

Exhibit G

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MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

PLANNING

1441 Schilling Place, 2nd FLOOR, SALINAS, CA 93901

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



Project Title: Fjugstad

File No.: PLN180436

Project Location: 2692 15th Avenue, Carmel

Name of Property Owner: Geir Fjugstad / Emerson Development Group

Name of Applicant: Geir Fjugstad / Emerson Development Group

Assessor's Parcel Number(s): 009-393-015-000

Acreage of Property: 0.142

General Plan Designation: Carmel Area Land Use Plan, Coastal Zone

Zoning District: MDR/2-D (CZ)/Medium Density Residential, 2 units per acre,
Design Control overlay Coastal Zone.

Lead Agency: County of Monterey, Resource Management Agency –
Planning

Prepared By: R. Craig Smith, Associate Planner

Date Prepared: April 3, 2019

Contact Person: R. Craig Smith, Associate Planner

Phone Number: 831-796-6408

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project:

The project application (herein after referred to as “Project”), consists of the demolition of an existing 1,110 square foot one-story single family dwelling and subsequent construction of a two-story 2,407-square foot single-family dwelling and attached 376 square foot garage. As illustrated in **Figure 1** below, site improvements include a complete demolition of the existing dwelling and all hardscapes, decks and patios. The proposed development includes the new residential dwelling and new stone patios, a gravel patio, a roof deck, flagstone walkways, and planted driveway pavers. All development would be on-grade, there is no basement proposed. The existing hardscape - impermeable surfaces - is approximately 2,595 square feet. The proposed project includes impermeable surfaces of approximately 2,542 square feet, a slight reduction from the existing impermeable area. The development includes numerous permeable surfaces: a driveway of approximately 266 square feet, a gravel firepit area of approximately 313 square feet, and concrete entry pavers interspersed with turf of approximately 108 square feet. Also considered as permeable surfaces are the flagstone walkways located on the sides of the proposed residential structure. The proposed development also includes new lawn or turf areas to compliment the architecture and to provide for permeable surfaces for percolation of storm water.

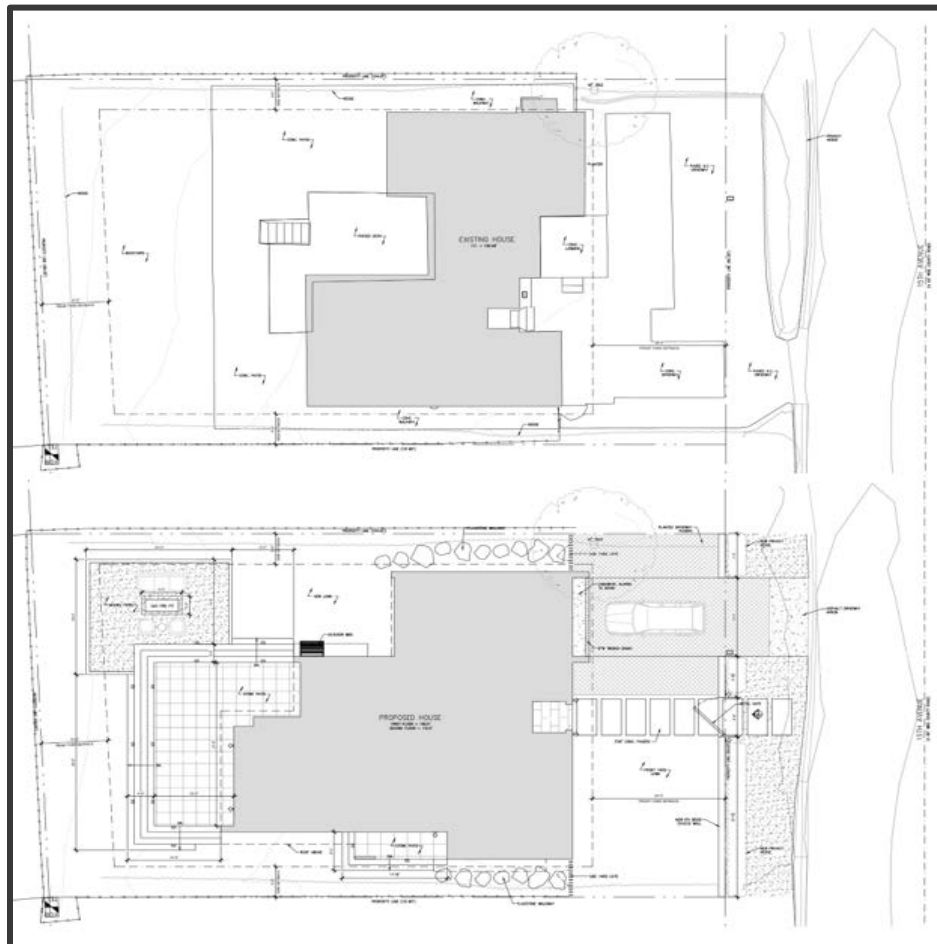


Figure 1 – Existing and Proposed Site Comparison

Surface grading for the above ground improvements will be minimal. Excavation for the two-story structure will be approximately 26 cubic yards of cut (to remain on site) and approximately 6.8 cubic yards of imported soil, fill, for a total of 32.8 cubic yards of grading to implement the design of the project. To address potential erosion issues during earth movement, the project plans also include construction Best Management Practices and a Proposed Storm Water Drainage Plan (**Figure 2**). The project plans also include general notes addressing construction management.

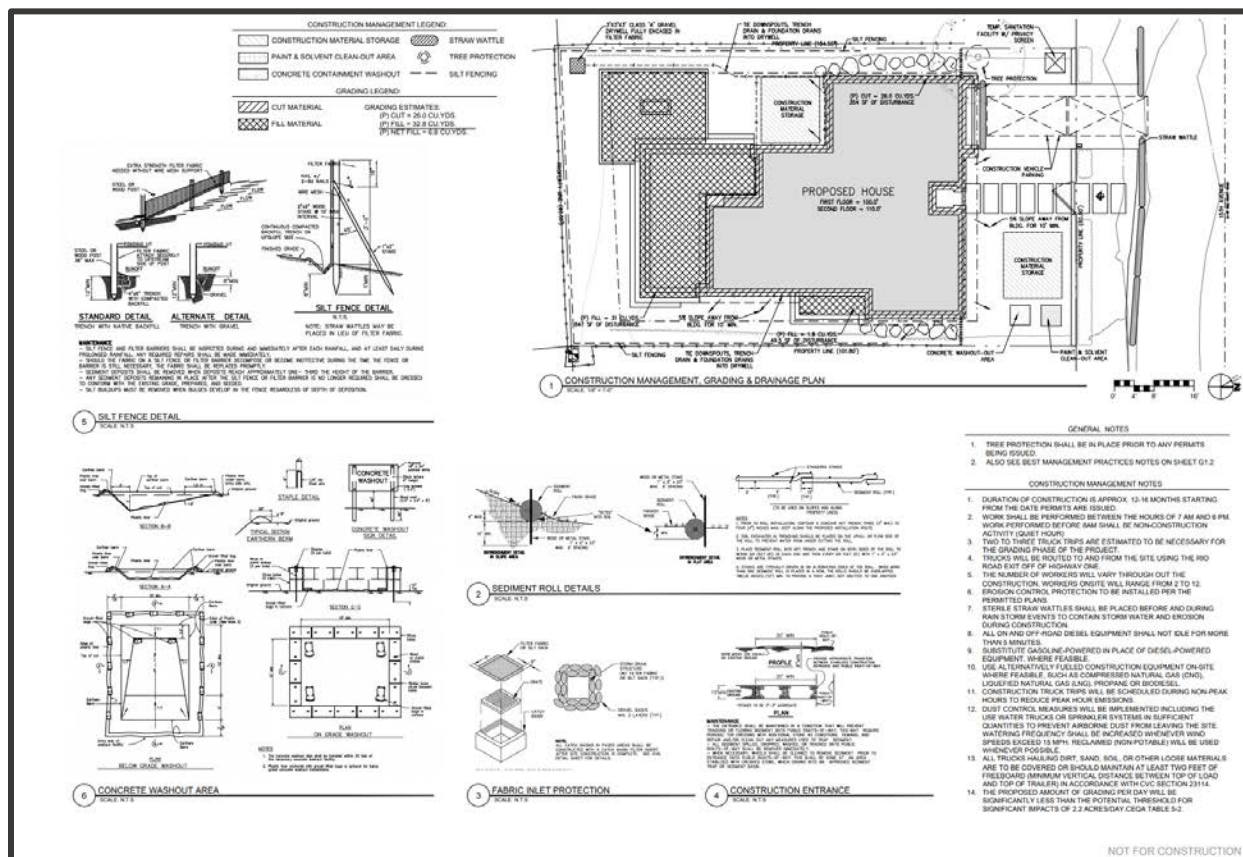


Figure 2 – Construction BMPs and Proposed Storm Water Drainage Plan

The subject property is governed by policies and regulations contained in the 1982 Monterey County General Plan (General Plan), the Carmel Area Land Use Plan (CAR LUP), the Monterey County Coastal Implementation Plan, Part 4 (Carmel CIP), and the Monterey County Coastal Zoning Ordinance, Part 1 (Title 20). Implementation of the project requires approval of a Combined Development Permit (CDP) consisting of a Coastal Administrative Permit and Design Approval for the demolition of the existing single-family dwelling and subsequent construction of the two-story residential dwelling, and Coastal Development Permit for development within 750-feet of a known archaeological site as depicted on County resource maps.

