



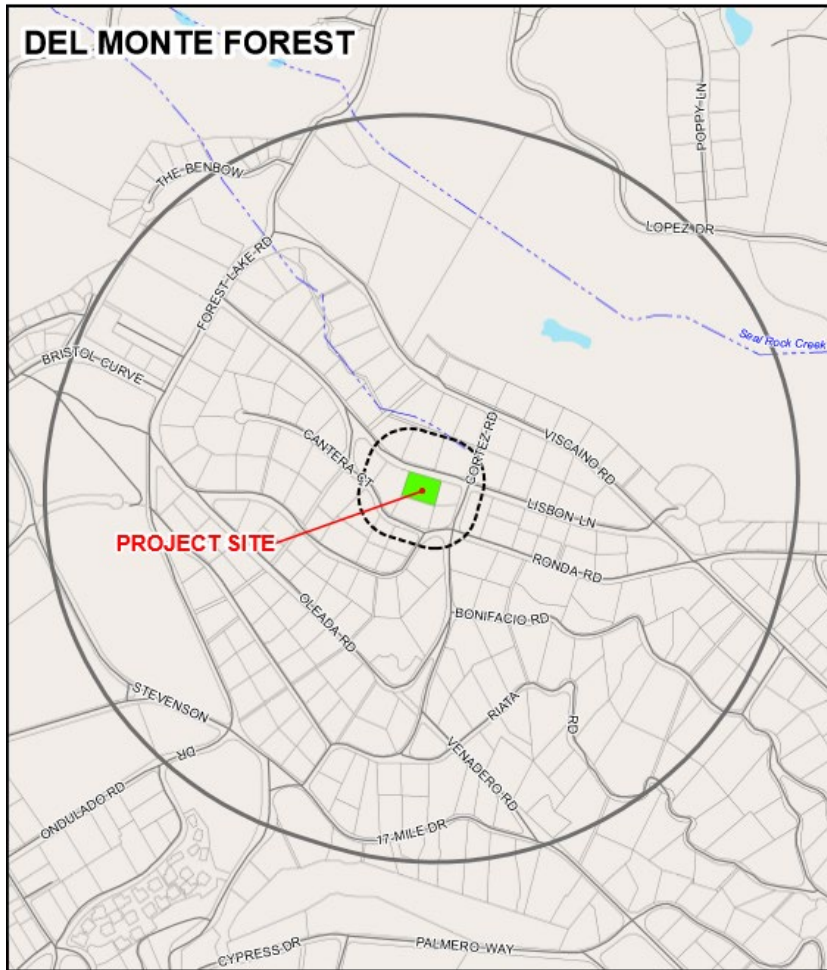
PLN150669-AMD1

MARTIN WILLIAM & SIMONA (FORMERLY WERNER NASE JR. TR)

Board of Supervisors

August 23, 2022

Item #22



Project Location:

1412 Lisbon Lane, Pebble Beach, Del Monte Forest Land Use Plan

Zoning:

LDR/1.5-D (CZ)



Process

- August 30, 2017: Planning Commission approved Resolution No. 17-035 to allow construction of a single-family dwelling, removal of 44 pines and development within 100 feet of environmentally sensitive habitat area (ESHA):
 - Adopted Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Plan (MMRP)
 - Condition No. 5 required conveyance of a Conservation and Scenic Easement (CSE) over the portions of the property containing environmentally sensitive habitat.
- September 15, 2020: Board of Supervisors accepted the CSE and the area was granted to the Del Monte Forest Conservancy.

