

# Exhibit D

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County of Monterey  
State of California

**MITIGATED NEGATIVE DECLARATION**

**FILED**

NOV 17 2017

STEPHEN L. VAGNINI  
MONTEREY COUNTY CLERK  
DEPUTY

<b>Project Title:</b>	Lobos Ridge
<b>File Number:</b>	PLN150805
<b>Owner:</b>	Big Sur Land Trust
<b>Project Location:</b>	3400 Red Wolf Drive, Carmel
<b>Primary APN:</b>	416-011-007-000
<b>Project Planner:</b>	Liz Gonzales
<b>Permit Type:</b>	Combined Development Permit
<b>Project Description:</b>	Combined Development Permit for: 1) Coastal Administrative Permit to establish building envelopes for future residential and ancillary development (i.e. accessory dwelling unit, guesthouse, garage, non-habitable accessory structures, septic and leach field system, etc.); 2) Coastal Development Permit for development within 100 feet of Environmentally Sensitive Habitat; 3) Coastal Development Permit for development on slopes exceeding 30% (within the established building envelopes); and 4) Coastal Development Permit for a well (Note: There is a Coastal Administrative Permit [PLN170175] for a test well).

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

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

<b>Decision Making Body:</b>	Planning Commission
<b>Responsible Agency:</b>	County of Monterey
<b>Review Period Begins:</b>	November 21, 2017
<b>Review Period Ends:</b>	December 21, 2017

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

# MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY – PLANNING  
1441 SCHILLING PL SOUTH, 2<sup>ND</sup> FLOOR, SALINAS, CA 93901  
(831) 755-5025 FAX: (831) 757-9516



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

NOTICE IS HEREBY GIVEN that Monterey County Resource Management Agency – Planning has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for a Combined Development Permit (Big Sur Land Trust [Lobos Ridge] File Number PLN150805) at 3400 Red Wolf Drive, Carmel (Assessor's Parcel Number 416-011-007-000), Carmel Area Land Use Plan, Coastal Zone (see description below).

The Mitigated Negative Declaration and Initial Study, as well as referenced documents, are available for review at Monterey County Resource Management Agency – Planning, 1441 Schilling Pl South 2<sup>nd</sup> Floor, Salinas, California. The Mitigated Negative Declaration and Initial Study are also available for review in an electronic format by following the instructions at the following link:

<http://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma-/planning/resources-documents/environmental-documents/pending> .

The Planning Commission will consider this proposal at a meeting on January 25, 2018 at 9:00 a.m. in the Monterey County Board of Supervisors Chambers, 168 West Alisal, 2<sup>nd</sup> Floor, Salinas, California. Written comments on this Mitigated Negative Declaration will be accepted from November 21, 2017 to December 21, 2017. Comments can also be made during the public hearing.

**Project Description:** Combined Development Permit for: 1) Coastal Administrative Permit to establish building envelopes for future residential and ancillary development (i.e. accessory dwelling unit, guesthouse, garage, non-habitable accessory structures, septic and leach field system, etc.); 2) Coastal Development Permit for development within 100 feet of Environmentally Sensitive Habitat; 3) Coastal Development Permit for development on slopes exceeding 30% (within the established building envelopes); and 4) Coastal Development Permit for a well (Note: There is a Coastal Administrative Permit [PLN170175] for a test well). The property is located at 3400 Red Wolf Drive, Carmel (Assessor's Parcel Number 416-011-007-000), Carmel Area Land Use Plan, Coastal Zone.

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

[CEQAcomments@co.monterey.ca.us](mailto:CEQAcomments@co.monterey.ca.us)

An e-mailed document should contain the name of the person or entity submitting the comments and contact information such as phone number, mailing address and/or e-mail address and include any and all attachments referenced in the e-mail. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then

please send a second e-mail requesting confirmation of receipt of comments with enough information to confirm that the entire document was received. If you do not receive e-mail confirmation of receipt of comments, then please submit a hard copy of your comments to ensure inclusion in the environmental record or contact the Agency to ensure the Agency has received your comments.