Historical Survey

The existing single-family, wood-frame dwelling features a low-pitch roof with gabled ends and horizontal lap siding; the home was constructed in 1949 - 1950. Because the existing structure is more than fifty (50) years old, a Historical Report (LIB070022) for the subject parcel was

prepared and reviewed to assure that the property/structure is not associated with: 1) Events that have made a significant contribution to the broad patterns of national, state or local history or 2) With a significant individual in the US. The report concluded that the dwelling was not of historic importance or merit.

Architectural Design and Aesthetics

Pursuant to Section 20.44 – Design Control District of the Title 20, design review of structures is required to assure the protection of the public viewshed, neighborhood character, and the visual integrity of certain developments without imposing undue restrictions on private property. The proposed architectural style would be considered modern with influences derived from American mid-century architectural stylings. The two-story dwelling is characterized by crisp edges with the mass broken through the use of materials and color. The primary colors and materials for the new dwelling include dark bronze clad window frames, natural stone veneer, smooth stucco finish in beige or gray with horizontal wood siding in a different grey tone. Aluminum roof fascia coincides with the top of the flat roof and a similar roof fascia that defines the top of the garage and extends across the front elevation, thus further breaking this mass (**Figure 3**).



Figure 3 – Proposed Front (L) and Rear (R) Elevations

The proposed exterior colors and materials are consistent with the medium-density residential setting; there are several examples of the modern architectural style found throughout the broader neighborhood and general vicinity. Two examples are included in this study, with one example located approximately 330 feet west of the project site (**Figure 4**).



Figure 4 – Neighborhood Modern Architectural Styles

Staking and flagging was installed for the project (**Figure 5**). Subsequently, staff conducted a site visit on January 8, 2019 and March 11, 2019.



Figure 5 – Existing Structure with Staking and Flagging

B. Surrounding Land Uses and Environmental Setting:

Existing Conditions and Surrounding Land Uses

The subject property is a 6,191-square-foot (0.142 acre) parcel located at 2692 15th Avenue in Carmel (Assessor's Parcel Number 009-393-015-000) zoned Medium Density Residential, 2 units per acre with a Design Control overlay located in the Coastal Zone, or "MDR/2-D(CZ)". The subject property is located on a residential subdivision created by a Record of Survey of Division of Lot 6, Book 9, shown on "Mission Tract," and recorded on August 15, 1963 in Volume 1 of Maps, Page 39. The project site is within an established residential neighborhood located in the eastern reaches of the Carmel Point area, east of Camino Real and approximately 200 feet west of Carmel River Elementary School. The parcel is approximately 5,000 feet west of Highway 1 and 670 feet south of the incorporated city of Carmel-by-the-Sea (**Figure 6**).

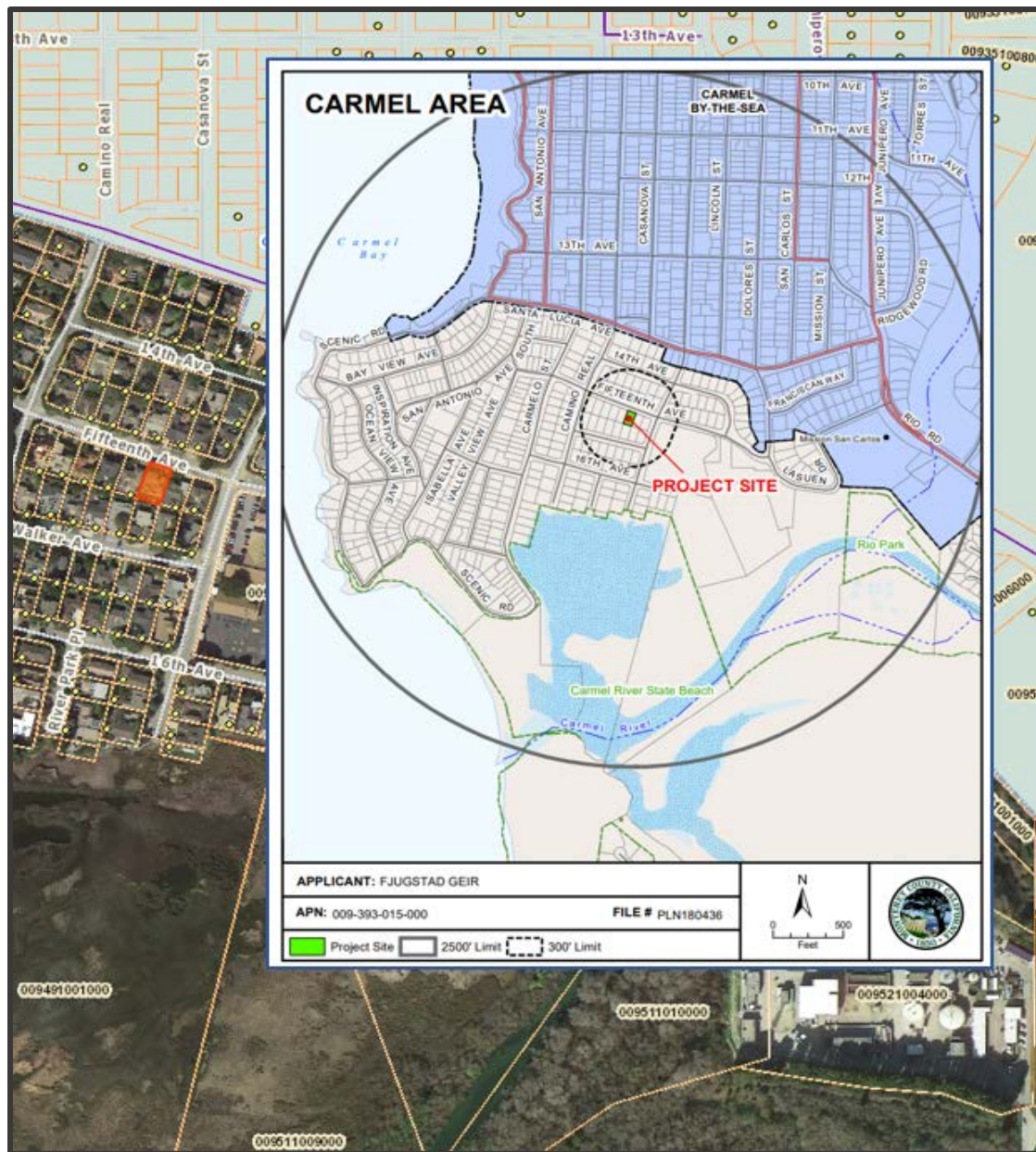


Figure 6 – Vicinity Map

The Site Plan (**Figure 7**) depicts existing site conditions. The proposed development does not constitute ridgeline development and the development is not within any public viewshed as defined in the CIP. The developed lot is within a built-out neighborhood developed predominately in the 1950s, and is sited, along with the neighborhood, on predominately level terrain with a mild southerly slope. The neighborhood is eclectic in terms of architectural style and scale of development, including many two-story dwellings and numerous examples of “modern” architecture. Furthermore, the neighborhood is in transition in that there are other examples of recent “tear-downs” of the 1950s era dwellings and subsequent construction of two-story residential dwellings done in the “modern” architectural style. The proposed residential development would continue to meet the site development standards for MDR/2-D(CZ).

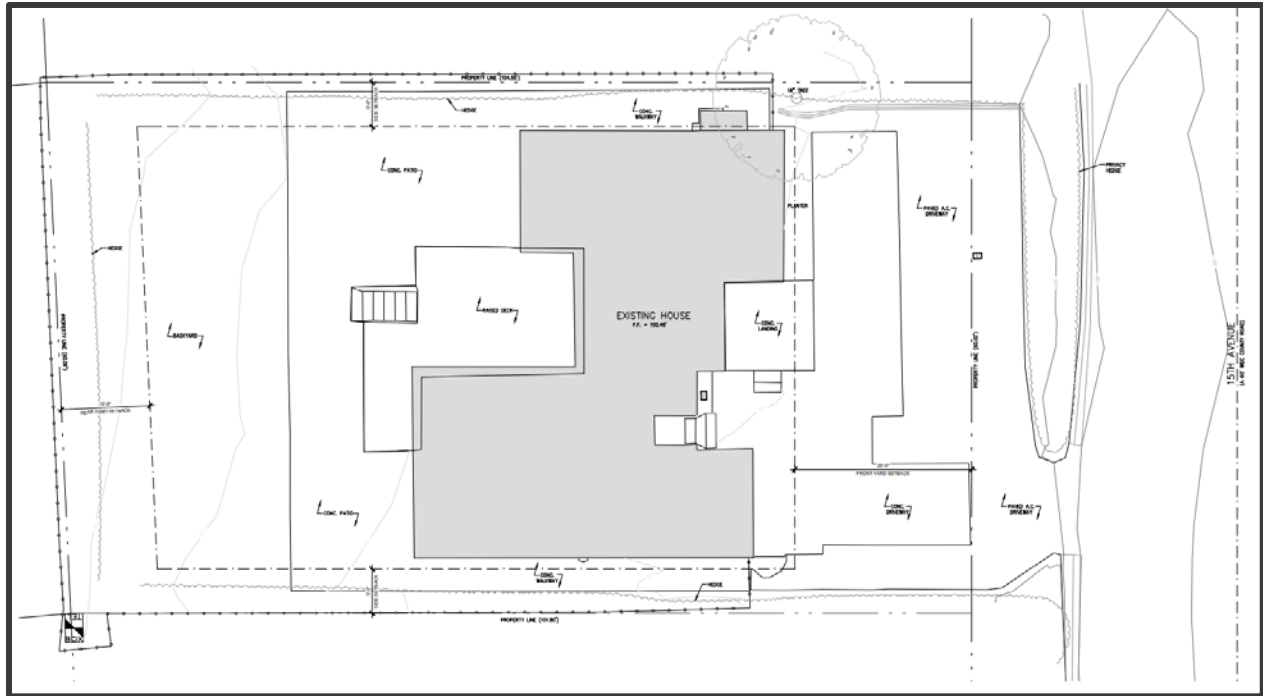


Figure 7 – Site Plan of Existing Conditions

Cultural/Archaeological Setting

Per County records, the property is located in an area of “High” archaeological sensitivity and the property is bifurcated by an archeological buffer zone. The project site is approximately 850 feet east of Carmel Point, an area characterized by rich archaeological resources and has been an area of archaeological study for at least thirty years. Furthermore, the project site is approximately 860 feet from a known archaeological site, CCA-MT-1286. However, the development application includes a “negative” archaeological report in that there were no indications of archaeological or historical artifacts observed during a site reconnaissance conducted in July 2018 (LIB180431). Additionally, an archaeological survey was conducted on the site in 2007 with a concluding “negative” archaeological report (LIB070021), and an archaeological report prepared for the parcel immediately behind – south – of the project site in 2007 that did not observe any archaeological or cultural artifacts (LIB070615).