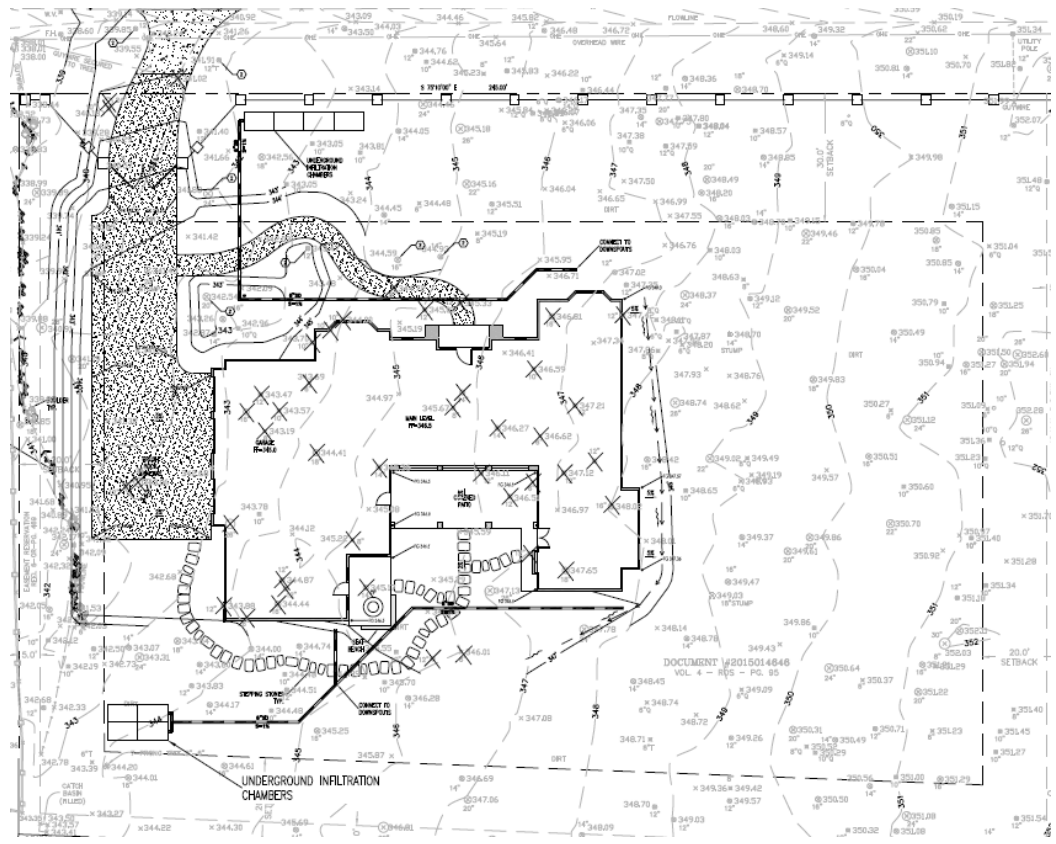


Process

- June 29, 2022: Planning Commission adopted Resolution No. 22-017 approving removal of Condition No. 5 from the previously approved Combined Development Permit (Resolution No. 17-035); and recommended the Board of Supervisors terminate the Conservation and Scenic Easement from the subject property.



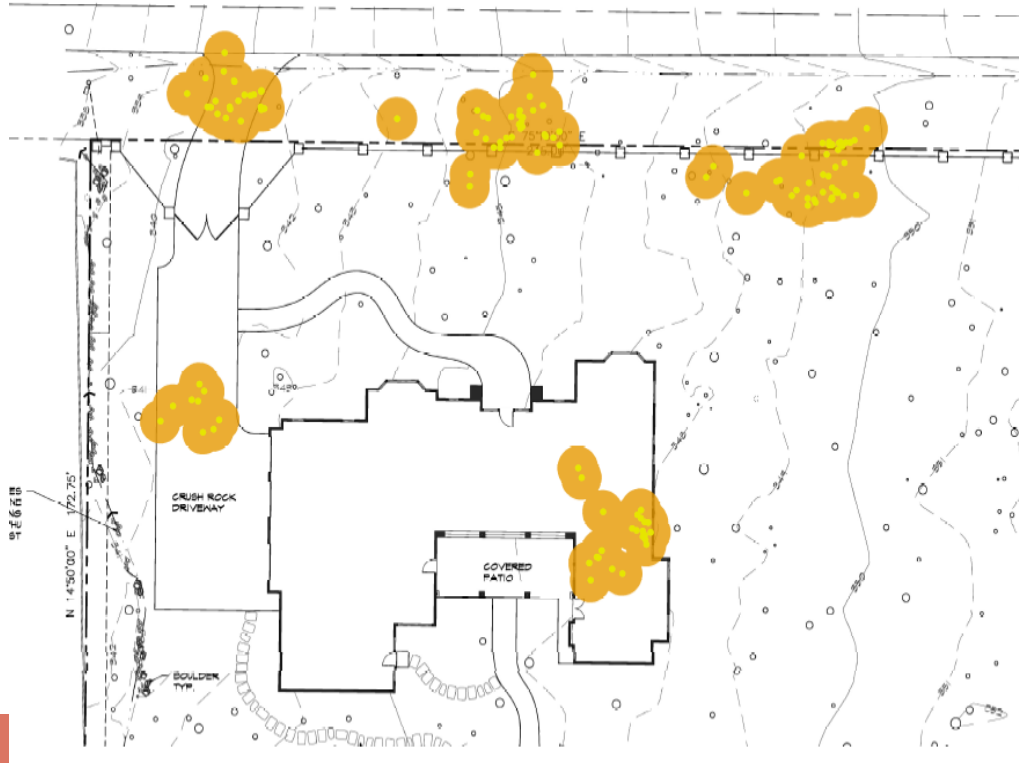
ESHA: Monterey Pines



- Previously approved SFD required the removal of 44 Monterey Pines (10,800 sq. ft)
- Mitigation Measure No. 1 required restoration and enhancement on a 2:1 ratio (a total of 21,600 sq. ft.) and 5-year monitoring



