 12** there are occurrences in the greater project vicinity. The spineflower is characterized by its whitish to pinkish flowers, low-growing habit and spiny bracts surrounding the flowers. No individuals of Monterey spineflower or robust spineflower were observed on the parcel during the 2022 or 2023 field surveys. Both spineflower species flower in May, with some flowering and seed set extending into the month of June and July. Although some suitable habitat is present onsite within the grassland and in some of the open areas with loose, bare sandy substrate in the oak woodland and coastal scrub, no spineflower individuals were detected.

Santa Cruz tarplant (*Holocarpha macradenia*). The Santa Cruz tarplant is federally listed as threatened under FESA. This species is listed as endangered by the State of California. It is ranked in List 1B1.1 (rare) by the California Native Plant Society. The Santa Cruz tarplant is an annual species that grows in grassland, typically on coastal terraces. There are records in the CNDDDB from the Porter Ranch, located north of the subject parcel. The tarplant is characterized by its distinct yellow composite flower and foliage. No individuals of Santa Cruz tarplant were observed on the parcel during the July 2022 field survey. The species is in flower and identifiable in the month of July; therefore, the species would have been identifiable if present.

Yadon's rein orchid (*Piperia yadonii*). This species is federally listed as endangered under FESA. This species has no listing by the State of California, but it is ranked in List 1B1.1 (rare) by the California Native Plant Society. This orchid, a monocot arising from an underground tuber, inhabits pine forests and maritime chaparral in Monterey County. When in flower, the plant can reach 20 inches high, with bicolored flowers. The plant typically blooms June – July, with plants usually still evident into August. As shown on **Figure 12** there are occurrences in the greater project vicinity, including lands east and north of the subject parcel; however, no plants were detected on the parcel in 2022 or 2023.

Seaside bird's beak (*Cordylanthus rigidus ssp. littoralis*). This annual herb is listed as endangered under the CESA. This species has no listing by the State of California, but it is ranked in List 1B1.1 (rare) by the California Native Plant Society. It grows on young marine sand deposits in maritime chaparral and the edges of oak woodland. As it is a root parasite, the entire plant is yellow with marron-striped flower pouches. The plant typically blooms May to August and the flowering plant can reach heights of 1 to 4 feet. As shown on **Figure 12** there is a historic record (polygon) that includes the subject parcel; however, no plants were detected on the parcel in 2022 or 2023.

Hooker's manzanita (*Arctostaphylos hookeri*). This evergreen shrub is ranked in List 1B1.2 (rare) by the California Native Plant Society. It grows within maritime chaparral and oak woodlands where the substrate is sandy. A perennial, this shrub can reach heights of 4' - 5' and is characterized by its small, pointed leaves. As shown on **Figure 12** there are occurrences in the greater project vicinity, including lands north of the subject parcel; however, no plants were detected on the parcel in 2022 or 2023.

Eastwood's goldenbush (*Ericameria fasciculata*). This evergreen shrub is ranked in List 1B1.1 (rare) by the California Native Plant Society. It grows within maritime chaparral, coastal scrub, and along the edges of oak woodlands where the substrate is sandy. A perennial, this shrub can reach heights of 4' and is characterized by its branched, resinous stems and narrow leaves; the plant flowers July to October. As shown on **Figure 12**, there are occurrences in the greater project vicinity, including lands north of the subject parcel; however, no plants were detected on the parcel in 2022 or 2023.

**Table 2. List of Special Status Plant Species Evaluated for Elkhorn Road Parcel Development Area**

Species	CNPS Ranking	State Status	Federal Status	Phenology	Habitat Preference/Potential on Site (with focus on proposed development area)
Vernal pool bent grass ( <i>Agrostis lacuna-vernalis</i> )	1B.1	None	None	Annual; blooms Apr- May	<b>ABSENT.</b> Vernal pools; no suitable habitat; not observed
Hickman's onion ( <i>Allium hickmanii</i> )	1B.2	None	None	Perennial; blooms Mar - May	<b>ABSENT.</b> Closed-cone coniferous forest; chaparral (maritime); coastal prairie; coastal scrub; valley and foothill grassland; suitable habitat but not observed
Anderson's manzanita ( <i>Arctostaphylos andersonii</i> )	1B.2	None	None	Perennial shrub; blooms Nov- May	<b>ABSENT.</b> Chaparral and forests; recorded from Santa Cruz Mountains; not observed
Hooker's manzanita ( <i>Arctostaphylos hookeri</i> ssp. <i>hookeri</i> )	1B.2	None	None	Perennial shrub; blooms Jan - Jun	<b>ABSENT.</b> Sandy slopes, often intermixed with oak woodland; known from nearby property; potential on property, yet not observed in development area
Toro manzanita ( <i>Arctostaphylos montereyensis</i> )	1B.1	None	None	Perennial shrub; blooms Feb- Mar	<b>ABSENT.</b> Sandy slopes, often intermixed with chaparral and oak woodland; not observed
Pajaro manzanita ( <i>Arctostaphylos pajaroensis</i> )	1B.1	None	None	Perennial shrub; blooms Dec- Mar	<b>PRESENT.</b> Sandy slopes, often intermixed with oak woodland; known from nearby parcel; observed in northern portion of parcel, yet outside of development area.
Sandmat manzanita ( <i>Arctostaphylos pumila</i> )	1B.1	None	None	Perennial shrub; blooms Feb- Mar	<b>ABSENT.</b> Sandy slopes, often intermixed with chaparral and oak woodland; not observed
Alkali milk-vetch ( <i>Astragalus tener</i> var. <i>tener</i> )	1B.2	None	None	Annual; blooms Mar - Jun	<b>ABSENT.</b> Alkali playas, vernal pools, mesic grassland; no suitable habitat in development area; not observed
Pink Johnny-nip ( <i>Castilleja ambigua</i> var. <i>insalutata</i> )	1B.1	None	None	Annual; blooms May - Aug	<b>ABSENT.</b> Coastal prairie, coastal scrub; suitable habitat; however not observed in development area
Congdon's tarplant ( <i>Centromadia parryi</i> ssp. <i>congdonii</i> )	1B.2	None	None	Annual; blooms May - Oct	<b>ABSENT.</b> Mesic grassland, heavy clay, alkaline; no suitable habitat; not observed
Fort Ord spineflower ( <i>Chorizanthe minutiflora</i> )	1B.2	None	None	Annual; blooms Apr	<b>ABSENT.</b> Sandy slopes, oak woodland, coastal scrub; marginal habitat; not

**Table 2. List of Special Status Plant Species Evaluated for Elkhorn Road Parcel Development Area**

Species	CNPS Ranking	State Status	Federal Status	Phenology	Habitat Preference/Potential on Site (with focus on proposed development area)
				– Jul	observed in development area
Monterey spineflower ( <i>Chorizanthe pungens</i> var. <i>pungens</i> )	1B.2	None	Threatened	Annual; blooms Apr – Jun	<b>ABSENT.</b> Sandy slopes, can be intermixed with oak woodland/maritime chaparral; marginal habitat, not observed in development area.
Robust spineflower ( <i>Chorizanthe robusta</i> var. <i>robusta</i> )	1B.1	None	Endangered	Annual; blooms Apr – Jun	<b>ABSENT.</b> Sandy slopes, often intermixed with oak woodland/maritime chaparral; marginal habitat, not observed in development area
Seaside bird's-beak ( <i>Cordylanthus rigidus</i> sp. <i>littoralis</i> )	1B.1	Endangered	None	Annual; blooms Apr – Oct	<b>ABSENT.</b> Sandy slopes, often intermixed with oak woodland/maritime chaparral, coastal scrub; suitable habitat, not observed in development area
Eastwood's goldenbush ( <i>Ericameria fasciculata</i> )	1B.1	None	None	Perennial; blooms Jul – Oct	<b>ABSENT.</b> Sandy slopes, often intermixed with oak woodland/maritime chaparral, coastal scrub; suitable habitat, not observed in development area
Sand-loving wallflower ( <i>Erysimum ammophilum</i> )	1B.2	None	None	Perennial; blooms Feb – Jun	<b>ABSENT.</b> Sandy slopes, often sand dunes and dune scrub; no suitable habitat, not observed in development area
Menzies wallflower ( <i>Erysimum menziesii</i> )	1B.1	Endangered	Endangered	Perennial; blooms Mar – Sep	<b>ABSENT.</b> Sandy slopes, coastal dunes; no suitable habitat, not observed in development area
Fragrant fritillary ( <i>Fritillaria liliacea</i> )	1B.2	None	None	Perennial; blooms Feb – Aug	<b>ABSENT.</b> Oak woodland/ chaparral, coastal scrub; often serpentines; not observed in development area
Monterey gilja ( <i>Gilia tenuiflora</i> ssp. <i>arenaria</i> )	1B.2	Threatened	Endangered	Annual; blooms Apr – Jun	<b>ABSENT.</b> Coastal dunes; recorded from Sunset State Beach; not observed; no suitable habitat; not observed in development area
Santa Cruz tarplant ( <i>Holocarpha macradenia</i> )	1B.1	Endangered	Threatened	Annual; blooms June – Oct	<b>ABSENT.</b> Grasslands, often on coastal terrace deposits; marginal habitat; not observed in development area.
Kellogg's horkelia ( <i>Horkelia cuneata</i> ssp. <i>sericea</i> )	1B.1	None	None	Perennial; blooms Apr – Sep	<b>ABSENT.</b> Oak woodland, chaparral, coastal scrub; suitable habitat but not observed in development area
Point Reyes horkelia ( <i>Horkelia marinensis</i> )	1B.2	None	None	Perennial; blooms May– Sep	<b>ABSENT.</b> Coastal prairie, coastal scrub; suitable habitat, but not observed in development area
Perennial goldfields ( <i>Lasthenia californica</i> ssp. <i>macrantha</i> )	1B.2	None	None	Perennial; blooms Jan – Nov	<b>ABSENT.</b> Coastal scrub, coastal dunes; marginal habitat; not observed in development area.
Contra Costa goldfields ( <i>Lasthenia conjugens</i> )	1B.1	None	Endangered	Annual; blooms Apr – Jun	<b>ABSENT.</b> Mesic alkaline vernal pools, grasslands; no suitable habitat; not observed in development area.



**Table 2. List of Special Status Plant Species Evaluated for Elkhorn Road Parcel Development Area**

Species	CNPS Ranking	State Status	Federal Status	Phenology	Habitat Preference/Potential on Site (with focus on proposed development area)
Legenere ( <i>Legenere limosa</i> )	1B.1	None	None	Annual; blooms Apr – Jun	<b>ABSENT.</b> Vernal pools; no suitable habitat; not observed in development area.
Marsh microseris ( <i>Microseris paludosa</i> )	1B.2	None	None	Perennial; blooms Apr-Jun/Jul	<b>ABSENT.</b> Woodland, coastal scrub, grasslands; marginal habitat; not observed in development area.
Northern curly-leaved monardella ( <i>Monardella sinuata</i> ssp. <i>nigrescens</i> )	1B.2	None	None	Annual; blooms May – Jul	<b>ABSENT.</b> Sandy slopes, often intermixed with oak woodland, chaparral, coastal scrub; marginal habitat, not observed in development area.
Woodland woollythreads ( <i>Monolopia gracilens</i> )	List 1B.2	None	None	Annual; blooms Mar – Jul	<b>ABSENT.</b> Chaparral; serpentine grassland; sandy/rocky areas; not observed in development area
Dudley's lousewort ( <i>Pedicularis dudleyi</i> )	List 1B.2	None	None	Perennial; blooms Apr-Jun	<b>ABSENT.</b> Woodlands; not observed in development area
White-rayed pentachaeta ( <i>Pentachaeta bellidiflora</i> )	List 1B.1	Endangered	Endangered	Perennial; blooms Mar - May	<b>ABSENT.</b> Mesic grasslands and woodlands; not observed in development area
Yadon's rein orchid ( <i>Piperia yadonii</i> )	List 1B.1	None	Endangered	Perennial; blooms May - Aug	<b>ABSENT.</b> Grasslands and woodlands; recorded from nearby properties not observed in development area
Choris's popcorn flower ( <i>Plagiobothrys chorisianus</i> var. <i>chorisianus</i> )	List 1B.2	None	None	Annual; blooms Mar - Jun	<b>ABSENT.</b> Mesic grasslands, often on coastal terrace deposits; recorded from grassland south of Elkhorn Slough; unlikely habitat; not observed in development area.
San Francisco popcorn flower ( <i>Plagiobothrys diffusus</i> )	List 1B.2	Endangered	None	Annual; blooms Mar - June	<b>ABSENT.</b> Mesic grasslands, often on coastal terrace deposits; not observed in development area
Pine rose ( <i>Rosa pinetorum</i> )	List 1B.2	None	None	Perennial; blooms May - Jul	<b>ABSENT.</b> Woodlands and pine forests; not observed in development area
Santa Cruz clover ( <i>Trifolium buckwestiorum</i> )	List 1B.1	None	None	Annual; blooms Apr - Oct	<b>ABSENT.</b> Mesic grasslands; not observed in development area
Saline clover ( <i>Trifolium hydrophilum</i> )	List 1B.2	None	None	Annual; blooms Apr – Jun	<b>ABSENT.</b> Mesic alkali grasslands; no suitable habitat; not observed in development area

**CNPS Status: List 1B:** These plants (predominately endemic) are rare through their range and are currently vulnerable or have a high potential for vulnerability due to limited or threatened habitat, few individuals per population, or a limited number of populations. List 1B plants meet the definitions of Section 1901, Chapter 10 of the CDFW Code.



## RESULTS – WILDLIFE

### California Tiger Salamander

**Natural History and Status.** The California tiger salamander is a federal and state threatened species (USFWS 2004a). CTS primarily inhabit valley floor and foothill grasslands, open oak woodlands and scrub habitats surrounding aquatic breeding sites (Trenham 2001; USFWS 2000). Adults and juveniles live in upland rodent burrows for most of their lives (Trenham 2001; Trenham *et al* 2000; Loredó *et al* 1996). During the rainy season, typically November - March, adults migrate at night to breeding sites, which include vernal pools, seasonal ponds, reservoirs, and occasionally stream pools (Loredó and Van Vuren 1996; Trenham *et al* 2000; Searcy and Shaffer 2008; Alvarez *et al* 2021). Searcy (2013) recorded median migration distances of 49 m, 615 m, and 667 m for metamorphs, juveniles, and adults, respectively. Migration distances greater than 1 km are not considered rare (P. Trenham, California Tiger Salamander Workshop 2011) and individuals have been documented up to 1.4 miles from a breeding pond (Ford *et al* 2013). The adults remain at breeding ponds from one day to several weeks, then return to upland refugia (Loredó and Van Vuren 1996). Eggs are laid singly, or in small groups of up to four, on stalks of submerged vegetation or other objects (e.g., rocks, woody material, etc.), typically along the shoreline. The eggs hatch in 10 days to approximately three weeks (USFWS 2000; Jennings and Hayes 1994; Storer 1925). Larvae typically metamorphose in two to three months, from late spring to summer, when ponds begin to dry (USFWS 2000), and in rare cases, overwintering larvae have been documented (M. Allaback, pers. comm; Alvarez 2004). Metamorphs emerge from ponds and seek shelter mostly in the immediate vicinity in burrows, cracks in the ground or under debris, but sometimes as far as 200m away, even in the absence of rain (Trenham 2001; Trenham and Shaffer 2005; Loredó *et al* 1996). During the rainy-season, the juveniles continue to disperse farther to seek refuge in upland areas mostly within 640 m of the breeding pond. Threats and reasons for decline include loss of breeding and upland habitat due to agricultural and urban developments; the introduction of bullfrogs (*Lithobates catesbeiana*) and predatory non-native fishes into breeding sites; historical use of larvae as fishing bait; and hybridization with introduced non-native tiger salamanders (USFWS 2000; Seth *et al* 2003).

**Local Occurrences:** Within a 2-mile radius of the project site, CTS are known to breed at eight locations. Of these, the pond known as Leaky Pipe is the nearest to the project site and is located 0.85 miles to the east (**Figure 13**). **Table 3** presents a summary of the remaining seven locations. As shown on **Figure 13**, several potential CTS breeding ponds also are interspersed in the project site vicinity.

**Site Assessment:** CTS breeding habitat (i.e., ponds) is absent on the property. However, the south-facing live oak woodlands and coastal prairie grasslands on the site appear to be suitable as upland habitat for adults and juveniles seeking refugia, as small mammal burrows were observed throughout the grasslands and in accessed parts of oak woodlands. Additionally, the property lies within dispersal distance to Leaky Pond, as well as other potential breeding ponds in the project vicinity, and barriers to CTS movement between the property and known and potential ponds appear to be absent.

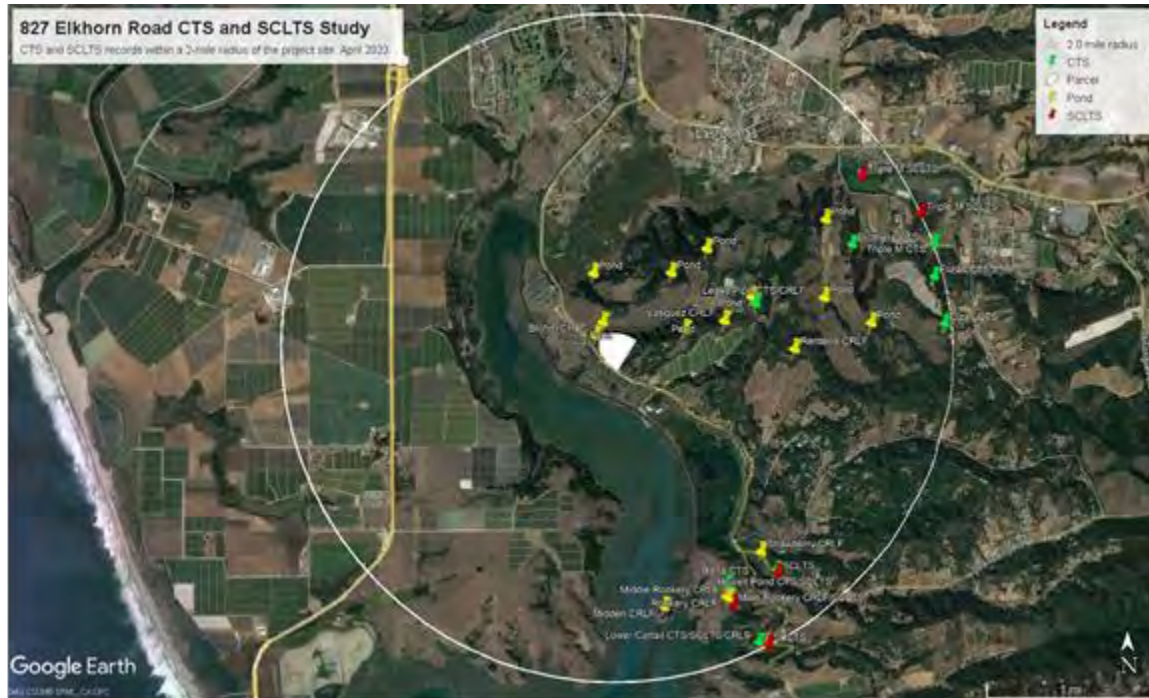


Figure 13. Known CTS and SCLTS Breeding Sites and Potential Breeding Ponds within a 2-mile Radius of the Project Parcel, which is Shown as a White Polygon.

**Table 3. CTS and SCLTS Breeding Ponds within a 2-mile Radius of the Project Site**

Species	Site	Distance from Project Site
California Tiger Salamander	Leaky Pipe Pond	0.85 mile east
California Tiger Salamander	Brother's Pond	1.44 miles east
California Tiger Salamander	Rana Pond	1.54 miles southeast
California Tiger Salamander Santa Cruz Long-toed Salamander	Howell Pond	1.60 miles southeast
Santa Cruz Long-toed Salamander	Triple M Ranch Pond	1.65 miles northeast
Santa Cruz Long-toed Salamander	Main Rookery Pond	1.67 miles southeast
California Tiger Salamander	Elizas Pond	1.82 miles east
Santa Cruz Long-toed Salamander	Triple M Ranch Pond	1.86 miles northeast
California Tiger Salamander	Elizas Pond	1.86 miles east
California Tiger Salamander	Triple M Ranch Pond	1.88 miles northeast
California Tiger Salamander Santa Cruz Long-toed Salamander	Lower Cattail/Upper Cattail	1.94 miles southeast

### Santa Cruz Long-Toed Salamander

**Status and Natural History.** The Santa Cruz long-toed salamander was first discovered in 1954 at Valencia Lagoon, near Aptos, in Santa Cruz County, California (Russell and Anderson 1956). The SCLTS is the southernmost subspecies of *Ambystoma macrodactylum* (Russell and Anderson 1956), and geographically isolated from the southern long-toed salamander (*A. m. sigillatum*) population. The SCLTS was listed as endangered by the U.S. Fish and Wildlife Service (USFWS) in 1967 (USFWS 2004), and subsequently in 1970 by the State of California under the California Species Preservation Act (Ruth 1989). Adult and sub-adult SCLTS spend most of the year in upland refugia, including rodent burrows, leaf litter, underneath surface objects, and in rotting logs, within dense oak woodlands, willow thickets and mesic coastal scrub (Ruth 1989). Adults migrate from upland habitats to seasonal/semi-perennial breeding ponds at night, during late fall and winter rains, generally from November through March. In contrast, juvenile dispersal is mostly confined to the first substantial fall rains, sometimes as early as August (M. Allaback, pers. comm.). SCLTS appear to travel in nearly straight lines, with marked individuals documented to migrate 0.6 mile from breeding ponds to upland habitat (USFWS 2004; M. Allaback, pers. comm.). However, unmarked long-toed salamanders have been observed 1 mile from the nearest breeding pond (USFWS 2004). Mating and egg-laying generally peak in January and February (USFWS 2004). After mating, the adults return to upland habitat, typically by March (Ruth 1989; USFWS 2004). The female deposits 200-400 singly on stems of emergent vegetation (Andersen 1967). The eggs hatch within 15 - 30 days and metamorphose into juveniles between May and September, depending on aquatic conditions. The distribution of the Santa Cruz long-toed salamander is highly restricted, making the species especially vulnerable to habitat loss resulting from agricultural and urban developments, predation from bullfrogs and non-native predatory fishes, as well as natural catastrophes related to changes in climate and disease outbreaks (Ruth 1989; USFWS 2004).

**Local Occurrences:** Within a 2-mile radius of the project site, SCLTS are known to breed at five locations, the nearest of which is Howell Pond located ~1.60 miles to the southeast, off of Strawberry Canyon Road (**Figure 13**). The remaining three locations are summarized on **Table 3**. In addition, several potential SCLTS breeding ponds are interspersed in the project vicinity, as shown on **Figure 13**.

**Site Assessment:** Potential SCLTS breeding habitat (i.e., ponds) is absent on the property and much of the coastal prairie and south-facing live oak woodlands and scrub appear unsuitable or marginal as upland habitat, due to their arid nature (refer back to **Figure 4**). However, north-facing live oak woodlands are present on the northern section of the property and considered suitable as potential upland habitat, as the live oak understory is dense, multi-layered and characterized by a wide variety of plant species (refer back to **Figure 6**). Additionally, the property lies within the distributional range of this species and is somewhat equidistant between Howell Pond and Triple M Ranch, with other potential breeding ponds in the surrounding landscape (**Figure 13**), and barriers to SCLTS movement between the property and known and potential ponds appear to be absent.

### Other Special-Status Wildlife

Special-status species are defined herein as federal and state listed species, state species of special-concern, and proposed and candidate species for state or federal listing. Thirty-three (33) special-status wildlife species were evaluated for this study, based on literature review, habitat conditions and personal knowledge of their regional patterns of occurrence and distribution. The exception to this was a USFWS and CDFW approved CTS/SCLTS presence-absence study performed as part of this assessment (Bryan Mori Biological Consulting 2023). No CTS or SCLTS were captured during the study.



Of the 33 species, 11 were considered as possibly occurring on the project site: CTS, SCLTS, California red-legged frog (*Rana draytoni*), northern legless lizard (*Anniella pulchra*), white-tailed kite (*Elanus leucurus*), northern harrier (*Circus hudsonius*), merlin (*Falco columbarius*), loggerhead shrike (*Lanius ludovicianus*), Bryant's savannah sparrow (*Passerculus sandwichensis alaudinus*), grasshopper sparrow (*Ammodramus savannarum*) and pallid bat (*Antrozous pallida*). Although CTS and SCLTS were not recorded at the project site during the 2022-23 focused survey, both are still considered as possibly occurring on the project site, since the property lies within the distributional range of these species and both are capable of long-distance movements. Also, SCLTS protocol presence-absence studies are valid for one year only (USFWS and CDFW 2012). One species, the San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), was recorded on the property, where several woodrat houses were seen scattered throughout the oak woodland understory (**Figure 14**). The remaining species are not considered further in the assessment for one or more of the following reasons: 1) the species is expected to occur in the study area only briefly as a transient during migration or foraging; 2) the study area does not support suitable habitat; 3) the study area appears to be outside of the species' local distributional range. **Table 4** summarizes the regulatory status, natural history and site assessment for each species.



Figure 14. An Example of One of Several Dusky-footed Woodrat Stick Houses Observed on the Property in the Live Oak Woodland Understory.

**Table 4. Special-status Wildlife Species Evaluated for the Elkhorn Road Parcel Development Area**

SPECIES	STATUS	HABITAT	STATUS AT THE PROJECT SITE
California Tiger Salamander ( <i>Ambystoma californiense</i> )	FT, ST	Annual grasslands and open oak woodlands are used as upland habitat for adults and juveniles seeking small mammal burrows as refugia. During the rainy season, seasonal and certain permanent ponds are used for breeding. Individuals move long distances of up to 1 mile during migration and dispersal.	<b>POSSIBLE*</b> . No CTS were captured during the 2022-23 winter upland pitfall trapping study performed for this assessment. The study was performed during a record rainfall year; thus, the negative results are considered valid for the 2022-23 breeding season. An additional winter 2024-25 study is presently awaiting approval.  <i>*However, CTS may occur at the project site in future years, given the project site's location within the distributional range of the species and several records are scattered around the project vicinity. Please see Bryan Mori Biological Consulting 2023 for detailed information on the study results.</i>
Santa Cruz Long-toed Salamander ( <i>A. macrodactylum croceum</i> )	FE, SE, FP	Moist oak woodlands, coastal scrub and willow thickets are used as upland habitat for adults and juveniles seeking small mammal burrows as refugia. During the rainy season, seasonal and fish free perennial ponds are used for breeding. Individuals have been recorded moving over a half-mile (M. Allaback, pers. comm.) during migration.	<b>POSSIBLE*</b> . No SCLTS were captured during the 2022-23 winter upland pitfall trapping study performed for this assessment. The study was performed during a record rainfall year; thus, the negative results are considered valid.  <i>*However, SCLTS may occur at the project site in future years, given the project site is located within the distributional range of the species and several records are scattered around the project region. Also, the SCLTS survey protocol states that the results of a study are valid for one year only. Therefore, an additional winter 2024-25 study is presently awaiting approval. Please see Bryan Mori Biological Consulting 2023 for detailed information on the study results.</i>
California Red-legged Frog ( <i>Rana draytoni</i> )	FT, SSC	Ponds, freshwater marshes, quiet stream pools for breeding or year-round. Various mesic habitats are used during migration and dispersal. Individuals may move up to 2 miles between breeding and non-breeding habitats.	<b>POSSIBLE</b> . CRLF are known to occur throughout the project region and has been documented at Blohm Pond, which forms below an intake culvert along the east side of Elkhorn Road, approximately 240 feet from the western perimeter of the property. Aquatic habitat is absent on the property, but individuals may be found during dispersal and migration. None were captured during the 2022-23 CTS/SCLTS winter upland trapping study.
Western Pond Turtle ( <i>Emys marmorata</i> )	SSC	Inhabits rivers, ponds, reservoirs and lakes. Nests in grasslands and other open vegetation in soils with clay content.	<b>UNLIKELY</b> . Pond turtles are known to occur throughout the project region, but the nearest record is from the Elkhorn Slough Reserve (pers. obs.). No aquatic habitat is present on the project site, and the nearest pond is under the canopy of a well-shaded drainage that lacks basking sites and is considered marginal.



**Table 4. Special-status Wildlife Species Evaluated for the Elkhorn Road Parcel Development Area**

SPECIES	STATUS	HABITAT	STATUS AT THE PROJECT SITE
California Horned Lizard ( <i>Phrynosoma blainvillii</i> )	SSC	Inhabits a variety of open habitats with sandy or loose loam soils.	<b>UNLIKELY.</b> Potential habitat may be present in areas supporting sandy soils, but no horned lizards were recorded during the 2022-23 upland salamander study, despite the capture of three other lizard species. Additionally, there are no CNDDDB records of this species in the project region and the species may be extirpated from the area (Jennings and Hayes 1994).
California Legless Lizard ( <i>Anniella pulchra</i> )	SSC	Mostly fossorial and occurs in a variety of habitats with sandy or loose loam soils, and alluvial deposits.	<b>POSSIBLE.</b> Potential habitat is present in areas supporting sandy or sandy-loam soils. CNDDDB records of legless lizards are mostly from the coastal dunes, however, one record is off of Walker Valley Road in oak woodland habitat, ~2.4 miles SE of the project site. Although not captured during the 2022-23 salamander upland study, legless lizards primarily live underground and are not known to disperse over long distances, thus may have been overlooked.
Brandt ( <i>Branta bernicla</i> )	SSC (Wintering)	Offshore and in coastal estuaries with eel-grass.	<b>UNLIKELY.</b> Does not breed locally and habitat absent at the project site. A spring and fall migrant off the coast, and regular in winter and summer at Elkhorn Slough (Roberson 2002).
Redhead ( <i>Aythya americana</i> )	SSC (Nesting)	Nests in freshwater marshes with dense emergent vegetation.	<b>UNLIKELY.</b> Does not breed locally and habitat is absent at the project site. Occurs along the coast as a rare migrant and winter visitor and has been recorded at Elkhorn Slough (eBird).
Barrow's Goldeneye ( <i>Bucephala islandica</i> )	SSC (Nesting)	Nests at inland lakes and rivers of forests.	<b>UNLIKELY.</b> Does not breed locally and habitat is absent at the project site. Occurs along the coast as a very rare winter and spring transient and has been recorded at Elkhorn Slough (eBird).
American White Pelican ( <i>Pelecanus erythrorhynchos</i> )	SSC (Nesting)	Nests on the ground at lakes, marshes and bays.	<b>UNLIKELY.</b> Does not breed locally and habitat is absent at the project site. Occurs all seasons at Elkhorn Slough as a non-breeder (eBird).
Brown Pelican ( <i>Pelecanus occidentalis</i> )	SSC (Nesting)	Nests on ground or cliff ledges of coastal islands.	<b>UNLIKELY.</b> Does not breed locally and habitat is absent at the project site. A non-breeding visitor along the central coast, most abundant in summer, but present year-round. Uses Elkhorn Slough for foraging, bathing and roosting (eBird)
White-tailed Kite ( <i>Elanus leucurus</i> )	FP	Nests in trees of open landscapes.	<b>POSSIBLE.</b> Individuals occur in all seasons in the Elkhorn Slough watershed (eBird) and nesting has been documented 2 miles south of the project site (CNDDDB). Nesting habitat (i.e., trees) is present at and around the project site.
Golden Eagle ( <i>Aquila chrysaetos</i> )	FP	Nests on cliffs and in tall, secluded trees. Ranges widely and forages over grasslands for jack rabbits and ground squirrels.	<b>UNLIKELY.</b> Suitable nesting habitat is absent on the property. A pair have nested on Elkhorn Ranch (Roberson and Tenney 1993) and individuals occur in the Elkhorn Slough watershed year-round (eBird), thus transients are likely to fly over the project site on occasion. There are no CNDDDB records of golden eagles nesting in the project region.

**Table 4. Special-status Wildlife Species Evaluated for the Elkhorn Road Parcel Development Area**

SPECIES	STATUS	HABITAT	STATUS AT THE PROJECT SITE
Bald Eagle ( <i>Haliaeetus leucocephalus</i> )	FP	Nests along coastal cliffs and in tall, secluded trees near lakes and rivers.	<b>UNLIKELY.</b> Suitable nesting habitat is absent on the property. A few individuals occur in the Elkhorn Slough watershed year-round (eBird), thus transients are likely to fly over the project site on occasion. There are no CNDDDB records of bald eagles nesting in the project region.
Northern Harrier ( <i>Circus hudsonius</i> )	SSC	Nests in secluded coastal scrub, tall grasslands and marshes.	<b>POSSIBLE.</b> Occurs in the Elkhorn Slough watershed throughout the year (eBird). The coastal prairie/scrub interface along the western section of the property may provide potential nesting habitat. There are no CNDDDB records of nesting harriers from the project region.
Merlin ( <i>Falco columbarius</i> )	SSC (Wintering)	Winters along the coast and in open habitats.	<b>POSSIBLE.</b> Occurs in the Elkhorn Slough watershed as an uncommon but regular winter resident (eBird). May forage on/over the project site. There are no CNDDDB records of merlins for the project region. <u>The limited scope of the project is not expected to impact wintering merlins.</u>
American Peregrine Falcon ( <i>Falco peregrinus</i> )	FP	Nests on secluded cliff faces and bluffs, or cliff ledge analogues on man-made structures.	<b>UNLIKELY.</b> Suitable nesting habitat is absent on the property. Occurs in the Elkhorn Slough watershed as a regular, uncommon, year-round resident (eBird), thus may fly over the project site on occasion. Nests nearby at the Moss Landing power plant (CNDDDB; pers. obs.).
California Ridgway's Rail ( <i>Rallus obsoletus obsoletus</i> )	FE, SE, FP	Tidally influenced saltwater and brackish marshes with abundant pickleweed.	<b>UNLIKELY.</b> Suitable nesting habitat is absent on the property. eBird records indicate this species is likely extirpated from Elkhorn Slough. The CNDDDB lists only several historic observations, yet considers the species extant.
Western Snowy Plover ( <i>Charadrius alexandrinus nivosus</i> )	FT	Nests and winters on wide, sandy beaches and sparsely vegetated dunes.	<b>UNLIKELY.</b> Suitable nesting habitat is absent on the property. Occurs in the lower Elkhorn Slough watershed as a regular, year-round resident (eBird). Nests nearby at the Moss Landing State Beach, Moss Landing salt ponds and Zmudowski State Beach (CNDDDB).
Black Tern ( <i>Chlidonias niger</i> )	SSC (Nesting)	Nests in marshes on ground or on mats of emergent vegetation.	<b>UNLIKELY.</b> Presently, does not breed locally and suitable nesting habitat is absent on the property. Occurs at Elkhorn Slough as a rare spring and fall migrant (eBird; Roberson 2002).
California Least Tern ( <i>Sterna antillarum browni</i> )	FE, SE, FP	Nests on secluded wide, sandy beaches and sparsely vegetated dunes.	<b>UNLIKELY.</b> Suitable nesting habitat is absent on the property. Occurs in the lower Elkhorn Slough watershed as a rare spring and fall migrant (Roberson 2002). Formerly nested locally at Moss Landing State Beach (Roberson 2002).
Black Skimmer ( <i>Rynchops niger</i> )	SSC (Nesting)	Nests on ground on open sandy beaches.	<b>UNLIKELY.</b> Presently, does not breed locally and suitable nesting habitat is absent on the property. Occurs at Elkhorn Slough as a rare spring and fall migrant and very rare winter visitor (eBird; Roberson 2002).

**Table 4. Special-status Wildlife Species Evaluated for the Elkhorn Road Parcel Development Area**

SPECIES	STATUS	HABITAT	STATUS AT THE PROJECT SITE
Burrowing Owl ( <i>Athene cunicularia</i> )	SSC (Nesting and Wintering)	Grasslands, fallow fields with sparse vegetation, dune scrub (winter). Uses ground squirrel burrows or burrow equivalents.	<b>UNLIKELY.</b> Not expected to occur on the project site, due to the lack of ground squirrel colonies. Rare spring and fall migrant and regular winter visitor from October through February (eBird; Roberson 2002). Presently, not considered a nesting species in the project region. The project site does not support denning habitat due to the absence of ground squirrel burrows.
Long-eared Owl ( <i>Asio otus</i> )	SSC (Nesting)	Nesting habitat is typically in dense live oak woodlands and riparian trees, with open meadow foraging habitat nearby.	<b>UNLIKELY.</b> Long-eared owls are rare residents with scarce nesting records in the northern Santa Lucia Range (Roberson and Tenney 1996). Also occurs as a rare coastal migrant, with records from Elkhorn Slough (Roberson 2002). eBird records are hidden from public view.
Short-eared Owl ( <i>Asio flammeus</i> )	SSC (Nesting)	Nests in freshwater marshes and tall grasslands of lowland valleys.	<b>UNLIKELY.</b> Nesting habitat is absent on the property. Short-eared owls are rare winter residents and fall migrants regionally, with recent records from Elkhorn Slough (Roberson 2002; eBird). Formerly nested in the lower Salinas Valley (Roberson and Tenney 1996).
Loggerhead Shrike ( <i>Lanius ludovicianus</i> )	SSC (Nesting)	Nests in scattered shrubs and trees with dense branching in grasslands, open scrub and agricultural areas.	<b>POSSIBLE.</b> Occurs in the Elkhorn Slough watershed as an uncommon resident, with numbers increasing in winter, but rare as a breeder along the coast from the Pajaro River south to Ft. Ord (Roberson 2002). There are no CNDDDB nesting records from the project region.
Olive-sided Flycatcher ( <i>Contopus cooperi</i> )	SSC (Nesting)	Nests in forest and woodland edges and eucalyptus groves.	<b>UNLIKELY.</b> Potential nesting habitat (tall trees) is lacking on the property. This species is an uncommon nesting species in the project region from the Pajaro River valley east to Prunedale (eBird; Roberson 2002), primarily using eucalyptus groves. There are no CNDDDB nesting records of this species in the project region.
Bryant's Savannah Sparrow ( <i>Passerculus sandwichensis alaudinus</i> )	SSC (Nesting)	Nests in tidally influenced marshes and coastal, dense grasslands within the fog belt.	<b>POSSIBLE.</b> The County supports a small, localized breeding population in the Elkhorn Slough watershed, with numbers increasing in winter from the influx of migrants (Roberson 2002; eBird). There are no CNDDDB nesting records from the project region.
Grasshopper Sparrow ( <i>Ammodramus savannarum</i> )	SSC (Nesting)	Nests in coastal prairie and annual grasslands with low vegetation height and scattered shrubs or patches of tall herbaceous plants, such as mustard or thistle used for singing posts.	<b>POSSIBLE.</b> Occurs in the Elkhorn Slough watershed as a locally common breeder and rare winter resident in mild winters (Roberson 2002). While there are no CNDDDB nesting records from the project region, eBird shows several breeding season observations from the area.

**Table 4. Special-status Wildlife Species Evaluated for the Elkhorn Road Parcel Development Area**

SPECIES	STATUS	HABITAT	STATUS AT THE PROJECT SITE
Tricolored Blackbird ( <i>Agelaius tricolor</i> )	ST, SSC	Nests colonially in open habitats, using secluded emergent wetlands, dense thickets or tall grasslands as nest sites. Breeding sites shift annually or seasonally, based on local conditions. Mesic habitats preferred.	<b>UNLIKELY.</b> Potential nesting habitat, such as freshwater marshes, is lacking on the property. This species is a year-round resident of the County (eBird; Roberson 2002). The CNDDDB contains nesting records of this species from general the project region. Nesting has been documented from the Moss Landing area (Roberson 2002).
Pallid Bat ( <i>Antrozous pallida</i> )	SSC	Roosts in buildings, large tree hollows, rock outcrops and under bridges.	<b>POSSIBLE.</b> Potential roosting habitat is present in mature live oak trees and snags with cavities. The proposed project may impact this species, depending on the location and timing of construction activities. The CNDDDB does not contain pallid bat records from the project region.
Western Red Bat ( <i>Lasiurus blossevillei</i> )	SSC	Typically roosts in the foliage of deciduous trees and shrubs in edge habitats near streams, open fields and orchards. Also in mixed conifer-hardwood forests along the coast.	<b>UNLIKELY.</b> Roosting habitat appears to be lacking at the project site. No records of western red bat are contained in the CNDDDB for the project region.
Monterey Shrew ( <i>Sorex ornatus salarius</i> )	SSC	This species ranges from south of the Pajaro River coastally to Carmel. Mostly inhabits lowland riparian and brackish and freshwater wetlands, but also may be found moist upland terrestrial communities.	<b>UNLIKELY.</b> Potential habitat (wetlands) is lacking at the project site. Additionally, no shrews were captured during the CTS/SCLTS upland pitfall trapping study performed, as part of this assessment. The CNDDDB contains historic records and a recent 2002 collection from the Moss Landing area.
San Francisco Dusky-footed Woodrat ( <i>Neotoma fuscipes annectens</i> )	SSC	Found in a variety of woodland and scrub habitats with dense understory. Typically builds large stick houses (dens) on the ground but sometimes in trees. May also den in snags, downed logs and brambles.	<b>PRESENT*.</b> Several woodrat houses were seen throughout the oak woodlands understory on the property and adjacent parcels. Based on a distribution map in Hall 1981, two woodrat subspecies could inhabit the area – <i>N. fuscipes annectens</i> and <i>N. lepida petricola</i> . The species of woodrat on the property was not determined, as the capture of specimens is needed for confirmation. The CNDDDB does not contain records of either species. <i>*For the purposes of this assessment, the SDFW is presumed present.</i>

**Key:** FE = Federal endangered species; FT = Federal threatened species; SE = State endangered species; ST = State threatened; FP = State fully protected species; SSC = State species of special concern.

**Note:** Occurrence evaluations for species other than CTS and SCLTS are based on observations of habitat conditions and literature review and no focused surveys were performed. A CTS/SCLTS winter pitfall trapping study was performed and available as a separate, stand-alone document.

### Migratory Bird Treaty Act and CDFW Regulations

Birds and active nests of all native species are protected under the Migratory Bird Treaty Act (MBTA), regardless of their lack of regulatory status as state or federally threatened/ endangered, or California species of special concern. The MBTA does exclude protection for migratory birds that have been introduced to North America, such as rock pigeon (*Columba livia*), Eurasian collared dove (*Streptopelia decaocto*), house sparrow (*Passer domesticus*) and European starling (*Sturnus vulgaris*). The MBTA is administered by the FWS. On the State level, it is unlawful to take, possess, or needlessly destroy a nest or eggs of any bird, under California Department of Fish and Wildlife Code 3503.

A focused bird survey was not performed as part of this study. Generally, the local nesting season spans 1 February – 1 September. The property is expected to support a variety of nesting birds, especially in the oak woodland and scrub habitats. At a minimum, the trees and shrubs on the property are expected to provide nesting sites for common resident and migratory birds including, but not limited to, red-tailed hawk (*Buteo jamaicensis*), acorn woodpecker (*Melanerpes formicivorus*), Nuttall's woodpecker (*Picoides nuttallii*), northern flicker (*Colaptes auratus*), mourning dove (*Zenaida macroura*), California scrub jay (*Aphelocoma californica*), chestnut-backed chickadee (*Poecile rufescens*), oak titmouse (*Baeopholus inornatus*), Bewick's wren (*Thryomanes bewickii*), western bluebird (*Sialia mexicana*), American robin (*Turdus migratorius*), California towhee (*Melazone crissalis*), spotted towhee (*Pipilo maculatum*) and dark-eyed junco (*Junco hyemalis*), all of which are common regionally.

## IMPACT ASSESSMENT AND RECOMMENDATIONS

### Impact Criteria

The thresholds of significance presented in the CEQA Guidelines were used to evaluate project impacts and to determine if implementation of the proposed Project would pose significant impacts to botanical resources. For this analysis, significant impacts are those that substantially affect, either directly or through habitat modifications:

- a) A species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS;
- b) Riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by CDFW or USFWS;
- c) State or Federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- 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;
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance;
- 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.

The proposed project (site plan) is presented on **Figure 15**.





The proposed project involves construction of a new 3-bedroom/3 bath single-family residence, a detached guest house/workshop and garage, related infrastructure (driveway, septic system, and utilities) and the placement of approximately 550 cubic yards of excavated spoils in the southeastern portion of the property. The project also includes defensible space as required by CalFire for fire safety. The defensible space is a 100-foot perimeter around the proposed residential developments. Land disturbance (permanent and temporary) for the proposed project is approximately 1.39 acre, affecting grassland and oak woodland.

A lot line adjustment (LLA) is proposed to facilitate upper driveway access to the development. The proposed LLA will result in approximately 5.12 acres of oak woodland, coastal scrub, and mixed grassland to be transferred from the subject parcel (APN 181-151-009) to the Elkhorn Slough Foundation (APN 181-011-022) in exchange for approximately 0.48 acre of land adjacent to the existing access road from APN 181-151-008 to APN 181-151-009. The donated area has the highest potential for special status wildlife species, especially SCLTS. The land donation will preserve environmentally sensitive habitat areas (ESHA's) and is a beneficial effect of the project.

#### Impact Analysis

- a) **Special Status Plant Species.** The proposed residential development area does not support special status plant species, based on site surveys in June 2022 and April 2023. However, maritime chaparral, supporting Pajaro manzanita (rare species), was found on the parcel outside of the development area. No direct impacts are expected to this species. Portions of the parcel provide open areas, with loose, sandy soil that is suitable for growth of Monterey spineflower and Yadon's rein orchid, two species recorded in close proximity to the subject parcel; however, the survey for these species was negative. The survey was conducted during the blooming/seed set/identifiable period for these species and no individuals of these species (or others, see **Table 2**) were observed.

**Recommended Measure BIO-1.** Identify in the field, with stakes and orange construction fencing, the occurrences of Pajaro manzanita and maintain protective fencing around these occurrences throughout the residential construction period. Retain the maritime chaparral habitat on site in perpetuity.

- b) **Sensitive Habitat.** The parcel supports oak woodland, coastal scrub, maritime chaparral, and native grasslands that are sensitive resources. The proposed project will directly impact oak woodland and mixed grassland. The residential project will permanently impact approximately 0.04 acre of oak woodland, and temporarily impact 0.08 acre of mixed grassland, as presented in **Table 5**. Project construction will remove 20 trees greater than 6" in diameter. As per the arborist's report 15 of these trees are considered "protected" trees and one is a fallen landmark tree, as defined in County Code.

**Table 5. Impacts to Sensitive Habitat**

Habitat	Permanent Impact	Temporary Impact
Oak Woodland	0.04 acre	0.009 acre
Mixed Grassland	0	0.08 acre
<b>TOTAL</b>	<b>0.04 acre</b>	<b>0.089 acre</b>

**Recommended Measure BIO-2.** The project shall implement oak woodland restoration and enhancement and revegetate temporarily disturbed grasslands. In addition, the landowners shall agree to voluntarily preserve the oak restoration areas and remaining sensitive habitat areas on the property (oak woodland, maritime chaparral, and mixed grassland) in perpetuity.

Implement Oak Woodland Restoration. To compensate for the impact to oak woodland, the landowner shall implement a forest management plan that includes oak woodland restoration and enhancement. The plan shall provide a 3:1 restoration or enhancement to impact ratio. This ratio will provide suitable mitigation by replacing native oak woodland impacted by construction. The plan shall specify restoration/enhancement of a minimum of 0.12 acres of oak woodland concurrent with, or within one year after development of the single-family residence. The primary restoration actions would be: removal/control of invasive, non-native plant species, reduction of annual, non-native annual grasses; seasonal weeding and mowing of restored area(s), and seasonal control/removal of invasive, non-native plant species from the restored area(s). Restoration/enhancement area(s) should be maintained and monitored for 5 years (or longer until success criteria are met), with annual monitoring results submitted to the County each year, or as so indicated by County Conditions of Approval. In addition, the plan shall specify oak tree replacement plants at a minimum 1:1 replacement ratio. Please refer the arborists report and the arborist's Forest Management Plan for tree protection and replacement requirements.

Revegetation of Temporarily Disturbed Mixed Grassland. As compensation for project impacts to mixed grassland, the temporarily disturbed areas shall be revegetated with a native grass and forb seed mix. Suitable grass species include California brome (*Bromus carinatus*), purple needlegrass (*Stipa pulchra*), California oatgrass (*Danthonia californica*) and blue wild rye (*Elymus glaucus*). Forbs shall also be added to the seed mixture, such as common yarrow (*Achillea millefolium*), California poppy (*Eschscholzia californica*), and sky lupine (*Lupinus nanus*).

Revegetation of Soil Stockpile Area: The soil placement area shall receive erosion control treatment after placement and be revegetated to grassland. A native grass and forb seed mix shall be applied prior to October 15<sup>th</sup>. Suitable grass species include California brome (*Bromus carinatus*), purple needlegrass (*Stipa pulchra*), California oatgrass (*Danthonia californica*) and blue wild rye (*Elymus glaucus*). Forbs shall also be added to the seed mixture, such as common yarrow (*Achillea millefolium*), California poppy (*Eschscholzia californica*), and sky lupine (*Lupinus nanus*).

- c) **Wetlands.** No impact.
- d) **Special-status Amphibians and Reptiles.** Construction activities could result in take of CTS, SCLTS, CRLF and California legless lizard (CLL), depending on the location and/or period of ground disturbance construction activities, such as grubbing, grading, trenching, etc., as well as fire management needed for defensible spaces. Although CTS and SCLTS were not recorded at the project site during the 2022-23 winter trapping study, both are still considered as possibly occurring on the project site, since the property lies within the distributional range of these species and both are capable of long-distance movements. Additionally, presence-absence studies for SCLTS is valid

only for one year. Presently, an additional trapping study is scheduled for the upcoming 2024-25 winter, as requested by CDFW. The new study will be revised to reflect the current site plan and LLA. In the interim, the measures below are recommended and intended to avoid direct impacts to special-status amphibians and reptiles and be compatible with policy no. 5 of the NCCLUP. These measures also address USFWS concerns regarding defensible spaces.

**Recommended Measure BIO-3.** Within 72 hours of project start, a *qualified biologist* should perform a pre-construction survey for CTS, SCLTS, CRLF and CLL. The pre-construction survey should focus on searching beneath cover objects, such as large rocks, downed logs and other woody debris and boards, etc., within the work limits of the project site (e.g., staging/storage areas, access roads and grading envelope). If CTS, SCLTS or CRLF are observed, CDFW shall be contacted for further guidance. No work may proceed until authorization is obtained from CDFW and USFWS. *An Incidental Take Permit (ITP) from CDFW may be needed to continue work.* If CLL are observed, relocate the individuals to appropriate habitat out of harm's way. Handling of CLL and other special-status species should be performed by a permitted biologist and approved by CDFW and FWS.

**Recommendation Measure BIO-4.** Prior to the start of the project, a *qualified biologist* should present an endangered species environmental training to all construction workers. The training should include distribution of a handout addressing natural history and legal status of all species of concern potentially occurring at the project site, and the protection measures to be implemented as part of the project. All workers should sign a certification sheet following the training. *All new workers must be trained, prior to working on the project site, either by the qualified biologist or previously trained site supervisor.*

**Recommendation Measure BIO-5.** Prior to the start of the project, environmentally sensitive areas (ESA) should be delineated with orange construction fencing. No ground disturbances (e.g., discing, grading, etc.), storage of materials, spoils and staging of heavy equipment shall be allowed within designated ESA.

**Recommendation Measure BIO-6.** Grading and other earthwork (e.g., grubbing, trenching, potholing, etc.) of all phases of the project (e.g., access road, water line, building pad, septic, etc.) shall only be performed between 15 April and 15 October, or until the first fall rains following 15 October, if agreed upon by the County. If all ground disturbance activities cannot be completed in this timeframe, the project shall resume the following spring. No winter season earthwork shall be permitted. Additional studies may be needed at the request of state and federal agencies, if the start of project ground disturbances is delayed beyond October 15, 2024.

**Recommendation Measure BIO-7.** A *qualified biologist* should be present at the project site during initial vegetation removal and grading activities. Once the vegetation removal and initial grading activities have been completed, subsequent construction monitoring can be performed by the construction site supervisor. If special-status species are observed by the crew or site supervisor during construction activities, all work in the immediate area must cease and the *qualified biologist* contacted to capture and relocate individuals out of harm's way. Work may not resume until approved by the *qualified biologist*. *Work crew shall not handle wildlife.*

**Recommendation Measure BIO-8.** If CTS, SCLTS or CRLF is found during any phase of construction, CDFW and USFWS shall be notified, and all work on the project site shall stop immediately and be postponed until authorization to proceed has been obtained from CDFW and USFWS. The project applicant may be asked to obtain an ITP to proceed with the project.

**Recommendation Measure BIO-9.** In the event work cannot be completed by 15 October, or no later than 48- hours prior to the prediction of unseasonable rainfall of a minimum 0.25", encircle the entire perimeter of work sites with exclusion fencing to prevent CTS, SCLTS and CRLF from trespass into work areas. The exclusion fence shall incorporate a one-way design with backfilled gaps to allow for wildlife within the enclosures to move out of work areas. 3' x 3' cover boards should be placed every 100 feet along the inside and outside lengths of the fence to provide shelter for wildlife travelling along the fences. Standard silt fence material can be used for the exclusion fence. The silt fence should be buried a minimum 6 inches below grade. If an entrance is needed for workers or machinery to pass, place a removable, minimum 6-inch tall wood plank across the gap and secure with stakes or rebar after the end of each day's work for a two-week period following rainfall. The installation of the fence should be checked by a *qualified biologist* to ensure appropriate installation or to implement recommendations for improvement.

**Recommendation Measure BIO-10.** Following unseasonable rains of 0.25 inches or greater, a qualified wildlife biologist should inspect around storage piles, under vehicles parked overnight, and all open holes and trenches at the beginning of each work day to check for wildlife.

**Recommendation Measure BIO-11.** All open trenches and potholes must have ramps or other features installed to allow for entrapped wildlife to escape. Trenches or potholes that cannot accommodate escape ramps must be covered at the end of each work day, then inspected by the construction supervisor at the start of each work day. If entrapped wildlife is observed, contact the monitoring biologist to capture and relocate the species out of harm's way into suitable habitat.

**Recommendation Measure BIO-12.** New night lighting shall not be directed into the riparian corridor. All night lights shall be of minimum intensity necessary for safe accessibility and have shields to limit the extent of illumination.

**Recommendation Measure BIO-13.** The landowners shall agree to voluntarily preserve the sensitive habitat areas on the property (oak woodland and mixed grassland) in perpetuity to protect potential CTS and SCLTS upland habitats.

**Recommendation Measure BIO-14.** Manage vegetation in defensible spaces in a manner that is sensitive to the biological resources and compatible with CalFire guidelines. To reduce the fire ladder to the tree canopy, maintain a low (12-18 inches tall) understory of native vegetation and remove tree limbs up 6 feet. Leave some logs scattered on bare soil to provide cover for wildlife. Avoid removing vegetation beyond the CalFire guidelines, for example, clearing all understory vegetation and leaving behind bare ground.



**Recommendation Measure BIO-15.** Wherever curbs are proposed, construct rounded curbs or angled curbs of 60 degrees or less to avoid creating movement barriers for amphibians.

**Recommendation Measure BIO-16.** In the design of drainage systems, incorporate the use of French drains that avoid grated openings that unintentionally capture amphibians. Avoid grates with ¼" openings or greater or incorporate the use of mesh screens.

**Special-status and MBTA Protected Birds.** Construction activities could disrupt nesting activities of potential special-status breeding birds such as white-tailed kite, northern harrier, loggerhead shrike, Bryant's savannah sparrow and grasshopper sparrow, along with raptors and other native species nesting adjacent to the project site. Failure of active nests due to construction activities could be in violation of the MBTA and CDFW regulations. Therefore, implement the following measures, which are consistent with policy No. 10 of the NCCLUP.

**Recommendation Measure BIO-17.** Perform pre-construction nesting bird surveys no longer than one week before the scheduled start of construction activities. The nesting survey should be performed by a *qualified biologist* and cover the project site and a 500-foot radius, since potential nesting raptors may require buffers of a minimum 300 feet.