Figure 8 shows the subject parcel in relation to one archeological buffer; the subject parcel is bisected by one archaeological buffer that represents a 750-foot buffer zone from a known/positive archaeological finding.



Figure 8 – Carmel Point: Archaeological 750-foot buffer, subject parcel outlined in orange

CEQA requires that lead agencies evaluate a project’s potential impact to a “tribal cultural resource.” Pursuant to Public Resources Code Section 21080.3.1 *et seq.*, the County shall request a consultation of the project’s potential impact on tribal cultural resources prior to the release of a negative declaration, mitigated negative declaration or environmental impact report for a project. Assembly Bill 52 (Native Americans: California Environmental Quality Act) applies only to projects that have a notice of preparation, or a notice of intent for a negative declaration or mitigated negative declaration, filed on or after July 1, 2015. There are two tribes in the County’s jurisdiction that the County confers with: the Salinan Tribe and the Ohlone/Costanoan-Esselen Nation (OCEN). On March 7, 2019, a formal notification to the OCEN tribe was sent notifying them of the County’s intent to prepare a CEQA document and requesting consultation. Subsequently, a consultation took place on April 2, 2019. OCEN’s priority is that their ancestors’ remains be protected, undisturbed, and the site be preserved. If excavation is unavoidable, OCEN requests all cultural and sacred items be left with their ancestors on site or where they are discovered. See Section V. – Tribal Cultural Resources for specific mitigation measures proposed by OCEN.

The primary CEQA issue involves cultural resources. Based on the archaeological reports cited above, this resource has a low potential to be affected by the proposed project. Additionally, evidence supports the conclusion that impacts will be less-than-significant with mitigation incorporated. Detailed analysis for this issue can be found in Section VI. – Environmental Checklist.

Soils and Fault Hazards

According to Monterey County's GIS (Source 6) regarding active/potentially active faults, many parcels on the Point lie within the path of the nearby Cypress Point Fault line. However, the subject site is not located within the 660 feet buffer zone of the fault as located in the County's GIS maps (**Figure 9**). The site is currently developed with an existing single-family dwelling; the demolition of the dwelling and subsequent construction of the proposed single-family residence would not create an impact greater than the existing state of the property. No further geotechnical evaluation was requested.

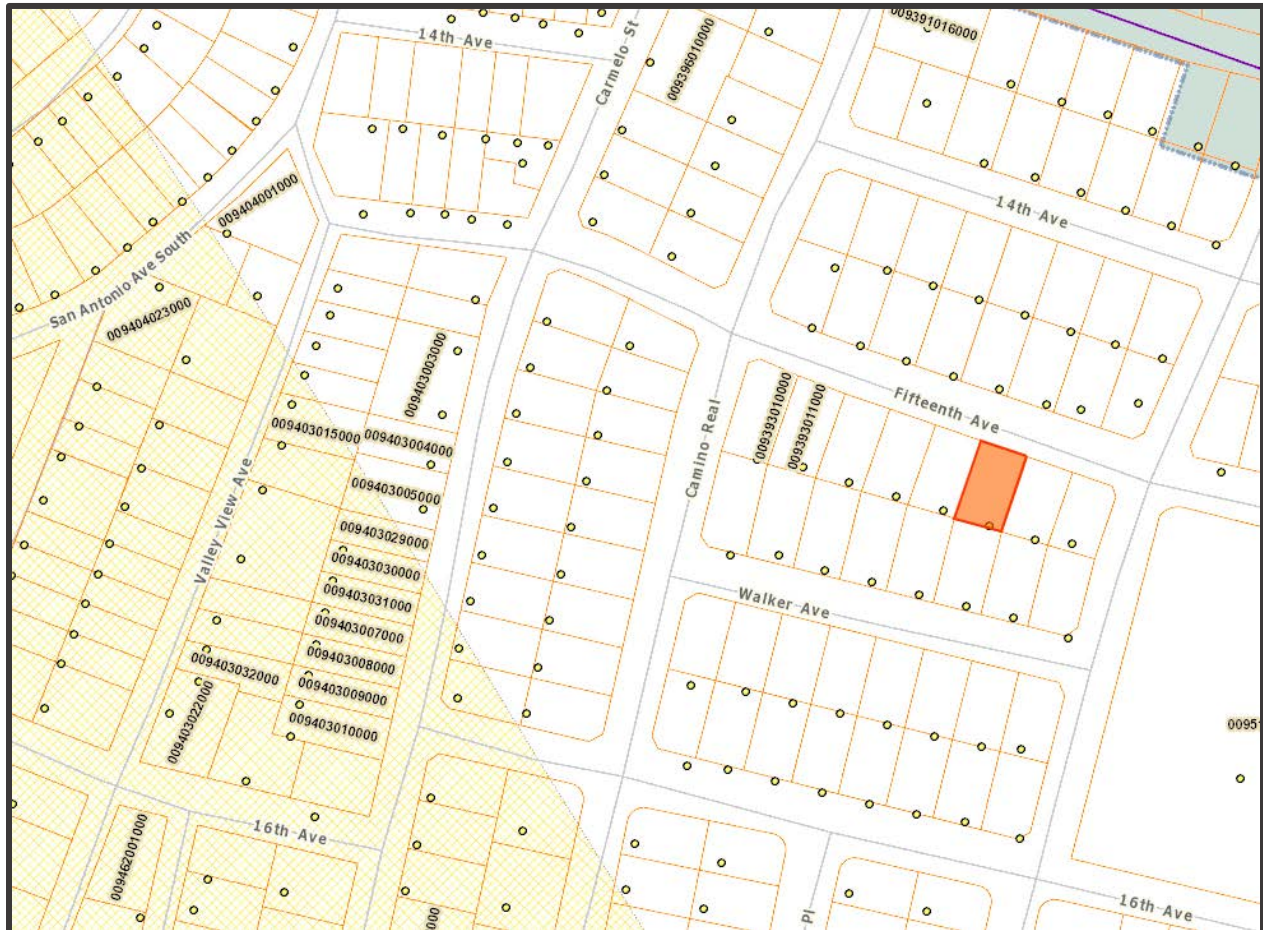


Figure 9 – Active/Potentially Active Faults 660-foot buffer (Parcel Outlined in Orange)

The Monterey County GIS (Source 6) indicates the site is located within a zone that is designated as having a low potential for liquefaction or seismically-induced land sliding. The site has minimal topographic relief and there are no slopes or bluffs located near the site.

Biological Setting

The subject parcel falls within the Monterey Pine habitat layer as depicted on County GIS (**Figure 10**). As stated above, the proposed development is within a developed neighborhood with sporadic examples of Monterey pine or Gowan's cypress included as part of a landscape plan. Ornamental landscaping dominates the neighborhood. Prior to the residential development

Other public agencies whose approval is required:

Prior to obtaining the necessary discretionary permit approvals, the project will require ministerial approval from the following agencies: Environmental Health Bureau, RMA-Public Works, RMA-Environmental Services, Monterey County Water Resources Agency, and Cypress Fire Protection District. In addition, any conditions of approval required by the reviewing agencies will require compliance prior to issuance of permits. The subject parcel is not within the appeal jurisdiction of the California Coastal Commission (CCC) and is not appealable to the Coastal Commission as the residential use is a *principal use*, not subject to appeal to the Coastal Commission. No other public agency permits would be required under this request.

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	☒

1982 Monterey County General Plan

The project site is subject to the *1982 Monterey County General Plan* (General Plan) which provides the regulatory framework, through goals and policies, for physical development. The proposed project is consistent with the medium density land use designation of this residential site, continuing the existing land use at a density of two units per acre. The proposed project is the demolition of an existing residential dwelling and subsequent new construction of a residential dwelling on a developed parcel within a built-out single-family residential neighborhood. Therefore, the project proposal is consistent with the General Plan. **CONSISTENT.**

Carmel Area Land Use Plan

The project site is subject to the *Carmel Area Land Use Plan* that provides development standards and policies for unincorporated Carmel. The subject parcel (0.142 acres) includes the demolition of the existing single-family dwelling and subsequent new construction of a replacement single-family dwelling which has been considered within the policies for existing residential development. Pursuant to Table 4.6-Residential Development Density, two units per acre is the allowed density for this parcel; the completed project would result in one (1) single-family residence occupying this parcel. Chapter 2.7 (Hazards), includes a key policy which requires that development permitted by the County in areas of high geologic, flood, and fire hazard be carefully regulated through the best available planning practices in order to minimize risks to life and property and damage to the natural environment. Chapter 2.8 (Archaeological Resources), includes a key policy with respect to Archaeological Resources in Carmel, whereby those areas considered to be archaeologically sensitive, be maintained and protected for their scientific and cultural heritage values; all site planning and design features necessary to minimize or avoid impacts to archaeological resources are to be incorporated. According to the review and analysis of multiple reports prepared for various sites in the general area at the respective applicants' expense, Monterey County has identified that the Carmel Point area, as a site, contains historic archaeological resources; archaeological reports prepared at the applicant's expense have been used to analyze the subject parcel discretely. The subject parcel yielded negative findings for evidence of archaeological resources on site in a 2007 study (LIB070021, Hampson & Breschini, Source 11) and again in 2018 (LIB180431, Morley, Source 10). Furthermore, the parcel immediately south of the project site, 3677 Walker Avenue, was subject to an archaeological survey in 2007; the survey noted that the site contained no cultural archaeological evidence (LIB070615, Doane & Breschini). Therefore, the project proposal demolition of the existing dwelling and subsequent construction of a new two-story single-family residential dwelling is consistent with the Carmel Area Land Use Plan. **CONSISTENT.**

Air Quality Management Plan

The 2012-2015 and the 2008 Air Quality Management Plan (AQMP) for the Monterey Bay Region (Source 9) address attainment and maintenance of state and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB) that includes unincorporated Carmel areas.