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

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

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

County of Monterey  
Resource Management Agency – Planning  
Attn: Carl Holm, Director of Planning  
168 West Alisal, 2<sup>nd</sup> Floor  
Salinas, CA 93901

Re: Big Sur Land Trust (Lobos Ridge); File Number PLN150805

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

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

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

## DISTRIBUTION

1. State Clearinghouse (15 CD copies + 1 hard copy of the Executive Summary) – include the Notice of Completion
2. County Clerk's Office
3. California Coastal Commission
4. CalTrans District 5 (San Luis Obispo office)
5. Association of Monterey Bay Area Governments
6. Monterey Bay Air Resources District
7. California Department of Fish & Wildlife, Marine Region, Attn: Steven Rienecke
8. California American Water Company
9. City of Carmel, Community Planning & Building
10. Cal-Fire Coastal (non-district), C/O Carmel Fire Protection Associates
11. Monterey County Agricultural Commissioner
12. Monterey County Water Resources Agency
13. Monterey County RMA-Public Works
14. Monterey County RMA-Environmental Services
15. Monterey County Parks Department
16. Monterey County Environmental Health Bureau
17. The Big Sur Land Trust, Attn Jeantte Tuitele-Lewis & Sarah Hardgrave, Owner/Applicant
18. Michael Groves, C/O EMC Planning Group Inc, Agent
19. The Open Monterey Project
20. LandWatch Monterey County
21. Property Owners & Occupants (if located in the Coastal Zone) within 300 feet (**Notice of Intent only**)

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

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

# MONTEREY COUNTY

## RESOURCE MANAGEMENT AGENCY

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PLANNING

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

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



## *INITIAL STUDY*

### *I. BACKGROUND INFORMATION*

**Project Title:** Lobos Ridge

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**File No.:** PLN150805

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**Project Location:** 3400 Red Wolf Drive, Carmel

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**Name of Property Owner:** Big Sur Land Trust

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**Name of Applicant:** Big Sur Land Trust

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**Assessor's Parcel Number(s):** 416-011-007-000

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**Acreage of Property:** 27.9 acres

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**General Plan Designation:** Watershed & Scenic Conservation (Carmel Area Land Use Plan)

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**Zoning District:** WSC/80 (CZ) "Watershed and Scenic Conservation, 80 acres per unit (Coastal Zone)"

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**Lead Agency:** Monterey County Resource Management Agency – Planning Department

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**Prepared By:** Elizabeth Gonzales, Associate Planner & Jacqueline R. Onciano, RMA Chief of Planning

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**Date Prepared:** November 17, 2017

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**Contact Person:** Elizabeth Gonzales, Associate Planner

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**Phone Number:** (831) 755-5102

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**Email:** [gonzalesl@co.monterey.ca.us](mailto:gonzalesl@co.monterey.ca.us)

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

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

The subject property is located at 3400 Red Wolf Drive, Big Sur (Assessor's Parcel Number 416-011-007-000) (see **Figure 1** below).

The proposed project consists of:

- The Establishment of a Conservation Easement on a portion of 27.9-acre parcel that will establish two areas on the Property. One area will be considered for residential development and the other will have restricted defined development: 1) Area A – Habitat Conservation Area – Limited Development (Approximately 7.9 acres); and 2) Area B – Habitat Conservation Area – Restricted/Defined Development (Approximately 20 acres).
- Area A – Habitat Conservation Area – Limited Development. Within Area A, limited development will be considered within one of three designated areas: Area 1 - 34,600 square feet, Area 2 - 54,500 square feet, or Area 3 - 53,250 square feet. Building area, 1, 2, and 3 have been selected based on topography and potential for impacts to Monterey pine and Environmentally Sensitive Habitat Areas (ESHA); all three building areas are located wholly within Area A in areas with less than 30 percent slopes with avoidance to trees. Future property owners/buyers would have the ability to propose residential development in one of the three building areas. The proposed residential development would be analyzed for consistency with the policies and regulations of the Carmel Area Land Use Plan and Coastal Implementation Plan, Part 4 (Regulations for Development in the Carmel Areal Land Use Plan – Chapter 20.146). The proposed residential development, not to exceed 10,000 square feet, along with associated support facilities including a driveway, driveway turnaround, parking, and domestic well within the selected building area, would be subject to securing the applicable Coastal entitlements. A 100-foot fire clearance would be maintained around all buildings. Additionally, the application would consider the construction of a 16,800 square foot septic leachfield outside of the building area, but within Area A. Area A contains environmentally sensitive habitat. Development within any of the building area options would require proper analysis to minimize impact to ESHA. A portion of Area A will be subject to prohibited uses and restrictions provided in a conservation easement for the protection of ESHA to be held in perpetuity by the Big Sur Land Trust (BSLT), and all undeveloped portions of Area A will be preserved.
- Area B: Habitat Conservation Area – Restricted/Defined Development (Approximately 20 acres). No new development, other than future proposed improvements to an existing cell tower within the easement for that facility, would be allowed in Area B. No cell tower improvements are proposed or included in this project description. All of Area B will be subject to prohibited uses and restrictions provided in the conservation easement.
- The conservation easement would establish prohibited uses and restrictions throughout the entire property including, but not be limited to, the following activities:
  - ✓ Any use or activity that would degrade or impair the conservation value or purpose of the conservation easement
  - ✓ Unseasonable watering and use of agricultural chemicals
  - ✓ Off-road vehicle use
  - ✓ Agricultural activity