**Recommendation Measure BIO-18.** In the event active nests are observed, the nest site shall be flagged and a buffer shall be established to prevent nest failure. The buffer widths shall be determined by the *qualified biologist*, based on species, site conditions and anticipated construction activities. Active nests should be monitored at a frequency determined by the monitoring biologist, but at a minimum of once per week, until the nestlings have fledged.

**Recommendation Measure BIO-19.** In the event that construction activities appear to be interfering with nest maintenance (e.g., feedings and incubation), then the buffers should be enlarged or construction activities postponed, until the young have fledged, as determined by the *qualified biologist*.

**Pallid Bat.** Removal of trees and/or snags and construction activities beneath and adjacent to potential bat roosts could result in the direct loss of roost sites or abandonment of roosts through noise or vibrations. Maternity roosts are most important as negative impacts can have broad, far reaching effects, since such roosts are critical for reproduction and can support multiple generations of bats. Therefore, the following protection measure is recommended.

**Recommendation Measure BIO-20.** No longer than two weeks prior to the anticipated start of construction activities, a bat specialist should survey the trees and snags in and immediately adjacent to the work areas for bat roosts. If present, implement recommendations of the bat specialist, which could include buffer zones, installing exclusion devices and/or scheduling constraints, depending on whether maternity, bachelor, or night roosts are identified.

**San Francisco Dusky-footed Woodrat.** Construction activities could result in the direct take of woodrat houses. Therefore, the following protection measures are recommended.

**Recommendation Measure BIO-21.** A *qualified biologist* should perform a pre-construction survey for woodrat houses within the project work boundaries and a 25-foot buffer around the project site perimeter. Flag and establish buffers around each woodrat house observed. The buffer width should be determined by the qualified biologist, but will not be less than 20 feet. If a woodrat house is present within the work area and cannot be avoided, then the *qualified biologist* shall contact CDFW for approval to implement a woodrat relocation plan. This could involve live trapping and the construction of alternate houses in adjacent suitable habitat. The woodrat relocation plan must be implemented by a *qualified biologist* possessing a Scientific Collection Permit authorizing the handling of woodrats. Authorization by CDFW must be obtained prior to the implementation of this measure. Post-relocation monitoring may be required by CDFW, as part of the plan

- e) **Local Policies.** Policies in the North County Coastal Land Use Plan regulates activities within the sensitive habitats on the parcel, including areas that support special status species. Provision within the Coastal Land Use Plan are applicable to the proposed project. Recommended measures BIO-1 through BIO-21 provide compensatory mitigation as allowed in the Plan.
- f) **Conflict with HCP or NCCP.** No impact. The site is not located within an area covered by an HCP or NCCP.

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### Personal Communications

Mark Allaback, Biosearch, Santa Cruz, CA.



827 ELKHORN ROAD  
MONTEREY COUNTY, CALIFORNIA

YEAR 2 UPDATE  
CALIFORNIA TIGER SALAMANDER AND SANTA CRUZ LONG-TOED SALAMANDER  
2024-25 WINTER PITFALL TRAPPING STUDY  
&  
CALIFORNIA RED-LEGGED FROG HABITAT ASSESSMENT

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April 15, 2025

Project No. 535-02

## SUMMARY

This report presents the results of the California tiger salamander (*Ambystoma californiense*) (CTS) and Santa Cruz long-toed salamander (SCLTS) (*A. macrodactylum croceum*) 2024-25 winter pitfall trapping study performed for the proposed single-family residential and guest house project on 827 Elkhorn Road, Monterey County, CA.

For the second year, no CTS or SCLTS were recorded during winter upland study, despite their known occurrences elsewhere in the project region. Despite the negative findings, the property does support dense, mesic live oak woodlands, which is considered suitable potential SCLTS upland habitat, and the south-facing live oak woodlands, scrub and coastal prairie present throughout much of the property is potential suitable upland habitat for CTS. Therefore, both species could occur on the property in areas of the property not studied or in the future, given the project site's location in their distributional range and their abilities to migrate/disperse over long distances. Thus, CTS/SCLTS take avoidance measures are included in this report.

Conversely, five young-of-year (YOY) California red-legged frogs (CRLF) (*Rana draytoni*), another federal listed species, were captured during the study. The captures were surprising, as none were documented during the initial 2022-23 study, but not unexpected, given the widespread distribution of CRLF in the study region and their ability to migrate long distances. Following the initial CRLF capture, the US Fish and Wildlife Service (USFWS), Buena Vista Field Station (Chad Mitcham) was contacted for early guidance. Per communications with Mitcham, a Habitat Conservation Plan (HCP) would not be requested of the applicant, given the project proposes to place additional land into conservatorship of the Elkhorn Slough Foundation and if take avoidance measures are incorporated. This report considers the CTS and SCLTS take avoidance measures presented in this report as appropriate for CRLF protection.

## INTRODUCTION

The project site is located at 827 Elkhorn Road (APN 181-151-009), Monterey County (**Figure 1**). A reconnaissance level field survey was performed on 11 July 2022, as part of a general biological assessment (Biotic Resources Group 2024). The proposed project includes a single-family residential unit, ADU, driveway, septic system and water line. During the site visit, the property was determined to lie within the distributional range of CTS and SCLTS and support potential habitat for both species. CTS and SCLTS are listed as threatened or endangered by the California Department of Fish and Wildlife (CDFW) and USFWS. As such, informal consultations were initiated by the project applicant with both agencies to determine a course of action to address these species in the planning process. At the recommendation of both CDFW and USFWS, an upland pitfall trapping study was performed during winter 2022-23 to determine the presence/absence of CTS and SCLTS in the areas proposed for development (Bryan Mori Biological Consulting Services 2023). However, the project application process was delayed beyond the one year expiration period of the study, plus the project layout was modified. Therefore, CDFW requested an additional year of winter upland trapping, as part of the application process. This report presents the findings of the second winter trapping study.



Figure 1. Study site location map.

## METHODS

Agency-approved protocols for CTS and SCLTS site assessments were used as guides in performing this study. These include Interim Guidance on Site Assessment for Determining the Presence or a Negative Finding of the California Tiger Salamander, October 2003 (USFWS and CDFG 2003) and Guidance on Site Assessment and Field Surveys to Detect Presence or Report a Negative Finding of

the Santa Cruz Long-toed Salamander December 2012 (USFWS and CDFW 2012). Due to the collective, in-depth understanding of the patterns of distribution and occurrences of CTS and SCLTS in the project region, the application of the protocols was abbreviated.

### Pitfall Trapping Study

The CTS/SCLTS pitfall trapping study was performed under Federal Permit TE778668-10 and State Scientific Collection Permit No. 200160021, with prior approval from CDFW and USFWS.

The pitfall trap arrays were established at four locations to provide breadth of site coverage and relevance to potential off-site source ponds (**Figure 2**). The array locations differ slightly from the 2022-23 study, due to project modifications and removal of alternative building sites. The array installations were performed by the project applicant and monitored by Bryan Mori (Recovery Permit holder). **Figures 3 – 7** show sections of the individual trap arrays.



Figure 2. Upland pitfall trap array locations.





Figure 3. Photo depicting the installation of the northern perimeter array. View is northwestward.



Figure 4. Photo showing installation of the western perimeter array. View from the driveway looking northwestward.





Figure 5. Installation of the southern corner array. View is from the south corner looking northeast.



Figure 6. Installation of the northeastern array segment. View is from the driveway looking northeast.

The fences were constructed with Caltrans grade plastic-weave silt fence material with attached wooden stakes. The silt fences were buried a minimum of 6 inches into the ground and extended roughly 2.5 feet above grade. The total length of the drift fence arrays was approximately 1826 feet. Ten-foot gaps were placed between each 100-foot fence segment to allow for wildlife passage. Paired, plastic 2-gallon buckets (traps) were buried approximately every 50 feet along the fence line, for a total of 120 traps (**Figure 7**). A plywood coverboard was used at each trap to provide cover from predators, while the traps were open. When the traps were closed, the cover boards and bricks were used to securely close the trap lids. Each trap was numbered for identification. Bilingual “Do Not Disturb” placards, with a brief description of the study, permit numbers and contact information, were stapled to the fence near each trap location. The installation of pitfall trap arrays was completed by 1 November 2025, before the first significant rains of the study period.



Figure 7. A trap includes a 2-gallon bucket buried flush to grade, plastic lid and plywood cover-board.

Trap monitoring was performed from 2 November 2024 to 15 March 2025. Traps were opened during the afternoon on rainy days or when rain was predicted for that night, then checked the following morning and closed if no further rain was expected, or left open if rain still was in the forecast. All wildlife species captured were identified and recorded in a field notebook.

In addition to when the traps were opened, the fences were checked weekly during the dry period for vandalism, disturbance by predators and maintenance needs. The fence lines and traps were maintained throughout the study by the project applicant. On several occasions, traps were lifted in response to flooding from surface flow and soil saturation. All traps were permanently closed on 15 March and completely removed by 18 March by the project applicant and field verified by the permitted biologist.

**Precipitation Data:** Daily rainfall data during the study period was obtained from the Weather Underground website (<https://www.wunderground.com/weather/us/ca/watsonville/KCAWATSO38>)



for the nearby Royal Oaks personal weather station KCAWATSO38. Daily rainfall totals are for a 24-hour period preceding the morning inspection of traps (i.e., 0700 – 0700).

*Regional Winter 2024-25 CTS/SCLTS Observations:* Information regarding regional CTS/SCLTS winter movement was obtained for general comparative purposes and included personal communications with Mark Allaback, Consulting Biologist, Biosearch; Susie Fork, Biologist, Elkhorn Slough National Estuarine Research Reserve (ESNERR); and Ken Collins, Elkhorn Slough Foundation (ESF).

## EXISTING CONDITIONS

### Project Site

The project parcel (APN 181-151-009) is located off of Elkhorn Road, Elkhorn, Monterey County (**Figure 2**) and encompasses 18.325 acres. The principal habitats on the property are coastal prairie, open live oak woodland, coastal scrub on the south- to west-facing slopes, and lush live oak woodland along the north-facing slopes. Aquatic habitat is absent on the property. A detailed account of the habitats present on the property as observed during site visits on July 11, 2022 and April 10, 2023 is presented in the general biological assessment prepared for the proposed project (Biotic Resources Group 2024). However, in the interim since the 2022-23 winter trapping study, minor habitat changes occurred on the property. These include the additional removal of dead and dying oaks identified in the arborist report; installation of a shed and temporary greenhouse and associated vegetation disturbance along the north of the proposed development envelope; grubbing of vegetation along pathways created in and around the development envelope; and placement of a temporary gazebo and portable tool shed northeast of the proposed project (**Figures 8 – 10**).



Figure 8. Photo of shed and greenhouse in the back ground and pile of cut oak limbs to the left. October 22, 2024.





Figure 9. Example of a pathway created in the proposed development envelope.



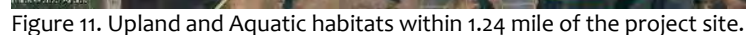
Figure 10. Temporary gazebo and portable tool shed northeast of the proposed development envelope.

### Off-Site

The general habitat descriptions of off-site habitats follow the guidelines of the CTS/SCLTS protocols and include areas within a 1.24-mile radius of the project site. Within this radius the surrounding landscape is largely rural, with Elkhorn Slough roughly bisecting the area, based on interpretation of Google Earth satellite images and observations from public roads (**Figure 11**). Agricultural developments dominate the landscape west of the slough, whereas east of the slough, grassland,



Elkhorn Slough is presumed to be a barrier to east-west movement by amphibians, due to its saline character and breadth. Therefore, only relevant aquatic habitats east of the slough are included in this assessment. Numerous ponds were identified through review of Google Earth images and the ESNERR database of special-status amphibians. Of these, only one offsite pond, Blohm Frog Pond, was observed directly, due to private property limitations; this pond forms at the inlet culvert at Elkhorn Road and receives flow from a narrow drainage that borders the northern perimeter of the project parcel.



Please refer to the 2022-23 winter upland trapping study (Bryan Mori Biological Consulting Services 2023) for discussion on the natural history of CTS and SCLTS. In lieu, a discussion of CRLF has been added to this report, given their occurrence on the project site during this study.

The California red-legged frog is a federal threatened species and a Priority 1 state species of special concern (CDFW 2025; Thomson *et al.* 2016; USFWS 2002). Historically, the statewide range of this species extended southward from the Marin County coast, and inland from Shasta County, south to Baja California (Jennings and Hayes 1994). However, the CRLF has been extirpated from 70% of its former range (USFWS 1996), and presently is found primarily in central coastal California, typically in natural and artificial ponds, quiet pools along streams, and coastal marshes (USFWS 1996). During the breeding season, optimal aquatic habitat is characterized by dense emergent or shoreline vegetation and a water depth of 2 feet or more (Hayes and Jennings 1988). However, seasonal ponds located in grasslands with little emergent/shoreline cover also may be used for breeding,



where sufficient water levels promote the metamorphosis of larvae and rodent burrows offer cover (Thomson *et al.* 2016; USFWS 2002; pers. obs.). Breeding typically occurs between December and April, depending on annual environmental conditions and locality. Egg masses containing 2,000 - 5,000 eggs are deposited near the water surface on emergent vegetation, but occasionally on the pond bottom where attachment sites are absent. Eggs require 6 - 14 days to hatch, and metamorphosis generally occurs within 3.5 - 7 months of hatching, although larvae have been recorded to over-winter at some localities (pers. obs; Fellers, *et al.* 2001). Metamorphosis generally occurs between July and September. Young-of-year juveniles are 25 - 35 mm in size and seek cover in vegetation along the shoreline and floating algal mats over open water. Adult migrations and juvenile dispersal generally begin with the first rains of the weather-year, although all size classes will move in response to receding water at seasonal ponds. Radio telemetry data indicate that adults engage in straight-line movements irrespective of riparian corridors or topography, and they may move up to 3.0 miles between non-breeding and breeding sites (Bulger, *et al.* 2003; Fellers and Kleeman 2007). At permanent ponds, most CRLF remain in the immediate vicinity of the pond, but may move up to 300 feet into surrounding uplands where individuals may spend days or weeks in suitable refugia, especially following rains (Bulger, *et al.* 2003; pers. obs.). At seasonal breeding sites, frogs will move at least as far as the nearest suitable non-breeding habitat, such as riparian corridors, seepages, freshwater marsh, etc. (Fellers and Kleeman 2007). CRLF may take refuge in small mammal burrows, leaf litter, or other moist areas during periods of inactivity or when necessary to avoid desiccation (Rathbun, *et al.* 1993; Jennings and Hayes 1994; pers. obs.).

Much of this species' habitat has undergone significant alteration by agricultural, urban development, and water projects, leading to the extirpation of many populations (USFWS 1996). Other factors contributing to the decline of red-legged frogs include their historical exploitation as food; competition and predation by bullfrogs (*Rana catesbeiana*); introduction of predatory fishes (Jennings and Hayes 1985; Hayes and Jennings 1988; Lawler, *et al.* 1999); and increased salinity of coastal breeding sites (Jennings and Hayes 1990). Chytrid fungus, while linked to the decline of some amphibian species, does not appear to have significantly impacted CRLF (Thomson *et al.* 2016).

## RESULTS

### Trapping Study

One hundred twenty (120) traps were monitored for thirty-two nights between 2 November 2024 and 15 March 2025, totaling 3,840 trap-nights. No CTS or SCLTS were recorded during the study. However, five CRLF YOY were captured from 11 November 2024 through 5 February 2025, with four of five captures occurring before January. All individuals were measured, photographed and released in suitable habitat on the opposite side of the trapline (**Figure 12**). The CRLF observations are summarized on **Table 1** and depicted on **Figure 13**. Additionally, ten other non-target wildlife species were captured, including Gabilan Mountains slender salamander (*Batrachoseps gabilanensis*), Monterey ensatina (*Ensatina eschscholtzii*), arboreal salamander (*Aneides lugubris*), Sierra treefrog (*Pseudacris sierrae*), western fence lizard (*Sceloporus occidentalis*), Skilton's skink (*Plestiodon skiltonianus*), southern alligator lizard (*Elgaria multicarinata*), broad-handed mole (*Scapanus latimanus*), California meadow vole (*Microtus californicus*) and pocket gopher (*Thomomys bottae*).



Figure 12. A CRLF YOY captured on 11 November 2024.

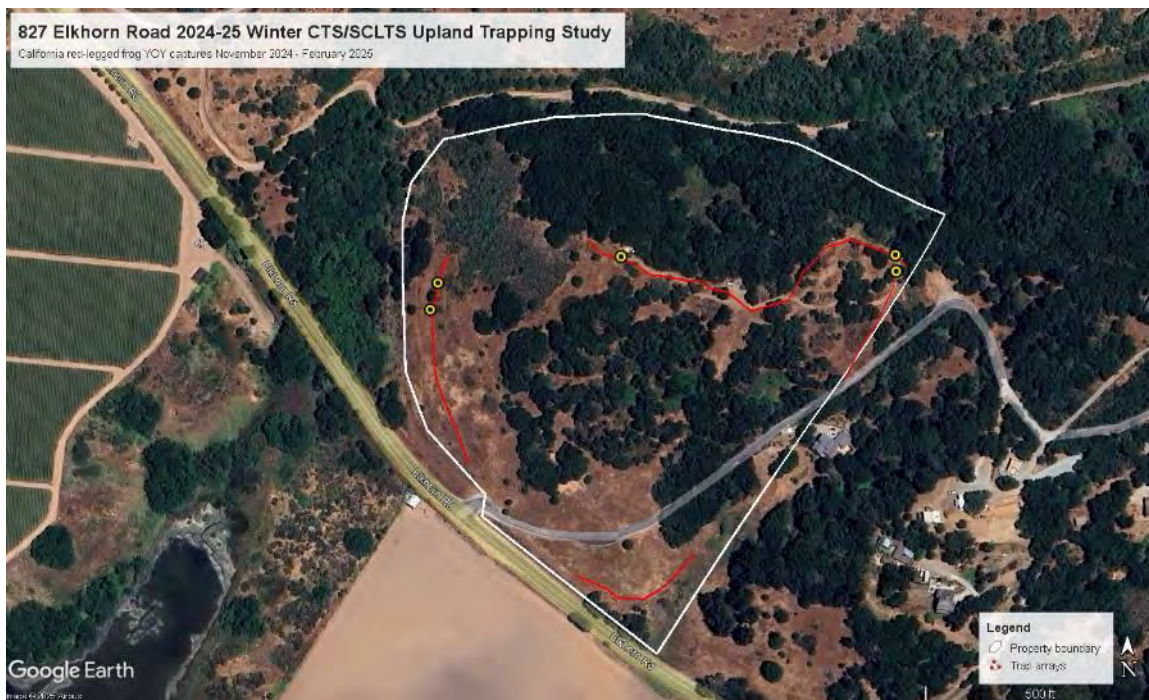
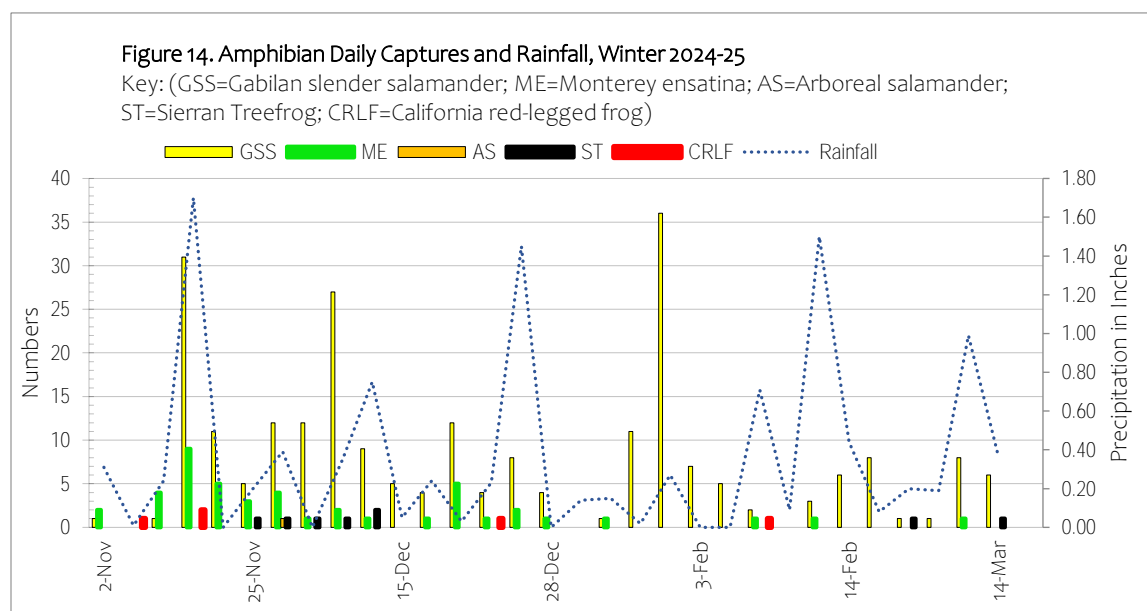


Figure 13. CRLF YOY capture locations are marked with a yellow bullseye.

**Table 1. Summary of CRLF captures during the 2024-25 winter upland trapping study.**

Capture Date	Capture Location	Notes
11 November 2024	North array	~35 mm; inside trap
23 November 2024	West array	~35 mm; outside trap
23 November 2024	Northeast array	~35 mm; inside trap
24 December 2024	North array	~35 mm; outside trap
5 February 2025	West array	~35 mm; outside trap

Focusing on amphibians recorded, slender salamanders were captured more frequently and in greater abundance than other species, with 241 total. Slender salamanders were recorded throughout the duration of the study, but peaked on 2 February, when 36 were captured (**Figure 14**). Thereafter, daily captures dropped despite continued rainfall. The second most commonly recorded amphibian was Monterey ensatina, with 45 total.



### Local Precipitation

In the Watsonville region, rainfall between November and March, the period corresponding to the 2024-25 study period, averages 19.76 inches

(<https://www.usclimatedata.com/climate/watsonville/california/united-states/usca1215>). The Watsonville area was selected due to its proximity to the project site and the absence of a weather station closer to the project site for which long-term averages are available. Watsonville recorded 16.41 inches from November 2024 – March 2025, indicating the project region experienced below normal rainfall during the study period. The rainfall information may not be representative of the project site vicinity and is, therefore, presented for general comparative purposes only.

### Concurrent 2024-25 Winter CTS and SCLTS Observations

CTS and SCLTS observations recorded concurrent to the study were obtained from personal communications with local biologists to provide a regional context of CTS and SCLTS movements for general comparative purposes. Both species were documented migrating or at breeding ponds in



the Elkhorn Slough watershed, and SCLTS movements also were recorded in Santa Cruz County during winter 2024-25. The observations are summarized, below.

- A CTS sub-adult was observed moving towards Steep Pond (Elkhorn) on 17 December 2024.
- Six CTS reproductive adults were documented at Tinman Pond (Elkhorn) on 25 November 2024.
- Two SCLTS adults were observed beneath a coverboard at Upper Cattail Pond (Elkhorn) early January 2025.
- In Santa Cruz County, small numbers of SCLTS were captured at Wee LiLi Reserve through from November 2024 through early March 2025 (M. Allaback, pers. comm.).

#### **DISTRIBUTION of CTS, SCLTS and CRLF BREEDING SITES in the PROJECT VICINITY**

The distribution of CTS, SCLTS and CRLF frog breeding sites in the project vicinity are depicted on **Figures 15 - 17** and summarized on **Table 2**. The differing radiuses from the project parcel reflect the application of species specific protocols (e.g., CTS – 1.24 miles; SCLTS – 3.1 miles; CRLF – 1 mile).



Figure 15. Leaky Pond represents the lone documented CTS breeding pond within 1.24 miles of the project parcel.



Figure 16. The image depicts six known SCLTS breeding sites within 3.1 miles of the project parcel.



Figure 17. The image displays five ponds with documented CRLF occurrences within 1 mile of the project parcel.



**Table 2. CTS, SCLTS and CRLF breeding ponds (see Figures 15 – 17)**

Species	Site	Distance to Property	Comments
<b>California Tiger Salamander</b>	Leaky Pipe Pond	0.85 mile east	CRLF also present; 2016-2017 (NDDDB).
<b>Santa Cruz Long-toed Salamander</b>	Howell Pond	1.60 miles southeast	SCLTS per C. Mitcham, USFWS; also CTS larvae 2016 (NDDDB).
	Triple M Ranch Pond	1.65 miles northeast	eDNA assay 2022 (Ralson <i>et al</i> 2025).
	Main Rookery Pond	1.67 miles southeast	SCLTS larvae 2002; CRLF also present 1997 - 2006 (NDDDB).
	Triple M Ranch Pond	1.86 miles northeast	SCLTS larvae 2005 (pers. obs.)
<b>California Red-legged Frog</b>	Lower Cattail/Upper Cattail	1.94 miles southeast	SCLTS larvae 2003; CTS larvae 2015; CRLF present from 1997 (NDDDB).
	Blohm Frog Pond	180 feet west	CRLF calling 2003 (NDDDB).
	Middle Azevedo Pond	690 feet south	CRLF larvae and adults heard calling 2005 (NDDDB).
	Vasquez Pond	0.50 mile east	CRLF adults calling 2007 (NDDDB).
	Leaky Pond	0.72 mile east	CRLF observed 2007 (NDDDB).
	Renteria Ridge Pond	0.88 mile east	CRLF observed 2004–05; larvae and adults calling 2006–07 (NDDDB).

## HABITAT ASSESSMENT

### California Tiger Salamander

The subject property lies within dispersal distance to Leaky Pond, a known CTS breeding site, as well as other potential breeding ponds in the vicinity, and barriers to CTS movement between the parcel and such ponds appear to be absent. Although CTS breeding habitat is absent on the property, the south-facing live oak woodlands and coastal prairie grasslands on the property offer potential upland habitat for CTS adults and juveniles seeking refugia in small mammal burrows.

### Santa Cruz Long-toed Salamander

SCLTS breeding habitat (i.e., ponds) is absent on the property and much of the coastal prairie and south-facing live oak woodlands and scrub appear unsuitable or marginal as upland habitat, due to their arid nature. However, the north-facing live oak woodlands along the northern section of the property is considered suitable upland habitat, as the live oak understory is dense, lush and characterized by a wide variety of plant species. Additionally, the property lies within the distributional range of this species and is somewhat equidistant between Howell Pond and Triple M Ranch, where they are known to breed, and other off-site potential breeding ponds are located closer to the subject parcel. Barriers to SCLTS movement between the property and known and potential ponds appear to be absent.

### California Red-legged Frog

Although aquatic breeding habitat for CRLF is absent on the project parcel, five ponds with documented occurrences of CRLF lie within dispersal distance to the property. The two nearest ponds are Blohm Frog Pond and Middle Azevedo Pond, 180 feet and 690 feet from the property, respectively. Breeding behavior (calling frogs) has been observed at Blohm Frog Pond and larvae have been documented at Middle Azevedo Pond. Given that CRLF are capable of moving up to 3 miles between breeding and non-breeding habitats, CRLF are expected to occur on the property occasionally during migration and dispersal. Interestingly, no CRLF were recorded during the first upland trapping study performed during winter 2022-23 (Bryan Mori Biological Consulting 2023), despite record rainfall throughout California. Thus, this year's captures were surprising but expected, given the widespread distribution of CRLF in the study region. Based on YOY capture locations and distances from documented CRLF ponds in the project vicinity, the source ponds appear to be Blohm Frog Pond and/or Middle Azevedo Pond.

## DISCUSSION

### Study Validation

During the 2024-25 study period, the Watsonville region received 16.41 inches of rain for the study period (November – March), which is 3.35 inches below the regional long term average of 19.76 inches. According to the CDFW/FWS CTS and SCLTS protocols, a presence/absence study must be performed during a rain year with precipitation 70% of normal for CTS (13.8”) or 80% for SCLTS (15.8”) to be considered valid. Given these parameters, the 2024-25 study appears to meet the weather criteria for both species. Therefore, the results of this study should be considered legitimate, as far as regional rainfall is considered. Additionally, observations of both CTS and SCLTS in other unrelated studies locally and regionally indicate that rainfall in the project region was sufficient to generate migration (see above).

### CTS and SCLTS

The 2024-25 and 2022-23 studies were performed with the intent to provide the best available information regarding CTS and SCLTS occurrence on the project parcel for planning purposes. No CTS or SCLTS were captured during the 2024-25 study, supporting the initial findings indicating that these species presently do not inhabit the uplands of the project site. However, given the distribution of known breeding sites and potential ponds in the surrounding landscape and their abilities to move far distances, it is reasonable to presume CTS and SCLTS could occur on the property in the future, with CTS likely to inhabit the south-facing live oak woodlands, scrub and coastal prairie habitats and SCLTS the mesic oak woodlands on the northern section of the property.

### CRLF

The capture of five YOY during the 2024-25 study indicates the project parcel serves as dispersal/migration habitat for CRLF. Taking into account the absence of CRLF captures during the 2022-23 study, the breeding population at either Blohm Frog Pond or Middle Azevedo Pond appears to be small and/or inconsistent from year to year. Regardless, their occurrence on the property is likely transitory and limited to the winter rainy season, when CRLF move about the landscape in search of suitable breeding or non-breeding habitats. Since aquatic resources are lacking on the property, CRLF are likely to be absent on the property during the dry season.

## RECOMMENDATIONS

Based on the results of the 2022-23 and 2024-25 studies, the likelihood of CTS/SCLTS take is considered very low. However, due to the distribution of these species in the project vicinity, precautionary protection measures should be implemented, as part of the final approved project (see, below).

Following the initial CRLF capture, the USFWS (Chad Mitcham, Biologist, Buena Vista Field Station) was contacted by email on 12 November 2024 for early guidance. In response, the Service indicated that a Habitat Conservation Plan (HCP) would not be requested of the applicant, considering the proposes to place additional land into conservatorship of the ESF and if take avoidance measures are incorporated into the project. The biological assessment for the project (Biotic Resources Group 2024) identified the CRLF as a possible inhabitant of the property during migration and dispersal. As part of this study, the mitigation measures (**BIO 3 – BIO 16**) presented in the biotic assessment pertaining to the protection of special-status amphibians and reptiles were reviewed for take avoidance suitability. The implementation of seasonal restrictions (**BIO-6**) and exclusion fencing (**BIO-9**) are especially critical in addressing the presumed pattern of CRLF occurrence on the project parcel. Taken together, the fourteen mitigation measures are considered appropriate to safeguard against take of CRLF and are presented, below, for reference. These measures are subject to modifications by the County, USFWS and CDFW, upon further administrative review.

**Recommended Measure BIO-3.** Within 72 hours of project start, a *qualified biologist* should perform a pre-construction survey for CTS, SCLTS, CRLF and CLL. The pre-construction survey should focus on searching beneath cover objects, such as large rocks, downed logs and other woody debris and boards, etc., within the work limits of the project site (e.g., staging/storage areas, access roads and grading envelope). If CTS, SCLTS or CRLF are observed, CDFW and USFWS<sup>1</sup> shall be contacted for further guidance. No work may proceed until authorization is obtained from CDFW and USFWS. An Incidental Take Permit (ITP) from CDFW may be needed to continue work. If CLL are observed, relocate the individuals to appropriate habitat out of harm's way. Handling of CLL and other special-status species should be performed by a permitted biologist and approved by CDFW and FWS. A memo describing the findings of the pre-construction will be submitted to state and federal agencies (if required) and the County Housing and Community Development Department within 30 days.

**Recommendation Measure BIO-4.** Prior to the start of the project, a *qualified biologist* should present an endangered species environmental training to all construction workers. The training should include distribution of a handout addressing natural history and legal status of all species of concern potentially occurring at the project site, and the protection measures to be implemented as part of the project. All workers should sign a certification sheet following the training. All new workers must be trained, prior to working on the project site, either by the qualified biologist or previously trained site supervisor. A memo describing the worker training will be submitted to state and federal agencies (if required), and the County Housing and Community Development Department within 30 days.

**Recommendation Measure BIO-5.** Prior to the start of the project, environmentally sensitive areas (ESA) should be delineated with orange construction fencing. No ground disturbances (e.g., discing,

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<sup>1</sup>Correction. USFWS unintentionally omitted in biotic assessment

grading, etc.), storage of materials, spoils and staging of heavy equipment shall be allowed within designated ESA.

**Recommendation Measure BIO-6.** Grading and other earthwork (e.g., grubbing, trenching, potholing, etc.) of all phases of the project (e.g., access road, water line, building pad, septic, etc.) shall only be performed between 15 April and 15 October, or until the first fall rains following 15 October, if agreed upon by the County. If all ground disturbance activities cannot be completed in this timeframe, the project shall resume the following spring. No winter season earthwork shall be permitted. Additional studies may be needed at the request of state and federal agencies, if the start of project ground disturbances is delayed beyond October 15, 2025.

**Recommendation Measure BIO-7.** A *qualified biologist* should be present at the project site during initial vegetation removal and grading activities. Once the vegetation removal and initial grading activities have been completed, subsequent construction monitoring can be performed by the construction site supervisor. If special-status species are observed by the crew or site supervisor during construction activities, all work in the immediate area must cease and the *qualified biologist* contacted to capture and relocate individuals out of harm's way. Work may not resume until approved by the *qualified biologist*. Work crew shall not handle wildlife.

**Recommendation Measure BIO-8.** If CTS, SCLTS or CRLF is found during any phase of construction, CDFW and USFWS shall be notified, and all work on the project site shall stop immediately and be postponed until authorization to proceed has been obtained from CDFW and USFWS. The project applicant may be asked to obtain an ITP to proceed with the project.

**Recommendation Measure BIO-9.** In the event work cannot be completed by 15 October, or no later than 48 hours prior to the prediction of unseasonable rainfall of a minimum 0.25", encircle the entire perimeter of work sites with exclusion fencing to prevent CTS, SCLTS and CRLF from trespass into work areas. The exclusion fence shall incorporate a one-way design with backfilled gaps to allow for wildlife within the enclosures to move out of work areas. 3' x 3' cover boards should be placed every 100 feet along the inside and outside lengths of the fence to provide shelter for wildlife travelling along the fences. Standard silt fence material can be used for the exclusion fence. The silt fence should be buried a minimum 6 inches below grade. If an entrance is needed for workers or machinery to pass, place a removable, minimum 6-inch tall wood plank across the gap and secure with stakes or rebar after the end of each day's work for a two-week period following rainfall. The installation of the fence should be checked by a *qualified biologist* to ensure appropriate installation or to implement recommendations for improvement.

**Recommendation Measure BIO-10.** Following unseasonable rains of 0.25 inches or greater, a qualified wildlife biologist should inspect around storage piles, under vehicles parked overnight, and all open holes and trenches at the beginning of each work day to check for wildlife.

**Recommendation Measure BIO-11.** All open trenches and potholes must have ramps or other features installed to allow for entrapped wildlife to escape. Trenches or potholes that cannot accommodate escape ramps must be covered at the end of each work day, then inspected by the construction supervisor at the start of each work day. If entrapped wildlife is observed, contact the monitoring biologist to capture and relocate the species out of harm's way into suitable habitat.

**Recommendation Measure BIO-12.** New night lighting shall not be directed into adjacent sensitive habitats<sup>2</sup>. All night lights shall be of minimum intensity necessary for safe accessibility and have shields to limit the extent of illumination.

**Recommendation Measure BIO-13.** If the 2024/25 study for CTS and SCLTS is positive (i.e., animals found on site), the landowner will dedicate a conservation scenic easement (CSED) for the oak woodland and mixed grassland and implement the Sensitive Habitat Adaptive Care Program, as outlined in Recommended Measure BIO-2.

*Note: Since CTS and SCLTS were not captured during both the 2022-23 and 2024-25 studies, this recommendation is no longer applicable.*

**Recommendation Measure BIO-14.** Manage vegetation in defensible spaces in a manner that is sensitive to the biological resources and compatible with CalFire guidelines. To reduce the fire ladder to the tree canopy, maintain a low (12-18 inches tall) understory of native vegetation and remove tree limbs up 6 feet. Leave some logs scattered on bare soil to provide cover for wildlife. Avoid removing vegetation beyond the CalFire guidelines, for example, clearing all understory vegetation and leaving behind bare ground.

**Recommendation Measure BIO-15.** Wherever curbs are proposed, construct rounded curbs or angled curbs of 60 degrees or less to avoid creating movement barriers for amphibians.

**Recommendation Measure BIO-16.** In the design of drainage systems, incorporate the use of French drains that avoid grated openings that unintentionally capture amphibians. Avoid grates with ¼" openings or greater or incorporate the use of mesh screens.

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<sup>2</sup> Correction. Original biotic assessment refers to *riparian corridor* in error.



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**Persons Contacted:**

Mark Allaback, Biosearch Environmental Consulting, Santa Cruz, CA.

Ken Collins, Elkhorn Slough Foundation, Elkhorn, CA.

Susie Fork, Elkhorn Slough National Estuarine Research Reserve, Elkhorn, CA.

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## Exhibit D

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**James P. Allen**  
**& Associates**

*Dedicated to the Preservation of Trees*

**Boccone/Igel Residence**  
**827 Elkhorn Road, Royal Oaks CA**  
**APN 181-159-009**

**Forest Resource Analysis/  
Construction Impact Assessment/  
Tree Protection Plan**



**Mitigation Maintenance  
&  
Monitoring Program**

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**Prepared for**  
**Norman Boccone/Victoria Igel**  
**Property Owners**

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### Attachments

- Attachment "A"
  - Tree Resource Inventory
- Attachment "B"
  - Canopy Coverage Analysis
- Attachment "C"
  - USFS Seed Collection Protocol
- Attachment "D"
  - Map Files (2)
    - Construction Impact Assessment, Tree Location Map File
    - Tree Protection Plan Map File

## ASSIGNMENT/SCOPE OF SERVICES

The construction of a single-family residence with a detached workshop, garage and guest quarters is proposed for an 18.1-acre parcel at 827 Elkhorn Road in Royal Oaks CA, APN 181-151-009.

The area proposed for construction is populated with native oak species some of which may meet “Protected” or “Landmark” criteria as defined by Monterey County Code . In order to create a design that ensures tree health/stability, minimizes tree removal and protects tree resources on this site during construction, the following tasks have been completed at the request of Mr. Norman Boccone and Ms. Victoria Igel, the property owners.

- Conduct a canopy coverage analysis
- Locate, inventory and verify mapped locations of trees greater than 4 diameter inches within and directly adjacent to project boundaries
- Attach numerical tags to each tree and document locations on the map file
- Identify each tree as to genus and species
- Measure trunk diameter at a point 2 feet above grade
- Identify trees that meet Protected and/or Landmark criteria as defined by Monterey County Code Section 16.60 and Title 20, if any.
- Rate health, structure and preservation suitability as “good”, “fair” or “poor”
- Describe unique conditions of each tree, if any
- Define Critical Root Zones for each tree to be preserved
- Review project plans to determine potential impacts to tree resources
  - Geo-Technical
  - Grading
  - Drainage
  - Building
- Identify trees with active disease organisms or structural weakness that present risk to the redefined use of the site
- Provide recommendations for remedial treatments, maintenance and pre-construction treatments to improve tree condition and decrease risk in preparation for construction
- Create tree preservation specifications including a protection fencing plan
- Quantify mitigation requirements for trees removed due to construction impacts
- Define and document a Mitigation Maintenance and Monitoring Program
- Provide all findings in the form of a Forest Resource Analysis/Construction Impact Assessment Report accompanied by an inventory and Tree Location Map/Preservation Plan for submittal to Monterey County RMA

NOTE: This analysis is limited to the above-described tasks. The findings presented in this report are intended for the sole use of the current property owners (Norman Boccone and Victoria Igel) and the Monterey County Resource Management Agency (RMA) in evaluating the proposed project impacts to tree resources.



## SUMMARY

The proposed project involves the construction of a single-family residence on an 18.1-acre property located at 827 Elkhorn Road in Royal Oaks CA, APN 181-151-009. Plans for this project have been reviewed and the known impacts resulting from the proposed construction as defined at this time have been evaluated.

A lot line adjustment (LLA) is currently being pursued to relocate the driveway, thereby minimizing grading and reducing impacts on tree resources. If the proposed LLA is approved, tree removal requirements will be decreased by 40% from the previous driveway alignment. This LLA will facilitate the transfer of approximately 5.12 acres of oak woodland, coastal scrub, and mixed grassland from the subject parcel (APN 181-151-009) to the Elkhorn Slough Foundation (APN 181-011-022), in exchange for approximately 0.48 acre of land adjacent to the existing access road between APN 181-151-008 and APN 181-151-009. This land donation aims to preserve the environmentally sensitive habitat area (ESHA), representing a positive outcome for the project. As a result, the total area of the subject property will be reduced to 13.53 acres.

One hundred fifty-one (151) trees growing within or adjacent to the development area have been inspected and inventoried. One-hundred thirty (130) of the trees inventoried meet “Protected” criteria, twenty-seven (27) of which are “Landmark” trees. Tree locations have been documented on the attached *Tree Location Map* file.

To construct the project as proposed, the removal of twenty (20) trees is necessary due to grading impacts that cannot be lessened. Fifteen (15) of the trees proposed for removal meet “Protected”. Each of the “Protected” trees proposed for removal is in a fair to poor state of health with poor structure and preservation suitability. One (1) of the trees proposed for removal meets the technical definition of “Landmark” trees due to trunk diameter although it has uprooted with a small percentage of live foliage remaining. The remaining three (3) trees proposed for removal do not meet “Protected” criteria. This projection is the most dramatic estimation of required tree removal given the information at hand. There is a possibility that necessary tree removal can be decreased with field adjustments once grading limits are staked in the field.

Additionally, there is one Tree #108 proposed for removal due to condition. This tree has broken at the approximate height of 36-inches above grade and regenerated small diameter sprout growth. See *Tree Removal Summary Table* page 15.

The projected loss of tree canopy represents .08-acres or 1.19% of the total property canopy coverage of 10.13 acres.

The project as proposed follows the guidelines for oak woodland protection. The first and most important strategy, avoidance of impact has been utilized. Building locations have been strategically positioned in openings that occur naturally between or at the perimeter of established tree groupings, avoiding the fragmentation of the system. This type of land use design helps maintain the continuous overstory around the development area providing the existing wildlife an interrupted route through the habitat.

## **SUMMARY, continued**

The Project Architect has re-aligned the driveway, sewer/water lines and dispersion trenches several times saving four Landmark trees and diminishing impacts to trees to be preserved. The proposed driveway access travels through a woodland canopy bisecting smaller tree groups that includes one (1) uprooted Tree #154 which meets Landmark criteria that will need to be removed. This tree has uprooted with approximately 80% of the canopy being dead; non-functional. It meets Landmark criteria due only to the trunk diameter and not necessarily the spirit of the designation.

The following mitigation strategies have been or will be implemented; surpassing guidelines stated in Public Resources Code 21083.4:

- Project siting and design that reduced the need for tree removal thus, minimizing impacts.
- Preservation and Protection of retained trees during construction
- Implementation of Required Procedures/Special Treatments as defined by the Project Arborist
- Voluntarily preservation of the oak restoration areas and remaining sensitive habitat areas on the property (oak woodland and mixed grassland) by the property owners in perpetuity
- Collection of site-specific coast live oak acorns, propagation and planting of 40 saplings
- Salvage and Recruitment of 15 small coast live oak saplings in four designated planting areas totaling .46 acres
- Restoration of .25 acres of Oak Woodland
- Implementation of a Seven-Year Mitigation Maintenance and Monitoring Program to ensure a 60% Success Criteria is met

The implementation of the procedures as defined within this document, including the required Special Treatments as well as adherence to Tree Preservation Specifications, are required to safeguard trees proposed for retention.

## **BACKGROUND**

I was contacted by Ms. Carol Reiwe, AIA the Project Architect during the month of April 2023. She asked of my interest and availability to assess forest resources on a property at 827 Elkhorn Road in Royal Oaks CA. She verbally described the project and stated the owner's commitment to preserving tree resources. After I conducted a brief site inspection and met with Ms. Riewe and Mr. Boccone, one of the property owners, I expressed my interest, the capability to provide service and began working on the analysis.

Ms. Riewe provided the following studies and map files for my review and use:

- Surveyed map of the development area performed by Roper Engineering, along with Topography, Building/Driveway Locations, including the Site Grading & Drainage Plan. This file included surveyed tree locations in AutoCAD format which was relied upon to create the *Tree Location Map file* and *Inventory* appended to this report. This information was used to determine the level of impacts to tree resources resulting from the proposed construction
- Geotechnical studies completed by Rock Solid Engineering dated June 5, 2023
- Elkhorn Road Parcel, APN 181-151-009 Biological Assessment prepared by Biotic Resources Group (BRG) and Brian Mori Biological Consulting Services dated November 4, 2024

After reviewing the proposed plans and conducting a brief site inspection, it became clear that four (4) Landmark trees would need to be removed to construct the driveway as proposed. After discussion with Ms. Riewe, the Project Architect the driveway was re-aligned. These revisions resulted in avoiding the removal of four key Landmark Trees, #13, 14, 21 and 22.

Throughout my site inspection periods, additional information resulted in the repositioning of the sewer and water lines and dispersion trenches to decrease impacts to tree root zones.

To complete the assessment numerous site inspections were performed between July 8 and August 1, 2023. Numbered metal tags were affixed to each tree's trunk at six feet above grade. The corresponding numbers and surveyed tree locations are documented on the attached *Tree Location Map file*.

Supplemental site inspections were conducted between July 12<sup>th</sup> and 27<sup>th</sup> of this year. Fifteen additional trees were added to the tree inventory in proximity to the re-positioned driveway.

## **OBSERVATIONS**

### **Site Description**

The proposed project will occur on a section of the current -acre parcel located at 827 Elkhorn Road in Royal Oaks CA, APN 181-151-009. The property is bordered by Elkhorn Road, Blohm Ranch, a conservation easement held by Elkhorn Slough Foundation and two private residential parcels.

A complete site description of botanical and wildlife resources along with soil types and applicable regulatory criteria can be found in the *Elkhorn Road Parcel, APN 181-151-009 Biological Assessment prepared by Biotic Resources Group and Brian Mori Biological Consulting Services* dated November 4, 2024 . This document will be referred to as (BRG/BMBC 2024) throughout this report.

The 1.38-acres proposed for development includes approximately .12 acres of sensitive habitat including .04 acre of oak woodland and .08-acre of annual grassland ((BRG/BMBC 2024). This area slopes gently in the upper sections, increasing as it reaches the current area driveway. The loss of woodland canopy is calculated as .08-acre as depicted on the attached *Canopy Analysis* representing 1.19% of property-wide canopy coverage.

Coast live oak (*Quercus agrifolia*) forest canopy covers approximately 6.82 acres of the property categorizing the property as an oak woodland per the Oak Woodlands Conservation Public Resources Code 21083.4. The approximate canopy coverage levels represent 50% of the total parcel area. See the attached *Canopy Coverage Analysis*.

The area of study was limited to a 1.5-acre +/- section on the Southeast slope where construction of a home, detached workshop and guest quarters are proposed. A thorough property-wide analysis of individual tree resources was not conducted. Sections of the property beyond the study limits were visually assessed by walking through woodland areas. Tree resources appear to be single species (*Quercus agrifolia*), of similar age and size class save for one, lone Monterey pine (*Pinus radiata*) sapling observed within the forest system.

Individual tree form is low in height with wide, spreading canopies. Canopy width often exceeds tree height (often by 2-300%) which peaks at 25 to 35 feet. There are many significant individual trees which represent the spirit of the “Landmark” designation, visually and historically significant or exemplary of their species.

The photo at right depicts a Landmark tree which grows outside of the development boundaries.

There is a high degree of tree mortality, previous failure and suspected disease influences in the development area. Although the coast live oak species is prone to *Phytophthora ramorum* the causal agent of Sudden Oak Death (SOD), there are no visible symptoms of the pathogen on this site. However, there are symptoms consistent with other *Phytophthora* sp. strains, hypoxylon and canker diseases within the study area. Although none of these suspected pathogens were verified by laboratory analysis, visible evidence suggests that there are unidentified, active disease organisms present.

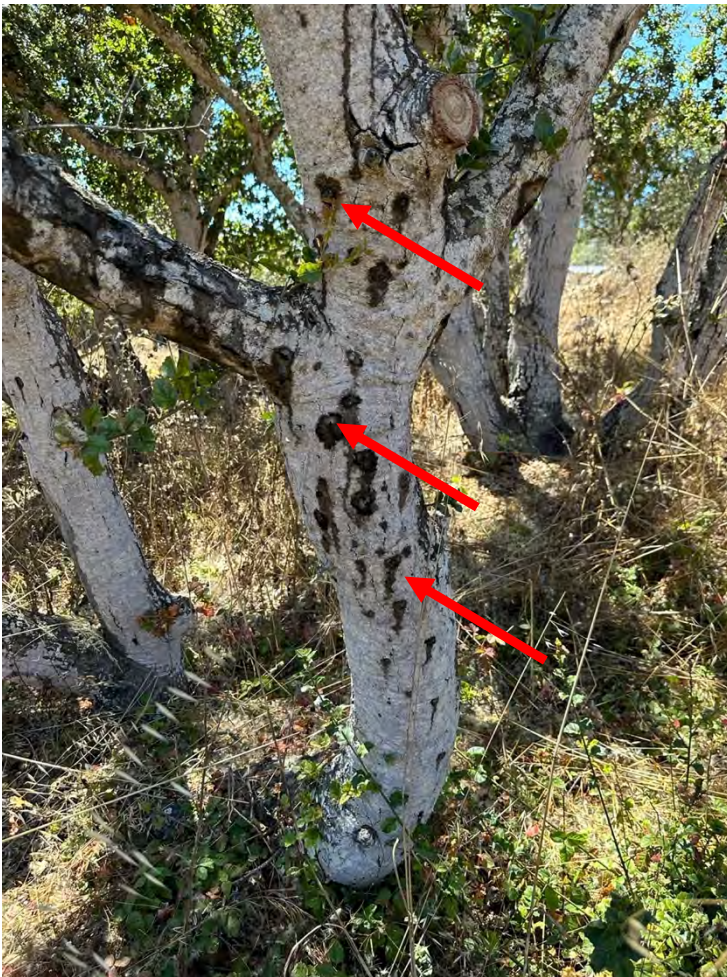


The owner reports that soil moisture levels are high in these areas which may explain symptoms consistent with *Phytophthora* and current conditions that could lead to oak root fungus attacks and kills the vascular cambium (the tissue that generates bark and wood) in woody roots, then spreads laterally to the main stem, which can girdle the base of the trunk and kill the entire tree. *Armillaria mellea* commonly referred to as oak root fungus is also a white rot wood decay fungus which destroys the strength of wood in roots and at the base of infected tree trunks, thereby increasing the likelihood of tree failure. This dual nature of *Armillaria*, both as a pathogen (killing the living tissues in a tree)

and a saprobe (living on dead or non-functional wood after the infected host dies), presents a challenge to management because its inoculum (infective tissue or propagules) can persist for decades below ground as mycelium (vegetative fungal tissue) living in partially-decayed woody roots (residual roots) long after the infected host plants have died.



Hypoxylon canker occurs primarily on stressed trees. The fungus infects the tree through injured limbs and trunk. First evidence of the disease is from dying branches. This dieback continues from branch to branch until the whole tree dies. The fungus infects the inner bark causing the outer bark to fall off and exposing large masses of brown, dusty spores which spread to other trees. Eventually, the brown stage of the fungus becomes black, making the tree look as if the affected area was charred by fire. Symptoms of canker disease are indicated by the red arrows.



There is evidence of western oak bark beetle, (*Pseudopityophthorus pubipenis*) in a few stressed trees. This insect attacks injured and stressed trees of the *Quercus* (oak) species among others.

Points of exudation/weeping indicate ongoing insect activity.



## Tree Descriptions

Of the 151 trees inventoried, 130 trees meet “Protected” criteria, of which 27 trees meet “Landmark” designation.

Many trees within the study are multi trunk with wide, spreading canopies and poorly attached codominant trunks and stems with included bark. These poor trunk/stem attachments (PTSA) are, by definition a structural weakness as depicted in the photo at right, Tree #1. In conditions such as these where the bark ridge turns inward, the union between the two stems is weakened.



These types of attachments do not form connective tissues between the stems. The stems push against one another as they develop. The weight of the rapidly growing canopies exerts additional stresses on the weak attachment point. Trees with PTSA are essentially “growing themselves apart” at the trunk/stem attachment point(s) as seen in the photo at left, Tree #117.

This tree has a High Failure Potential and should be continually monitored to assess stability.

Given the low height, wide spreading architecture of many of the trees with these weak attachments, stabilization through the installation of cable support systems would not be effective. If weakly attached branches grow over a high use area, they could be provided support through the installation of props.

Most of the trees with PTSA do not pose a risk to the safe use of the proposed development areas and can be left untreated with the awareness of the weakened conditions.



### Tree Descriptions, continued

California oak moth (*Phryganidia californica*) was not active during the inspection period but can be expected in the future. This insect often defoliates tree canopies to varying degrees. The defoliation is not harmful unless it occurs year after year in succession. Our changing weather patterns have resulted in more frequent attacks. If insect activity occurs and becomes disturbing, the insect can be controlled with a variety of chemical products. If the insect is not disturbing, it should be left alone knowing it is not harming the tree and chemical control may result in the destruction other beneficial insects in the process.

Many of the trees are in low vigor with fair to poor health and structural ratings. As previously discussed, it is clear there are undiagnosed pathogens active within the area of study.



Tree #96, pictured at above is an example of a severely distressed tree that meets “Landmark” criteria . Trees in this condition will be retained for habitat value and monitored for further decline.



Of the 27 trees that meet “Landmark” criteria the majority do not meet the spirit of the designation as visually/historically significant or exemplary examples of their species. Most of the Landmark trees are small stature, multi trunk trees that meet criteria because the sum of their trunk diameters exceeds 24-inches, thus qualifying them as “Landmark”. Tree #96, pictured on the previous page is an example of a Landmark tree that doesn’t meet the spirit of the designation.

Tree #154, depicted below is required to be removed since it lies in the path of the proposed driveway.



Although this tree meets “Landmark” criteria, it has uprooted with only a small percentage of the canopy being alive and functional. This tree is another example of a “Landmark” tree that doesn’t meet the spirit of the designation.

Many of the trees have dead branches which do not pose a health or structural risk to the tree. Dead, fallen and diseased trees and branches increase flammable fuel loads and should be pruned/removed.

## TREE INVENTORY METHODOLOGY

The attached inventory lists information on 151 coast live oak (*Quercus agrifolia*) trees growing within and directly adjacent to development boundaries.

Each tree was visually assessed from the root crown through the foliar canopy extents. Round numbered metal tags were affixed to each tree trunk. Tree locations are documented on the attached *Tree Location Map*.

The tree inventory lists species, trunk diameter, tree health, structure and suitability ratings, level of impacts and description, observations, required procedures and whether the tree meets Protected or Landmark criteria.

**Diameter:** is the width of the trunk measured at 2 feet above natural grade (ground level). For trees that were unable to be measured at 2 feet above natural grade, measurement heights are provided.

**Tree health and structure** are separate issues that are related since both are revealed by tree anatomy. A tree's vascular system is confined in a thin layer of tissue between the bark and wood layers. This thin layer is responsible for transport of nutrients and water between the root system and the foliar canopy. When this tissue layer is functioning properly, a tree has the ability to produce foliage (leaves). As long as the tree maintains a connected vascular system, it may appear to be in good health.

When conditions conducive to decay are present, fungi, bacteria or poor compartmentalization, wood strength is degraded. As decay advances, the tree's ability to continue standing is compromised. Thus, a tree can appear to be in good health, but have poor structure.

**Tree Health:** This rating is determined visually. Annual growth rates, leaf size and coloration are examined. Indications of insect activity, decay and dieback percentages are also used to define health ratings.

Trees in “**good**” health are full canopied, with dark green leaf coloration. Areas of foliar dieback or discoloration are less than 10% of the canopy. Dead material in the tree is limited to small twigs and branches less than one inch in diameter. There is no evidence of insects, disease or decay.

Trees with a “**fair**” health rating have from 10% to 30% foliar dieback, with faded coloration, dead wood larger than one inch, and/or visible insect activity, disease or decay.

Trees rated as having “**poor**” health have greater than 30% foliar dieback, dead wood greater than two inches, severe decay, disease or insect activity.