California Air Resources Board (CARB) uses ambient data from each air monitoring site in the NCCAB to calculate Expected Peak Day Concentration over a consecutive three-year period. The closest air monitoring site in Carmel Valley has given no indication during project review that implementation of proposal for a replacement single-family residence would cause significant impacts to air quality or greenhouse gas emissions (GHGs). **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/Soils | ☒ Greenhouse Gas Emissions | ☒ Hazards/Hazardous Materials |
| ☐ Hydrology/Water Quality | ☐ Land Use/Planning | ☐ Mineral Resources |
| ☒ Noise | ☐ Population/Housing | ☐ Public Services |
| ☐ Recreation | ☒ Transportation/Traffic | ☒ Tribal Cultural Resources |
| ☐ Utilities/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: IV.2 Agricultural and Forest Resources – Data contained within the Monterey County Geographic Information System (GIS) indicates that the subject property does not contain farmland that is Prime, Unique, or of Statewide or Local Importance; nor is it encumbered by a Williamson Act contract. As described in the Section II.B – Surrounding Land Uses and Environmental Setting of this Initial Study, the subject property contains an existing residential structure on a lot of approximately 6,191 square feet, zoned for residential uses, within an established residential neighborhood of similar sized lots. There are no ongoing agricultural uses on the property or vicinity observed during staff’s onsite visit. The subject property is not considered a forest or timber resource inventoried with the State of California as a “Demonstration State Forest.” *The project would not result in conversion of prime agricultural lands to non-agricultural uses or impact agricultural resources and would have no impact on forest resources.* (Source: 1, 3, 6, and 7) *No Impact.*

IV.4 Biological Resources – Data contained within the Monterey County Geographic Information System (GIS) indicates that the subject property is within an area that could be Monterey Pine habitat. However, as described *Section II.B* above, the project site and surrounding neighborhood was once the site of a dairy farm in the early 20th century, prior to the development of the neighborhood in the 1950s. The project site and surrounding neighborhood is characterized by ornamental landscaping and many examples of non-native vegetation within the ornamental plant pallet, though there are examples of Monterey pine as a landscaping component in isolated instances. The subject lot does not have any Monterey pine trees or other native plants. Additionally, the site or surrounding neighborhood does not contain sensitive biological vegetation such as coastal terrace prairie, dune scrub, maritime chaparral, Monterey pine forest, oak savanna, redwood forest, or valley needlegrass grassland. Furthermore, critical habitat for special status animal species is not identified on the site. This information was confirmed during staff’s onsite visit. *The project would not result in impacts to biological resources.* (Source: 1, 3, 6, and 7) *No Impact.*

IV.6 Energy – As described in the Section II.A – Description of Project of this Initial Study, implementation of the project includes the construction of a replacement single-family residence on a developed lot within a built-out residential neighborhood. The project would meet all building requirements to meet Title 24 of the Uniform Building Code (UBC). The project would consume modest energy for functions such as internal building lighting, heating or air conditioning as the project includes roof-mounted solar panels. *The Project would not result in impacts to energy resources.* (Source: 1, 3, 4) *No Impact.*

IV.7 Geology/Soils – According to the County’s GIS database, the project site is located approximately 1,387 feet east of the Cypress Point fault, an inactive fault. The project area is located within an area of moderate erosion hazard. The site is also identified as having a low risk for landslides and liquefaction in the County’s database. Although the project site would be exposed to ground-shaking from any

of the faults that traverse Monterey County, the project would be constructed in accordance with applicable seismic design parameters in the current California Building Code. The project site does contain moderate to highly expansive soils, however this impact would be mitigated through site preparation and construction techniques. *The project will have no impacts related to geology and less than significant impacts with mitigation through design resulting from soils.* (Source: 1, 3, 6, 7 and 14). *No Impact.*

IV.10 Hydrology/Water Quality – The proposed project would not violate any water quality standards or waste discharge requirements nor substantially alter the existing drainage pattern of the site or area. The proposed project is not located within a 100-year floodplain and would not impede or redirect flood flows. The proposed project would not require a SWPPP because the project consists of a replacement single-family residence with a modest increase in footprint coupled with a modest increase in permeable surfaces on the 0.142-acre site. Additionally, the project includes BMPs to control storm-water runoff or erosion during the construction phase of the project. The Monterey County Geographic Information Systems (GIS) and review by the Monterey County Water Resources Agency indicate that the subject property is not located within a 100-year floodplain, where flooding would result in the failure of a dam or levee or impede or redirect water flows. The project would incorporate Best Management Practices (BMPs) to control potential temporary erosion events. *The project would not result in impacts related to hydrology or water quality.* (Source: 1, 6, and 7) *No Impact.*

IV.11 Land Use/Planning – The proposed project involves the demolition of an existing one-story single-family dwelling and subsequent construction of a replacement two-story single-family dwelling. The existing parcel is zoned Medium Density Residential, 2 units per acre, with a Design Control overlay district (Coastal Zone) [MDR/2-D (CZ)], and the surrounding area has this same zoning and land use designation; the adjacent land uses are single-family residential. The project will have no impact on this designation or use, and the proposed project is consistent with this designation and use. The site does not support any development beyond the existing single-family dwelling. Therefore, the project would not physically divide, disrupt, or otherwise have a negative impact upon an established community, the existing neighborhood, or adjacent properties. Also, the project would not conflict with any habitat conservation plan or natural community conservation plan, as none are applicable to the project site. The proposed project was reviewed for consistency with the 1982 Monterey County General Plan and the Carmel Area Local Coastal Program (LCP). As designed and conditioned, the project is consistent with applicable General Plan and LCP policies as discussed in Section III. The proposed replacement single-family dwelling would meet setback regulations, height limitations, site coverage and FAR limitations. *The project would not result in impacts to land use and planning.* (Source: IX. 1, 2, 3, 4, 7) *No Impact*

IV.12 Mineral Resources – The Monterey County Geographic Information System (GIS) and a site visit conducted by staff verifies that there are no mineral resources

for commercial use on the site. *The project would have no impact on mineral resources.* (Source: 1, 6 and 7) *No Impact.*

IV.14 Population and Housing – Implementation of the Project would add square footage in excess of the existing single-family residence but resulting in no additional residential units or the displacement of existing housing units. Therefore, the Project would not cause an increased demand for additional housing or substantially induce population growth in the area, either directly or indirectly, as no new public infrastructure would be extended to the site. *The project would have no significant impacts related to population and/or housing.* (Source: 1 and 7) *No Impact.*

IV.15 Public Services – As described in Section II.A – Description of Project of this Initial Study, the Project includes the demolition of the existing single-family dwelling and subsequent construction of a single-family dwelling. This replacement structure would not result in impacts to existing public services provided by the Cypress Fire Protection District, Monterey County Sheriff Department, schools within the Carmel Unified School District, or public parks (also see evidence for Recreation below). The project would not result in the expansion of other public facilities such as public roads (also see Section VI.16). *The project would have no impact to public services.* (Source: 1 and 7) *No Impact.*

IV.16 Recreation – As described in Section II.A – Description of Project of this Initial Study, the Project includes the demolition of the existing single-family dwelling and subsequent construction of a replacement single-family dwelling. This proposed replacement single-family dwelling unit and demolition of an existing single-family dwelling unit does not trigger the need to provide park or recreation land and/or in-lieu fees established by the 1975 Quimby Act. Therefore, the Project would not result in a significant increase of the use of existing neighborhood and regional parks or other recreational facilities, causing substantial physical deterioration. The Project does not include or require construction or expansion of recreation facilities. *The project would not create significant recreational demands.* (Source: 1 and 7) *No Impact.*

IV.19 Utilities and Service Systems – Potable water for the existing residence is provided by California American Water (Cal-Am) company, which supplies water from the Carmel Valley Alluvial Groundwater Basin (Carmel River System). Monterey Peninsula Water Management District (MPWMD) allocates and manages available water supplies to the region, including those of Cal-Am. The applicant has secured additional water credits from the Malpas Water Company. Existing wastewater service is provided by Carmel Area Wastewater District (CAWD). The demolition of the existing single-family dwelling and subsequent construction of a single-family dwelling would not result in a substantial increase to the production of wastewater on the site. Existing solid waste disposal is provided by the Monterey Regional Waste Management District and the operational component of the project would not result in the substantial increase of solid waste production. Any excess construction materials from the

project would be recycled as feasible with the remainder being hauled to landfill. However, the minimal amount of construction waste produced would not affect the permitted landfill capacity. *The proposed project would not result in impacts related to utilities/services.* (Source: 1) *No Impact.*

