Exhibit E

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County of Monterey
State of California

MITIGATED NEGATIVE DECLARATION

Project Title:	Carmel Self Storage Investments LLC
File Number:	PLN210306
Owner:	Carmel Self Storage Investments LLC
Project Location:	Terminus of Center Street near Berwick Drive, Carmel Valley
Primary APN:	169-131-024-000
Project Planner:	Mary Israel
Permit Type:	Combined Development Permit
Project Description:	Combined Development Permit consisting of an: 1) Use Permit for a 71,540 square foot two-story self-storage facility with an office and bathroom (5 buildings); 2) Administrative Permit and Design Approval for development in the "S" and "D" districts; 3) Use Permit to allow development within 200 feet of the Carmel River floodplain; and 4) permit for the removal of one (1) Oak tree.

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

a) That said project will not have the potential to significantly degrade the quality of the environment.

b) That said project will have no significant impact on long-term environmental goals.

c) That said project will have no significant cumulative effect upon the environment.

d) That said project will not cause substantial adverse effects on human beings, either directly or indirectly.

Decision Making Body:	Planning Commission
Responsible Agency:	County of Monterey
Review Period Begins:	June 21, 2024
Review Period Ends:	July 22, 2024

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

COUNTY OF MONTEREY

HOUSING AND COMMUNITY DEVELOPMENT

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

INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title:	Carmel Self Storage Investments LLC
File No.:	PLN210306
Project Location:	Eastern Terminus of Center Street, cross-street Berwick Drive, Carmel Valley, Unincorporated Monterey County
Name of Property Owner/Applicant:	Carmel Self Storage Investments LLC
Assessor's Parcel Number(s):	169-131-024-000
Acreage of Property:	Approximately 2.06 acres
General Plan Designation:	Commercial
Zoning District:	Heavy Commercial, Design Approval, and Site Plan Review, Residential Allocation Zone [HC-D-S-RAZ]
Lead Agency:	County of Monterey
Prepared By:	Mary Israel
Date Prepared:	May 2024
Contact Person:	Mary Israel, Supervising Planner, County of Monterey Housing and Community Development Department Phone: (831) 755-5183 Email: israelm@countyofmonterey.gov

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project:

The proposed project is located on Assessor's Parcel 169-131-024-000, within the Carmel Valley Master Plan (CVMP) in unincorporated Monterey County. The site is at the eastern terminus of Center Street, just east of its intersection with Berwick Drive. Figure 1 shows the regional location of the project site and Figure 2 provides an aerial image of the project site in its neighborhood context.

The proposed project entails the construction of a new self-storage facility totaling 71,540 square feet (sq. ft.). The facility would contain five storage buildings of varying sizes, an office and bathroom which would be located in Building A, see Table 1 below. The project would provide 486 total storage units, ranging from 5 feet by 5 feet to 10 feet by 30 feet. First floor exterior units would be primarily drive-up self-storage units and inside units would be provided on the first and second floor, see Figure 3.

Table 1 Project Components

Type	
Building A	23,065 sq. ft.
Building B	18,250 sq. ft.
Building C	13,089 sq. ft.
Building D	7,132 sq. ft.
Building E	9,280 sq. ft.
Total	71,536 sq. ft.
Total Building Coverage	38,669 (42.7%) sq. ft.
Total Impervious Surfaces	**70,765 sq. ft.**

Consistent with the Carmel Valley Master Plan, the project would have a 100-foot setback along the northern boundary of the project. The southern setback would range between 10 to 70 feet, the western setback would be 23 feet, and the eastern setback would range from 10 to 25 feet.

Self-storage Operational Rules

The self-storage facility would not allow for the following items to be stored on the project site:

- Firearms and ammunition
- Gun powder
- Gasoline and kerosene
- Cannabis
- Illegal narcotics
- Paint, stains, lacquer
- Tires that do not have rims
- Hazardous materials
- Perishable foods
- Pet food
- Live animals
- Live plants
- Wet items

Operation and Facility Characteristics:

The facility would employ three people. Office hours would be 9 a.m. to 5 p.m. at least during working days (Monday through Friday) and gate hours would be 7 a.m. to 8 p.m. 7 days per week. Exterior lighting would be strategically placed approximately 3 feet above the 8-foot rollup doors (approximately 11-12 feet off the ground) to minimize off-site light spillage. On-site security measures include limited site access and exterior and hallway cameras.

Site Access and Parking

During operation, the project site would be locally accessible via two keypad operated vehicle gates and a keypad operated pedestrian gate on Center Street. The gates would require an access code and would be locked from 8:00 p.m. until 6:00 a.m. daily. Signs would be posted within the facility reminding visitors that there is a 5 miles per hours (MPH) speed limit, the direction of the exits, and requesting visitors turn off their high beams on their vehicles. The project would provide four standard parking spaces and one accessible parking space.

Utilities

The storage units would not include electrical outlets, lighting, or plumbing fixtures. Additionally, there would be no hose bibs available for renters or the public. The bathroom adjacent to the office would be accessible during office hours and would require a key from the staff. AT&T would provide telecommunication services to the proposed project. Pacific Gas and Electric Company (PG&E) would provide gas and maintenance of electrical infrastructure to the project site and proposed project. Electricity would be provided by Central Coast Community Energy (3CE) via PG&E infrastructure. Water would be provided by an existing on-site well located on the eastern side of Building C. The project would include an onsite wastewater treatment system (OWTS) for wastewater along the southern portion of Building A. The treatment system is designed based upon an estimated effluent load of 145 gpd (assuming three full-time employees and 20 daily guests). The primary septic field would be located at the midpoint between Building A and Building B, and a secondary and a tertiary septic field would be located at approximately 10-foot intervals east of the primary septic field.

Construction

Project construction would occur over approximately 12 months beginning in 2024. Construction would include site preparation, grading, and construction. The proposed project would include 670 cubic yards of fill, 1,255 cubic yards of cut, and 585 cubic yards net soil export. The maximum excavation depth would be approximately four feet. Project construction would require the use of a compactor, backhoe, dozer, excavator, paver, rollers, scraper, water truck, and hauling trucks through the duration of construction activities. Construction would occur Monday through Friday between 7:00 a.m. and 3:30 p.m.

Figure 1 Regional Setting

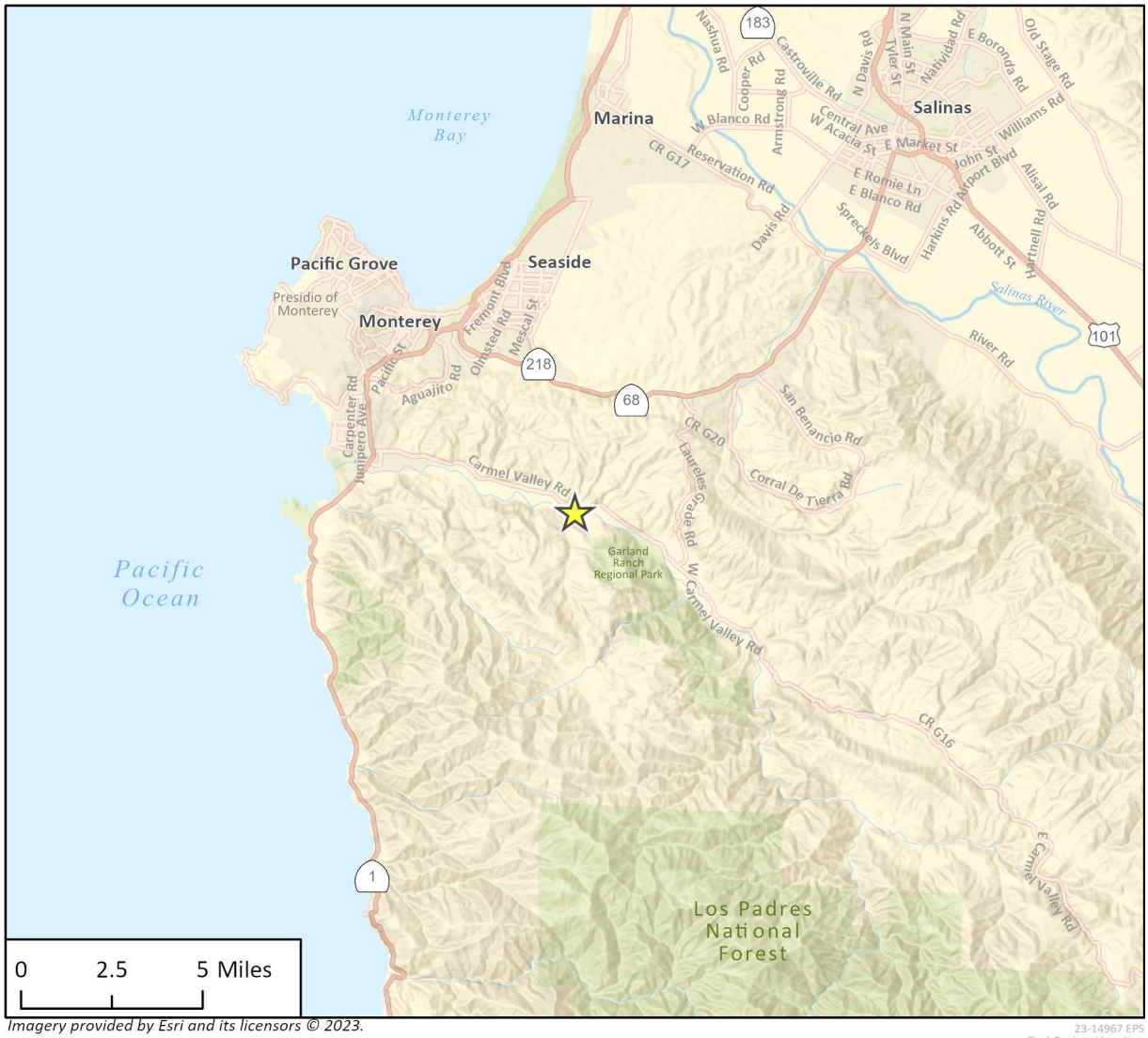

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Fig 1 Regional Location

Project Location

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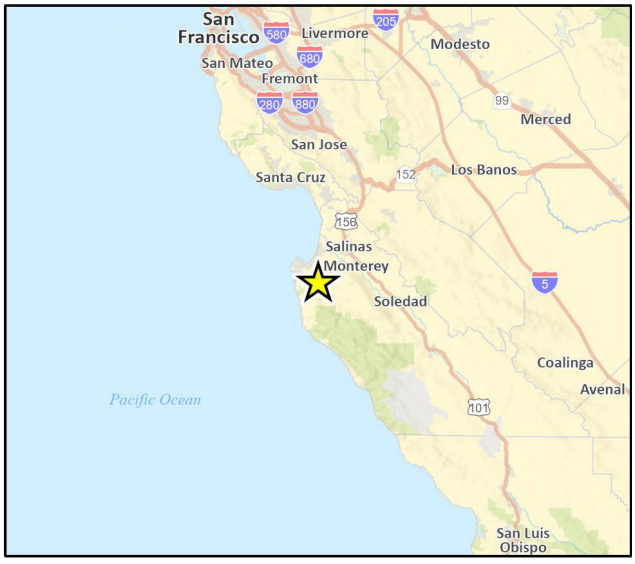

Figure 2 Project Site Location

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23-14967 EPS
Fig 2 Project Location