**Tree Structure:** This rating is determined by visually assessing the roots, root crown (where the trunk meets the ground), supporting trunk, and branch structure. The presence of decay can affect both health and structural ratings.

Trees that receive a “**good**” structural rating are well rooted, with visible taper in the lower trunk, leading to buttress root development. These qualities indicate that the tree is solidly rooted in the growing site. No structural defects such as codominant stems (two stems of equal size that emerge from the same point), poorly attached branches, cavities, or decay are present.

Trees that receive a “**fair**” structural rating may have defects such as poor taper in the trunk, inadequate root development or growing site limitations. They may have multiple trunks, included bark (where bark turns inward at an attachment point), or suppressed canopies. Decay or previous limb loss (less than 2 inches in diameter) may be present in these trees. Trees with fair structure may be improved through proper maintenance procedures.

**Poorly** structured trees display serious defects that may lead to limb, trunk or whole tree failure due to uprooting. Trees in this condition may have had root loss or severe decay that has weakened their support structure. Trees in this condition can present a risk to people and structures. Maintenance procedures may reduce, but not eliminate these defects.

**Note\*** **Tree health and structure** are separate issues that are related since both are revealed by tree anatomy. A tree’s vascular system is confined in a thin layer of tissue between the bark and wood layers. This thin layer is responsible for transport of nutrients and water between the root system and the foliar canopy. When this tissue layer is functioning properly a tree has the ability to produce foliage (leaves). As long as the tree maintains a connected vascular system it may appear to be in good health.

When conditions conducive to decay are present, fungi, bacteria or poor compartmentalization, wood strength is degraded. As decay advances, the tree’s ability to continue standing is compromised. Thus, a tree can appear to be in good health, but have poor structure.

**Critical Root Zone:** Individual tree root systems provide anchorage, absorption of water/minerals, storage of food reserves and synthesis of certain organic materials necessary for tree health and stability. The Critical Root Zone (CRZ) is the species-specific amount of roots necessary to continue to supply these elements essential for each tree to stand upright and maintain vigor. This distance reflects the minimum footage measurement from the trunk required for the protection of the tree’s root zone. Construction activities proposed within these areas are subject to specific review and the implementation of recommended special treatments.

**Observations:** Descriptions of individual tree conditions.

#### **LEVEL/Description of Construction Impacts**

This section describes what procedures are proposed near the individual tree. The influences the proposed construction activities will have on the tree are classified as **None Known, Low, Moderate** or **High**. These classifications are defined as follows:

**NONE**, the tree is not near the impact area of the proposed construction.

**LOW**, adverse effects from the proposed construction activities are minimal.

**MODERATE**, this level of impacts will result in loss in tree vigor and/or stability. Recommended procedures must be implemented to decrease these impacts.

**HIGH**, requiring tree removal or the understanding that premature tree mortality can be anticipated. Mitigation is required for “Protected” and “Landmark” trees subject to this level of impacts.



### **LEVEL/Description of Construction Impacts, continued**

Site inspections and review of the plans as presented identified construction impacts to individual trees. The construction of this project as presented requires the following procedures:

- **Vertical clearance** is needed where branches of trees encroach upon parking areas, the driveway or structures. Branches will need to be pruned to gain required clearance.
  - **Trees #34, 76, 77 and 102**
- **Grading for site stabilization, driveway, parking lot and building construction as well as trenching for foundations, retaining walls, drainage, and utility line construction.** These procedures require alteration of natural grade in the form of cut and/or fill (described below) at the defined “Limits of Grading”. Roots shattered during this process provide openings for opportunistic decay causing organisms degrading tree support systems and vigor.
- **Alteration of natural grade**
  - Cuts, lowering of natural grade, require the removal of soil until the desired elevation is reached. A cut within the trees Critical Root Zone can remove non-woody and woody roots. Non-woody (absorbing) roots are responsible for transporting moisture and nutrients necessary for maintaining tree health. More significant cuts remove woody roots that provide structural support, compromising the tree’s ability to stand upright.
  - Fill, increasing natural grade, often requires an initial cut to “knit in” and stabilize the material. This material is applied in layers and compacted in the process. Compaction breaks down soil structure by removing air and adding moisture. Anaerobic conditions may develop, promoting decay. Absorbing roots can suffocate from lack of oxygen. Structural roots may be compromised because of the decay.
- **Drainage structures and Utility line placement.** Necessary drainage structures and utility lines are to be consciously placed to avoid the Critical Root Zone of the preserved trees or brought to the attention of the Project Arborist to allow for preconstruction root severance along placement lines.
- **Planned Landscape Installation** typically requires the import of topsoil, rototilling the top 8 inches of native soils, digging planting holes, trenching for irrigation lines and increased water supply for establishing new plantings. Increased disturbance in the Critical Root Zone and elevated water levels will stress mature trees. It is recommended that landscape features planned within Critical Root Zones avoid the above-described procedures.
- **Sewer Line**  
A 12" wide by 24" deep sewer line connecting facilities to a leach field in the Southwestern meadow has been strategically placed and staked in the field to avoid tree root zones. The location of the sewer line is documented on the attached map files

### **Protected and Landmark Tree Definitions**

Trees that meet “Protected” and “Landmark” criteria were determined as defined in Monterey County Code Chapter 16.60 - *PRESERVATION OF OAK AND OTHER PROTECTED TREES, Section 16.60.030 – Regulations* and *The Monterey County Coastal Implementation Plan Chapter 20.144*

A. No oak or madrone tree six inches or more in diameter two feet above ground level shall be removed in the North County Area Plan or Toro Area Plan areas without approval of the permit(s) required in [Section 16.60.040](#) of this Chapter.

E. No landmark oak tree shall be removed in any area except as may be approved by the Director of Planning pursuant to [Section 16.60.040](#) of this Chapter. Landmark oak trees are those trees which are twenty-four (24) inches or more in diameter when measured two feet above the ground, or trees which are visually significant, historically significant, or exemplary of their species.

## **REQUIRED PROCEDURES**

### **Tree Removal due to Construction Impacts**

Twenty (20) trees will need to be removed to construct the project as proposed. Fifteen (15) of the trees proposed for removal meet “Protected” criteria and one (1) Tree #154 meets “Landmark” designation and require replacement. Trees proposed for removal are within or directly adjacent to disturbance limits. Trees to be removed are identified on the attached spreadsheet, summarized in the table below and listed as follows:

- “Protected” Trees to Be Removed due to Construction Impacts (15)
  - Trees #31, 32, 33, 36, 37, 98, 105, 115, 124, 125, 126, 128, 129, 130 and 160
- “Landmark” Trees to Be Removed due to Construction Impacts (1)
  - Tree #154, meets the technical definition of a “Landmark” tree due to the size of its’ trunk even though it is an uprooted tree with a small percentage of live foliage remaining.
- Non-Protected Trees to Be Removed due to Construction Impacts (3)  
Trees # 24, 150 and 161

### **Tree Removal due to Condition**

- One (1) Tree #103 with a failed trunk is growing within the proposed Guest House and will need to be removed. This broken trunk has a small amount of live sprout growth remaining
  - Tree #103

Tree locations are documented on the attached *Construction Impact Assessment/Tree Location* map file.



## REQUIRED PROCEDURES, continued

<b>Tree Removal Summary Table</b> <b>827 Elkhorn Road, Royal Oaks, CA, APN 181-151-009</b> <b>November 1, 2024</b>						
Quantity of Trees Inventoried	Quantity of Protected Trees Inventoried	Quantity of Landmark Trees Inventoried	“Protected” Trees to be Removed due to Construction Impacts	“Landmark” Trees to be Removed due to Construction Impacts	Trees to be Removed due to Construction Impacts Not “Protected”	Protected Trees to be Removed due to Condition
151	130	27	15	1	3	1
<b>Quantity of Trees to be Removed</b>			<b>20</b>			

### Special Treatments

- **Monitor Stability** of trees with serious structural weaknesses, severe decline and/or those with High Failure Potential
  - **Trees #41, 96 and 117**
- **Minimize grading limits** within the Critical Root Zone where possible
  - Trees #34, 102, 106-109 and 116
- The following procedures should be implemented for any excavation proposed within Critical Root Zones that cannot be repositioned:
  - **Pre-construction root exploration** is the investigation and understanding of root trajectory and depth within Critical Root Zones of subject trees through “mindful” excavation. This procedure is necessary for trees which are adjacent to trenching and/or grade reduction that require exposure or removal of soil from the trees Critical Root Zone for the driveway, utility lines and foundation construction. Specifically, **Trees #34 and 102, depicted below**



## Special Treatments, continued

- Roots should be located using non-invasive procedures when possible. Exploration can be done either by hand, using small tools, or an **AirSpade®**. This tool uses compressed air to displace soil without damage to roots.
- A small excavator may begin the exploration at the furthest distance from the tree trunk
- The boom of the excavator will be in line with the tree trunk beginning in a “spoke in wheel” pattern with the tree trunk in the position of a wheel’s hub
- Excavation will begin by scraping the top 6 to 10-inches of the soil surface at one to two foot “strokes beginning at the furthest point away from the tree
- Hand Excavation, without the use of motorized equipment may be necessary if root populations are high, of large diameter and dense
- Once exposed, the roots can be examined, and determinations can be made regarding the feasibility of root removal or root severance. If roots need to be pruned the following procedures shall be used:
  - **Root pruning** is to be performed by skilled labor. Roots are to be pruned cleanly. Bark should adhere to the wood without tearing. Wood fibers should remain intact without shattering. The following tools should be used:
    - Hand-pruners/Loppers
    - Handsaw
    - Reciprocating saw
    - Chainsaw

When completed, the pruned portions should be covered with burlap or similar material and kept moist.

## Sewer/Water Lines, Dispersion Structures

### Field location of sewer alignment and construction in densely wooded areas

- Field locate sewer and water lines to avoid tree trunks by a minimum of 12 to 15 feet
- Lay sheets of ¾” or 1 1/8” plywood end-to-end lengthwise on both sides of the proposed trench.
- Trench the length of the line using a Ditchwitch trencher, Briggs and Stratton Walk-Behind Trencher, or similar
- Keep equipment wheels or tracks on plywood
- Place trenching spoils on plywood
- Prune roots cleanly as described above
- Place pipe and backfill trenches through the oak woodland using the existing on-site sandy soils absent of clay.
  - Native backfill should be free of organic material and rocks over 3 inches in diameter.
  - Backfill of all exterior and interior trenches will be placed in thin lifts and mechanically compacted with compaction rammer to achieve a relative compaction of not less than 95% in paved areas and 90% in other areas per ASTM D-1557
- Remove plywood without driving on bare ground

### Special Treatments, continued

A **backhoe** may also be used in some areas this project for preconstruction root severance treatments for **Trees #34 and 102** at the driveway interface as defined by and under the direction of the Project Arborist if the distance between the trees and the limit of excavation cannot be decreased. This procedure is defined below:

- Establish a “final line of disturbance” with field staking. This line represents the furthest distance from the tree trunk that will allow the proposed construction/grading/driveway construction
- Determine the depth of the cut required.
- Begin digging 8 to 10 feet from the established line in a “spoke in wheel” pattern, using the tree trunk as the hub.
- Dig to the required depth.
- Dig toward the tree trunk to determine where roots are located.
- Begin pruning roots using the techniques defined above.
- Cover pruned roots with burlap and keep moist
- Upon reaching the final line of disturbance make the final root pruning cuts.
- Install Tree Preservation fencing with straw bales to allow maximum distance from the tree while allowing construction space.

**Tree Maintenance procedures** are those, which are necessary to decrease risk of falling branches, provide re-enforcement for weak branch junctures and improve tree health/stability.

- **Pruning** to remove dead branches has been recommended to reduce potential fire hazards
  - Each tree to be preserved should have dead/broken branches greater than 1-inch diameter removed
- **Clearance pruning, Trees #34, 76, 77 and 102** be required to allow vertical space for driveway and building construction. A minimum number of branches are to be removed to provide this space. Individual trees requiring clearance pruning will be identified by the Project Arborist after the vertical clearance requirements are defined.
  - Pruning should not remove more foliage than necessary to accommodate proposed construction as determined by the Project Arborist.

### Tree Maintenance Contractors qualifications:

A qualified, state licensed and fully insured Certified Arborist should be contracted to perform the above-described work in compliance with the most current versions of the following industry standards:

- American National Standards Institute, *A300 for Tree Care Operations-Tree, Shrub and Other Woody Plant Maintenance-Standard Practices*.
  - (Part 1)-2001 Pruning
- American National Standards Institute *Z133.1-1994 for Tree Care Operations- Pruning, Trimming, Repairing, Maintaining, and Removing Trees and Cutting Brush-Safety Requirements*
- International Society of Arboriculture: *Best Management Practices* (Pruning & Cabling)



**Tree Preservation Specifications** included in this report outline specifics for tree protection structures and other procedures that will provide the best opportunity for their long-term survivability.

**Tree Preservation Structures** shall be constructed of the following materials as field specified by the Project Arborist.

- Chain link, 72 inches in height secured to metal stakes driven at least 18 inches into the soil.
- Temporary orange snow fencing attached to “T” posts driven into the ground
- Silt fencing
- Wattle
- Rice straw bales

Tree Preservation Structure locations are documented on an attached map (Tree Location/Preservation Map).

### **MITIGATION MAINTENANCE AND MONITORING PROGRAM (MM&MP)**

Mitigation for potential impacts to forest resources will adhere to Public Resources Code 21083.4. This Code Section provides guidelines for determining impacts to oak woodlands. Within the Code, required mitigation strategies are defined and must include at least two of the following:

- Impact avoidance
- Creation of permanent conservation easements
- Reforestation/replanting programs

Mitigation for lost canopy and woodland areas will be implemented as follows:

#### **ARB-1. Impact Avoidance**

- The Property Owners have illustrated a commitment to preserving forest resources by siting the buildings in established canopy openings or at the perimeter of tree groupings. Building locations have been strategically positioned in openings that occur naturally between established tree groupings, avoiding the fragmentation of the system. This type of land use design helps maintain the continuous overstory around the development area providing the existing wildlife an interrupted route through the habitat. The Project Architect has re-aligned the driveway, sewer, water and dispersion trenches several times saving four Landmark trees in the process and diminishing impacts to trees to be preserved.

#### **ARB-2. Preservation and Protection of Trees to be Preserved**

#### **ARB-3. Implementation of Required Procedures as defined by the Project Arborist**

#### **ARB-4. Creation of permanent conservation easement**

- The landowners shall agree to voluntarily preserve the oak restoration areas and remaining sensitive habitat areas on the property (oak woodland and mixed grassland) in perpetuity. Restoration/enhancement area(s) should be maintained and monitored for 5 years (or longer until success criteria are met), with annual monitoring results submitted to the County each year.

## **MITIGATION MAINTENANCE AND MONITORING PROGRAM, continued**

### **ARB-5. Dedication of .25 acres to be protected for restoration purposes as defined in Mitigation Measure BIO-2 (BRG/BMBC 2024)**

- Restoration actions would include: removal/control of invasive, non-native plant species, reduction of annual, non-native annual grasses; seasonal weeding and mowing of restored area(s), and seasonal control/removal of invasive, non-native plant species from the restored area(s). Restoration/enhancement area(s) should be maintained and monitored for 5 years (or longer until success criteria are met), with annual monitoring results submitted to the County each year, or as so indicated by County Conditions of Approval.

### **ARB-6. Seed Collection, Propagation and Planting in one of four designated areas totaling .46 acres as defined on the *Tree Recruitment, Replanting and Restoration Plan Map* on the following page**

- The Boccone/Igel Family collected approximately 120 to 160 acorns during the month of October 2023 following established protocol such as described in *Regenerating Rangeland Oaks in California*
  - Select healthy, structurally sound individual trees as seed sources
  - Collect acorns from several suitable trees
  - Monitor ‘ripeness’ of acorns
  - Harvest acorns only when ripe; caps can be easily removed from the acorn with gentle twisting
  - Acorns harvested from the tree have better success than those picked up from the ground
  - Fill out USFS Seed Collection Form to verify and document provenance
  - Germinate and grow in a controlled environment
  - Propagation to tree pot size 4x4x14-inch liner size containers
  - Plant 45 saplings during the Fall of 2024 at the onset of winter rains
  - Maintain 10-foot separation in plantings in random, non-linear arrangement, mimicking natural growth patterns
  - Newly planted saplings will be protected by above ground browse cages
  - Soil moisture levels will be supplemented by hand watering during the summer months

### **ARB-7. Sapling Recruitment**

- Fifteen, young saplings have been identified, numerically tagged and mapped in one of the four mapped “Recruitment” Areas.
- These small trees will be cleared of suppressive growth for a distance of 3’ from the tree trunk
- Above ground browse cages will be installed surrounding each recruited sapling

## Tree Recruitment, Replanting and Restoration Plan Map



<b>Boccone/Igel Property</b> <b>827 Elkhorn Road, Royal Oaks CA</b> <b>APN 181-151-00</b> <b>Area Designation Summary Table</b>		
<b>Designation</b>	<b>Map Highlight Color</b>	<b>Acreage</b>
Property Boundary	Lime Green Line	13.53
Land Donated to ESF	Green	5.12
Recruitment/Replanting	Yellow areas (#1-4)	.46
Restoration	Blue	.25
<b>Total Acreage of Mitigation Areas for Recruitment, Replanting and Restoration: .71 acres</b>		



<b>Boccone/Igel Property</b> <b>827 Elkhorn Road, Royal Oaks CA</b> <b>APN 181-151-009</b> <b>Sapling Recruitment and Planting Summary Table</b>				
Replanting/Recruitment Area Number	Size (acres)	Sapling Recruitment Quantity	Sapling Replanting Quantity	Assigned Tag Numbers
1	.17	2	21	801 to 823
2	.12	3	12	824 to 838
3	.06	5	0	839 to 843
4	.11	5	7	844 to 855
TOTALS	.46	15 Saplings Recruited 40 Saplings Planted from Seed Collected from the Property, Propagated and Grown to Tree Pot Size		

### **Sapling Recruitment Examples**

Saplings #818 and 819 located in Area 1.



### **Sapling Recruitment Examples, continued**

Saplings #826 and 828 located in Area 2.



**Success Criteria** To ensure the survivability and proper growth of the propagated seedlings and salvaged saplings in perpetuity, Success Criteria will be defined to meet a 60% survival rate and implemented as follows.

The Boccone/Igel Family will monitor the newly planted tree at quarterly intervals for a period of seven years.

- Tree health and growth rates will be assessed
- Trees suffering poor growth rates or declining health will be identified.
- Invigoration treatments will be provided
- Dead trees or trees in an irreversible state of decline will be replaced.
- At the end of the seven-year period the status of the new plantings will be assessed to make certain that a 60% Success Criteria has been met and the saplings are performing well.

**Inspections** To ensure the successful implementation of the recommended procedures Site Inspections are recommended by the Project Arborist. Site inspections will take place at the following intervals throughout the course of the project:

- Following on-site placement of grade stakes.
- During preconstruction root exploration and severance procedures.
- After Tree Preservation fencing locations have been staked.
- Following Tree Protection fencing installation and prior to the commencement of grading.
- As necessary during the excavation activities, construction and restoration planting to ensure compliance with all conditions of project approval.

Site monitoring forms will be submitted to the Monterey County Resource Management Agency (RMA) upon their request.



Please contact me at 831-426-6603 with questions regarding the tree resources on this project.

Respectfully submitted,

*James P. Allen*

James P. Allen

ASCA Registered Consulting Arborist #390

Certified Urban Forester #120

ISA Board Certified Master Arborist #625B

ISA Qualified Tree Risk Assessor



## **Tree Preservation Specifications**

### **827 Elkhorn Road, Royal Oaks CA**

### **APN 181-151-009**

**These guidelines should be printed on all pages of the development plans. Contractors and sub-contractors should be aware of tree protection guidelines and restrictions. Contracts should incorporate tree protection language that includes “damage to trees will be appraised using the Guide to Plant Appraisal 10th Edition and result in mitigation costs and monetary fines assessed”.**

**Preconstruction meeting with the Project Arborist:** A meeting with the Project Arborist, Project Manager and all contractors involved with the project shall take place prior to project initiation. All tree preservation specifications will be reviewed and discussed.

**Field decisions:** The Project Arborist and Contractor will work together to determine the most effective construction methods required to preserve and protect trees.

**Tree Preservation Zone (TPZ) establishment:** TPZ's shall be established as indicated on the attached map. The TPZ's shall be delineated by temporary orange snow or chain link fencing no less than 48 inches in height well attached to metal or wooden stakes embedded in the ground. Erosion control structures may be used as tree protection structures. Tree protection structures will be installed prior to the onset of grading under the supervision of the Project Arborist and shall not be moved.

**Restrictions within the Tree Preservation Zone (TPZ):** No storage of construction materials, debris or excess soil will be allowed within the TPZ. Parking of vehicles or construction equipment in this area is prohibited. Solvents, liquids or phytotoxic materials of any type shall never be stored or disposed of within the any TPZ and shall only be disposed of as prescribed by law.

**Grade Alterations:** Maintain the natural grade. If tree roots are encountered during the construction process, the Project Arborist will be notified immediately. Exposed roots will be immediately covered with moistened burlap (or similar material) until the Project Arborist decides as to required mitigation methods and extent of damage.

**Trenching requirements:** Any areas of where trenching is proposed will be evaluated with the Project Arborist and the Contractor prior to excavation or construction.

**Tree canopy alterations:** Unauthorized pruning of any tree on this site will not be allowed. Tree canopy alterations will be performed to the specifications established by the Project Arborist.

**Supplemental irrigation:** Irrigation shall be provided using “soaker” hoses or similar method of slow delivery. Supplemental irrigation requirements shall be determined by the Project Arborist and will be required prior to and after completion of the grading.

**Mulch Layer:** A 4-6 inch layer of tree chip mulch shall be applied within the Tree Preservation Zones (TPZ). Maintain a 12-inch distance from tree trunks that is free of chips or organic material or excess soil accumulation.

Attachment “A”  
Tree Resource Inventory



James P. Allen  
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**Boccone/Igel Residence**  
**827 Elkhorn Road**  
**APN 181-151-009**  
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DATE: November 1, 2024

*Dedicated to the Preservation of Trees*

**COAST LIVE OAK TREE INVENTORY**

TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"><li>• OBSERVATIONS</li><li>• REQUIRED PROCEDURES</li><li>• MEETS "PROTECTED" CRITERIA Yes/No</li><li>• MEETS "LANDMARK" CRITERIA Yes/No</li></ul>
1	Triple Trunk 18.8, 13.0 & 1.5	Fair	Poor	Good	22	None Known	<ul style="list-style-type: none"><li>• Wide, spreading canopy</li><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• Yes</li></ul>
2	Four Trunks 11.0, 13.0, 17.5, 11.0	Fair	Fair	Fair	18	None Known	<ul style="list-style-type: none"><li>• Divides at 3 feet above grade</li><li>• Canopy suppressed to the North</li><li>• Fallen trunk to the South has one small, living branch remaining</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• Yes</li></ul>
3	8.8	Fair	Poor	Poor	12	None Known	<ul style="list-style-type: none"><li>• Trunk swoops dramatically to the South</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
4	16.0	Poor	Poor	Poor	12	None Known	<ul style="list-style-type: none"><li>• Failed trunk at 6 feet above grade</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>



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TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"><li>• OBSERVATIONS</li><li>• REQUIRED PROCEDURES</li><li>• MEETS "PROTECTED" CRITERIA Yes/No</li><li>• MEETS "LANDMARK" CRITERIA Yes/No</li></ul>
5	17.0	Fair	Poor	Good	14	None Known	<ul style="list-style-type: none"><li>• Divides at 3 feet above grade</li><li>• Poor trunk/stem attachments</li><li>• Failed branch/decayed wound site at 15 feet to the North</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
6	Triple Trunk 33.0, 24.1 & 35.1	Fair	Fair	Good	30	None Known	<ul style="list-style-type: none"><li>• Key Tree</li><li>• Wide spreading canopy</li><li>• Failed and decayed stems and branches</li><li>• Moss growth throughout outer canopy</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• Yes</li></ul>
7	19.0	Poor	Poor	Poor	14	None Known	<ul style="list-style-type: none"><li>• Large diameter, decayed stems and pruning cuts</li><li>• Asymmetrical canopy</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>





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**COAST LIVE OAK TREE INVENTORY**

TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"><li>• OBSERVATIONS</li><li>• REQUIRED PROCEDURES</li><li>• MEETS "PROTECTED" CRITERIA Yes/No</li><li>• MEETS "LANDMARK" CRITERIA Yes/No</li></ul>
8	10.5	Fair	Poor	Poor	1	None Known	<ul style="list-style-type: none"><li>• Trunk bows to the South Suppressed to the North</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
9	9.3	Fair	Poor	Poor	12	None Known	<ul style="list-style-type: none"><li>• Trunk bows dramatically to the South</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
10	10.5	Fair	Poor	Fair	12	None Known	<ul style="list-style-type: none"><li>• Trunk bows to the West Suppressed to the East Small diameter dead branches</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
11	15.2	Fair	Poor	Poor	12	None Known	<ul style="list-style-type: none"><li>• Fallen/Uprooted Trunk lies on the ground with living foliage</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>



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TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"><li>• OBSERVATIONS</li><li>• REQUIRED PROCEDURES</li><li>• MEETS "PROTECTED" CRITERIA Yes/No</li><li>• MEETS "LANDMARK" CRITERIA Yes/No</li></ul>
12	18.5	Dead	N/A	N/A	N/A	None Known	<ul style="list-style-type: none"><li>• Fallen, decayed trunk</li><li>• <b>Preserve and Protect</b></li><li>• No</li><li>• No</li></ul>
13	21.5	Fair	Fair	Good	18	None Known	<ul style="list-style-type: none"><li>• Trunk swoops dramatically to the Southeast Failed branch with decayed wound site at 12 feet above grade</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
14	Double Trunk 24 & 22	Fair	Fair	Good	22	None Known	<ul style="list-style-type: none"><li>• Key Tree Northwest trunk has failed Decayed wound sites</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• Yes</li></ul>
15	13.5	Poor	Poor	Poor	14	None Known	<ul style="list-style-type: none"><li>• Decayed wound sites Severely decayed stem to the West Bark Fractures Hypoxylon fruiting bodies</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>



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TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"> <li>• OBSERVATIONS</li> <li>• REQUIRED PROCEDURES</li> <li>• MEETS "PROTECTED" CRITERIA Yes/No</li> <li>• MEETS "LANDMARK" CRITERIA Yes/No</li> </ul>
16	Double Trunk 8.0 & 6.0	Fair	Poor	Fair	12	None Known	<ul style="list-style-type: none"> <li>• Poor trunk/stem attachments Leans to the East</li> <li>• <b>Preserve and Protect</b></li> <li>• Yes</li> <li>• No</li> </ul>
17	4.2	Fair	Poor	Fair	6	None Known	<ul style="list-style-type: none"> <li>• Trunk swoops to the Southeast</li> <li>• <b>Preserve and Protect</b></li> <li>• No</li> <li>• No</li> </ul>
18	Thirteen Trunks 5.0, 8.5, 8.0, 6.5, 6.0, 4.5, 6.5, 4.0, 3.2, 5.5, 5.0, 4.3, & 4.0	Poor	Poor	Poor	14	HIGH/ Proximity Proposed Grading Limits	<ul style="list-style-type: none"> <li>• Wide spreading smaller multi trunk tree In decline</li> <li>• <b>Preserve and Protect</b></li> <li>• Yes</li> <li>• Yes</li> </ul>
19	Four Trunks 10.0, 11.5, 6.5 & 7.7	Fair	Poor	Fair	18	None Known	<ul style="list-style-type: none"> <li>• Poor trunk/stem attachments Dead branches</li> <li>• <b>Preserve and Protect</b></li> <li>• Yes</li> <li>• Yes</li> </ul>



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## COAST LIVE OAK TREE INVENTORY

TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"> <li>• OBSERVATIONS</li> <li>• REQUIRED PROCEDURES</li> <li>• MEETS "PROTECTED" CRITERIA Yes/No</li> <li>• MEETS "LANDMARK" CRITERIA Yes/No</li> </ul>
20	Seven Trunks 13.0, 15.0, 13.0, 10.5, 7.0, 10.0, & 10.0	Fair	Fair	Fair	28	None Known	<ul style="list-style-type: none"> <li>• Multi trunk tree</li> <li>Swoops to the South</li> <li>• <b>Preserve and Protect</b></li> <li>• Yes</li> <li>• Yes</li> </ul>
21	Double Trunk 22.0 & 14.5	Fair	Good	Good	22	None Known	<ul style="list-style-type: none"> <li>• Key Tree</li> <li>Main trunk bows to the northeast</li> <li>Small diameter dead branches</li> <li>Moss growth throughout canopy</li> <li>• <b>Preserve and Protect</b> • Yes</li> <li>• Yes</li> </ul>
22	Five Trunks 17.3, 12.0, 13.0, 15.5, & 4.5	Fair	Good	Good	22	None Known	<ul style="list-style-type: none"> <li>• Gnarled trunk</li> <li>Cankers present</li> <li>• <b>Preserve and Protect</b></li> <li>• Yes</li> <li>• Yes</li> </ul>
23	Double Trunk 6.0, & 7.0	Poor	Poor	Poor	12	LOW/ Proximity to Driveway	<ul style="list-style-type: none"> <li>• Trunk is suppressed to the Northeast</li> <li>Low vigor</li> <li>In decline</li> <li>• <b>Preserve and Protect</b></li> <li>• Yes</li> <li>• No</li> </ul>



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**COAST LIVE OAK TREE INVENTORY**

TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"><li>• OBSERVATIONS</li><li>• REQUIRED PROCEDURES</li><li>• MEETS "PROTECTED" CRITERIA Yes/No</li><li>• MEETS "LANDMARK" CRITERIA Yes/No</li></ul>
24	5.5	Poor	Poor	Poor	6	HIGH/ Within Proposed Driveway	<ul style="list-style-type: none"><li>• Trunk is suppressed to the West</li><li>• Low vigor</li><li>• In decline</li><li>• <b>Remove due to Construction Impacts</b></li><li>• No</li><li>• No</li></ul>
25	Double Trunk 10.0 & 9.0	Poor	Poor	Poor	12	MODERATE/ Proximity to Driveway	<ul style="list-style-type: none"><li>• Exudation at several locations</li><li>• Possible symptoms of Phytophthora</li><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
26	10.0	Poor	Poor	Poor	12	MODERATE/ Proximity to Driveway	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
27	13.5	Poor	Poor	Fair	15	LOW/ Proximity to Sewer Line	<ul style="list-style-type: none"><li>• Trunk suppressed to the North and East</li><li>• Presence of cankers</li><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>





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**COAST LIVE OAK TREE INVENTORY**

TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"> <li>• OBSERVATIONS</li> <li>• REQUIRED PROCEDURES</li> <li>• MEETS "PROTECTED" CRITERIA Yes/No</li> <li>• MEETS "LANDMARK" CRITERIA Yes/No</li> </ul>
28	Triple Trunk 3.5, 3.0, & 7.0	Poor	Poor	Poor	12	LOW/ Proximity to Sewer Line	<ul style="list-style-type: none"> <li>• Suppressed tree</li> <li>Low vigor</li> <li>In decline</li> <li>• <b>Preserve and Protect</b> <b>Special Treatment Area</b></li> <li>• Yes</li> <li>• No</li> </ul>
29	9.5	Poor	Fair	Fair	12	LOW/ Proximity to Sewer Line	<ul style="list-style-type: none"> <li>• Trunk swoops to the West</li> <li>Small diameter dead branches</li> <li>• <b>Preserve and Protect</b> <b>Special Treatment Area</b></li> <li>• Yes</li> <li>• No</li> </ul>
30	Double Trunk 6.5 & 3.2	Fair	Poor	Poor	8	LOW/ Proximity to Sewer Line	<ul style="list-style-type: none"> <li>• Suppressed to the West</li> <li>Small diameter dead branches</li> <li>• <b>Preserve and Protect</b> <b>Special Treatment Area</b></li> <li>• Yes</li> <li>• No</li> </ul>



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**COAST LIVE OAK TREE INVENTORY**

TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	• OBSERVATIONS • REQUIRED PROCEDURES • MEETS "PROTECTED" CRITERIA Yes/No • MEETS "LANDMARK" CRITERIA Yes/No
31	Double Trunk 8.0 & 7.0	Fair	Poor	Fair	10	HIGH/ Proximity to Sewer Line	• Suppressed to the East Small diameter dead branches Poor trunk/stem attachments • Remove due to Construction Impacts • Yes • No
32	13.5	Fair	Poor	Fair	12	HIGH/ Canopy Conflicts with Carport and Driveway	• Canopy develops toward and over proposed carport and driveway Poor trunk/stem attachments • Remove due to Construction Impacts • Yes • No
33	Double Trunk 6.0 & 7.0	Poor	Poor	Poor	8	HIGH/ Proximity to Sewer Line and Driveway	• Hypoxylon fruiting bodies present on trunk • Remove due to Construction Impacts • Yes • No



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TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"><li>• OBSERVATIONS</li><li>• REQUIRED PROCEDURES</li><li>• MEETS "PROTECTED" CRITERIA Yes/No</li><li>• MEETS "LANDMARK" CRITERIA Yes/No</li></ul>
34	Twelve Trunks 7.0, 9.5, 10.5, 8.5, 10.0, 9.0, 9.0, 7.0, 5.5, 12.5, 6.0 & 5.5	Fair	Fair	Good	32	MODERATE/ Proximity to Sewer Line and Driveway	<ul style="list-style-type: none"><li>• Wide spreading multi trunk tree</li><li>• <b>Preserve and Protect</b> <b>Special Treatment Area</b> <b>Clearance pruning required</b></li><li>• Yes</li><li>• Yes</li></ul>
35	5.0	Poor	Poor	Poor	6	None Known	<ul style="list-style-type: none"><li>• Crooked, severely decayed trunk with hypoxylon fruiting structures</li><li>• <b>Preserve and Protect</b></li><li>• No</li><li>• No</li></ul>
36	Double Trunk 8.3 & 9.7	Poor	Poor	Poor	12	HIGH/ Within Proposed Carport	<ul style="list-style-type: none"><li>• Severe state of decline</li><li>• Canker presence</li><li>• Poor trunk/stem attachments</li><li>• <b>Remove due to Construction Impacts</b></li><li>• Yes</li><li>• No</li></ul>



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TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"><li>OBSERVATIONS</li><li>REQUIRED PROCEDURES</li><li>MEETS "PROTECTED" CRITERIA Yes/No</li><li>MEETS "LANDMARK" CRITERIA Yes/No</li></ul>
37	Double Trunk 11.4 & 7.5	Poor	Poor	Poor	8	HIGH/ Proximity to Sewer & Water Lines	<ul style="list-style-type: none"><li>In decline</li><li>Canker presence</li><li>Poor trunk/stem attachments</li><li>Remove due to Construction Impacts</li><li>Yes</li><li>No</li></ul>
38	Double Trunk 10.2 & 9.8	Fair	Poor	Poor	12	None Known	<ul style="list-style-type: none"><li>Suppressed to the North and East</li><li>Poor trunk/stem attachments</li><li>Small diameter dead branches</li><li>Preserve and Protect</li><li>Yes</li><li>No</li></ul>
39	12.7	Fair	Poor	Fair	12	None Known	<ul style="list-style-type: none"><li>Suppressed to the North</li><li>Leans to the East</li><li>Poor trunk/stem attachments</li><li>Preserve and Protect</li><li>Yes</li><li>No</li></ul>



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TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"><li>• OBSERVATIONS</li><li>• REQUIRED PROCEDURES</li><li>• MEETS "PROTECTED" CRITERIA Yes/No</li><li>• MEETS "LANDMARK" CRITERIA Yes/No</li></ul>
40	14.0	Fair	Poor	Fair		None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachment at 12 feet above grade</li><li>• Upper trunk leans to the Southwest</li><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
41	13.5	Fair	Poor	Fair		None Known	<ul style="list-style-type: none"><li>• Failed branch at 6 feet to the South</li><li>• Severe decay in lower trunk</li><li>• HIGH FAILURE POTENTIAL</li><li>• <b>Preserve and Protect</b></li><li>• <b>Monitor Stability</b></li><li>• Yes</li><li>• No</li></ul>
42	Double Trunk 5.5 & 7.9	Fair	Poor	Fair	8	None Known	<ul style="list-style-type: none"><li>• Divides at grade</li><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
43	Triple Trunk 8.4, 4.5 & 4.6	Good	Poor	Fair	10	None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>





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TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"><li>• OBSERVATIONS</li><li>• REQUIRED PROCEDURES</li><li>• MEETS "PROTECTED" CRITERIA Yes/No</li><li>• MEETS "LANDMARK" CRITERIA Yes/No</li></ul>
44	Double Trunk 10.1 & 7.7	Fair	Poor	Fair	14	None Known	<ul style="list-style-type: none"><li>• Suppressed to the East</li><li>• Poor trunk/stem attachments</li><li>• Small diameter dead branches</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
45	7.0	Fair	Poor	Fair	8	None Known	<ul style="list-style-type: none"><li>• Leans to the East</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
46	8.7	Fair	Poor	Fair	8	None Known	<ul style="list-style-type: none"><li>• Bowed trunk</li><li>• Asymmetrical canopy</li><li>• Small diameter dead branches</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
47	4.3	Fair	Poor	Fair	6	None Known	<ul style="list-style-type: none"><li>• Small suppressed tree</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>



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## COAST LIVE OAK TREE INVENTORY

TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"> <li>• OBSERVATIONS</li> <li>• REQUIRED PROCEDURES</li> <li>• MEETS "PROTECTED" CRITERIA Yes/No</li> <li>• MEETS "LANDMARK" CRITERIA Yes/No</li> </ul>
48	22.2	Fair	Fair	Good	18	None Known	<ul style="list-style-type: none"> <li>• Divides into 2 well attached stems at 10 feet above grade</li> <li>• Previous branch failure</li> <li>• Decayed wound sites</li> <li>• <b>Preserve and Protect</b></li> <li>• Yes</li> <li>• No</li> </ul>
49	7.6	Fair	Poor	Fair	8	None Known	<ul style="list-style-type: none"> <li>• Suppressed tree</li> <li>• Leans to the East</li> <li>• <b>Preserve and Protect</b></li> <li>• Yes</li> <li>• No</li> </ul>
50	11.0	Poor	Poor	Fair	10	None Known	<ul style="list-style-type: none"> <li>• Leans to the East</li> <li>• Canopy suppressed by Poison Oak growth</li> <li>• Poor trunk/stem attachments</li> <li>• <b>Preserve and Protect</b></li> <li>• Yes</li> <li>• No</li> </ul>
51	Four Trunks 8.3, 12.2, 11.4 & 9.9	Fair	Poor	Fair	14	None Known	<ul style="list-style-type: none"> <li>• Poor trunk/stem attachments</li> <li>• <b>Preserve and Protect</b></li> <li>• Yes</li> <li>• No</li> </ul>



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TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"><li>• OBSERVATIONS</li><li>• REQUIRED PROCEDURES</li><li>• MEETS "PROTECTED" CRITERIA Yes/No</li><li>• MEETS "LANDMARK" CRITERIA Yes/No</li></ul>
52	7.0	Poor	Poor	Fair	8	None Known	<ul style="list-style-type: none"><li>• Leans to the West</li><li>• Severe canker development</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
53	14.8	Fair	Poor	Fair	14	None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments at 8 feet above grade</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
54	4.5	Fair	Fair	Good	26	None Known	<ul style="list-style-type: none"><li>• Grows horizontally, near ground</li><li>• <b>Preserve and Protect</b></li><li>• No</li><li>• No</li></ul>
55	3.8	Fair	Poor	Fair	6	None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• No</li><li>• No</li></ul>



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TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"><li>• OBSERVATIONS</li><li>• REQUIRED PROCEDURES</li><li>• MEETS "PROTECTED" CRITERIA Yes/No</li><li>• MEETS "LANDMARK" CRITERIA Yes/No</li></ul>
56	Double Trunk 1.8 & 3.0	Fair	Poor	Fair	6	None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
57	6.2	Fair	Fair	Good	15	None Known	<ul style="list-style-type: none"><li>• Grows horizontal, near ground</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
58	9.0	Fair	Fair	Good	15	None Known	<ul style="list-style-type: none"><li>• Grows horizontal, near ground</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
59	Eleven Trunks 10.4, 9.0, 1.3, 3.3, 8.4, 10.4, 10.4, 11.2, 2.6, 6.1 & 10.1	Fair	Poor	Good	18	None Known	<ul style="list-style-type: none"><li>• Multi trunk with wide, spreading canopy</li><li>• Poor trunk/stem attachments</li><li>• Small diameter dead branches</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• Yes</li></ul>



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TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"><li>• OBSERVATIONS</li><li>• REQUIRED PROCEDURES</li><li>• MEETS "PROTECTED" CRITERIA Yes/No</li><li>• MEETS "LANDMARK" CRITERIA Yes/No</li></ul>
60	7.6	Fair	Poor	Fair	10	None Known	<ul style="list-style-type: none"><li>• Suppressed to the West</li><li>• Small diameter dead branches</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
61	Double Trunk 11.0 & 18.2	Fair	Poor	Good	18	None Known	<ul style="list-style-type: none"><li>• Well attached scaffold branch at 12 inches above grade</li><li>• Poor trunk/stem attachments at 4 feet</li><li>• Presence of cankers</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• Yes</li></ul>
62	15.2	Poor	Poor	Poor	22	None Known	<ul style="list-style-type: none"><li>• Failed at codominant attachment point</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
63	4.2	Fair	Fair	Good	15	None Known	<ul style="list-style-type: none"><li>• Grows horizontally, near ground</li><li>• <b>Preserve and Protect</b></li><li>• No</li><li>• No</li></ul>





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64	2.7	Fair	Poor	Fair	12	None Known	<ul style="list-style-type: none"><li>• Small suppressed tree</li><li>• Bowed trunk</li><li>• Canker at 3 feet to the Northwest</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
65	5.5	Poor	Poor	Fair	6	None Known	<ul style="list-style-type: none"><li>• Leans to the South</li><li>• Low Live Crown Ratio</li><li>• <b>Preserve and Protect</b></li><li>• No</li><li>• No</li></ul>
66	4.2	Fair	Fair	Fair	6	None Known	<ul style="list-style-type: none"><li>• Small suppressed tree</li><li>• <b>Preserve and Protect</b></li><li>• No</li><li>• No</li></ul>
67	8.5	Fair	Poor	Fair	8	None Known	<ul style="list-style-type: none"><li>• Trunk leans dramatically to the Northeast</li><li>• Failed stem has decayed</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>



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68	19.2	Fair	Poor	Fair	14	MODERATE/ Proximity to Sewer Line	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>• Small diameter dead branches</li><li>• <b>Preserve and Protect</b></li><li>• <b>Special Treatment Area</b></li><li>• Yes</li><li>• No</li></ul>
69	7.2	Fair	Poor	Fair	8	None Known	<ul style="list-style-type: none"><li>• Trunk leans dramatically to the East</li><li>• Presence of canker growth</li><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
70	8.6	Fair	Poor	Poor	8	None Known	<ul style="list-style-type: none"><li>• Poorly pruned</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
71	3.2	Fair	Poor	Fair	4	None Known	<ul style="list-style-type: none"><li>• Small suppressed tree</li><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• No</li><li>• No</li></ul>



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72	3.2	Fair	Poor	Fair	6	None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• No</li><li>• No</li></ul>
73	4.2	Good	Fair	Good	6	None Known	<ul style="list-style-type: none"><li>• Good vigor</li><li>• <b>Preserve and Protect</b></li><li>• No</li><li>• No</li></ul>
74	11.8	Fair	Poor	Fair	10	None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>• Small diameter dead branches</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
75	Double Trunk 5.7 & 4.8	Fair	Poor	Fair	8	None Known	<ul style="list-style-type: none"><li>• Poorly pruned</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>



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76	Four Trunks 13.4, 8.3, 6.2, & 11.1	Fair	Poor	Fair	12	LOW/ Proximity to Patio Foundation	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>• Small diameter dead branches</li><li>• <b>Preserve and Protect</b></li><li>• <b>Special Treatment Area</b></li><li>• <b>Clearance Pruning Required</b></li><li>• Yes</li><li>• Yes</li></ul>
77	Double Trunk 6.4 & 4.1	Fair	Poor	Fair	8	Moderate/ Proximity to Patio Foundation	<ul style="list-style-type: none"><li>• Poorly pruned</li><li>• <b>Preserve and Protect</b></li><li>• <b>Special Treatment Area</b></li><li>• <b>Clearance Pruning Required</b></li><li>• Yes</li><li>• No</li></ul>
78	6.0	Fair	Poor	Fair	8	None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
79	8.9	Fair	Poor	Fair	8	None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>



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TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"><li>• OBSERVATIONS</li><li>• REQUIRED PROCEDURES</li><li>• MEETS "PROTECTED" CRITERIA Yes/No</li><li>• MEETS "LANDMARK" CRITERIA Yes/No</li></ul>
80	Double Trunk 6.1 & 6.9	Fair	Poor	Fair	8	None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>Visible cankers</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
81	Double Trunk 7.6 & 11.3	Poor	Poor	Poor	14	None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>Visible cankers</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
82	16.2	Dead	N/A	N/A	N/A	None Known	<ul style="list-style-type: none"><li>• Fallen/Dead</li><li>• <b>Preserve and Protect</b></li><li>• No</li><li>• No</li></ul>
83	Four Trunks 6.7, 6.9, 5.5 & 10.1	Fair	Poor	Fair	14	None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>Small diameter dead branches</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• Yes</li></ul>





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**COAST LIVE OAK TREE INVENTORY**

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84	9.7	Fair	Poor	Fair	8	None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>• Small diameter dead branches</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
85	Double Trunk 11.4 & 9.6	Fair	Poor	Fair	12	None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
86	13.5	Fair	Fair	Fair	12	None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>• Small diameter dead branches</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
87	10.3	Fair	Poor	Fair	12	None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>• Small diameter dead branches</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>



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88	6.8	Fair	Poor	Poor	6	None Known	<ul style="list-style-type: none"><li>• Bowed trunk</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
89	Double Trunk 13.3 & 11.1	Fair	Poor	Fair	14	None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments Small diameter dead branches</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• Yes</li></ul>
90	4.0	Poor	Poor	Poor	6	None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• No</li><li>• No</li></ul>
91	22.1	Fair	Poor	Good	35	None Known	<ul style="list-style-type: none"><li>• Tree has uprooted Lower trunk has deteriorated Upper canopy section remains alive and upright</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>



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92	Double Trunk 8.2 & 2.4	Poor	Fair	Poor	10	None Known	• Severe canker development in lower trunk • <b>Preserve and Protect</b> • Yes • No
93	8.8	Fair	Poor	Fair	8	None Known	• Trunk swoops to the East • <b>Preserve and Protect</b> • Yes • No
94	5.4	Poor	Poor	Poor	6	None Known	• Poor trunk/stem attachments • <b>Preserve and Protect</b> • No • No
95	6.0	Good	Poor	Fair	8	96	• Leans to the North Mechanical wound in lower trunk • <b>Preserve and Protect</b> • Yes • No



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96	Eight Trunks 7.5, 9.6, 6.3, 10.2, 10.9, 6.4, 11.2 & 10.3	Poor	Poor	Poor	18	MODERATE/ Proximity to Driveway	<ul style="list-style-type: none"> <li>• Severe decline Upper canopy sections have died Profuse sucker growth on lower trunk sections One trunk has failed/broken Hypoxylon fruiting bodies</li> <li>• <b>Preserve and Protect</b> <b>MONITOR STABILITY</b> Canopy pruning may be necessary <b>Special Treatment Area</b></li> <li>• Yes</li> <li>• Yes</li> </ul>
97	Three Trunks 7.5, 7.5 & 7.5	Poor	Fair	Poor	18	HIGH/ Proximity to Driveway	<ul style="list-style-type: none"> <li>• Severe decline Hypoxylon fruiting bodies Bleeding cankers Symptoms of Oak Bark Beetle</li> <li>• <b>Preserve and Protect</b> <b>Special Treatment Area</b></li> <li>• Yes</li> <li>• No</li> </ul>
98	9.3	Fair	Poor	Poor	12	HIGH/ Proximity to Driveway	<ul style="list-style-type: none"> <li>• Trunk swoops to the South Poor trunk/ stem attachments</li> <li>• <b>Remove due to Construction Impacts</b></li> <li>• Yes</li> <li>• No</li> </ul>



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99	Ten Trunks 10.1, 8.5, 5.0, 6.7, 4.5, 9.8, 9.0, 9.5, 7.8 & 1 7.5	Fair	Poor	Fair	26	None Known	<ul style="list-style-type: none"><li>• Wide spreading multi trunk tree</li><li>• Small diameter dead branches</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
100	Double Trunk 20.1 & 20.2	Fair	Poor	Good	30	MODERATE/ Proximity to Hammerhead	<ul style="list-style-type: none"><li>• Stately mature tree</li><li>• Numerous past branch failures and decayed sections</li><li>• Sprout growth on lower trunk</li><li>• <b>Preserve and Protect</b></li><li>• <b>Special Treatment Area</b></li><li>• <b>Canopy clearance pruning may be required</b></li><li>• Yes</li><li>• Yes</li></ul>
101	26.0	Fair	Poor	Good	30	None Known	<ul style="list-style-type: none"><li>• Stately mature tree</li><li>• Dog legged trunk</li><li>• Numerous past branch failures and decayed sections</li><li>• Sprout growth on lower trunk</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• Yes</li></ul>





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102	Double Trunk 17.6 & 9.9	Fair	Poor	Fair	14	HIGH/ Proximity to Driveway/Grading Limits Conflicts with Canopy and Driveway Clearance	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b> <b>Special Treatment Area</b></li><li>• Yes</li><li>• Yes</li></ul>
103	23.2	Poor	Poor	Poor	N/A	HIGH/ Within Proposed Workshop	<ul style="list-style-type: none"><li>• Fallen Small amount of living sprout growth</li><li>• <b>Remove due to Condition</b></li><li>• No</li><li>• No</li></ul>
104	Double Trunk 6.1 & 4.8	Poor	Poor	Poor	8	None Known	<ul style="list-style-type: none"><li>• Canker presence on main trunk Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
105	Triple Trunk 5.7, 7.0 & 5.0	Fair	Poor	Poor	12	HIGH/ Proximity to Driveway/Grading Limits	<ul style="list-style-type: none"><li>• Suppressed to the North Poor trunk/stem attachments</li><li>• <b>Remove due to Construction Impacts</b></li><li>• Yes</li><li>• No</li></ul>



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TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"><li>• OBSERVATIONS</li><li>• REQUIRED PROCEDURES</li><li>• MEETS "PROTECTED" CRITERIA Yes/No</li><li>• MEETS "LANDMARK" CRITERIA Yes/No</li></ul>
106	9.1	Poor	Poor	Poor	8	MODERATE/ Proximity to Driveway/Grading Limits	<ul style="list-style-type: none"><li>• Decay in lower trunk Leans to the West Minimal canopy remaining</li><li>• <b>Preserve and Protect</b> <b>Special Treatment Area</b></li><li>• Yes</li><li>• No</li></ul>
107	Double Trunk 15.1 & 11.0	Fair	Poor	Fair	15	HIGH/ Proximity to Grading Limits	<ul style="list-style-type: none"><li>• Trunks lean to the West and South</li><li>• <b>Preserve and Protect</b> <b>Special Treatment Area</b></li><li>• Yes</li><li>• Yes</li></ul>
108	7.8	Fair	Poor	Fair	12	HIGH/ Proximity to Grading Limits	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b> <b>Special Treatment Area</b></li><li>• Yes</li><li>• No</li></ul>
109	8.0	Dead	N/A	N/A	N/A	HIGH/ Proximity to Grading Limits	<ul style="list-style-type: none"><li>• Fallen/Dead</li><li>• <b>Preserve and Protect</b></li><li>• No</li><li>• No</li></ul>



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TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"><li>• OBSERVATIONS</li><li>• REQUIRED PROCEDURES</li><li>• MEETS "PROTECTED" CRITERIA Yes/No</li><li>• MEETS "LANDMARK" CRITERIA Yes/No</li></ul>
110	10.2	Poor	Poor	Poor	12	None Known	<ul style="list-style-type: none"><li>• 90% Dead</li><li>• Fallen trunk with 2 living branches remaining</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
111	12.2	Dead	N/A	N/A	N/A	None Known	<ul style="list-style-type: none"><li>• Fallen/Dead</li><li>• <b>Preserve and Protect</b></li><li>• No</li><li>• No</li></ul>
112	12.0	Dead	N/A	N/A	N/A	None Known	<ul style="list-style-type: none"><li>• Fallen, lying on the ground</li><li>• Still alive</li><li>• <b>Preserve and Protect</b></li><li>• No</li><li>• No</li></ul>
113	17.9	Fair	Poor	Poor	18	12	<ul style="list-style-type: none"><li>• Fallen</li><li>• Dead Trunks with sprout growth</li><li>• One live branch remains</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>



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114	5.4	Good	Fair	Poor	6	None Known	<ul style="list-style-type: none"> <li>• Poor trunk/stem attachments</li> <li>• <b>Preserve and Protect</b></li> <li>• No</li> <li>• No</li> </ul>
115	20.1 @ 12" Above Grade	Fair	Poor	Fair	6	HIGH/ Within Driveway/Grading Limits	<ul style="list-style-type: none"> <li>• Poor trunk/stem attachments</li> <li>• <b>Remove due to Construction Impacts</b></li> <li>• Yes</li> <li>• No</li> </ul>
116	Double Trunk 6.2 & 6.9	Fair	Poor	Fair	12	MODERATE/ Proximity to Grading Limits	<ul style="list-style-type: none"> <li>• Poor trunk/stem attachments</li> <li>• <b>Preserve and Protect</b></li> <li>• <b>Special Treatment Area</b></li> <li>• Yes</li> <li>• No</li> </ul>
117	11.0	Fair	Poor	Poor	12	None Known	<ul style="list-style-type: none"> <li>• Poor trunk/stem attachments In process of splitting apart High Failure Potential</li> <li>• <b>Preserve and Protect</b></li> <li>• <b>Monitor Stability</b></li> <li>• Yes</li> <li>• No</li> </ul>



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118	9.5	Fair	Poor	Fair	12	None Known	<ul style="list-style-type: none"><li>• Suppressed tree</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
119	7.9	Fair	Poor	Fair	10	None Known	<ul style="list-style-type: none"><li>• Leans to the North</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
120	Double Trunk 10.0 & 6.7	Fair	Poor	Fair	12	None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
121	7.6	Fair	Poor	Fair	8	None Known	<ul style="list-style-type: none"><li>• Suppressed tree</li><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
122	6.9	Fair	Poor	Poor	8	None Known	<ul style="list-style-type: none"><li>• Crooked trunk</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>





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123	10.6	Fair	Poor	Fair	12	None Known	<ul style="list-style-type: none"> <li>• Leans to the North</li> <li>• Poor trunk/stem attachments</li> <li>• <b>Preserve and Protect</b></li> <li>• Yes</li> <li>• No</li> </ul>
124	14.3	Fair	Poor	Poor	16	HIGH/ Within Proposed Garage	<ul style="list-style-type: none"> <li>• Leans to the North</li> <li>• Poor trunk/stem attachments</li> <li>• <b>Remove due to Construction Impacts</b></li> <li>• Yes</li> <li>• No</li> </ul>
125	11.6	Fair	Poor	Fair	14	HIGH/ Proximity to Grading Limits	<ul style="list-style-type: none"> <li>• Poor trunk/stem attachments</li> <li>• <b>Remove due to Construction Impacts</b></li> <li>• Yes</li> <li>• No</li> </ul>
126	Double Trunk 6.5 & 10.4	Fair	Poor	Fair	14	HIGH/ Proximity to Grading Limits	<ul style="list-style-type: none"> <li>• Suppressed tree</li> <li>• Poor trunk/stem attachments</li> <li>• <b>Remove due to Construction Impacts</b></li> <li>• Yes</li> <li>• No</li> </ul>