IV.20 Wildfires – The Project would not pose a risk of fire beyond the normal risks associated with single-family residential development within a developed residential neighborhood. The project site is not located in an area designated as High Fire by any public safety agency. The project site – and neighborhood – are served by the Cypress Fire Protection District. Additionally, the project is required to meet all current Fire codes; the Cypress FPD did not impose any conditions on the project. Furthermore, data contained within the Monterey County Geographic Information System (GIS) and the Carmel Area Land Use Plan does not indicate that the subject property is located in or near state responsibility areas or lands classified as very high fire severity zones. *The Project would have no impact to wildfires.* (Source: 1, 3, 6, 7) *No Impact.*

B. DETERMINATION

On the basis of this initial evaluation:

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

Signature

R. Craig Smith

Date

Associate Planner

V. EVALUATION OF ENVIRONMENTAL IMPACTS

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

or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista? (Source: 1, 3, 4, 5, 6 & 7)	☐	☐	☐	☒
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: 1, 3, 4, 5, 6, 7 & 13)	☐	☐	☐	☒
c)	Substantially degrade the existing visual character or quality of the site and its surroundings? (Source: 1, 3, 4, 5, 6 & 7)	☐	☐	☒	☐
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: 1, 3, 4, 5, 6 & 7)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

The project site is approximately 700 feet outside (north) of the nearest limits of a viewshed as mapped in County GIS. The proposed project would not be visible from any scenic roadway or public viewpoints. The project would not damage any scenic resources and would not result in ridgeline development and the project site is not part of a scenic vista or panoramic view. The project would not substantially degrade the existing visual character of the site and its surroundings. There is no change proposed to the existing residential zoning, and the project would not create any new sources of substantial light or glare which would adversely affect views in the area. The current and proposed residential use of the parcel is consistent with the existing zoning and uses for the area. The project is consistent with the Visual Resources Key Policy 2.2.2 of the Carmel Area Land Use Plan, which requires all future development within the area to harmonize and be clearly subordinate to the natural scenic character of the area.

The subject property contains an existing one-story single-family dwelling that features lap siding, a low-pitched roof with gabled ends (see **Figure 5**) and an attached garage that would be demolished and replaced with a two-story single-family dwelling and attached garage (see **Figure 12**). The new dwelling is characterized by a modern or contemporary architectural style characterized by flat roofs. The exterior materials of the new dwelling are a mixed pallet of wood, stone, and glass.

1(a)(b). Conclusion: No Impact.

The Project is not located within a Scenic corridor or viewshed. The project site is not visible from any public turnouts, Highway 1, or viewing points. The project does not involve the removal of trees or rock outcroppings. The Project includes demolition and construction that are not visible from any common public viewing area or state scenic highway. The Historical Report (Historic Preservation Specialists, Source 13) prepared and submitted with the application

evaluated the structure for architectural and historical significance under the criteria of the National Register of Historic Places, the California Register of Historic Resources, and the Monterey County Local Register of Historic Resources. Preservation Specialists concluded that the property nor the existing residential development of the site or neighborhood does not meet the criteria of the above registers and does not comprise a historical resource as defined by CEQA. Therefore, the project would result in no impact to scenic resources, including trees, rock outcroppings, a state scenic highway, or historic buildings/setting.

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

The proposed development would result in the demolition of the existing structure and replacement with a structure that is approximately double in volume to what exists (**Figure 12**). Although the project would be a substantially larger dwelling, the increase in size is the result of a second story; the new dwelling is located substantially in the same general footprint of the existing dwelling. Physical access to the site would not be affected, and the project would have no effect on a scenic vista.



Figure 12 – Existing and Proposed Comparison

Implementation of the Project would result in a significant change in the structural development of the lot in terms of volume, or square footage, of the structure. As demonstrated below, the proposed contemporary architectural design (**Figure 13**) could have the potential to alter the existing visual character of the neighborhood in terms of architectural mass and design, and potentially introduce new light and glare from the second story windows, particularly for the neighbor to the rear (south) of the site (**Figure 14**). However, potential impacts to the public street would be similar to the existing impacts because the property would remain developed with a single-family dwelling, there are limited windows facing the street, and a privacy fence six (6) feet in height is proposed at the front property line, adjacent to 15th Avenue. Exterior lighting of the proposed dwelling is minimal and includes wall sconces that are shielded and directed downward, and unobtrusive. Additionally, the project is conditioned such that all exterior lighting shall be directed downward towards that area of intended illumination (Condition 5). Implementation of this condition would result in a less than significant impact to day or nighttime views in the area.



Figure 13 – Proposed Exterior Elevation Colors and Materials



Figure 14 – (L) View of proposal from adjacent back yard; (R) rendering of Proposal

The architectural style of the proposed dwelling is in contrast to many of the existing homes in the neighborhood but is also consistent with other newer developments found within the area. The neighborhood is in transition regarding architectural style and scale and is thus becoming eclectic, in an architectural sense, exhibiting a sense of individuality rather than uniformity (Figure 15).



Figure 15 – Existing Neighborhood Character

It is reasonable to see foreseeable development in the neighborhood to continue the transitional trends cited in this study, thus becoming more eclectic. The materials and colors are compatible with other homes in the neighborhood. Despite the distinct change of the proposed exterior, the eclectic nature of the neighborhood, and recent developments in the neighborhood as noted above in this study, impacts to the existing visual character of the site and its surroundings is found to be less than significant. Furthermore, the project proposal complies with all development standards of Title 20, the Coastal Implementation Plan in regards to height, setbacks, bulk and scale.

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? (Source: 1, 3, 6 & 7)	☐	☐	☐	☒
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: 1, 3, 6 & 7)	☐	☐	☐	☒
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))? (Source: 1, 3, 6 & 7)	☐	☐	☐	☒
d)	Result in the loss of forest land or conversion of forest land to non-forest use? (Source: 1, 3, 6 & 7)	☐	☐	☐	☒
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? (Source: 1, 3, 6 & 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

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? (Source: 1, 8 & 9)	☐	☐	☐	☒
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 1, 8 & 9)	☐	☐	☐	☒
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: 1, 8, & 9)	☐	☐	☒	☐
d)	Result in significant construction-related air quality impacts? (Source: 1, 8, & 9)	☐	☐	☒	☐
e)	Expose sensitive receptors to substantial pollutant concentrations? (Source: 1, 8, & 9)	☐	☐	☒	☐
f)	Create objectionable odors affecting a substantial number of people? (Source: 1, 8 & 9)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

The California Air Resources Board (CARB) coordinates and oversees both state and federal air quality control programs in California. The subject property is located in the North Central Coast Air Basin (NCCAB), which is under the jurisdiction of the Monterey Bay Air Resources District (MBARD). The MBARD is responsible for producing a management plan that reports air quality and regulates stationary sources throughout the NCCAB. In this case, it is the 2012-2015 Air Quality Management Plan (AQMP), including the 1991 AQMP and the 2009-2011 Triennial Plan Revision (Source 9). Monterey County is within the federal and state attainment standards for carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), lead, and fine particulates (PM_{2.5}), and within the federal attainment standards for ozone (O₃) and respirable particulates (PM₁₀). The 2012-2015 Air Quality Management Plan (AQMP) addresses only attainment of the State zone standard.

3(a), (b), and (f). Conclusion: No Impact.

The Project includes the replacement of a single-family dwelling on the same lot which would not result in a population increase not already accounted for in the 2018 *Regional Growth Forecast* adopted by the Associate of Monterey Bay Area Governments. The Project would include the temporary use of large vehicles and construction equipment through the duration of

the demolition and subsequent construction of the replacement structure; however, emissions from these sources have been accounted for in the AQMP. Therefore, the Project would have no impact caused by conflict or obstruction of the AQMP. The construction of the Project could produce temporary odors during construction, but the project incorporates Best Management Practices (BMPs) to control dust, runoff. However, the long-term residential use, the Project's operational component, would not result in uses or activities that produce sustaining objectionable odors that would affect a substantial number of people.

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

The NCCAB is in nonattainment status of state standards for Ozone (O₃) and respirable particulates (PM₁₀) (Source 9). Therefore, projects resulting in a substantial increase in particulates PM₁₀ emissions would cause a significant impact to air quality. In addition, ambient ozone levels depend largely on the number of precursors, nitrogen oxide (NO_x) and reactive organic gases (ROG) emitted into the atmosphere. Implementation of the project would result in temporary impacts resulting from construction and grading activities caused by dust generation and fuel combustion of construction vehicles (major sources of primary PM₁₀) and NO_x and ROG emittance.

Earth disturbance is limited to grading and excavation needed to accommodate the structural footprint of the dwelling (approximately 26 cubic yards of cut (excavation) and approximately 6.8 cubic yards of fill – imported soil); total grading activities for site preparation account for approximately 32.8 cubic yards on a 6,191-sq. ft. (.14 acre) lot. The proposed earth movement is well below the 2.2 acres of disturbance threshold established by the CEQA Air Quality Guidelines (Source 8). The preliminary construction management plan (Sheet G1.1, Source 1) states that grading activities would be limited to two or three truck trips to import materials to the site. Therefore, this analysis is based on the assumption of the worst-case-scenario where all soils associated with a 2.2-acre grading project would be hauled offsite. The project has been reviewed by RMA-Environmental Services (RMA-ES). In accordance with the regulations contained in Monterey County Code Chapter 16.12, a condition of approval has been incorporated requiring stabilization of disturbed areas and implementation of temporary erosion and sediment control measures to the satisfaction of RMA-ES.

The Project includes demolition of the residence that was built in 1950, an era where lead paint and asbestos were found in building materials. The Phase 1 Historic Assessment (LIB No. LIB070022, Historic Preservation Associates, Source 13) found that the dwelling was altered since its initial construction by additions made in 1987 that included an attached one-car garage and habitable space. It is uncertain if any hazardous materials were removed at that time. In accordance with MBARD Rule 439, a standard condition of approval has been incorporated with the project requiring the applicant to obtain any necessary permits from the Monterey Bay Air Resources District (MBARD) and implementation of best management practices during demolition.