- ✓ Recreational activities
- ✓ Commercial, industrial, residential or institutional uses, except as allowed in the HCA – Limited Development
- ✓ Division or subdivision of the Property
- ✓ Construction of buildings, except as allowed in the HCA – Limited Development
- ✓ Depositing or accumulation of soils, trash or other waste materials
- ✓ Planting or introducing non-native species
- ✓ Mineral extraction of any kind
- ✓ Removal or destruction of trees, shrubs or other vegetation except as required by law or as needed for Area A – HCA – Limited Development
- ✓ Manipulation or alteration of any watercourse or body of water on property

BSLT, intends to sell the subject property but retain the proposed conservation easement on it. The purpose of the proposed project is to allow limited future residential development on the site, avoid development on slopes in excess of 30%, avoid visibility from State Highway 1, and avoid impacts to protected trees and ESHA. The BSLT intends to work with a future buyer to preserve maritime chaparral in all undeveloped and unimproved portions of the property for potential use as a habitat mitigation area for the BSLT and others through the requirements of the proposed conservation easement. The proposed project, specifically the establishment of the Conservation Easement and building areas 1- 3 within Area A, is intended to help reduce impacts from the construction of a residential development on the subject property to the maximum extent possible. Area B is intended to provide a one for one mitigation for any habitat loss within Area A, as it will be subject to strict requirements of the conservation easement.

The property has not been properly analyzed for residential development in accordance with the policies and regulations of the Carmel Area Land Use Plan and Coastal Implementation Plan, Part 4 (Regulations for Development in the Carmel Areal Land Use Plan – Chapter 20.146), nor staked for visual assessment, therefore the application currently being processed is a Combined Development Permit consisting of:

- 1) Coastal Administrative Permit to establish building areas for future residential and ancillary development (i.e. Accessory Dwelling Unit (ADU), guesthouse, garage, non-habitable accessory structures, septic and leach field system, etc.);
- 2) Coastal Development Permit for development within 100 feet of ESHA;
- 3) Coastal Development Permit for development on slopes exceeding 30% (within the established building areas)
- 4) Coastal Development Permit for a well (Currently there is a Coastal Administrative Permit [PLN170175] for a test well).

Because no structures are proposed at this time, a perspective property owner/buyer will need to secure the applicable Coastal entitlements (Coastal Administrative Permit [CAP] or Coastal Development Permit [CDP] and Design Approval) for all residential development and associated support facilities proposed. Septic will be evaluated as part of the application. If all development standards are met, development entitlements may be processed as a COMBO Permit, meaning there would be an expedited process where the Planning entitlements and Building permits as processed concurrently. Additionally, this process does not exclude the analysis that will be necessary for the siting of the development in accordance with the Policies

and Regulations of the Local Coastal Program. For example, the County will require staking to evaluate if any part of the development is visible from the public viewshed. If any part is visible, either the design will need to be altered or other considerations or options will need to be explored.



**Figure 1: Subject Property**

Materials submitted delineate the 27.9 acre parcels into two areas: Area A: Habitat Conservation Area – Limited Development and Area B: Habitat Conservation Area – Restricted/Defined Development. The proposed building area and proposed septic area are contained within Area A while the remaining 20 acres of the subject property is located within Area B (see **Figure 2** and **Figures 3A, 3B, 3C** of this Initial Study).



**Figure 2. Aerial Photograph – Area A and Area B**

### Conservation Easement

BSLT acquired the subject property in 1998, with the intended purpose of furthering preservation efforts in the watershed east of Point Lobos State Park for future park expansion. However, with subsequent residential development on surrounding parcels on Red Wolf Drive, the property is no longer fully contiguous with the nearby public open space areas on all sides and State Parks or Monterey Peninsula Regional Park District do not desire to incorporate the property into their parklands. Therefore, the original intent of the acquisition is no longer an option. BSLT is proposing this project as another option for the subject property to contribute to the conservation outcomes in Monterey County, which is to sell the property with partial development entitlements and a conservation easement that maintains the conservation values on the property, while supporting BSLT’s conservation mission as proceeds from the sale are to be used for BSLT’s current conservation priority projects. Instead of offering the property up for sale “as is,” BSLT proposes to ensure conservation of the parcel while providing a focused development potential.