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127	Triple Trunk 5.9, 6.9 & 7.8	Fair	Poor	Fair	12	None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
128	Double Trunk 9.8 & 8.3	Fair	Poor	Fair	14	None Known	<ul style="list-style-type: none"><li>• Poor/trunk/stem attachments</li><li>• Dead branches</li><li>• <b>Remove due to Construction Impacts</b></li><li>• Yes</li><li>• No</li></ul>
129	11.2	Fair	Poor	Fair	12	None Known	<ul style="list-style-type: none"><li>• Suppressed to the Northwest</li><li>• Leans to the South</li><li>• Dead branches</li><li>• <b>Remove due to Construction Impacts</b></li><li>• Yes</li><li>• No</li></ul>
130	Double Trunk 8.5 & 10.1	Fair	Poor	Fair		HIGH/ Proximity to Grading Limits	<ul style="list-style-type: none"><li>• Suppressed to the Northeast</li><li>• Leans to the West</li><li>• <b>Remove due to Construction Impacts</b></li><li>• Yes</li><li>• No</li></ul>



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131	Double Trunk 10.9 & 12.9	Fair	Poor	Fair	16	None Known	<ul style="list-style-type: none"><li>• Suppressed to the Northwest Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
132	9.3	Fair	Poor	Fair	10	None Known	<ul style="list-style-type: none"><li>• Suppressed tree</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
133	11.2	Fair	Poor	Fair	12	None Known	<ul style="list-style-type: none"><li>• Leans to the Southeast Poor trunk/stem attachments</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
134	4.7	Poor	Poor	Poor	6	None Known	<ul style="list-style-type: none"><li>• Bowed trunk</li><li>• <b>Preserve and Protect</b></li><li>• No</li><li>• No</li></ul>



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**COAST LIVE OAK TREE INVENTORY**

TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"><li>• OBSERVATIONS</li><li>• REQUIRED PROCEDURES</li><li>• MEETS "PROTECTED" CRITERIA Yes/No</li><li>• MEETS "LANDMARK" CRITERIA Yes/No</li></ul>
135	38.2	Fair	Poor	Fair	32	None Known	<ul style="list-style-type: none"><li>• Stately mature tree</li><li>• Numerous past branch failures and decayed sections</li><li>• Small diameter dead branches</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• Yes</li></ul>
135A	6.6	Fair	Poor	Fair	12	None Known	<ul style="list-style-type: none"><li>• Dead</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
135B	Double Trunk 22.3 & 27.4	Dead	N/A	N/A	N/A	None Known	<ul style="list-style-type: none"><li>• Dead</li><li>• <b>Preserve and Protect</b></li><li>• No</li><li>• No</li></ul>
136	Double Trunk 22.3 & 27.4	Fair	Fair	Good	22	None Known	<ul style="list-style-type: none"><li>• Decayed wound sites</li><li>• Canopy swoops to the West</li><li>• Dead branches</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• Yes</li></ul>



James P. Allen  
& Associates

**Boccone/Igel Residence**  
**827 Elkhorn Road**  
**APN 181-151-009**  
**Construction Impact Analysis**

DATE: November 1, 2024

*Dedicated to the Preservation of Trees*

**COAST LIVE OAK TREE INVENTORY**

TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"><li>OBSERVATIONS</li><li>REQUIRED PROCEDURES</li><li>MEETS "PROTECTED" CRITERIA Yes/No</li><li>MEETS "LANDMARK" CRITERIA Yes/No</li></ul>
150	5.4	Fair	Poor	Fair	12	None Known	<ul style="list-style-type: none"><li>Small tree with crooked trunk</li><li>Remove due to Construction Impacts</li><li>No</li><li>No</li></ul>
151	21.3	Fair	Poor	Good	22	None Known	<ul style="list-style-type: none"><li>Trunk swoops dramatically to the Northwest Suppressed to the South Poor trunk/stem attachments Dead branches</li><li>Preserve and Protect</li><li>Yes</li><li>No</li></ul>
152	24.1	Fair	Fair	Good	22	None Known	<ul style="list-style-type: none"><li>Suppressed to the Northwest Canopy develops to the South Poor trunk/stem attachments Dead branches</li><li>Preserve and Protect</li><li>Yes</li><li>Yes</li></ul>
153	23.8 @ 24-inches above grade	N/A	N/A	N/A	N/A	None Known	<ul style="list-style-type: none"><li>Lower section of dead trunk</li><li>Preserve and Protect</li><li>Yes</li><li>No</li></ul>





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**COAST LIVE OAK TREE INVENTORY**

TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"><li>• OBSERVATIONS</li><li>• REQUIRED PROCEDURES</li><li>• MEETS "PROTECTED" CRITERIA Yes/No</li><li>• MEETS "LANDMARK" CRITERIA Yes/No</li></ul>
154	30.3	Fair	Poor	Poor	N/A	HIGH/ Within Proposed Driveway	<ul style="list-style-type: none"><li>• Uprooted Fallen to the Northeast @ 30 degrees Lying on the ground 20% live canopy Infested by Batk Beetles</li><li>• Remove due to Construction Impacts</li><li>• Yes</li><li>• Yes</li></ul>
155	27.9 @ 18-inches above grade	Fair	Poor	Good	22	None Known	<ul style="list-style-type: none"><li>• Trunk divides at 3-feet above grade Wide spreading canopy Poor trunk/stem attachments Decayed wound site from previous branch pruning or failure Exudation on lower trunk</li><li>• Preserve and Protect</li><li>• Yes</li><li>• Yes</li></ul>
156	7.2 @ 6-inches above grade	Fair	Poor	Poor		None Known	<ul style="list-style-type: none"><li>• Poor trunk/stem attachments Wetwood infection</li><li>• Preserve and Protect</li><li>• Yes</li><li>• No</li></ul>



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**Boccone/Igel Residence**  
**827 Elkhorn Road**  
**APN 181-151-009**  
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DATE: November 1, 2024

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**COAST LIVE OAK TREE INVENTORY**

TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"><li>• OBSERVATIONS</li><li>• REQUIRED PROCEDURES</li><li>• MEETS "PROTECTED" CRITERIA Yes/No</li><li>• MEETS "LANDMARK" CRITERIA Yes/No</li></ul>
157	5.4	Fair	Fair	Good	8	None Known	<ul style="list-style-type: none"><li>• Trunk swoops to the North at 5-feet above grade</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
158	7.4	Fair	Fair	Fair	8	None Known	<ul style="list-style-type: none"><li>• Trunk leans dramatically to the Northwest</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>
159	5.5	Fair	Poor	Fair	6	None Known	<ul style="list-style-type: none"><li>• Canker in lower trunk</li><li>• <b>Preserve and Protect</b></li><li>• No</li><li>• No</li></ul>
160	6.7	Poor	Poor	Poor	8	HIGH/ Proximity to Driveway/Grading Limits Conflicts with Canopy and Driveway Clearance	<ul style="list-style-type: none"><li>• Cankers throughout tree structure Pruning wounds</li><li>• <b>Remove due to Construction Impacts</b></li><li>• Yes</li><li>• No</li></ul>



James P. Allen  
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**Boccone/Igel Residence**  
**827 Elkhorn Road**  
**APN 181-151-009**  
**Construction Impact Analysis**

DATE: November 1, 2024

*Dedicated to the Preservation of Trees*

**COAST LIVE OAK TREE INVENTORY**

TREE #	DIAMETER @ 2ft ABOVE NATURAL GRADE (INCHES)	HEALTH	STRUCTURE	SUITABILITY for PRESERVATION	CRITICAL ROOT ZONE (CRZ) Radial Footage	CONSTRUCTION IMPACTS LEVEL/ Description	<ul style="list-style-type: none"><li>• OBSERVATIONS</li><li>• REQUIRED PROCEDURES</li><li>• MEETS "PROTECTED" CRITERIA Yes/No</li><li>• MEETS "LANDMARK" CRITERIA Yes/No</li></ul>
161	5.2	Fair	Poor	Poor	8	HIGH/ Proximity to Driveway/Grading Limits Conflicts with Canopy and Driveway Clearance	<ul style="list-style-type: none"><li>• Bowed trunk Slightly suppressed</li><li>• <b>Remove due to Construction Impacts</b></li><li>• No</li><li>• No</li></ul>
162	17.4	Good	Fair	Good	16	None Known	<ul style="list-style-type: none"><li>• Wide spreading canopy</li><li>• <b>Preserve and Protect</b></li><li>• Yes</li><li>• No</li></ul>

Attachment “B”  
Canopy Coverage Analysis

## Canopy Coverage

### Overview of Property





## Canopy Areas





## Affected Areas





## Canopy and Affected Combined



## Area Sizes

Canopy Areas				Affected Areas		
Location	Sq Ft	Grade		Location	Sq Ft	Grade
Section 1	56,272	Low		Section 1	502	Low
Section 2	508	Low		Section 2	296	Low
Section 3	988	Low		Section 3	543	Low
Section 4	10,995	Low		Section 4	532	Low
Section 5	4,824	Moderate		Section 5	205	Low
Section 6	6,365	High		Section 6	1,122	Low
Section 7	29,748	Low-Moderate		Section 7	326	Low
Section 8	67,465	Moderate-High				
Section 9	17,151	Moderate				
Section 10	35,114	High				
Section 11	62,131	Moderate				
Section 12	5,454	Low				
Total	297,015			Total	3,526	
Acres	6.82			Acres	0.08	
Affected areas represent 1.19 percent of total canopy area						

## Attachment “C”

### USFS Seed Collection Protocol



**USFS Seed Collection Form**

**SEED COLLECTION FORM**

1) SCIENTIFIC NAME \_\_\_\_\_

2) COMMON NAME \_\_\_\_\_

3) SPECIES CODE \_\_\_\_\_ 4) SEED LOT CODE \_\_\_\_\_  
4 - 6 letter from nursery form 158

5) WATERSHED \_\_\_\_\_ 6) SUBWATER \_\_\_\_\_  
Name Code (2 digit) Name Code (1letter)

7) LEGAL \_\_\_\_\_ 8) QUAD NAME \_\_\_\_\_  
Twnshp. Range Sec(s)

9) ROAD NUMBER(S) \_\_\_\_\_

10) CREEK OR SITE NAME \_\_\_\_\_

11) AREA RELOCATION DIRECTIONS \_\_\_\_\_

ATTACH A QUAD OR ROAD MAP OF COLLECTION AREA ON BACK

12) ELEVATION(S) \_\_\_\_\_ 13) SLOPE(S) \_\_\_\_\_ %

14) ASPECT(S) (N, S, E, W) \_\_\_\_\_

15) HABITAT DESCRIPTION (S) \_\_\_\_\_

16) PLANT ASSOCIATION(S) \_\_\_\_\_  
Name (use key or leave blank)

17) NUMBER OF PLANTS IN EACH POPULATION \_\_\_\_\_

18) NUMBER OF POPULATIONS IN THIS SEED LOT \_\_\_\_\_

19) COLLECTOR(S) NAME \_\_\_\_\_

20) COLLECTION DATE \_\_\_\_\_ 21) HOURS SPENT COLLECTING \_\_\_\_\_

22) COMMENTS \_\_\_\_\_

**DRYING AND TRANSPORT DATA**

23) DRYING METHOD \_\_\_\_\_ 24) DRYING TIME \_\_\_\_\_

25) NURSERY NAME \_\_\_\_\_ 26) DATE SHIPPED \_\_\_\_\_

27) DISTRICT CONTACT PERSON \_\_\_\_\_

## Collection Form Instructions

\* Asterisk indicates data that does not need to be recorded in the field. This information can be recorded before or after collection to save field time.  
But be sure to do it!

- 1) SCIENTIFIC NAME: Be absolutely sure of the identification. Use the names In Flora of the Pacific
- 2) COMMON NAME: Use the names on the charts in this guide, or the ones used for stand exams.
- 3) \* SPECIES CODE: This is the code used for stand exams. Use the CORRECT four to six letter code. Leave blank if you don't know. Refer to PNW Publication Northwest Plant Names and Symbols for Ecosystem Inventory and Analysis.
- 4) \* SEED LOT CODE: This is from Nursery Lot Form 158. See instructions accompanying that form.
- 5) \* WATERSHED NAME AND CODE: Get a map of these from the district hydrologist.
- 6) \* SUBWATERSHED NAME AND CODE: Get a map of these from the district hydrologist.
- 7) LEGAL: This is the Township, Range, and Section the seed was collected from. More than one entry for large batches.
- 8) QUAD NAME: This is the USGS Quad map name. For large batches there can be more than one entry here.
- 9) ROAD NUMBER(S): List the main roads that are nearest to the area collected. This doesn't have to be real specific.
- 10) CREEK OR SITE NAME: General name of the area.
- 11) AREA RELOCATION DIRECTIONS: This can be fairly general.
- 12) ELEVATION(S): If more than one population is included, give the range of elevations, or list each one.
- 13) SLOPE(S): If more than one population is included, give the range of slopes, or list each one.
- 14) ASPECT(S): If more than one population is included, give the range of aspects, or list each one.
- 15) HABITAT DESCRIPTION: General habitat information, such as riparian, forested, grassland.
- 16) PLANT ASSOCIATION: Use the appropriate guide to determine this. If more than one population is collected, list each association name.  
If in doubt leave it blank.
- 17) NUMBER OF PLANTS IN EACH POPULATION- Estimate the number of plants (10?, 50?, 100?) that were harvested in each population. This line will have one entry only since it will be the same for all populations in a seed lot
- 18) NUMBER OF POPULATIONS IN SEED LOT - Number of populations, separated by 1/4 mile, that were
- 19) COLLECTOR(S) NAME: The person who did the collecting (or people).
- 20) COLLECTION DATE: Date the material was collected. Important for tracking success rates.
- 21) HOURS SPENT COLLECTING: Time spent actually collecting (don't count driving time).
- 22) COMMENTS: Any extra information that may be helpful

### DRYING AND TRANSPORT

- 23) DRYING METHOD: Record where (sun or shade) and how.
- 24) DRYING TIME: How many days the material was dried.
- 25) NURSERY NAME: Name of the nursery the material was sent to.
- 26) DATE SHIPPED: Date the material was sent to the nursery.
- 27) DISTRICT CONTACT PERSON: Name of person nursery should contact if there are any questions.

## Appendix A: Seed Collection Protocols

1. Locate indigenous sites as close to the project site as possible. Avoid areas heavy with invasive species infestations. Within each subwatershed being considered for collection, identify several sites with various elevations, aspects, and geographic locations for each species. Assess target populations and confirm a sufficient number of individual plants (typically >30) have seeds at natural dispersal stage.
  2. Geneticists and ecologists emphasize that collecting from a sufficient number of individual parent plants to capture the widest possible genetic diversity within a watershed is critical to the success of planting projects. Variations among individuals makes the difference between temporary landscaping, and a healthy, self-perpetuating population that is an integral part of the ecosystem.
  3. To ensure the highest possible viability at collection and maximize the potential storage, collect mature, dry seeds in either cloth or paper bags.
  4. Cleaning can be processed off site to maximize available field collection time.
  5. To maximize genetic diversity in the collection, capture early, mid and late bloomers. Collect seeds from a population throughout its dispersal season, seeds from a population collected in the same year can be combined as one collection.
  6. For each population in a seed lot collect from at least 30 to 50 parent plants in good condition. Try to collect from as many separate populations as is feasible in each elevation band and subwatershed. Strive to collect a similar amount of seed from each population harvested. Separate populations by at least 1/4 mile, this distance should ensure that no pollen or seed exchange occur between the populations. These tactics will ensure that a representative sample of genetic variation is collected.
  7. Ensure that the sampled population is not over collected and is maintainable. Leave some seed for regeneration of the native population. Collect no more than 20% of viable seed from a given area on the day of collection.
  8. Select only vigorous, healthy parent plants. Avoid plants with signs of insects and disease. Be especially alert for black fungus diseases such as ergot in grass seed heads. Do not pick seed heads that are touching the ground.
  9. Do not collect in research natural areas, near sensitive plant sites or other environmentally sensitive areas unless granted permission including permitted agency collection permits.
  10. Collect as much seed as is available and time allows. Small seed lots are more susceptible to nursery losses than larger lots. About 500 - 1,000 seeds per species is the minimum required for Forest Service nursery processing, and to use for increasing quantities. Direct sowing will necessitate collecting the quantity of seed needed for a particular project area, plus extra to compensate for unknown germination rates. Additional mortality will occur after seeding as well.
  11. NEVER combine seed of different species while collecting. The only exception to this would be to collect a mix of all natives that would then be directly reseeded back into the wild. Nurseries will not accept any mixed seed.
  12. Document seed collection. Prior to collecting seed, record the parent population information on seed collection forms and include locations of collections. Clearly label all collection bags with appropriate information or appropriate collection number if using field data forms.
- 
-

## Attachment “D”

### Map Files (2)

- Construction Impact Assessment, Tree Location Map
- Tree Protection Plan

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Map Key / Legend

- Surveyed Tree Trunk Location
- Field Located Tree Trunk, Approximate
- 1** Assigned Tree Number
- 1** Tree Meets "Protected" Criteria
- 21** Tree Meets "Landmark" Criteria
- 1 P** Preserve and Protect
- 2 RI** Remove due to Construction Impacts
- 103RC** Remove due to Condition
- Indicates Dead/Fallen Tree
- Canopy Extents
- Canopy Extents, Fallen Tree #154
- 41** Monitor Stability
  - Trees #41, 96 & 117

Boccone/Igel Residence  
Construction Project

Forest Resource Analysis/  
Construction Impact Assessment  
Tree Protection Plan

Development Area at 20 Scale

Boccone/Igel Residence  
Construction Project  
827 Elkhorn Road, Royal Oaks CA  
APN 181-151-009

Tree Location Map

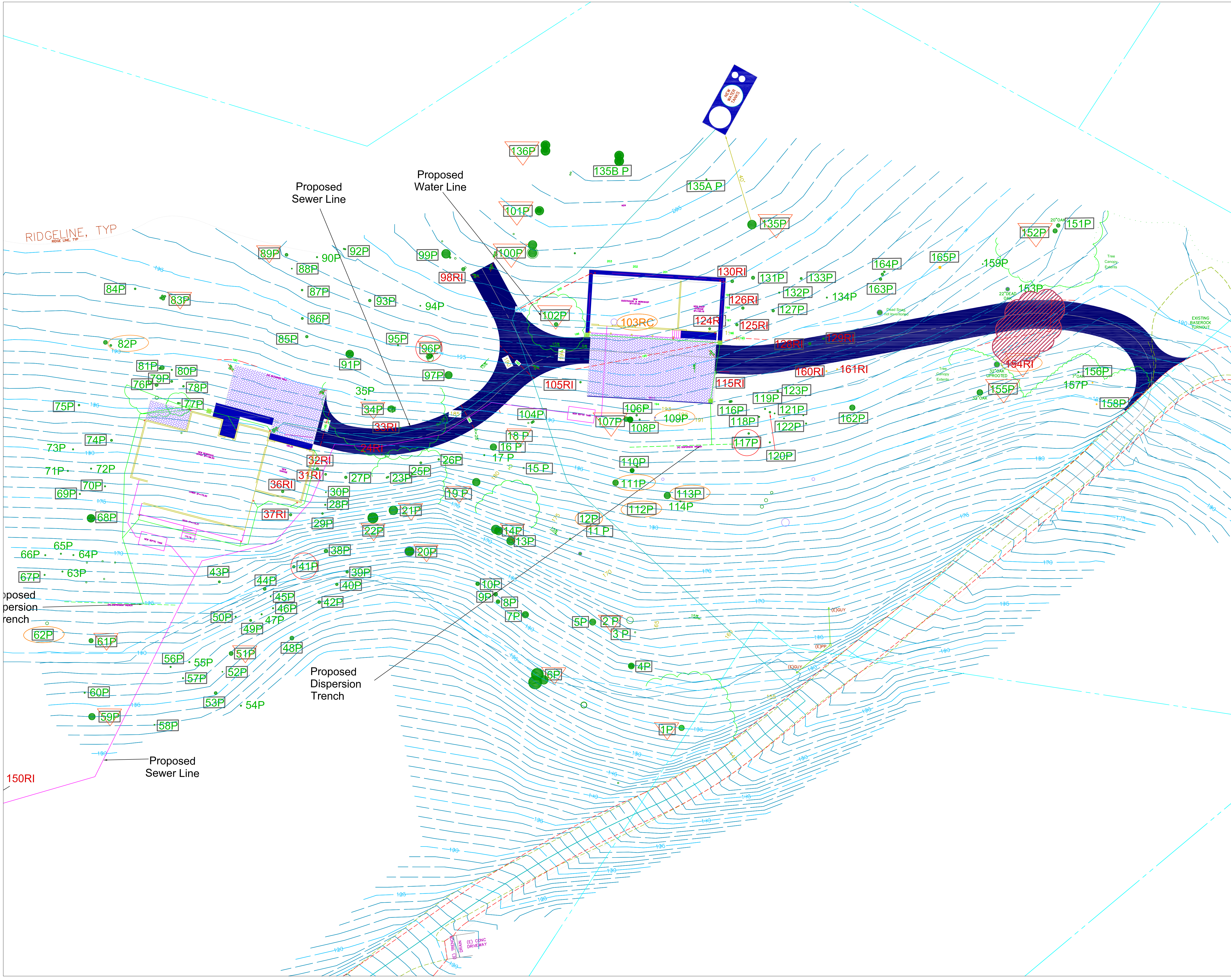


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






Date: 8/14/23  
Revision: 7/15/24  
Revision: 11/1/24







Map Key / Legend

-  Surveyed Tree Trunk Location
-  Assigned Tree Number Preserve and Protect
-  Tree Meets "Protected" Criteria
-  Tree Meets "Landmark" Criteria
-  Monitor Stability
  - Trees #41, 96 & 117

 Indicates Dead/Fallen Tree

 **Special Treatment Areas (STA)**  
**NOTE: Sewer, Water & Dispersion Line Trenches are defined as STA**

-  **Tree Preservation Structures**, shall be constructed of the following materials as field specified by the Project Arborist.
- Chain link, 72 inches in height secured to metal stakes driven at least 18 inches into the soil.
  - Temporary orange snow fencing attached to "T" posts driven into the ground
  - Silt fencing
  - Wattle
  - Rice straw bales

 **Clearance Pruning Required**

- Trees #1, 14, 21, 34, 76, 77 & 102

 Canopy Extents

**Boccone/Igel Residence Construction Project**

**Forest Resource Analysis/ Tree Protection Plan**

**Development Area at 20 Scale**

**Boccone/Igel Residence Construction Project**  
827 Elkhorn Road, Royal Oaks CA  
APN 181-151-009

**Tree Location Map**

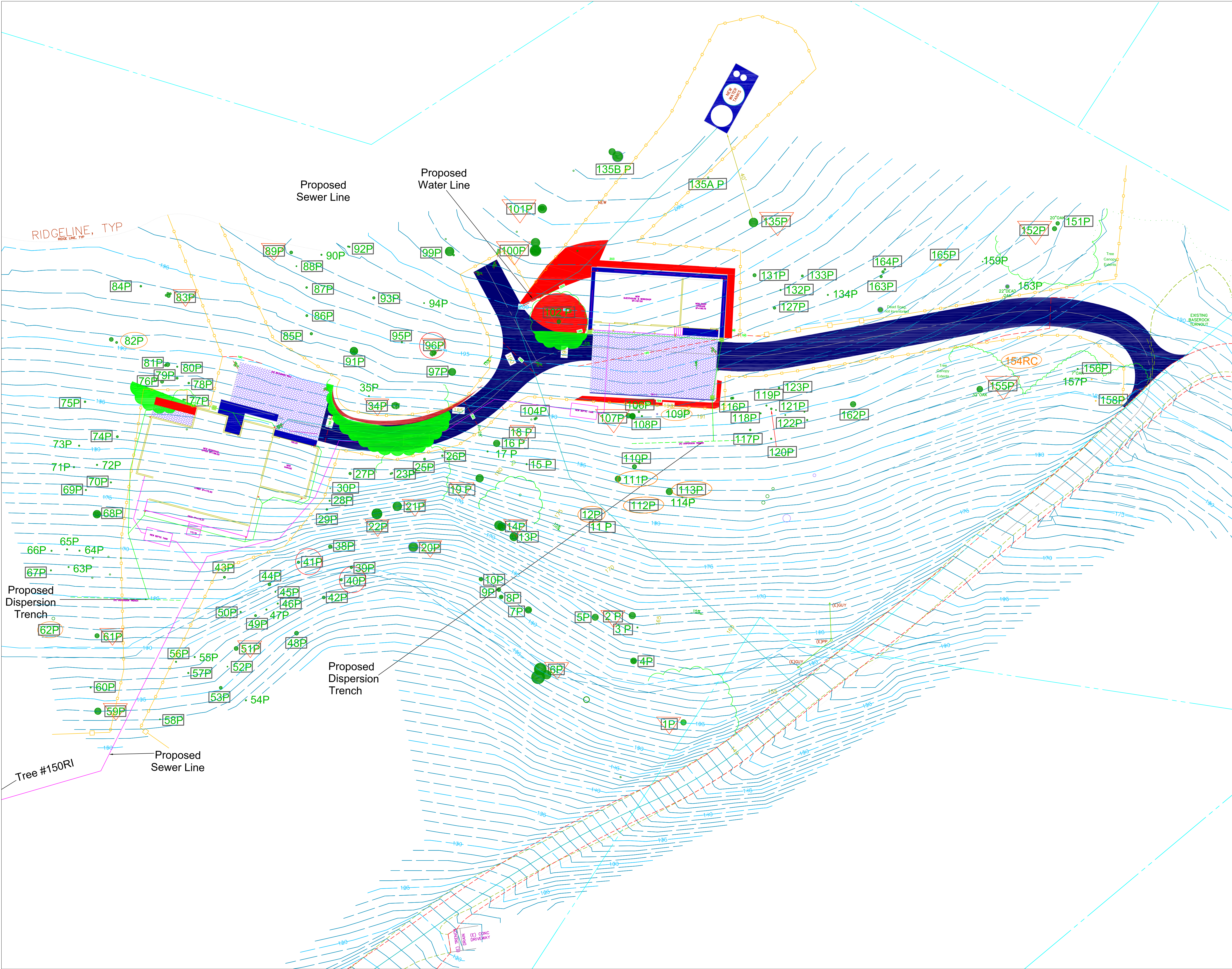


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office 831-426-6603  
email jpalen@consultingarborists.com

**1 0 1**

Date: 8/14/23  
Revision: 7/15/24  
Revision: 11/1/24





# Exhibit E

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MAY 07 2025

**MITIGATED NEGATIVE DECLARATION**

XOCHITL MARINA CAMACHO  
MONTEREY COUNTY CLERK  
DEPUTY

<b>Project Titles:</b>	Boccone Norman B & Victoria E Igel Co-Trs and Elkhorn Slough Foundation
<b>File Numbers:</b>	PLN220229 & PLN240187
<b>Owners:</b>	Norman Boccone & Victoria Igel & Elkhorn Slough Foundation
<b>Project Location:</b>	827 Elkhorn Road & 695 Elkhorn Road & third adjacent parcel without an address, Royal Oaks
<b>Primary APNs:</b>	181-151-009-000 (Primary, Parcel A), 181-011-022-000 (Parcel B) and 181-151-008-000 (Parcel C)
<b>Project Planner:</b>	Mary Israel
<b>Permit Type:</b>	Combined Development Permit
<b>Project Descriptions:</b>	<p>Combined Development Permit including 1) Coastal Administrative Permit for construction of a split-level two-story 2,676 square foot (sq. ft.) single family dwelling with attached 516 sq. ft. carport, 240 sq. ft. covered porch and an approximately 470 sq. ft. deck, 2) Coastal Administrative Permit for construction of a detached 414 sq. ft. guesthouse with a 133 sq. ft. covered porch and attached 507 sq. ft. workshop and approx. 415 sq. ft. garage; 3) Coastal Development Permit for removal of up to 20 Coast Live Oak trees (one classified as a landmark tree); and 4) Coastal Development Permit for development within 100 feet of ESHA (Pajaro manzanita/oak woodland). Project includes new driveway extension (approximately 4,620 sq. ft. paved and 2885 pervious pavers), new septic system, tie into existing water well system and solar power and energy storage system. The property is located at 827 Elkhorn Road, Royal Oaks (Assessor's Parcel Number 181-151-009-000), North County Land Use Plan, Coastal Zone.</p> <p>Coastal Development Permit to allow a Lot Line Adjustment between three (3) legal lots of record. Parcel A (Assessor's Parcel Number 181-151-009-000, 18.17 acres) will gain 0.48 acres from Parcel C (Assessor's Parcel Number 181-151-008-000, 4.7 acres) and donate 1.03 acres to Parcel C. Parcel B (Assessor's Parcel Number 181-011-022-000, 286 acres) will gain 4.09 acres from Parcel A (Assessor's Parcel Number 181-151-009-000). The resulting adjusted Parcel A, B, C shall be 13.53 acres, 290.14 acres, and 5.13 acres, respectively. The properties are located at 827 and 695 Elkhorn Road, Royal Oaks, North County Land Use Plan, Coastal Zone.</p>

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

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

<b>Decision Making Body:</b>	Planning Commission
<b>Responsible Agency:</b>	County of Monterey
<b>Review Period Begins:</b>	May 7, 2025
<b>Review Period Ends:</b>	June 6, 2025

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



# COUNTY OF MONTEREY

## HOUSING AND COMMUNITY DEVELOPMENT

---



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

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

NOTICE IS HEREBY GIVEN that Monterey County Housing & Community Development has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for a Combined Development Permit and a related Coastal Development Permit for Lot Line Adjustment (PLN220229, PLN240187) at 827 Elkhorn Road and 695 Elkhorn Road and a third adjacent parcel without an address in Royal Oaks (see description below).

The Mitigated Negative Declaration and Initial Study, as well as referenced documents, are available for review at Monterey County Housing & Community Development – Planning, 1441 Schilling Pl South 2<sup>nd</sup> Floor, Salinas, California, and the Monterey County Free Libraries Castroville Branch. The Mitigated Negative Declaration and Initial Study are also available for review in an electronic format by following the instructions at the following link:  
<https://www.countyofmonterey.gov/government/departments-a-h/housing-community-development/planning-services/current-planning/general-info/recent-environmental-documents> .

The Planning Commission is tentatively expected to consider this proposal at a meeting on June 25, 2025 at 9:00 a.m. in the Monterey County Board of Supervisors Chambers, Government Center, 168 West Alisal Street, Salinas, California. Written comments on this Mitigated Negative Declaration will be accepted from May 7, 2025 to June 6, 2025. Comments can also be made during the public hearing.

**Project Description:** Combined Development Permit including 1) Coastal Administrative Permit for construction of a split-level two-story 2,676 square foot (sq. ft.) single family dwelling with attached 516 sq. ft. carport, 240 sq. ft. covered porch and an approximately 470 sq. ft. deck, 2) Coastal Administrative Permit for construction of a detached 414 sq. ft. guesthouse with a 133 sq. ft. covered porch and attached 507 sq. ft. workshop and approx. 415 sq. ft. garage; 3) Coastal Development Permit for removal of up to 20 Coast Live Oak trees (one classified as a landmark tree); and 4) Coastal Development Permit for development within 100 feet of ESHA (Pajaro manzanita/oak woodland). Project includes new driveway extension (approx. 4,620 sq. ft. paved and 2885 pervious pavers), new septic system, tie into existing water well system and solar power and energy storage system. The property is located at 827 Elkhorn Road, Royal Oaks (Assessor's Parcel Number 181-151-009-000), North County Land Use Plan, Coastal Zone.

Coastal Development Permit to allow a Lot Line Adjustment between three (3) legal lots of record. Parcel A (Assessor's Parcel Number 181-151-009-000, 18.17 acres) will gain 0.48 acres from Parcel C (Assessor's Parcel Number 181-151-008-000, 4.7 acres) and donate 1.03 acres to Parcel C. Parcel B (Assessor's Parcel Number 181-011-022-000, 286 acres) will gain 4.09 acres from Parcel A (Assessor's Parcel Number 181-151-009-000). The resulting adjusted Parcel A, B, C shall be 13.53 acres, 290.14 acres, and 5.13 acres, respectively. The properties are located at 827 and 695 Elkhorn Road, Royal Oaks, North County Land Use Plan, Coastal Zone.

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

[CEQAcomments@countyofmonterey.gov](mailto:CEQAcomments@countyofmonterey.gov)

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

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

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

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

County of Monterey  
Housing & Community Development  
Attn: Mary Israel, Supervising Planner  
1441 Schilling Pl South 2<sup>nd</sup> Floor  
Salinas, CA 93901

Re: Boccone, Norman B & Victoria E Igel CO-TRS and Elkhorn Slough Foundation;  
File Numbers PLN220229 & PLN240187

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

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

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

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1. State Clearinghouse (1 copy of the Executive Summary & Notice of Completion)
2. County Clerk's Office
3. CalTrans District 5 (San Luis Obispo office)
4. Association of Monterey Bay Area Governments
5. Monterey Bay Air Resources District
6. California Department of Fish & Wildlife, Region 4, Renee Robison
7. Louise Miranda-Ramirez, C/O Ohlone/Costanoan-Esselen Nation
8. California American Water Company
9. North County Fire Protection District
10. Monterey County Agricultural Commissioner
11. Monterey County Water Resources Agency
12. Monterey County HCD-Engineering Services
13. Monterey County HCD-Environmental Services
14. Monterey County Public Works, Facilities & Parks
15. Monterey County Environmental Health Bureau
16. Monterey County Sheriff's Office
17. Monterey County Free Libraries Castroville Branch
18. Boccone, Norman B & Victoria E Igel CO-TRS, Owner
19. Elkhorn Slough Foundation
20. Carol Riewe, Agent
21. Molly Erickson on behalf of FANS & The Open Monterey Project
22. LandWatch Monterey County
23. Property Owners & Occupants within 300 feet (**Notice of Intent only**)

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

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28. Michael Weaver ([michaelrweaver@mac.com](mailto:michaelrweaver@mac.com) )
29. Monterey/Santa Cruz Building & Construction ([caseyv@smw104.org](mailto:caseyv@smw104.org) )
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31. Jack Wang ([Jack.Wang@amwater.com](mailto:Jack.Wang@amwater.com) )
32. Jeana Arnold ([jeana.arnold@pge.com](mailto:jeana.arnold@pge.com) )
33. Louise Miranda-Ramirez ([Ramirez.louise@yahoo.com](mailto:Ramirez.louise@yahoo.com) )
34. Mimi Sheridan ([mimisheridan@msn.com](mailto:mimisheridan@msn.com) )
35. California Department of Fish & Wildlife ([r4ceqa@wildlife.ca.gov](mailto:r4ceqa@wildlife.ca.gov) )
36. Michael Lozeau C/O Lozeau Drury LLP ([michael@lozeaudrury.com](mailto:michael@lozeaudrury.com) )
37. Juliana Lopez C/O Lozeau Drury LLP ([juliana@lozeaudrury.com](mailto:juliana@lozeaudrury.com) )
38. California Department of Fish & Wildlife, Marine Region ([r7ceqa@wildlife.ca.gov](mailto:r7ceqa@wildlife.ca.gov) )
39. Margie Kay ([margie17k@aol.com](mailto:margie17k@aol.com) )

# MONTEREY COUNTY

## HOUSING & COMMUNITY DEVELOPMENT

1441 SCHILLING PL SOUTH 2<sup>nd</sup> FLOOR, SALINAS, CA 93901

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



### *INITIAL STUDY*

#### *BACKGROUND INFORMATION*

<b>Project Title:</b>	Boccone, Norman B & Victoria E Igel Co-Trs and Elkhorn Slough Foundation
<b>File Numbers:</b>	PLN220229 & PLN240187
<b>Project Location:</b>	827 Elkhorn Road & 695 Elkhorn Road and a third adjacent parcel without an address, Royal Oaks
<b>Name of Property Owners:</b>	Norman Boccone & Victoria Igel Co-Trs & Elkhorn Slough Foundation
<b>Name of Applicant:</b>	Norman Boccone & Victoria Igel
<b>Assessor's Parcel Number(s):</b>	181-151-009-000 (Parcel A), 181-011-022-000 (Parcel B) and 181-151-008-000 (Parcel C)
<b>Acreage of Property:</b>	18.14 (Parcel A), 286 (Parcel B) and 4.7 (Parcel C)
<b>General Plan Designation:</b>	Residential - Rural Density
<b>Zoning District:</b>	Rural Density Residential ("RDR")/10(CZ), RDR/40(CZ), RDR/5(CZ)
<b>Lead Agency:</b>	County of Monterey
<b>Prepared By:</b>	Mary Israel with administrative draft by Denise Duffy & Associates, Inc.
<b>Date Prepared:</b>	April 2025
<b>Contact Person:</b>	Mary Israel, Supervising Planner
<b>Phone Number:</b>	(831) 755-5183

## **II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING**

This Project includes a Lot Line Adjustment (LLA) and construction on one of the parcels of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and on-site wastewater treatment system.

The LLA portion of the Project (totaling 308.80 acres for all three parcels) grants 5.12 acres from Parcel A (owned by applicants Boccone & Igel, the single-family dwelling construction site) to Parcel B, owned by the Elkhorn Slough Foundation. Parcel A will gain 0.48 acres from Parcel C, also owned by the Elkhorn Slough Foundation, so that a private drive can be constructed with less required grading or impact to the site's tree resources. Parcel C will also gain 1.03 acres from Parcel A, so that the resulting parcel is consistent with the Title 20 zoning district's size requirement (Rural Density Residential).

The residential development portion of the Project proposes development within 100 feet ("ft") of Environmental Sensitive Habitat Areas ("ESHA") and removal of up to 20 Coast live oak trees (*Quercus agrifolia*).

This Initial Study/Mitigated Negative Declaration ("IS/MND") describes and identifies the environmental impacts associated with the Project based on existing data, Applicant-provided site plans and technical reports. This IS/MND identifies mitigation to address the impacts resulting from project construction.

### **A. Description of Project:**

#### **Introduction**

#### **Construction and a Lot Line Adjustment:**

Construction: The Project includes construction of a single-family residence and associated infrastructure at 827 Elkhorn Road, Royal Oaks, California, APN 181-151-009-000 (**Figure 1. Regional Map** and **Figure 2. Vicinity Map for PLN220229**). Project construction includes:

1. a split level, two-story 2,676 square foot ("sf") single family dwelling with a 516-sf attached carport and 471-sf deck;
2. a 414-sf detached guesthouse with a 133-sf covered porch, attached 507-sf workshop and 415-sf garage (**Figure 3a. Site Plan Parcel, Figure 3b. Site Plan Detail and Figure 3c. Site Plan Wastewater**).
3. Removal of up to 20 Coast live oak trees construction within 100 ft of an ESHA consisting of Pajaro manzanita and oak woodland (PLN220229).<sup>1</sup>

Lot Line Adjustment: The Project also includes a Lot Line Adjustment (LLA) between three (3) legal lots of record - APNs 181-151-008, 181-011-022 and 181-151-009 (PLN240187). The LLA allows the Project to locate the private driveway in a location that minimizes grading and impacts to Parcel A's tree resources: The LLA (**Figure 4**) between these three legal lots of record is proposes as followed:

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<sup>1</sup> During construction of the single family dwelling unit, a temporary residential trailer will be located onsite. See **Figure 3b Site Plan Detail**.

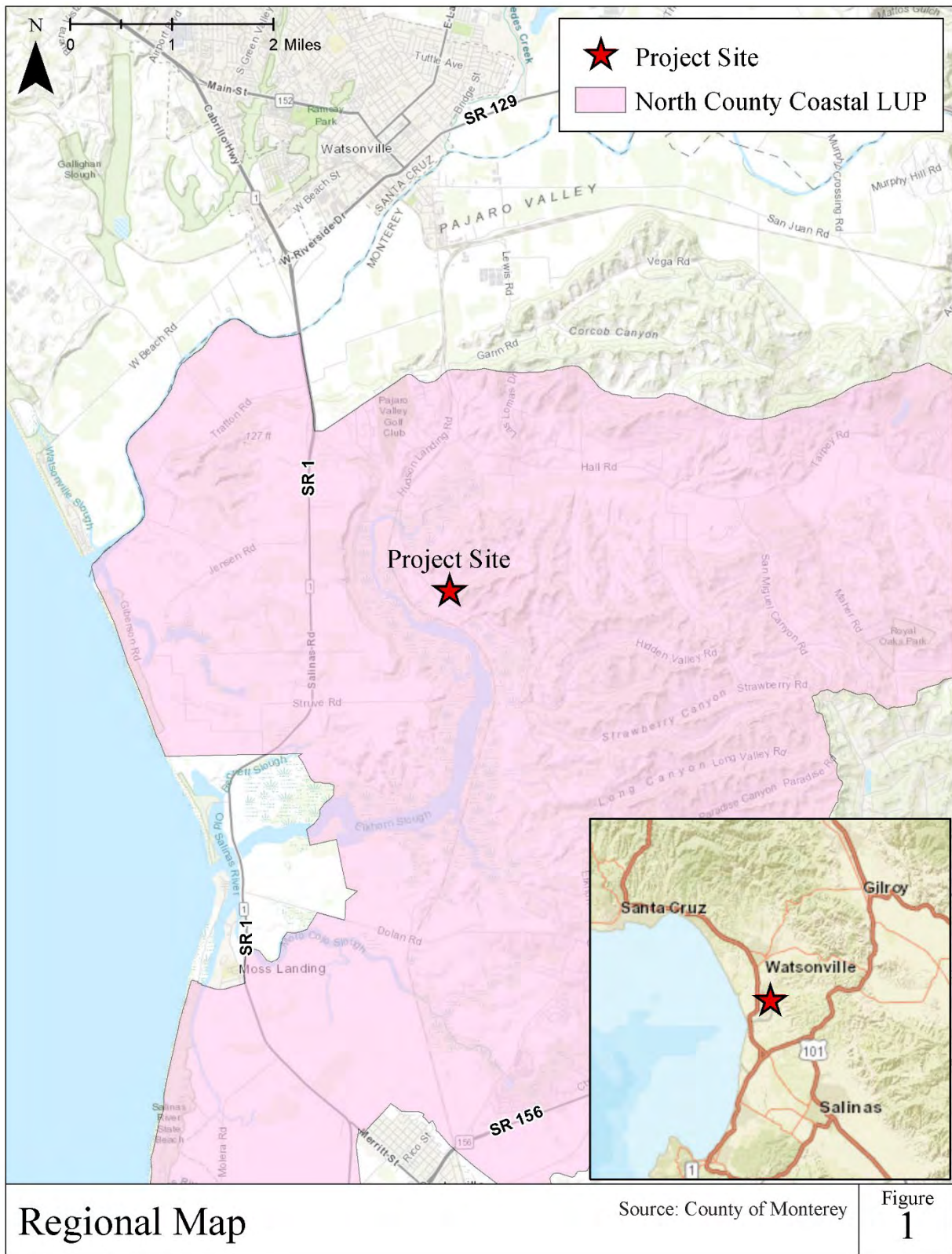


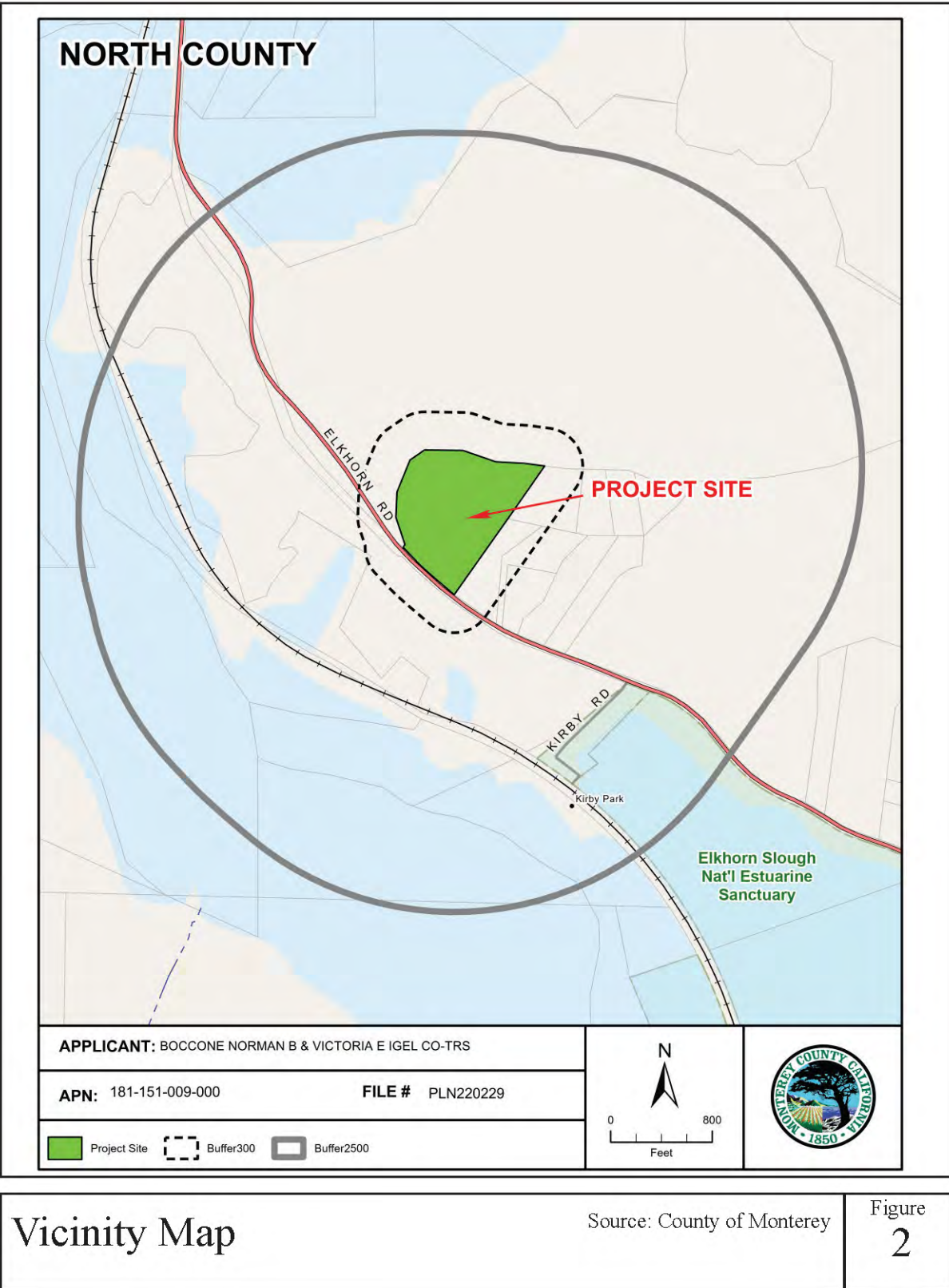
Parcel A, currently 18.17 acres in size, (181-151-009-000) will gain 0.48 acres from Parcel C (181-151-008-000) and donate 1.03 acres to Parcel C; in sum will be adjusted to 13.53 acres.

Parcel B, currently 286.05 acres in size, (181-011-022-000) will be adjusted to 290.14 acres.

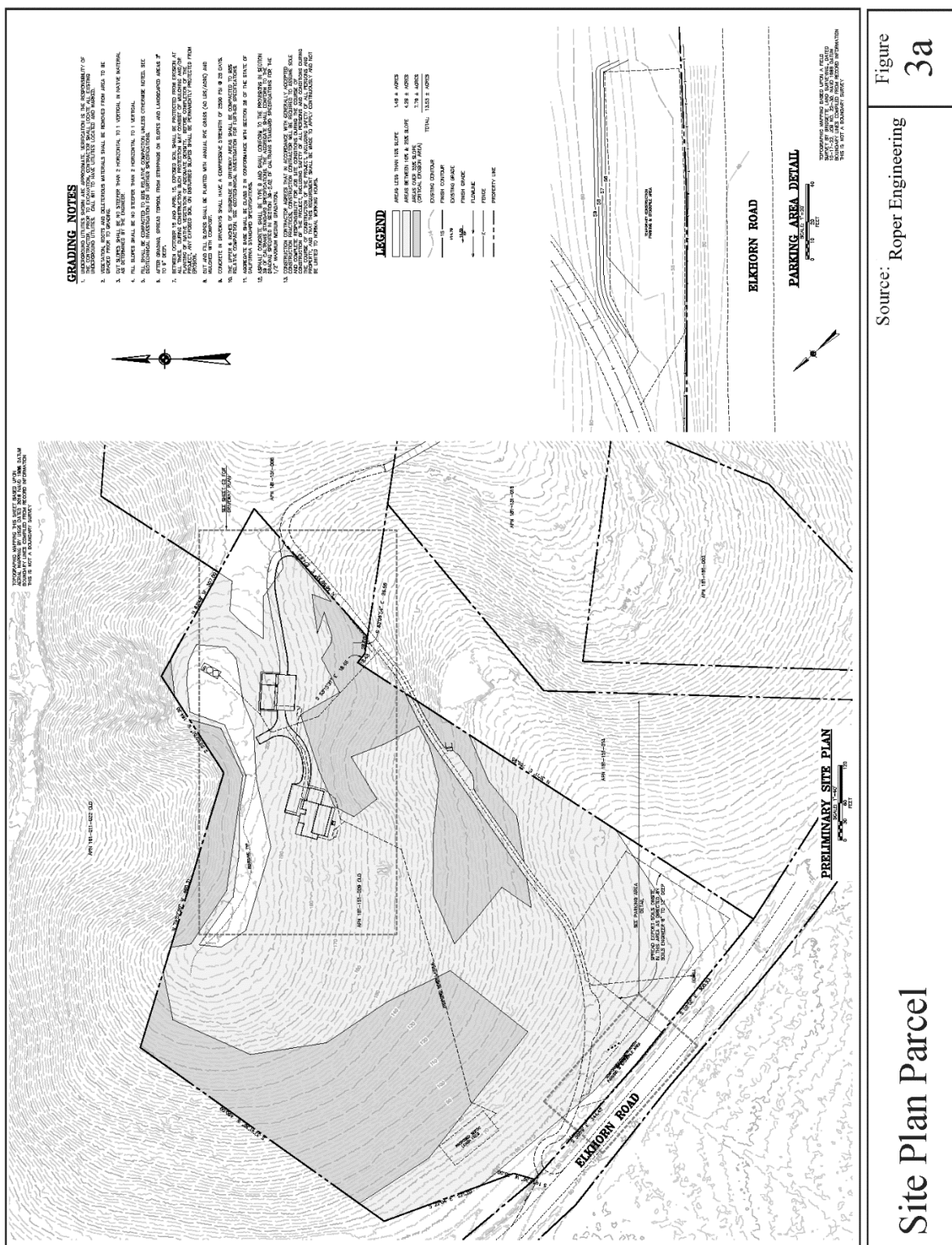
Parcel C, currently 4.58 acres in size (181-151-008-000), will lose 0.48 acre from the southwestern corner to Parcel A and will gain 1.03 acre from Parcel A, adding to the northwest corner. In sum, Parcel C will be adjusted to 5.13 acres.

The LLA will not result in any direct or indirect physical impacts to the environment and therefore is not evaluated in detail in this IS/MND. No resulting lot will be of a size or shape that is inconsistent with the Title 20 zoning district. Title 20 section 20.16.060.A Site Development Standards, minimum building site requires the minimum building site to be 5 acres. After LLA, Parcel A would include the private driveway connection a shared private driveway, construction of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, solar energy system, water storage tanks and on-site wastewater treatment system. Because the potential direct and indirect impacts to the environment result from the residential development involved in PLN220229, Parcel A, where mitigation responsibilities are described, “Applicant” and “Applicant/Owner” refers to applicants Boccone & Igel.









Source:	Roper Engineering
Figure	

Figure 3a

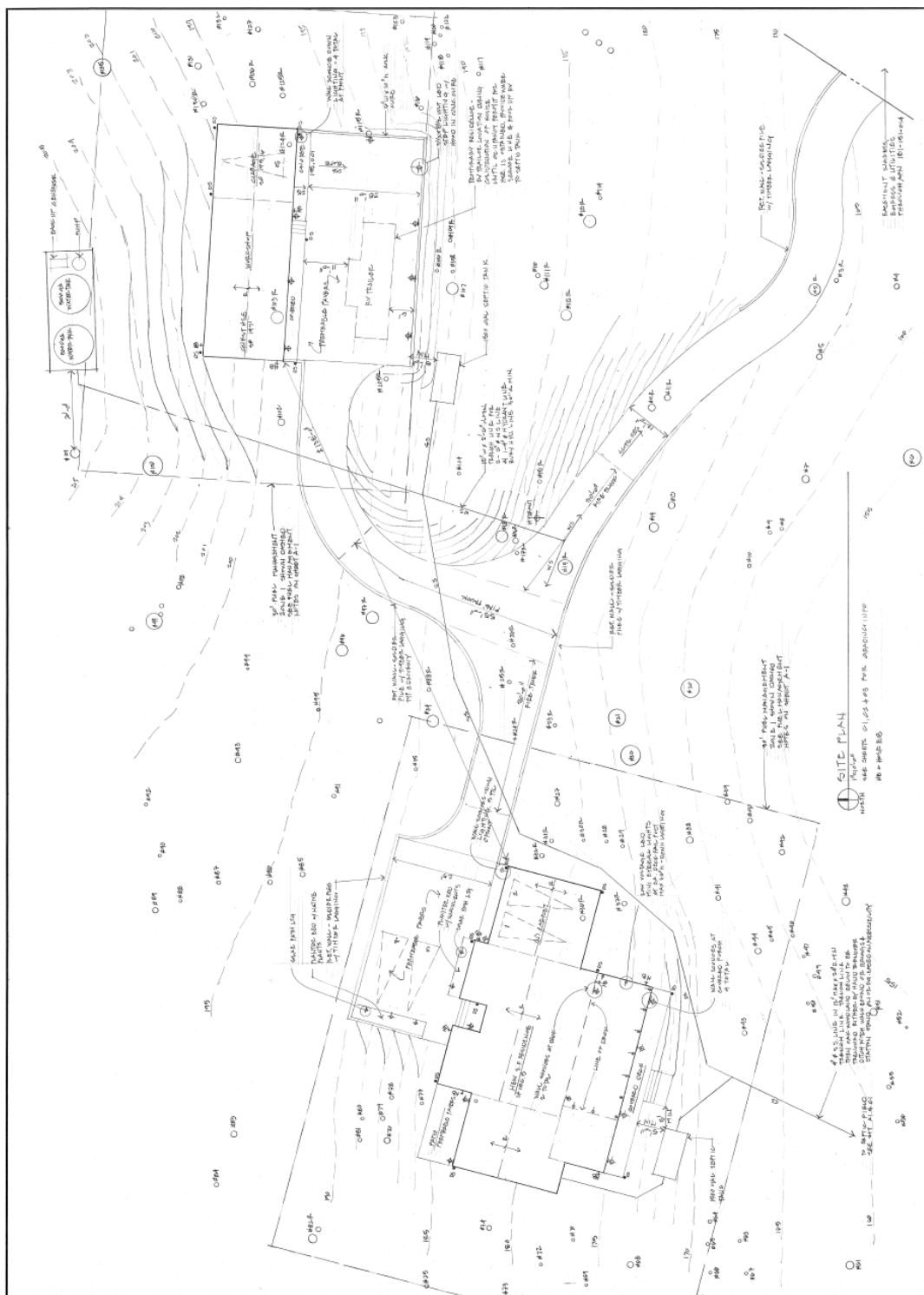
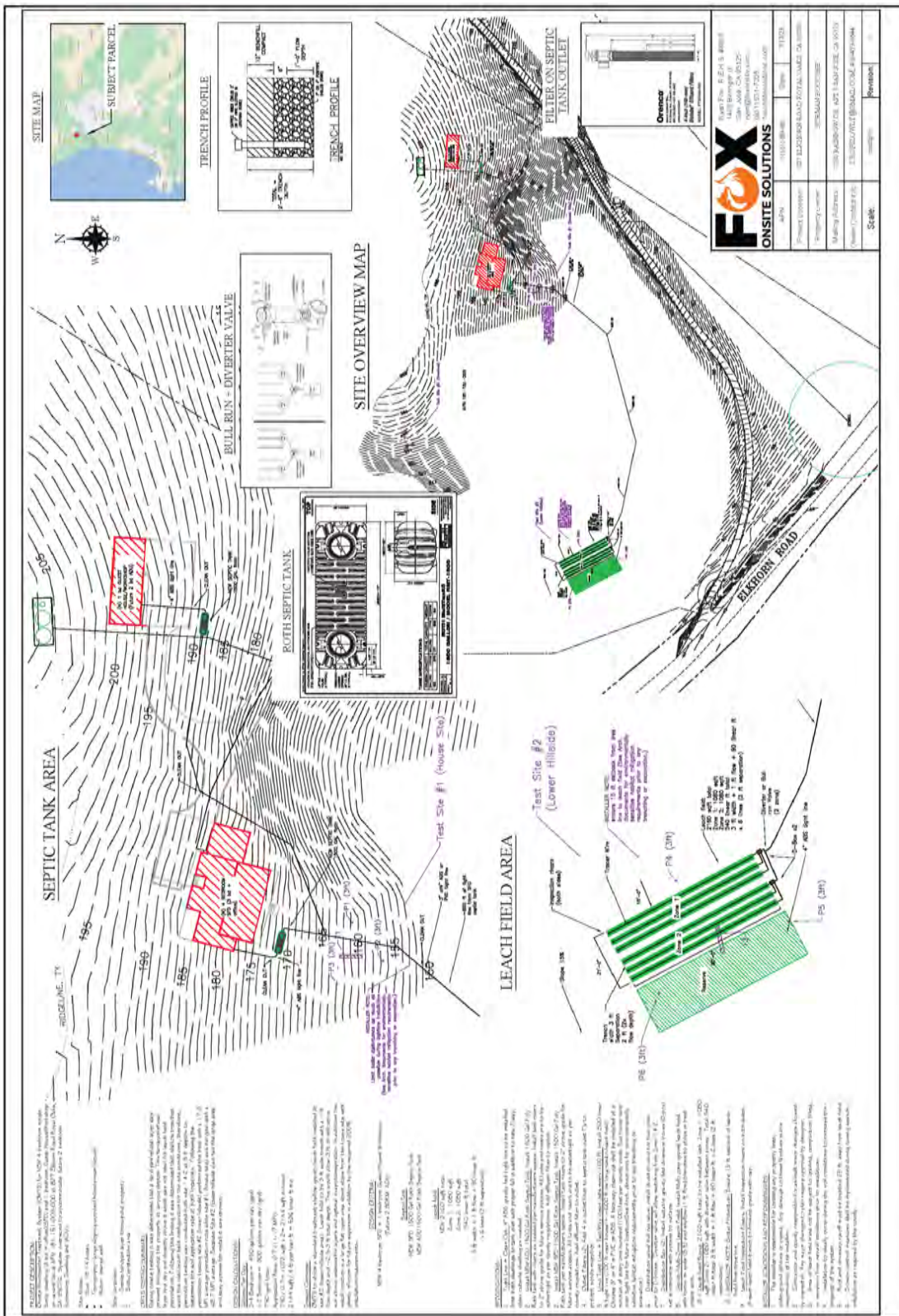


Figure  
3b

Source: Riewe, Carol

Site Plan Detail





Source: Fox Onsite Solutions

Site Plan Wastewater



### Site Access

The Project site is accessible from Elkhorn Road. The Project would utilize the existing driveway on APN 181-151-009-000, which is shared by four existing residences.<sup>2</sup> The Project would construct an additional driveway to the proposed residence on what is currently Parcel C and will be Parcel A after the LLA; **(Figure 5. Driveway Plan)**. The new driveway extension proposes approx. 4,620 sf of pavement and 2885 sf of pervious pavers.