Demolition/construction-related air quality impacts would be controlled by implementing the above-mentioned conditions. Therefore, implementation of the proposed project would result in less than significant impacts to air quality caused by pollutants currently in nonattainment for NCCAB and construction-related activities. Air pollutants would increase temporarily and

return to base-line conditions after project completion. Therefore, impacts due to exposure of sensitive receptors to pollutant concentrations would be less than significant.

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? (Source: 1, 3, 6 & 7)	☐	☐	☐	☒
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? (Source: 1, 3, 6 & 7)	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: 1, 3, 6 & 7)	☐	☐	☐	☒
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? (Source: 1, 3, 6 & 7)	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: 1, 3, 6 & 7)	☐	☐	☐	☒
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? (Source: 1, 3, 6 & 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

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 as defined in 15064.5? (Source: 3, 4, 13, 17)	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: 3, 4, 10, 11, 12, 17)	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: 3, 4, 10, 11, 12, 17)	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries? (Source: 3, 4, 10, 11, 12, 17)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

The subject property is located along the eastern reaches of Carmel Point, or “the Point”, an area well known to be inhabited by the aboriginal peoples of the area for thousands of years. The Carmel Area Land Use Plan (CAR LUP) cites that “[T]he Carmel area experienced intensive prehistoric use.” These aboriginal people, referred to as “Costanoans” in the CAR LUP, lived a semi-sedimentary life with semi-temporary village sites that moved depending on seasons and food availability. One constant is that occupation sites have almost always been found near bodies of water, such as streams, rivers, and the Pacific Ocean. This is consistent with what is found on the Point. Historical data shows that the first known village site dates back approximately 9,000 years ago. The project site is located approximately 2,900 feet from the closest portion of the beach/Pacific, and approximately 4,000 feet from the Carmel River.

In July 2018, an archaeological survey was prepared for the project site concluded that there is no surface evidence of potentially significant archaeological resources (LIB180431, Morley, Source No.10). Additionally, an archaeological survey prepared for the site September 25, 2007 (LIB070021, Hampson & Breschini, Source No.11) stated that the reconnaissance was negative with no cultural or archaeological artifacts observed. An archaeological study was prepared November 21, 2007 for a parcel directly behind the project site, 2677 Walker Avenue, that also concluded that there was no evidence of potentially significant archaeological resources (LIB070615 Doane & Breschini, Source No 12). Although the project site is located in an area of high sensitivity, the demolition and subsequent construction would occur in an area that had been disturbed by previous site alterations and structural development associated with the existing residence. The proposed project is located largely within the existing footprint of the existing residential structure; site disturbance – excavation – required to prepare the foundation is modest and would result in structural development featuring an “on-grade” foundation with piers designed to support a second story component of the residential dwelling. There is no evidence that any cultural resources would be disturbed. The potential for inadvertent impacts to cultural resources is limited and will be controlled by application of the County’s standard

project condition (**Condition No. 3**) which requires the contractor to stop work if previously unidentified resources are discovered during construction. Regardless of the negative findings discussed above, the physical setting of the cultural resources (and tribal cultural resources discussed in Section VI.17 of this Initial Study), analysis of potential impacts are not limited to the confines of the boundaries of the subject parcel, but Carmel Point as a whole due to the proximity of other significant archaeological resources found in the area. Furthermore, a mitigation of any potential archaeological impact includes a tribal representative would be on site during grading activities.

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

Due to the age of the single-family dwelling (built in 1950), submittal of a Phase 1 Historic Assessment was required as part of the application to address any impact to a potentially historical resource. This report, prepared by Historical Preservation Associates, dated January 10, 2007 (Monterey County Library File No. LIB070022, Source No.13) concludes that the existing single-family dwelling does not rise to the level of architectural distinction necessary to qualify for listing in the National Register, California Register or the Monterey County Register of Historic Resources at any level of significance because no architect of note has been identified with the property and the design of the residence cannot be considered to be significant, historically or architecturally. Therefore, the project would have no impacts to historical resources.

The project site is not identified as containing a unique paleontological resource or site or unique geologic feature per County GIS maps. Therefore, the project would have no impacts to paleontological or geological resources.

The project site is in an area identified in County records as having a high archaeological sensitivity and is within 750 feet of known archaeological resources based on County GIS maps; therefore, the project includes a Coastal Administrative Permit to allow development within an area of positive archaeological reports. However, the project site is 860 feet from the closest cultural site (CA-MNT-1286) identified in the archaeological report (Source No 10) prepared for this project. Although located in an area of high sensitivity and known resources, the archaeological report prepared for the project did not identify evidence of potential disturbance to prehistoric cultural or archaeological resources during project excavation activities. No traditional indicators of pre-historic activity or cultural resources were observed on the site, no midden soils or eroded marine shell fragments, flaked or ground stone, bones or bone fragments, fire-affected rock, etc. were observed during the survey. The report contains no recommended archaeologist or tribal monitoring of the excavation based on the negative findings. Furthermore, the archaeological survey performed on the parcel directly behind the subject site did not contain any traditional indicators pertaining to cultural or archaeological history.

Standard cautionary language required by State law is included on the grading plans and as a Condition of Approval, requiring that work would halt if evidence of cultural, archaeological, historical or paleontological resources are uncovered and that a qualified archaeologist shall be contacted to be present onsite to evaluate any find (**Condition 3**).

6. ENERGY		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (Source: 1, 3, 7)	☐	☐	☐	☒
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (Source: 1, 3, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected) Evidence IV.6, as well as the sources referenced.

7. GEOLOGY AND SOILS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: 1 & 6) Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii)	Strong seismic ground shaking? (Source: 1)	☐	☐	☐	☒
iii)	Seismic-related ground failure, including liquefaction? (Source: 1, 3, 4 & 6)	☐	☐	☐	☒
iv)	Landslides? (Source: 1, 3, 4 & 6)	☐	☐	☐	☒
b)	Result in substantial soil erosion or the loss of topsoil? (Source: 1, 3, 4 & 6)	☐	☐	☐	☒
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? (Source: 1, 3, 4 & 6)	☐	☐	☐	☒
d)	Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial risks to life or property? (Source: 1, 3, & 4)	☐	☐	☒	☐

7. GEOLOGY AND SOILS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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? (Source: 1, 3, & 4)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

The overview of geological hazards contained in Section 2.7.1 of the Carmel Area Land Use Plan (CAR LUP) states that the “Carmel coast, like many other areas in California, is located in an area of high seismic activity.” General Policy 2.7.3.1 of the CAR LUP requires all development to be sited and designed to minimize risk from geologic hazards. The Carmel Area Land Use Plan Hazards Map (Map D), the Carmel Area Land Use Plan Seismic Hazards Map, and the Monterey County Geographic Information Systems (GIS) (Source 6) indicate that the subject property is not located within 1/8th of a mile of a known fault. The project is located approximately 1,472 feet from the Cypress Point Fault. Moreover, California Department of Conservation Earthquake Zones of Required Investigation map clearly shows the subject property is outside of an earthquake fault zone. The applicant prepared a technical geological report in conjunction with this project. See conclusion 6 (d) below.

6 (a.i), (a.ii), (a.iii), (a.iv), (b), (c) and (e). Conclusion: No Impact.

Data contained in the Monterey County GIS (Source 6) indicates that the subject property is not located within an Alquist-Priolo Quake Zone or in proximity to an identified fault within an earthquake fault zone, that the seismic hazard zone of the property is Class II, and the erosion potential is moderate. Both landslide and liquefaction risks are determined to be low. Therefore, the project would have no impact related to exposing people or structures to rupture of an earthquake fault and hazards caused by landslide or liquefaction. The project would not result in soil erosion because the scope of the project is minor and Best Management Practices are integrated into the grading plan (Condition No. 6) The project does not require the removal of top soil. Wastewater service for the subject property is provided by the Carmel Area Wastewater District (CAWD). Therefore, there would be no impact caused by soils supporting an onsite wastewater system.

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

The project is located on soils that are considered moderate to highly expansive. A technical geological report prepared by Soil Survey Group included specific recommendations pertaining to structural construction techniques to address the expansive soils, therefore the impact would be mitigated to less than significant. The project would not result in exposing new populations or structures to these potential geologic hazards. New construction would be required to meet the provisions of the California Building Code which are adopted as Chapter 18.02 – Building Code for the County of Monterey, of the Monterey County Code. Section 1.1.2 – Purpose of Chapter 1 – Scope and Administration of the 2016 California Building Code (Volume 1) states that “[T]he purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability,

access to persons with disabilities, sanitation, adequate lighting and ventilation and energy conservation; safety to life and property from fire and other hazards attributed to the built environment; and to provide safety to fire fighters and emergency responders during emergency operations.” Implementation of Chapter 18.02 during the construction permit process would ensure potential impacts cause by the hazards described above would be reduced to a less than significant level.

8. GREENHOUSE GAS EMISSIONS	Less Than Significant			
	Potentially Significant Impact	With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: 1, 8, 9)	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Source: 1, 8, 9)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

According to the United States Environmental Protection Agency (EPA), greenhouse gases (GHG) are emitted by natural processes and human activities such as electricity production, motor vehicle use, and agricultural uses. These gases trap heat in the atmosphere and the elevation of GHGs has led to a trend of unnatural warming of the earth’s climate, otherwise known as the “greenhouse effect”. In order to reduce the statewide level of GHG emissions, the State Legislature adopted California Assembly Bill 32 (AB 32) California Global Warming Solutions Act of 2006. AB 32 established a comprehensive statewide program of regulatory and market mechanisms to achieve reductions in GHG emissions, thereby reducing the State’s vulnerability to global climate change. The Monterey Bay Air Resources District (MBARD) is responsible for the monitoring of air quality and regulation of stationary sources throughout the North Central Coast Air Basin, where the proposed Project is located, by enforcing standards and regulating stationary sources through the *2012-2015 Air Quality Management Plan for the Monterey Bay Region* (AQMP) (Source 9) which evaluates a project’s potential for a cumulative adverse impact on regional air quality (ozone levels).