Figure 3 Proposed Site Plan

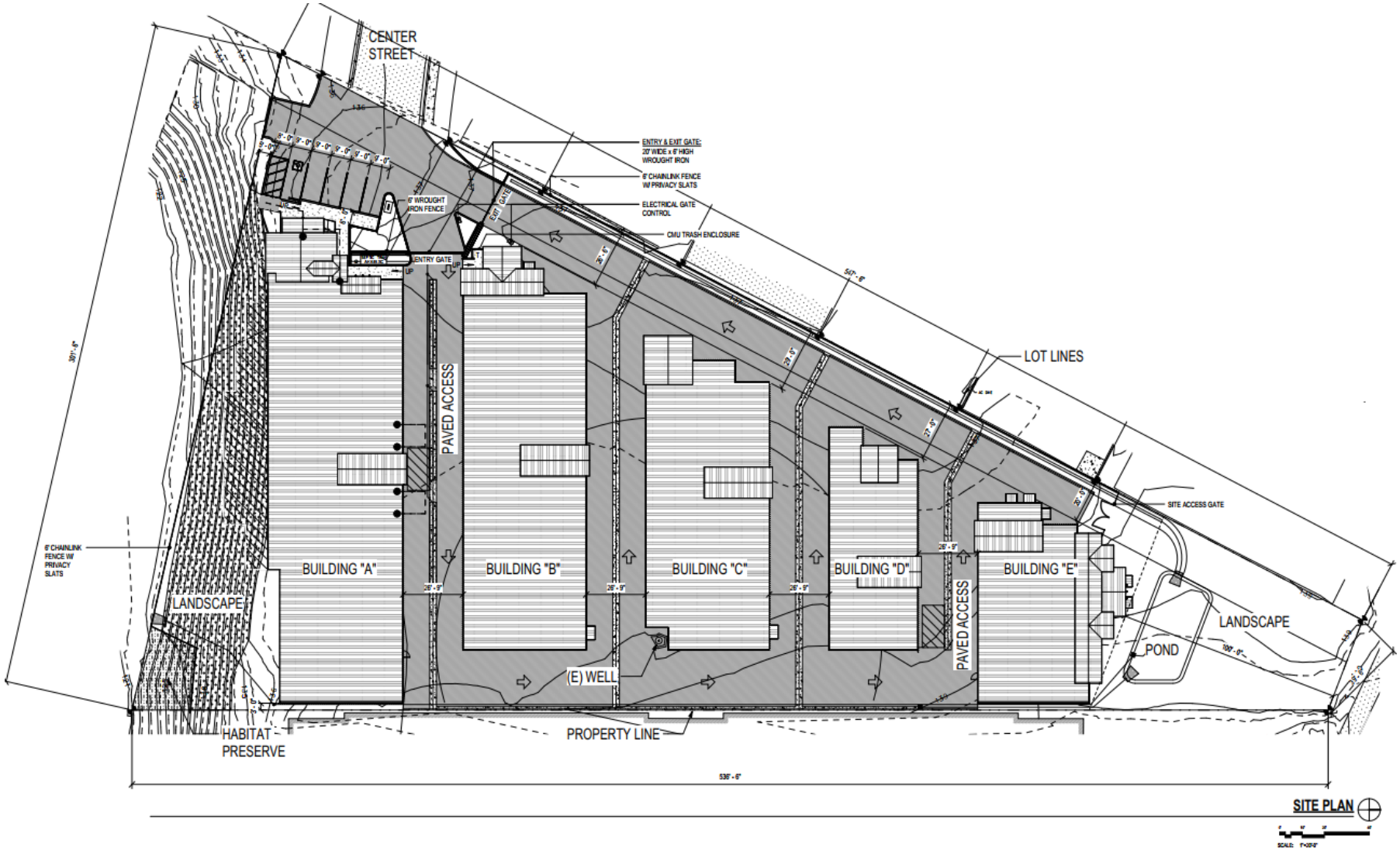


Figure 4 Proposed Site Drainage Improvements

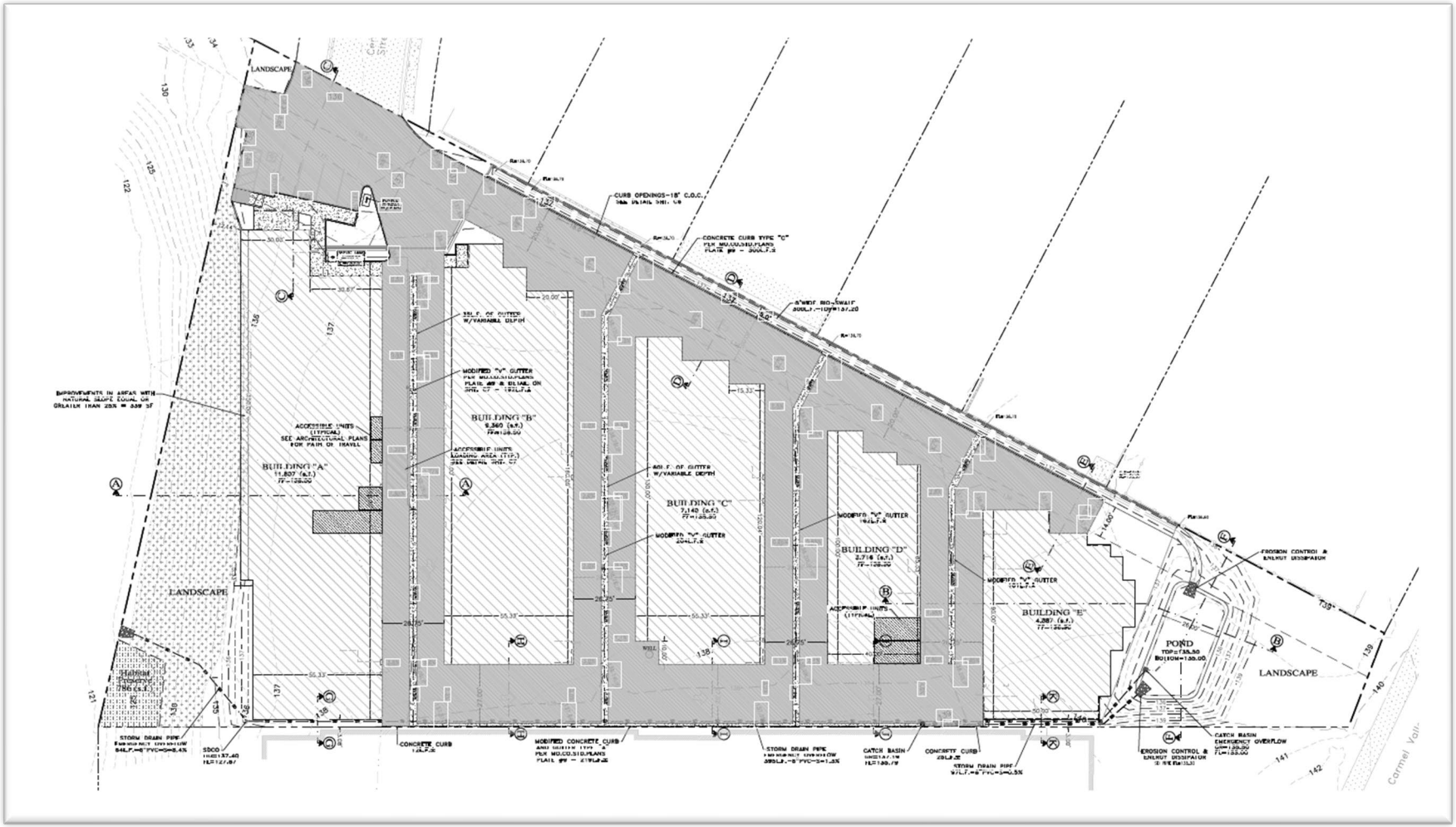
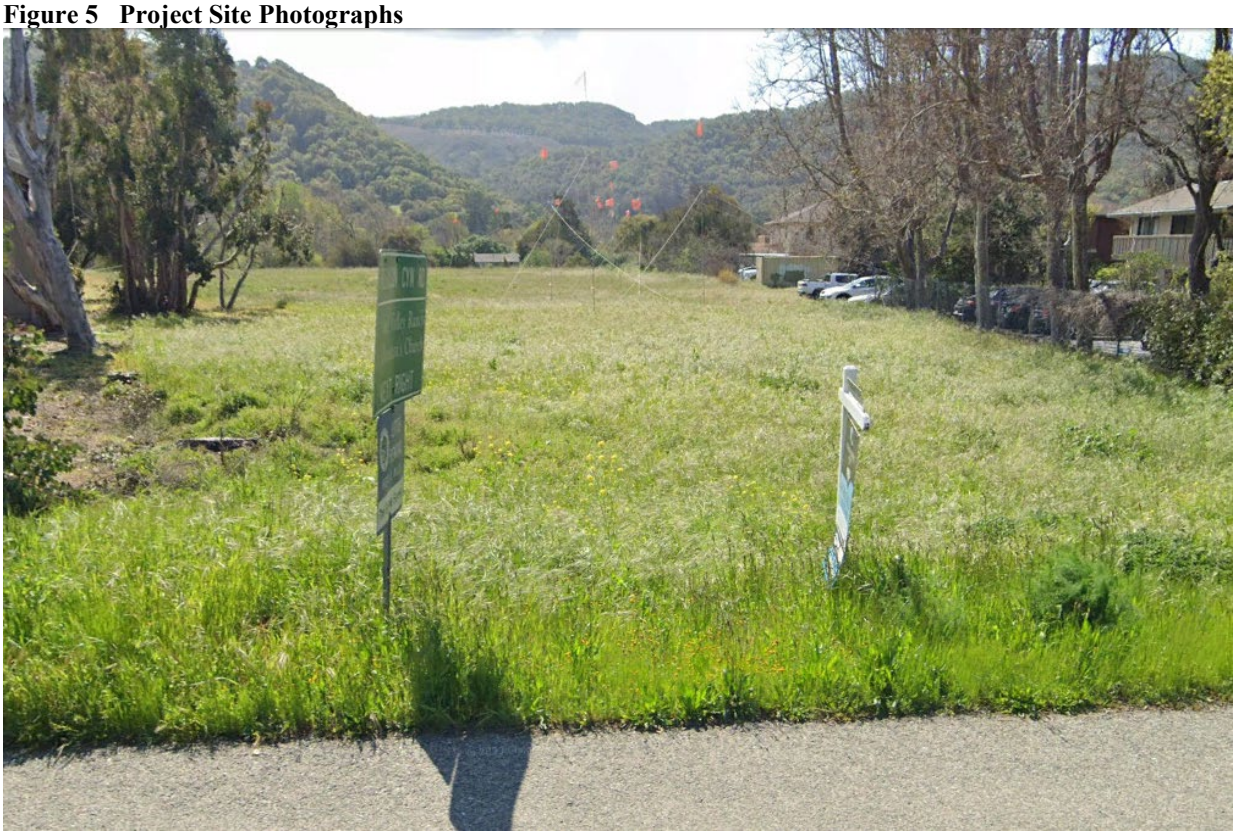


Figure 4 shows the surface water control on the project site. Natural runoff and percolation will continue to occur on the slope toward the riparian area. Gutters on asphalt between buildings would collect surface water on impervious areas and direct the flows to a manmade drainage basin on the front of the property (right side of the improvement plan). The size and location of proposed voluntary conservation easement area is also shown on the lower left of the site plan.

Figure 5 Project Site Photographs



Photograph a. View from Carmel Valley Road, looking southwest onto the project site.

Photograph b. View from Berwick Drive, looking east across a vacant lot onto the project site.

B. Surrounding Land Uses and Environmental Setting:

The project site is located in Carmel Valley approximately 6.2 miles southeast of Carmel-by-the-Sea in unincorporated County of Monterey. The site and the adjacent properties to the west are zoned Heavy Commercial, Design Approval, and Site Plan Review, Residential Allocation Zone [HC-D-S-RAZ]. The properties to the east are zoned Light Commercial with D, S, and RAZ overlay districts. The project site is bounded by Carmel Valley Road to the north, an existing self-storage facility to the east, undeveloped land and the Carmel River to the south, commercial uses to the west, and residences to the southwest. An unofficial pedestrian footpath crosses the site from west to east (Source: IX.1, 33).

The project site is an approximately 2.06-acre undeveloped parcel located within the Carmel Valley Master Plan area. The Carmel River is approximately 200 feet south of the project area and approximately 0.01 acre of riparian habitat is present in the southeast corner of the parcel. Additional riparian habitat is located immediately south of the subject parcel, associated with the Carmel River. The project site is in an area of high archaeological sensitivity and known archaeological resources have been removed from the site in the past (Sources: IX.1, 29, 30, 33, 34).

C. Other Public Agencies Whose Approval is Required:

The applicant would be required to obtain ministerial building and grading permits through the HCD-Building Services, where construction-level review and approval by the Monterey County Regional FPD, HCD-Planning, HCD-Engineering Services, HCD-Environmental Services and Environmental Health Bureau would also occur. Additionally, any work within the County right of way would require an encroachment permit from the County of Monterey Public Works, Facilities and Parks. No other public agency permits would be required.

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

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

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

General Plan/Area Plan

The proposed project was reviewed for consistency with the 2010 Monterey County General Plan (2010 GP) and the Carmel Valley Master Plan (CVMP). The Project is consistent with the Goals and Policies of the 2010 GP. Policies under Goal OS-6, Archaeological Resources, are related to the Project. OS-6.5 requires (a) procedures for designing development to avoid archaeological site deposits, historic sites and resources, and Native Californian cultural sites and (b) dedication of permanent conservation easements where developments can be planned to provide for such protective easements. The project site is within a positive archaeological site area and there is potential to impact Native Californian cultural deposits. As mitigated, the potentially significant impacts will be less than significant. Policies under Goal OS-8, Native Californian Cultural Sites, Sacred Places, and Burial Sites are related to the Project. Request for consultation letters were distributed to Tribal Representatives. Phase I and Phase II archaeological reports were prepared for the Project. Multiple consultations with Tribal Representatives were conducted. The consultations resulted in direction to adhere with OS-8.3 and OS-8.4. Recommended mitigation measures presented in the reports shall be followed. In this way, the Project shall be consistent with these policies.

The 1986 CVMP was updated and adopted as part of the 2010 GP and includes policies specific to the Carmel Valley area regarding land use, circulation, conservation/open space, safety, public services, and agriculture. CVMP Chapter 1 contains policies that pertain to Land Use and Development in Carmel Valley. The CVMP states that commercial projects must be limited to 35 feet in height and be landscaped with native or compatible plants. The proposed project would be 35 feet tall and would include native landscaping consistent with the surrounding area. CVMP Chapter 3 includes policies that pertain to Conservation and Open Space in Carmel Valley. Pursuant to Policy CV-3.8, development should be sited to protect riparian vegetation, minimize erosion, and preserve the visual aspects of the Carmel River. The project has been designed to avoid riparian habitat. The project has been designed to place all structures above the floodplain, therefore, no direct impacts to riparian habitat would occur. Furthermore, as discussed in Section 4, Biological Resources, the project would be subject to standard Conditions of Approval to reduce potential construction impacts within 100 feet of a riparian habitat. In the subject neighborhood, which is developed with light commercial uses, the inclusion this development set back from the River would not significantly alter the visual aspect of the River. Policy CV-3.10 states that the predominant landscaping and erosion control material must consist of plants that are native to the Carmel Valley. The project's draft Erosion Control Plan demonstrates adherence with Policy 3.10 in terms of erosion control materials and only native landscaping would be

placed within the 200-foot buffer from the river. Therefore, the proposed development would have no effect on the riparian vegetation, or visual aspects related to flow and plant life of the riparian area. As designed, the project would be safe from flow related erosion and would not cause flow related erosion hazards.

Given that the project would involve construction of a self-storage facility in an existing commercial area designated for commercial use, the project would not conflict with land use policies specified in the CVMP or 2010 GP. Title 21, Chapter 21.20, Regulations for Heavy Commercial Zoning District regulates the zoning of subject property. Purpose of the zoning district is to provide a broad range of heavy commercial uses in areas suitable for such uses, such as warehousing, storage facilities, offices, trade centers, etc. The Project is one of the listed uses of the zoning district and is an allowed use. The project's compliance with the designated land use, zoning district, CVMP Policies and implementation of the County's standard conditions of approval related to drainage, lighting and landscaping ensure that there would be no impact. (Sources IX. 7, 9, 28, 29, 30, 31, 32, 33, 34, 39) **CONSISTENT**

Air Quality Management Plan: The Air Quality Management Plan (AQMP, Source: IX.2) for the Monterey Bay Region addresses attainment and maintenance of state and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB) that includes unincorporated Carmel areas. 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. Consistency with the AQMP is an indication that the project avoids contributing to a cumulative adverse impact on air quality; not an indication of project specific impacts which are evaluated according to the Monterey Bay Air Resources District's (MBARD) adopted thresholds of significance. The project includes the construction of a self-storage facility intended to serve the existing local community; its operation would not increase the population in Monterey County as it is not a residential use (Source: IX.3, IX4; see Section IV.A.4, *Population/Housing,* below). Therefore, the project would not result in a population increase not already accounted for in the AQMP. The project's construction emissions that would temporarily emit precursors of ozone are accommodated in the emission inventories of state and federally required air quality management plans. Because the area of disturbance is under two acres (1.8 acres), even though the anticipated grading is 210 cubic yards, grading required for project construction is not anticipated to surpass the PM_{10} 2.2 acres per day screening threshold for potentially significant construction activity. The proposed project would therefore be consistent with the MBARD's AQMP. (Source: IX.2). **CONSISTENT**.

Water Quality Control Plan: The project site lies within the Central Coast Regional Water Quality Control Board (CCRWQCB), which regulates sources of water quality related issues resulting in actual or potential impairment or degradation of beneficial uses, or the overall degradation of water quality. The Water Quality Control Plan for the CCRWQCB serves as the master water quality control planning document and designates beneficial uses and water quality objectives for waters of the State, including surface waters and groundwater, and includes programs of implementation to achieve water quality objectives (Source: IX.5). Operation of the project would not generate pollutant runoff in amounts that would cause degradation of water quality because the Project is conditioned to adhere with the regulations and will be monitored by the local regulating office of HCD-Environmental Services (see Section IV.10, *Hydrology and Water Quality,* below). **CONSISTENT**.

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

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

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

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

☐ Check here if this finding is not applicable

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

EVIDENCE:

1. Agriculture and Forest Resources. The project site and surrounding areas are classified by the Department of Conservation's Important Farmland Finder as Urban and Built-Up Land; are not zoned or used for agricultural purposes, farmland, or timberland; and are not subject to Williamson Act contracts (Source: IX.1, Source: IX.6). Therefore, the

project would not convert any Important Farmland to non-agricultural use or conflict with any Williamson Act contracts. The project site does not contain stands of trees and is not located on or near land that is considered forest or timberland. Therefore, the project would not conflict with any existing zoning for forest land, timberland, or timberland production. *Therefore, the proposed project would not result in impacts to agriculture and forest resources*.

2. Mineral Resources. The project site is not currently used for mineral extraction, does not have a compatible zoning or land use designation for mineral extraction, and would not require the use of substantial mineral resources during construction or operation. Furthermore, the project would not involve construction in a mineral resource site. *Therefore, the proposed project would not result in impacts to mineral resources.*

3. Population and Housing. The project does not include residential uses and therefore would not generate population. The project is not anticipated to indirectly increase the population as the self-storage facility is intended to serve the existing community and would not provide a substantial source of new employment. Additionally, the project would not include the extension of roads or other infrastructure that would remove an obstacle to growth. Therefore, the project would not directly or indirectly induce substantial unplanned growth and there would be no impact. Due to the size, scale and nature of the project, the project would not displace a substantial number of people or housing, necessitating the construction of replacement housing elsewhere. *Therefore, there would be no impacts to population and housing.*

4. Public Services. The project site is serviced by the Monterey County Regional Fire District and the nearest fire station is Mid Valley Station Number 5, approximately 1.2 miles northwest of the project site. The closest police station is the Carmel Police Department, located at Junipero Avenue and 4th Avenue in Carmel-by-the-Sea, approximately 6.6 miles northwest of the project site. Security fencing and cameras that are to be installed will also deter crime at the property. The closest park to the project site is the Garland Ranch Regional Park, located approximately 2.4 miles to the southeast. The project site is within the Carmel Unified School District, and the nearest school is Carmel Valley High School, located approximately 1.3 miles northwest of the site.

   Given that the project would not increase population, as described above under Section IV.A.4, it would not impact applicable service ratios for fire and police protection services. Due to the class of project, the applicant would not be required to pay Carmel Unified School District development fees. However, the County requires the payment of development fees. Because the project would contribute monetarily to improve public services within the County using an established program for mitigation, there are no project impacts to the facilities. Furthermore, as designed, the project would not result in the provision of new or altered governmental facilities. *Therefore, the proposed project would not result in impacts to public services.*

5. Recreation. Given that the project would not increase population, as described above under Section IV.A.4, it would not increase the use of existing recreational facilities that would cause substantial physical deterioration or require the construction or expansion of

recreation facilities in the vicinity of the project. There is an existing unofficial pedestrian footpath which crosses the site from west to east. However, this footpath is not mapped, and no easements exist for public use of the land for a trail. No parks, trail easements, or other recreational facilities would be permanently impacted by the proposed project. *Therefore, the proposed project would not result in impacts related to recreational facilities*.

6. Utilities and Service Systems. The project site contains a domestic well, which would provide potable water to the project site. In accordance with Monterey County Code (MCC) Section 15.05.020(e), the project would not meet the definition of a domestic water system as it would serve fewer than 25 people for at least 60 days per year. Based on this, the Monterey County Environmental Health Bureau (EHB) determined that the proposed water system would have sufficient supply in normal, dry, and multiple dry years. Furthermore, a 72-hour source capacity test concluded that the onsite well did fully recover in accordance with the California Waterworks Standards, Section 64554, (C). As such, the EHB determined the existing well has sufficient water supplies to serve the proposed project. Therefore, the proposed project would not require the relocation or construction of new or expanded water facilities and would have sufficient water supplies.

   The project would include an onsite wastewater treatment system (OWTS). The treatment system is designed based upon an estimated effluent load of 145 gpd, assuming three full-time employees and 20 daily guests. The EHB reviewed the project application and determined that the proposed OWTS complies with applicable ordinances and regulations related to wastewater service. Therefore, the proposed project would not require the relocation or construction of new or expanded wastewater facilities and there would be adequate capacity to serve the projected demand of the project.

   Electricity would be provided by 3CE to the project site and AT&T provides telecommunication services to the project site. No natural gas service is proposed as part of the project. The use of the site as a storage facility would result in approximately 7.3 Kilowatts per month electricity demand for exterior and interior lighting. Because of this, there would not be a substantial increased demand for electricity, natural gas, and telecommunications. Therefore, the proposed project would not require the relocation or construction of new or expanded electric power, natural gas, or telecommunications facilities.

   Stormwater on the site currently percolates into the soil and drains to the Carmel River. The proposed project would introduce new impervious surfaces to the site which would alter drainage. However, the project includes stormwater swales along the western project boundary, north of Center Street, and a stormwater bio-filtration basin and catch basin along the northern boundary, south of Carmel Valley Road. Additionally, a catch basin would be located along the eastern project boundary to catch surface runoff. These facilities would be monitored for compliance with Central Coast Regional Water Quality Control Board requirements. Because stormwater controls would retain up to 95th percentile of 24-hour flood waters within the parcel, the project would not require the relocation or construction of new or expanded offsite stormwater facilities.

Monterey County is served by two active solid waste landfills, Johnson Canyon Sanitary Landfill, located at 31400 Johnson Canyon Road in Gonzales, and Monterey Peninsula Landfill, located at 14201 Del Monte Boulevard in Marina. Both facilities may serve the project. Johnson Canyon Sanitary Landfill has an estimated six million cubic yards of remaining capacity until the year 2055. Monterey Peninsula Landfill has an estimated 48 million cubic yard of remaining capacity and is expected to reach full capacity in 2107 (Source: IX.38). Construction of the project would produce solid waste during construction. The project applicant would be required to recycle or salvage at least 50 percent of non-hazardous construction debris pursuant to the California Green Building Standards Code. The anticipated amount of construction waste produced shall be two 40-yard containers of scrap metal, and four 10-yard containers of concrete debris, two 40-yard containers of miscellaneous construction debris. This amount of construction waste would not affect the permitted landfill capacity. Operation of the project would not result in a substantial increase of solid waste production as customers of the self-storage would not be permitted to use dumpsters on site for solid waste. The only waste would be generated by the office and employees. Therefore, the proposed project would not generate solid waste in excess of the capacity of local infrastructure, otherwise impair the attainment of solid waste reduction goals, or conflict with federal, state, and local management of solid waste.