Therefore, BSLT proposes to restrict development through the conveyance of a conservation easement for the entire 27.9-acre parcel to BSLT in perpetuity. This easement would include provisions consistent with the standards and practices of the national Land Trust Alliance<sup>1</sup> and

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<sup>1</sup> The Land Trust Alliance (LTA) is a national land conservation organization that has established a set of guidelines for how run trust land responsibly and consistently in an effort to strengthen land conservation across America.

Land Trust Accreditation<sup>2</sup> Commission, which require restrictive easement agreements, monitoring, and enforcement options for violations of the easement. The two areas of the property, Area A and Area B, would have distinct allowed and prohibited uses. For instance, Area A would allow for limited development through the creation of a specific building area options within Area A (see discussion below) subject to specific development standards and no new development would be allowed in Area B.

Area A – Habitat Conservation Area- Limited Development and Area B- Habitat Conservation Area- Restricted/Defined Development

As detailed in the project description, residential development would be limited to one of three established building areas within the portion of the subject property delineated as Area A (See Figures 3A, 3B and 3C of this Initial Study). The property owner would be permitted to select among building areas 1, 2, and 3 for future development of a single family dwelling, and associated development such as a well for potable water, septic facilities, habitable and non-habitable accessory structures, and driveway access and parking. The proposed Conservation Easement would include provisions for Area A that limit the total building area for the single family residence and accessory structures to no more than 10,000 square feet with heights not to exceed 24-feet. In addition, future improvements must avoid development on slopes in excess of 30%, not be visible from Highway 1, and disturbance to ESHA must not exceed the 16,800 square foot leachfield improvement area plus one of the delineated building areas (Area 1- 34,600 square feet, Area 2 - 54,500 square feet, or Area 3 -53,250 square feet).

Area B will be subject to strict conservation easement requirements and no new development would be allowed in Area B excluding future improvements to the cell tower facility within the existing facility easement. These improvements are not proposed at this time.

As additional provisions of the easement, prior to submitting a development application to the County of Monterey, the property owner/buyer would be required to confirm with BSLT that the proposed structures would be consistent with the conservation easement. The future single family residence and accessory structures would be required to be consistent with the policies and regulations contained in the 1982 Monterey County General Plan, the Carmel Area Land Use Plan, the Monterey County Coastal Implementation Plan, Part 4 (Regulations for Development in the Carmel Areal Land Use Plan – Chapter 20.146) and Title 20 (Zoning Ordinance, Coastal Zone), regulations specific to the Watershed and Scenic Conservation zoning district. The following information would be provided to BSLT for review prior to submittal of an application to Monterey County RMA Planning Department as well as a building permit:

- Floor Plan
- Exterior Elevations
- Conceptual Landscape Plan
- Exterior Lighting Plan
- Fuel Management Plan