### Lighting

The Project would include exterior lighting. Exterior light fixtures would be unobtrusive, downlit and shielded to mitigate nighttime glare as much as possible. Fixtures would include wall sconces, step lights and landscape lights. LED bulbs would be utilized throughout the Project site. **(Figure 3b. Site Plan Detail)**.

### Utilities

The Project would construct and utilize on-site utility infrastructure for electrical power generation, potable water and wastewater/sewage disposal. Please see below for additional information.

#### *Electrical Power*

The Project would include a rooftop array of solar panels, an energy storage system and backup generator for electrical power generation. The Project would not connect to an existing electrical grid.

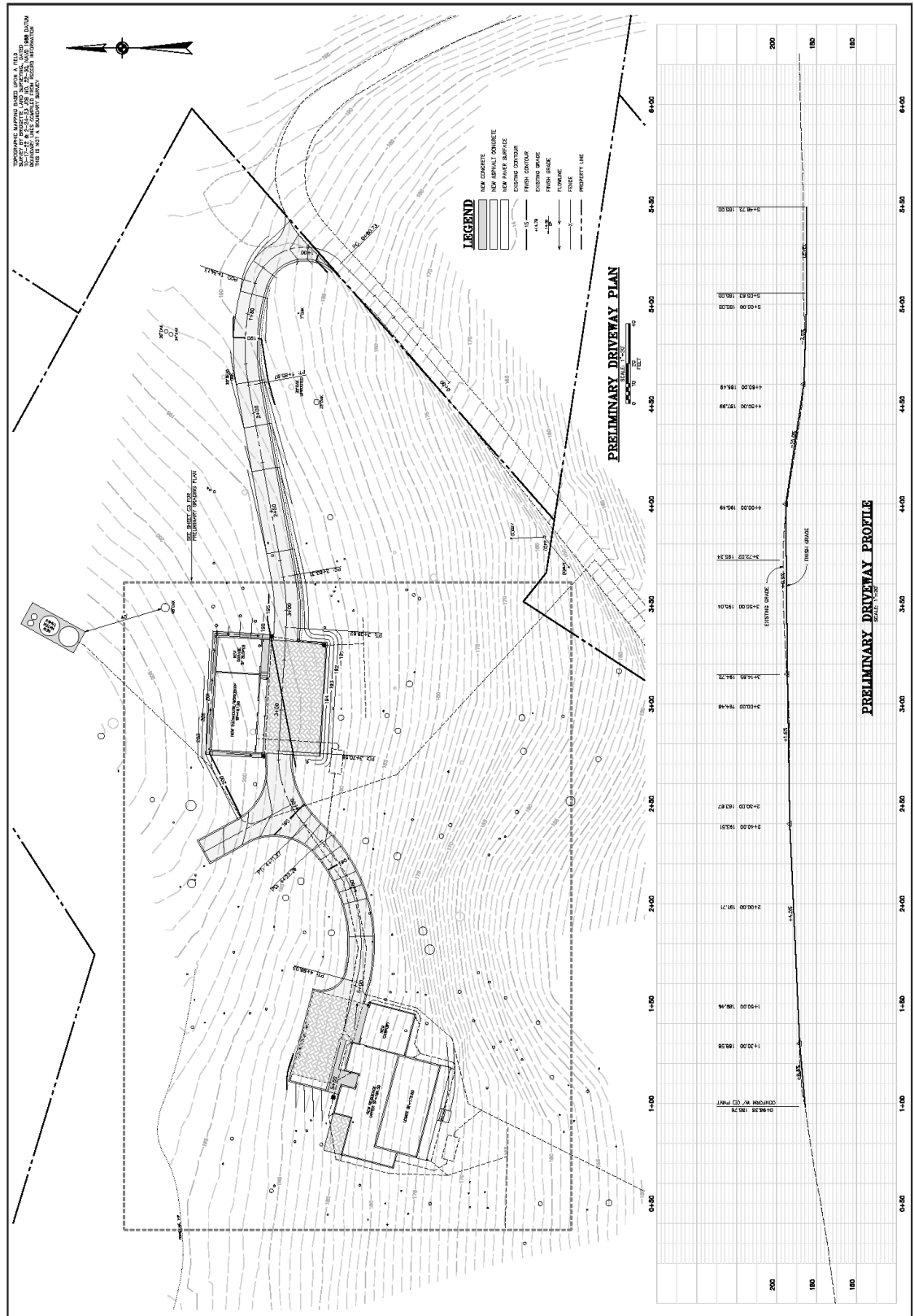
#### *Potable Water*

The Project would install two 5,000-gallon water tanks, a pump and backup generator to utilize an existing well (Elkhorn Road Water System #9) and associated water infrastructure (e.g., water pipelines). The existing well currently serves four connections.<sup>3</sup> The estimated well capacity is approximately 17 gallons/minute. The well has two active connections to neighbors' residences with two additional connections available without the need to upgrade the well system. The remaining connections would adequately serve the proposed residence and guesthouse. All utilities would be, where possible, underground. **(Figure 3a. Site Plan Parcel and Figure 3b. Site Plan Detail)**.

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<sup>2</sup> Easement for ingress, egress, and utilities are illustrated on Sheet 2 of the LLA Site Plans.

<sup>3</sup> The well is 160 ft deep with a 8-inch diameter casing. The static water level is currently at 50.6 feet and uses one (1) horsepower submersible pump that is set at 120 feet.



Source: Roper Engineering  
Figure 5

# Driveway Plan

Wastewater

The Project would construct an onsite wastewater treatment system for wastewater disposal. The system would consist of a 1,500-gallon septic tank near the house and another of the same size near the guesthouse with a trenched line from the structures to two zones of leach fields. The primary and secondary leach fields will include 540 linear feet of pipe, in a 2,160 sf leach field area. Approximately 45 linear feet of the trenched line to the leach field would be development on slopes greater than 25 percent (**Figure 3a. Site Plan Parcel, Figure 3b. Site Plan Detail and Figure 3c. Site Plan Wastewater**).

### **Stormwater Drainage**

The Project would include a stormwater drainage system that would include dispersion trenches. The dispersion trenches would consist of a concrete catch basin or sediment trap, PVC piping and a trench filled with 1.5 inch (“in”) diameter or larger graded drain rock and lined with filter fabric. Gutters and storm drains would collect and convey stormwater to the dispersion trenches. The collected stormwater would be received, slowed, spread and infiltrated through the dispersion trenches into on-site pervious surfaces. The slowing and spreading of the stormwater flow would enhance infiltration into the soils of the Project site (**Figure 6. Grading Plan and Figure 7. Erosion Control Plan**).

### **Landscaping**

The Project does not propose the use of irrigated landscaping. Landscaping would consist of planter beds with succulents and native plants near the primary residence’s entrance. Cut and fill slopes would be planted with annual rye grass and mulched with compost. The soil stockpile area resulting from grading would be revegetated with a native grass and forb seed mix. The non-developed portions of the parcel would be conserved with existing vegetation.



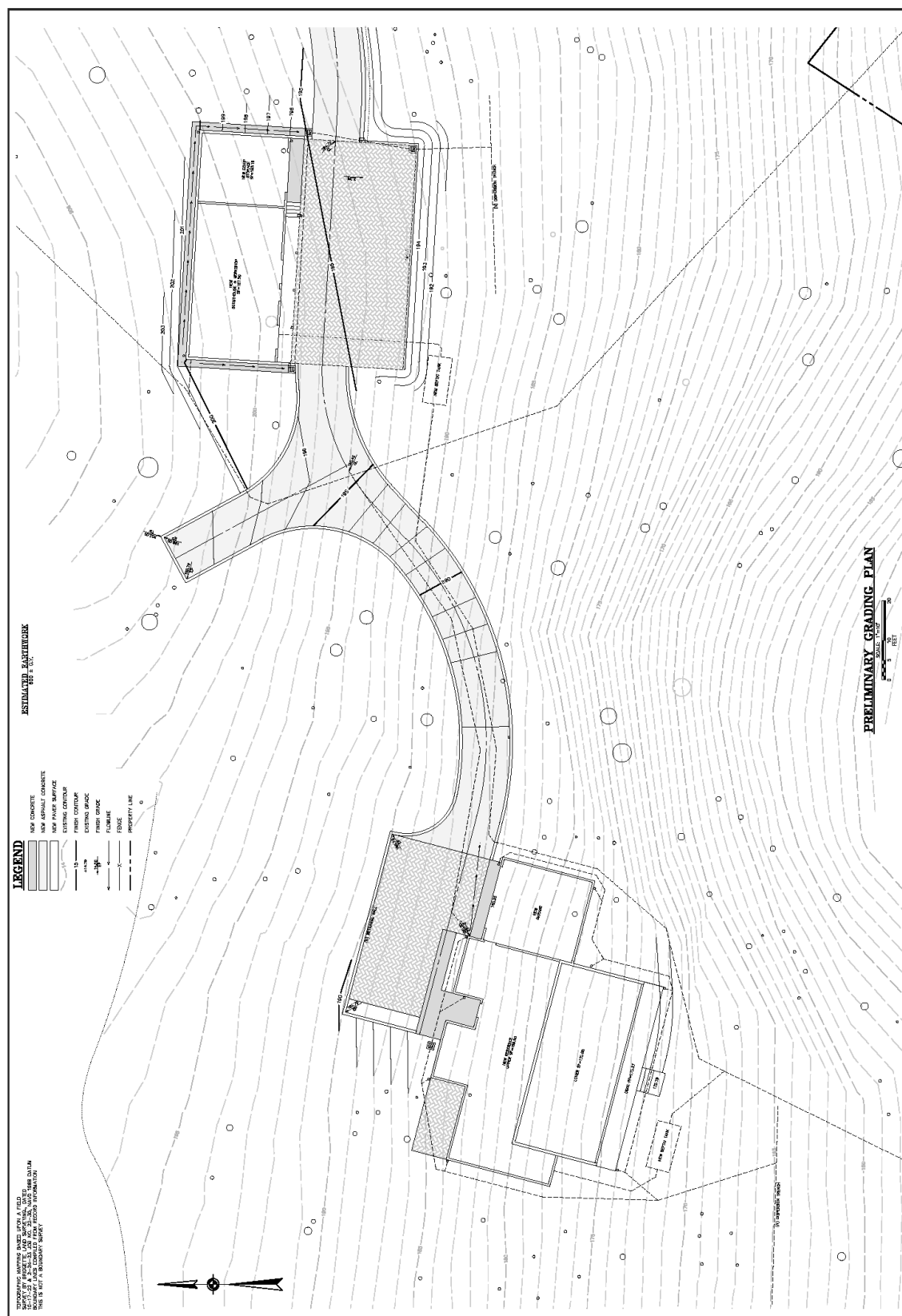
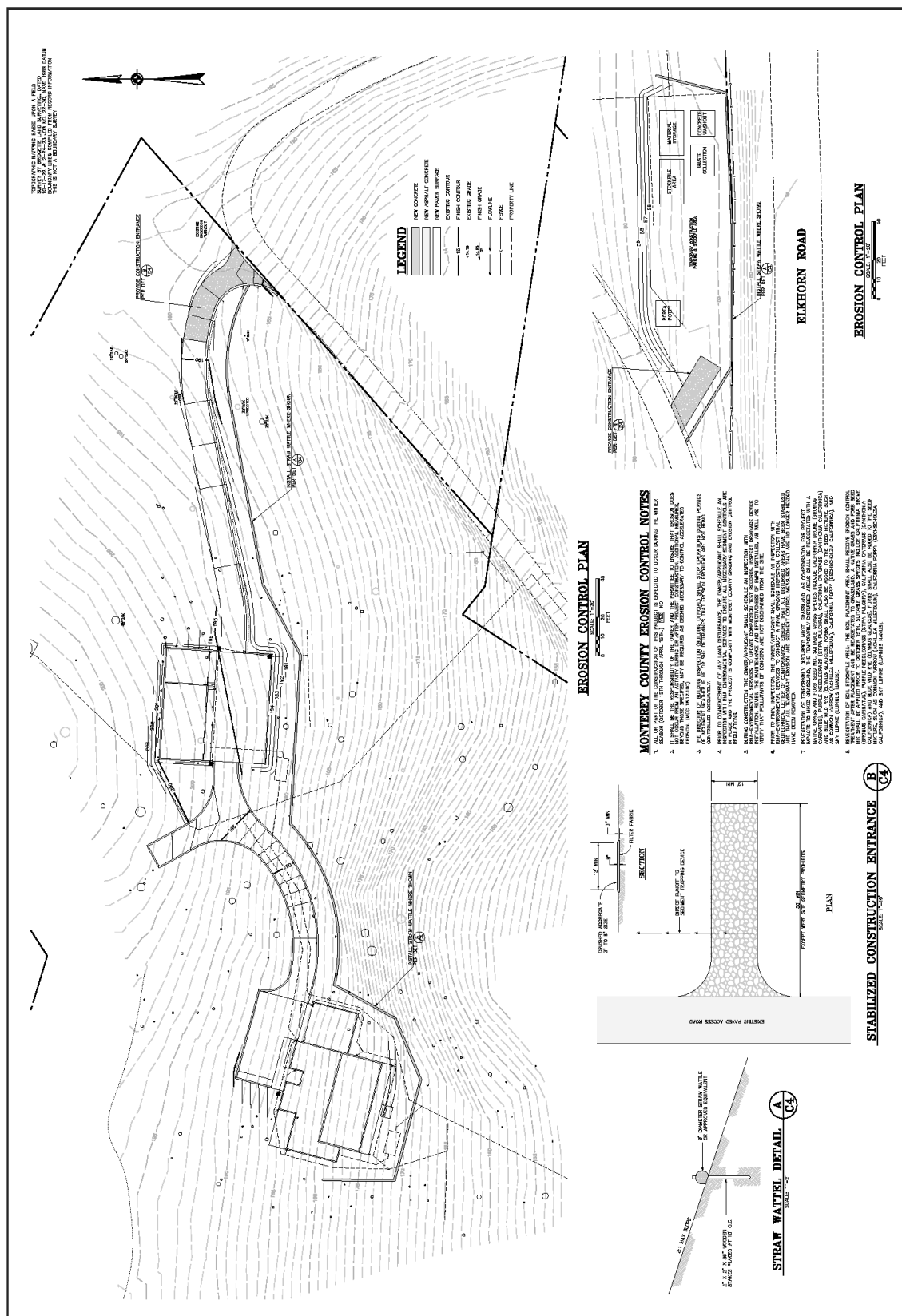


Figure 6

Source: Roper Engineering

# Grading Plan



Source: Roper Engineering	Figure
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# Erosion Control Plan

### **Building Heights, Colors and Materials**

The primary dwelling's maximum height (at the highest point of the roof in the structure's center) would be 21 ft, 7 in from average natural grade.

The height is only 20 ft and 1.5 in up at the east portion of the roof; height at the roof of the carport is and 17 ft and 10 in.

The guesthouse/workshop's maximum height would be 11 ft from average natural grade (**Figures 8a – 8d. Elevations and Floor Plans**).

The Project would use modern building materials. The roofs of both structures would consist of earth-tone Class A composite roofing shingles.

The structure's main floor exterior walls would consist of earth-tone smooth vertical-siding panels.

The primary dwelling's lower floor exterior walls would consist of earth-tone smooth lap-siding panels. The Project would also use concrete retaining walls (**Figure 8a Primary Dwelling Elevations and Figure 8e Guesthouse Elevation and Floor Plans**).

### **Construction**

During construction, the residential development portion of the Project would generally involve dump trucks, backhoes, graders, concrete trucks, equipment and material delivery trucks, pick-up trucks, cars, etc. Most of the equipment would be brought to the site at the beginning of work and remain on-site until project completion.

Trucks would bring materials to the site, as necessary. Construction equipment and stockpiles would be kept on-site. The start of construction depends on the Project approval date, seasonal factors and the contractor's schedule. Once approved, construction is expected to last approximately 12-18 months. Construction activities would be limited to the hours between 8 AM to 5 PM, Monday through Friday and between 9 AM to 5 PM on Saturday. No construction activities would occur on Sundays or holidays.

Construction access to the Project site would be controlled through one access point on Elkhorn Road. Construction workers and materials would arrive at the site via State Route 1 ("SR 1") and/or Salinas Road. Vehicle use of the shared private driveway would be monitored and directed during grading, excavation and construction of the new driveway at locations to the north and south of the new driveway access point to the Project site.

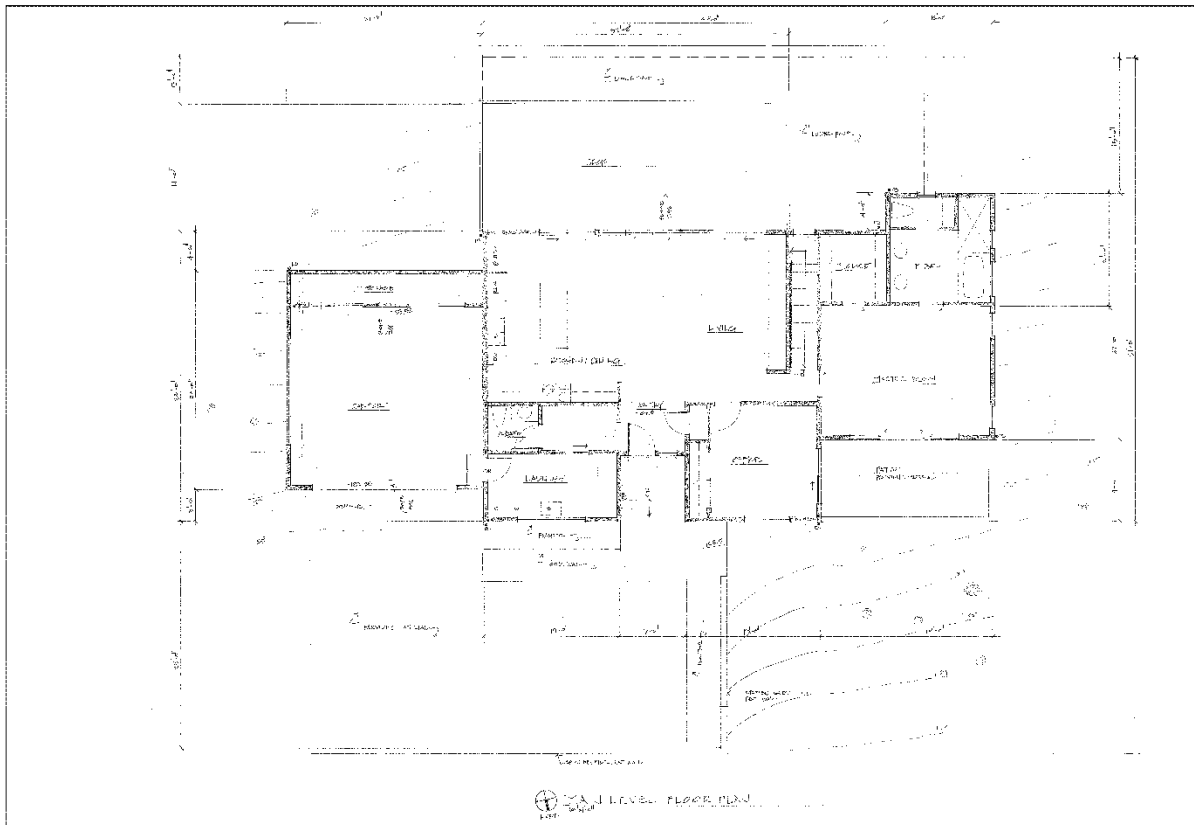
Temporary parking for construction would be located at the base of the Project parcel near Elkhorn Road. No parking, construction access, or material delivery would be allowed from the upper turnout of the shared driveway onto the neighboring parcel.

The LLA portion of the Project (**Figure 4**, PLN240187, Boccone and Igel Co-Trust and Elkhorn Slough Foundation) involves changes in size and shape of APNs 181-151-009-000 (Parcel A), 181-011-022-000 (Parcel B) and 181-151-008-000 (Parcel C) so would not contribute construction activity.





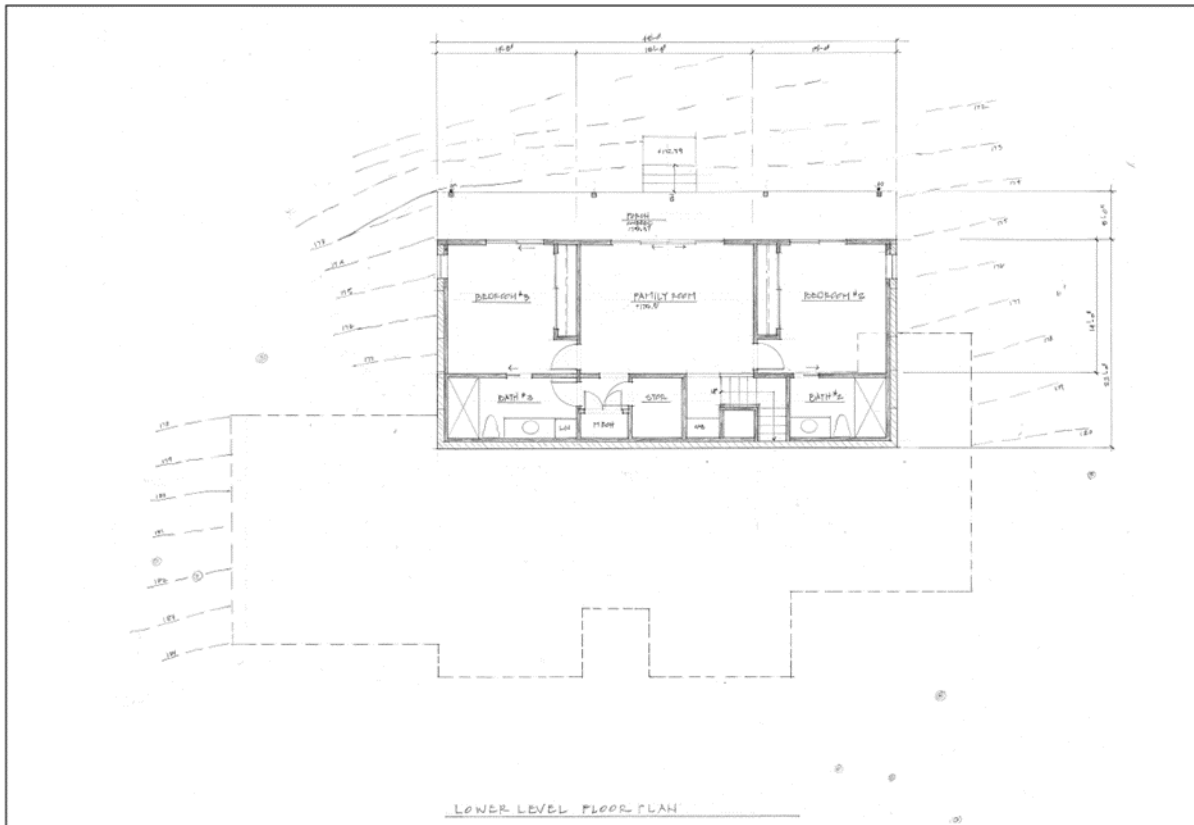




Primary Dwelling Floor Plans

Source: Riewe, Carol

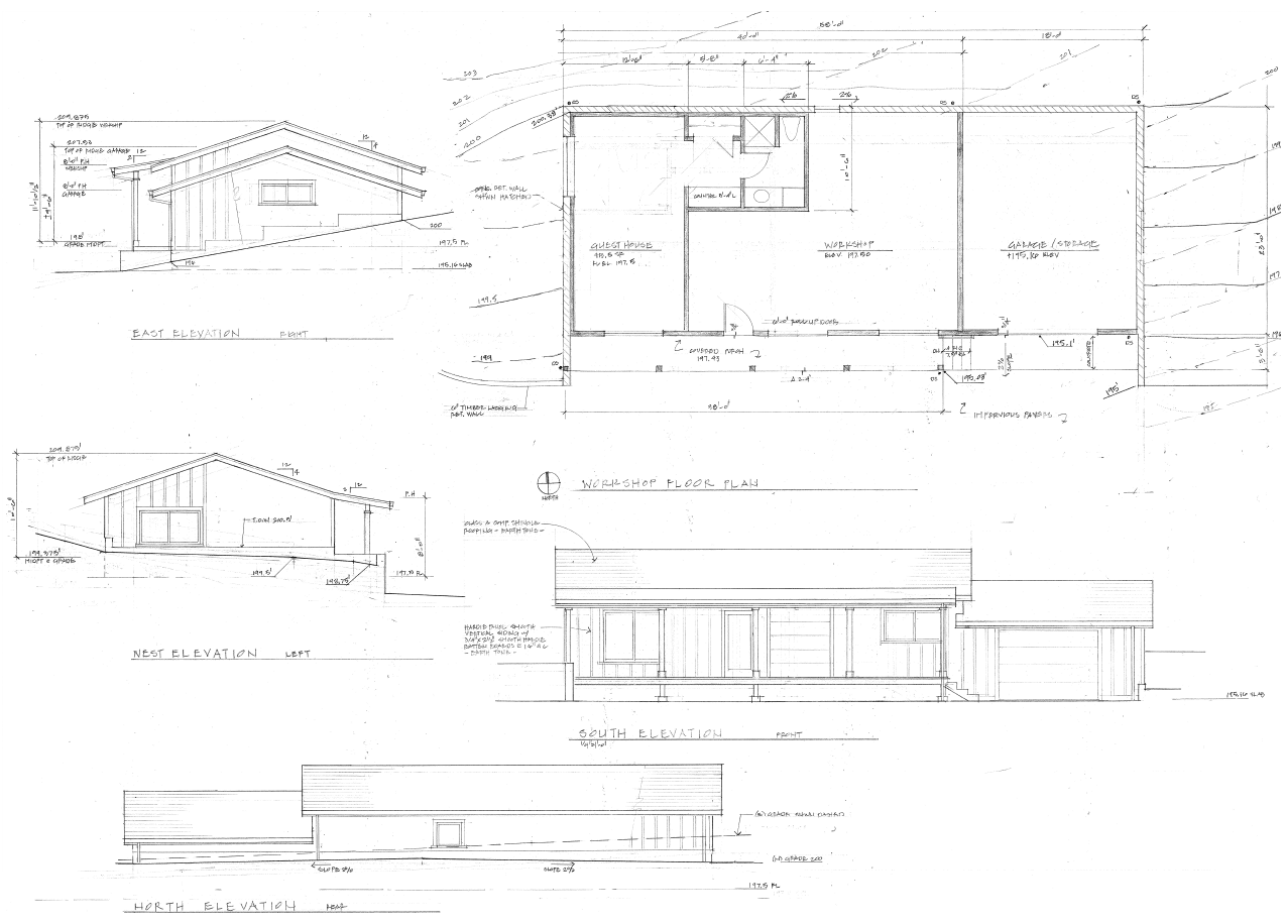
Figure  
8c



Primary Dwelling Floor Plans

Source: Riewe, Carol

Figure  
8d



Guesthouse Elevation and Floor Plans

Source: Riewe, Carol

Figure  
8e

### Grading

The Project would temporarily disturb 1.1 acres (including leach field preparation) and permanently convert approximately 0.28 acre of an approximately 18.14-acre parcel (13.53 acres after the LLA) to impervious coverage by the main dwelling, guesthouse and workshop, driveway and associated improvements.

The soil stockpile area would be located at the base of the Project parcel near Elkhorn Road, just off of the shared driveway. After construction, this area would be revegetated with a native grass and forb seed mix.

Development would result in approximately 550 cubic yards ("cy") of excess excavated soil. In consultation with the project Biologist, the Applicant (of PLN220229) identified an area where excess soils could be spread on-site on APN 181-151-008-000 within the southeastern portion of the Project site. Excavated soil would be six to twelve inches deep and would cover approximately 30,000 sf (0.69 acre) (**Figure 6. Grading Plan and Figure 7. Erosion Control Plan**).

### Tree Removal

Project construction would result in the removal of 20 trees:

- a. 15 coast live oak trees which meet the North County Land Use Plan's "protected" criteria (six inches or more in diameter as measured two ft above ground),
- b. 1 fallen coast live oak tree which meets "landmark" criteria (oak trees 24" or more in diameter when measured two ft above the ground, or trees which are visually significant, historically significant, or exemplary of their species) and
- c. 4 coast live oak trees that do not meet "protected" criteria.<sup>4</sup>

As compensation for the project's impacts to oak trees, Applicant of PLN220229/APN 181-151-008-000 shall replace oak trees at a minimum 1:1 ratio for protected trees and 2:1 for the landmark tree.

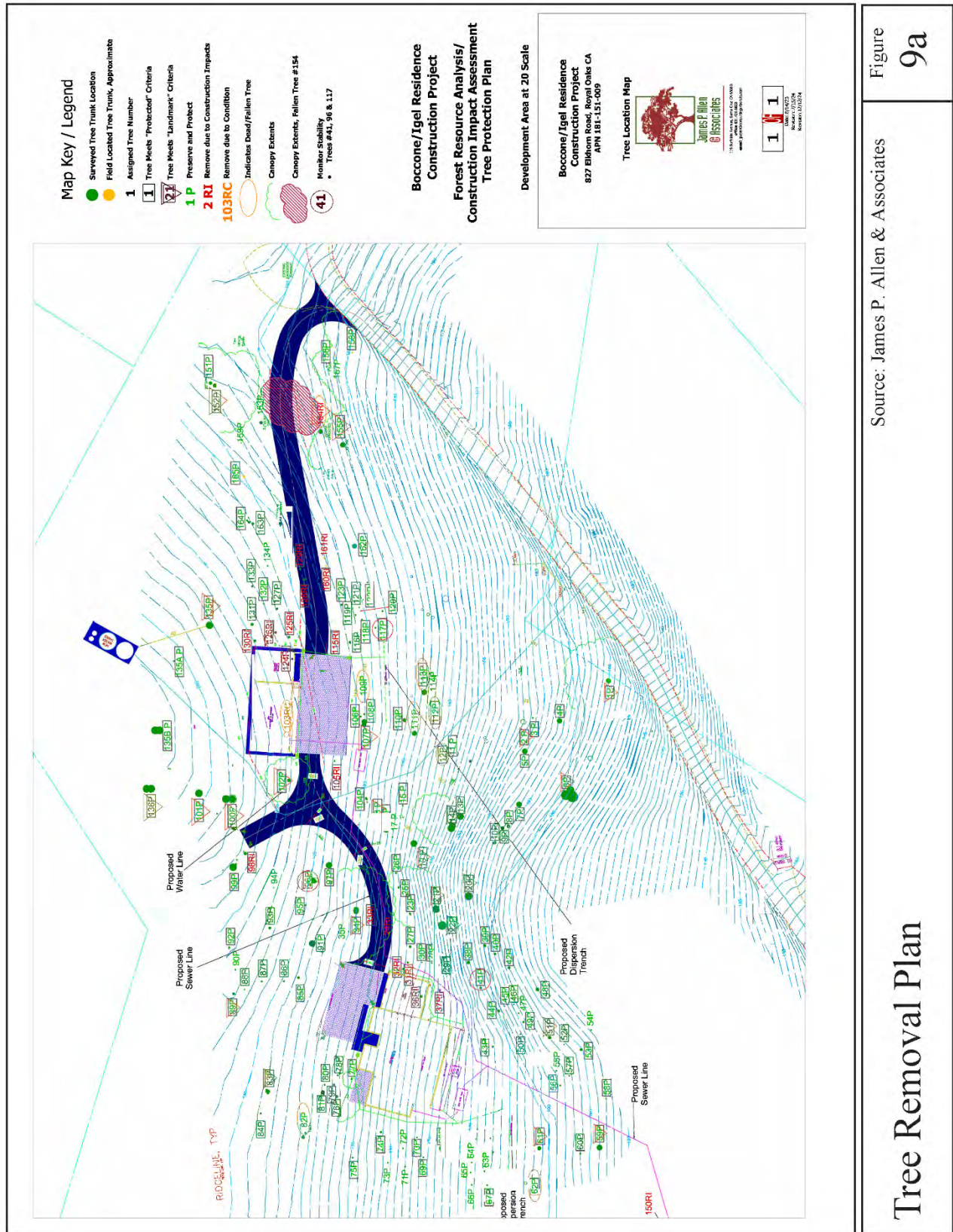
As compensation for the project's impacts to oak woodland habitat, on-site oak woodland restoration and enhancement actions will occur. All compensation activities would comply with an approved forest management plan. The forest management plan would include restoration/enhancement of approximately 0.12 acres of oak woodland concurrent with, or within one year after development of the single-family residence (**Figure 9a. Tree Removal Plan** and **Figure 9b. Tree Protection Plan**).

### **Fire Fuel Management**

The Project would implement a Fire Fuel Management Plan to mitigate wildfire risk and control vegetation on the Project site. The Fire Fuel Management Plan would remove dead vegetation, trim trees and shrubs and manage vegetation in defensible spaces within 30 ft and 100 ft of all structures in a manner that is sensitive to the biological resources and compatible with CAL FIRE guidelines. Activities within Zone 1 (30 ft from structures) would include removal of dead vegetation, trimming tree limbs and branches and creating separation between trees, shrubs and items that could catch fire such as patio furniture, wood piles, etc. Activities within Zone 2 (100 ft from all structures) would include maintaining a low (12-18 in tall) understory of native vegetation, removing fallen trees and plant material and inspection of clearances by North County Fire Protection District. (**Sections VI.4 Biological Resources, VI.9 Hazards and Hazardous Materials and VI.20 Wildfire**).

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<sup>4</sup> The Project includes a LLA to relocate the private driveway, in order to minimize grading on slopes and reduce impacts on trees. Approval of the proposed LLA would decrease tree removal requirements by 40% compared to the previously proposed driveway alignment without a Coastal Development Permit for a LLA. Most significantly, through the new driveway alignment, three landmark oak trees would not need to be removed.







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

The Project includes residential development located at 827 Elkhorn Road in Royal Oaks, California (APN 181-151-009-000, Parcel A). The Project also includes an LLA that adjusts the size and shape of this parcel (Parcel A) and two adjacent parcels, APN 181-011-022-000 (Parcel B) and APN 181-151-008-000 (Parcel C).

The Project site is located within the Monterey County Coastal Zone and is subject to the requirements of the 1982 General Plan and North County Coastal Land Use Plan. The site is zoned “Residential Rural Density|10 (CZ)”. The Project site is surrounded by parcels zoned as Rural Density Residential to the north, west and east and Agricultural Conservation to the south. The Rural Residential parcels to the east are mostly developed with homesteads. The Rural Residential-zoned parcel to the north and west, currently undeveloped and owned by the Elkhorn Slough Foundation, is included in the Project’s LLA application. On the opposite side of Elkhorn Road, there is an approximately 0.22-mile width of Agricultural Conservation land; beyond that is the Elkhorn Slough (zoned Resource Conservation) is present.

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

This IS/MND is an informational document for both agency decision-makers and the public. County of Monterey is the lead agency responsible for adoption of the IS/MND and approving land use permits related to the Proposed Project.

Here is a list of approvals required by Monterey County. Project entitlements would include, but not be limited to:

- Combined Development Permit (PLN220229, the Proposed dwelling and accessory structures)
- Coastal Administrative Permit (PLN240187, the LLA)
- Grading Permit
- Construction Permit for Building

Other agencies that may have permit or review authority over some aspect of the Project may include Monterey Bay Air Resources District (“MBARD”), Central Coast Regional Water Quality Control Board (“CCRWQCB”) and the California Department of Fish & Wildlife (“CDFW”).

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

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

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

General Plan/Area Plan: The Project is in Royal Oaks, CA, an unincorporated area in Monterey County. Land use and development within the Project site is governed by the 1982 Monterey County General Plan, 1982 North County Coastal Land Use Plan ("LUP") and the Monterey County Coastal Implementation Plan.

Together, these planning documents provide guidance to support development and future growth while preserving the scenic and environmental resources as much as possible. The Project site is designated as "Residential Rural Density" which allows for the first single family dwelling and guesthouse residential uses and temporary residences used as living quarters during construction of the first dwelling on a lot.

The Project consists of a single-family dwelling with an attached carport and deck; a detached guest house with a porch, attached workshop and garage and associated improvements; removal of up to 20 trees; development within 100 ft of environmentally sensitive habitat; and a Lot Line Adjustment. Therefore, construction and operation of the Project would be consistent with the land use designation upon granting of Coastal Development Permits.

The 1982 General Plan policies include guidance on natural resources, environmental constraints, human resources, area development and plan implementation. Many natural resources and environmental constraints policies are further codified by the LUP. 1982 General Plan noise ordinances are updated more recently by Countywide noise ordinance updates.

Issues discussed in the 1982 General Plan's goals and objectives which relate to this project are the objectives for general land use which protect the natural aesthetic quality of rural areas. These include the policy that ridgeline development shall not be allowed unless a special permit is first granted based upon findings being made that the development will not create a "substantially adverse visual impact when viewed from a common public viewing area" (General Land Use Policy 26.1.9).

The project does not meet the definition of ridgeline development because it does not create a silhouette against the sky or other substantially adverse impacts.

*Lighting:* General Land Use Policy 26.1.20 requires that all exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range visibility is reduced, and offsite glare is fully controlled.

All exterior lighting is reviewed during construction permitting and compliance with the exterior lighting policy is enforced through the conditions of approval on PLN220229. As discussed in **Section VI.1 Aesthetics** of this Initial Study, the Project is consistent with these General Land Use Policies.

*Watershed:* The 1982 General Plan goals for watershed areas includes Watershed Area Policy 35.1.1, to ensure land uses in and surrounding critical watershed areas will not compromise the resource value of the area. This Policy relates to the Project because the Project site is within the North County Critical Watershed area of the Elkhorn Slough, where over-drafting the water basin has had negative effects on the watershed through seawater intrusion into the freshwater aquifers.

Watershed Area Policy 35.1.2 directs development in critical watershed areas to be designed, sited and constructed in a manner which minimizes negative effects on the watershed. The Project is consistent with these Watershed Policies because it does not involve new parcels which could lead to intensification of water use and is to be served by an established private well that currently has the potential for two additional water connections.

*Impervious Surfaces:* The Project is designed to minimize impervious surfaces, 1) using the LLA to shorten the access driveway and relocate/remove the driveway from slopes greater than 25 percent and 2) by the modest structural footprint of the house and guesthouse/workshop (0.8 percent lot coverage where 25 percent is allowed).

*Erosion Control:* Erosion control planning as enforced through the County of Monterey's Building Services construction permit inspection process will serve to minimize erosion during the construction phase. The 1982 General Plan Water Service Policy 53.1.4 states that new development shall be required to connect to existing water service where feasible. The Project includes the first residential development on the residentially zoned parcel of APN 181-151-009-000 and shall connect to an existing well shared with two other residential connections. Therefore, the Project is consistent with the relevant General Land Use, Watershed and Water Service Policies.

**North County Land Use Advisory Committee Review:** The Project is located within the North County Land Use Advisory Committee's ("LUAC") jurisdiction, which is responsible for reviewing project applications and providing advice and assistance to planning decision-makers on the development application review. After review of the Project's structures, tree removal and ESHA components. Project (PLN220229), the LUAC voted to recommend approval of the project on November 1, 2023. On November 20, 2024, the LUAC reviewed the LLA component of the Project (PLN240187) and voted to recommend approval. Through the duly-noticed public hearing review of the development applications, questions as to the ability of the Project to be consistent with the 1982 General Plan (as well as the North County Coastal Land Use Plan) development policies are addressed in a public forum. The LUAC considered conformance with the 1982 General Plan in its decisions to recommend approval. County of Monterey HCD-Planning ("HCD") found that as conditioned and mitigated the Project would be consistent with the 1982 Monterey County General Plan. **CONSISTENT**

**Water Quality Control Plan:** The Project site lies within Region 3 of the CCRWQCB which regulates water-quality related issues resulting in actual or potential impairment or degradation of beneficial uses, or the overall degradation of water quality. The Project could result in temporary construction-related effects (e.g., erosion). These effects would not likely be significant for several reasons. First, the Project appears to require only minor ground disturbing activities. Specifically, the Project would disturb approximately 1.1 acres (including leach field preparation) and permanently convert approximately 0.28 acre.

Ground disturbing activities would be temporary in nature. Construction would implement erosion control measures identified in the erosion control plan and would be required to comply with Chapters 16.08 and 16.12 of the Monterey County Code ("MCC") which address erosion and grading. Project operation would not generate pollutant runoff in amounts that would cause degradation of water quality.

Stormwater runoff would be collected by storm drains and gutters and infiltrated into soils of the Project site through dispersion trenches. For additional discussion on hydrology and water quality, please refer to **Section VI.9 Hydrology and Water Quality** of this Initial Study. **CONSISTENT**

Air Quality Management Plan: The Project is located within the North Central Coast Air Basin (“NCCAB”), which includes unincorporated areas of Monterey County. Air quality in the Project area is managed and regulated by MBARD. MBARD has developed Air Quality Management Plans (“AQMPs”) and CEQA Air Quality Guidelines to address attainment and maintenance of state and federal ambient air quality standards within the NCCAB.

The 2012-2015 AQMP, the 2008 CEQA Air Quality Guidelines and 2016 Guidelines for Implementing the California Environmental Quality Act are the most recent documents used to evaluate attainment and maintenance of air quality standards. The California Air Resources Board (“CARB”) uses ambient data from each air monitoring site in the NCCAB to calculate Expected Peak Day Concentration over a consecutive three-year period. The closest air monitoring station is in Salinas. There are no indications that the Project would cause a significant impact to air quality or greenhouse gas emissions (“GHGs”) based on available air quality monitoring data. **CONSISTENT**

Local Coastal Program LUP: The Project is subject to the North County Coastal Land Use Plan (“LUP”), a segment of the County of Monterey’s adopted Local Coastal Program. Regulations for this plan are found within the County of Monterey Coastal Implementation Plan (CIP). The LUP establishes policies that preserve, conserve and enhance the natural resources within the North County Coastal LUP area. These policies address issues including, but not limited to visual resources, environmentally sensitive habitats, water resources, hazards and land use. The CIP directs the regulations of the LUP and is an extension of Title 20 of the MCC.

As discussed in **Sections VI.1 Aesthetics and VI.10 Land Use and Planning**, the Project would not conflict with the LUP. The Project measures its land disturbance pursuant to the land disturbance computation requirements of the LUP. The Project does not significantly impact public viewsheds.

Due to the existing topography and vegetation as well as the Project’s design, materials and colors, the Project would be visually screened when viewed from the Elkhorn Slough and the trail that extends along the Slough to the north of Kirby Park, which are protected public viewsheds. As designed, the Project is tucked into a wooded section of the parcel with one structure partially visible from public viewing areas, which is consistent with the rural residential characteristics of the surrounding area. The Project is not visible from a public roadway, due to the topography and design.

*Biological Sensitivity:* The Project site includes maritime chaparral and oak woodland vegetation, designated as sensitive resources in the North County Coastal LUP. Forest Resources Policy 2.3.3.A.4 requires development on North County parcels within oak woodland habitat to minimize oak tree removal to the minimum required construction of structures and access roads.

CIP section 20.144.040.C.1.e describes protection of oak woodland within the Environmentally sensitive habitat development standards. This section also provides regulations for development within 100 feet of Pajaro Manzanita species. The Project will involve construction within 100 feet of maritime chaparral. Impacts to maritime chaparral are avoided and impacts to oak woodland are minimized and mitigated, as discussed in **Section VI.4 Biological Resources**.

*Water:* Similar to the 1982 General Plan, LUP Water Resources includes a Key Policy requiring that



- a. the water quality of the North County groundwater aquifers shall be protected and new development shall be controlled to a level that can be served by identifiable, available, long term-water supplies; and
- b. the estuaries and wetlands of North County shall be protected from excessive sedimentation resulting from land use and development practices in the watershed areas.

The Project is located and developed in accordance with erosion controls to protect the Elkhorn Slough watershed from excessive sedimentation during construction. The shared well, which will provide the potable water for the Proposed Project, is already permitted by the Environmental Health Bureau (EHB) and meets water quantity for this residential unit and another future connection in the area. The proposed residence is the first dwelling on the parcel; the Project does not include new parcels. Project Water Resources Policy 2.5.3.B.4 is also applicable to the project, which requires adequate maintenance and repair of septic systems to limit pollution of surface waters and protect the public health. The EHB found the proposed new septic system's design is adequate to limit pollution of surface waters and protect public health.

*Hazards:* LUP Hazards Policies are intended to minimize risks to life and property in areas of high geologic flood and fire hazards. New development is required to assure stability and structural integrity, and to neither create nor contribute to erosion and landslide hazards. The Project site is designated "moderate" for landslide risk and for erosion hazard.

Portions of the site are within high State Regulated Fire Hazard Zones. As discussed in **Sections VI.7 Geology/Soils, VI.9 Hazards and Hazardous Materials and VI.20 Wildfire**, the North County FPD, HCD-Environmental Services, HCD-Planning and other agencies reviewed the application submittals review of the Project and these agencies found appropriate foundation engineering is proposed in the Geotechnical Report to accommodate the landslide risk on life and property and, as previously stated, the erosion control plan incorporates standard measures to limit erosion hazards. The project shall implement a Fire Fuel Management Plan. Fire hazards are further reduced by the proposed use of metal roofing materials and the Project driveway was found to include appropriate hammerhead turnaround for FPD engines. As designed and regulated by standard MCC Fire and Building Codes, the Project conforms with the LUP Hazards Policies.

*Archaeological Resources:* LUP Archaeological Resources Policies are intended to maintain and protect North County's archaeological resources, including those areas considered to be archaeologically sensitive but not yet surveyed. PLN220229 includes a lower elevation swath of land close to Elkhorn Slough Road containing high archaeological sensitivity. As discussed in **Sections VI.5 Cultural Resources and VI.18 Tribal Cultural Resources**, Applicant of PLN220229 caused an appropriate site assessment to be performed; the County contacted representatives of tribal groups to give them an opportunity to consult on the Proposed Project. As proposed, conditioned and mitigated, the Project would be consistent with the LUP. **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/Forestry Resources      | <input checked="" type="checkbox"/> Air Quality                        |
| <input checked="" type="checkbox"/> Biological Resources      | <input checked="" type="checkbox"/> Cultural Resources       | <input checked="" type="checkbox"/> Energy                             |
| <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 checked="" 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           | <input checked="" type="checkbox"/> Tribal Cultural Resources          |
| <input checked="" type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> Wildfire                 | <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:

**Agricultural and Forestry Resources:** The California Department of Conservation Division of Land Resource Protection and the Farmland Mapping and Monitoring Program ("FMMP") maps California's agricultural resources. The FMMP designated the Project site as "Other Land" and therefore would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The Project is not zoned for agricultural use and is not under a Williamson Act contract. The Project site is not zoned or designated as forestland and therefore would not result in the loss or conversion of forest land for non-forestland use. The Project would not result in the loss or conversion of forest land for non-forest land use. Therefore, the Project would not result in impacts to agriculture and forestry resources.

**Mineral Resources:** Mineral resources are determined in accordance with the Surface Mining and Reclamation Act (“SMARA”) of 1975 and the California Geological Survey which maps mineral resources of regional significance. There are no known mineral resources on the Project site. As a result, the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. Additionally, the Project site is not designated as a mineral resource recovery site. Therefore, the Project would not result in the loss of availability of a locally important mineral resource recovery site. Therefore, the Project would not result in any impacts to mineral resources.

**Population and Housing:** The Project would alter the size and dimensions of three adjacent parcels through a LLA and construct a single-family dwelling unit, with a detached guesthouse, workshop and garage and supporting infrastructure on one of the three parcels. The residential unit would not significantly contribute to regional growth that was not previously forecasted. The Association of Monterey Bay Area Governments (“AMBAG”) projects the region’s population, housing and employment and documents anticipated changes in the regional growth forecast. The current regional growth forecast was adopted on June 15, 2022. The regional growth forecast does not evaluate individual areas of unincorporated County of Monterey and therefore growth projections for Royal Oaks are combined under *Unincorporated*. The population within this area is anticipated to increase by 6,317 persons between 2015 and 2045, representing a 6-percent increase. The Project would not induce substantial population growth either directly or indirectly. Additionally, construction and operation of the Project would not displace existing housing units. Therefore, the Project would not result in any population or housing-related impacts.

**Public Services:** The Project would not result in any adverse impacts resulting in the need for new, or physically altered, government facilities to maintain acceptable service ratios, response times, or other performance objectives for any public services (i.e., fire protection, police protection, schools, parks, or other public facilities). The North County Fire Protection District provides fire protection services to the Project site. The Monterey County Sheriff’s Department provides police protection services in Royal Oaks. The Pajaro Valley Unified School District (“PVUSD”) serves the community of Royal Oaks. The Project would alter the size and shapes of three adjacent parcels through a LLA and construct a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and on-site wastewater treatment system on one of the parcels. County departments and service providers reviewed the project application and did not identify any impacts. Therefore, the Project would not result in impacts related to public services.

**Recreation:** The Project would not result in an increased use of existing neighborhood and/or regional parks or other recreational facilities causing a substantial physical deterioration. The Project would not adversely impact parks, trail easements, or other recreational opportunities. Therefore, the Project would not result in any adverse recreation-related impacts. Moreover, the Project would not induce population growth or result in a substantial change in the population where recreational resources would be negatively impacted or require expansion.

**B. DETERMINATION**

On the basis of this initial evaluation:

- ☐ I find that the Project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the 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 Project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the 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 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.

Mary Israel  
Mary Israel, Supervising Planner  
Monterey County Housing & Community Development

April 30, 2025  
Date

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

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including 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		Less Than Significant			
Except as provided in Public Resources Code Section 21099, would the project:		Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista? (sources: 13, 26, 27, 28)	<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? (sources: 3, 13, 26, 27, 28, 33)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (sources: 13, 26, 27, 28, 31, 32)	<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? (sources: 3, 13, 26, 27, 28, 31)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion:

The Project site is located at 827 Elkhorn Road, 695 Elkhorn Road and a third adjacent parcel without address in Royal Oaks, California. The Project site is located on upper western slope of a ridge and is approximately 1,200 ft (0.22 miles) to the east of Elkhorn Slough. Nearby land uses include rural residences to the east, undeveloped land to the north and northwest and agricultural uses to the west and south of the Project Site. The site is currently developed with an access road that connects to residences on the upper slope of a nearby ridge, but the parcels involved in the Project are otherwise undeveloped. Scenic vistas within the vicinity of the Project site include views of the Elkhorn Slough, Santa Lucia Mountains and the Pacific Ocean. The Project site is located adjacent to the Elkhorn Slough, defined as a sensitive viewshed in the LUP. The LUP also identifies Elkhorn Road between Waugh Road north of the project site to Walker Road south of the project site as a County Scenic Route and recommends that the visual character of the adjacent scenic corridor should be preserved and where feasible, restored (LUP Recommended Action 2.2.2.5). Consequently, the section of Elkhorn Road in the vicinity of the Project is classified in County GIS as a locally recognized scenic corridor.

During PLN220229's project application review (the residential development part of the Proposed Project), public comments, including communications from the Elkhorn Slough Foundation, expressed concerns about the project's siting. These concerns stemmed from the perception that the residential design of the Project had the potential to conflict with LUP Visual Resources Policy 2.2.2.1, which requires "views to and along the ocean shoreline from Highway One, Molera Road, Struve Road and public beaches and to and along the shoreline of Elkhorn Slough from public vantage points to be protected." Early in the application process, Applicant of PLN220229 was made aware of the development standards for

development within the Elkhorn Slough corridor as described in CIP Visual Resources section 20.144.030.B.2:

“a. Location and siting of structures shall allow for their maximum screening from public view by existing topography or vegetation to minimize obstruction of or intrusion of views on the shoreline from public viewing areas;

b. The design of structures, including fencing, shall incorporate natural materials, earth-tone colors and otherwise blend with the rural setting;

c. Landscaping and lighting shall be unobtrusive and blend with the rural setting. Landscaping and incorporate native plants common to the area, as contained in Attachment 3 [of the CIP]; and

d. The structures shall be modified for bulk, size and height where necessary to protect and minimize visibility from the public viewshed.”

On May 7<sup>th</sup>, 2024, before the applications were deemed complete, HCD staff performed a Viewshed Determination pursuant to CIP Development Standards for Visual Resources, section 20.144.030.A.. The Project was staked and flagged following County protocol. At the May 7<sup>th</sup> visit, staff was not able to see the staking and flagging from any portion of Elkhorn Road. Staff were able to see staking and flagging from the public trail north of Kirby Park; pursuant to the direction of the CIP Visual Resources development standards listed above, the trail qualifies as “views on the shoreline” of the Elkhorn Slough.

No ridgeline effect was noted, but staff found the main dwelling’s west elevation visible at approximately 1/3 mile away; therefore, the proposed design would have some potential to impact the public viewshed. Staff contacted the Project agent about this potential; they responded by redesigning the main dwelling to lower its’ maximum height, changing the pitch of the main dwelling roof from 4/12 to 3/12 and lower the maximum height to 21 ft, 7 in.