7(a) - Less Than Significant Impact.

The Project includes the demolition of an existing single-family dwelling and subsequent construction of a replacement single-family dwelling. From an operational GHG emission standpoint, this would result in no change to the baseline of the surrounding area. Temporary construction activities of the proposed Project would be the main contributor to GHG emissions. However, quantifying Project emissions at this time would be too speculative. Therefore, in lieu of State guidance or locally adopted thresholds, a primarily qualitative approach was used to evaluate possible impacts from the proposed Project.

Ambient ozone levels depend largely on the number of precursors, such as nitrogen oxide (NO_x) and reactive organic gases (ROG), emitted into the atmosphere. Implementation of the Project

would result in temporary impacts resulting from construction and grading activities that require fuel combustion of construction vehicles, a primary source of NO_x and ROG emittance. Typical construction equipment would be used for the Project and NO_x and ROG emitted from that equipment have been accommodated within the AQMP. Therefore, implementation of the Project would produce no more than the threshold of significance of 82 pounds per day of GHG precursors and these precursor emissions would have a less than significant impact on GHGs (Source: IX. 1, 8, 9).

Greenhouse Gas Emissions 7(b) – No Impact.

As described above, the project's temporary construction and permanent use emissions are below the applicable GHG significance thresholds established by CARB, and the MBUAPCD has no established GHG thresholds. The project would not conflict with any local or state GHG plans or goals. Therefore, the project would not result in impacts (Source: IX. 1, 8, 9).

9. HAZARDS AND HAZARDOUS MATERIALS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: 1)	☐	☐	☐	☒
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: 1, 13)	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: 1)	☐	☐	☒	☐
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? (Source: 1)	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: 1, 6, 7)	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source: 1, 6, 7)	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 1)	☐	☐	☐	☒

9. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: 1, 6)		☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

The Project is for the demolition of an existing residential structure and subsequent construction of a replacement single-family residential structure within a residentially zoned site, surrounded by residential uses. Due to the nature of the project, hazards and hazardous materials would not be typically found over the life span of the residential project. However, based on the age of the existing single-family dwelling, its demolition could have the potential to temporarily expose the immediate area to hazardous materials. Additionally, the project site is approximately 200 feet west of the Carmel River Elementary School. The project encompasses the replacement of the existing single-family residence and there would be no activities associated with the intended use of the dwelling that would produce or release hazardous emissions or handle hazardous materials during the lifetime of the structure or residential use.

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

The proposed use does not include routine transport or disposal of hazardous materials, produce hazardous emissions, nor is it located on a hazardous materials site per the State Cortese List. Historically, the site has been used as a dairy operation before being developed in its current residential use in the 1950s. The site is located approximately 200 feet west of the Carmel River Elementary School but there are no hazardous materials or processes associated with the residential use of the property once the project is implemented. In addition, the subject property is not located in proximity of an airport or private airstrip but is located within an area that is considered a built-out residential neighborhood. The project on the subject property would not have an effect on the Multi-jurisdictional Hazard Mitigation Plan adopted by Monterey County. Therefore, implementation of the project would have no impact on the environment based on these hazards.

8 (b) and (c). Conclusion: Less Than Significant Impact.

The existing single-family residence was built in 1950. This was during a time when construction materials typically contained asbestos and lead paint, however, the residence has been the subject of renovations and an addition over the years and subject to relevant work-practice standards of the time; however, it is unknown if any hazardous materials were removed during these activities. None the less, implementation of the project could have the potential to create a temporary impact during demolition. To address this impact, the project has been conditioned to incorporate work-practice standards in accordance with Monterey Bay Air Resources District Rule 439 (Condition No. 11). Compliance with these standards would ensure that any hazardous materials do not become airborne during demolition activities. Therefore, the project as conditioned, would have a less than significant impact to the environment due to potential release of hazardous materials.

The project site is located approximately 200 feet west of the Carmel River Elementary School, as mentioned above. The same short-term, temporary impacts described in the preceding paragraph apply in this instance. However, the replacement single-family dwelling is within an area zoned for residential uses would not, over the life of the project or use, produce or release hazardous emissions or handle hazardous materials, thus the school would not be exposed to hazardous emissions or materials.

10. HYDROLOGY AND WATER QUALITY					
		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Violate any water quality standards or waste discharge requirements? (Source: 1, 2, 6)	☐	☐	☐	☒
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Source: 1, 2, 6)	☐	☐	☐	☒
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial <u>erosion or siltation</u> on- or off-site? (Source: 1, 2, 6)	☐	☐	☐	☒
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in <u>flooding</u> on- or off-site? (Source: 1, 2, 6)	☐	☐	☐	☒
e)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 1, 2, 6)	☐	☐	☐	☒
f)	Otherwise substantially degrade water quality? (Source: 1, 2, 6)	☐	☐	☐	☒
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source: 1, 2, 6)	☐	☐	☐	☒
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: 1, 2, 6)	☐	☐	☐	☒

10. HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Source: 1, 2, 6)	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow? (Source: 1, 2, 6)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

11. LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community? (Source: 1, 2, 3, 4, 6)	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Source: 1, 2, 3, 4, 6)	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: 1, 2, 3, 4, 6)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation: No impact.

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

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? (Source: 1, 6 & 7)	☐	☐	☐	☒
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? (Source: 1, 6 & 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

13. NOISE				
Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 1, 2, 7)	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Source: 1, 2, 7)	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1, 2, 7)	☐	☐	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1, 2, 7)	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1, 2, 6, 7)	☐	☐	☐	☒

13. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1, 2, 6, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

The subject property is located within a medium density residential area where there are sensitive noise receptors established. Although operational components of the project, once completed, would have no impact on existing noise levels in the area, there would be temporary noise impacts during construction.

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

The operational component of the Project would not result in the change of use of the existing single-family dwelling. Therefore, implementation would not expose people to noise levels that exceed Monterey County standards and would not substantially, and/or permanently, increase ambient noise levels. Data contained in the Monterey County Geographic Information System (Source 6), and as observed during staff's site visit (Source 7), confirms that the subject property is not within an area subject to an airport land use plan, within 2 miles of an airport, or within the vicinity of a private airstrip. Therefore, the Project would not expose people residing or working in the area excessive noise levels associated with airports.

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

Construction activities would produce noise not typically found in the area. In addition, demolition activities and site preparation (excavation and compaction) would have the potential to create groundborne vibrations. Since these impacts would be temporary, they are not considered significant. Furthermore, Monterey County Code Chapter 10.60 establishes regulations for noise requirements and compliance with these regulations would ensure any noise impacts be reduced to a less than significant level.

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 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)? (Source: 1, 2, 3, 5, 7)	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: 1, 2, 3, 5, 7)	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: 1, 2, 3, 5, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

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? (Source: 1, 7)	☐	☐	☐	☒
b) Police protection? (Source: 1, 7)	☐	☐	☐	☒
c) Schools? (Source: 1, 7)	☐	☐	☐	☒

15. PUBLIC SERVICES					
Would the project result in:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d)	Parks? (Source: 1 & 7)	☐	☐	☐	☒
e)	Other public facilities? (Source: 1, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

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? (Source: 1, 7)	☐	☐	☐	☒
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? (Source: 1, 7)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

17. TRANSPORTATION/TRAFFIC		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (Source: 1, 2, 3, 4, 5)	☐	☐	☒	☐
b)	Conflict with the goals, objectives, and policies of the 2010 Regional Transportation Plan for Monterey County, including, but not limited to level of service standards and travel demand measures, or other standards established by the Transportation Agency for Monterey County (TAMC) for designated roads or highways? (Source: 1, 2, 3, 4, 5)	☐	☐	☐	☒
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks? (Source: 1, 2, 3, 4, 5)	☐	☐	☐	☒
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: 1, 2, 3, 4, 5)	☐	☐	☐	☒
e)	Result in inadequate emergency access? (Source: 1, 2, 3, 4, 5)	☐	☐	☐	☒
f)	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (Source: 1, 2, 3, 4, 5)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

The Project includes the demolition of an established single-family dwelling and subsequent construction of a replacement single-family dwelling. There would be no change to the residential use of the property. Implementation of the operational component of the project would not result in generation of high-volume, long-term traffic trips. Construction, however, would result in a temporary increase of traffic on roadways in proximity of the subject property.

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

Temporary construction impacts would have the potential to conflict with the effectiveness for performance of the circulation system. The subject property is approximately 6,191 square feet, most of which is developed with a residential structure and hardscape, all of which will be demolished and removed prior to the new construction of the replacement single-family

dwelling. This leaves little area for construction staging and may require temporary or short-term off-street parking for construction personnel. The applicant has submitted a preliminary Construction Management Plan (Source 1) that does identify the intended haul routes, areas on the site where materials would be stockpiled, the maximum of construction workers on-site per day, maximum movement of cubic yards of dirt per day, and the maximum of truck trips per day.

In order to ensure construction logistics, balance the needs of the workers onsite with additional workers for developments in the area, and to ensure orderly staging of construction materials, the project has been conditioned requiring submittal of a Final Construction Management Plan (**Condition 10**). Implementation of this condition would address temporary traffic impacts caused by construction activities and reduce those impacts to a less than significant level.