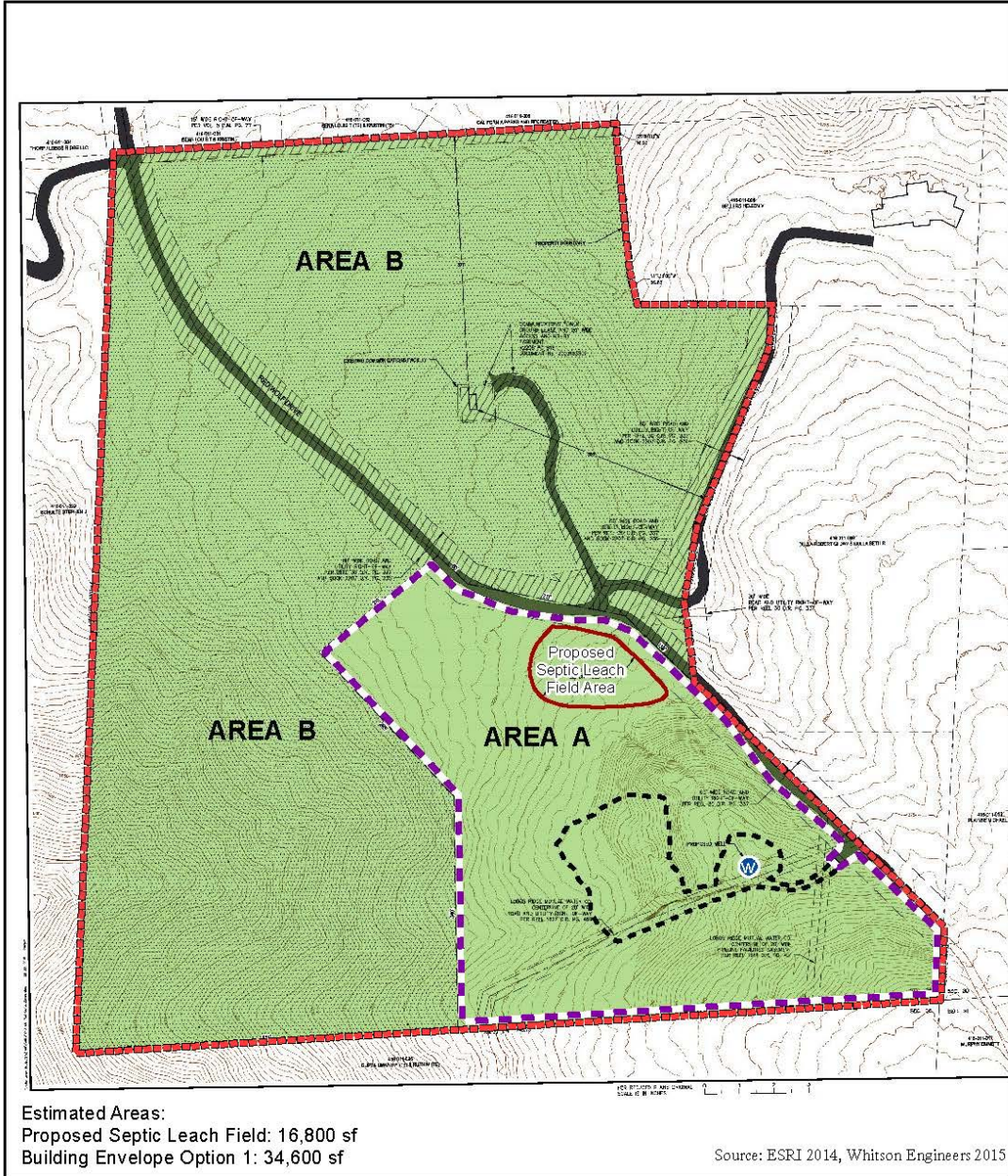
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<sup>2</sup> The Land Trust Accreditation Commission operates an innovative program to build and recognize strong land trusts, foster public confidence in land conservation, and help ensure the long-term protection of land. BSLT is an accredited land trust through this commission.