Overall, the proposed project would not result in impacts related to utilities and service Systems.

B. DETERMINATION

On the basis of this initial evaluation:

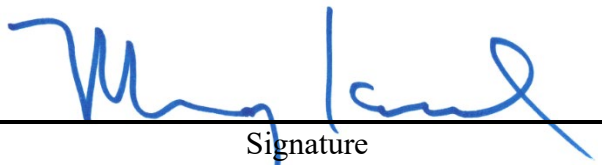
☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

Mary Israel, Supervising Planner

June 21, 2024

Date

V. EVALUATION OF ENVIRONMENTAL IMPACTS

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

2) All answers must take into account the whole action involved, including offsite as well as on site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level 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 **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista? (Sources: IX.7, 28, 33, 34, 39)	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Sources: IX.8, 28, 33)	☐	☐	☒	☐
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: IX.7, 28, 33, 34, 39)	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Sources: IX.9, 28, 33, 34, 39)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

In order to protect visual resources within Carmel Valley, consistent with CVMP CV-1.20, Design ("D") and Site Control ("S") overlay district designations are applied to the Carmel Valley area. Design review for all new development throughout the valley must consider the following guidelines:

- Proposed development encourages and furthers the letter and spirit of the Master Plan.
- Development either shall be visually compatible with the character of the valley and immediate surrounding areas or shall enhance the quality of areas that have been degraded by existing development.
- Materials and colors used in construction shall be selected for compatibility with the structural system of the building and with the appearance of the building's natural and man-made surroundings.
- Structures should be controlled in height and bulk in order to retain an appropriate scale.
- Development, including road cuts as well as structures, should be located in a manner that minimizes disruption of views from existing homes.

The project site is a vacant lot within a nonurbanized area of Monterey County. Implementation of the proposed project would change the existing visual charter of the project site as the project

site is currently vacant. The proposed development is not designed for beauty but for functionality. Because the profit margin is improved when more space is made available to rent, the project is proposed to be two stories tall. There was public concern for the potential aesthetic impact of the development, expressed during the Carmel Valley Land Use Advisory Committee (LUAC) meeting review of the project on May 1, 2023. As part of revisions made by the applicant in response to the LUAC discussion, the applicant softened the exterior colors, lowered the roofs of the façade that faces Carmel Valley Road by 3.5 feet, and broke up the lines of the façade of the office which faces the terminus of Center Street.

Aesthetics 1(a, b and c) – Less Than Significant

The project site is abutted by Carmel Valley Road to the north and undeveloped land to the south. The project site is currently vacant, allowing a limited view of surrounding hillsides through the site from Carmel Valley Road and Berwick Drive. Views of meadows and hills experienced from Carmel Valley Road are identified as scenic resources by the CVMP. However, the small meadow on the existing parcel is surrounded by development. The adjacent parcels to the east and west of the project site are developed with two existing self-storage buildings, office buildings, a bank and single-family residences. For that reason, it provides a narrow view only visible for moments to passing motorists driving approximately 50 mph on Carmel Valley Road. There is no sidewalk from which the vista would be appreciated at a slower pace. The project, consistent with Policy CV-3.1, would maintain a setback of 100 feet from Carmel Valley Road, which would help to minimize impacts on views from Carmel Valley Road (Source: IX.7). Views from Berwick Drive and Center Street are not specifically protected by the CVMP. The distribution of parcels zoned Light Commercial and Heavy Commercial in the neighborhood demonstrates the intent for this type of development to fill in on and around the site. For drivers, walkers and others on these streets, the partial obstruction of the view of the hillside by the project would be less-than-significant.

While CVMP Policy CV-2.15 states that County Scenic Route status should be sought for Carmel Valley Road, it is not officially designated as a County Scenic Route. The nearest designated State scenic highway is Highway 1, located approximately 6 miles east of the project site (Source: IX.8). Due to the distance and intervening topography, the project is not visible from this portion of Highway 1. Therefore, the proposed project would not result in a substantial adverse effect on a State scenic highway.

The project is located in a developed area and would be visually compatible with existing development. The proposed project would alter views for patrons of business and neighboring residents; however, the applicant included features in the colors and materials and breaking up the monotony of the façade to lessen the impact. Conceptual designs can be seen in Figure 6 and Figure 7. Additionally, fencing and landscaping are planned to mask some of the buildings as seen from the neighborhood. In sum, the project would not degrade the visual quality on the subject site substantially.

Therefore, impacts to scenic vistas, scenic resources, and the visual character of the site would be less than significant.

Aesthetics 1(d) – Less Than Significant

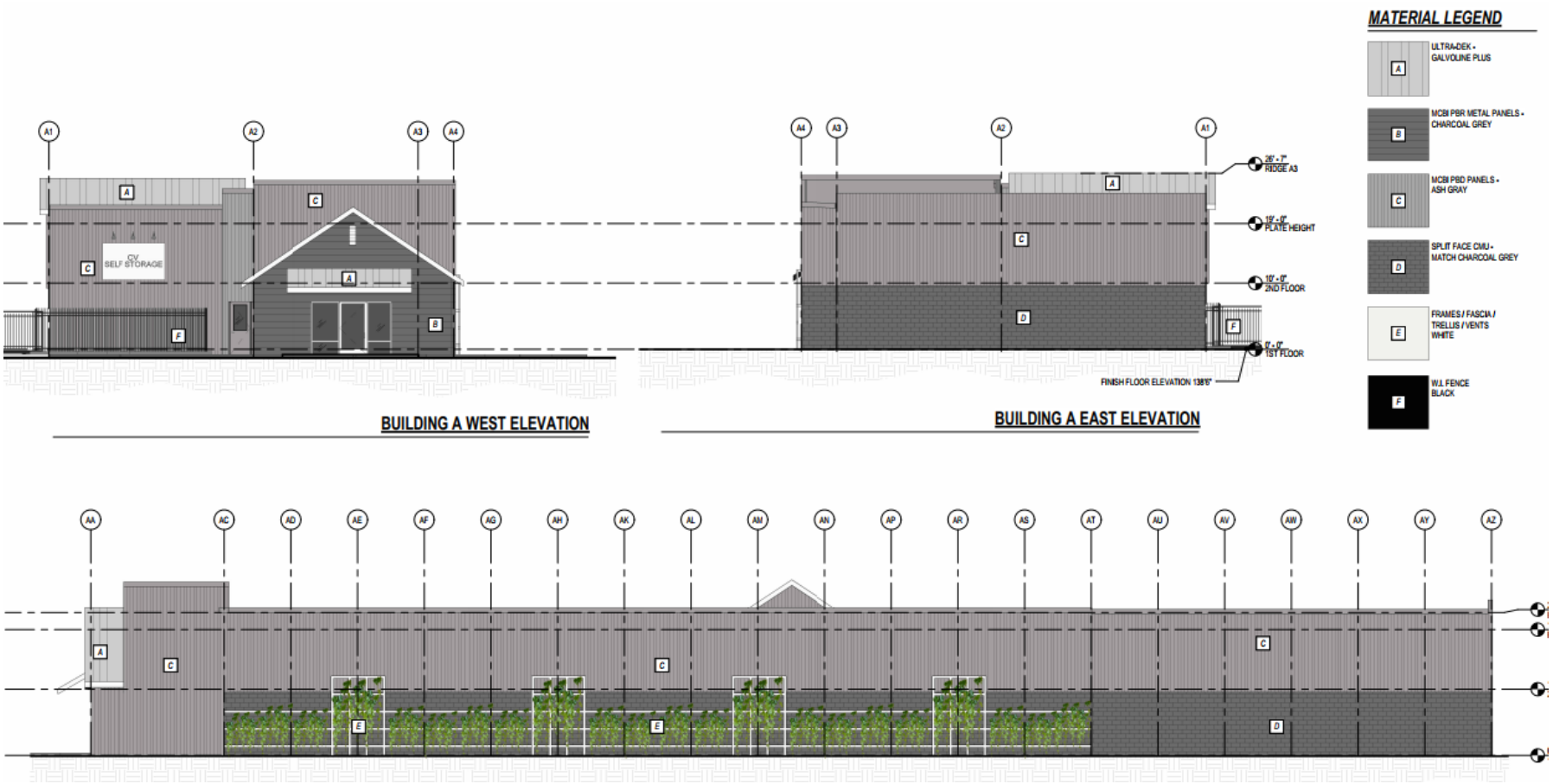
There is no existing source of lighting on the site. However, existing nighttime lighting in the vicinity includes exterior lighting associated with adjacent commercial and residential development. The primary daytime sources of glare in the project area are the sun's reflection off

light colored and reflective building materials and finishes, and metallic and glass surfaces of parked vehicles. These sources of light and glare would be consistent with existing sources of light and glare from nearby land uses, and the project would not introduce a substantial amount of new light and glare to the project area.

The project would introduce new sources of nighttime light and glare to the project site, including exterior lights around the facility and headlights from vehicles that would enter and exit the site. Nighttime lighting associated with vehicles and exterior lighting would be limited by gate hours which would allow vehicle access between 7 a.m. and 8 p.m. 7 days per week. Exterior lighting would be strategically placed approximately 3 feet above the 8-foot rollup doors to minimize off-site light spillage and signs would be posted within the facility requesting visitors turn off their high beams on their vehicles. Furthermore, the proposed exterior lighting would be required to adhere to the Design Guidelines for Exterior Lighting in accordance with the 2010 GP Policy LU-1.13 and Monterey County Code section 21.20.070.E, which require that lighting be unobtrusive, off-site glare be reduced, and lighting be rusticated to only the intended area. The application submittal included a draft lighting plan. As the photometrics plan (Plans sheet E2.1PH) conveys, lighting would be less than 0.8 foot candles at the property line in most areas of the site, while on the Carmel Valley Road, would be 0.0 foot candles. The project is conditioned for a final Exterior Lighting Plan to be submitted with the construction plans (Condition No. 13). Staff will review to ensure the lighting plan meets County requirements of downlit, inobtrusive fixtures and minimized offsite glare. (Sources: IX.9, 28, 33). *Therefore, impacts related to light and glare would be less than significant*.

Figure 6 Conceptual Rendering – View from Center Street

Figure 7 Conceptual Building Elevations



2. AGRICULTURAL AND FOREST RESOURCES

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
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))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

See Section IV.A.1. *No Impact.*

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: IX. 2, 28)	☐	☐	☒	☐
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: IX. 2, 28)	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations? (Sources: IX. 2, 28)	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Sources: IX. 2, 28)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

Air Quality 3(a) – Less Than Significant

The California Air Resources Board (CARB) coordinates and oversees both state and federal air quality control programs in California. CARB has established 14 air basins statewide, and the project site is in the North Central Coast Air Basin (NCCAB), which is under the jurisdiction of Monterey Bay Air Resources District (MBARD). The NCCAB is currently designated as nonattainment for the state particulate matter that is 10 microns μm or less in diameter (PM_{10}) standards and nonattainment-transitional for the state one-hour and eight-hour ozone standards. The NCCAB is designated as attainment for all federal standards and other state standards (Source: IX.2). MBARD is responsible for enforcing the state and federal air quality standards and regulating stationary sources through the 2012-2015 AQMP for the Monterey Bay Region, adopted on March 15, 2017.

A project would conflict with or obstruct implementation of the 2015 AQMP if either it induced population such that the population of unincorporated Monterey County exceeds the population forecast for the appropriate five-year increment utilized in the 2015 AQMP or if construction and operational emissions of ozone precursors would exceed MBARD significance thresholds (Source: IX.2). As discussed in Section IV.A.4, the proposed project would not induce population growth. Furthermore, it is anticipated that construction workers would be sourced from the existing local or regional workforce. Additionally, as discussed below under thresholds 3(b-c), the project would not result in emissions that would exceed MBARD significance thresholds. Accordingly, the project would be consistent with the 2012-2015 AQMP because it would not cause an exceedance of the growth projections that underlie its air pollutant emission forecasts. *Impacts would be less than significant.*

Air Quality 3(b-c) – Less Than Significant

As discussed under threshold 3(a), the NCCAB is currently designated as nonattainment for the state PM_{10} standard and nonattainment-transitional for the state one-hour and eight-hour ozone standards.

The MBARD CEQA Guidelines set a screening threshold of 2.2 acres of construction earthmoving per day. If a project results in less than 2.2 acres of earthmoving, the project is assumed to be below the 82 pounds of PM_{10} per day threshold of significance. The proposed project site is approximately 2.06 acres and the total area of disturbance would be approximately 79,820 sq. ft. (1.83 acres), which would not exceed MBARD's 2.2-acre screening threshold. Therefore, construction activities would not result in PM_{10} emissions that exceed MBARD thresholds (Source: IX.2).

Operational emissions would not be substantial as emissions would only involve vehicle trips and energy usage associated with self-storage facility, including employees and facility users. As discussed further under Section 17, *Transportation*, the proposed project would result in approximately 32 vehicle trips per day which would not result in a significant source of criteria pollutants. Furthermore, it is anticipated that the employees will be sourced from the local workforce. Therefore, the proposed project would result in less than significant impacts relating to a cumulatively considerable net increase of any criteria pollutant or expose sensitive receptors to substantial pollutant concentrations. *Impacts would be less than significant.*

Air Quality 3(d) – Less than Significant

During construction activities, temporary odors from vehicle exhaust and construction equipment engines would occur. However, construction-related odors would dissipate quickly and would not cause substantial odors at the closest sensitive receptors (residences to the southwest). Contractors would be required to comply with the provisions of 13 California Code of Regulations (CCR) Sections 2449 and 2485, which prohibit diesel-fueled commercial motor vehicles and off-road diesel vehicles from idling for more than five minutes to minimize unnecessary fuel consumption, which would limit exhaust fumes. In addition, construction-related odors would be temporary and would cease upon completion of construction. The proposed self-storage facility has its own operational rules which would be expected to cause users to refrain from producing odorous emissions during operation. *Therefore, the proposed project would have less than significant impact related to other emissions, including odors.*

4. BIOLOGICAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Sources: IX. 1, 10, 34)	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Sources: IX. 10, 34)	☐	☒	☐	☐
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: IX. 11, 34)	☐	☐	☐	☒
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: IX. 10, 34)	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Sources: IX. 1, 7, 9, 10, 34)	☐	☒	☐	☐
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: IX. 1, 10)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

Biological Resources 4(a) – Less than Significant with Mitigation

Special-status species include those plants and wildlife species that have been formally listed, are proposed as endangered or threatened, or are candidates for such listing under the Federal Endangered Species Act (ESA) or California Endangered Species Act (CESA). These Acts afford protection to both listed species and those that are formal candidates for listing. The federal Bald and Golden Eagle Protection Act also provides broad protections to both eagle species that in some regards are similar to those provided by ESA. In addition, the California Department of Fish and Wildlife (CDFW) Species of Special Concern (SSC), CDFW California Fully Protected Species, United States Fish and Wildlife Service (USFWS) Birds of Conservation Concern, and CDFW Special Status Invertebrates are all considered special-status

species. In addition to regulations for special-status species, most native birds in the United States (including non-status species) are protected by the federal Migratory Bird Treaty Act of 1918 (MBTA) and the California Fish and Game Code (CFGC) (i.e., Sections 3503, 3503.5 and 3513). Under these laws, deliberately destroying active bird nests, eggs, and/or young is illegal. Plant species on the California Native Plant Society (CNPS) Rare and Endangered Plant Inventory (Inventory) with California Rare Plant Ranks (Rank) of 1 and 2 are also considered special-status plant species and must be considered under CEQA.

There is one federally threatened and SSC amphibian species, California red-legged frog (*Rana draytonii*; CRLF), and one reptile SSC, western pond turtle (*Emys marmorata*; WPT), that could potentially occur within the project site. The project site occurs adjacent to the Carmel River (approximately 200 feet south from the top of bank), which is known to support both of these species, including WPT breeding habitat. As such, the project site provides suitable upland and dispersal habitat for CRLF and suitable upland nesting habitat for WPT. There is also the potential for raptors and other nesting bird species, which are protected under the MBTA, to use trees and other vegetation located on or in the vicinity of the project site during the nesting season.

Construction could result in damage or destruction of suitable upland CRLF and WPT habitat and bird nests, which would result in a substantial adverse effect to these species. However, the project would be subject to the following mitigation measures to reduce potential impacts to CRLF, WPT, and special status reptiles. The project would be subject to a standard condition of approval for surveys of raptors and migratory and nesting birds. With the following mitigations and the condition of approval, the proposed project would not have a substantial adverse effect on a species identified as a candidate, sensitive, or special-status species. *Impacts would be less than significant.*

Mitigation Measure BIO-1. California Red-Legged Frog Site Assessment:
California red-legged frog (*Rana draytonii; CRLF*) have the potential to occur within the project site. Grading and vegetation removal at the project site may result in direct mortality of individuals if present at the time of construction. Prior to construction activities, the project proponent shall retain a qualified biologist to prepare a site assessment in accordance with the *Revised Guidance on Site Assessments and Field Surveys for the California Red-legged Frog* (Source IX.10). The site assessment shall be submitted to the U.S. Fish and Wildlife Service (USFWS) for concurrence that based on the site assessment and the avoidance measures identified therein, the project is unlikely to result in take. If the USFWS does not concur, the project proponent shall obtain an Incidental Take Permit (ITP) from the USFWS. ITP requirements shall involve the preparation and implementation of a mitigation plan and mitigating impacted habitat at a ratio agreed upon by USFWS representatives through preservation, restoration, and/or purchase of credits at an authorized mitigation bank. The project applicant shall retain a qualified biologist to prepare a mitigation plan, which will include, but is not limited to, identifying avoidance and minimization measures, and identifying a mitigation strategy that includes a take assessment, avoidance and minimization measures, compensatory mitigation lands, success criteria, and funding assurances. The project applicant shall implement the approved plan and any additional ITP requirements.