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

The Project does not include the use of aircraft or establishment of structures with heights or exterior lighting that would not result in a change in air traffic patterns. There are no needed improvements along 15th Avenue or other streets in the neighborhood as the result of this project and there would be no substantial increase of hazards due to a design failure or result in inadequate emergency access or parking capacity. The Project for residential use would not conflict with adopted policies, plans, or programs supporting alternative transportation. The replacement single-family dwelling would not introduce new traffic to existing local or regional roadways. Therefore, and in accordance with regulations established by the Transportation Agency for Monterey County, the project is not required to pay their fair share portion for regional traffic impacts through the Regional Development Impact Fee.

18. TRIBAL CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k); or (Source: 1, 2, 3, 4, 5, 10, 11, 12, 15, 16, 17)	☐	☐	☐	☒

18. TRIBAL CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. (Source: 1, 2, 3, 4, 5, 10, 11, 12, 15, 16, 17)		☐	☒	☐	☐

Discussion/Conclusion/Mitigation:

The subject parcel is located in the aboriginal territory of the Ohlone/Costanoan-Esselen Nation (OCEN). Pursuant to Assembly Bill 52 or “AB 52”, tribal consultation took place on April 2, 2019, regarding the proposed project. The outcome of the consultation with OCEN was a recommendation to have a Native American Monitor from OCEN, approved by the OCEN Tribal Council, be present onsite during any ground disturbance for the project. Although there is no listed or observed historical resource, there is evidence that significant tribal cultural resources may exist for OCEN.

18(ai), Conclusion: No impact.

A Historical Report (Historic Preservation Specialists, Source 13) was prepared and submitted with the application that evaluated the structure for architectural and historical significance under the criteria of the National Register of Historic Places, the California Register of Historic Resources, and the Monterey County Local Register of Historic Resources. Preservation Specialists concluded that the property nor the existing residential development of the site or neighborhood does not meet the criteria of the above registers and does not comprise a historical resource as defined by CEQA. Therefore, the project would result in no impact to historic buildings or setting.

18, (a.ii). Conclusion: Less Than Significant with Mitigation Incorporated.

The proposed project will involve ground disturbance consisting of demolition of the existing dwelling, slab foundation, and hardscapes, followed by grading for the replacement residential dwelling. Though the project site is located within an area noted for potentially rich archaeological resources, the archaeological study performed on site for the project was “negative” in that no cultural or archaeological artifacts were observed. Additionally, an archaeological survey prepared for the site September 25, 2007 (LIB070021 Hampson & Breschini) stated that the reconnaissance was negative with no cultural or archaeological artifacts observed. An archaeological study was prepared November 21, 2007 for a parcel in the vicinity, 2677 Walker Avenue, that also concluded that there was no evidence of potentially significant archaeological resources (LIB070615 Doane & Breschini). The project site is approximately 860 feet from the nearest state archaeological site, CA-MNT-1286. On April 2, 2019, RMA-Planning’s consultation with OCEN took place. OCEN stated that the entire surrounding area is

a sacred burial ground. Therefore, a mitigation measure has been included with the project that requires a tribal monitor on the site during site disturbance activities.

Mitigation Measure No. 18: 1) In order to prevent adverse impacts to potential cultural resources, a qualified tribal monitor shall be present during excavation and soil disturbing activities associated with the grading requirements for the replacement dwelling. 2) The monitor shall have the authority to temporarily halt work to examine any potentially significant materials. 3) If human remains are identified, work shall be halted to within a safe working distance, the Monterey County Coroner must be notified immediately and if said remains are determined to be Native American, the Native American Heritage Commission shall be notified as required by law. 4) If potentially significant, archaeological resources are discovered, work shall be halted in the area of the find until it can be evaluated. 5) If suitable materials are recovered, a minimum of two samples shall be submitted for radiocarbon dating in order to provide a basic chronology of the site. 6) If intact, significant features should be encountered, the tribal monitor in conjunction with an archaeologist shall recommend appropriate mitigation measures. Features are human burials, hearths, house floors, and/or caches of stone tools. If a feature is artifactual and cannot be moved, it must be documented in place, in situ. 7) A monitoring report shall be produced by the qualified archaeologist to document any findings and to evaluate the significance of the cultural resource. 8) If artifactual features are observed, the applicant shall retain a qualified archaeologist to monitor and ensure conduct of the requirements of the mitigation and monitoring plan.

Monitoring Action No. 81: Prior to issuance of a construction permit, the applicant shall provide to the RMA-Planning Department a copy of the contractual agreement with a qualified tribal representative for review and approval. If additional measures are determined to be required to minimize impacts, they shall be formulated by the tribal monitor and a qualified archaeologist, reviewed and approved by the RMA-Planning Department, and implemented by the tribal monitor and a monitoring archaeologist. The requirements of this measure shall be included as a note on all grading and building plans.

19. UTILITIES AND SERVICE SYSTEMS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: 1)	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1)	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1)	☐	☐	☐	☒

19. UTILITIES AND SERVICE SYSTEMS				
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: 1)	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: 1)	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Source: 1)	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Source: 1)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

See previous Sections II. B (Project Description) and C (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

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: 1, 3, 6)	☐	☐	☐	☒
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? (Source: 1, 3, 6)	☐	☐	☐	☒
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? (Source: 1, 3, 6)	☐	☐	☐	☒
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? (Source: 1, 3, 6)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Source: 1, 3, 4, 10, 12, 16, 17, 18)	☐	☐	☐	☒
b) Have impacts that are individually limited, but cumulatively considerable? (Source: 3, 4, 10, 12, 16, 17, 18) ("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)	☐	☐	☐	☒
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: 1, 3, 4, 6, 7, 8, 9, 13, 14)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

(a), (b) No Impact. The project is located within a built-out residential neighborhood characterized by small lots, typically less than ¼ acre. There are no streams located within the neighborhood, the neighborhood is not a migratory route for wildlife. The project would not 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, or restrict the range of a rare or endangered plant or animal. Furthermore, the Project would not result in impacts to Agriculture and Forest Resources, Biological Resources, Geology and Soils, Hydrology and Water Quality, and Mineral Resources. Based upon the analysis throughout this Initial Study, the project would not result in cumulative impacts. Implementation of the project, as proposed and conditioned, would not result in a considerable cumulative increase in development potential for the project site or the surrounding area. (Source: IX. 1, 2, 3, 5, 6, 7)

(c) Less than Significant. The cultural resources analysis (see Section VI.5 above) indicates that the site does not contain significant cultural, archaeological, or historical resources, and would not eliminate important examples of the major periods of California history or prehistory.

The project may result in less than significant impacts to Air Quality, Greenhouse Gas Emissions, and Noise. Operation of vehicles during construction activities may generate airborne odors (e.g., diesel exhaust); however, such emissions would be localized to the immediate area under construction and would be short in duration. The primary source of criteria air pollutant and GHG emissions would stem from the use of equipment during construction activities. However, equipment use would be intermittent and limited to site preparation and construction activities. Pollutant emissions resulting from equipment used during construction would not exceed significance thresholds established by the CARB for GHG because the duration of use would be limited. Moreover, the project would not create any significant air emissions beyond those associated with current residential uses established on the property. Construction-related noise or vibration impacts would be minimized by the limited project scope. (Source: IX. 1, 2, 3, 5, 6, 7, 9, 10)

Additionally, the project would not result in cumulative impacts to Aesthetics, Hazards and Hazardous Materials, Land Use and Planning, Population and Housing, Public Services, Recreation, Transportation and Traffic, and Utilities and Service Systems.

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

VIII. CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

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

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

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

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

Evidence: Based on the record as a whole as embodied in the RMA-Planning files pertaining to PLN180436 and the attached Initial Study / Proposed Mitigated Negative Declaration.

IX. REFERENCES

1. Project Application/Plans
2. 1982 Monterey County General Plan
3. Carmel Area Land Use Plan
4. Monterey County Coastal Implementation Plan, Part 4 (Carmel CIP)
5. Monterey County Coastal Implementation Plan, Part 1 (Title 20 Zoning Ordinance)
6. Monterey County Geographic Information System (GIS)
7. Site Visits conducted by the project planner on January 8, 2019 and March 13, 2019
8. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised February 2008
9. The 2012-2015 Air Quality Management Plan (AQMP), including the 1991 AQMP and the 2009-2011 Triennial Plan Revision
10. “Preliminary Cultural Reconnaissance of Assessor’s Parcel 009-393-015 in an Unincorporated Portion of Carmel, County of Monterey, California” dated July 2018 (Monterey County File No. LIB180431) prepared by Susan Morley, M.A., RPA, Salinas, CA
11. “Preliminary Cultural Resources Reconnaissance of Assessor’s Parcel 009-393-15 in Carmel, Monterey County, California” dated September 25, 1985 (Monterey County File No. LIB070021) prepared by R. Paul Hampson, SOPA, and Gary S. Breschini, SOPA, Salinas, CA
12. “Preliminary Archaeological Reconnaissance of Assessor’s Parcel 009-393-004 in Carmel, Monterey County, California,” dated November 21, 2007 (Monterey County File No. LIB070615) prepared by Mary Doane and Gary S. Breschini, Salinas, CA
13. “Phase 1, Historic Assessment for Monterey County”, dated January 10, 2007 (Monterey County File No. LIB070022) prepared by Historic Preservation Associates, Carmel, CA
14. “Geotechnical Investigation”, dated October 24, 2018 (Monterey County File No. LIB190076) prepared by Soil Surveys Group, INC., Salinas, CA
15. Tribal Consultation Letter dated April 2, 2019 with The Ohlone/Costanoan-Esselen Nation
16. CEQA Statute and Guidelines 2018
17. California AB-52 Native Americans: California Environmental Quality Act 2014.
https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB52

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