Dwelling colors and materials were updated to earth tones of mossy grey green and brown/dark grey. Staff updated the viewshed photographs and presented them to HCD-Planning staff for internal project scoping on June 6, 2024. Staff evaluation concluded that there was no ridgeline effect and that the potential for visual impact of the Project on public viewsheds would be less than significant.

The Project would not conflict with LUP Visual Access Policies. Policy 6.4.G provides that:

“ all new structures and ancillary facilities within the public viewshed should be located and designed to be compatible with the existing character of the natural and built environments as specified in Section 2.2 of this plan and to retain existing visual access to the shoreline from major public viewpoints and viewing corridors.”

The Project does not interrupt public view of the shoreline.

1982 General Land Use Policy 26.1.20 requires that all exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range visibility is reduced and offsite glare is fully controlled. The Project does not include obtrusive exterior lighting, as shown in **Figure 3b. Site Plan Detail** and on the Project Plans available for review at the Monterey County HCD – Planning Office located in Salinas, California and online via Accela Citizen Access at <https://aca-prod.accela.com/MONTEREY/Default.aspx>.

The Project site is located approximately 1.3 miles east of SR 1, which is a State designated eligible scenic highway. HCD-Planning staff included view from SR 1 in the Viewshed Determination on May 7, 2024. The Project site was not visible from SR 1 due to topography, vegetation and distance.

**Aesthetic Impact (a) Less than Significant:** The Project would not have a substantial adverse effect on a scenic vista. The Project was evaluated by HCD-Planning staff with a Viewshed Determination. As discussed above, the original design of the residence had the potential to conflict with LUP Visual Resources Policy 2.2.2.1 and redesign reduced the potential impacts by lowering height, reducing roof pitch and adjusting colors to natural earth tones. As a result, staff found the Project would have a less than significant impact on the scenic vista along the Elkhorn Slough.

**Aesthetic Impact (b) Less than Significant:** The Project would not substantially damage scenic resources, including but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway. The Project does not contain, nor is it located near, rock outcroppings, or a historic building. Consistent with LUP Visual Resources Policy 2.2.2.4, the least visually obtrusive portion of a parcel which was also not of a steeper grade and where existing topography and vegetation provide natural screening was selected for the location of proposed structures. As a result, the Project would be visually screened from the nearest public road by vegetation and the existing uphill sloped topography.

As discussed above, the nearest public road is the section of Elkhorn Road considered a scenic corridor.

The segment of SR 1 located west of the Project site is a State designated eligible scenic highway. Views of the Project Site from SR 1 are primarily limited due to distance.

While the Project would require the removal of up to 20 trees, the Project would restore/enhance trees/woodlands onsite at approximately a 3:1 ratio replace the 15 “protected” oak trees at a 1:1 ratio and replace the “landmark” oak tree at a 2:1 ratio. The draft Forest Management Plan includes restoration/enhancement of a minimum of 0.12 acres of oak woodland within one year of development of the residence. Prior to occupancy, one oak tree would be planted to replace every one tree removed. Therefore, any removal of trees which may make visible the operation of the Project would be restored and/or replaced, minimizing impacts.

For these reasons, the Project would not have substantial adverse impacts on any scenic resources or be within view of a state designated scenic highway. The Project would have a less than significant impact.

**Aesthetic Impact (c) Less than Significant:** The Project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. As discussed above, the Project alters the size and shapes of three adjacent parcels through a LLA to allow the Project’s driveway to be shorter, located away from steep slopes, impacting fewer trees and above the area of the parcel that is in public viewshed.

The Project also involves constructing a single-family dwelling unit, with a detached guesthouse, workshop and garage and supporting infrastructure on one of the three parcels. The location of the residential development above the greater area of public viewshed maximizes tree cover for vegetative screening; the use of natural colors and materials are methods by which the Project is designed to be visually compatible with the surrounding area.

To comply with Visual Resources Policies protecting the viewshed of this section of Elkhorn Slough Road, structural development in the meadow near Elkhorn Slough Road was avoided. The Project site would be located up the slope so that no views from Elkhorn Road would be impacted. Consistent with LUP Visual

Resources Policy 2.2.3.6, with the LLA and shortened driveway, the Project has eliminated grading on slopes and increased the Project's ability to retain existing native trees and other significant vegetation while developing the driveway. Consistent with Visual Resources Policy 2.2.2.5, the structures are proposed in locations that minimize tree removal and the grading for the building site and access road is minimized through the incorporation of the LLA in the Proposed Project. Through careful siting and pursuit of the least impact to trees and slopes, the Project minimizes these visual resource related impacts. Public views from nearby public viewing points on the Elkhorn Slough and the trail north of Kirby Park are limited due to vegetation and topography but some of the main dwelling façade would be visible from points along the trail. Project redesign reduced maximum height, roof pitch; updated colors to grey moss green and brown/dark grey lowered the potential for viewshed impact from those point of public view.

In keeping with CIP Visual Resources Development Standard and after an initial staff Viewshed Determination, the Applicant modified the structures to reduce bulk and height to minimize visibility from the public viewshed. Views from trailheads such as the North Marsh overlook and Whistlestop are limited due to topography, vegetation and distance from the Project Site. In staff's final analysis, the Proposed Project's Viewshed Determination was found not to degrade public views of the site or its surroundings. For these reasons, the Project would have a less than significant impact.

**Aesthetic Impact (d) Less than Significant:** The Project does not entail any nighttime construction-related activities. The Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. The Project would include exterior lighting (**Figure 3b. Site Plan Detail**). Project approval will be conditioned to require exterior lighting be recessed or downlit.

General Land Use Policy 26.1.20 requires all exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range visibility is reduced and offsite glare is fully controlled. All exterior lighting is reviewed during construction permitting and compliance; the exterior lighting policy is enforced through the condition of approval on PLN220229. As a result, the Project would not result in a significant impact due to a new source of light or glare which would adversely affect day or nighttime views in the area. This represents a less than significant impact.

The Project shall have a less than significant impact on Aesthetic Resources by design and with the application of a standard County Planning condition of approval enforcing the exterior lighting policy.

## 2. AGRICULTURAL AND FORESTRY 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? (sources: 5, 26)	<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? (sources: 6, 26, 27, 28)	<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))? (sources: 6, 26, 27, 28)	<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? (sources: 6, 26, 27, 28)	<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? (sources: 5, 6, 26, 27, 28)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Discussion/Conclusion/Mitigation:

Please refer to **Section IV.A Environmental Factors Potentially Affected**. The Project would have no impact on agricultural or forest land resources.



### 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? (sources: 22, 23, 24, 25, 26)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard? (sources: 22, 23, 24, 27, 28)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations? (sources: 22, 23, 24, 26, 27, 28)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (sources: 34, 35)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Discussion/Conclusion/Mitigation:

The Project is located within the NCCAB, under the jurisdiction of MBARD. MBARD is responsible for producing an Air Quality Management Plan (“AQMP”) that reports air quality and regulates stationary air pollution sources throughout the NCCAB. MBARD is also responsible for measuring the concentration of pollutants and comparing those concentrations against Ambient Air Quality Standards (“AAQS”). Additionally, MBARD monitors criteria pollutants to determine whether they are in attainment or not in attainment. **Table 3-1 Attainment Status for the NCCAB** illustrates the attainment status for criteria pollutants.

**Table 3-1  
Attainment Status for the NCCAB**

Pollutant	State Designation	Federal Designation
Ozone (O <sub>3</sub> )	Nonattainment – Transitional	Attainment
Inhalable Particulates (PM <sub>10</sub> )	Nonattainment	Attainment
Fine Particulates (PM <sub>2.5</sub> )	Attainment	Attainment
Carbon Monoxide (CO)	Monterey Co. – Attainment	Attainment
	San Benito Co. – Unclassified	Attainment
	Santa Cruz Co. – Unclassified	Attainment
Nitrogen Dioxide (NO <sub>2</sub> )	Attainment	Attainment
Sulfur Dioxide (SO <sub>2</sub> )	Attainment	Attainment
Lead	Attainment	Attainment

Source: Monterey Bay Air Resources District, 2017. 2012 – 2015 Air Quality Management Plan

MBARD has set air quality thresholds of significance for the evaluation of projects. **Table 3-2 Thresholds of Significance Construction Emissions** illustrates the thresholds of significance used to determine if a project would have a significant air quality effect on the environment during construction.

**Table 3-2**  
**Thresholds of Significance Construction Emissions**

<b>Pollutant</b>	<b>Threshold of Significance (lbs./day)</b>
Nitrogen Oxides (NO <sub>x</sub> )	137
Reactive Organic Gases (ROG)	137
Respirable Particular Matter (PM <sub>10</sub> )	82
Fine Particulate Matter (PM <sub>2.5</sub> )	55
Carbon Monoxide (CO)	550

Source: Monterey Bay Unified Air Pollution Control District, 2016. Guidelines for Implementing the California Environmental Quality Act.

In addition to these thresholds, MBARD has also determined that a significant short-term construction generated impact would occur if more than 2.2 acres of major earthmoving (i.e., excavation) per day was to occur. Activities associated with this threshold include excavation and grading. For projects that require minimal earthmoving activities, MBARD has determined that a significant short-term construction generated impact would occur if more than 8.1 acres per day of earthmoving was to occur.

**Table 3-3 Thresholds of Significance Operational Emissions** illustrates the thresholds of significance used to determine if a project would have a significant air quality effect on the environment during operation.

**Table 3-3**  
**Thresholds of Significance Operational Emissions**

<b>Pollutant</b>	<b>Threshold of Significance (lbs./day)</b>
Nitrogen Oxides (NO <sub>x</sub> )	137
Reactive Organic Gases (ROG)	137
Respirable Particular Matter (PM <sub>10</sub> )	82
Fine Particulate Matter (PM <sub>2.5</sub> )	55
Carbon Monoxide (CO)	550

Source: Monterey Bay Unified Air Pollution Control District, 2016. Guidelines for Implementing the California Environmental Quality Act.

CARB defines a sensitive receptor as children, elderly, asthmatic and others who are at high risk of negative health outcomes due to exposure to air pollution. Pursuant to California Health and Safety Code Sec. 42705.5, a sensitive receptor includes hospitals, schools, day care centers and such locations as the district or state board may determine. MBARD similarly defines sensitive receptors and adds that the location of sensitive receptors be explained in terms that draw a relationship to the project site and potential air quality impacts. The nearest sensitive receptor (e.g., residence, health care center, visitor serving accommodations) is located approximately 300 ft to the southeast of the Project site and is a residence.

**Air Quality Impact (a) No Impact:** CEQA Guidelines Sec. 15125(b) requires evaluation of a project for consistency with applicable regional plans, including the AQMP. The most recent MBARD update was the 2012 – 2015 AQMP and was adopted in March 2017. This plan addresses attainment of the State ozone standard and Federal air quality standards. The AQMP accommodates growth by projecting growth in emissions based on population forecasts prepared by the Association of Monterey Bay Area Governments

(“AMBAG”) and other indicators. Consistency determinations are issued for commercial, industrial, residential and infrastructure related projects that have the potential to induce population growth. A project is considered inconsistent with the AQMP if it has not been accommodated in the forecast projects considered in the AQMP.

The Project consists of the construction of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and onsite wastewater treatment system. The Project would not induce substantial population growth or result in the need for additional residential development beyond what currently exists. The current regional growth forecast was adopted on June 15, 2022. The regional growth forecast does not evaluate individual areas of unincorporated Monterey County and therefore growth projections for Royal Oaks are combined under *Unincorporated*. The population within the Project area is anticipated to increase by 6,317 persons between 2015 and 2045, representing a 6-percent increase. The Project would not induce substantial population growth either directly or indirectly beyond what was forecasted. Therefore, the Project would not conflict with or obstruct an applicable air quality plan. For these reasons, no impact would occur.

**Air Quality Impact (b) Less than Significant:** The MBARD 2016 CEQA Air Quality Guidelines contain standards of significance for evaluating potential air quality effects of projects subject to CEQA. According to MBARD, a project would violate an air quality standard and/or contribute to an existing or projected violation if it would emit (from all sources, including exhaust and fugitive dust) more than:

- 137 pounds per day of oxides of nitrogen (NO<sub>x</sub>),
- 137 pounds per day of reactive organic gases (ROG),
- 82 pounds per day of respirable particulate matter (PM<sub>10</sub>),
- 55 pounds per day of fine particulate matter (PM<sub>2.5</sub>) and
- 550 pounds per day carbon monoxide (CO).

According to MBARD’s criteria for determining construction impacts, a project would result in a potentially significant impact if it would result in 8.1 acres of minimal earthmoving per day or 2.2 acres per day with major grading and excavation.

Project construction will temporarily disturb 1.1 acre (including leach field preparation) permanently converting approximately 0.28 acres of an approximately 18.14-acre parcel (13.53 acres after the LLA) for a main dwelling, guesthouse and workshop, driveway and accessory development.

The construction soil stockpile area would be located at the base of the Project parcel near Elkhorn Road, just off of the shared driveway. This area would be revegetated with a native grass and forb seed mix. Development would result in approximately 550 cubic yards (“cy”) of excess excavated soil. In consultation with the project Biologist, the Applicant identified an area where excess soils could be spread on-site on APN 181-151-008-000, within the southeastern portion of the Project site.

The approximate 550 cy of excavated soil would be spread six to twelve inches deep, covering approximately 30,000 sf (0.69 acre). Construction would require equipment such as tractors, backhoes, excavators, loading trucks and pickup truck, with construction related emissions coming from sources such as exhaust or fugitive dust. Project construction Project would not, however, exceed MBARD’s significance criteria. Grading and excavation-related activities occurring over several days, would not exceed MBARD’s daily ground-disturbing thresholds for excavation (2.2 acres per day) or grading (8.1 acres per day).

The Project would implement standard construction Best Management Practices (“BMPs”) related to dust suppression e.g. watering active construction areas, prohibiting grading activities during periods of high wind (over 15 mph), covering trucks hauling soil, covering exposed stockpiles, etc.) thereby further ensuring temporary construction-related effects are minimized. For these reasons, project construction Project would have a less than significant impact on air quality.

The Project could result in operational emissions but would not result in a significant impact. Operational emissions associated with the Project would not exceed an applicable MBARD threshold of significance. The Project would be used for residential uses consisting of a single-family dwelling with attached carport and deck; and a detached guesthouse with a porch, attached workshop and garage. The Project would be constructed in accordance with contemporary building standards. As discussed in **Section VI.5 Energy**, the Project would include rooftop solar arrays, energy storage system and backup generator and would not connect to an existing electrical grid. Additionally, operational emissions generated by vehicle trips would be minimal. As discussed in Section VI.17 Transportation, the Project would generate new daily trips but would not exceed the daily threshold of 110 trips as set by the Office of Planning and Research (“OPR”). For these reasons, operational emissions associated with the Project would not exceed an applicable MBARD threshold of significance. The Project would result in a less than significant impact to air quality during operation.

**Air Quality Impact (c) Less than Significant:** The Project is in a rural area of Royal Oaks; and the nearest sensitive receptor is a single-family dwelling, located approximately 300 ft to the southeast of the Project site. As discussed, Project construction would generate air quality impacts. However, these impacts would be temporary in nature and would not exceed the thresholds set by MBARD. Therefore, impacts of the Project would be less than significant.

**Air Quality Impact (d) Less than Significant:** Project construction could generate temporary odors from construction equipment (e.g., diesel exhaust) which could be noticeable at times to residences, visitors and others in the Project vicinity. However, construction-generated odors would be temporary in nature and would not create objectionable odors affecting a substantial number of persons. This represents a less than significant impact.

Through application of standard MBARD BMPs, along with County Building Services construction plan review and inspection, the Project will Project have a less-than-significant impact on Air Quality.

<b>4. BIOLOGICAL RESOURCES</b>				
<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service? (sources: 2, 3, 21, 26, 27, 28, 33, 34, 35, 44)	<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 Wildlife or US Fish and Wildlife Service? (sources: 2, 21, 26, 27, 28, 33, 34, 35, 40, 44)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (sources: 2, 21, 26, 27, 28, 33, 40)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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? (sources: 2, 21, 27, 28, 43, 44)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (sources: sources: 2, 21, 27, 28, 31, 32, 34, 35, 44)	<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? (sources: 2, 21, 27, 28)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### **Discussion/Conclusion/Mitigation:**

Biotic Resources Group and Bryan Mori Biological Consulting prepared a biological resources assessment for the residential development portion of the Project (PLN220229) which was updated to include the LLA Project (PLN240187). The assessment, *Elkhorn Road Parcel APN 181-151-009 Biological Assessment (December 2024)*, evaluated the Project's potential impacts associated with the construction and operation.

James P. Allen & Associates prepared a forest resources assessment for the residential development Project (PLN220229) and then updated it to include the LLA Project (PLN240187). The assessment, *Boccone/Igel Residence, APN 181-151-009 Forest Resource Analysis/Construction Impact Assessment/Tree Protection*



*Plan (December 2024)*, focused on the Project's construction and operation. Consistent with the requirements of CEQA Guidelines Sec. 15150, findings of these technical analyses are herein incorporated by reference. For a more detailed discussion of the site's biological resources, please refer to the technical reports available for review at the Monterey County HCD – Planning Office located in Salinas, California and online via Accela Citizen Access at <https://aca-prod.accela.com/MONTEREY/Default.aspx>.

### Methodology

Kathleen Lyons conducted botanical site surveys of the Project site on July 11, 2022 and April 10, 2023. These surveys focused on identification of sensitive habitat and potential rare species and habitat within the Project site. Field surveys were conducted within blooming/identification periods for special-status plant species. To determine the site's suitability to support any special-status species, the biologist used and reviewed the soil conditions, compaction, existing vegetation and personal knowledge of the habitat conditions. The site was traversed on foot to identify botanical resources and habitat conditions. Data sources used by the biologist include Federal, State and local databases, manuals and maps.

### Natural Communities

The biological resource assessment identified that the Project site supports oak woodland, grassland (coastal prairie, annual grassland, mixed grassland), maritime chaparral and coastal scrub vegetation types. (**Figure 11a. Vegetation Types**). Sensitive habitats are defined by local, State, or Federal agencies as those habitats that support special-status species, provide important habitat values for wildlife, represent areas of unusual or regionally restricted habitat types and/or provide high biological diversity.

The project site contains sensitive Project of oak woodland, coastal scrub, maritime chaparral and native grasslands habitats (**Table 4-1 Plant Community Types, Elkhorn Road Parcel and LLA Area**).

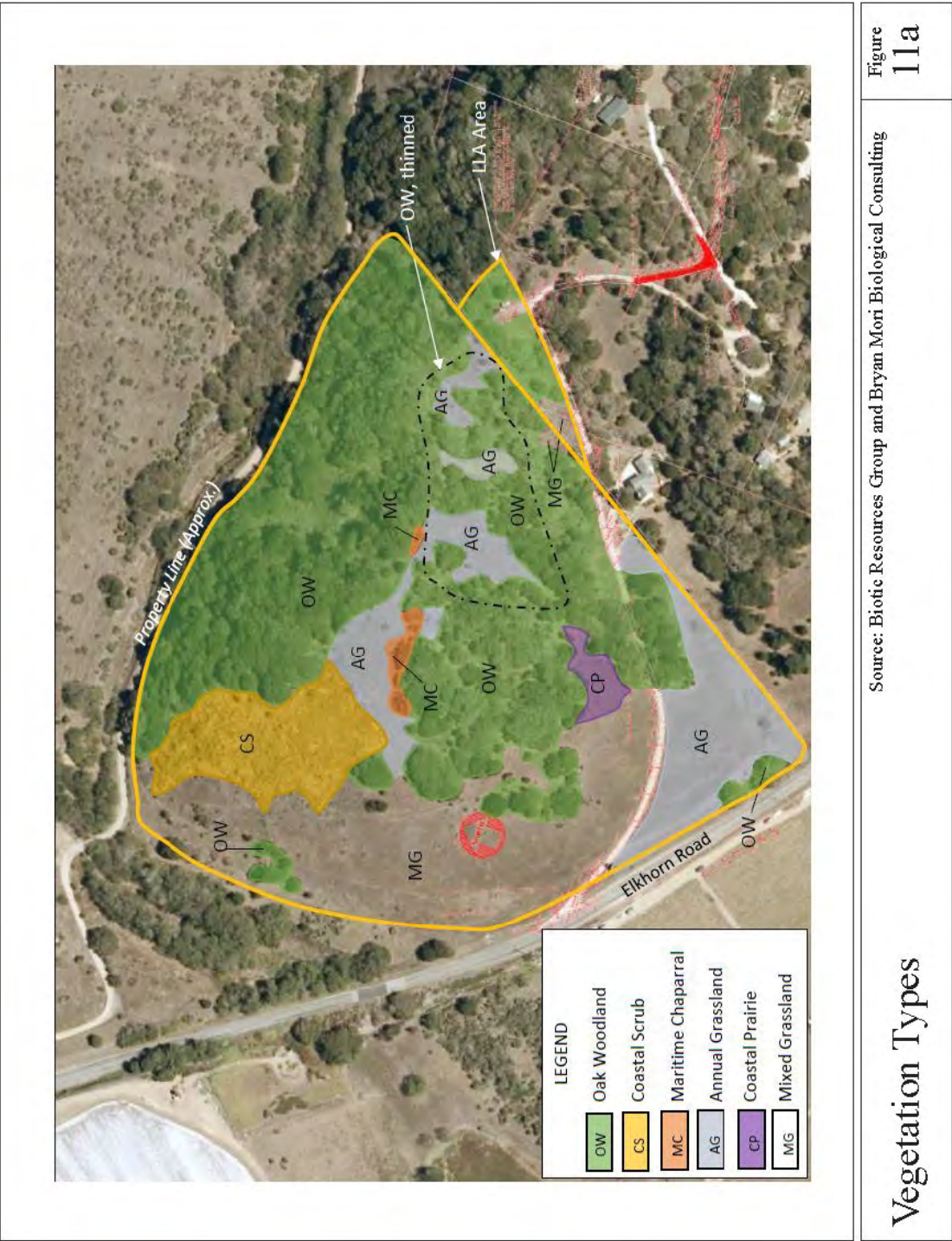


Figure  
11a

Source: Biotic Resources Group and Bryan Mori Biological Consulting

## Vegetation Types

**Table 4-1  
Plant Community Types, Elkhorn Road Parcel and LLA Area**

<b>General Plant Community Type</b>	<b>CDFW Alliance</b>	<b>Alliance Code</b>	<b>Sensitive?</b>
Oak Woodland	Coast live oak– poison oak/California blackberry/poison oak - grasses	71.060.13	No (CDFW) Yes (County)
Maritime Chaparral	Pajaro manzanita/sticky monkey flower -grasses	37.316.01	Yes (CDFW) Yes (County)
Coastal Scrub	California sagebrush/sticky monkey flower/coyote brush/poison oak – bracken fern	32.010.11	Yes (CDFW) Yes, if known rare/ endangered species of plants and animals, rookeries, major roosting sites and other wildlife breeding or nursery areas identified within the Coastal Scrub (County)
Grassland	<u>Coastal Prairie:</u> California oatgrass/purple needlegrass – lupine/California poppy/filaree	41.050.05	Yes (CDFW) Yes, as qualified above (County)
	<u>Annual Grassland:</u> Wild oat/ripgut brome/filaree/English plantain	44.150.02	No (CDFW) No (County)
	<u>Mixed Grassland:</u> Purple needlegrass/wild oat/Chilean brome/rattlesnake grass	41.150.05	No (CDFW) Yes, as qualified above (County)

Source: Biotic Resources Group and Bryan Mori Biological Consulting, 2024. Elkhorn Road Parcel APN 181-151-009 Biological Assessment.

**Table 4-2  
Impacts to Habitat by Type**

<b>Habitat</b>	<b>Permanent Impact</b>	<b>Temporary Impact</b>
Oak Woodland	0.04 acre	0.009 acre
Mixed Grassland	0 acre	0.08 acre
Total	0.04 acre	0.089 acre

Source: Biotic Resources Group and Bryan Mori Biological Consulting, 2024. Elkhorn Road Parcel APN 181-151-009 Biological Assessment.

The biological resource assessment determined sensitive habitats would be impacted by the Project. (**Table 4-2 Impacts to Habitat by Type**):

Oak Woodland: The biological resource assessment identified oak woodland in the central and northern portions of the parcel and within the proposed LLA area. The woodland is characterized by coast live oak

trees (*Quercus agrifolia*), with a few scattered Monterey pines (*Pinus radiata*). In the central portion of the parcel, the woodland has a relatively sparse understory. Commonly observed species include poison oak (*Toxicodendron diversilobum*), California blackberry (*Rubus ursinus*), sticky monkey flower (*Diplacus aurantiacus*), coyote brush (*Baccharis pilularis*) and young oaks. Herbaceous species observed include wild oat (*Avena sp.*), ripgut brome (*Bromus diandrus*), ryegrass (*Festuca perennis*), Italian thistle (*Carduus pycnocephalus*), coyote mint (*Monardella villosa*) and scarlet pimpernel (*Anagallis arvensis*).

The biological resource assessment notes that a portion of the oak woodland was thinned in 2022/23 when some young oaks were cut, limbs removed from larger trees and the understory brush cut to accommodate staking and flagging of the proposed dwellings and a longer, previously proposed driveway through the woods. This thinning is allowed in the LUP area as CIP section 20.144.050.A.1 defines “unprotected trees” as native non-oak trees less than 12 inches diameter at breast height, madrone trees less than 6 inches diameter at breast height and oak trees less than 6 inches diameter at 2 ft above the ground.

The original Parcel A’s north and east-facing slopes support a more mesic (characterized by, or adapted to a moderately moist habitat) oak woodland with dense understory vegetation. Coast live oak trees create a dense tree canopy, with an understory thick with poison oak, coffee berry (*Frangula californica*), snowberry (*Symphoricarpos albus*), California blackberry, mugwort (*Artemisia douglasiana*), wood fern (*Dryopteris arguta*), hedge nettle (*Stachys bullata*) and patches of non-native poison hemlock (*Conium maculatum*).

Coastal Prairie: The biological resource assessment identified that the Project site supports a small area of coastal prairie in the south-central portion of the parcel. This vegetation type is defined as having a dominance or co-dominance of native bunchgrasses: California oatgrass (*Danthonia californica*), a native perennial bunchgrass, with or without other bunchgrasses. Other plant species include purple needlegrass (*Stipa pulchra*) (another native perennial bunchgrass), filaree (*Erodium botrys*), catchfly (*Silene gallica*), sky lupine (*Lupinus nanus*), bicolor lupine (*Lupinus bicolor*) and California poppy (*Eschscholzia californica*).

Annual Grassland: The biological resource assessment found that the northwestern portion of the parcel supports annual grassland. This grassland type occurs in open areas next to the oak woodland. Annual, non-native grasses present the most cover and include wild oat (*Avena sp.*), ripgut brome (*Bromus diandrus*), rattlesnake grass (*Briza maxima*), false brome (*Brachypodium distachyon*) and Chilean brome (*Bromus stamineus*). The grassland also supports small patches of native purple needlegrass (*Stipa pulchra*) and California oatgrass; the cover provided by these two native grasses is less than 10%. Forbs are also present. Commonly observed native forbs include owl’s clover (*Orthocarpus densiflora*), skunkweed (*Navarretia squarrosa*), purple sanicle (*Sanicula bipinnatifida*), sky lupine, common aster (*Corethrogyne filaginifolia*), soap plant (*Chlorogalum pomeridianum*) and mule’s ears (*Wyethia angustifolia*). Nonnative forbs are prevalent, such as cat’s ear (*Hypochaeris radicata*), filaree, English plantain (*Plantago lanceolata*), fiddle dock (*Rumex acetosella*), scarlet pimpernel (*Anagallis arvensis*), catchfly (*Silene gallica*), wild radish (*Raphanus sativa*) and Italian thistle.

Mixed Grassland: The biological resource assessment identified that the lower, western slopes of the parcel near Elkhorn Road support mixed grassland. Here, native and non-native grasses and forbs co-dominate. Wild oat and purple needlegrass intermix, with a predominantly non-native forb component. Other species include suncups, sky lupine, bur clover (*Medicago polymorpha*), mule’s ears and California poppy.

Maritime Chaparral: The biological resource assessment determined that the Project site supports small areas of maritime chaparral. This chaparral is characterized by the presence of brittle-leaved manzanita (*Arctostaphylos crustacea*) and Pajaro manzanita (*Arctostaphylos pajaroensis*). Pajaro manzanita is a rare

evergreen shrub. The chaparral is located on the edge of oak woodland in the central portion of the parcel. Other plant species in the chaparral include sticky monkey flower and grasses and forbs typical to the adjacent grassland.

Coastal Scrub: The biological resource assessment determined that coastal scrub is found on the parcel's northwest-facing slope. The vegetation is dominated by shrubs, such as California sagebrush (*Artemisia pycnocephalus*), coyote brush, sticky monkey flower, poison oak, black sage (*Salvia mellifera*), deerweed (*Acmispon glaber*) and coffee berry. Herbaceous species are common in openings and include native species, such as bracken fern (*Pteridium aquilinum*), soap plant, California horkelia (*Horkelia californica*), California acaena (*Acaena pinnatifida* var. *californica*), mule's ears and coyote mint. Non-native forbs also are prevalent and consist of summer mustard (*Hirschfeldia incana*), ragwort (*Senecio* sp.), dandelion (*Taraxacum officinale*), bull thistle (*Cirsium vulgare*) and yellow star thistle (*Centaurea solstitialis*).

Riparian: The biological resources assessment did not identify a riparian corridors or riparian vegetation within the Project site. However, the U.S. Fish and Wildlife Service ("USFWS") Wetlands Mapper shows a potential riverine feature and potential wetlands within 0.25 miles to the north of the Project site.

#### Special-Status Plant Species

"Species of concern" include those listed by either the Federal or State resource agencies as well as those identified as rare by California Native Plant Society ("CNPS") - List 1B. Biotic Resources Group and Bryan Mori conducted a search of the CNPS and California Natural Diversity Database ("CNDDB") and identifying several species of concern within the greater Project area; including small patches of maritime chaparral including Pajaro manzanita (*Arctostaphylos pajaroensis*), a special status shrub. No other special status plant species were found on sit (**Figure 11b. Special Status Plants**).





Pajaro manzanita (*Arctostaphylos pajaroensis*): Pajaro manzanita is listed as a Rare species (List 1B.1) by CNPS. The species is not listed under the California Endangered Species Act (“CESA”) or the Federal Endangered Species Act (“FESA”). The Pajaro manzanita evergreen perennial shrub occurs in maritime chaparral on sandy soils in northern Monterey County. It is readily identified by its leathery leaves that clasp onto the stems. The species is known from several colonies in the greater project area, including lands north of the subject parcel. A patch of Pajaro manzanita shrub was observed “located on the edge of oak woodland in the central portion” [of Parcel A]... “outside the development area” (Assessment by Biotic Resource Group, prepared May 9<sup>th</sup>, 2023).

The following special status species were not found during the 2022 and 2023 botanical surveys but could occur within the Project area.

- Monterey spineflower (*Chorizanthe pungens pungens*)
- Robust spineflower (*Chorizanthe robusta robusta*)
- Santa Cruz tarplant (*Holocarpha macradenia*)
- Yadon’s rein orchid (*Piperia yadonii*)
- Seaside bird’s beak (*Cordylanthus rigidus ssp. littoralis*)
- Hooker’s manzanita (*Arctostaphylos hookeri*)
- Eastwood’s goldenbush (*Ericameria fasciculata*)

#### Special-Status Wildlife Species

Biotic Resources Group and Bryan Mori determined 11 special-status species may occur on the Project site:

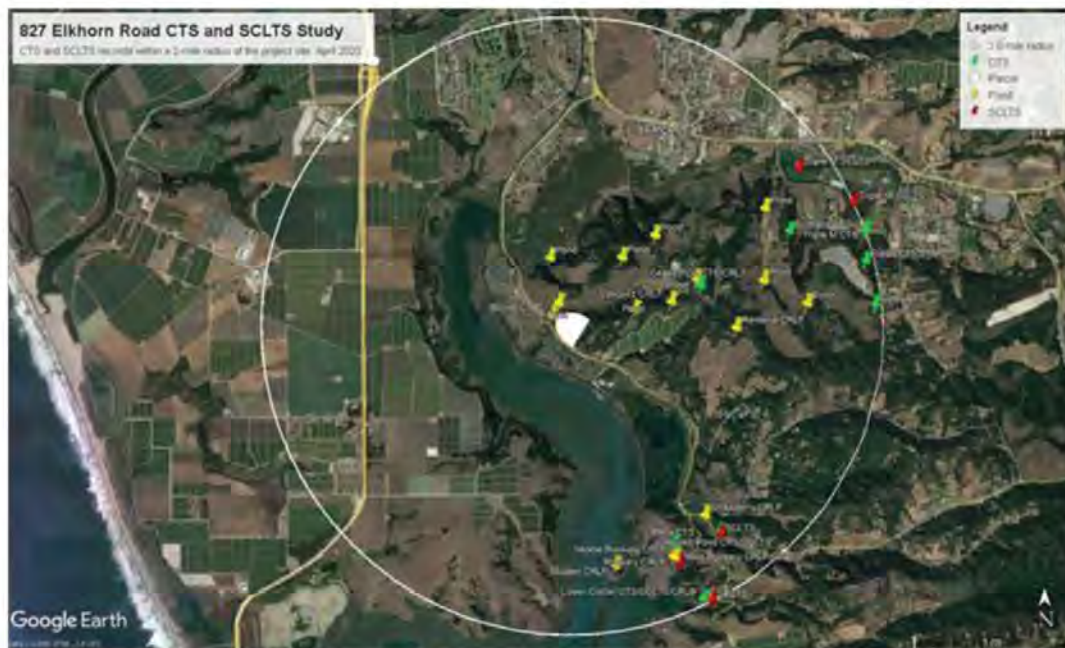
- California tiger salamander (“CTS”) (*Ambystoma californiense*),
- Santa Cruz long-toed salamander (“SCLTS”) (*Ambystoma macrodactylum croceum*),
- California red-legged frog (“CRLF”) (*Rana draytoni*),
- California legless lizard (“CLL”) (*Anniella pulchra*),
- white-tailed kite (*Elanus leucurus*),
- northern harrier (*Circus hudsonius*),
- merlin (*Falco columbarius*),
- loggerhead shrike (*Lanius ludovicianus*),
- Bryant’s savannah sparrow (*Passerculus sandwichensis alaudinus*),
- grasshopper sparrow (*Ammodramus savannarum*) and
- pallid bat (*Antrozous pallida*).

The presence of San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), a state species of special concern, was confirmed on the Project site.

The Project Site is located within the range of the state and federally threatened CTS and state and federally endangered SCLTS. Bryan Mori performed a focused pitfall trapping study during the 2022-2023 winter under Federal Permit TE778668-9 and State Scientific Collection Permit No. 200160021 with prior approval from CDFW and USFWS. The pitfall trap arrays were installed by October 21, 2022; trap monitoring was performed from November 2, 2022, to March 14, 2023. All traps were permanently closed on March 14, 2023 and completely removed by March 31, 2023.

No CTS or SCLTS were recorded during the study (**Figure 12. CTS and SCLTS Study**). Because trapping studies are only valid for one year, an additional year of pitfall trapping was completed during the 2024-2025 winter as requested by CDFW.





Biological Assessment Figure 13. Known CTS and SCLTS Breeding Sites and Potential Breeding Ponds within a 2-mile Radius of the Project Parcel, which is Shown as a White Polygon.

**Table 3. CTS and SCLTS Breeding Ponds within a 2-mile Radius of the Project Site**

Species	Site	Distance from Project Site
California Tiger Salamander	Leaky Pipe Pond	0.85 mile east
California Tiger Salamander	Brother's Pond	1.44 miles east
California Tiger Salamander	Rana Pond	1.54 miles southeast
California Tiger Salamander Santa Cruz Long-toed Salamander	Howell Pond	1.60 miles southeast
Santa Cruz Long-toed Salamander	Triple M Ranch Pond	1.65 miles northeast
Santa Cruz Long-toed Salamander	Main Rookery Pond	1.67 miles southeast
California Tiger Salamander	Elizas Pond	1.82 miles east
Santa Cruz Long-toed Salamander	Triple M Ranch Pond	1.86 miles northeast
California Tiger Salamander	Elizas Pond	1.86 miles east
California Tiger Salamander	Triple M Ranch Pond	1.88 miles northeast
California Tiger Salamander Santa Cruz Long-toed Salamander	Lower Cattail/Upper Cattail	1.94 miles southeast

CTS and SCLTS Study

Source: Biotic Resources Group and  
Bryan Mori Biological Consulting

Figure  
12

The Biologist’s report on results of the 2024-2025 trapping studies was completed April 15, 2025. Trap monitoring was performed from November 2, 2024, to 15 March 15, 2025. On several occasions, traps were lifted in response to flooding from surface flow and soil saturation. All traps were permanently closed on March 15 and completely removed by March 18, 2025. 120 traps were monitored for 32 nights in the study period. No CTS or SCLTS were recorded during the study.

However, five CRLF young of the year (“YOY”) were captured with four of five captures occurring before January 2025. All individuals were measured, photographed and released in suitable habitat on the opposite side of the trapline. The project biologist found the captures surprising, as none were documented during the initial 2022-2023 study; however, they noted that CRLF are widely distributed in the region and they can migrate long distances. The Applicant contacted the US Fish and Wildlife Service (USFWS), Buena Vista Field Station (Chad Mitcham) for early guidance. Per communications with Mitcham, a Habitat Conservation Plan (HCP) would not be requested, given the project proposes to incorporate suitable avoidance measures through this IS/MND.

#### Oak Woodland Resources

James P. Allen & Associates prepared a forest resources assessment for the Proposed Project. The assessment, *Boccone/Igel Residence, APN 181-151-009 Forest Resource Analysis/Construction Impact Assessment/Tree Protection Plan (December 2024)*, evaluated potential impacts associated with the Project’s construction and operation. James Allen conducted site inspections of the Project site between July 8, 2023 and August 1, 2023 with supplemental site inspections conducted between July 12, 2024 and July 27, 2024.

The assessments inspected and inventoried 151 trees growing within or adjacent to the development area. 130 of the trees inventoried meet “Protected” criteria (CIP section 20.144.050.A.1), 27 of the 130 are “Landmark” trees.

“Protected” tree criteria Project is defined as oak trees six inches or more in diameter as measured two ft above ground, madrone trees 6 inches or more as measured diameter at breast height (“dbh”) and any other tree included in the LUP’s native tree list measured 12 inches or more dbh.

“Landmark” trees are trees of any native North County species 24 inches or more in diameter dbh; Landmark oaks are 24 inches diameter (measured two feet above the ground). Landmark trees also include native North County trees which are visually significant, historically significant, or exemplary of their species. Tree removal for the Project is shown in **Table 4-3 Tree Removal Summary**.

**Table 4-3  
Tree Removal Summary**

Quantity of Trees Inventoried	Quantity of Protected Trees Inventoried	Quantity of Landmark Trees Inventoried	“Protected” Trees to be Removed due to Construction Impacts	“Landmark” Trees to be Removed due to Construction Impacts	Trees to be Removed due to Construction Impacts Not “Protected”	Protected Trees to be Removed due to Condition
151	130	27	15	1	3	1
<b>Quantity of Trees to be Removed</b>			<b>20</b>			

Source: James P. Allen & Associates, 2024. Boccone/Igel Residence, APN 181-151-009 Forest Resource Analysis/Construction Impact Assessment/Tree Protection Plan.

James Allen's assessment inventoried 154 trees on the Project site. As discussed, the Project would remove up to 20 Coast Live Oak trees. 15 of the trees proposed for removal meet "Protected" criteria, which requires a Coastal Development Permit and specific findings based on the LUP guidance on tree removal.

The Arborist found that the "Protected" trees proposed for removal are in "fair" to "poor" states of health with poor structure and preservation suitability.

Tree #154 meets the definition of a "Landmark" tree due to the size of its trunk (greater than 24 inches at two ft above ground) and is uprooted, with a small percentage of live foliage remaining. The remaining three trees proposed for removal do not meet "Protected" criteria.

In the Arborist Report (HCD-Planning Library Doc. No. LIB230235), James Allen determined the projected loss of tree canopy represents 0.08-acres or 1.19% of the total property canopy coverage of 10.13 acres. To compensate for Project impacts to oak woodland, the Project would implement oak woodland restoration and enhancement actions as per an approved forest management plan. The Forest Management Plan would include restoration/enhancement of a approximately 0.12 acres of oak woodland within one year after construction of the single-family residence.

To compensate for the removal of up to 15 protected oak trees, the Applicant would be required to replace removed trees on a 1:1 ratio. The landmark tree will be replaced at a 2:1 ratio (**Figure 9a. Tree Removal Plan, Figure 9b. Tree Protection Plan and Figure 13**). The Applicant shall also implement a habitat adaptive care program for habitats located outside the 100-foot defensible space/fuel management area (**Mitigation Measure BIO-9**).

#### Fuel Management

The Project would implement a Fuel Management Plan to control wildfire fuels within 100 ft from all structures on the Project site. The Fuel Management Plan has been prepared to reduce wildfire risk while minimizing impacts on biological resources; and includes the following:

##### Zone 1 – Extending 30 ft from all structures

1. Remove all dead plants, grass and weeds.
2. Remove dead or dry leaves and pine needles from yard, roof and rain gutters.
3. Remove branches that hang over roof and keep branches 10 ft away from chimney.
4. Trim dead portions of tree limbs within 10 ft from the ground.
5. Remove or prune flammable plants and shrubs near windows.
6. Create separation between trees, shrubs and items that could catch fire such as patio furniture, wood piles, etc.
7. Trim trees regularly to keep branches a minimum of 10 ft from other trees. Review by Project Arborist.
8. Trim all limbs within 6 ft of the ground. To be determined and finalized during planning review process in sensitive habitat areas. See note # 3 under Zone 2.
9. Remove all cut material or chip and spread on site.
10. Provide and maintain, at all times, a screen over the outlet of every chimney or stove pipe that is attached to a fireplace.
11. Post house numbers per NCFPD requirements.

##### Zone 2 – Extending 100 ft from all structures

1. Manage vegetation in defensible spaces in a manner sensitive to the biological resources and compatible with CAL FIRE guidelines. To reduce the fire ladder to the tree canopy, maintain a low



(12-18 in tall) understory of native vegetation. Trim tree limbs within 6 ft of ground. Remove tree limbs up to 10 to 15 ft where necessary to create vertical space between bushes and trees per note #3. Leave some logs scattered on bare soil to provide cover for wildlife. All trimming and tree pruning shall be performed under the guidance of the Project Arborist.

2. Remove fallen dead trees, see Requirement #1, Zone 1 above.
3. Create vertical space between grass, shrubs and trees by thinning undergrowth adjacent to trees and/or pruning trees. On moderate slopes 20-40%, horizontal spacing between bushes should be 4x the height of the bush. All undergrowth thinning, tree pruning and woodland thinning must be performed under the guidance of the Project Arborist in the field. Environmentally sensitive areas may require alternative fire protection measures, to be determined by the reviewing agency and the director of planning and building inspection.
4. Remove fallen leaves, twigs, bark, cones and small branches. Care must be taken not to disturb any SF dusty footed woodrat houses as located by the Project Biologist.
5. All Pajaro manzanita occurring within the fire protection zone is to be protected at all times per biotic report and Mitigation Measure BIO-1. Pajaro manzanita and maritime chaparral are never to be pruned, thinned or removed.
6. Project shall be inspected for clearances by NCFPD.

**Biological Resources Impact (a) and (d) Less than Significant with Mitigation:** Subject to these mitigation measures (and followed through the Conditions of Project approval) the Project would not have a substantial adverse effect directly or indirectly through habitat modifications on any species identified as candidate, sensitive, or special status; nor would the Project have a substantial adverse effect on any native resident or migratory fish or wildlife species.

The Project site was found to support Pajaro manzanita (*Arctostaphylos pajaroensis*), a special status shrub; however, the biological assessment determined that the Project would not result in direct impacts to Pajaro manzanita. Entitlements for PLN220229 include a Coastal Development Permit for development within 100 feet of ESHA. Permit approval requires the Project to meet specific CIP criteria. Strict adherence to these criteria will mitigate the Project's potential impacts to the Pajaro manzanita.

The Project site contains habitat that could accommodate other special-status species. Portions of the Project site provide open areas, with loose, sandy soil suitable for Monterey spineflower and Yadon's rein orchid. Occurrence of Yadon's rein orchid has been recorded within one mile of the Project site. Occurrence of Monterey spineflower has been recorded within two miles of the Project site. However, the botanical surveys conducted did not identify occurrences of these species. No other special status plant species were found on site.

The biological assessment determined 11 special-status wildlife species may occur in the Project site. The presence San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), a state species of special concern, was confirmed on the property.

CTS, CLL and SCLTS could occur on the Project site, given its location in the distributional range of these species and their abilities to migrate/disperse over long distances. Since the trapping study is valid only for one year, two years of pitfall trapping were performed during the 2023-2024 and 2024-2025 winters. The project biologist concluded, based on the negative results of the two studies, that the likelihood of CTS, CLL or SCLTS take is very low. However, due to the distribution of these species in the project vicinity, precautionary protection measures should be implemented.

Results for CRLF were positive in the 2024-2025 winter trapping period. A total of five CRLF YOY were captured, with four of five captures occurring before January. After consultation with appropriate USFWS staff, The USFWS indicated that an HCP would not be because the USFWS staff had already reviewed the proposed Biological Resources Mitigation Measures contained in this IS/MND, finding them to be sufficient.

Construction activities, as well as fire management activities needed for defensible spaces, could result in take of CTS, SCLTS, CRLF and CLL, depending on the location and/or period of ground disturbance construction activities (e.g., grubbing, grading, trenching, etc.). As described above, the presence of San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), a state species of special concern, was confirmed on the property. Project construction activities could result in the direct take of woodrat houses.

Project construction could result in short-term, temporary direct and indirect impacts to bats, raptors and other nesting bird species (e.g., wildlife harassment or mortality, nest abandonment, habitat loss) associated with construction activities (e.g., soil compaction, noise, dust, vegetation removal, erosion and sedimentation, hazardous material spills and introduction and spread of non-native, invasive species). These potentially significant impacts can be reduced to less-than-significant by implementation of the mitigations below.

Construction activities could disrupt nesting activities of potential special-status breeding birds such as white-tailed kite, northern harrier, loggerhead shrike, Bryant's savannah sparrow and grasshopper sparrow, along with raptors and other native species nesting adjacent to the Project site. Project removal of trees and/or snags and construction activities beneath and adjacent to potential bat roosts could result in the direct loss of roost sites or abandonment of roosts through noise or vibrations. Maternity roosts are most important as negative impacts can have broad, far-reaching effects, since such roosts are critical for reproduction and can support multiple generations of bats.

Monitoring is a critical component in the success of mitigation measures. Within the measures below, an adaptive care program is used to evaluate the effectiveness of seven years of site management actions and as a tool in determining if management actions should be revised to better reach goals and objectives. The ability to alter management activities based on monitoring results is the primary tenet of the adaptive management process. The Applicant is highly motivated to assist in the long-term sustainable use of and care for the Project site and can be expected to continue this stewardship beyond the required minimum.

**Mitigation Measure BIO-1 (PAJARO MANZANITA).** Pajaro manzanita is considered rare (List 1B.1) by CNPS. The species is considered ESHA in County of Monterey. A patch of Pajaro manzanita shrubs were observed within 100 feet of the construction area on the PLN220229 subject parcel (Project Biological Report, HCD-Planning Library Doc. No. LIB230236). To avoid project-related impacts to Pajaro manzanita, the landowner ("Applicant/Owner" of PLN220229/ APN 181-151-008-000) shall contract a qualified botanist to identify in the field, with stakes and orange construction fencing, all extant occurrences of Pajaro manzanita and maintain protective fencing around these occurrences throughout the residential construction period.

No ground disturbances (e.g., discing, grading, etc.), storage of materials, spoils and staging of heavy equipment shall be allowed within designated environmentally sensitive areas. Applicant/Owner shall submit annual monitoring reports during Years 1-7 to HCD-Planning, describing qualified botanist's prescribed actions for the year, results of annual monitoring visits, including any remedial actions needed or implemented. Reports shall be prepared by Applicant/Owner or their designee, by a qualified botanist, ecologist, or revegetation specialist listed in HCD-Planning's qualified list of specialists. Applicant/Owner is responsible for submitting the reports to HCD-Planning by January 31st following each monitoring year.

**Mitigation Measure BIO-1 Monitoring Action:** Prior to the issuance of any construction permit, Applicant/Owner shall submit photo evidence to HCD-Planning that staking and fencing ensuring avoidance of impacts to Pajaro manzanita has been completed. Annual monitoring reports are to be submitted to HCD – Planning for review and approval by January 31<sup>st</sup> following each monitoring year.

**Mitigation Measure BIO-2: (WILDLIFE PRE-CONSTRUCTION SURVEYS).** Parcels involved in the residential development have potential to provide dispersal and upland habitat for protected wildlife species including CTS, SCLTS, CRLF and CLL as indicated by preliminary biological studies (Mori and Lyons, HCD Planning Library Doc. LIB230236 and addenda) and information obtained from the CNDDDB. To mitigate potential harm to these wildlife species, Applicant/Owner shall avoid impacts to them to the “greatest extent feasible,” as determined by a qualified biologist.

If, after review by a qualified biologist, potential impacts cannot be avoided, Applicant/Owner shall immediately stop work and no work may proceed until authorization is obtained from CDFW and USFWS. An Incidental Take Permit (“ITP”) from the respective Wildlife Agency may be needed to continue work.

To ensure all potential impacts are avoided, a qualified biologist shall survey permanent and temporary impact areas for special status wildlife that could occur on the property no less than 48 hours prior to the start of any vegetation removal or grading.

Pre-construction surveys shall be repeated for any new construction phases beginning at any later time.

Once it is determined, through the biological survey that no sensitive animals are within the impact areas, construction may begin. If any sensitive species found within the impact area or will otherwise be at risk during construction, work activities shall be delayed in that particular area to allow the animal to leave the work zone of its own volition. The biologist shall monitor the identified area to determine when individuals of special-status species have left and work can commence. This measure shall be coordinated with Mitigation Measure BIO-3.

To further accomplish avoidance and/or required permitting, a qualified biologist shall perform a pre-construction survey for CTS, SCLTS, CRLF and CLL within 72 hours of project start. The pre-construction survey shall focus on searching beneath cover objects, such as large rocks, downed logs and other woody debris and boards, etc., within the project site work limits (e.g., staging/storage areas, access roads and grading envelope). If any individuals are found to be at risk during construction, work activities shall stop and be postponed to allow the animal(s) to leave the work zone on its/their own volition.

If CLL are observed on-site, the biologist shall direct their relocation to an appropriate habitat out of harm’s way (location to be determined by the biologist). Handling of CLL and other special-status species shall be performed only by a permitted biologist and as approved by CDFW and USFWS.

If CTS, SCLTS or CRLF are found during any construction phase, the Applicant/Owner or their designee shall immediately notify CDFW and USF. All site work shall stop immediately and be postponed until authorization to proceed has been obtained from CDFW and USFWS.

*Pre-Construction Biologist Report* - The biologist shall submit to the County a report detailing the methods and results of the wildlife preconstruction surveys. The report shall detail any sensitive species found during the survey and measures taken to avoid all harm to those species. Observations of special-status species shall be submitted to the CNDDDB. The report shall be submitted to state and federal agencies (if required) and the County of Monterey HCD within 30 days of identification of any on-site sensitive species.

**Mitigation Measure BIO-2 Monitoring Action:** Prior to the issuance of any construction permit, Applicant/Owner shall submit a contracted, qualified biologist's Scope of Work reflecting the requirements of Mitigation Measure BIO-2. Within one month of the start of construction, Applicant/Owner shall submit preconstruction survey results to HCD-Planning and any required state and federal agencies.

**Mitigation Measure BIO-3 (EXCLUSION FENCING).** Parcels involved in the residential development have potential to provide dispersal and upland habitat for protected wildlife species including CTS, SCLTS, CRLF and CLL as indicated by preliminary biological studies (Mori and Lyons, HCD Planning Library Doc. LIB230236 and addenda, and information obtained from the CNDDB). To mitigate potential harm to these wildlife species, Applicant/Owner shall avoid impacts to the greatest extent feasible with installation of exclusionary fencing.

If ground disturbing work cannot be completed prior to the first fall rains approximately mid-October), but no later than 48-hours prior to the prediction of unseasonable rainfall of a minimum 0.25 inches, Applicant/Owner shall encircle the entire perimeter of work sites with exclusion fencing to prevent CTS, SCLTS and CRLF from moving into work areas.

Exclusion fencing shall incorporate a one-way design with backfilled gaps to allow for wildlife within the enclosures to move out of work areas. 3 ft x 3 ft cover boards shall be placed every 100 ft along the inside and outside lengths of the fence to provide shelter for wildlife travelling along the fences. Standard silt fence material can be used for the exclusion fence. The silt fence should be buried a minimum 6 inches below grade.

If an entrance is needed for workers or machinery access, a removable, minimum 6-inch tall wood plank shall be placed across the gap, secured with stakes or rebar at the end of each day's work for a two-week period following rainfall. Fence installation shall be checked by a qualified biologist at least weekly to ensure appropriate installation, upkeep or to implement recommendations if improvement is needed.

**Mitigation Measure BIO-3 Monitoring Action:** Prior to the issuance of any construction permit, Applicant/Owner shall submit a contracted qualified biologist's Scope of Work reflecting the requirements of Mitigation Measure BIO-3. Within one month of the start of construction, Applicant shall update HCD – Planning regarding the status of the exclusion fencing, including site photographs and a bird's eye view sketch of the construction site.

Prior to fencing removal, Applicant/Owner shall submit the status of the exclusion fencing in the same manner with a memorandum including the biologist's recommendations regarding the appropriate time to remove the fencing.

**Mitigation Measure BIO-4 (CONSTRUCTION CREW TRAINING).** The subject parcel has potential to provide dispersal and upland habitat for special-status wildlife species as indicated by preliminary biological studies and information obtained from the CNDDB including CTS, SCLTS, CRLF and CLL.

To mitigate potential harm to these wildlife species, Applicant/Owner shall avoid impacts to the greatest extent feasible as determined by a qualified biologist. To avoid this harm, prior to the project's start, a qualified biologist shall present an "endangered species environmental training" to all construction workers. The training shall include distribution of a handout in English (and Spanish and/or other appropriate language, depending on crew makeup) addressing the natural history and legal status of all species of concern which may potentially occur on-site.

The education must focus on protection measures to be implemented as part of the project. Following the training all workers shall sign a certification of attendance. Applicant/Owner shall maintain this certificate of attendance with their records. All workers must be trained, prior to working on the project site, either by the qualified biologist or previously trained site supervisor. Any worker(s) added to the construction crew after the initial training shall also be trained before they are allowed to work onsite.

Within 30 days of training, the project biologist shall submit a memorandum describing the worker training to the County of Monterey HCD – Planning and State and Federal agencies (if required). Applicant/Owner shall submit initial training and any subsequent training sign-in sheets to HCD within 30 days.

**Mitigation Measure BIO-4 Monitoring Action:** Prior to the issuance of any construction permit, Applicant/Owner shall submit a Worker Environmental Awareness Program draft document to HCD – Planning for review and approval. Within 30 days of construction start, the project biologist shall submit a memorandum describing the worker training to State and Federal agencies (if required) and the HCD. The Applicant/Owner shall submit initial training and any subsequent training sign-in sheets to the HCD within 30 days.

**Mitigation Measure BIO-5: (BIOLOGICAL MONITOR).** Parcels involved in the residential development have potential to provide dispersal and upland habitat for special-status wildlife species as indicated by preliminary biological studies and information obtained from the CNDDDB including CTS, SCLTS, CRLF and CLL. To mitigate potential harm to these wildlife species, Applicant/Owner shall avoid impacts to these species, by contracting a qualified biologist, to ensure all handling of wildlife is done by a permitted biologist with State and Federal agency authorization.

To accomplish this, Applicant/Owner shall ensure a qualified biologist is present to monitor activities at the project site during initial vegetation removal and grading activities. Once the vegetation removal and initial grading activities have been completed, subsequent construction monitoring may be performed by the construction site supervisor.