<u>Mitigation Monitoring Action BIO-1.1</u>

Prior to construction permits from HCD - Building Services, the owner/applicant shall submit to HCD - Planning for review and approval a contract with a qualified biologist on the County's list of approved biological consultants for the required site assessments and field surveys for CRLF. The contract shall include a scope of work that includes the text of BIO-1. When the contract is reviewed and approved, and other mitigation actions and steps in conditions of approval required prior to construction permit issuance are met, HCD-Planning staff will remove hold on the issuance of construction permits from HCD - Building Services. If an ITP is required, the owner/applicant shall provide full documentation of the ITP from USFWS to HCD-Planning prior to construction permit issuance.

Mitigation Measure BIO-2. California Red-Legged Frog Employee Education and Construction Site Monitoring:
California red-legged frog (*Rana draytonii; CRLF*) have the potential to occur within the project site. Ignorance among employees on the construction crew could result in direct mortality of individuals if present at the time of construction. Therefore, prior to construction activities, the project proponent shall retain a qualified biologist to conduct an Employee Education Program for the construction crew. The biologist shall meet with the construction crew at the project site at the onset of construction to educate the construction crew on the following: a) a review of the project boundaries; b) all special status species that may be present, their habitat, and proper identification; c) the specific mitigation measures that will be incorporated into the construction effort; d) the general provisions and protections afforded by USFWS and/or CDFW; and e) the proper procedures if a special-status animal is encountered within the project site.

A qualified biologist shall survey the proposed project site and immediately adjacent areas 48 hours before and the morning of the onset of work activities for the presence of CRLF. If any life stage of CRLF is observed, construction activities shall not commence until the USFWS is consulted and appropriate actions are taken to allow project activities to continue. CRLF shall not be handled unless authorized by the USFWS.

During ground disturbing and vegetation removal activities, a qualified biologist shall survey appropriate areas of the construction site daily before the onset of work activities for the presence of CRLF. The qualified biologist shall remain available to come to the site if a CRLF is identified until all ground disturbing activities are completed. If any life stage of the CRLF is found and these individuals are likely to be killed or injured by work activities, the qualified biologist shall be contacted, and work shall stop in that area until the CRLF has moved on its own out of the work area and the USFWS has been contacted. Construction activities shall not resume until the USFWS is consulted and appropriate actions are taken to allow project activities to continue. CRLF shall not be handled unless authorized through an ITP by the USFWS.

After ground disturbing and vegetation removal activities are complete, or earlier if determined appropriate by the qualified biologist, the qualified biologist will designate a construction monitor to oversee on-site compliance with all avoidance and minimization measures. The qualified biologist shall ensure that this construction monitor receives sufficient training in the identification of CRLF. The construction biological monitor shall be the contact for any CRLF encounters, will conduct daily inspections of equipment and materials stored on site and any holes or trenches prior to the commencement of work, and shall ensure that all installed fencing stays in place throughout the construction period. The qualified biologist shall then conduct

regular scheduled and unscheduled visits to ensure the construction biological monitor is satisfactorily implementing all appropriate mitigation protocols. The qualified biologist shall remain available to come to the site if a CRLF is identified until construction is completed. The qualified biologist and the construction monitor shall complete a daily log summarizing activities and environmental compliance throughout the duration of the proposed project. The construction monitor and the qualified biologist are authorized to stop work if the avoidance and/or minimization measures are not being followed. If work is stopped, the USFWS shall be notified. CRLF shall not be handled unless authorized by the USFWS.

Mitigation Monitoring Action BIO-2.1
Prior to the building final, the owner/applicant shall submit to HCD – Planning a letter from the qualified biologist demonstrating how the education program was implemented, and how it was successful. The letter shall include the full and final list of all construction staff who participated in the Employee Education Program.

Mitigation Monitoring Action BIO-2.2
Results of the pre-construction surveys of the project site and immediately adjacent areas following the Revised Guidance for CRLF Site Assessment and Field Survey (USFWS, 2005) shall be submitted to HCD-Planning and other required agencies. If any life stage of CRLF is observed, construction activities will not commence until the USFWS is consulted and appropriate actions are taken to allow project activities to continue. Reports shall be submitted to HCD-Planning and USFWS in a timely manner.

Mitigation Monitoring Action BIO-2.3
During construction operations, the owner/applicant or the qualified biologist shall send the results of on-going CRLF surveys to HCD - Planning in a timely manner which is contingent on the rate of construction activity as determined by the construction timeline; results are expected either at the end of every two weeks or at the end of every month of ground disturbing and vegetation removal activities. Full documentation shall be submitted to HCD – Planning prior to building final or commencement of use, whichever comes first.

Mitigation Measure BIO-3. Construction Site Protection for CRLF:
Without the employment of best management practices (BMPs) during construction, the project has the potential to impact special-status wildlife species. Therefore, BMPs are required for the project.
1. To prevent inadvertent entrapment of CRLF during project construction, all excavated, steep-walled holes or trenches more than two feet deep shall be covered at the close of each working day with plywood or similar materials. Alternately, an earthen or wood ramp at no more than a 2:1 slope can be installed if it is not practicable to cover the excavation. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals.

2. Only tightly woven fiber netting or similar material shall be used for erosion control at the project site. Coconut coir matting is an acceptable erosion control material. No plastic mono-filament matting shall be used for erosion control, as this material may ensnare wildlife, including CRLF.

3. Because dusk and dawn are often the times when CRLF are most actively foraging and dispersing, all construction activities should cease one half hour before sunset and should not begin prior to one half hour after sunrise.

4. All trash that may attract predators shall be properly contained, removed from the construction site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.

Mitigation Monitoring Action BIO-3.1
During construction operations, the owner/applicant shall ensure that the construction crew adhere with BMPs 1 through 4. The construction manager, onsite biologist, or designated monitor shall conduct a site inspection at the end of every workday and note results in a daily log to ensure conformance with the BMPs 1 through 4. The owner/applicant shall cause a copy of the daily logs to be submitted to HCD – Planning in a timely manner which is contingent on the rate of construction activity as determined by the construction timeline; results are expected either at the end of every two weeks or at the end of every month. Full documentation shall be submitted to HCD – Planning prior to building final or commencement of use, whichever comes first.

Mitigation Measure BIO-4. Western Pond Turtle and Other Reptiles Survey and Avoidance:
Western pond turtle (*Emys marmorata*; WPT) and other reptiles have the potential to occur within the project site. Grading and vegetation removal at the project site may result in direct mortality of individuals if present at the time of construction. To avoid these potential impacts, a qualified biologist shall conduct a pre-construction survey for western pond turtles and their nests and any protected reptiles within the project site no more than three days prior to construction. If a western pond turtle nest is found, it shall be monitored and avoided until the eggs hatch. All western pond turtles or special status reptiles discovered within the project site immediately prior to or during project activities shall be allowed to move out of the area of their own volition. If this is not feasible, they shall be captured by a qualified biologist and relocated out of harm's way to the nearest suitable habitat at least 100 feet upstream or downstream from the project site where the individual was found. After ground disturbing and vegetation removal activities are complete, or earlier if determined appropriate by the qualified biologist, the qualified biologist will designate a construction monitor to oversee on-site compliance with all avoidance and minimization measures. The qualified biologist shall ensure that this construction monitor receives sufficient training in the identification of WPT. The construction biological monitor shall be the contact for any WPT encounters. The qualified biologist shall remain available to come to the site if a WPT is identified until construction is completed. If, at the time of construction, the WPT is federally protected as an endangered species, construction activities shall not resume until the USFWS is consulted and appropriate actions are taken to allow project activities to continue. In that case, WPT shall not be handled unless authorized through an ITP by the USFWS.

Mitigation Monitoring Action BIO-4.1
Prior to construction permits from HCD - Building Services, the owner/applicant shall submit to HCD - Planning for review and approval a contract with a qualified biologist on the County's list of approved biological consultants for the required site assessments and field surveys for WPT.

The contract shall include a scope of work that includes the text of BIO-4. When the contract is reviewed and approved, and other mitigation actions and steps in conditions of approval required prior to construction permit issuance are met, HCD-Planning staff will remove hold on the issuance of construction permits from HCD - Building Services. If an ITP is required, the owner/applicant shall provide full documentation of the ITP from USFWS to HCD-Planning prior to construction permit issuance.

Mitigation Monitoring Action BIO-4.2
Results of the pre-construction surveys of the project site and immediately adjacent areas shall be submitted to HCD-Planning and other required agencies. If any WPT or WPT nest is observed, construction activities will not commence until the appropriate actions are taken to allow project activities to continue. Reports shall be submitted to HCD-Planning and other required agencies in a timely manner. Reporting frequency is contingent on the rate of construction activity as determined by the construction timeline; results are expected either at the end of every two weeks or at the end of every month of ground disturbing and vegetation removal activities. Full documentation shall be submitted to HCD – Planning prior to building final or commencement of use, whichever comes first.

Mitigation Monitoring Action BIO-4.3
The qualified biologist and the construction monitor shall submit a daily log summarizing activities and environmental compliance throughout the duration of the project to HCD – Planning. The construction monitor and the qualified biologist are authorized to stop work if the avoidance and/or minimization measures are not being followed. If work is stopped, they shall report to HCD – Planning and other required agencies. During construction operations, the owner/applicant or the qualified biologist shall send the results of the on-going WPT environmental compliance to HCD - Planning in a timely manner which is contingent on the rate of construction activity as determined by the construction timeline; results are expected either at the end of every two weeks or at the end of every month of ground disturbing and vegetation removal activities. Full documentation shall be submitted to HCD – Planning prior to building final or commencement of use, whichever comes first.

The project has the potential to have a substantial adverse effect, either directly or through habitat modifications, on nesting raptors and other nesting avian species. To avoid and reduce impacts to nesting raptors and other nesting avian species, construction activities can be timed to avoid the nesting season period. County of Monterey has a standard condition of approval for raptor and nesting avian species which shall be applied to the project.

PD050 RAPTOR/MIGRATORY BIRD NESTING SURVEY
For any tree or vegetation removal activity that occurs during the typical bird nesting season (February 22-August 1), the County of Monterey shall require that the project applicant retain a County qualified biologist to perform a nest survey in order to determine if any active raptor or migratory bird nests occur within the project site or within 300 feet of proposed tree removal activity. During the typical nesting season, the survey shall be conducted no more than 30 days prior to ground disturbance or tree removal. If nesting birds are found on the project site, an appropriate buffer plan shall be established by the project biologist. (HCD - Planning)

Actions Needed for Resolution

No more than 30 days prior to ground disturbance or tree removal, the Owner/Applicant/Tree Removal Contractor shall submit to HCD -Planning a nest survey prepare by a County qualified biologist to determine if any active raptor or migratory bird nests occur within the project site or immediate vicinity.

Impacts to species identified as a candidate, sensitive, or special status species would be less than significant with the incorporation of Mitigation Measures BIO-1 through BIO-4 and the standard raptor and other avian nest survey and avoidance condition of approval.

Biological Resources 4(b) – Less than Significant with Mitigation

Riparian habitat is a sensitive biological community fulfilling special functions and having special values to aquatic ecosystems, including the Carmel River adjacent to the project site. These habitats are protected under state and federal regulations such as the Clean Water Act, California Fish and Game Code, the Porter-Cologne Water Quality Control Act, and CEQA, as well as local ordinances or policies such as the Monterey County Tree Protection Ordinances and 2010 Monterey County General Plan.

Riparian habitat is considered a sensitive habitat under the jurisdiction of CDFW. Approximately 0.01 acre of riparian habitat is present within the project site in the southeast corner of the parcel. Riparian habitat is also present adjacent to the project site associated with the Carmel River. The project has been designed to avoid riparian habitat, and therefore, no potential direct impacts to riparian habitat would occur. Indirect impacts to riparian habitat have the potential may result, however, if construction activities occur outside of the proposed work limits or if construction activities result in erosion and sedimentation to adjacent habitats. Additionally, impacts to riparian habitat could occur if an accident during construction were to result in the release of hazardous materials into the environment.

Pursuant to MCC section 21.66.020, the County permits development on parcels containing or within 100 feet of sensitive habitats (including riparian habitat) only if the development would not have a significant adverse impact on the habitat's long-term maintenance. Approximately 0.4 acre of the project site is within 100 feet of riparian habitat. As mitigated, the development associated with the project within 100 feet of riparian habitat would not significantly alter the primary water sources for the riparian habitat (i.e., groundwater and river flooding). This is due to the restriction of the construction activity to areas that have the lowest potential to impact the water sourced through the installation of exclusionary fencing following a qualified biologist's instruction and the implementation of BMPs that ensure construction debris or liquids from construction equipment do not leak into the groundwater. In addition, the project would be subject to County standard conditions of approval for stormwater requirements such as erosion and sediment control, non-stormwater and waste/material management, and vehicle tracking and dust control; therefore, construction activities would not result in contamination of the sensitive habitat. The applicant voluntarily set aside 786 square feet of habitat in "preserve," which shall be in conservation easement. In addition, through a standard condition of approval, County shall require a contiguous area of the 0.4 acre within 100 feet of riparian habitat to be included in the conservation easement, following the recommendation of a qualified biologist. By doing so, the preserved area shall protect an area of use to the species dependent on the habitat. By these

actions and by adhering with onsite stormwater controls, there would be no significant adverse impact on the long-term maintenance of the riparian habitat.

Pursuant to MCC section 16.16.050 (K), the County permits construction within 200 feet of a river only if it can be proven that the proposed development would not significantly reduce the capacity of the existing river or otherwise adversely affect any other properties by increasing stream velocities or depths or diverting the flow, and that the proposed new development will be safe from flow related erosion and would not cause flow related erosion hazards. Approximately 0.1 acre of the project site is also within 200 feet of the Carmel River. However, the project has been designed to place all structures above the floodplain, outside of the 200-foot buffer. HCD – Environmental Services reviewed the project application for consistency with MCC section 16.16.050 and found that can be consistent with the code.

MCC section 21.64.130, regulations for land use in the Carmel Valley floodplain, protects the Carmel River and its corridor including value as wildlife habitat, stability of the river channel, and lessening local flood potential and flood related hazards. The decision maker would make findings to support a decision to grant a Use Permit for development within 200 feet of the Carmel River's riparian corridor, within two hundred feet of the riverbank, and within the floodway and floodway fringe designations.

Consistent with the CVMP, only native and compatible landscaping would be placed within the 200-foot buffer. Therefore, the proposed development would have no effect on the capacity, velocity, depth, or flow of the river and the project would be safe from flow related erosion and would not cause flow related erosion hazards.

However, due to the proximity to the Carmel River, construction could potentially result in damage or destruction of riparian habitat, which would result in a substantial adverse effect to a sensitive biological community. Therefore, the project shall be subject to the following mitigation measure to reduce potential impacts to riparian habitat.

Mitigation Measure BIO-5. Riparian Habitat:

Construction could potentially result in damage or destruction of riparian habitat, which would result in a substantial adverse effect to a sensitive biological community. With this, the proposed project would not have a substantial adverse effect on a sensitive biological community. Prior to construction, exclusionary fencing shall be placed to preclude construction vehicles and personnel from impacting riparian habitat outside of work areas. A biological monitor shall supervise the installation of exclusionary fencing.

The following measures shall be confirmed weekly by the Biological Monitor or designated construction biological monitor:

a) Inspect all the exclusionary fencing at least once per week until construction is complete to ensure that the protective exclusionary fencing remains intact and effective.
b) Stationary equipment such as motors, generators, and welders located within 100 feet of riparian habitat shall be stored overnight at a designated staging area and shall be positioned over drip pans.
c) Any hazardous or toxic materials deleterious to life that could be washed into adjacent sensitive habitats shall be contained in watertight containers.

d) Refueling of equipment shall take place within designated staging areas or at least 100 feet from riparian habitats.
e) All construction debris and associated materials stored in staging area shall be removed from the work site upon completion of the project.

Mitigation Monitoring Action BIO-5.1
The qualified biologist and the construction monitor shall submit a daily log summarizing activities and environmental compliance throughout the duration of the project to HCD – Planning. The construction monitor and the qualified biologist are authorized to stop work if the avoidance and/or minimization measures are not being followed. If work is stopped, they shall report to HCD – Planning and other required agencies. During construction operations, the owner/applicant or the qualified biologist shall send the results of the on-going WPT environmental compliance to HCD - Planning in a timely manner which is contingent on the rate of construction activity as determined by the construction timeline; results are expected either at the end of every two weeks or at the end of every month of ground disturbing and vegetation removal activities. Full documentation shall be submitted to HCD – Planning prior to building final or commencement of use, whichever comes first.
Impacts to riparian habitat would be less than significant with the incorporation of Mitigation Measure BIO-5.

Biological Resources 4(c) – No Impact
In addition to riparian habitat described above, wetlands and streams are protected under state and federal regulations including the Clean Water Act, Porter-Cologne Water Quality Control Act, and California Fish and Game Code.

As described under 4(b) above, there are no drainages or wetlands on the project site potentially under the jurisdiction of state or federal agencies including the U.S. Army Corps of Engineers, Regional Water Quality Control Board, or CDFW (Source: IX.11). The Carmel River is approximately 200 feet south of the project site. As these community types are not present on site, project construction would not impact protected wetlands or waterways. *There would be no impact.*

Biological Resources 4(d) – Less than Significant with Mitigation
Wildlife corridors are generally defined as connections between habitat patches that allow for physical and genetic exchange between otherwise isolated animal populations. Such linkages may serve a local purpose, such as between foraging and breeding areas, or they may be regional in nature, allowing movement across the landscape. Some habitat linkages may serve as migration corridors, wherein animals periodically move away from an area and then return. Examples of barriers or impediments to movement include housing and other urban development, roads, fencing, unsuitable habitat, or open areas with little vegetative cover. Regional and local wildlife movements are expected to be concentrated near topographic features that allow convenient passage, including roads, drainages, and ridgelines.