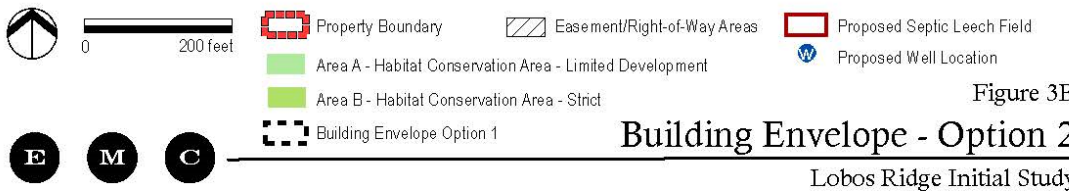
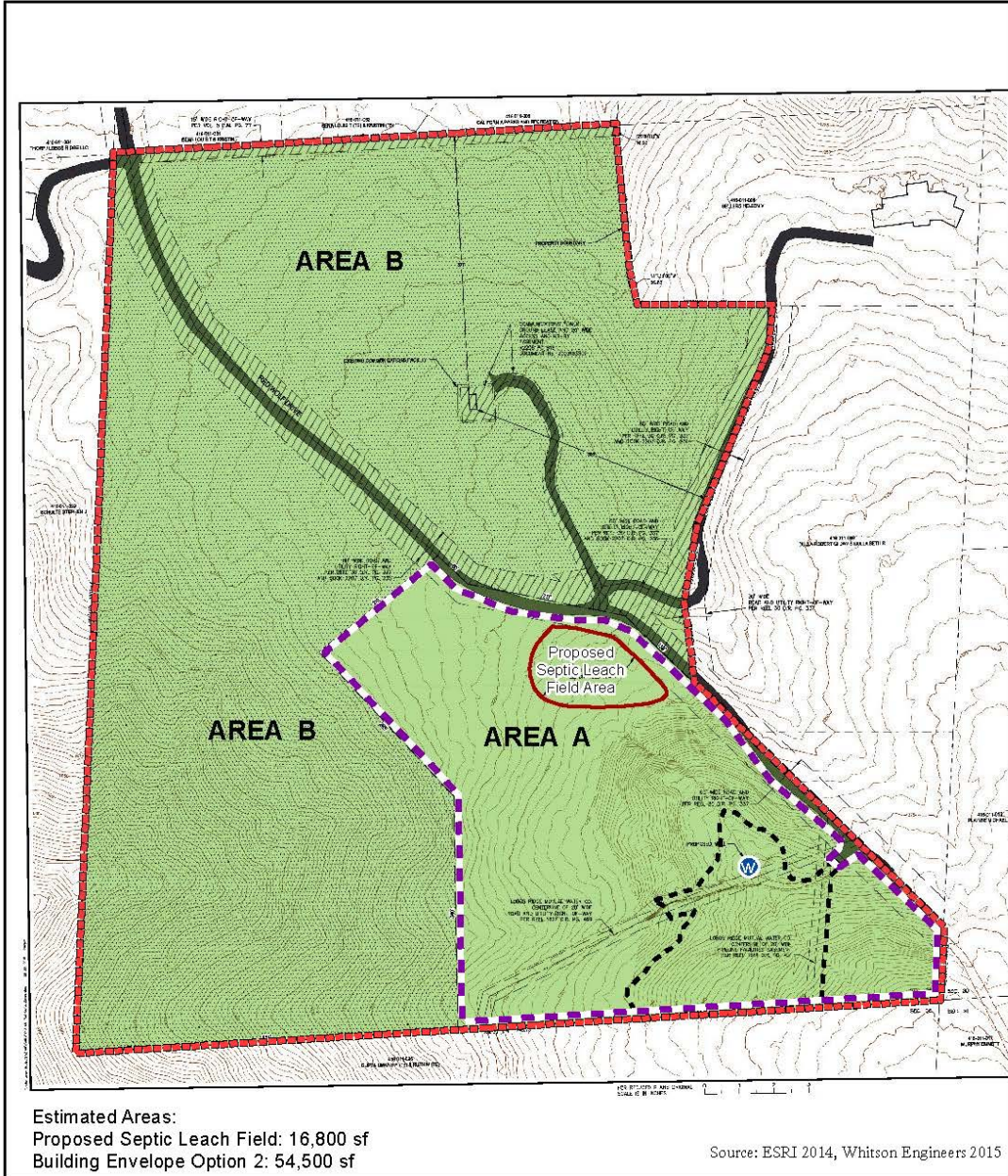
- Drainage Plan
- Construction Management Plan
- Adequate Water Supply System Assessment
- On-site Wastewater Treatment System
- Technical Plans to Obtain Building Permits
- Public Works Department Address Request

#### Construction of the Test Well/Domestic Well

Pursuant to Section 20.17.040.J of the Monterey County Zoning Ordinance (Title 20), a Coastal Administrative Permit (PLN170175) has been obtained for a test well prior to establishing a water system, in this case a potable water well, and has met the requirements set forth in Chapter 15.04 – Domestic Water Systems of the Monterey County Code, to ensure the well meets operational requirements, water quality standards, bacteriological quality, chemical quality, and drinking water standards before it can be converted to a permanent well. In an effort to ensure that potable water would be available to future development on the subject property, BSLT has obtained a permit for construction of a test well (PLN170175). The test well will be considered permanent with the subject application of the future development. **Figures 3A, 3B, and 3C** below illustrate the proposed building areas 1, 2, and 3 and proposed test well areas.



		Property Boundary	Easement/Right-of-Way Areas	Proposed Septic Leach Field	Proposed Well Location
		Area A - Habitat Conservation Area - Limited Development			
		Area B - Habitat Conservation Area - Strict			
			Building Envelope Option 1	Figure 3A	
				<b>Building Envelope - Option 1</b>	
				Lobos Ridge Initial Study	