All open trenches and potholes must have ramps or other features installed to allow for entrapped wildlife to escape. Trenches or potholes that cannot accommodate escape ramps must be covered at the end of each workday, then inspected by the construction supervisor at the start of each workday. If entrapped wildlife is observed by the Applicant/Owner, construction workers the Applicant/Owner or construction crew supervisor shall immediately contact the monitoring biologist to capture and relocate the species out of harm's way (as determined by a qualified biologist) into suitable habitat. If special-status species are observed by the crew or site supervisor during construction activities, all work in the immediate area must cease immediately and the qualified biologist (possessing the appropriate handling permit(s) shall be contacted to capture and relocate individuals out of harm's way.

No work may resume until approved by the qualified biologist. No work crew member shall handle wildlife. Following any unseasonable rains of 0.25 inches or greater, a qualified wildlife biologist shall inspect around storage piles, under vehicles parked overnight and all open holes and trenches at the beginning of each workday to check for wildlife.

Grading and other earthwork (e.g., grubbing, trenching, potholing, etc.) during all project phases (e.g., access road, water line, building pad, septic, etc.) shall be performed later than April 15 and prior to the first fall rains, likely around mid-October. If a phase of ground disturbance activities cannot be completed in this timeframe, the phase shall resume the following spring. No winter season earthwork shall be permitted.



**Mitigation Measure BIO-5 Monitoring Action:** Prior to the issuance of any construction permit, Applicant/Owner shall submit a contract Scope of Work to HCD – Planning for review and approval demonstrating the Applicant/Owner has retained a qualified biologist to conduct pre-construction survey, oversee the installation of exclusionary fencing and provide on-going construction phase monitoring, meeting the Mitigation Measure BIO-5 requirements, including photographic evidence of installation of wildlife entrapment avoidance mechanisms and trench covers. The Applicant/Owner shall maintain records of all daily monitoring activities and shall provide copies of all monitoring reports to HCD – Planning upon request and upon conclusion of the construction activities.

**Mitigation Measure BIO-6 (NESTING BIRD SURVEYS).** Special status bird species (including white-tailed kite (*Elanus leucurus*), northern harrier (*Circus hudsonius*), merlin (*Falco columbarius*), loggerhead shrike (*Lanius ludovicianus*), Bryant's savannah sparrow (*Passerculus sandwichensis alaudinus*) and grasshopper sparrow (*Ammodramus savannarum*)) were found by a qualified biologist to have potential nesting sites near the project site during its construction (Biological Report, HCD-Planning Library Doc. No. LIB230236).

To avoid impacts to special status nesting birds, a qualified biologist shall perform pre-construction nesting bird surveys no more than one week before scheduled start of any construction activities. The nesting survey, performed by a qualified biologist, shall cover the project site.

Because nesting raptors may require buffers of a minimum 350-foot radius, a memorandum describing the survey results will be submitted to state and federal agencies (if required) and HCD-Planning within 30 days of the survey.

If active nests are observed, the nest site shall be flagged and a buffer established to prevent nest failure. The buffer widths shall be determined by the qualified biologist, based on species, site conditions and anticipated construction activities. In no case shall the buffer be less than 350 feet.

Active nests shall be monitored at a frequency determined by the monitoring biologist, but no less than once per week, until the nestlings have fledged. If any construction activities appear to be interfering with nest maintenance (e.g., feedings and incubation), the buffers shall be enlarged or nearby construction activities postponed, until the young have fledged, as determined by the qualified biologist.

**Mitigation Measure BIO-6 Monitoring Action:** Prior to the issuance of any construction permit, Applicant/Owner shall submit a contract Scope of Work to HCD – Planning for review and approval demonstrating Applicant/Owner has retained a qualified biologist to conduct preconstruction nesting bird surveys meeting the requirements of Mitigation Measure BIO-6. Within 30 days of construction start, the project biologist shall submit a memorandum describing the results of the preconstruction survey to HCD – Planning for review and approval.

**Mitigation Measure BIO-7 (BAT SURVEYS).** Special status bat species including the pallid bat (*Antrozous pallida*) were found by a qualified biologist to potentially roost near the project site during construction activities (Biological Report, HCD-Planning Library Doc. No. LIB230236). To avoid impacts to bats, no more than two weeks prior to the anticipated start of construction activities, a qualified biologist shall survey the trees and snags in and immediately adjacent to the work areas for bat roosts. If bats are found to be present, the biologist shall provide to the Applicant/Owner and their construction team a set of recommendations to implement, which may include buffer zones, installation of exclusion devices and/or scheduling constraints, depending on whether maternity, bachelor, or night roosts are identified.

If a single bat and/or only adult bats are roosting, construction activity may proceed after the bats have been safely excluded from the roost. Exclusion techniques shall be determined by the biologist and depend on roost type. Applicant/Owner shall ensure the recommendations are followed: the biologist shall prepare a memorandum describing the survey results, identified bat protection measures and their duration. Applicant/Owner shall submit the memorandum to HCD-Planning and State and Federal wildlife agencies (if required) within 30 days of construction start. Bat protection measures shall be followed for the period prescribed by the qualified biologist.

**Mitigation Measure BIO-7 Monitoring Actions:** Prior to the issuance of any construction permit, Applicant/Owner shall submit a contract Scope of Work to HCD – Planning for review and approval demonstrating the Applicant/Owner has retained a qualified biologist to conduct pre-construction bat surveys meeting the requirements of Mitigation Measure BIO-7. If bats are found to be present, Applicant/Owner shall ensure a memorandum including the bat survey results, identified bat protection measures and their duration are submitted to HCD – Planning for review and approval. On an ongoing basis during construction, bat protection measures provided in an HCD-Planning approved memorandum shall be followed.

**Mitigation Measure BIO-8 (MONTEREY DUSKY FOOTED WOODRAT).** The Monterey dusky-footed woodrat (“MDFW”) is listed as a “California Species of Special Concern”; there is evidence that individuals of the species occupy the subject parcel. To reduce the potential impact to MDFW, avoidance and/or removal of the MDFW shall be employed.

A qualified biologist shall perform a pre-construction survey for MDFW houses within the project work boundaries and a 25-foot buffer around the project site perimeter. The biologist shall flag the nests and establish buffers around each MDFW house observed. The buffer width should be determined by the qualified biologist, but shall not be less than 20 ft. If a MDFW house is present within the work area and cannot be avoided, the qualified biologist shall contact CDFW for approval to implement a woodrat relocation plan, which may include live trapping and/or the construction of alternate houses in adjacent suitable habitat. The woodrat relocation plan must be implemented by a qualified biologist possessing a Scientific Collection Permit authorizing the handling of MDFW. Authorization by CDFW must be obtained prior to the implementation of this measure.

Post-relocation monitoring may be required by CDFW, as part of the plan. A memo describing the survey results shall be submitted to state and federal agencies (if required) and the County Housing and Community Development Department within 30 days of MDFW treatment.

**Mitigation Measure BIO-8 Monitoring Action:** Prior to the issuance of any construction permit for this development, Applicant/Owner shall submit the results of the MDFW pre-construction survey to HCD – Planning for review and approval.

**Mitigation Measure BIO-9 (HABITAT ADAPTIVE CARE AND CONSERVATION SCENIC EASEMENT DEED [CRLF]).** Parcel A had positive results for California red-legged frog (“CRLF,” *Rana draytoni*) as indicated by a 2024-2025 pitfall trapping study of the Project site (Mori, 2025, HCD-Planning Library Doc. No. LIB230236).

To mitigate potential CRLF migration interruption, Applicant/Owner shall:

1) design curbs to avoid creating barriers to movement. Wherever curbs are proposed, they shall be designed as rounded curbs or angled curbs of 60 degrees or less to avoid creating movement barriers for amphibians. Drainage systems shall be designed to incorporate the use of French drains which avoid grated openings to unintentionally capture amphibians. Avoid grates with ¼ inch openings or greater or incorporate the use of

mesh screens. HCD-Planning will only approve construction permits which incorporate these designs into the construction plans.

2) implement the Habitat Adaptive Care Program outlined below and

3) dedicate a conservation scenic easement (“CSED”) for an area of oak woodland and mixed grassland of approximately 3:1 ratio to the area of CRLF dispersal habitat which the project permanently impacts.

Habitat Adaptive Care Program. Applicant shall implement an adaptive care program within habitat areas to achieve the following goals and objectives:

1. Protect habitats (oak woodland, mixed grassland, costal scrub, maritime chaparral) located outside the 100-foot fuel management zone (Figure 16 of the biological assessment) and ensure CRLF habitat is high-quality by implementing the following:
  - a. Within oak woodland, maritime chaparral and coastal scrub implement a management program that benefits oak woodland growing conditions and stimulates expression of native trees, shrubs and groundcovers. The identified best management practice is to avoid removal of native plant species and decrease the cover of target invasive non-native species. Within the mixed grassland implement a management program that benefits native perennial grasses and native forbs (i.e., wildflowers). The identified best management practice is mowing in the spring season that reduces the growth/seed production of annual, non-native grasses and forbs. Revegetate the temporarily disturbed Mixed Grassland with a native grass and forb seed mix. Suitable grass species include California brome (*Bromus carinatus*), purple needlegrass (*Stipa pulchra*), California oatgrass (*Danthonia californica*) and blue wild rye (*Elymus glaucus*). Forbs shall also be added to the seed mixture, such as common yarrow (*Achillea millefolium*), California poppy (*Eschscholzia californica*) and sky lupine (*Lupinus nanus*).
  - b. The soil stockpile area shall receive erosion control treatment after placement and be revegetated to grassland. A native grass and forb seed mix shall be applied prior to the fall rains, approximately mid-October. Suitable grass species include California brome (*Bromus carinatus*), purple needlegrass (*Stipa pulchra*), California oatgrass (*Danthonia californica*) and blue wild rye (*Elymus glaucus*). Forbs shall also be added to the seed mixture, such as common yarrow (*Achillea millefolium*), California poppy (*Eschscholzia californica*) and sky lupine (*Lupinus nanus*).
  - c. Target species observed or with potential to occur on the parcel are listed within Table 6 of the biological assessment; additional invasive plant species may be identified in the future. Manual removal techniques will be used and depending upon the species, actions will include hoeing, cutting, hand-pulling and/or weed-whipping.
2. Monitor. Applicant along with a qualified botanist, ecologist, or revegetation specialist (as needed), will inspect the seeded grassland areas one year after seed application. Plant cover will be measured; if plant cover is less than 60%, remedial actions will be implemented, such as supplemental seeding. An inspection report, describing site conditions and plant cover, shall be prepared by the Applicant/Owner, with the services of a qualified botanist, ecologist, or revegetation specialist (as needed); the landowner will be responsible for submitting the report to the County of Monterey HCD-Planning by the end of January following each monitoring year.
3. In all areas, Applicant/Owner shall implement actions to remove/control invasive, non-native plant species. Applicant shall confer with a qualified restoration specialist, as needed, to determine the most effective methods for removing and controlling the target invasive species within the area(s) and remove materials from the site. The removal of invasive plant species will likely require several consecutive treatments as new seedlings of invasive plants such as Italian

and bull thistles and French broom can sprout each spring and summer until the seed bank is exhausted. Additional invasive plant species beyond Table 6 of the biological assessment may be identified in the future.

4. Applicant/Owner shall manage habitats on the property in a manner conducive to protection of native wildlife species. Achieve this goal by implementing the following:
  - a. Prior to removal of invasive, non-native plant species conduct a walking survey to identify active bird nests and MDFW houses such that impacts to nests are avoided during invasive plant removal.
  - b. All round-disturbing activities shall occur only between April 15 and the onset of fall rains (usually mid-October) to avoid affecting animals that may be overwintering in the woodland understory or within burrows in the grassland.
5. Applicant/Owner shall provide to HCD-Planning annual monitoring reports during Years 1-7 describing yearly actions, results of monitoring and remedial actions needed or implemented. Applicant/Owner utilizing the services of a qualified botanist, ecologist, or revegetation specialist (as needed), shall periodically inspect the habitats at least once a year during Year 1-7. The inspections shall assess how the habitat management actions are proceeding and identify any problems or potential problems that may exist. During these inspections, Applicant/Owner (and specialist, as needed) shall look for plant damage, document compliance with program objectives and make recommendations to correct any significant problems or potential problems.

The inspection visits will also be used to document the need to change or adjust revegetation plan actions (i.e., altering the maintenance schedule, adding extra weed control visits, increasing or reducing the frequency or amount of irrigation water, etc.).

The progress of invasive non-native plant species removal shall be ascertained during the inspections, with a trend of decreasing cover/occurrences each year. Natural revegetation is expected to occur in areas where invasive, non-native plant species have been removed. Native seeds in the soil seedbank will likely colonize the treated areas.

Photos shall be taken of the habitat area(s) at least once a year in Years 1-7. Photos will be taken from the same vantage point and in the same direction every year; a minimum of ten photo points shall be established. The location and photo direction of each photo stations shall be established in Year 1, which shall be the first year following Planning Permit issuance. The photos shall reflect the findings discussed in the monitoring report.

Annual reports for monitoring Years 1-7 shall present data on the habitat area(s), actions implemented, the progress toward meeting program goals and any remedial actions required.

Applicant/Owner shall prepare monitoring reports, with the services of a qualified botanist, ecologist, or revegetation specialist (as needed); Applicant/Owner will be responsible for submitting the annual reports to the County of Monterey HCD-Planning by January 31<sup>st</sup> following each monitoring year.

Conservation Scenic Easement Dedication: Prior to issuance of any construction permits for Parcel A, Applicant shall dedicate a conservation scenic easement (“CSE”) for an area of oak woodland and mixed grassland of approximately 3:1 ratio to the area of CRLF dispersal habitat impacted by the Project. The

approximately 1-acre CSE area shall be chosen with the services of a qualified biologist or ecologist to best preserve an area that is of the highest quality for CRLF.

The CSE shall be conveyed to the County of Monterey. The Conservation Scenic Easement Deed (“CSED”) shall describe the area in which no structures shall be placed but which shall allow Habitat Adaptive Care Program activities and fire fuel management. The CSED shall be submitted to, reviewed and approved by the Chief of Planning and accepted by the Board of Supervisors.

Prior to issuance of building permits, the Owner/Applicant/Certified Professional shall submit the CSED and corresponding map, showing the exact location of the easement on the property along with the metes and bound description developed in consultation with a certified professional, to HCD - Planning for review and approval. Prior to or concurrent with building permits final, the Owner/Applicant shall provide recording fees for County Clerk to record the CSED.

**Mitigation Measure BIO-9 Monitoring Actions:** Prior to the issuance of any construction permit, Applicant 000 shall submit all design plans that include curb design to HCD – Planning for review. Prior to final permit approval, Applicant/Owner shall provide photographic evidence to HCD-Planning staff that the design elements described in BIO-9 have been fully incorporated into construction.

Applicant/Owner shall implement an adaptive care program within habitat areas for at least 7 years following issuance of the Planning Permit. Prior to removal of invasive, non-native plant species, Applicant/Owner, along with the services of a qualified biologist, or other specialist (as needed); shall conduct a walking survey to identify active bird nests and MDFW houses to ensure impacts to nests are avoided during invasive plant removal. Applicant/Owner shall implement ground-disturbing activities only between April 15 and the onset of fall rains (usually mid-October) to avoid affecting animals that may be overwintering in the woodland understory or within grassland burrows. In grassland and soil stockpile areas, if plant cover is less than 60% one year after construction final, remedial actions shall be implemented, such as supplemental seeding.

Remedial actions shall continue for a 7-year period from Planning Permit issuance. All monitoring reports shall be submitted to HCD – Planning within one month of the end of each of the 7 years.

**Mitigation Measure BIO-10 (OAK WOODLAND RESTORATION).** The Arborist Report for the Project (HCD-Planning Library Doc. No. LIB230235) projected a 0.08-acre loss of oak woodland tree canopy, which represents or 1.19% of the total property canopy coverage of 10.13 acres.

To compensate for Project impacts to oak woodland, Applicant/Owner shall develop and implement an oak woodland restoration, enhancement and revegetation plan consistent with the biological resources report and arborist report. The plan shall provide a 3:1 restoration or enhancement to impact ratio. This ratio will provide suitable mitigation by replacing native oak woodland impacted by construction.

The plan shall:

1. Specify restoration/enhancement of a minimum of 0.12 acres of oak woodland concurrent with, or within one year after development of the single-family residence. The primary restoration actions will be done in concert with Mitigation Measure BIO-9: removal/control of invasive, non-native plant species, reduction of annual, non-native annual grasses; seasonal weeding and mowing of restored area(s) in the oak woodland. The oak woodland plan shall specify oak tree replacement planting at a minimum 1:1 replacement ratio for “protected” trees and 2:1 ratio for “landmark” oak trees and adhere to the Project Forest Management Plan for tree protection requirements.



2. Include a program to establish oak replacement plantings and sapling recruits to meet a 60% survival rate, as outlined in the arborist's Forest Management Plan. The plan shall include implementation of a revegetation program within the designated oak recruitment area that establishes the required number of oak trees.
3. Implement a 7-year revegetation maintenance program for the planted and recruited oak trees. Provide a minimum of three years of supplemental irrigation during plant establishment period (i.e., Year 1-3). Maintain a yearly 60% survival rate for installed trees for 7 years, implementing remedial actions (i.e., replanting) if necessary, to maintain the required plant survival rate each year. The 7-year period shall start upon Planning Permit issuance. All monitoring reports shall be submitted to HCD – Planning within one month of the end of each of the 7 years.

**Mitigation Measure BIO-10 Monitoring:** Prior to building final inspection, Applicant/Owner shall submit to HCD-Planning for review and approval a final oak woodland restoration, enhancement and revegetation plan developed by a qualified biologist/arborist.

Remedial actions shall continue for a 7-year period from Planning Permit issuance. All monitoring reports shall be submitted to HCD – Planning by the end of January following each monitoring year.

Implementation of **Mitigation Measure BIO-1** through **Mitigation Measure BIO-10** will reduce potential impacts to the species discussed above to a less than significant level.

**Biological Resources Impact (b) and (c) Less than Significant with Mitigation:** The Project will not have a substantial adverse effect on any riparian habitat, wetlands, or other sensitive natural communities. No riparian habitat or wetlands were identified within the Project site. The Project will not have a substantial adverse effect on state or federally protected wetlands as none exist within the Project site. The Project site is on the upper portion of a ridge, approximately 1,200 ft east of Elkhorn Slough.

Potentially adverse indirect impacts may occur through erosion, sedimentation and introduction of hazardous materials. To minimize construction-generated water quality impacts, the contractor/engineer shall implement standard construction BMPs and is required to comply with Monterey County requirements for water-quality impacts. Additionally, project design Project shall direct drainage away from structures, septic systems and away from steep slopes and utilizing dispersion trenches and other energy reducing features for reducing runoff and erosion (**Section VI.10 Hydrology and Water Quality**).

The Project does support habitats are considered “sensitive” for ecological reasons including oak woodland, coastal scrub, maritime chaparral and native grassland. The Project does impact oak woodland and mixed grassland habitats. As shown in **Table 4-2 Impacts to Habitat**, the Project will result in a temporary impact of 0.089 acres of habitat with a permanent impact of 0.04 acres of sensitive habitat.

Additionally, as shown in **Table 4-3 Tree Removal Summary**, the Project would require the removal of oak trees. The Project includes application for a Coastal Development Permit for removal of up to 20 Coast Live Oak trees and a Coastal Development Permit for development within 100 ft of a Pajaro manzanita and oak woodland ESHA.

These potentially significant impacts can be reduced to less than significant with implementation of **Mitigation Measure BIO-1** through **Mitigation Measure BIO-10** described above.

**Biological Resources Impact (e) Less than Significant with Mitigation:** The Project, as mitigated, will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation

policy or ordinance. The Project site includes maritime chaparral and oak woodland vegetation types, designated as sensitive resources in the LUP.

Forest Resources Policy 2.3.3.A.4 requires development on North County parcels within oak woodland habitat to minimize the amount of oak tree removal to that required for construction of structures and access road. While the Project proposes removal of 20 coast live oaks and contains native habitat (i.e., ESHA), the Project has been designed to either 1) avoid development within these sensitive natural communities and 2) enhance woodlands and replace trees on the site consistent with the recommendations and mitigation measures identified in the biological resource assessment and Forest Management Plan.

CIP section 20.144.040.C.1.e describes protection of oak woodland within the Environmentally sensitive habitat development standards. This section also provides regulations for development within 100 feet of maritime chaparral. The Project involves construction within 100 feet of maritime chaparral. Impacts to maritime chaparral are avoided and significant impacts to oak woodland are minimized and mitigated, as discussed in this section. See **Mitigation Measure BIO-1** through **Mitigation Measure BIO-10**, above.

The site is designated as an ESHA, however, areas proposed for construction and operation avoid Pajaro manzanita, a protected plant, and development is sited to minimize impact to oak woodland. The Project will result in net benefits to these environments as construction will move infrastructure away from sensitive areas (i.e., Pajaro Manzanita) and restore the site through oak woodland restoration and invasive species eradication efforts.

Implementation of mitigation measures identified in this study ensure temporary impacts during construction are minimized and protection, restoration and management plans are established and adequately implemented to minimize operational impacts.

**Biological Resources Impact (f) No Impact:** The Project does not conflict with the provisions of an adopted habitat conservation plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plans. Development on or within the vicinity of the site is governed by several documents including the LUP and the CIP.

Overall, the Project shall have a less than significant impact on Biological Resources through the application of Mitigation Measure BIO-1 through BIO-10 and the application of standard County and State regulations.

5. CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? (sources: 18, 26, 27, 28, 37)	<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? (sources: 18, 26, 27, 28, 37)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## 5. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Disturb any human remains, including those interred outside of dedicated cemeteries? (sources: 18, 26, 27, 28, 37)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

The southern portion of the Project Site along Elkhorn Road is in an area of high archaeological sensitivity, the remaining portion of the Project site has low archeological sensitivity. The Dudek archaeological assessment Project (HCD-Planning Library Doc. No. LIB240019). The reports, *Archaeological Assessment Results for Elkhorn Road Driveway Water Line and Septic Field Improvements, Monterey County (January 2024)* presents the results of the archaeological records searches, results of the Phase I inventory, results of local Native American and Tribal outreach and recommendations.

The Dudek Report discussed the Paleo-Indian era (pre-8000 cal BC) as representing people's initial occupation of the region which is quite sparse across the Central Coast region. Evidence of this era is generally found through isolated artifacts or sparse lithic scatters.

Possible evidence for Paleo-Indian occupation is reported north of the site at Wilder Ranch and Scotts Valley, where traditional interpretation of the Paleo-Indian is that they were highly mobile hunters of large mammals. Other archaeologists propose that the earliest inhabitants of the Central Coast region focused their economic pursuits on coastal resources. Archaeological sites that support this hypothesis are mainly from locations in southern Central Coast. More Paleo-Indian sites in the northern Central Coast region may exist but have been inundated by rising ocean levels during the Holocene.

The Dudek Report discussed human occupation of the northern Central Coast being archaeologically more common and often found in estuarine settings along the coast or along river terraces inland and are present in both Monterey and Santa Cruz Counties in what archaeologists consider the Early Period (3500 to 600 cal BC). The Middle period occupants of the northern Central Coast used more technology to hunt and collect species include small schooling fishes, sea otters, rabbits and plants such as acorn (600 cal BC to cal AD 1000). Archaeologists find the Middle-Late Transition (cal AD 1000-1250) corresponds with social reorganization across the region, responses to rapid climate shifts and a decline in regional populations. Late Period (cal AD to 1250-1769) artifacts indicate to archaeologists that the northern Central Coast occupation tended to be semi-sedentary and focused on resource acquisition; encampments related to processing resources with seasonal availability.

In the late period, the Dudek report indicated that *Tiuvta in Calendaruc* people controlled the shore of Monterey Bay from present day Moss Landing in the south to a point about halfway between present day Aptos and the Pajaro River, a territory that includes the Project area.

The Dudek report concluded the site did not include any historic resources, nor was it probable that Project implementation would cause a substantial adverse change in the significance of any archaeological resource. A pedestrian survey conducted on December 29, 2023, yielded no cultural resources.

**Cultural Resources Impact (a) No Impact:** CEQA Guidelines Sec. 15064.5 defines a historical resource as one being listed in or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources. Public Resources Code Section 21084.1 states that a project that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment.

The Project does not contain a historical resource nor is the Project located near a historical resource. As a result, the Project does not have an impact on historical resources.

**Cultural Resources Impact (b) Less than Significant:** Public Resources Code Section 21083.2 requires that lead agencies evaluate potential impacts to archaeological resources and determine whether a project may have a significant effect or cause a substantial adverse change in the significance of an archaeological resource.

A records search through the Northwest Information Center of the California Historical Resources Information System (“NWIC”) was conducted on December 19, 2023 and found no archeological resources previously recorded in the Project site and found one (1) resource within 0.25 miles of the Project Site, located approximately 800 ft east on the south side of Elkhorn Road.

A Native American Heritage Commission (“NAHC”) Sacred Lands File (“SLF”) search was conducted in December 2023 and reported negative results for tribal cultural resources. A pedestrian survey for the Project was conducted on December 29, 2023, which yielded no cultural resources. Although the records search and pedestrian survey determined no known cultural resources in the Project Site, ground disturbing activities could potentially impact previously unknown or buried archaeological resources. While unlikely, the possibility of disturbing previously unknown archaeological resources represents a potentially significant impact that would be minimized with implementation of Monterey County Condition of Approval #3 –“ PD003(A) Cultural Resources Negative Archaeological Report” which requires that work be halted immediately in the event a cultural, archaeological, historical, or paleontological resource is uncovered during construction. Therefore, the Project would have a less than significant impact.

**Cultural Resources Impact (c) Less than Significant:** No human remains, including those interred outside of a dedicated cemetery, are known to occur on the Project site. As a result, finding human remains during construction would be unlikely. Nevertheless, while unlikely, the Project could impact previously unknown human remains. The implementation of a standard Monterey County Condition of Approval requiring that work halt immediately in the event of the discovery of any human remains would ensure less than significant impacts. This condition further requires that no excavation or ground-disturbing activities shall occur at the site or nearby area until the Monterey County coroner has been contacted in accordance with Section 7050.5 of the California Health and Safety Code. If the coroner determines that the human remains are of Native American origin, the appropriate Native American tribe shall be contacted to provide recommendations for the disposition of the remains. Work will not resume in the immediate area of the discovery until such time as the remains have been appropriately removed from the site. Therefore, this represents a less than significant impact with mitigation.

The Project would have a less than significant impact on Cultural Resources through the application of standard County Planning condition of approval No. 3.

<b>6. ENERGY</b>				
<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (sources: 27, 28, 33, 34, 35)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (sources: 27, 28, 33, 34, 35)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

The Project includes a rooftop array of solar panels, an energy storage system and backup generator to provide electrical power generation and does not propose any connection to an existing electrical grid.

**Energy Impact (a) and (b) Less than Significant:** The Project would not result in a potentially significant environmental effect due to the wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during construction or operation. Project construction Project will require energy for materials procurement and transportation along with site preparation (e.g., minor grading, materials hauling).

Petroleum-based fuels such as diesel fuel and gasoline would be the primary sources of energy for these activities. The construction energy use has not been quantified. However, construction will not cause inefficient, wasteful, or unnecessary consumption of energy because 1) the construction schedule and process is designed to be efficient to avoid excess monetary costs and 2) energy use required to complete construction is temporary in nature.

Operation of the Project would not result in a significant increase in energy, as the project consists of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage and associated improvements. The Project includes construction and operation of a rooftop solar system to provide electrical power on-site and will not connect to an existing electrical grid.

Project construction shall comply with the current California Building Code, which include energy efficiency standards (Title 24, Part 6) minimizing wasteful, inefficient, or unnecessary consumption of energy resources during operation. Additionally, the Project will be required to comply with the California Green Building Standards Code ("CalGreen"), which establishes mandatory green building standards for all buildings in California. For these reasons, this represents a less-than-significant impact.

The Project will have a less than significant impact on Energy through the application of standard County and State regulations during construction permitting.



<b>7. GEOLOGY AND SOILS</b>				
<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (sources: 7, 20, 25, 26, 33, 36, 41, 42, 43)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking? (sources: 7, 20, 25, 26, 33, 36, 41, 42, 43)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (sources: 7, 20, 25, 26, 33, 36, 41, 42, 43)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides? (sources: 20, 25, 26, 33, 36, 41, 42, 43)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (sources: 20, 25, 26, 33, 36, 42, 43)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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? (sources: 7, 20, 25, 26, 33, 36, 42, 43)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property? (sources: 20, 25, 26, 33, 36, 42, 43)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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? (sources: 20, 25, 26, 33, 36, 42, 43)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (sources: 9, 20, 26, 33, 36, 37)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### **Discussion/Conclusion/Mitigation:**

Rock Solid Engineering, Inc. prepared a geotechnical investigation for the Project. The investigation, *Geotechnical Investigation Proposed Residence and Workshop 827 Elkhorn Road Royal Oaks, California*

APN: 181-151-009-000 (June 2023), evaluated potential impacts associated with the Project's construction and operation. Rock Solid Engineering, Inc. conducted a field investigation and collected six (6) soil borings on April 20, 2023. The geotechnical investigation as conducted to determine near surface and subsurface soil conditions and determine suitability for Project construction.

Additionally, Fox Onsite Solutions LLC prepared an Onsite Wastewater Treatment System Feasibility Study for the Proposed Project. The investigation, *Monterey County Onsite Wastewater Treatment System Feasibility Study APN 181-151-009-000 827 Elkhorn Road Royal Oaks, CA 95076 (July 2023)*, evaluated potential impacts associated with the Project's onsite wastewater treatment system. As a component of the onsite wastewater treatment report, Fox Onsite Solutions LLC conducted field investigations and soil tests on May 19, 2023 and May 26, 2023, within three study sites of the Project site. Fox Onsite Solutions LLC evaluated the characteristics of the soil conditions to determine suitability and provide recommendations for the Project's on-site septic system.

### Seismicity and Fault Zones

The geologic structure of central California is primarily a result of tectonic events during the past 30 million years. Faults in the area are believed to be a result of movements along the Pacific and North American tectonic plate boundaries. Movements along these plates are northwest-trending and largely comprised of the San Andreas Fault system. Monterey's complex geology is a result of changes in sea level and tectonic uplifting. Geologic units in the region have been displaced by faulting and folding. The Granitic basement and overlying tertiary deposits have been juxtaposed along many of the northwest/southeast-trending faults.

The Project, located at 827 Elkhorn Road in Royal Oaks, California, is in the northeastern portion of the Elkhorn Slough. The site slopes towards Elkhorn Slough and towards the south end of the Site. The nearest active faults or potentially active faults Project include the Zayante-Vergeles fault zone located 6.6 miles northeast, the San Andreas fault zone located 7.4 miles northeast, the Sargent fault zone located 10.5 miles northeast, the Reliz fault zone located 11.3 miles south, the Carnadero fault located 12.3 miles north-northeast, the Chupines fault zone located 16.3 miles south and the Monterey Bay-Tularcitos fault zone located 18.4 miles south-southwest.

### Soils

The Natural Resources Conservation Service ("NRCS") characterizes the dominant soil type within the site as *Arnold*, a series of deep, excessively drained soils that formed in material weathered from soft sandstone. This series of soils typically occurs on hills and hilly uplands at elevations of 100 to 2,500 ft and have slopes of 9 to 75 percent. Arnold soils are somewhat excessively drained, with very low to medium runoff and rapid permeability above the sandstone and slow in the sandstone. The south portion of the Project Site near Elkhorn Road consists of Santa Ynez, a series of deep, moderately well drained soils that formed in material weathered in alluvium from shale, sandstone and granite. Santa Ynez soils are on coastal terraces and foot slopes between 20 to 1,200 ft and have slopes of 0 to 50 percent. Santa Ynez soils are moderately well drained, with slow to rapid runoff and very slow permeability.

**Geology and Soils Impact (a.i) No Impact:** The Project is not located within any of the Alquist-Priolo Earthquake Fault Zones established by the Alquist-Priolo Earthquake Fault Zone Act of 1972. No impact would occur.

**Geology and Soils Impact (a.ii) Less than Significant:** The Project site is in a seismically active region. Due to the proximity of the Project to active and potentially active faults, there is the potential for strong onsite seismic shaking during its design lifetime. While the Project could be exposed to seismically induced

hazards, it Project will be required to comply with California Building Code seismic design standards. As a result, potential impacts due to seismic hazards would be minimized. Therefore, the Project development will result in a less than significant impact.

**Geology and Soils Impact (a.iii) Less than Significant:** The Project is in an area of low liquefaction susceptibility. Liquefaction and lateral spreading tend to occur in loose, fine saturated sands and in places where the liquefied soils can move toward a free face (e.g., a cliff or ravine). Due to the heavy clays and hardpan present throughout of the site and low liquefaction susceptibility, the potential risk of lateral spreading is low. The potential risk for occurrence of damaging liquefaction would be low during a strong seismic event. This represents a less than significant impact.

**Geology and Soils Impact (a.iv) Less than Significant:** The Project is in an area of moderate landslide risk. While landslides are common in Monterey County due to the combination of uplifting mountains, fractured and weak rocks and periods of intense rainfall, the level of susceptibility is highly dependent on the site's geologic conditions. The geotechnical report determined that the Project Site is suitable for the proposed development from a geotechnical and engineering standpoint. The Project will be constructed in accordance with the recommendations of the geotechnical report, standard engineering and seismic safety design techniques and applicable LUP guidelines, thereby minimizing potential impacts. For these reasons, this represents a less than significant impact.

**Geology and Soils Impact (b) Less than Significant with Mitigation:** The Project is in an area identified as having high erosion hazards risk. Grading and excavation could result in localized erosion on-site. The Project would temporarily disturb 1.1 acres (including leach field preparation) and permanently convert approximately 0.28 acre of an approximately 18.14-acre parcel (13.53 acres after the LLA). Of the cut required to site the structures, approximately 550 cy of excavated soil will be produced.

The excess excavated soil is proposed to be spread on-site within an area in the southeastern portion of the Project site. The excavated soil would be six to twelve inches deep, covering approximately 30,000 sf (0.69 acres). The Project will implement standard construction BMPs to minimize potential erosion-related effects and will also be required to implement standard erosion control measures during construction (**Figure 7. Erosion Control Plan**).

The Project will implement all geotechnical analysis recommendations to further ensure erosion impacts are minimized. All disturbed areas will be revegetated consistent with **Mitigation Measure BIO-9**, which includes seven years of adaptive grassland and oak woodland management.

The Project will also be required to comply with standard County conditions of approval related to grading restrictions, as well as comply with requirements of MCC Chapter 16.08 and 16.12 and the LUP. Implementation of standard construction BMPs, in addition to adhering to applicable MCC requirements, ensures that impacts will be minimized. For these reasons, this represents a less than significant impact.

**Geology and Soils Impact (c) Less than Significant:** The Project is in an area with low liquefaction and moderate landslide risk. The soils within the Project site have low liquefaction susceptibility. The Project site is also not located in a known subsidence zone; and therefore, it is unlikely that the Project would be subject to subsidence related hazards. While the site is in a seismically active region, there are no potentially active faults in close proximity to the Project and surface rupture and lateral spreading are considered improbable.

The geotechnical report determined that, from a geotechnical and engineering standpoint, the project site is suitable for the proposed development. Because the Project will be constructed in accordance with the

geotechnical report recommendations, standard engineering and seismic safety design techniques and applicable LUP guidelines, thereby minimizing potential impacts.

The Project is not located on unstable geologic units or soil or soil that may become unstable, is not identified to result in an on- or off-site landslide, lateral spreading, subsidence, liquefaction, or located on expansive spoil creating a direct or indirect risk to life or property. For these reasons, this represents a less than significant impact. Therefore, impacts would be less than significant.

**Geology and Soils Impact (d) Less than Significant:** The Project is not located in an area known for expansive soil issues. The Site contains loam sand soils with excessive drainage. Rock Solid Engineering, Inc and Fox Onsite Solutions LLC did not identify any significant geotechnical characteristics that require immediate attention and found the Project site to be suitable for the Project. For these reasons, this represents a less than significant impact.

**Geology and Soils Impact (e) Less than Significant:** The Project will construct and operate an onsite wastewater treatment system. Fox Onsite Solutions LLC prepared a Feasibility Study for the Project and found the Project site suitable for a standard wastewater treatment system with a shallow gravity leach field in the lower hillside area. For this reason, this represents a less than significant impact. Please refer to **Section VI.19 Utilities and Service Systems** for more information regarding the wastewater disposal.

**Geology and Soils Impact (f) No Impact:** Significant paleontological resources are fossils or assemblages of fossils that are unique, unusual, rare, uncommon and diagnostically or stratigraphically important, as well as those that add to an existing body of knowledge in specific areas, stratigraphically, taxonomically, or regionally. They include fossil remains of large to very small aquatic and terrestrial vertebrates, remains of plants and animals previously not represented in certain portions of the stratigraphy and assemblages of fossils that might aid stratigraphic correlations – particularly those offering data for the interpretation of tectonic events, geomorphic evolution, paleoclimatology and the relationships of aquatic and terrestrial species.

Most fossils found in Monterey County are of marine life forms and form a record of the region's geologic history of advancing and retreating sea levels. A review of nearly 700 known fossil localities within the County was conducted in 2001; 12 fossil sites were identified as having outstanding scientific value. The Project site is not located on or near any of those sites. No impact would occur.

The Project shall have a less than significant impact on Geology and Soils through the application of Mitigation Measure BIO-9 and the standard County Building Services BMP requirements for grading and construction permits.

8. GREENHOUSE GAS EMISSIONS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (sources: 22, 23, 24, 33, 34)	<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? (sources: 22, 23, 24, 27, 28, 33, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

Various gases in the Earth's atmosphere, when exceeding naturally occurring or 'background' levels due to human activity, create a warming or greenhouse effect and are classified as atmospheric GHGs. These gases play a critical role in determining the earth's surface temperature. Solar radiation enters the atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, the radiation that otherwise would have escaped back into space is retained, resulting in a warming of the atmosphere known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect, or climate change, are carbon dioxide ("CO<sub>2</sub>"), methane ("CH<sub>4</sub>"), ozone ("O<sub>3</sub>"), water vapor, nitrous oxide ("N<sub>2</sub>O") and chlorofluorocarbons ("CFCs"). Human-caused emissions of these GHGs exceeding natural ambient concentrations are responsible for the greenhouse effect. In California, transportation is the largest emitter of GHGs.

MBARD has not yet adopted a threshold for construction-related GHG emissions but recommends utilizing thresholds set by neighboring districts (e.g., Sacramento Metropolitan Air Quality Management District ["SMAQMD"]). SMAQMD adopted an updated threshold based on the 2030 target year in April 2020. According to SMAQMD, a project would result in a significant GHG related impact if the Project would emit more than 1,100 metric tons of Carbon Dioxide equivalent-CO<sub>2</sub>e ("MTOCO<sub>2</sub>e") per year. Operation of a stationary source project will not have a significant GHG impact if the project emits less than 10,000 MTOCO<sub>2</sub>e.

**Greenhouse Gas Emissions (a) Less than Significant:** The Project is in the NCCAB, where air quality is regulated by MBARD. As discussed above, if a project emits fewer than 1,100 MTOCO<sub>2</sub>e per year, its GHG emissions impact would be less than significant. The Project will generate temporary construction related GHG emissions. Any potential effects from GHG generation during construction would be short-term and temporary.

Project operation will not increase permanent greenhouse gas emissions that may have a significant impact on the environment because of the Project's limited scope. The Project will be constructed in accordance with contemporary building standards and include energy efficient upgrades (e.g., rooftop solar arrays). The installation of the on-site electrical infrastructure will not require the Project to connect to an existing electrical grid and therefore would reduce emissions.

The Project consists of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and onsite



wastewater treatment system. The Project will result in minimal additional traffic increases once operational, (**Section VI.17 Transportation**). Therefore, there are no significant impact generated by operational emissions associated with traffic-related impacts; the Project will not create a substantial increase in traffic impacts near the Project vicinity. For these reasons, the Project will result in a less than significant impact to GHG emissions during operation.

**Greenhouse Gas Emissions (b) Less than Significant:** Monterey County does not currently have an adopted GHG reduction plan with numerical reduction targets for individual uses and developments. As described above, the Project is not expected to generate GHG emissions exceeding applicable thresholds. Therefore, the Project will not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases; Project impacts Project are less than significant.

The Project shall have a less than significant impact on Greenhouse Gasses by design and with the application of the State and County regulations and requirements through construction permitting.

9. 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? (sources: 12, 14, 33, 34)	<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? (sources: 12, 14, 33, 34)	<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? (sources: 26, 33, 34)	<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? (sources: 12, 14, 26, 33, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area? (sources: 26, 33, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (sources: 26, 27, 28, 33, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

9. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (sources: 10, 11, 26, 30, 33)		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

Hazardous materials, as defined by the California Code of Regulations, are substances with certain physical properties that could pose a substantial present or future hazard to human health or the environment when improperly handled, disposed, or otherwise managed. Hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. Hazardous materials and waste can result in public health hazards if improperly handled, released into the soil or groundwater, or through airborne releases in vapors, fumes, or dust. Soil and groundwater having concentrations of hazardous constituents higher than specific regulatory levels must be handled and disposed of as hazardous waste when excavated or pumped from an aquifer.

The Hazardous Waste and Substances Site (“Cortese”) List is a planning tool used by the state, local agencies and developers to comply with CEQA requirements related to the disclosure of information about the location of hazardous materials release sites. California Government Code Section 65962.5 requires the California EPA (“CalEPA”) to develop at least annually an updated Cortese List. Various state and local government agencies are required to track and document hazardous material release information for the Cortese List. There are no hazardous materials release sites in the vicinity of the Project site. Similarly, according to the California Department of Toxic Substances Control’s (“DTSC”) EnviroStor database and State Water Resources Control Board (“SWRCB”) GeoTracker database, there are no open or active cleanup sites in the vicinity of the Proposed Project.

**Hazards and Hazardous Materials Impact (a) Less than Significant:** Construction of the Project would entail the use of hazardous materials (e.g., fuel, cleaning materials, etc.). The types and amounts of hazardous materials used would vary according to the type of activity. It is unlikely that Project construction would create a significant impact due to the routine transport, use, or disposal of hazardous materials in part due to Project size and the temporary nature of construction. Hazardous materials shall be handled and stored in compliance with all local, state and federal regulations pertaining to hazardous materials. The implementation of these measures would ensure that impacts would be less than significant.

Project operation could generate surface runoff that may contain urban pollutants from vehicles, including cleaning and maintenance materials, oil, grease and heavy metals. Hazardous materials would be handled and (if needed) stored in compliance with all local, state and federal regulations pertaining to hazardous materials. Furthermore, any hazardous materials would be limited in quantity and concentrations set forth by the manufacturer and/or applicable regulations. Furthermore, any hazardous materials would be limited in quantity and concentrations set forth by the manufacture and/or applicable regulations. Therefore, this represents a less than significant impact.

**Hazards and Hazardous Materials Impact (b) Less than Significant:** Construction and operation of the Project could generate surface runoff that may contain urban pollutants from vehicles, including oil, grease and heavy metals. Hazardous materials would be handled and (if needed) stored in compliance with all

local, state and federal regulations pertaining to hazardous materials. Furthermore, any hazardous materials would be limited in quantity and concentrations set forth by the manufacture and/or applicable regulations. The Applicant/Owner shall implement erosion control measures consistent with MCC Chapter 16.12 to minimize potential impacts due to contaminated runoff. Additionally, the Project shall implement standard BMPs and erosion control measures (e.g., minimize grading, re-vegetate disturbed areas, etc.) that minimize potential impacts associated with the Project. Therefore, this represents a less than significant impact.

**Hazards and Hazardous Materials Impact (c) No Impact:** The Project is not located within one-quarter mile of an existing or proposed school. Therefore, no impact would occur.

**Hazards and Hazardous Materials Impact (d) No Impact:** The Project site is not listed on any hazardous materials sites compiled pursuant to Government Code Section 65962.5. No impact would occur.

**Hazards and Hazardous Materials Impact (e) No Impact:** The Project is not located within an airport land use plan or within two (2) miles of an airport and will not result in a safety hazard to, or significant noise for people residing or working in the Project area. No impact would occur.

**Hazards and Hazardous Materials Impact (f) Less than Significant:** The Project will be accessed via a private rural driveway connecting to Elkhorn Road. The Monterey County 2021 Evacuation and Transportation Plan does not identify specific designated evacuation routes because evacuation routes are considered dynamic and change based on the nature and location of an emergency. As a result, all local roadways in the Project's vicinity Project can potentially be utilized as evacuation routes during an emergency.

The Project will not generate additional traffic once operational that could interfere with emergency response or evacuation resulting in a significant impact. Additionally, Project design Project will comply with the Monterey County Regional Fire District Fire Prevention safety standards. Safety standards include specific driveway and road turnabout minimum widths and radii which the PLN220229 plans illustrate (and North County FPD reviewed and found suitable during application submittal review). The Project will not impair implementation or physically interfere with an adopted emergency response plan or emergency evacuation plan. For these reasons, impacts would be less than significant.

**Hazards and Hazardous Materials Impact (g) Less than Significant:** The Project is in a California Department of Forestry and Fire Protection ("CAL FIRE") State Responsibility Area, categorized as a "High Fire Hazard Severity Zone". Structures and people could be exposed to a significant risk of loss, injury or death involving wildland fires. Potential fire hazards during construction could occur in connection with the operation of equipment and other activities, which could cause sparks or other sources of ignition in dry areas. This is a temporary construction impact.

During routine residential use, potential fire hazards due to sparks or sources of ignition could occur. The Project shall comply with fire safety provisions of the California Building Code and Monterey County Code; thereby reducing the risk of damage from wildland fire to the maximum extent practicable. Additionally, the Project shall implement the fuel and vegetation management recommendations presented in the Fuel Management Plan and create defensible spaces within 30 ft and 100 ft of all structures (**Section VI.4 Biological Resources**). For these reasons, impacts would be less than significant.

The Project shall have a less than significant impact on Hazards and Hazardous Materials by design and with the application of the State and County regulations and requirements through construction permitting.

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**10. HYDROLOGY AND WATER QUALITY**

<b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality? (sources: 4, 17, 20, 34, 36, 38)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (sources: 1, 4, 17, 20, 29, 33, 34, 36, 38)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 or through the addition of impervious surfaces, in a manner which would:				
i) result in substantial erosion or siltation on- or off-site? (sources: 20, 26, 33, 36)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? (sources: 19, 20, 26, 33, 36)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?; or (sources: 20, 26, 33, 36)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows? (sources: 19, 20, 26, 33, 36)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (sources: 8, 19, 20, 26, 33, 36)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (sources: 4, 17, 29, 33, 34, 38)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

The Project site is located to the east of the Elkhorn Slough. The Elkhorn Slough flows southwest into the Pacific Ocean near Moss Landing, California. The Site slopes south, east and southeast towards Elkhorn Slough.

The Project site is in the Alisal-Elkhorn Slough watershed, in a groundwater recharge area designated by the County of Monterey and within the 180/400 Foot Aquifer Subbasin of the Salinas Valley Groundwater

Basin. The subbasin is co-managed by the Salinas Valley Basin Groundwater Sustainability Agency (“SVBGSA”), Marina Coast Water District Groundwater Sustainability Agency (“MCWD GSA”) and the Monterey County Groundwater Sustainability Agency (“MCGSA”) and is categorized as critically over drafted. A Groundwater Sustainability Plan (“GSP”) for the 180/400 Foot Aquifer Subbasin was prepared for the aquifer and approved in 2020 and amended in 2022. According to the GSP, the current sustainable yield of the Subbasin is 98,000 acre-feet per year (“AFY”) of water and the 2030 projected sustainable yield is 107,200 AFY. Additionally, the GSP includes management actions and projects for achieving groundwater sustainability in the Salinas Valley Groundwater Basin and its six (6) subbasins. Examples include pumping restrictions, reservoir reoperation, Castroville Seawater Intrusion Project (“CSIP”) expansion and Monterey One Water (“M1W”) Recycled Water Plant Modifications Project.

The Project is within Federal Emergency Management Agency (“FEMA”) Flood Zone X, an Area of Minimal Flood Hazard (areas outside the Special Flood Hazard Area and higher than the elevation of the 0.2-percent-annual-chance flood). The Project site is currently developed with an existing access road with approximately 579,052 sf of pervious coverage. The Project when built out, will result in 19,679 sf of impervious coverage and 569,693 sf of pervious coverage. Specifically, the Project will result in 4,739 sf of impervious building coverage and 14,940 sf of impervious hardscape and paving.

**Hydrology and Water Quality Impact (a) Less than Significant:** The Project will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. The Project site is located on the upper western slope of a ridge, approximately 1,200 ft to the east of Elkhorn Slough. Construction will result in ground-disturbing activities from excavation and grading. Ground-disturbing activities and vegetation removal could generate temporary soil erosion and could potentially affect existing water quality.

To minimize construction-generated water quality impacts, the contractor/engineer shall implement standard construction BMPs. The Project will also be required to comply with MCC Chapter 16.08 requirements, which ensure that temporary construction-related water quality impacts are minimized. The Project will be required to comply with the drainage policies of MCC Chapter 16.14 Monterey County Stormwater Ordinance and the recommendations of the Project’s geotechnical investigation.

Project operation could result in water quality effects from hazardous material usage. Potential water quality effects could occur in connection with on-going maintenance activities, use of routine household cleaning products and operation of mechanized equipment (e.g., generator, vehicles). Similar to construction-related impacts, operational impacts will be temporary in nature and would not substantially increase potential water quality impacts. Project design will direct drainage away from structures, septic systems and away from steep slopes utilizing dispersion trenches, storm drains and gutters for reducing runoff and erosion. For these reasons, any temporary construction-related impacts associated with the Project are less than significant.

**Hydrology and Water Quality Impact (b) Less than Significant:** As discussed, the Project consists of the construction of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, water storage tanks and on-site septic system including a leach field.

The Project will not substantially decrease groundwater supplies or interfere substantially with groundwater recharge nor impede sustainable groundwater basin management. Temporary water use will occur during Project construction in connection with dust suppression activities. Construction water use will be minimal and will not decrease groundwater supplies or interfere with the process of groundwater recharge.



The Project will install two new water tanks, a pump and backup generator; utilizing an existing well (Elkhorn Road Water System #9) which currently serves two connections, which has capacity to serve four. The estimated well capacity is approximately 17 gallons/minute.

Water will be used during operation for the single-family residence, guest house, restoration activities in oak woodland for the first three years and on an as-needed basis for fire suppression. Water demand calculations were estimated by Fox Onsite Solutions and determined to be approximately .08 AFY (750 gallons per day). These estimates were further compared against Monterey Peninsula Water Management District (“MPWMD”) Rule 24 Water Use Capacity Use Factors.

Single-family-related water fixtures include:

- a. one (1) master bathroom with two (2) sinks, one (1) shower, (1) bathtub and (1) toilet;
- b. two (2) bathrooms each with one (1) sink, one (1) toilet and one (1) shower;
- c. one (1) half-bathroom with one (1) sink and one (1) toilet;
- d. one (1) kitchen sink and one (1) dishwasher; and one (1) laundry sink and one (1) clothes washer.

Guesthouse-related water fixtures include one (1) bathroom with one (1) sink, one (1) shower and one (1) toilet). The Project includes four (4) water tanks of currently unknown size. **(Figures 8c – 8d).**

MPWMD determines residential water use by identifying the water fixtures (e.g., sinks, toilets, showers, etc.)and multiplying the fixture unit value by .01 to determine acre feet per year.

**Table 10-1 Residential Unit Water Use** identifies the fixtures within the residential unit and MPWMD fixture unit value. Based on the fixtures proposed, the Project would require an estimated 0.3 AFY (with potential for demand upwards of 0.8 AFY).

<b>Table 10-1 Residential Unit Water Use for the Proposed Project</b>			
<b>Residential Unit Water Fixture</b>	<b>Number of Fixtures</b>	<b>MPWMD Water Fixture Value</b>	<b>Water Value</b>
<b>Primary Dwelling</b>			
Bathroom Sink	3	1	3
Two Master Bathroom Sinks	1	1	1
Toilet	4	1.8	7.2
Bathtub	1	2	2
Shower	3	2	6
Kitchen Sink and adjacent Dishwasher	1	2	2
Laundry Sink	1	2	2
Clothes Washer	1	2	2
<b>Guesthouse</b>			
Bathroom Sink	1	1	1
Toilet	1	1.8	1.8
Shower	1	2	2
<b>Total</b>			<b>30</b>
<b>Acre Feet per year (Water Value x 0.01)</b>			<b>0.3</b>

**Sources:** Riewe, Carol, 2024. Boccone & Igel New Residence and Workshop 827 Elkhorn Road Royal Oaks CA APN 181-151-009. Plan Submittal (PLN220229)and MPWMD, Rule 24 Calculation of Water Use Capacity and Capacity Fees, available at: <https://www.mpwmd.net/wp-content/uploads/Rule24.pdf>

The Project will result in an increase to groundwater demand, but not a significant impact. As described above, the GSP for the 180/400 Foot Aquifer Subbasin includes management actions and projects for achieving groundwater sustainability. The GSP plans for buildout of residences on residentially-zoned parcels like the Project.

AMBAG's regional growth forecast has anticipated population growth in unincorporated Monterey County; the Project will not induce substantial population growth either directly or indirectly. As a result, the Project will not substantially decrease water supplies or interfere substantially with groundwater recharge. This represents a less than significant impact.

**Hydrology and Water Quality Impact (c) Less than Significant:** The Project will not substantially alter the site's existing drainage pattern resulting in substantial erosion or siltation on- or off-site. The Project could cause temporary increases in erosion during construction due to ground-disturbing activities. The Project will include construction of new impervious surfaces, which could cause localized increases in erosion on- or off-site in the absence of drainage improvements and could result in potential operational water quality impacts. The Project includes on-site drainage improvements (i.e., dispersion trenches) to address impacts due to increases in impervious surfaces. The Project would implement an erosion control plan to reduce sediment and stormwater impacts during construction.

Project construction will result in improvements which will alter the site's existing drainage pattern through the introduction of impervious surfaces. However, the Project includes drainage improvements in the form of dispersion trenches. Runoff from new impervious surfaces will be collected by gutters and storm drains, flowing to dispersion on-site trenches to percolate runoff into the soil.

Cut and fill slopes will be planted with annual rye grass and mulched with compost. The soil stockpile area resulting from grading will be revegetated with a native grass and forb seed mix. The non-developed portions of the parcel would be conserved with existing vegetation. Therefore, the Project would provide adequate drainage to mitigate increases in surface runoff.

There are no major stormwater drainage improvements or planned improvements located within Project site boundaries. The Project will not create or contribute runoff exceeding existing or planned drainage system improvement capacity. The Project will include on-site drainage improvements construction to accommodate stormwater runoff from increased impervious surfaces.

The Project will not substantially alter the site's or area's existing drainage pattern (including through the alteration of the course of a stream or river or through the addition of impervious surfaces), in a manner to impede or redirect flood flows. As noted above, the Project site is located approximately 1,200 ft to the east of Elkhorn Slough. The distance of the Project from the Elkhorn Slough and the implementation of on-site drainage improvements will avoid potential direct and indirect environmental effects.

As a result, the Project does not entail alteration of a stream or river course. Accordingly, the Project will not impede or redirect flood flows due to changes to the site's existing drainage pattern through stream or river course alteration. This represents a less than significant impact.

**Hydrology and Water Quality Impact (d) Less than Significant:** The Project Site is not located in an area subject to significant seiche or tsunami effects and is not in a flood hazard area. The Elkhorn Slough, located south of the Project site, is in a Tsunami Hazard Area designated by the California Department of Conservation and is also in Special Flood Hazard Area Zone AE designated by FEMA. The Project does not propose construction in the flood hazard zone or tsunami zone of the Elkhorn Slough. As a result, the

Project will not result in the risk of release of pollutants due to Project inundation from a tsunami, seiche, or flood hazard. This represents a less than significant impact.