The project site is bordered to the east, north and west by commercial development and roadways, including Carmel Valley Road. There is one, small vacant lot west of the project site but it is abutted further west by a roadway and additional development. Taken in total, the surrounding developed areas do not allow for connectivity from the project site to other habitat

patches in the project vicinity and region. South of the project site, an undeveloped area of ruderal vegetation transitions to woody riparian vegetation associated with the Carmel River. This southern area is fenced and therefore would not allow for extensive movement of resident or migratory terrestrial wildlife. In general, wildlife would likely follow the riparian corridor of the Carmel River to other larger habitat patches rather than using project site for movement.

The project site does include 0.01 acre of upland riparian habitat that has potential to serve as western pond turtle nesting habitat; this biological resource and mitigation measures has been discussed in 4(a). This portion of riparian habitat is low quality as it is bordered by ruderal vegetation. The remainder of the Carmel River riparian corridor offers larger and more protected habitat for nesting WPT. However, the potential for the onsite area to serve WPT as nesting habitat and therefore some corridor use, as well. With the exception of this biological resource, the project would not substantially interfere with movement of resident or migratory fish or wildlife, nor impede the use of wildlife nursery sites.

Impacts to wildlife corridors would be less than significant with the incorporation of Mitigation Measure BIO-5.

Biological Resources 4(e) – Less than Significant with Mitigation

The project is subject to Monterey County Code Section 21.64.260, which establishes requirements for the removal or damage of native oak trees within the inland areas of unincorporated areas of the County, including the project site. Under the MCC Chapter 16.60 (Preservation of Oak and Other Protected Trees) a tree removal permit would be required for damage to or removal of one or more protected trees, and a forest management plan would be required for damage to or removal of three or more protected trees. Several coast live oak trees occur within the project site. The project is expected to result in removal of one coast live oak tree. In accordance with County regulations, the removal of the tree is included in the Combined Development Permit for Planning entitlement. Implementation of a standard replacement and monitoring condition of approval required by the permit would ensure that potential impacts to trees are less than significant. In addition, standard County requirements for tree protection that ensure that coast live oak trees not planned for removal are protected during construction would reduce potential impacts. As mitigated by measures BIO-1 through BIO-5 and adherence with Monterey County Code Section 21.64.260 and Chapter 16.60, the Project would comply with County regulations and policies protecting biological resources, including protected trees. *Therefore, impacts to local policies or ordinances protecting biological resources would be less than significant.*

Biological Resources 4(f) – No Impact

The project site is not under the jurisdiction of a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. *Therefore, no impact would occur.*

5. CULTURAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? (Sources: IX. 1, 29, 30)	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Sources: IX. 1, 29, 30)	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of formal cemeteries? (Sources: IX. 29, 30)	☐	☒	☐	☐

Discussion/Conclusion/Mitigation:

This discussion incorporates the results provided in a Phase I Inventory of Archaeological Resources prepared by Archives & Archaeology in July 2022 and a Phase II report prepared by Achasta Archaeological Services in December 2023 (Sources IX. 29 and 30, HCD Library Document [Doc.] Nos. LIB220331 and LIB240116, respectively). The Phase I assessment included a records search at the Northwest Information Center (NWIC) of the California Historical Resources Information System (CHRIS) at the Sonoma State University in Rohnert Park. However, the data search only used the current Assessor's Parcel Number (APN). The Phase II report gave a thorough history of the area, reports on previous APN-related records, and describes theoretical connections between known resources discovered near the project site.

The Project site is near the Carmel River and is therefore within a "high archaeological sensitivity" zone. There are two archaeological resources nearby (P-27-000584 and P-27-004056).

The State of California requires that ground disturbing activities cease if unanticipated human remains are unearthed, until the County Coroner has made the necessary findings as to the origin and disposition pursuant to State Health and Safety Code Section 7050.5 and PRC Section 5097.98. If the remains are determined to be of Native American descent, the Coroner has 24 hours to notify the Native American Heritage Commission, which would determine and notify a most likely descendant. The most likely descendant shall complete the inspection of the site and make recommendations to the landowner within 48 hours of being granted access. The find must be treated in accordance with Public Resources Code Sections 5097.9 and 5097.933.

Cultural Resources 5(a) – No Impact

The project site does not contain built environment features. No potential historical resources have been identified within the project site; as such, the project would not cause a substantial adverse change in the significance of a historical resource. *No impact would occur.*

Cultural Resources 5(b) – Less than Significant with Mitigation

Two archaeological resources, P-27-000584/CA-MNT-499 reported by Gary Breschini in 1973 and P-27-004056, the Carmel River which was documented as the Esselen Spirit Trail by Helen

McCarthy in 1999, were identified within a 750 foot radius from the parcel. The NWIC records search found five reports specific to the project radius. These include S-15680, S-18802, S-21012, S-30813, and S-54080. In addition, there are nine other regional reports identified within the project radius. This "other" designation signifies that these reports have little or no fieldwork, and or are missing maps. These include S-848, S-2164, S-3453, S-7775, S-15529, S-30204, S-30789, S-32596, and S- 48927. The NWIC records search identified seven reports within a 0.15 mile radius from the parcel. These include S-3301, S-3680, S-8815, S-20285, S-36644, S-44343, and S-50446. Two of the studies were cultural resource-specific with positive results for precontact site indicators. These studies were S-018802 and S-054080.

On July 13, 2022, Rubén Mendoza, PhD, a qualified archaeologist undertook an archaeological (pedestrian) survey of the project site for the purpose of completing the Phase I report. Despite the identification of a single hammerstone/fire-cracked rock in a disturbed soil matrix, neither the pedestrian survey nor NWIC Records Search produced any otherwise significant archaeological resources within the project site. The search was incomplete because it did not include all previous APNs for the location.

HCD-Planning staff met with representatives of Ohlone Costanoan Esselen Nation (OCEN) and the Esselen Tribe of Monterey County separately on October 3, 2023 to review the Phase I Archaeological Report and the proposed project. The representatives were very concerned about the Phase I report's demonstrated unfamiliarity with the parcel's previous APN and the extent of the previous Phase I and Phase III[1] evaluations conducted within the previously numbered parcel of the same property (Runnings and Haversat 1996; Breschini 1999). After the October 2023 consultations, the applicant caused a Phase II archaeological report to be prepared. The Phase II investigation was completed by Susan Morley, M.A., and Brenna Wheelis on December, 2023 utilizing ground penetrating radar on free path transects as well as a subsurface auger testing program. Although additional cultural resources were not identified within the project site, unanticipated discoveries are possible in unexcavated portions of the project site because of the proximity of the site to known resources. Therefore, impacts to cultural resources are potentially significant. Because the project site is considered sensitive for archaeological resources, an archaeological monitor is required to be present for all project ground disturbance. The archaeological monitor shall educate the employees involved in ground disturbance activities (Mitigation Measure CR-1) and to prepare a Cultural Resources Discovery Response Plan, as needed (Mitigation Measure CR-2). If any human remains are encountered on site, ground disturbing activities shall immediately halt within 165 feet.

Mitigation Measure CR-1. Employee Education on Cultural Resources:
To reduce potential impacts to cultural resources that may be discovered during development of the site, a qualified archaeologist shall conduct a cultural resource awareness and response training for the construction field staffs that conduct any tree removal, major vegetation removal, grading or excavation activities. The training shall include a description of the kinds of cultural and tribal cultural resources that are found in the area, protocols to be used in the event of an unanticipated discovery, and the importance of cultural resources to the Native American community. The training shall occur within one month of the construction/tree removal activities. After training, the archaeologist shall also monitor the site. The archaeological monitor

[1] A Phase III report includes a plan for the treatment of uncovered archaeological resources with culturally appropriate dignity taking into account the tribal cultural values and meaning of the resource.

shall be present during soil disturbance for all grading and excavation described in the Phase 2 report as having a potential to contain resources. (Neither excavations into hardpan and bedrock nor backfilling, off hauling of soils, nor processing of previously excavated soils shall require monitoring.) The archaeologist shall be authorized to stop work in the event resources are found.

Mitigation Monitoring Action CR-1.1
Prior to issuance of construction permits for grading or building, the owner/applicant shall submit to HCD-Planning a copy of the contract between the owner/applicant and a qualified archaeological monitor. The contract shall include a pre-construction meeting agenda with specific construction activities that the monitor shall be present for, any construction activities where the archaeological monitor will not be present for, how sampling of the excavated soil will occur, and any other pertinent logistical information. The contract shall include provisions requiring the monitor be present during soil disturbance for all grading and excavation and authorizing the monitor to stop work in the event resources are found. The contract shall be submitted to HCD-Planning for review and approval.

Mitigation Monitoring Action CR-1.2
Prior to the issuance of grading or building permits, the owner/applicant shall submit evidence that a qualified archaeologist conducted a cultural resource awareness and response training for construction personnel prior to the commencement of any grading or excavation activities.

Implementation of Mitigation Measure CR-1 would reduce impacts related to archaeological resources to a less than significant level.

Cultural Resources 5(c) – Less than Significant with Mitigation
Previous archaeological studies of P-27-000584 identified two human burials associated with indigenous temporal activity located within a 750-foot radius of the parcel. The studies S-007775, S- 015680, S-018802, S-021012, S-030818, and S-054080 cite the archaeological resource. The resource record for P-27-000584 and the Project Phase II archaeological report (Achasta Archaeological Services, December 1, 2023, Source IX. 30) indicate that the site has been previously disturbed and there are presently commercial properties and associated parking constructed on the site, thereby effectively capping and/or disturbing the deposit.

The Phase II archaeological report included a site investigation utilizing ground penetrating radar on free path transects as well as a subsurface auger testing program in four locations to target depths of five feet, if soil conditions allowed, to determine the presence or absence of archaeological deposits. The Phase II subsurface evaluation was negative for significant resources. No human remains are known to exist within the project site.

Due to the specific concerns about human remains in the vicinity, the Phase II archaeological report for the Project added details beyond the standard State requirements or the County's "stop work" condition of approval. As discussed in Section 18, Tribal Cultural Resources, both tribal representatives reviewed the Phase II report and found that the mitigations presented therein would serve to mitigate the potential impacts to less-than-significant. Therefore, Mitigation Measure CR-2 is applied to this Project.

Mitigation Measure CR-2. Cultural Resources Discovery Response Plan:

The project has the potential to disturb human remains and other resources of archaeological value. The impact can be reduced to less-than-significant level by adherence to a "stop work" order with a location and resource-specific cultural resources discovery response. The construction plans shall include a note to halt work immediately within a 165-foot radius when any cultural, archaeological, historical, or paleontological resources are uncovered at the site. If the find is determined to be significant, work shall remain halted until proper mitigation measures for the discovery has been formulated and implemented, with the concurrence of HCD-Planning and the archaeologist.

In the event cultural resources are impacted during construction, work shall stop within a 165-foot radius of the find until the qualified archaeologist and Tribal Cultural Monitor has an opportunity to evaluate the find and provide treatment recommendations. If the resource is considered significant, ground disturbance shall be halted until a comprehensive Treatment Plan can be developed in coordination with the County, Tribal representatives, and Project proponent. In the event that human remains are encountered on site, ground disturbing activities on site shall immediately halt. The remains shall be covered with steel plates (where feasible) and the location shall be kept confidential among Project personnel to prevent vandalism and additional disturbance. The Monterey County Sheriff-Coroner shall be notified immediately, and no work shall resume in within a 150-ft radius of the find until a Most Likely Descendent (MLD) has be assigned to the Project by the Native American Heritage Commission and provided the Project proponent with treatment recommendations. Photographs of remains shall be strictly prohibited, unless requested by the coroner and permitted by the MLD.

Mitigation Monitoring Action CR-2.1
Prior to issuance of construction permits for grading or building, the owner/applicant shall submit to HCD-Planning a copy of the contract between the owner/applicant and a qualified archaeological monitor. The contract shall include the specific logistic of when and how work on the site will be halted if any cultural resources are found.

Mitigation Monitoring Action CR-2.2
Prior to the issuance of construction permits, 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 RMA - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

Mitigation Monitoring Action CR-2.3
The archaeologist shall immediately contact the project Planner who will visit the site. With input from the Tribal Cultural Monitor, the archaeologist shall determine the extent of the resources. Within one week of the determination, the archaeologist shall submit a Cultural Resources Discovery Response Plan tailored to the specific legal requirements of the discovery to HCD – Planning, the Tribal Cultural representative(s), and the owner. If possible, human remains and accessory artifacts shall be respectfully reburied onsite.

Mitigation Monitoring Action CR-2.4
Prior to building final, the owner/applicant shall submit to HCD-Planning a copy of the final report by the qualified archaeological monitor. The report shall include the specific times that the monitor worked on the site and any results of the monitoring. The report shall also be submitted

to any required state agencies. If a larger report is required due to resource encounter, the report can be submitted within 6 months of building final.

Implementation of Mitigation Measure CR-2 would reduce potential impacts to previously unidentified cultural resources to a less than significant level.

6. ENERGY Would the project:	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: IX. 20, 28)	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Sources: IX. 20, 28)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

Energy 6(a) – Less than Significant

During construction, fossil fuels, electricity, and natural gas would be used by construction vehicles and equipment. Construction energy consumption would be temporary and would be consistent with that used by other similar projects within the County. The project entails the construction of a self-storage facility. During construction the project would adhere to applicable federal and state regulations requiring fuel-efficient equipment and vehicles and prohibiting wasteful activities, such as California Code of Regulations Title 13 Sections 2449 and 2485, which prohibit diesel-fueled commercial motor vehicles and off-road diesel vehicles from idling for more than five minutes and would minimize unnecessary fuel consumption. Therefore, energy use during construction would have a less than significant impact.

Operational energy consumption is estimated to be approximately 7.3 Kilowatts per month. The energy consumption would increase compared to the existing vacant lot (zero Kilowatts), however, the proposed project would be required to be designed and constructed in full compliance with the California Building Code (CBC), including applicable green building standards and building energy efficiency standards such as CALGreen; CBC, Title 24, Part 11, which requires implementation of energy efficient light fixtures and building materials into the design of new construction projects. *Impacts resulting from the inefficient, wasteful, or unnecessary consumption of energy, as well as from conflicts with state or local plans for renewable energy or energy efficiency would be less than significant.*

Energy 6(b) – Less than Significant

The proposed project would be required to be designed and constructed in full compliance with the California Building Code (CBC), including applicable green building standards and building energy efficiency standards such as CALGreen; CBC, Title 24, Part 11, which requires implementation of energy efficient light fixtures and building materials into the design of new construction projects. The project would not conflict with other goals and policies set forth in General Plan pertaining to renewable energy and energy efficiency. *Therefore, potential impacts associated with conflict with a state or local plan for renewable energy or energy efficiency would be less than significant*.

7. GEOLOGY AND SOILS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. (Sources: IX.20, 40)	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil? (Sources: IX.20, 40)	☐	☐	☒	☐
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: IX.20, 40)	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial risks to life or property? (Sources: IX.20, 40)	☐	☐	☒	☐
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: IX.20, 40)	☐	☐	☒	☐
f) Directly or indirectly destroy a paleontological resource or site or unique geologic feature? (Sources: IX.1, 23)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

This discussion incorporates the results provided in the Soil Engineering Investigation and Percolation Testing report prepared by LandSet Engineers Inc., dated August 12, 2022 (Source IX.40, HCD Library Doc. No. LIB220335).

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Geology and Soils 7(a.i) – No Impact

The proposed project site is not located within a Alquist Priolo Earthquake Fault Zone. The site is situated within the Monterey Bay-Tularcitos fault zone. The Monterey Bay-Tularcitos fault zone is a complex series of northwest-trending reverse, right-lateral, and oblique faults which include the Tularcitos, Laureles, Chupines, and Navy faults. Of these the Navy is the closest to the project site, located approximately 630 feet to the northeast of the project site.

The Soil Engineering Investigation and Percolation Testing report (Landset Engineers Inc., Source IX.40) prepared for the project site found that there are no fault lines mapped or projected thought the project site, and the potential for surface rupture is low. Furthermore, compliance with the CBC would minimize the risk of potential seismically-induced damage due to rupture of a known earthquake fault. Therefore, the project would not result in potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of known earthquake faults. *There would be no impact*.

Geology and Soils 7(a.ii) – Less than Significant

Ground shaking is the soil column's response to seismic energy transmission. The project site is situated within a region traditionally characterized by relatively moderate seismic activity, and earthquakes along faults in the region are expected to generate strong ground shaking at the site. The proposed project would be designed to meet the requirements of the CBC and its seismic design provisions. Compliance with the CBC would ensure that the project would not expose people and structures to potential substantial adverse effects, including the risk of loss, injury, or death related to ground shaking. The proposed project itself would not exacerbate ground shaking hazards at adjacent properties, and no habitable space is proposed. *Therefore, impacts related to strong seismic ground shaking would be less than significant.*

Geology and Soils 7(a.iii, c) – Less than Significant

Soil liquefaction is a phenomenon in which saturated, cohesionless soils and some low-plasticity cohesive soils lose their strength due to the build-up of excess pore water pressure during cyclic loading such as that induced by earthquakes. Soils most susceptible to liquefaction are clean, loose, fine-grained sands, and silts that are saturated and uniformly graded. If liquefaction occurs, foundations resting on or within the liquefiable layer may undergo settlements. This would result in reduction of foundation stiffness and capacities. Lateral spreading is a potential hazard commonly associated with liquefaction where extensional ground cracking and settlement occur as a response to lateral migration of subsurface liquefiable material. These phenomena typically occur adjacent to free faces such as slopes and creek channels.