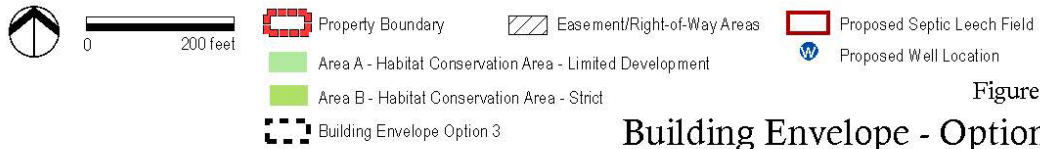
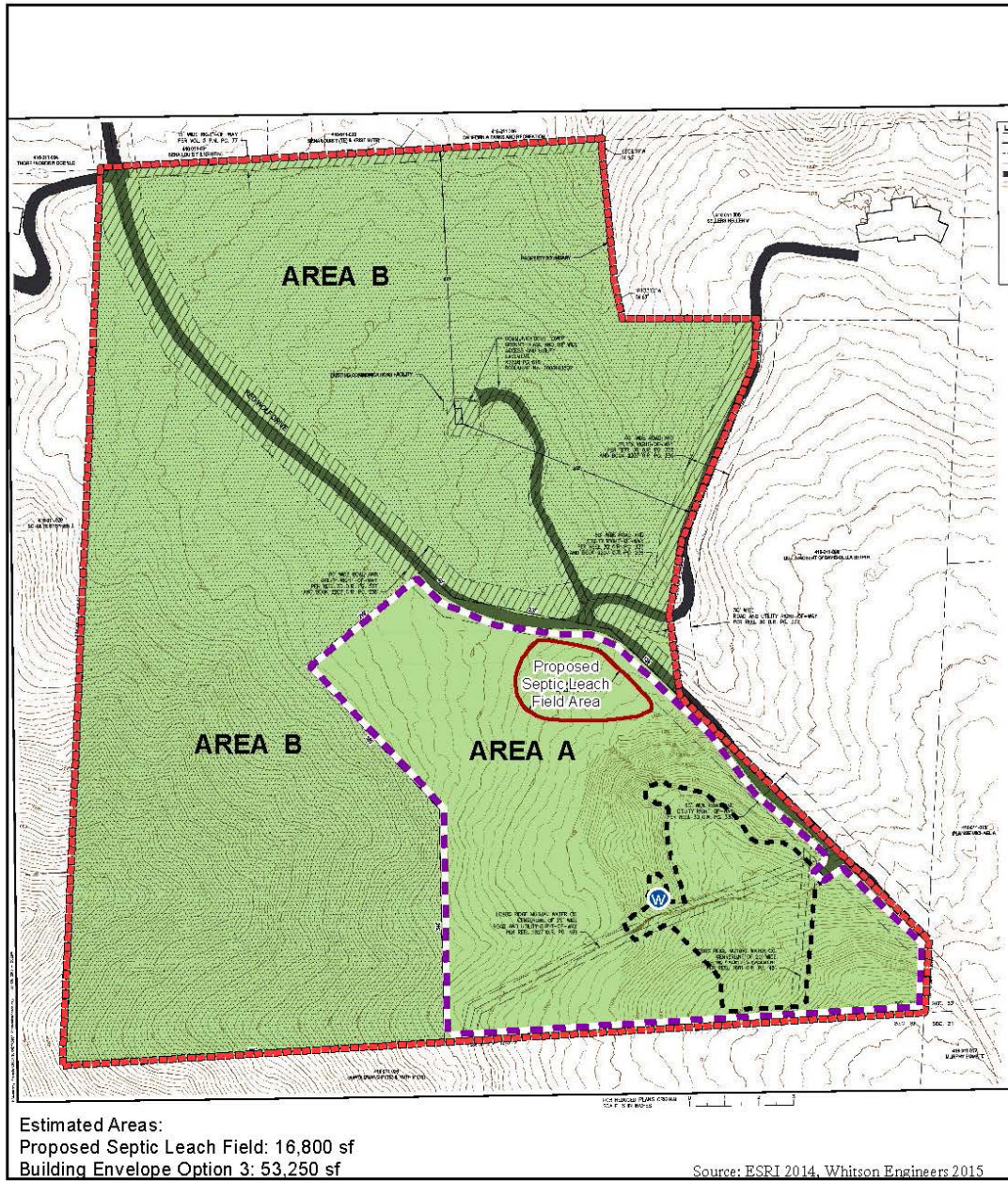


Figure 3C

Building Envelope - Option 3

Development within 100-feet of ESHA



The subject property supports maritime chaparral, which is considered ESHA by the California Department of Fish and Wildlife and the Carmel Area Land Use Plan. In addition, there is a stand of native Monterey pine on the subject property, also a protected tree in the Carmel Area Land Use Plan. Development within any of the building areas would avoid impacts to native pine but would impact maritime chaparral. Impact areas are conservatively assumed to be the total square footage of each building areas option plus the septic area which would be a 51,400 square foot impact area for Area Option 1, a 71,300 square foot impact area for Area Option 2, or a 70,050 square foot impact area for Area Option 3. However, impacts would likely be less than the total assumed impact square footage as the areas actually impacted would include up to 10,000 square feet of building area (plus 100 foot fire clearance around those buildings), driveway, driveway turnaround, parking, domestic well, and 16,800 square foot septic area.

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

The subject property is located east of Highway 1 on a western slope of Santa Lucia Mountains and overlooks the Pacific Ocean. Access to the property is provided by a paved and gated private road, Red Wolf Drive, by way of Riley Ranch Road through the neighboring State Parks Point Lobos Ranch Unclassified Unit. Red Wolf Drive runs approximately two miles east from Highway One, and bisects the project site from the northwestern boundary through the southeastern boundary of the property.