**Hydrology and Water Quality Impact (e) Less than Significant:** The Project will not conflict with or obstruct a water quality control plan or sustainable groundwater management plan. The Project proposes to connect to an existing well with an estimated capacity of approximately 286 gallons, using 0.3 AFY to 0.8 AFY of water. This represents a less than significant impact.

11. LAND USE AND PLANNING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Physically divide an established community? (sources: 3, 26, 27, 28, 33, 34, 35)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (sources: 3, 18, 26, 27, 28, 33, 34, 35, 37)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Discussion/Conclusion/Mitigation:

The Project lies within the Coastal Zone and is regulated by the LUP, the certified LCP for the region. The LUP's overall philosophy is to maintain the scenic beauty and rural character of the northern Monterey County's coastal zone. The LCP's basic objectives and key policies include, but are not limited to:

- Protecting visual resources of North County,
- Protecting, maintaining, enhancing and restoring environmentally sensitive habitats,
- Preserving and protecting coastal estuaries and wetlands,
- Protecting groundwater aquifers and controlling new development to a level that can be served by available, long-term water supplies,
- Ensuring compatibility between agriculture and adjacent development,
- Regulating land uses and development in areas of natural hazards,
- Minimizing or avoiding impacts to archaeological resources,
- Expanding or managing roads to accommodate traffic volumes and provide for a safe and uncongested flow of traffic and
- Ensuring future development is consistent with the protection of the area's significant human and cultural resources, agriculture, natural resources and water quality.

The LUP identifies the Project's land use as "Rural Density Residential." The "Rural Density Residential" land use category supports low density residential and agricultural development with development densities from 1 unit on 40 or more acres to a maximum of 1 unit per 5 acres. The Rural Density Residential designation allows for a first single family dwelling and guesthouse residential uses and temporary residences used as living quarters during construction of the first dwelling on a lot.

Located within the coastal zone, the Project site must comply with the California Coastal Act to receive a Coastal Development Permit from the County of Monterey. The California Coastal Commission ("CCC")

was a voter initiative established in 1972 and made permanent by the California State Legislature through the adoption of the California Coastal Act of 1976. The CCC, in partnership with coastal cities and counties, plans and regulates the use of land and water in the coastal zone.

**Land Use and Planning Impact (a) No Impact:** The division or disruption of an established community would occur if a project creates a physical barrier that separates, isolates, or divides a portion of a built community. The physical division of a community is traditionally associated with the construction of large-scale transportation improvements (e.g., highways) or the creation of a large university campus.

The Project, located within a rural residential area, consists of the following:

1. Single-family dwelling, attached carport and deck,
2. Detached guesthouse with an attached workshop and garage,
3. Private driveway,
4. Solar energy system, water storage tanks, on-site septic system including a leach field.
5. Tree removal to accommodate structural development and a new driveway.
6. Building site and road grading.
7. Lot Line Adjustment.

The project is consistent with the area's land use and planning. Due to the nature of the Project and location, the Project would not create a barrier that would divide an established community.

**Land Use and Planning Impact (b) Less than Significant:** The Project would not conflict with any applicable land use plan, policy, or regulation adopted for the purposes of avoiding and/or mitigating an adverse environmental effect.

North County Land Use Plan's Visual Resources Policy 2.2.2.5 states that "structures should be located to minimize tree removal and grading for the building site and access road." It also requires disturbed slopes to be restored to their previous visual quality and landscape screening and restoration to consist of native plant and tree species.

PLN220229's original design included a much longer driveway with more disturbed slopes and potential to alter the public viewshed. The LLA was initiated between neighboring parcel owners to enable the owner of APN 181-151-009-000 (Parcel A, where new residential development is proposed) to shorten the driveway because the owners of the neighboring parcel preferred this solution over the granting of an access easement.

The resulting parcels involved in the LLA, A, B, and C, will conform with the development standards for Rural Density Residential (RDR) zoned parcels as to size. The three parcels have different minimum size restriction pursuant to Title 20 but are all part of the Rural Density Residential (RDR) zoning district. Table 11-1 shows the final sizes of the parcels after the LLA, and their respective minimum parcel size in the zoning district.

**Table 11-1  
Resulting Parcel Sizes and Zoning District Requirements**

Parcel	Minimum size pursuant to zoning district
Parcel A will be 13.53 acres in size.	10 acres
Parcel B will be 290.14 acres in size.	40 acres
Parcel C will be 5.13 acres in size.	5 acres

The Project Site General Plan land use designation as Residential – Rural Density and the Project would not conflict with the land use designation of the Project site or LUP Land Use Policies 4.3.5.8 and 4.3.6.D. The 1982 General Plan and LUP anticipated future residential growth within the region. The Project develops an appropriate location and alters the size and shape of three parcels to accommodate residential development according to site constraints.

The Project does not conflict with LUP Policies regulating impacts on visual resources. The Project does not significantly impact public viewsheds. Given the existing topography and vegetation and the Project's design, materials and colors, the Project will be visually screened when viewed from the Elkhorn Slough and the trail that extends along the Slough to the north of Kirby Park, (protected public viewsheds). As designed, the Project is tucked into a wooded section of the parcel with one structure partially visible from public viewing areas, consistent with the rural residential characteristics of the surrounding area. The Project is not visible from a public roadway, due to the topography and design. Therefore, the Project is consistent with LUP Policies G.1 and 2.2.2.1-5 and 2.2.3.1-6.

The Project would not conflict with LUP Policies regulating impacts to environmentally sensitive habitats. Development impacts oak woodland but those impacts have been minimized through the LLA to reduce the driveway as well as careful siting of the structures in natural openings within the oak woodland.

Pajaro manzanita is present near the construction site (within 100 feet) but direct impact is avoided by the Project's design. Mitigation Measures proposed in this Initial Study, will improve the long-term health of the oak woodland and improve grassland habitat elsewhere, creating a net benefit to environmentally sensitive habitats through Project development. These Mitigation Measures include avoidance of sensitive terrestrial and avian species and a proposed CSED over a habitat area (See **Section VI.4 Biological Resources**). Therefore, the Proposed Project, as designed and mitigated, is consistent with LUP Policies 2.3.2.1-10.

The Project would not conflict with LUP Water Resources Policies. A Key Water Resources Policy states that water quality of the North County groundwater aquifers shall be protected and new development shall be controlled to a level that can be served by identifiable, available, long term-water supplies and estuaries and wetlands of North County shall be protected from excessive sedimentation resulting from land use and development practices in the watershed areas.

As discussed in **Section IV.10 Hydrology and Water Resources**, the Project incorporates an erosion control plan and will be inspected by HCD-Building Services for plan compliance., MCC Chapter 16.08 Grading code and Chapter 16.12, Erosion Control code. The new rural development is located and developed in accordance with erosion controls to protect the Elkhorn Slough watershed from excessive sedimentation during construction.

The shared well which provides the potable water for the Project is already permitted by the Environmental Health Bureau (EHB) and meets water quantity for this residential unit and another future connection in the area. This is the first dwelling on the parcel and the Project does not include new parcels. The Project would not conflict with LUP Water Resources Policies 2.5.2.1-6 and 2.5.3.A.1-5 which direct new development to minimize point source pollution, siltation and allow adequate water to maintain aquatic and riparian life.

North County Buildout is less than 50% of the projected build out for the area. The Groundwater Sustainability Plan (GSP), and the GSP for the subject site, as well as other GSPs in North County, are making strides to balance their water basins as required by State Law to do so in adaptive management.



The Project would not conflict with LUP Water Resources Policies 2.5.3.B.3-5 which direct onsite waste disposal limitations as to minimum parcel size, appropriate maintenance and siting.

The Project's onsite wastewater treatment system is not built on slopes exceeding 30 percent; EHB found the proposed design adequate to limit pollution of surface waters and protect public health. The Project complies with the Land Disturbance Target requirements for private development described in LUP Water Resources Policy 2.5.3.C.

The Project's total "Land Disturbance by type" was measured as follows:

Temporary changes result in 1.04 acres of "new bare land." However, permanent changes result in approximately 0.28 developed footprint (including pervious pavers on a section of driveway). Land Disturbance due to this residential development avoids impact to erosion through the uniform application and enforcement of MCC Chapters 16.08 and 16.12.

The Project would not conflict with LUP Geologic Hazards Policies 2.8.2.1-4 as the Project site is not considered "high hazard" and the driveway construction is sited on the lowest slope to contribute the least to erosion and with appropriate hammerhead turnarounds for fire trucks to contribute the least to fire hazards.

The Project meets LUP Fire Hazards Policies 2.8.3.C.4 and 5 by the driveway design and choice of fire-resistant roofing materials. Both PLN220229 and PLN240187 Project applications were reviewed for conformance with applicable hazard policies by HCD offices and Fire District staff.

The Project does not conflict with applicable LUP Geologic Hazards Policy 2.8.3.A.1 as the residential design and driveway were sited to conform to site topography and adheres with key LUP Visual Resources Policies on the same issue.

There was a geotechnical report prepared for the residence which demonstrates that the Project minimizes risks to life and property.

The Project does not conflict with LUP Archaeological Policies as there was an archaeological survey prepared – the new development was found compatible with the level of archaeological sensitivity in the Project site (See **Section VI.5 Cultural Resources**).

The Project does not conflict with LUP Transportation Policies 3.1.2.6 and 3.1.3.2 and 3.1.3.5-6 because Engineering Services staff reviewed the proposed residential use and found that it would not conflict with the road capacity of Elkhorn Road. PLN220229 is required to pay regional and countywide traffic fees to support the upkeep and management of County roadways.

The Project does not conflict with LUP Wastewater Management Facilities Policies 3.2.1, 3.2.2 and 3.2.3. A new septic system is proposed and the parcel is not within a wastewater service area. The EHB found the proposed design adequate to limit pollution of surface waters and protect public health. The wastewater collection and treatment system are constructed with tanks near the habitable structures where visual resources would not be significantly impacted.

Natural resources (grasslands that have the potential to support sensitive species) are temporarily impacted by the installation of the trench and leach field. The potential for significant impact is reduced to a level of less than significant through mitigation (**Section VI.4, Biological Resources**).

12. MINERAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (sources: 9, 26, 27, 28)	<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? (sources: 9, 26, 27, 28)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

The Project would have no impact on mineral resources (**Section IV.A Environmental Factors Potentially Affected**).

13. NOISE		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (sources: 26, 27, 28, 33, 34, 39)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Generation of excessive groundborne vibration or groundborne noise levels? (sources: 26, 27, 28, 33, 34, 39)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (sources: 26, 27, 28, 33, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

Noise is commonly defined as unwanted sound. Sound levels are usually measured and expressed in decibels (“dB”) with zero (0) decibels corresponding roughly to the threshold of hearing. Most sounds consist of a broad band of frequencies, with each frequency differing in sound level. The intensities of each frequency add together to generate a sound. Most environmental noise includes a conglomeration of noise from distant sources, which creates a relatively steady background noise in which no source is identifiable.

The Project, located off Elkhorn Road in the Royal Oaks community, consists of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, water storage tanks and on-site septic system including a leach field.

The primary source of noise in the Project vicinity would be from vehicle traffic along Elkhorn Road and noise generated from the neighboring land uses. The nearest sensitive receptor is located approximately 300 ft to the southeast of the Project site. The North County Coastal LUP does not include specific policies related to noise but encourages land use compatibility to preserve the peace and tranquility of the existing neighbors and to reduce impacts to the environment. In the absence of noise related policies within the North County Coastal LUP, the 1982 Monterey County General Plan policies are applicable. Also, the County-wide Noise Ordinance is applied to coastal areas (MCC Chapter 10.60).

**Noise Impact (a) Less than Significant:** Project construction will generate temporary noise in the project vicinity due to the use of equipment (e.g., trucks, tractors, excavators). The North County Coastal LUP contains no specific noise policies, therefore this analysis relies on noise policies contained in the Monterey County 1982 General Plan and regulations from the current Noise Ordinance (MCC Chapter 10.60).

Construction activities are required to comply with the Monterey County Noise Ordinance as described in MCC Chapter 10.60. The ordinance applies to “any machine, mechanism, device, or contrivance” within 2,500 ft of any occupied dwelling unit and limits the noise generated to 70 dBA at a distance of 50 ft from the noise source. Noise generating construction activities are limited to the hours between 7 AM. and 7 PM. Monday through Saturday. No construction noise is allowed on Sundays or holidays.

While the extent, duration and volume of noise generated by Project construction has not been identified, it is unlikely construction noise would result in a significant impact given the site location, proximity of existing sensitive receptors, type of construction and the temporary nature of construction activities. **Table 13-1 Construction Equipment Noise Emission Levels** identifies typical noise emissions (i.e., levels) generated by construction equipment and how equipment noise reduces with distance.<sup>5</sup>

**Table 13-1**  
**Construction Equipment Noise Emission Levels**

<b>Equipment</b>	<b>Typical Noise Level (dBA) 50 ft from Source</b>	<b>Typical Noise Level (dBA) 100 ft from Source<sup>1</sup></b>	<b>Typical Noise Level (dBA) 200 ft from Source<sup>1</sup></b>	<b>Typical Noise Level (dBA) 400 ft from Source<sup>1</sup></b>
Air Compressor	81	75	69	63
Backhoe	80	74	68	62
Ballast Equalizer	82	76	70	64
Ballast Tamper	83	77	71	65
Compactor	82	76	70	64
Concrete Mixer	85	79	73	67
Concrete Pump	82	76	70	64
Concrete Vibrator	76	70	64	58
Dozer	85	79	73	67
Generator	82	76	70	64
Grader	85	79	73	67
Impact Wrench	85	79	73	67
Jack Hammer	88	82	76	70
Loader	80	74	68	62

<sup>5</sup> The rate of noise diminishes as the distance from the source of noise doubles.

**Table 13-1**  
**Construction Equipment Noise Emission Levels**

Equipment	Typical Noise Level (dBA) 50 ft from Source	Typical Noise Level (dBA) 100 ft from Source <sup>1</sup>	Typical Noise Level (dBA) 200 ft from Source <sup>1</sup>	Typical Noise Level (dBA) 400 ft from Source <sup>1</sup>
Paver	85	79	73	67
Pneumatic Tool	85	79	73	67
Pump	77	71	65	59
Roller	85	79	73	67

Source: U.S. Department of Transportation, *Transit Noise and Vibration Impact Assessment*, 2018.  
Construction generated noise levels drop off at a rate of about 6 dBA per doubling of distance between the source and receptor.

The nearest sensitive receptor is a residence located approximately 300 ft to the southeast of the Project site. Based on the proximity of the nearest receptor and the rate that noise diminishes, construction related activities would not exceed the County's noise related threshold.

Operational noise will not result in a substantial permanent increase in ambient noise within the surrounding area. The Project consists of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and on-site septic system including a leach field. The Project would result in minimal new traffic increases once operational. For these reasons, the Project would have a less than significant impact.

**Noise Impact (b) Less than Significant:** The Project would not generate excessive ground-borne vibration or ground-borne noise. Project construction would require excavation and grading. These activities will be minor and temporary in nature. Project operation will not create a new source of vibration. For these reasons, the Project would have a less than significant impact.

**Noise Impact (c) No Impact:** The Project is not located within the vicinity of a private airstrip of an airport land use plan, or within two miles of a public airport. For these reasons, no impact would occur.

14. POPULATION AND HOUSING	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (sources: 1, 27, 28, 33, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (sources: 1, 27, 28, 33, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

The Project would have no impact on population and housing. **(Section IV.A Environmental Factors Potentially Affected.**

15. PUBLIC SERVICES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
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? (sources: 26, 30, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Police protection? (sources: 26, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Schools? (sources: 26, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Parks? (sources: 26)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Other public facilities? (sources: 26, 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

Please refer to **Section IV.A Environmental Factors Potentially Affected.**

16. RECREATION		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (sources: 34)	<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? (sources: 34)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

The Project would have no impact on recreational resources. (**Section IV.A Environmental Factors Potentially Affected**).



17. TRANSPORTATION		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities? (sources: 27, 28, 31, 32, 33, 34, 35)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? (sources: 27, 28, 31, 32, 33, 34, 35)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? sources: 2, 27, 28, 31, 32, 33, 34, 35)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Result in inadequate emergency access? (sources: 2, 27, 28, 31, 32, 33, 34, 35)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Discussion/Conclusion/Mitigation:

The Project constructs a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and on-site septic system including a leach field. The Project also includes a LLA that alters shape and size of three adjacent parcels but does not create new parcels. The Project consisting of a rural residential use, is zoned Rural Residential. The Project would be required to comply with Condition of Approval PW0045 – Countywide Traffic Fee. The Applicant would be required to pay the Countywide Traffic Fee or the ad hoc fee pursuant to General Plan Policy C-1.8. Additionally, the Project would be required to comply with Condition of Approval PW0043 – Regional Development Impact Fee to pay the Regional Development Impact Fee pursuant to Monterey County Code Chapter 12.90.

#### *Significance Criteria - Vehicle Miles Traveled*

Senate Bill (SB) 743 required that starting July 2020 transportation impact for projects per CEQA be based on a project's Vehicle Miles Traveled ("VMT"). CEQA Guidelines Section 15064.3, subdivision (b)(1) calls for the evaluation of transportation impacts of projects based on Vehicle Miles Traveled ("VMT"). CEQA uses the VMT metric to evaluate a project's transportation impacts. The publication *Technical Advisory on Evaluating Transportation Impacts in CEQA*, State of California Governor's Office of Planning and Research, December 2018, suggests that a significant environmental impact would occur if a project would generate more than 110 trips per day.

**Transportation Impact (a) and (b) Less than Significant:** The Project does not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. The Project does not conflict with CEQA Guidelines Section 15064.3, subdivision (b).

The Project will result in temporary construction-related traffic. Construction is expected to last approximately 12-18 months. Construction activities shall be limited to the hours between 8 AM to 5 PM, Monday through Friday and between 9 AM to 5 PM on Saturday. Vehicle use of the shared private driveway will be monitored and directed during grading, excavation and construction of the new driveway at locations to the north and south of the new driveway access point to the Project site.

Temporary construction parking construction will be located at the base of the Project parcel near Elkhorn Road. No parking, construction access, or material delivery would be allowed from the upper turnout of the shared private driveway onto the neighboring parcel. For these reasons, impacts would be less than significant.

Operation of the Project consists of rural residential uses and would not result in a significant increase in operational traffic. For the purposes of this IS/MND, the Project would result in a significant traffic-related effect if the Project would exceed the 110 daily trip threshold recommended by the Governor's office of Land Use and Climate Innovation ("LCI") (formerly Office of Planning and Research). It is anticipated that vehicle trips per day would be low due to the size of the project and duration of construction and would be below the 110 daily trips threshold. The Project would not result in a significant VMT-related impact and impacts would be less than significant.

**Transportation Impact (c) Less than Significant:** The Project would not substantially increase hazards due to a design feature. The Project would be accessed via an existing paved private road. The driveway of the Project includes a 55 ft truck turn-around between the primary dwelling and guesthouse, has been designed to accommodate a 30 ft fire truck and has been revised to reduce grading. For these reasons, impacts would be less than significant.

**Transportation Impact (d) Less than Significant:** The Project would not result in inadequate emergency access. The Project would access Elkhorn Road via an existing paved private road and the driveway has been designed to accommodate emergency vehicles. Construction of the Project would not require the closure of any public roads and temporary construction parking would be located at the base of the Project parcel and accessed through the private road. Therefore, impacts would be less than significant.

18. TRIBAL CULTURAL RESOURCES	Less Than Significant			
	Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
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 (sources: 18, 26, 27, 28)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

18. TRIBAL CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
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. (sources: 18, 26, 27, 28)		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

As discussed in Section VI.3 Cultural Resources, because an area on the western edge of APN 181-151-009-000 is mapped as “high archaeological sensitivity,” the Applicant for PLN220229 caused a Phase I archaeological report to be prepared. The results of the *Archaeological Assessment Results for Elkhorn Road Driveway Water Line and Septic Field Improvements, Monterey County (January 2024)* prepared by Dudek inform this section. The information contained in this discussion is supplemented with additional information provided by a Native American Tribal Representative as part of the Tribal consultation process undertaken by the County of Monterey in accordance with AB 52.

California Assembly Bill (“AB”) 52, in effect since July 2015, provides CEQA protections for tribal cultural resources. All lead agencies approving projects under CEQA are required, if formally requested by a culturally affiliated California Native American Tribe, to consult with such tribe regarding the potential impact of a project on tribal cultural resources before releasing an environmental document. Under California Public Resources Code Sec. 21074, tribal cultural resources include site features, places, cultural landscapes, sacred places, or objects that are of cultural value to a tribe and that are eligible for or listed on the California Register of Historic Resources or a local historic register, or that the lead agency has determined to be of significant tribal cultural value.

Pursuant to AB 52, Tribal notification letters were sent out on January 25, 2024. One request for consultation was received. The requesting Tribal Representative of the Ohlone/Costanoan-Esselen Nation (“OCEN”) met with County of Monterey HCD-Planning staff on February 13, 2024 and requested the presence of a Tribal Monitor during soil disturbance activities, protection of sacred sites, inclusion of mitigation and recovery programs, reburial of Ancestral remains and burial artifacts, return of cultural items to OCEN and 50 meters of protection surrounding remains and cultural disturbances.

Additionally, on December 21, 2023, Dudek sent letters to 17 Tribal contacts during the SLF search. On December 26, 2023, a Tribal Representative for the Amah Mutsun Land Trust responded to Dudek and requested a Tribal archaeologist to survey the site or perform monitoring. This letter was not a response to an AB 52 consultation request letter; rather, it signifies that there are at least two Tribal groups willing to perform onsite monitoring.

**Tribal Resources Impact (a.i) and (a.ii) Less than Significant with Mitigation:** Public Resources Code Sec. 21074 defines a tribal cultural resource as “sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California Native American Tribe that are either of the following: a)

included or determined to be eligible for inclusion in the California Register of Historical Resources, [or] b) included in a local register of historical resources as defined in subdivision (k) of [Public Resources Code] Section 5020.1” (Public Resources Code Sec. 21027(a)).

No Tribal cultural resources, as defined in Public Resources Code Section 21074, are listed or eligible for listing in the California Register of Historic Resources, or in a local register of historic resources, are known to exist at the Project site. No known or previously recorded archeological sites are located in the Project site. Additionally, the pedestrian survey conducted December 29, 2023, did not find surface evidence of potentially significant historic period archaeological resources. While no known Tribal cultural resources exist at the Project site, construction-related activities could potentially affect a buried Tribal cultural resource or previously unknown Tribal cultural resource. This represents a potentially significant impact that would be reduced to a less than significant level through the implementation of **Mitigation Measure TR-1**.

To minimize potential impacts to previously unknown or subsurface tribal cultural resources, Native American tribes shall be notified prior to ground-disturbing activities. Prior to the issuance of any permit for ground-disturbing activities, the Applicant shall submit evidence (i.e., a contract) to HCD – Planning demonstrating that the Applicant has retained a tribal cultural monitor to monitor initial ground-disturbing activities. The tribal cultural monitor shall be responsible for preparing daily monitoring reports and shall prepare a final report following the completion of ground disturbing activities. The final report, along with the daily monitoring reports, shall be submitted to HCD – Planning for review within 60 days following the completion of ground-disturbing activities. All work shall stop if a tribal cultural resource is discovered during construction. The Tribal Monitor shall evaluate the resource to determine whether the finding is significant. If the finding is a historical resource or unique tribal cultural resource, avoidance measures or appropriate mitigation shall be implemented. Work will cease in the immediate vicinity of the find until mitigation can be implemented. In accordance with CEQA Guidelines Section 15064.5(f), work may continue in other parts of the project site during the implementation of potential resource mitigation (if necessary). The County of Monterey shall be responsible for reviewing and approving the mitigation plan in consultation with the Native American monitor prior to the resumption of ground-disturbing activities. All tribal resources shall be returned to the affected Native American tribe.

**Mitigation Measure TR-1: (TRIBAL MONITOR).** A portion of the Project site is with a “high archaeological sensitivity” area in County resource mapping, due to the proximity of the Elkhorn Slough. Therefore, through Native American Tribal consultation, it was found that there is potential for impacts to Tribal cultural resources within the “high sensitivity” area of the PLN220229 parcel during ground disturbance associated with installation of the onsite wastewater treatment system’s trenching and leach field. In order to prevent adverse impacts to potential cultural resources, a qualified Tribal Monitor shall be present during soil disturbance in the western area of APN 181-151-008-000. The monitor shall have the authority to temporarily halt work to examine any potentially significant materials. If human remains are identified, work shall be halted to within a safe working distance (approximately 165 ft), the Monterey County Coroner must be notified immediately and if said remains are determined to be Native American, the Native American Heritage Commission shall be notified as required by law. If potentially significant archaeological resources are discovered, work shall be halted in the lower western area of APN 181-151-008-000, not including vehicular passage on the existing driveway or stockpiling of soil in the soil stockpile area and otherwise to 165 ft, until the find until it can be evaluated. If suitable materials are recovered, a minimum of two samples shall be submitted for radiocarbon dating in order to provide a basic chronology of the site. If intact, significant features should be encountered, the Tribal Monitor in conjunction with an archaeologist shall recommend appropriate mitigation measures. Features are human burials, hearths, house floors, significant shell mounds and/or caches of stone tools. If a feature is an artifact that cannot be moved, it must be documented in situ. In the case of in situ documentation of an artifact, Applicant/Owner of

PLN220229/APN 181-151-009-000 shall retain a qualified archaeologist to monitor and ensure conduct of the requirements of the mitigation and monitoring plan. In the case of a significant feature, Applicant/Owner shall cause the qualified archaeologist to document any findings and to evaluate the significance of the cultural resource in a report. The report shall be submitted to HCD-Planning and appropriate State-required offices/repositories that are available at the time (as determined by the archaeologist).

**Mitigation Measure TR-1 Monitoring Action:** Prior to the issuance of construction permits, Applicant/Owner shall submit evidence (e.g., contract) to HCD – Planning for review and approval demonstrating that the Applicant/Owner has retained a Tribal Monitor and evidence that the Tribal Monitor has been made aware of the dates and times of earth disturbing activities on the lower portion of APN 181-151-008-000 (onsite wastewater treatment system installation).. During these earth disturbance activities, the approved Tribal Monitor shall be onsite observing the work. Prior to final of construction permits, Applicant/Owner shall submit a letter from the Tribal Monitor verifying all work was done consistent with the contract to HCD-Planning. The Tribal Monitor shall prepare daily monitoring reports that shall be available upon request by HCD – Planning. If no resources are encountered during the contracted period, no further reporting shall be required. In the case that resources are encountered, a final report, including the daily monitoring schedule, shall be submitted to HCD – Planning for review and approval within 60 days of completion of ground disturbing activities. If Tribal cultural resources are encountered, additional measures may be determined to be required to minimize impacts. They shall be formulated by the tribal monitor and a qualified archaeologist (to be hired from the qualified consultant list). Additional measures shall be reviewed and approved by HCD-Planning and implemented by the tribal monitor and a monitoring archaeologist. The requirements of this measure shall be included as a note on all grading and building plans.

Potential impacts to Tribal Cultural Resources would be reduced to a less than significant level through the implementation of Mitigation Measure TR-1.

19. UTILITIES AND SERVICE SYSTEMS	Less Than Significant			
	Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? (sources: 4, 17, 20, 29, 33, 34, 36, 38)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry , and multiple dry years? (sources: 4, 17, 29, 33, 34, 38)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



19. UTILITIES AND SERVICE SYSTEMS	Less Than			
	Potentially Significant Impact	With Mitigation Incorporated	Significant Impact	No Impact
<b>Would the project:</b>				
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (sources: 20, 33, 34, 36)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (sources: 15, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state and local management and reduction statutes and regulations related to solid waste? (sources: 15, 16)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### Discussion/Conclusion/Mitigation:

The Project consists of the construction of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage, private driveway, solar energy system, water storage tanks and on-site septic system including a leach field.

#### Electrical Power

The Project would utilize a rooftop array of solar panels, an energy storage system and backup generator to provide electrical power generation and would not connect to an existing electrical grid.

#### Potable Water

The Project would construct two 5,000-gallon water tanks, a pump and backup generator. The Project would use 0.3 AFY to 0.8 AFY of water and utilize an existing 160 ft deep well (Elkhorn Road Water System #9) with an estimated capacity of approximately 286 gallons that currently serves four (4) connections.

#### Wastewater

The septic system would consist of 540 linear ft of pipe, two (2) 1,500-gallon septic tanks located a minimum of 5 ft away from the primary dwelling and guest houses, 4 in septic system lines in a 12 in by 24 in trench line and a 2,160 sf leach field consisting of a 3 ft wide trench, with 1 ft of flow depth and 2.5 to 3 ft of total depth.

#### Solid Waste

Solid waste generated by the Project would be transported and disposed of at the Monterey Peninsula Landfill and Recycling Facility north of the City of Marina. The Monterey Regional Waste Management District ("MRWMD") operates the landfill which has a permitted capacity of 3,500 tons per day of solid waste and currently receives approximately 1,100 tons per day. The remaining capacity is approximately 48 million tons or 72 million cy. At current rates of disposal, the landfill will continue to serve the present service area for approximately 150 years. Based on Cal Recycle Residential Sector Generation Rates, a single-family residential unit generates an average of 12.23 pounds ("lb.)/household/day, which would be 0.01% of the current daily intake of solid waste at the landfill.

**Utilities and Service Systems Impact (a) Less than Significant:** As described above, the Project would utilize on-site electrical power generation including a rooftop solar array, would connect to an existing well for potable water and would utilize an on-site septic system for wastewater disposal. The potable water tanks and pump would be located uphill from the guesthouse on a gentle slope and within the Zone 2 100 ft fuel management area. The Monterey County Environmental Health Bureau (“EHB”) Drinking Water Protection Services (“DWPS”) reviewed the source capacity test for the Elkhorn Road Water System #9 well and tested the well water. The septic system would be located on the lower hillside area of the Project parcel away from the structures and existing well and in an area with appropriate soils for a septic system and with adequate space for future capacity. Additionally, EHB reviewed the Project and confirmed that soils are adequate to accommodate on-site wastewater disposal.

The Project would be required to comply with Monterey County Condition of Approval EHSP01 – Amend Public Water System Permit, where the Applicant/Owner of PLN220229/ APN 181-151-008-000 would be required to submit the application, reports and testing results to the Monterey County Environmental Health Bureau for review and approval prior to issuance of construction permits in order to receive an amended water system permit. This would have a less than significant impact.

**Utilities and Service Systems Impact (b) Less than Significant:** The Project is within the 180/400 Foot Aquifer Subbasin of the Salinas Valley Groundwater Basin. The Basin is managed by SVBGSA, MCWD GSA, MCGSA. The GSP includes management actions and projects for achieving groundwater sustainability in the Basin. The current sustainable yield of the Subbasin is 98,000 AFY and the 2030 projected sustainable yield is 107,200 AFY. The Project would use 0.3 AFY to 0.8 AFY of water. Monterey County EHB DWPS witnessed the source capacity test for the existing well. Water supplies in the Basin would be managed by the four (4) groundwater agencies and the GSP. Water would be used during operation for the single-family residence, guest house, landscaping and on an as-needed basis for fire suppression. Additionally, AMBAG’s regional growth forecast has anticipated population growth in unincorporated Monterey County and the Project would not induce substantial population growth either directly or indirectly. As a result, there is sufficient available water supply to serve the Proposed Project. See **Section VI.10 Hydrology and Water Quality**. This represents a less than significant impact.

**Utilities and Service Systems Impact (c) No Impact:** The Project will construct an on-site septic system for wastewater disposal. The septic system will be located in an area with appropriate soils for a septic system and with adequate space for future capacity. Additionally, EHB reviewed the Project, confirming the soils are adequate to accommodate on-site wastewater disposal. The Project will not affect a wastewater treatment provider and no impact would occur.

**Utilities and Service Systems Impact (d) Less than Significant:** As described above, Solid waste generated by the Project would be transported and disposed of at the Monterey Peninsula Landfill and Recycling Facility. The landfill has a remaining capacity of approximately 48 million tons or 72 million cy and will continue to serve the present service area for approximately 150 years. A single-family residential unit generates an average of 12.23 lb./household/day, which would be 0.01% of the current daily intake of solid waste at the landfill. The Project would not generate solid waste exceeding state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. This would have a less than significant impact.

**Utilities and Service Systems Impact (e) Less than Significant:** The Project complies with all Federal, State and local statutes and solid waste regulations. All waste generated in connection with the Project will be handled in accordance with all applicable statutes and regulations to the extent they are applicable to the Project. This would have a less than significant impact.

20.	WILDFIRE	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</b>					
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan? (sources: 10, 11, 26, 30, 33)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Due to slope, prevailing winds and other factors, exacerbate wildfire risks and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (sources: 10, 11, 26, 30, 33)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (sources: 10, 11, 26, 30, 33)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes? (sources: 10, 11, 25, 26, 30, 33)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### Discussion/Conclusion/Mitigation:

The Project is in a CAL FIRE State Responsibility Area and is categorized as a High Fire Hazard Severity Zone. The Project site could be subject to wildland fire hazards. The Project site and surrounding area is served by the North County Fire Protection District (“NCFPD”) and CAL FIRE. The nearest fire station to the Project site is NCFPD Station 3 at 301 Elkhorn Road, located approximately 1.4 miles to the north of the Project site.

The Project residential development (PLN220229) component would implement a Fuel Management Plan to mitigate wildfire risk and control vegetation on the Project site. The Fuel Management Plan will remove dead vegetation, trim trees and shrubs and manage vegetation in defensible spaces within 30 ft and 100 ft of all structures in a manner sensitive to the biological resources and compatible with CAL FIRE guidelines. Activities within Zone 1 (30 ft from structures) would include removal of dead vegetation, trimming tree limbs and branches and creating separation between trees, shrubs and items that could catch fire such as patio furniture, wood piles, etc. Activities within Zone 2 (100 ft from all structures) would include maintaining a low (12-18 in tall) understory of native vegetation, removing fallen trees and plant material and inspection of clearances by NCFPD. See **Section VI.4 Biological Resources**.

**Wildfire Impact (a) – (d) Less than Significant:** The Project could expose persons and structures to wildland fire hazards or exacerbate fire risks and thereby expose people and/or structures to potential

wildland fire hazards. The Project has been designed to accommodate emergency vehicles and construction of the Project would not require the closure of any public roads or interfere with an adopted emergency response plan or emergency evacuation plan. Operation of the Project would not result in a significant impact to acceptable service ratios, response times, or other performance objectives for wildfire. During construction, potential fire hazards could occur in connection with the operation of equipment and other activities that could cause sparks or other sources of ignition in dry areas. This is a temporary construction impact.

Project operation could also result in potential fire hazards due to the introduction of new development and increased site use. The Project PLN220229 component would also install a rooftop array of solar panels, an energy storage system and backup generator to provide electrical power generation and would not connect to an existing electrical grid. Pursuant to LUP Hazard Policy 2.8.2.4, the Project was evaluated for conformance with the ability to comply with adopted hazard mitigating codes and regulations that are found in the MCC Fire Code and Building Code as part of the development review process. The Project demonstrates consistency with these policies as regulations for driveway design, water tanks and recommendations for fire-resistant roof materials are incorporated. A fire hydrant would be installed along the private driveway between the single family dwelling and the guesthouse and would be utilized in the event of a fire. Additionally, the two proposed 5,000-gallon water tanks would be of sufficient capacity to serve the Project in the event of a wildfire. The Project would implement a Fuel Management Plan to mitigate wildfire risk and control vegetation on the Project site. The Fuel Management Plan would remove dead vegetation, trim trees and shrubs and manage vegetation in defensible spaces within 30 ft and 100 ft of all structures. The Project would comply with the applicable fire safety provisions of the California Building Code.

The single-family dwelling unit with attached carport and deck, detached guesthouse with an attached workshop and garage and two 5,000-gallon water storage tanks and the septic tanks of the Project is located on the upper slope of a west-facing ridge with the leach field located downslope of the other PLN220229 Project components. Structural development is designed to result in a site coverage of 4,899 sf. The new driveway extension is proposed to consist of approx. 4,620 sf pavement and 2885 sf pervious pavers. To accommodate potential changes to the surface water flow, the Project includes a stormwater drainage system. Collected stormwater will be received, spread and infiltrated through the dispersion trenches. As a result, the Project is not anticipated to expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability or drainage changes.

## VII. MANDATORY FINDINGS OF SIGNIFICANCE

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number, or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (sources: 2, 18, 21, 26, 27, 28, 33, 34)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects and the effects of probable future projects.) (sources: 2, 3, 18, 33, 34, 35)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (sources: 2, 3, 18, 33, 34, 35)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion/Conclusion/Mitigation:

**Mandatory Findings Impact (a) Less than Significant with Mitigation Incorporated:** As discussed in this IS/MND, the Project would not 1) degrade the quality of environment; 2) substantially reduce the habitat of a fish or wildlife species; 3) cause a fish or wildlife population to drop below self-sustaining levels; 4) threaten to eliminate plant or animal community; 5) reduce the number or restrict the range of a rare or endangered plant or animal; or 6) eliminate important examples of major periods of California history or prehistory. The Project would result in temporary construction-related impacts to biological resources that would be mitigated to less than significant through mitigation measures identified in Section VI.4. Similarly, the Project site does not contain, nor is located near, any known cultural resources.

While unlikely, construction could unearth previously unknown resources. Mitigation for potential impacts to Tribal cultural resources shall be avoided through onsite monitoring during ground disturbance in the “high sensitivity” area of the PLN220229 parcel. In addition, the Project would implement standard County Conditions of Approval to ensure potential impacts related to the inadvertent discovery of previously unknown resource are minimized. All potentially significant impacts associated with the Project would be minimized to a less than significant level through the implementation of mitigation measures identified in this IS/MND and the standards followed in construction permit issuance and inspections in compliance with County, State and Federal codes.

**Mandatory Findings Impact (b) Less than Significant:** To determine whether a cumulative effect requires an EIR, the lead agency shall consider whether the impact is significant and whether the effects of the project are cumulatively considerable (CEQA Guidelines §15064(h)(1)). In addition, CEQA allows a



lead agency to determine that a project's contribution to a potential cumulative impact is not considerable and thus not significant when mitigation measures identified in the initial study will render those potential impacts less than considerable (CEQA Guidelines 15064(h)(2)). This IS/MND contains recommendations and mitigation measures to ensure that all potentially significant impacts are minimized to a less than significant level. Furthermore, the County has identified Conditions of Approval to minimize potential impacts. Implementation of these various measures would ensure that the Project's impacts would be less than significant. As there is limited development of this type in the area and the development is organized and restricted under the General Plan, Coastal Zoning Ordinance, MCC codes and the LUP, the Proposed Project, in combination with other residential development, would not result in a cumulatively considerable adverse environmental effect.

**Mandatory Findings Impact (c) Less than Significant:** The Project would not have a substantial adverse effect on human beings, either directly or indirectly. The Project would result in temporary construction-related impacts that would be minimized to a less than significant level through the incorporation of construction best management measures and mitigation measures identified throughout this IS/MND. The Project consists of a single-family dwelling unit, attached carport and deck, detached guesthouse with an attached workshop and garage and associated improvements. The Project will not conflict with the allowable use at the site. Conditionally-allowed uses (development within 100 feet of Pajaro manzanita and oak woodland) are supported by the resource protections, impact avoidance, oak woodland restoration and adaptive care program that are included in the Mitigation Measures and Monitoring Plans for the Proposed Project. Additionally, the Project would not induce substantial population growth either directly or indirectly or result in a substantial increase in traffic.

# **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](http://www.wildlife.ca.gov).

**Conclusion:** The Project will be required to pay the fee.

**Evidence:** Based on the record as embodied in the County of Monterey HCD-Planning files pertaining to PLN220229, PLN240187 and the attached Initial Study / Proposed (Mitigated) Negative Declaration.

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## Exhibit F

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**From:** [Patel, Milind@DOC](mailto:Patel.Milind@DOC)  
**To:** [ceqacomment](#)  
**Cc:** [Perez, Jan@DOC](mailto:Perez.Jan@DOC); [State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov); [OLRA@DOC](mailto:OLRA@DOC); [Sison, Erwin@DOC](mailto:Sison,Erwin@DOC)  
**Subject:** Boccone Norman B & Victoria E Igel Co-Trs and Elkhorn Slough Foundation  
**Date:** Tuesday, June 3, 2025 6:17:24 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[SCH2025050246 ElkhornSloughFoundation CalGEM Comment Letter.docx.pdf](#)

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Mary,

Please see attached comment letter regarding the Boccone Norman B & Victoria E Igel Co-Trs and Elkhorn Slough Foundation. SCH #2025050246

Thank you.



## Milind Patel

Associate Oil & Gas Engineer

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California  
**Department of Conservation**  
Geologic Energy Management Division

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June 2, 2025

County of Monterey

Mary Israel

1441 Schilling Place South Building 2<sup>nd</sup> Floor

[CEQAcomments@countyofmonterey.gov](mailto:CEQAcomments@countyofmonterey.gov)

Assessor Parcel Number(s): 181151009000, 181011022000, 181151008000

Property Owner(s): N/A

Project Location Address: Elkhorn Road and Kirby Road, Castroville

Project Title: Boccone Norman B & Victoria E Igel Co-Trs and Elkhorn Slough Foundation

Public Resources Code (PRC) § 3208.1 establishes re-abandonment responsibility when previously plugged and abandoned oil, gas or geothermal wells will be impacted by planned property development or construction activities. Local permitting agencies, property owners, and/or developers should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near previously abandoned oil, gas, and geothermal wells.

The California Geologic Energy Management Division (CalGEM) has received the above-referenced project dated May 20, 2025. To assist local permitting agencies, property owners, and developers in making safe and practical land use decisions regarding potential development near oil, gas, or geothermal wells, the Division provides a table of the wells within the parcel boundary or in its vicinity, based on the Division's Well Finder database (link found at the bottom of this letter).

The Division categorically advises against building over, or in any way impeding access to, oil,

gas, or geothermal wells. Impeding access to a well could result in the need to remove any structure or obstacle that prevents or impedes access including, but not limited to, buildings, housing, fencing, landscaping, trees, pools, patios, sidewalks, roadways, and decking at the landowner's expense if there is a need to access a well. Maintaining sufficient access is considered the ability for a well servicing unit and associated necessary equipment (consisting of well servicing rig, pumping equipment, pipe trailer) to reach a well from a public street or access way, solely over the parcel on which the well is located. A well servicing unit, and any necessary equipment, should be able to pass unimpeded along and over the route, and should be able to access the well without disturbing the integrity of surrounding infrastructure. Impermeable barriers such as asphalt, concrete, and plastic may trap hazardous gases and liquids underneath and could create a safety hazard if built over a well that later develops a leak.

The Division recommends that any well for which access is impeded or built over, against the Division's advice, should be evaluated by a qualified petroleum professional for compliance with the statutory objectives of isolating all hydrocarbon-bearing strata; protecting underground and surface waters; prevention of subsequent damage to life, health, property, and other resources; and prevention of loss of oil, gas, or reservoir energy. The Division recommends that wells that do not meet these standards are abandoned or re-abandoned prior to construction. The well information can be accessed through <https://maps.conservation.ca.gov/doggr/wellfinder/>. PRC § 3208, subdivision (a), provides the primary statutory authority for the Division to oversee adequate abandonment of wells. Additionally, the Division has developed the regulatory guidance for operators to be followed during well abandonment, which are listed within California Code of Regulation, title 14 (CCR) § 1723 and associated sub-sections (for onshore wells), and § 1745 and associated sub-sections (for offshore wells).

There is no guarantee that a well abandoned in compliance with current Division requirements as prescribed by law will not start leaking in the future. Due to the inability to predict all subsurface conditions or changes, it always remains a possibility that any well may start to leak oil, gas, and/or water after abandonment, no matter how thoroughly the well was plugged and abandoned. The Division acknowledges wells plugged and abandoned to the most current Division requirements as prescribed by law have a lower probability of leaking in the future, however there is no guarantee that such abandoned wells will not leak.

The Division advises that all wells identified on the development parcel prior to, or during, development activities be tested for liquid and gas leakage. Surveyed locations in Latitude and Longitude, NAD 83 decimal format, and leak testing results should be provided to the Division. The Division expects any wells found leaking to be reported to the Division immediately.

PRC § 3208.1 gives the Division the authority to order or permit the re-abandonment of any well



where it has reason to question the integrity of the previous abandonment. Responsibility for re-abandonment costs may be affected by the choices made by the local permitting agency, property owner, and/or developer in considering the general advice set forth in this letter. The PRC continues to define the person or entity responsible for re-abandonment as:

1. The property owner - If the well was plugged and abandoned in conformance with Division requirements at the time of abandonment, and in its current condition does not pose an immediate danger to life, health, and property, but requires additional work solely because the owner of the property on which the well is located proposes construction on the property that would prevent or impede access to the well for purposes of remedying a currently perceived future problem, then the owner of the property on which the well is located shall obtain all rights necessary to re-abandon the well and be responsible for the re-abandonment.
2. The person or entity causing construction over or near the well - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and the property owner, developer, or local agency permitting the construction failed either to obtain an opinion from the supervisor or district deputy as to whether the previously abandoned well is required to be re-abandoned, or to follow the advice of the supervisor or district deputy not to undertake construction that impedes access, then the person or entity causing the construction over or near the well shall obtain all rights necessary to re-abandon the well and be responsible for the re-abandonment.
3. The party or parties responsible for disturbing the integrity of the abandonment - If the well was plugged and abandoned in conformance with Division requirements at the time of plugging and abandonment, and after that time someone other than the operator or an affiliate of the operator disturbed the integrity of the abandonment in the course of developing the property, then the party or parties responsible for disturbing the integrity of the abandonment shall be responsible for the re-abandonment.

Should any wells require abandonment or re-abandonment, the responsible party must submit a Notice of Intention (NOI) to the Division through WellSTAR. The NOI form can be accessed in the 'Plugging and Abandonment' section of the following link: [https://www.conservation.ca.gov/calgem/for\\_operators](https://www.conservation.ca.gov/calgem/for_operators). No well work may be performed on any oil, gas, or geothermal well without written approval from the Division. Well work requiring approval includes, but is not limited to, mitigating leaking gas or other fluids from abandoned wells, modifications to well casings, and/or any other re-abandonment work. The Division also regulates the top of a plugged and abandoned well's minimum and maximum depth below final grade. CCR §1723.5 states well casings shall be cut off at least 5 feet but no more than 10 feet below the surface of the ground. If any well needs to be lowered or raised (i.e. casing cut down

or casing riser added) to meet this regulation, a permit from the Division is required before work can start.

The Division makes the following additional recommendations to the local permitting agency, property owner, and developer:

1. To ensure that present and future property owners are aware of (a) the existence of all wells located on the property, and (b) potentially significant issues associated with any improvements near oil or gas wells, the Division recommends that information regarding the below identified well(s), and any other pertinent information obtained after the issuance of this letter, be communicated to the appropriate county recorder for inclusion in the title information of the subject real property.
2. The Division recommends that any soil containing hydrocarbons be disposed of in accordance with local, state, and federal laws. Please notify the appropriate authorities if soil containing significant amounts of hydrocarbons is discovered during development.

As indicated in PRC § 3106, the Division has statutory authority over the drilling, operation, maintenance, and abandonment of oil, gas, and geothermal wells, and attendant facilities, to prevent, as far as possible, damage to life, health, property, and natural resources; damage to underground oil, gas, and geothermal deposits; and damage to underground and surface waters suitable for irrigation or domestic purposes. In addition to the Division's authority to order work on wells pursuant to PRC §§ 3208.1 and 3224, it has authority to issue civil and criminal penalties under PRC §§ 3236, 3236.5, and 3359 for violations within the Division's jurisdictional authority. The Division does not regulate grading, excavations, or other land use issues.

Should you have any questions, or if any wells are encountered that were not part of this letter, contact CalGEM at 916.322.1110 or via email at [CalGEMNorthern@conservation.ca.gov](mailto:CalGEMNorthern@conservation.ca.gov).

Sincerely,

*May Soe*

May Soe  
Supervising Oil & Gas Engineer – Northern District

cc: Mary Israel

The wells listed below are reported to be located within and nearby the parcel boundary, and may have future access impeded:

No wells in the project area

06/06/2025

From:  
Norman Boccone & Victoria Igel  
7510 Rainbow Dr #3  
San Jose, CA 95129  
Phone: 408-459-8644  
email: [dropslowly@gmail.com](mailto:dropslowly@gmail.com)

To:  
County of Monterey  
Housing & Community Development  
Attn: Mary Israel, Supervising Planner  
1441 Schilling Pl South 2nd Floor  
Salinas, CA 93901

Dear Members of the Monterey County Planning Commission,

We are the owners of the property at 827 Elkhorn Road. We would like to provide comments on the Initial Study for our project, File Numbers PLN220229 & PLN240187.

### **Background**

When we bought the property, the first thing we did was to evaluate the environmental status. We met with USFW, CDFW, and ESF (Elkhorn Slough Foundation). We hired many environmental consultants and paid for a 5-month research study to determine the presence of protected amphibians. Based on feedback from these various entities, and no finding of protected amphibians, we were able to create a plan that had minimal impact on the environment. We continued to work with the environmental consultants and the HCD planning office to make changes to further decrease the environmental impact. Early on, we asked ESF for an easement for our driveway, to save grading and a few landmark trees. At that time, they declined to work with us. We spent about a year finding a plan that would work. One aspect of the plan was that we would put 2.25 acres of land in a conservation easement (1.5 acres for oak woodland; .75 acres of animal habitat).

When we were about to start the Initial Study, ESF agreed to a Lot Line Adjustment so that we could change the driveway path. Although the change meant a delay in the project, and much more money, it decreased the amount of grading and decreased the number of trees to remove, including 3 landmark trees. ESF gave us 0.5 acres that included the driveway path and we gave them 0.9 acres as trade. Since we were doing the Lot Line Adjustment, we also chose to donate another 5 acres. Our idea was that this donation would more than cover the land needed for the conservation easement. Note that the location of the land donated was chosen by ESF.

### **Clarification for Parking Location**

Page 15 says that no parking should be allowed at the upper turnout. This was a requirement before we added the Lot Line Adjustment. Since that property will now be ours, we do not think that there should be a restriction on parking

### **Information for Water Tanks**

The report states that "The Project includes four (4) water tanks of currently unknown size." In the plans there are only 2 - 5000 gallon water tanks as required by MC fire plus a pump and a b/u generator on a concrete pad. The tanks are each 119" dia x 116" high and will be green.

### **Clarification for Habitat Adaptive Care Program**

In some parts of the Initial Study, it specifies that areas of construction and areas of restoration need to be part of the Habitat Adaptive Care Program. In other parts, it seems to refer to the entire property. We will impact .28 acres permanently, and .75 acres temporarily. But the project will not impact 8 to 9 acres of the property. It does not seem correct that we should be required to restore areas that we do not impact. We would like to get clarification on the boundaries for the areas of the Habitat Adaptive Care Program.

### **Reporting for the Tribal Monitor**

The archaeological report stated "The excavation for the water line and septic field will likely have no effect on archaeological resources. No further archaeological investigation regarding the Project is warranted." Therefore, we are not really sure why a tribal monitor is needed. But the current mitigation measure says that a Tribal Monitor is required and that reports should be made daily. For the other mitigation measures, the reports are only done once, after the job is complete. So, if a Tribal Monitor is deemed necessary, are daily reports really required? We think the reporting for the tribal monitor should follow a procedure similar to the other mitigation measures – require a report only at the end, unless something of interest appears.

### **Length of Monitoring Time for Restoration/Enhancement Areas**

In our initial Biotic report, before the LLA application, the recommended time for monitoring restoration/enhancement areas was 5 years (7 years for the trees). The LLA application decreased the environmental impact of the property. Yet, for some reason, when the biotic report was updated to include the LLA, the monitoring of the restoration/enhancement areas was increased to 7 years. No part of the LLA property that we are receiving is in any restoration/enhancement area; it does not make sense that a change that reduces environmental impact would result in increased monitoring. We think the length of monitoring time should revert to the original 5 years, or be less since the change is to benefit the environment.



### Necessity of Conservation Scenic Easement

As mentioned above, the initial recommendation from our environmental consultants, before our Lot Line Adjustment with ESF, was 2.25 acres. We chose to donate over 5 acres. To us, it made more sense that the land would be managed by environmental experts, rather than us. Because we are already donating more than twice that amount of land recommended by the biotic reports, we do not think that we should be required to place any more land in conservation easements.

Note: the description in the Initial Study mentions having a place for CRLF dispersal habitat. The land that would be donated for this project is in the Northwest, near the location where the CRLF were found. In fact, two of the places are in the proposed donation area. (See map below). The LLA by itself addresses the concern of CRLF dispersal habitat; we do not think the CSED should be required.

### Property Map

Shaded area: proposed donation area

Blue outline: Proposed new property line

Yellow pins: Locations where CRLF were found

Red outline: proposed permanent construction area



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## Exhibit G

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**MINUTES**  
**North County Land Use Advisory Committee**  
**November 1, 2023**

1. Meeting called to order by Lesley Noble at 5:30 pm

2. Roll Call

**Members Present:**

Robinett, Owen, Noble, Mastroianni, Paolini (5)

Tafoya arrived 5:45pm

**Members Absent:**

David Evans (1)

3. Approval of Minutes: **TABLED NO QUORUM**

A. August 2, 2023 minutes

Motion: \_\_\_\_\_ (LUAC Member's Name)

Second: \_\_\_\_\_ (LUAC Member's Name)

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

Absent: \_\_\_\_\_

Abstain: \_\_\_\_\_

4. **Public Comments:** The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

NONE

5. Scheduled Item(s)

6. Other Items:



A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

NONE

B) Announcements

Robinett wanted to have the Committee acknowledge the outstanding work of our Supervisor, GLENN CHURCH, for the outstanding efforts tht resulted in Kirby Park, Eucalytus mitigation, traffic mitigation at our schools, and many other efforts to brighten life in the community

7. Meeting Adjourned: 6:47 pm

Minutes taken by: Lesley Noble

# Action by Land Use Advisory Committee

## Project Referral Sheet

Monterey County Housing & Community Development  
1441 Schilling Place 2<sup>nd</sup> Floor  
Salinas CA 93901  
(831) 755-5025

Advisory Committee: North County

2. **Project Name:** BOCCONE NORMAN B & VICTORIA E IGEL CO-TRS  
**File Number:** PLN220229  
**Project Location:** 827 ELKHORN RD, ROYAL OAKS, CA 95076  
**Assessor's Parcel Number(s):** 181-151-009-000  
**Project Planner:** Mary Israel  
**Area Plan:** North County Area Plan  
**Project Description:** Combined Development Permit including 1) Coastal Administrative Permit for a new two-story three (3) bedroom, three (3) bath single family dwelling (approximately 2,916 square feet) with attached 480 square foot carport and 470 square foot deck, a detached guesthouse/workshop and garage (approximately 1,315 square feet); 2) Coastal Development Permit for removal of 35 Coast Live Oak trees; and 3) Coastal Development Permit for development within 100 feet of ESHA (maritime chaparral). Project includes new driveway extension from existing driveway; new septic system and tie into existing water well system and solar power and energy storage system.

Was the Owner/Applicant/Representative present at meeting? YES X NO       

(Please include the names of the those present)

Gloria Igel and Norman Boccone, Owner Applicants, and Carol Riewe (Architect)  
\_\_\_\_\_  
\_\_\_\_\_

Was a County Staff/Representative present at meeting? Moulton & Israel (Name)

### PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Scott Hawkins	X		100% in agreement with the project


**LUAC AREAS OF CONCERN**

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
There were minor concerns amongst the Committee members but utimtely it appears this project		
will benefit the parcel, and surrounding parcels, and mitigate fire issues.		

**ADDITIONAL LUAC COMMENTS**

**RECOMMENDATION:**

Motion by:
 Mastroianni
 (LUAC Member's Name)

Second by:
 Robinett
 (LUAC Member's Name)

- X
 Support Project as proposed
- Support Project with changes
- Continue the Item

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Reason for Continuance: \_\_\_\_\_

Continue to what date: \_\_\_\_\_

Ayes: Owen, Robinett, Mastroianni, Paolini, Noble, Tafoya (6)

Noes: (0)

Absent: David Evans (1)

Abstain: (0)

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