The project site is relatively flat and is not prone to seismically induced landslides. As stated in the Soil Engineering Investigation and Percolation Testing report, the site is considered to have a moderate risk of liquefaction. Geotechnical recommendations include but are not limited to:

- Following site preparation, the upper 4.0 feet below the proposed building pads or upper 4.0 feet below the existing ground surface should be removed. Deeper over excavation may be required if loos soil or undocumented fill is observed at the time of grading.
- Select structural fill material may be placed within the sub excavation in thin (6 to 8 inches) lift, moisture conditioned to optimum moisture content and compacted to a

minimum of 90 percent of maximum dry density. Prior to compaction, the soil should be cleaned of any rocks, debris, and irreducible material larger that 3-inchs in diameter.

- In areas to be paved, the upper 12-inches of subgrade soil and all aggregate base should be compacted at a minimum of 95 percent of the maximum dry density. Aggregate base and subgrade should be firm and unyielding when proof rolled by heavy rubber-tired equipment prior to paving.

Monterey County adopted the CBC pursuant to Monterey County Code Section 18.02.010. Section 1803.1.1.3 of the CBC states that the building department of each locality (in this case Monterey County Building Services) must approve a construction-level version of the soil investigation (Engineering Investigation and Percolation Testing prepared by Land Set Engineers Inc., Source IX.40) if it determines that recommended actions within the investigation are needed to prevent structural damage. Further, as a condition of the building permit, the geotechnical recommended action must be incorporated in the construction of the proposed project. Implementation of the recommendations included in the Geotechnical Investigation would reduce the risk of liquefaction to a less than significant level. *Impacts to liquefaction would be less than significant.*

Geology and Soils 7(a.iv) – Less than Significant

Landslides are generally mass movements of loose rock and soil, either dry or water saturated and are usually gravity driven. Thus, the potential for landslides is enhanced by steep slopes. The project site and surrounding area are relatively flat. No steep slopes exist adjacent to the project site and the risk of landslide is considered to be low. Therefore, the proposed project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death as a result of landslides. *Impacts to landslides would be less than significant.*

Geology and Soils 7(b) – Less than Significant

The proposed project would include 670 cubic yards of fill, 1,255 cubic yards of cut, and 585 cubic yards net soil export. Project construction could potentially result in erosion and loss of topsoil from the site. The proposed project would be required to comply with Chapter 16.12, *Erosion Control*, of the MCC which sets forth required provisions for project planning, preparation of erosion control plans, runoff control, land clearing, and winter operations; and establishes procedures for administering those provisions. Additionally, the project would be conditioned to submit a Stormwater Pollution Prevention Plan (SWPPP) including the Waste Discharger Identification number certifying the project is covered under the California Construction General Permit. Adherence to the MCC and condition of approval would reduce erosion and loss of topsoil during project construction. Therefore, the project would not result in substantial erosion or loss of topsoil. *Impacts to erosion or loss of topsoil would be less than significant*.

Geology and Soils 7(d) – Less than Significant

Expansive soil undergoes volume changes (shrinkage and swelling) with changes in moisture content. As expansive soil dries, the soil shrinks. When the moisture content increases, expansive soil swells. This behavior causes distress and damage to structures that are constructed on expansive soils unless mitigation measures are implemented. Soils on site are predominantly classified as silty sand and well graded sand and are considered to be non-plastic. As stated in the

Soil Engineering Investigation and Percolation Testing report, no special measures are required to mitigate the effect of soil expansion on foundations, and interior or exterior concrete slabs-on-grade. *Therefore, with adherence to these recommendations impacts resulting from development on expansive soils would be less than significant.*

Geology and Soils 7(e) – No Impact

The Soil Engineering Investigation and Percolation Testing report found that, based on Environmental Health Bureau (EHB) requirements, soil on site is satisfactory for a shallow conventional trench tyle leach field as part of a proposed onsite wastewater treatment system (OWTS). The EHB reviewed the project and determined that the site was suitable to support the proposed OWTS, including the installation of a tertiary disposal system. *Therefore, the site does not contain soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems, and any potential impact would be less than significant.*

Geology and Soils 7(f) – Less than Significant

There are no known paleontological resources or unique geologic features on the site. However, there always remains the potential to encounter buried or possibly redeposited paleontological resources. In the event of unanticipated discovery of paleontological resources, impacts would be reduced to a less than significant level with required implementation of the County's standard condition of approval regarding paleontological resources. In the event that potential paleontological resources are encountered during construction, work would immediately halt and a qualified paleontologist would evaluate the find. *Therefore, with implementation of the County's standard condition of approval, impacts to paleontological resources or unique geologic features would be less than significant.*

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: IX.9, 12, 13, 28, 36)	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Sources: IX.9, 12, 13, 28, 36)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

Greenhouse Gas Emissions 8(a-b) – Less than Significant

Temporary construction-related emissions would result from usage of equipment and machinery. Monterey County does not currently have an adopted greenhouse gas (GHG) reduction plan with numerical reduction targets for individual uses and developments. General Plan policies contain direction for the preparation of such a plan with guidance on what goals or measures should be accomplished in development of a plan. In addition, the 2010 General Plan includes Policy OS-10.10 states that future development must be designed to maximize energy efficiency to the extent feasible and accommodate energy infrastructure (Source: IX.9). The project would comply with California Building Energy Efficiency Standards, which require green building features such as energy-efficient lighting. Therefore, the proposed project would not conflict with the policy direction contained in the General Plan. Additionally, as discussed in Section IV.17, the project would not substantially increase vehicle miles traveled in the region. (Source: IX.36)

The project would not substantially increase population in the area and would therefore not increase demand for electricity, heat and other utilities that create GHG in production. Additionally, as discussed in Section IV.17, the project would not substantially increase vehicle trips compared to existing conditions. Therefore, the proposed project would not result in a substantial increase in operational GHG emissions or conflict with the Monterey County Municipal Climate Action Plan or the Association of Monterey Bay Area Government's 2040 Metropolitan Transportation Plan/Sustainable Communities Strategy (Source: IX.12, IX.13). The proposed project's short-term construction and long-term operational GHG emissions would be minimal and would not have a significant impact on the environment. Since the proposed project's GHG emissions would be minimal, the proposed project would not result in emissions that would conflict with any applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions. *Impacts to GHG and applicable plans, policies and regulations would be less than significant.*

9. HAZARDS AND HAZARDOUS MATERIALS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: 28)	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: IX. 28)	☐	☐	☒	☐
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: IX. 1, 28)	☐	☐	☒	☐
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: IX. 14, 15, 16)	☐	☐	☐	☒
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: IX. 1, 28)	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Sources: IX. 17, 28)	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (Sources: IX.1, 18, 28)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

Hazards and Hazardous Materials 9(a-b) – Less than Significant

The proposed project would involve the construction of a self-storage facility, which typically would not use or store large quantities of hazardous materials. Potentially hazardous materials such as fuels, lubricants, and solvents would be used during project construction. However, the transport, use, and storage of hazardous materials during project construction would be required to be conducted in accordance with all applicable state and federal laws, such as the Hazardous Materials Transportation Act, Resource Conservation and Recovery Act, the California Hazardous Material Management Act, and CCR Title 22. *Impacts due to public exposure to hazardous material transport would be less than significant.*

Hazards and Hazardous Materials 9(c) – Less than Significant

The project site is within the Carmel Unified School District, and the nearest school is St. Dunstan's Montessori School, located approximately 0.2 mile southeast of the site. However, as discussed above, operation of the project would not be expected to create a significant hazard to the public or the environment. Because the project is not expected to create a significant hazard to the public or the environment, *no impacts to schools would occur. Impacts would be less than significant.*

Hazards and Hazardous Materials 9(d) – No Impact

According to the State Water Resources Control Boards (SWRCB) Geotracker database, there are no cleanup sites within a 1,000-foot radius of the project site (Source: IX.14). The California Department of Toxic Substances Controls (DTSC) EnviroStor database shows no cleanup sites within a 1,000-foot radius of the project site (Source: IX.1)5. The closest site listed on the SWRCB active Cease and Desist Orders and Cleanup Abatement Orders list is approximately 6.4 miles to the northwest at 951 Del Monte Boulevard, Monterey (Source: IX.16). Additionally, the nearest SWRCB-identified solid waste disposal site is located in Marina (Fort Ord Landfill) (Source: IX.29).

The project site and adjacent properties are not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The proposed project would not create a significant hazard to the public or the environment. *No impact would occur*.

Hazards and Hazardous Materials 9(e) – No Impact

The nearest airport to the project site is the Monterey Regional Airport, located approximately 5 miles to the northwest. The site is not within two miles of a public or public use airport or within an airport land use plan. *Therefore, no impact would occur.*

Hazards and Hazardous Materials 9(f) – No Impact

Monterey County Office of Emergency Services has developed an Emergency Operations Plan, last updated in 2020, which contains response and recovery protocols for several types of natural, technical, and human-caused emergencies. The Emergency Operations Plan outlines the roles and responsibilities of the County and partnering entities during emergency responses (Source: IX.17). The proposed project would not result in lane closures on Carmel Valley Road or other obstructions of emergency access or evacuation routes during construction or operation and therefore would not create new obstructions to the County's Emergency Operations Plan. In addition, the proposed project would not result in inadequate emergency access as project plans are subject to review and approval by Monterey County Regional FPD during the permit process. Therefore, the proposed project would not impair implementation of or physically interfere with an adopted emergency response or evacuation plan. *No impact would occur*.

Hazards and Hazardous Materials 9(g) – Less than Significant

As further discussed in Section IV.20, the proposed project site is located within a Local Responsibility Area (LRA) that is designated as a Very High Fire Hazard Severity Zone (FHSZ) (Source: IX.18). However, no habitable space is proposed. Construction and operation of the proposed project could involve the use of flammable materials, tools, and equipment capable of generating a spark and igniting a wildfire. Additionally, vehicle traffic and human presence in the project area could increase the potential for wildfire ignitions. Under state regulations, areas

within Very High FHSZ must comply with specific building and vegetation management requirements intended to reduce property damage and loss of life within these areas. To minimize risk of wildfire the project would be required to be constructed in accordance with the California Building Code and applicable local regulation such as Public Resources Code 4291 which requires installation and maintenance of defensible space areas within 100 feet of all structures. Project construction activities would be performed in compliance with local building code and fire code standards. *Impacts related to wildland fires would be less than significant.*

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: IX. 5, 19, 22, 28)	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? (Sources: IX. 5, 19, 22, 28)	☐	☐	☒	☐
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: IX. 19, 22, 28, 40)	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite? (Sources: IX. 19, 22, 28, 40)	☐	☐	☒	☐
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? (Sources: IX. 19, 22, 28, 40)	☐	☐	☒	☐
iv) impede or redirect flood flows? (Source: IX.19)	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? (Sources: IX. 20, 21)	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (Sources: IX. 19, 22, 28)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

Hydrology and Water Quality 10(a) – Less than Significant

Construction of the proposed project would involve site preparation, grading, and building construction. The proposed project would include 670 cubic yards of fill, 1,255 cubic yards of cut, and 585 cubic yards net soil export. As required by County regulations, the project would require a issuance of a grading permit and approval of an erosion control plan (ECP) prior to construction activity, which would identify Best Management Practices (BMPs) to be implemented on site. Measures that would be taken to reduce potential erosion and sedimentation include adherence to MCC Chapter 16.08, which sets forth rules and regulations to control all

grading, including excavations, earthwork, road construction, fills and embankments, establishes the administration procedure for issuance of permits; and provides for approval of plans and inspections of grading construction. Further, the proposed project would be required to comply with MCC Chapter 16.12, *Erosion Control*, which sets forth required provisions for project planning, preparation of erosion control plans, runoff control, land clearing, and winter operations; and establishes procedures for administering those provisions. As discussed in the Geotechnical Investigation, erosion potential on site is considered to be low. The project would be required to incorporate recommendations included in the Geotechnical Investigation, including the preparation of an erosion control plan, including straw waddles and silt fencing to reduce the potential for sediment or groundwater runoff into the Carmel River. In addition, disturbed areas of the site not involved in immediate grading activities would be protected by mulching or other effective means or soil protection. Furthermore, the County Building Inspector would require construction to halt during periods of inclement weather or if it is determined that erosion is not being adequately controlled. These requirements would prevent and minimize potential erosion, sedimentation, and spills.

Without benefit of the regulatory environment, the project would have the potential to impact violate water quality standards and increase stormwater runoff which could impact surface water hydrology. However, HCD – Environmental Services has conditioned the project with the following five standard conditions of approval which ensure the project's potential impacts are at a less than significant level. The regulatory environment requires a stormwater control report and plan and a stormwater pollution prevention plan, with standard inspections and operations and maintenance agreement for responsible handling of stormwater control facilities for the life of the project.

STORMWATER CONTROL REPORT & PLAN (PR2-4)

Prior to issuance of the permit, the applicant shall submit a stormwater control report and a stormwater control plan, prepared by a registered professional engineer, addressing the Post-Construction Requirements (PCRs) for Development Projects in the Central Coast Region. The plan and report shall include the location of the structural Stormwater Control Measures, construction details and supporting calculations to address the Performance Requirements of the PCRs. The plan and report shall include a construction inspection (ie. PG, PE, and/or Special Inspector), a description of the required inspections, inspector name, and the completion date. The Plan and Report shall also include a completed Site Design and Runoff Reduction Checklist.

CALIFORNIA CONSTRUCTION GENERAL PERMIT

The applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) including the Waste Discharger Identification (WDID) number certifying the project is covered under the California Construction General Permit. In lieu of a SWPPP, a letter of exemption or erosivity waiver from the Central Coast Regional Water Quality Control Board may be provided.

FIELD VERIFICATION OF POST-CONSTRUCTION STORMWATER CONTROL MEASURES (PR2-4)

The applicant shall provide verification from a registered professional engineer that the stormwater control facilities have been constructed in accordance with the approved stormwater control plan.

MAINTENANCE AGREEMENT (PR2-4)

The applicant shall enter into a Maintenance Agreement (Agreement) that clearly identifies the responsible party for ongoing maintenance of structural Stormwater Control Measures. The Agreement shall contain provisions for an annual drainage system report, prepared by a registered Professional Engineer, that includes the status of all structural stormwater control measures and maintenance recommendations. The annual report shall be submitted to the HCD Environmental Services, for review and approval, no later than August 15th. All recommended maintenance shall be completed by October 15th of the same year. If maintenance is required, certification shall be provided that all recommended maintenance has been completed before the start of the rainy season.

OPERATION & MAINTENANCE PLAN (PR2-4)

The applicant shall submit an Operation & Maintenance Plan prepared by a registered Professional Engineer that includes at a minimum the following:

1) a site map identifying all structural Stormwater Control Measures requiring O&M practices to function as designed.

2) O&M procedures for each structural Stormwater Control Measure including, but not limited to, LID facilities, retention/detention basins, and proprietary devices.

3) O&M Plan shall include short and long term maintenance requirements, recommended frequency of maintenance, and estimated cost for maintenance.

Compliance with the County's standard conditions of approval listed here and requirements for ECP and BMPs as part of the Grading Permit application ensure project impacts to hydrology and water quality shall be less than significant.

Hydrology and Water Quality 10(b)– Less than Significant

The project site lies within the Central Coast Regional Water Quality Control Board (CCRWQCB), which regulates sources of water quality related issues resulting in actual or potential impairment or degradation of beneficial uses, or the overall degradation of water quality. The project site does not overlie a groundwater basin. The project site contains a domestic well, which would provide water to the project. The EHB, based on the results of a 72-Hour source capacity test, concluded that the onsite well did fully recover in accordance with the California Waterworks Standards, Section 64554(C). Additionally, in accordance with MCC Section 15.05.020(e), the project would not meet the definition of a domestic water system as it would not serve more than one service connection or more than 25 people for at least 60 days per year. Based on this, the EHB determined that the proposed water system would not require a water permit and would not result in significant impacts to groundwater supply. *Therefore, impacts related to groundwater supplies or interference with groundwater recharge such that the project may impede sustainable groundwater management of the basin are less than significant.*

Hydrology and Water Quality 10(c.i-c.iv) – Less than Significant

The nearest river to the project site is the Carmel River, located approximately 200 feet south of the project site. The proposed project would not alter the course of any stream or river but would alter existing drainage flows on the project site, as the project would involve grading and excavation and would add 70,765 square feet of impervious surfaces to the project site.

Prior to project construction, measures that would be taken to reduce potential erosion and sedimentation include adherence to the County's Grading Ordinance Order 2535, Erosion Control Ordinance Order 2806, and the recommendations in the Geotechnical Investigation. As previously discussed, the project would be required to implement erosion and sedimentation BMPs and would require a grading permit. Alterations to the existing drainage pattern would not result in substantial erosion, siltation, or flooding on or off site.