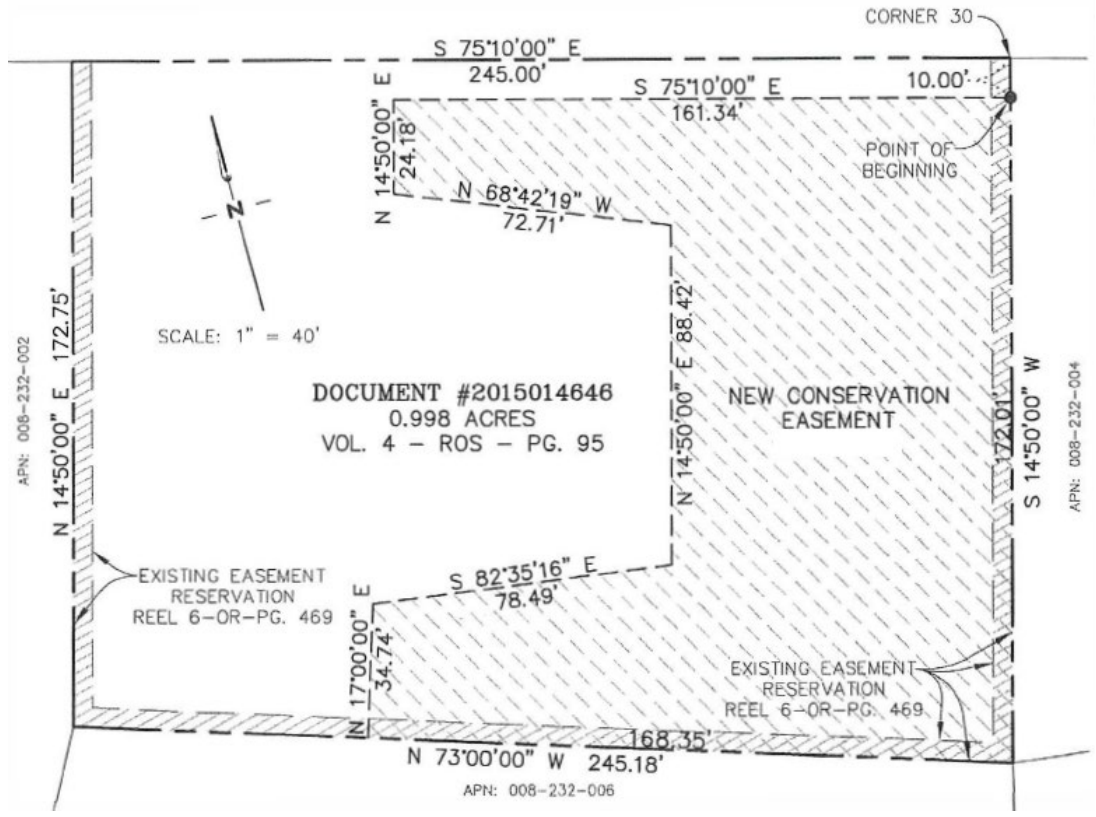
ESHA: Yadon's Piperiia



- 437 individual Yadon's Piperiia plants were identified (5,824 sq. ft).
- Mitigation Measure No. 2 required the transplanting of the property's entire Yadon's Piperiia population to a receiver site (Area H) and 5-year monitoring.



L I S B O N L A N E
(A 60 ' W I D E P R I V A T E R O A D)



Conservation and Scenic Easement

- Policy 13 of DMF LUP
- Environmentally sensitive habitat has since been relocated to a receiver site in accordance with the adopted MND.
- Easement precludes the use of the applicant's yard for private residential enjoyment.

Transplanting & Monitoring



Nov. 17, 2017



Nov. 27, 2017



Dec. 12, 2021

- 4 years of successful monitoring.
- Biologist confirms that ESHA no longer occurs on subject property.
- Adopted MMRP have contingencies which require additional mitigation measures to be prepared and implemented if success criteria are not met.



Del Monte Forest Conservancy

Consents to termination of the easement, subject to the following conditions:

1. *No ESHA currently exists on the property site*
2. *The habitat that was on the property at the time of the granting of the easement has been successfully moved to another location*
3. *The sensitive habitat is flourishing at its new location*
4. *The County has verified the accuracy of the consultant's report*
5. *This revocation has received all necessary regulatory approvals from applicable County agencies and the California Coastal Commission and does not constitute any form of precedent for future projects or existing Conservation and Scenic Easements*



Recommendation

1. Find the project consistent with the MND for the Werner Nase Jr. Trust residence and not requiring an addendum per Section 15162 of the CEQA Guidelines;
2. Terminate the Conservation and Scenic Easement on the Martin William H & Simona H TRS (Formerly Nase Werner Jr. Trust) property;
3. Authorize the Chair to execute the Termination Agreement and Quitclaim Deed; and
4. Direct the Clerk of the Board to submit the Termination Agreement and Quitclaim Deed to the County Recorder for recording with all applicable recording fees paid by the applicant.