The introduction of 70,765 square feet of impervious surfaces to the undeveloped project site could change on-site drainage patterns but would not substantially increase the volume of stormwater runoff from the site. Several areas of the project site would be landscaped, which would help reduce off-site flows and minimize potential erosion. In addition, the project includes stormwater swales along the western project boundary, north of Center Street, and a 2,913 square foot stormwater bio-filtration basin and catch basin along the northern boundary, south of Carmel Valley Road. A catch basin would be located along the eastern project boundary which would direct surface runoff north via a concrete gutter to the proposed stormwater bio-filtration system. The proposed drainage system would direct stormwater north on the site, away from the Carmel River, for bio-filtration. These facilities would be in compliance with the County and Central Coast Regional Water Quality Control Board requirements. Furthermore, Post-Construction Stormwater Management Requirement in the stormwater control plan would reduce potential erosion and sedimentation in accordance with CCRWQCB Resolution No. R3-2013-0032. These are described in the standard Conditions of Approval listed above in section Hydrology and Water Quality 10(a) (Sources: XI.19, 28). *Impacts would be less than significant.*

Hydrology and Water Quality 10(d) – No Impact

The proposed project is approximately 6 miles east of the Pacific Ocean and is not within a tsunami hazard zone (Source: IX.20). Additionally, the project site is not located near a large inland body of water and is not subject to potential effects from seiches. According to the Federal Emergency Management Agency the project site is designated as Zone X, or an area of minimal flood hazard, however the land to the south of the project site is designated 0.2% Annual Chance Flood Hazard and 1% Annual Chance Flood Hazard (Source: IX.21). Therefore, the proposed project would not have the potential to risk the release of pollutants due to project inundation. *No impact would occur.*

Hydrology and Water Quality 10(e) – No Impact

The project site is underlain by the Carmel Valley Alluvial Aquifer, which is managed by Monterey Peninsula Water Management (MPWMD). MPWMD has not yet adopted a Groundwater Sustainability Plan for the aquifer (Source: IX.22). The proposed project is not within an area subject to a water quality control plan or sustainable groundwater management plan. Therefore, the project would not conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan. *There would be no impact.*

11. LAND USE AND PLANNING Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (Sources: XI. 1, 7, 28)	☐	☐	☐	☒
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: XI. 1, 7, 9, 28)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

Land Use and Planning 11(a) – No Impact

The project would involve the construction of a new self-storage facility and would not divide connected neighborhoods or land uses from each other. This is because there is an existing storage facility on the adjacent parcel to the west and light commercial business to the east. The Project does not propose new access roads and previous movement within the community will continue unchanged. This includes an informal social trail that residents of the neighborhood have used in the last decade for walking across the southern side of the parcel. The owner cannot facilitate a trail easement in the close proximity to the riparian habitat, but the project fence shall be placed close to the building rather than across the full parcel. Although no easement is offered, people could continue to walk the social trail at their own risk. As one more commercial project in a commercially zoned area, the project would not physically divide an established community. *There would be no impacts.*

Land Use and Planning 11(b) – Less than Significant

The project complies with the Land Use Element of the 2010 General Plan. Those key policies from Land Use Element that relate to the proposed Project are Policy LU-1.9 *Infill development shall be compatible with surrounding land use and development*, and Policy LU-1.13 *All exterior lighting shall be unobtrusive and constructed or located so that only the intended area is illuminated, long range visibility is reduced of the lighting source, and off-site glare is fully controlled*. Consistency is demonstrated by design of onsite lighting in the application plans, which control exterior glare by the height and design of the fixtures. The project standard condition of approval for exterior lighting plan shall ensure consistency. A commercial land use policy that relates to the Project is Policy LU-4.3, *Commercial uses shall be developed in a compact manner.* Consistency is demonstrated by the design presented in the Project plans, illustrated in Figure 3.

The project complies with the Conservation and Open Space Element of the 2010 General Plan. Conservation/Open Space Element policies that relate to the Project are Policy OS-1.2, *Development in designated visually sensitive areas shall be subordinate to the natural features of the area*, Policy OS-1.9, *Development that protects and enhances the County's scenic qualities shall be encouraged* and Policy OS-1.12, *the significant disruption of views from designated scenic routes shall be mitigated through use of appropriate materials, scale, lighting and siting of development*. Consistency is demonstrated by the design presented in the Project

plans, illustrated in Figures 6 and 7. Trees will be planted to screen the bulk of the development and the colors and materials are muted. Additional Conservation/Open Space Element policies that relate to the Project are Policy OS-3.5, *regulation of activity on slopes to reduce impacts to water quality and biological resources*, and Policy OS-5.3, *development shall be carefully planned to provide for the conservation and maintenance of critical habitat*, Policy OS-5.4, *development shall avoid, minimize, and mitigate impacts to listed species and critical habitat to the extent feasible*, and Policy OS-5.24, *the County shall require discretionary projects to retain movement corridors of adequate size and habitat quality to allow for continued wildlife use based on the needs of the species occupying the habitat*. Consistency is demonstrated by the design presented in the Project plans, illustrated in Figure 3 and Figure 4. The Carmel River is approximately 200 feet south of the project site. The area to the southwest of the Project includes a riparian area which the development will not disrupt. The applicant voluntarily set aside the 786 square feet of habitat in "preserve," which shall be enlarged pursuant to a biologist's recommendation for protection in conservation easement.

The project complies with the Conservation and Open Space Element of the 2010 General Plan. Policies under Goal OS-6, Archaeological Resources, are related to the Project. Policy OS-6.5 requires *(a)procedures for designing development to avoid archaeological site deposits, historic sites and resources, and Native Californian cultural sites and (b) dedication of permanent conservation easements where developments can be planned to provide for such protective easements*. The project site is within a positive archaeological site area and there is potential to impact Native Californian cultural deposits. As mitigated, the potentially significant impacts will be less than significant. The policies under Goal OS-8, Native Californian Cultural Sites, Sacred Places, and Burial Sites are related to the Project. Tribal representatives were consulted. The consultations resulted in direction to adhere with Policies OS-8.3 and OS-8.4.

Chapter 2 of the 2010 General Plan, the Circulation Element, provides policy direction for the transportation system that serves the unincorporated lands of County of Monterey and describes how the County intends to serve the transportation needs and the population grows. Specific impact criteria have been applied to the study intersections and road segments to determine if the project specific increase in traffic is substantial in relation to the existing traffic load and capacity of the street system. Fee programs that have been established by the County for these policies are the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90 and the Carmel Valley Master Plan Area Traffic Mitigation fee pursuant to the Board of Supervisors Resolution No. 95-410, adopted September 12, 1995. The Project is conditioned to pay the appropriate traffic fees. The project complies with other policies of the Circulation Element of the 2010 General Plan, as well. Policy C-2.4, *reduction of the number of vehicle miles traveled per person shall be encouraged*, Policy C-2.5 *Overall land use patterns that reduce the need to travel by automobile shall be encouraged*, and Policy C-2.7 *New development shall be located and designed with convenient access and efficient transportation for all intended users, and where possible, consider alternative transportation modes*. Consistency through the location 6 miles from the urbanized areas of Carmel-by-the-Sea and the transportation hub at the Carmel Mid-valley Center.

The project complies with the CVMP of the 2010 General Plan. Policy CV-1.9 of the CVMP states that structures proposed in open grassland areas that would be highly visible from Carmel

Valley Road shall be minimized in number and be clustered near existing natural or man-made vertical features. The Project is proposed on a lot that is currently vacant and has non-native grassland. Also, there are similar vertical manmade structures on the adjacent parcel to the west. Policy CV-1.20 of the CVMP states that development within the Design (D) and Site Control (S) overlay districts must be visually compatible with the character of the valley and immediate surrounding areas and materials and colors used in construction must be selected for compatibility with the structural system of the building and with the natural and man-made surroundings. Consistent with this CVMP Policy, the proposed project would utilize building materials and colors which would be visually compatible with existing land uses that surround the project site. CVMP Policy CV-1.20 also states that structures within the D/S overlay districts must be controlled in height and bulk in order to retain an appropriate scale. Consistent with this CVMP Policy and Title 21 zoning district for the location, the Project maximum height is 35 feet from average natural grade. The potential bulk of the Project is controlled through presentation of a barn-stylized façade on Building E, which faces Carmel Valley Road, and features to break up office façade, which faces Center Street. CVMP Policy CV-3.1 states that a minimum setback of 100 feet shall be established for all properties abutting Carmel Valley Road. Consistent with this policy, the project would have a 100-foot setback along the northern boundary of the project. (The southern setback would range between 10 to 70 feet, the western setback would be 23 feet, and the eastern setback would range from 10 to 25 feet.)

Finally, Policy CV-1.24 of the CVMP states that the property identified by Assessor Parcel Numbers (APNs)169-131-024-000 and 169-131-025-000 shall be retained as one building site. The intention of the Policy was for a Special Treatment Area that was envisioned for these APNs in the early 2000s. The 2010 General Plan Draft EIR Land Use Chapter, page 4.1-11 states "Carmel Valley Master Plan Policies CV-1.22 through CV-1.26 identify STAs and set forth specific standards to guide orderly development at those locations." The group of policies are include a series of Special Treatment Areas (STAs):

- Policy CV-1.22 relates to Carmel Valley Ranch,
- Policy CV-1.23 relates to Condon/Chugach Property,
- Policy CV-1.25 relates to Rancho San Carlos, and
- Policy CV-1.27 relates to Rancho Canada Village.

There is not a Special Treatment Area in the County database for the two APNs. Two legal lots exist (the subject parcel, 169-131-024-000, is shown in its current configuration as Parcel A-1 in Vol. 21 Parcel Maps Page 104). There is an existing structure on APN 169-131-025-000. No further development of 169-131-025-000 could be allowed if this Project is entitled, as the extent of developable area would be developed. The project does not involve subdivision of the parcel. Therefore, Policy CV-1.24 is not relevant at this time. *Impacts would be less than significant.*

12. MINERAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

See Section IV.A.3. *No Impact.*

13. NOISE Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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: IX. 23, 28)	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels? (Sources: IX. 24, 28)	☐	☐	☒	☐
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: IX.1, 24, 28)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

Noise 13(a) – Less than Significant

Construction

Construction of the proposed project would temporarily increase noise in the vicinity of the site due to heavy equipment such as excavators, graders, large trucks, and machinery typically used during residential construction projects. Construction activities would be required to comply with the Monterey County Noise Ordinance (MCC Chapter 10.60). The ordinance applies to "any machine, mechanism, device, or contrivance" within 2,500 feet of any occupied dwelling unit and limits the noise generated to 85 dBA measured 50 feet from the noise source. Typical construction equipment used for project construction (including excavators, graders, and large trucks) would have noise level of 85 dBA at 50 feet or less (Source: IX.23). The nearest residential building is approximately 98 feet southwest of the project site, therefore construction equipment would not exceed this threshold, and project construction would not exceed County noise level restrictions per MCC Section 10.60.030.

Project construction would take place from 7:30 a.m. to 3:30 p.m. Monday through Friday. Additionally, Policy S-7.10 of the Monterey County General Plan requires the installation of properly operating mufflers on construction equipment and locating laydown yards and stationary equipment as far as possible from noise-sensitive land uses. Because project construction would comply with the provisions in the Monterey County Code and General Plan, the temporary noise generated during construction would not conflict with any Monterey County thresholds. *Construction phase impacts to noise levels would be less than significant.*

Operation

The loading of stored items, unloading of stored items, use of the internal road, and operational noise including HVAC units may result in a short-term increase in ambient noise levels when in use. However, the project would be required to comply with MCC Chapter 10.60.040, which

limits “loud and unreasonable” sound during the hours of 9 p.m. to 7 a.m. Office hours would be 9 a.m. to 5 p.m. at least during working days (Monday through Friday) and gate hours would be 7 a.m. to 8 p.m. for 7 days a week. The project would not result in a substantial permanent increase in ambient noise. *There would be no impact during operation.*

Noise 13(b) – Less than Significant

Project construction would generate a temporary increase in groundborne vibration levels during the excavation and grading phases of project construction. However, it is not anticipated that localized vibration would exceed the threshold for perceptibility in inches per second Peak Particle Velocity, or PPV (0.04 in/sec PPV) and the threshold for structural damage due to vibration (0.1 in/sec PPV), as no vibration-intensive construction activities, such as pile-driving, are proposed (Source: IX.24). In addition, such effects would be temporary, and limited to a short duration of the construction period. *Construction vibration impacts would be less than significant.*

Self-storage facilities are not typically associated with groundborne vibration. *Operational vibration impacts would be less than significant.*

Noise 13(c) – No Impact

The nearest airport to the project site is the Monterey Regional Airport, located approximately 5 miles to the northwest. The site is not within two miles of a public or public use airport or within an airport land use plan. *There would be no impact.*

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

Discussion/Conclusion/Mitigation:

See Section IV.A.4. *No Impact.*

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

Discussion/Conclusion/Mitigation:

See Section IV.A.5. *No Impact.*

16. RECREATION Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

See Section IV.A.6. *No Impact.*

17. TRANSPORTATION Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? (Sources: IX.13, 25, 28, 35, 36)	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)? (Sources: IX.26, 28, 36)	☐	☐	☒	☐
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: IX.1, 28)	☐	☐	☐	☒
d) Result in inadequate emergency access? (Sources: IX.17, 28, 35)	☐	☐	☐	☒

Discussion

According to the California Environmental Quality Act (CEQA) Guidelines, a project may have a significant effect on the environment if it would cause a substantial increase in traffic in relation to the existing traffic load and capacity of the street system, conflict with a program, plan, ordinance or policy addressing the circulation system, or result in inadequate emergency access. Two different significance criteria are used to assess the impacts of the Project – one for environmental impacts with qualitative Vehicle Miles Traveled (VMT) analysis and one for local adverse effects based on County's adopted Level of Service (LOS) standards. The environmental impacts refer to impacts assessed per the CEQA guidelines (VMT), while consistency with General Plan level of service standards (LOS) are addressed separately. Chapter 2 of the 2010 General Plan, the Circulation Element, provides policy direction for the transportation system that serves the unincorporated lands of County of Monterey and describes how the County intends to serve the transportation needs and the population grows. Specific impact criteria have been applied to the study intersections and road segments to determine if the project specific increase in traffic is substantial in relation to the existing traffic load and capacity of the street system.

A Traffic Study was required by HCD-Engineering Services as part of the project application submittal. The study, by Rick Engineering Company (July 25, 2022 and revised on January 30, 2023, Source IX. 35, HCD Library Doc. No. LIB220334), assessed the traffic system around the project and the routes that would have potential to be impacted by project-related traffic. Principal access to Carmel Valley is Carmel Valley Road via Laureles Grade Road and State Route 1 (SR 1) (from Salinas and Monterey/Carmel, respectively). Access to the site would be provided via two vehicle gates and one pedestrian gate at the eastern terminus of Center Street. Center Street is parallel to Carmel Valley Road, which is a major two-lane rural highway (major collector) in Carmel Valley. Carmel Valley Road extends easterly from SR 1, providing access to different types of developments including residential, commercial, educational (a school) and

recreational (parks and golf courses). Carmel Valley Road begins at SR 1 and ends at Arroyo Seco Road. The major roads in the region include SR 1, Carmel Rancho Boulevard, Laureles Grade with and Carmel Valley Road. The posted speed limit on Carmel Valley Road is 50 miles per hour (mph). Carmel Valley Road currently carries approximately 15,333 vehicles per day in the immediate vicinity of the project site (Source: IX. 37). The nearest bus stop is located on Carmel Valley Road and Mid Valley Center approximately 427 feet to the northwest of the project site (Source: IX.25).
The following intersections were determined to be within the study area for the proposed project:

- Carmel Valley Road/Dorris Drive (one-way stop-controlled)
- Carmel Valley Road/Berwick Drive (one-way stop-controlled).

Turning movement counts were conducted during the peak a.m. (7:00-9:00) and p.m. (4:00-6:00) periods. Average daily traffic and speed data counts were conducted over two consecutive 24-hour period on Tuesday, June 21, 2022, and Wednesday, June 22, 2022, along Carmel Valley Road adjacent to the project site.

The trip generation for the proposed project was calculated using a custom trip rate that was developed from vehicular traffic counts that were collected at two existing self-storage facilities in Monterey County, and also from gate entry/exit data collected at an existing self-storage facility in Paso Robles in San Luis Obispo County. Traffic data from the three existing self-storage facilities were used to develop a local trip rate for the proposed Center Street Self-Storage project (Source: IX. 35).

Conclusion/Mitigation:

Transportation 17(a) – Less than Significant

Regional and local plans and policies addressing the circulation system include the Transportation Agency for Monterey Active Transportation Plan for Monterey County, Monterey County General Plan Circulation Element, and the Association of Monterey Bay Area Governments Metropolitan Transportation Plan and Sustainable Communities Strategy (Source: IX.13). As discussed in Section IV.11, *Land Use and Planning*, Chapter 2 of the 2010 General Plan, the Circulation Element, provides policy direction for the transportation system that serves the unincorporated lands of County of Monterey and describes how the County intends to serve the transportation needs and the population grows. Specific impact criteria have been applied to the study intersections and road segments to determine if the project specific increase in traffic is substantial in relation to the existing traffic load and capacity of the street system. Fee programs that have been established by the County for these policies are the Regional Development Impact Fee (RDIF) pursuant to MCC Chapter 12.90 and the Carmel Valley Master Plan Area Traffic Mitigation fee pursuant to Chapter 18.60. The Project is conditioned to pay both fees (Condition of Approval listed below).

CARMEL VALLEY DEVELOPMENT IMPACT FEE

The Applicant shall pay the Carmel Valley Master Plan Area Traffic Mitigation fee pursuant to the Board of Supervisors Resolution NO. 95-410, adopted September 12, 1995 (Fees are updated annually based on CCI). The fee shall be based on the project's estimated average daily trip generation multiplied by the fee per trip for a single family dwelling (residential unit). With

the traffic impact fee for a residential unit of $18,720, which is approximately equivalent 10 average daily trips, the fee per trip is calculated as $1,872 per daily trip. (Public Works)

REGIONAL DEVELOPMENT IMPACT FEE

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. (Public Works)

The County's standard Conditions of Approval require that the applicant submit the design for review and approval of HCD-Engineering Services and obtain an encroachment permit from the HCD in order to construct to driveway that would provide access to the project site during construction and operation via Center Street. The project also includes proposed improvements along Center Street, such as the construction of curbs, gutters, sidewalks, paveouts, and the addition of drainage facilities along the frontage of Center Street. Work to install these improvements that take place within the County right-of-way would also require issuance of an encroachment permit.

Construction traffic would be temporary and limited to the duration of the construction schedule. After construction is complete, the project would not generate substantial amounts of traffic, as discussed under criterion 17(b). As discussed in Section IV.4, the project is not expected to add substantially to the existing population. Therefore, the project would not add substantially to existing transportation conditions. Furthermore, in accordance with the County's conditions of approval, the site-specific construction management plan for the project would include measures to minimize traffic impacts during the construction/grading phase of the project.

The minimal level of additional trips generated as a result of the proposed project would be mitigated by the existing Traffic Mitigation fees, thereby conforming with the program and policies addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. *Impacts to transportation programs, plans, ordinances and policies addressing the circulation system would be less than significant.*

Transportation 17(b) – Less than Significant

The County has not adopted vehicle miles traveled (VMT) thresholds at this time; therefore, thresholds provided in the California Office of Planning and Research's (OPR) Technical Advisory published December 2018 are appropriate (Source: IX.26). OPR suggests that land development projects generating fewer than 110 vehicular trips per day may be assumed to have a less than significant transportation impact, which has been adopted by many local agencies in California as a Small Project Size screening threshold (Source: IX.38, Source: IX.38). As discussed in the VMT assessment prepared for the project by Rick Engineering Company in January 2023 (Source IX. 36, HCD Library Doc. No. LIB230088), the only VMT screening threshold that would be applicable to the proposed project is the Screening Threshold for Small Projects. The project is estimated to generate a total of 32 Average Daily Trips (ADT), with a total of 3 trips during the AM peak hour (2 inbound/1 outbound) and a total of 4 trips during the PM peak hour (2 inbound/2 outbound) during a typical weekday. As the project would be expected to generate 32 ADT, in accordance with OPR guidance, impacts can be presumed to be

less than significant. *As the project would result in no substantial increase in vehicle trips during operation, impacts would less than significant.*

Transportation 17(c-d) – No Impact

During the application package inter-departmental review, the proposed project was reviewed by the Monterey County Regional FPD to ensure that sufficient emergency access is provided. No project design changes were recommended (Source IX. 28). As discussed under criterion 17(b), it is not anticipated that there would be a substantial increase in operational traffic. The proposed project is located within the Carmel Valley Evacuation Region, Evacuation Zone D-032 which has identified evacuation routes of Carmel Valley Road and Highway 1 (Source: IX.17). The proposed project is not expected to impair evacuation procedures along Carmel Valley Road due to its low traffic volumes.

No geometric design features or incompatible land uses would be introduced to the project site and local roadway network as a result of the project. As discussed above under criterion 17(a), the project would include roadway improvements at the entrance at the end of Center Street. However, these proposed changes do not include modifications to the local roadway network that could result in inadequate emergency access. Nevertheless, improvements would be subject to review by the HCD in accordance with the County's conditions of approval. Furthermore, the project has been designed in accordance with the 2020 Monterey County Fire Code and the most current National Fire Protection Association standards to ensure that there would be adequate access to the project site for emergency vehicles via gate operation and turning radius. Therefore, the proposed project would not substantially increase hazards due to a geometric design feature or incompatible use or result in inadequate emergency access. *No impact would occur.*

18. TRIBAL CULTURAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 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: IX. 29, 30, 31, 32)	☐	☒	☐	☐
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 § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. or (Sources: IX. 29, 30, 31, 32)	☐	☒	☐	☐

Discussion/Conclusion/Mitigation:

The Esselen and Costanoan tribal groups subsisted as hunter-gatherers prior to the Spanish arrival in the 1770s. Based on 18th century observations, the Esselen and Costanoan societies of Monterey County were semisedentary with habitation, gathering, and acorn processing sites along streams and confluences and near natural springs. The Project site is near the Carmel River and is therefore within a "high archaeological sensitivity" zone. The Project is in proximity of a known archaeological resource, P-27-000584, and the Carmel River which was classified a cultural resource in 1999 (P-27-004056).

AB 52 establishes a formal consultation process for California tribes regarding tribal cultural resources. The consultation process must be completed before a CEQA document can be certified. Under AB 52, lead agencies are required to "begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project." Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

Tribal Cultural Resources 18(a.i-a.ii) – Less than Significant with Mitigation

On August 10, 2023, the following Native American tribal groups were formally notified that the County initiated environmental review of the proposed project and were invited to provide AB 52 consultation. The groups were provided the Project Description, the Plans, and a Phase I

archaeological report which was prepared for the Project (Archives & Archaeology, July 2022, Source IX. 30, HCD Library Doc. No. LIB220331).

- Ohlone Costanoan Esselen Nation (OCEN)
- KaKoon Ta Ruk Band of Ohlone-Costanoan Indians
- The Esselen Tribe of Monterey County

A response was received on September 28, 2023 from OCEN. The Tribe requested the following:

- Archaeological reports/surveys, including subsurface testing and presence/absence testing; inclusion in mitigation and recovery programs,
- Cultural and Tribal mitigation measures reflect request for an OCEN Tribal Monitor,
- Reburial of any Ancestral remains and burial artifacts,
- Cultural items be returned to OCEN,
- 50 meters of protection surrounding Ancestors remains and significant cultural disturbance,
- The presence of one OCEN Tribal Monitor working with each soil disturbing machine, and
- An OCEN Tribal Monitor/s approved by the OCEN Tribal Council be used within our aboriginal territory site plans.

A response was received on August 23, 2023 from the Esselen Tribe of Monterey County. The Tribe requested the following:

- Copies of all cultural resources and biological studies for the Project for our review.
- Meet with the County Planners to discuss this project. As it stands, we find this project extremely problematic.

HCD-Planning staff met with OCEN and the Esselen Tribe of Monterey County in separate meetings on October 3, 2023. The representatives were very concerned about the Project Phase I archaeological report's demonstrated unfamiliarity with the parcel's previous APN and the extent of the previous Phase I and Phase III[2] evaluations conducted within the subject property under a previous parcel number (Runnings and Haversat 1996; Breschini 1999). There have been inadvertently uncovered buried human remains in the greater vicinity of the Project site. Gary S. Breschini, one of the leading local archaeologists at the time, determined resources MNT-499, to the west of the Project, and MNT-2280 to the south-southeast, as likely district components of one Esselen village. Both Tribal Representatives asserted that additional testing would be required prior to completing their consultations. Therefore, the applicant caused a Phase II archaeological report to be prepared by Achasta Archaeological Services on December 1, 2023 (Source IX.30, HCD Library Doc. File No. LIB240116). The Report gave a thorough history of the area and previous resources that were discovered in the village district. The methodology for Phase II site investigation was ground penetrating radar on free path transects as well as a subsurface auger testing program was performed in four locations to target depths of five feet, if soil conditions allowed, to determine the presence or absence of archaeological deposits, which ensured the maximum data could be collected prior to construction impacts. The Phase II

[2] (see footnote 1)

subsurface evaluation was negative for significant resources. Resource observations were limited to small flecks of charcoal and a small Monterey chert core observed on the ground surface.

On December 14, 2023, HCD-Planning distributed the Phase II report to the Tribal Representatives who had requested consultation, and second consultation was held with each Tribal Representative. On February 13, 2024, HCD-Planning met with OCEN a second time. They requested the same list of accommodations with the addition of requests to be included in mitigation and recovery programs. On February 29, 2024, the Esselen Tribe of Monterey County made themselves available to meet with HCD-Planning a second time. They requested the same list of accommodations with the addition of requests to be included in mitigation and recovery programs. It is not legally possible for HCD-Planning to require a permit holder to contract with a particular tribal group that is recognized by the State. Therefore, the mitigation measure for TRC-1 is written to allow the maximum monitoring by whichever Tribal Cultural Monitor the developer contracts.

Mitigation Measure TRC-1. Tribal Cultural Monitoring:
Tribal Cultural representatives expressed strong concern about development on the site and a Phase 2 archaeological report indicated that, although no resources were encountered during site investigations, there is still a high likelihood that tribal cultural resources could be uncovered during project construction. Prior to ground disturbing activities, the Project proponent shall retain the services of a Tribal Cultural Monitor with cultural and ancestral ties to the project area to monitor all ground disturbing activities, including but not limited to demolition, grading, trenching augering, hand excavations, and landscaping activities. Excavations into hardpan and bedrock shall not require monitoring. Backfilling, off hauling of soils, and processing of previously excavated soils shall not require monitoring. Excavations shall be performed with equipment outfitted with flat blades. Upon completion of ground disturbance, the Tribal Cultural Monitor (TCM) will provide the project proponent and HCD-Planning a monitoring report documenting compliance with monitoring and reporting program.

Mitigation Monitoring Action TCR-1.1
Prior to issuance of construction permits for grading or building, the owner/applicant shall submit to HCD-Planning a copy of the contract between the owner/applicant and a qualified TCM. The contract shall include the specific construction activities that the TCM shall be present for and any construction activities where the TCM will not be present for. The contract shall be submitted to HCD-Planning for review and approval.

Mitigation Monitoring Action TCR-1.2
Prior to building final, the owner/applicant shall submit to HCD-Planning a copy of the final report by the TCM. The report shall include the specific times that the TCM worked on the site and any results of the monitoring. If a larger report is required due to resource encounter, the report can be submitted within 6 months of building final and the report shall also be submitted to any required state agencies.

Through adherence with Mitigation Measures TRC-1, CR-1 and CR-2, the project impacts to tribal cultural resources shall be less than significant.

19. UTILITIES AND SERVICE SYSTEMS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

See Section IV.A.7. *No Impact.*

20. WILDFIRE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan? (Source IX. 27)	☐	☐	☒	☐
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: IX. 1, 28)	☐	☐	☐	☒
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: IX. 1, 27, 28)	☐	☐	☒	☐
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: IX. 1, 18, 28)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

The proposed project site is located within a California Department of Forestry and Fire Protection (CAL FIRE) Local Responsibility Area (LRA) that is designated as a Very High Fire Hazard Severity Zone (VHFHSZ) (Source: IX.18).

Wildfire 20 (a) – Less than Significant

As discussed in Section VI.9, Hazards and Hazardous Materials, the Monterey County Emergency Operations Plan, which contains evacuation routes, and response and recovery protocols. The proposed project is located within the Carmel Valley Evacuation Region, Evacuation Zone D-032 which has identified evacuation routes of Carmel Valley Road and Highway 1 (Source: IX.27). The proposed project would not impair evacuation procedures along Carmel Valley Road due to its low traffic volumes and low-density land uses within the Carmel Valley area. Additionally, the proposed project would not result in lane closures on Carmel Valley Road or other obstructions of emergency access or evacuation routes during construction or operation. Furthermore, the proposed project would involve the construction of a self-storage facility on a site zoned for commercial use and residences are proposed. Based on this information, the proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan and would not result in impacts. The project would be required to comply with the building code and fire safety requirements. *Therefore, the proposed project would result in a less than significant impact to emergency response emergency evacuation plans.*

Wildfire 20 (b) – No Impact

The proposed project includes a self-storge facility and would not contain residential uses. Therefore, the project would not result in the exposer of project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. *There would be no impact.*

Wildfire 20 (c) – Less than Significant

The project would not involve installation of new roads, fuel breaks, or emergency water sources. As discussed in Section IV.17, *Transportation*, the project includes improvements at the end of Center Street. The project would involve the construction of new utility connections, including electrical. The proposed project would connect to existing underground utility systems and would not substantially increase existing fire risk associated with infrastructure. *Impacts related to wildfire risk during infrastructure installation would be less than significant.*

Wildfire 20 (d) – Less than Significant

The proposed project site is located within a LRA that is designated as a Very High FHSZ (Source: IX.18). The project would be constructed in accordance with the latest California Building Code standards, which include measures to reduce the risk of fire. During operation and maintenance of the facility, California Public Resources Code Sections 4427, 4428, 4431, and 4442, would be applicable, including defensible space areas, and using firesafe practices to minimize the potential for wildfire ignitions resulting from equipment use. Additionally, items such as firearms, ammunition, gun powder, gasoline, kerosene, paint, stains, lacquer and hazardous materials would not be permitted in storage units. Implementation of existing local and state regulations would reduce risk of exposing surrounding residences to wildfire to a less than significant level.

In the event of a wildfire, wildfires can greatly reduce the amount of vegetation present in an area. Plant roots stabilize the soil and aboveground plant parts slow water, allowing it to percolate into the soil. Removal of surface vegetation resulting from a wildfire on a hillside reduces the ability of the soil surface to absorb rainwater and can allow for increased runoff that may lead to large amounts of erosion or landslides. As described in Section VI.7, Geology and Soils, the project site has a low potential for landslides. Nevertheless, it is expected that potential for erosion and landslides could be exacerbated post-wildfire where surface vegetation has been removed. The project would be required to comply with relevant sections of the Monterey County Code that pertain to grading and erosion control (MCC Chapters 16.0 and 16.12). When combined with the project design and County permitting requirements, potential impacts associated with runoff, post-fire slope instability or drainage changes would be less than significant. *Therefore, the proposed project would result in a less than significant impact to exposure of people or structures to post-fire risks.*

VII. MANDATORY FINDINGS OF SIGNIFICANCE

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project 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: IX. 1, 5, 7, 9, 10, 14, 19, 28, 30, 31, 32, 34, 40)	☐	☒	☐	☐
b) Does the project 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: IX. 1, 5, 7, 9, 10, 14, 19, 28, 30, 31, 32, 34, 35, 36, 40)	☐	☒	☐	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Sources: IX. 1, 5, 7, 9, 14, 19, 28, 30, 31, 32, 33, 40)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

Mandatory Findings of Significance (a) – Less than Significant with Mitigation

As discussed in this Initial Study, the proposed project involves the construction of a self-storage facility. Construction could result in damage or destruction of suitable upland CRLF and WPT habitat and bird nests, which would result in a substantial adverse effect to these species. However, the project would be subject to Mitigation Measure BIO-1 through BIO-5 to reduce potential impacts to CRLF, WPT, and to migratory and nesting birds. As described in Section VI.5, the project site is undeveloped and does not any built historical resources. Mitigation Measures CR-1, CR-2 and TRC-1 would reduce impacts to cultural and tribal cultural resources to a less than significant level. Therefore, the proposed project would not eliminate an important example of major periods of California history or prehistory. *Impacts would be less than significant with mitigation incorporated.*

Mandatory Findings of Significance (b) – Less than Significant with Mitigation

As described in the discussion of environmental checklist sections 1 through 20, with respect to all environmental issues, the proposed project would not result in significant and unmitigable impacts to the environment. All anticipated impacts associated with project construction and

operation would be either no impact, less than significant, or less than significant with mitigation incorporated. This is largely due to the fact that project construction activities would be temporary.

Cumulatively considerable impacts could occur if the construction of other projects occurs at the same time as the proposed project and in the same vicinity, such that the effects of similar impacts of multiple projects combine to expose adjacent sensitive receptors to greater levels of impact than would occur under the proposed project. For example, if the construction of other projects in the area occurs at the same time as construction of the proposed project, potential impacts associated with noise and traffic to residents in the project area may be more substantial.

A planned project is located approximately 900 feet northwest of the project site at 9150 Carmel Valley Road. The project entails a remodel of an existing single-family home and conversion of an existing garage. There is the potential for the construction periods of the proposed project and cumulative project to overlap; however, both projects would be required to adhere to the County's standard conditions of approval and construction hours limitations, which would result in less than significant cumulative noise impacts. In addition, a recently constructed self-storage facility is located directly adjacent to the eastern project boundary. However, this project has already been constructed and is currently in operation. The uses of the adjacent site to the proposed project are similar and would not result in significant operational noise impacts. Therefore, the proposed project would not result in significant cumulative impacts related to noise.

There are public concerns that were raised at the LUAC regarding cumulative aesthetic impacts. The applicant made several responsive changes to design and colors to improve the aesthetics. Should the Project be constructed, there would be two self-storage facilities within the neighborhood along Carmel Valley Road. Because the proposed project has redesigned to reduce the potential aesthetic impacts, the cumulative impact will not result in significant cumulative impacts related to public views.

The proposed project would not create indirect population growth and would not contribute to cumulative impacts related to population growth, such as impacts to public services, recreation, and population and housing. Impacts related to cultural resources, geology and soils, hazards and hazardous materials, land use and planning, mineral resources, and tribal cultural resources are generally limited to the project site and would not contribute to cumulative impacts associated with existing and future developments. In addition, air quality and GHG impacts are cumulative by nature, and as discussed in Section VI.3, Air Quality, and Section VI.8, Greenhouse Gas Emissions, the project would not generate substantial air pollutant emissions or GHG emissions; therefore, it would not contribute to the existing significant cumulative air quality impacts related to the NCCAB's nonattainment status for ozone and PM_{10} or the existing significant cumulative climate change impact. Furthermore, the project's operational impacts to resources such as aesthetics, agriculture and forestry resources, biological resources, hydrology and water quality, noise, transportation, and utilities and service systems would be minimal and would not have the potential to constitute a cumulatively considerable contribution to cumulative impacts that may occur due to existing and future development in the region. Therefore, the proposed project would not result in a cumulatively considerable contribution to a significant impact. *Impacts would be less than significant with mitigation incorporated.*

Mandatory Findings of Significance (c) – Less than Significant

In general, impacts to human beings are associated with such issues as air quality, hazards and hazardous materials, noise, and wildfire impacts. As discussed in Section VI.3, Air Quality, the project would not result in a cumulatively considerable net increase in the emission of criteria pollutants and would not expose sensitive receptors to substantial pollutant concentrations. As discussed in Section VI.9, Hazards and Hazardous Materials, the project would not create a significant hazard to the public or the environment associated with hazardous materials and would not be located on a site listed as a hazardous materials site. As discussed in Section VI.13, Noise, the project would not generate noise that exceeds the County's noise thresholds. Finally, as discussed in Section VI.20, Wildfire, the project would not result in significant risks related to wildfire due to slope, prevailing winds, and other factors. The project would have no impact or result in a less than significant impact related to air quality, noise, hazards and hazardous material, transportation and wildfire as discussed in the Initial Study. *Therefore, impacts to human beings would be less than significant*.

VIII. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

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

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

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

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

Evidence: Based on the record as a whole as embodied in the HCD-Planning files pertaining to PLN210306 and the attached Initial Study/Proposed Mitigated Negative Declaration.

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