Zoning within the vicinity of the subject property is Watershed and Scenic Conservation with Design Control District overlay, in the Coastal Zone with densities ranging from 40-80 acres per unit. Although this zoning designation allows for one SFD per parcel, the primary focus of this district is to protect the significant and substantial resources found in the remote or mountainous areas in the Coastal Zone. Improved parcels in proximity of the subject property contain residential and accessory-to-residential structures as well as large open space areas.



**Figure 4. Project Vicinity**

The project site is undeveloped with the exception of paved and unpaved roads, dirt trails, and an existing and separately permitted wireless communications facility (cell tower). The 2,500 square foot area encompassing the cell tower facility is located in Area B, below the ridgeline and partially screened from view by trees. This area is currently leased to SBA Communications Corporation and would remain operational. Existing easements on the property consist of a right-of-way easement to provide owners of neighboring parcels access to their property and a utility easement that allow for utility company access to the cell tower. No alterations to the cell tower facilities are proposed in this application.

The majority of the project site slopes downward to the northeast with an average 10 percent grade. Topography of the project site includes both relatively flat areas and steep slopes; elevation ranges from approximately 950 feet to 1,430 feet. Soils on the site consist mainly of Sheridan coarse sandy loam which are well drained, non-flooding/ponding, and non-saline. Although the site contains limited disturbed/developed areas and scattered strands of native Monterey pine (*Pinus radiata*), the dominant vegetation type on the site is Maritime chaparral, which is considered ESHA by the California Department of Fish and Wildlife (CDFW) and the Carmel Area Land Use Plan (LUP).

### **C. Entitlements required for the proposed project**

Implementation of the proposed project requires consideration of a Combined Development Permit to establish three building site area options within the 7.9 acre Area A of the property for future development. The Combined Development consists of:

- 1) Coastal Administrative Permit to establish building areas for future residential and ancillary development (i.e. Accessory Dwelling Unit (ADU), guesthouse, garage, non-habitable accessory structures, septic and leach field system, etc.);
- 2) Coastal Development Permit for development within 100 feet of ESHA;
- 3) Coastal Development Permit for development on slopes exceeding 30% (within the established building areas)
- 4) Coastal Development Permit for a well (Currently there is a Coastal Administrative Permit [PLN170175] for a test well in process).

### **D. Other public agencies whose approval is required**

Approval of a water well permit and septic system permit through the Monterey County Environmental Health Bureau will be required to serve the future single family dwelling and ancillary structures. Construction Permits will be required by the Monterey County Resource Management Agency – Building Department prior to issuance of Construction Permits. In addition, this study analyzes the effect of the proposed actions including Coastal Entitlements to allow removal of ESHA. Coastal Development Permits are subject to review and appeal authority by the California Coastal Commission.

These described permits do not absolve the owner or other person or entity from obtaining any other required entitlements that may be required by law. For instance, if State listed species are found at the site, consultation with the California Department of Fish and Wildlife (CDFW) would be required.

The project site is not located in an area zoned for agriculture, forestland, or timberland; and thus would not result in impacts to these resources. There are no known archaeological sites that would be disturbed by project implementation. The proposed project does not involve uses that would increase population on the site beyond levels anticipated in the General Plan. Therefore, the proposed project would not increase operational traffic, criteria air pollutants, or GHG emissions. Further, the project would not require new connections to public utilities for sewer or potable water as it would rely on future on-site domestic well and septic and leach field systems.

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

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

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

#### General Plan/ Local Coastal Program-LUP

The project site is located within County's coastal zone and its use is subject to conformity with the 1982 General Plan, the Carmel Area Land Use Plan (CALUP) and Coastal Implementation Plan, Part 4 (CIP). The property is located within the Watershed and Scenic Conservation land use designation (WSC), which allows residential uses with densities between 40 to 80 acres per unit. The purpose of the WSC designation is to allow for rural residential development while protecting the significant and substantial resources found in the remote or mountainous areas in the Coastal Zone. The proposed creation of the building areas achieves this purpose by setting aside a substantial portion of the property for Conservation and establishing limitations in the area where development is allowed. The Carmel Area LUP defines the project site as "Uplands." This category includes areas to the east of Highway One rising above 1000-foot elevations. Several types of low intensity uses are allowed in the Uplands, including development of "rural residences" at a density of 1 unit per 80 acres. All future development within "the Uplands" must be clearly consistent with and subordinate to the foremost priority of protecting the area's scenic beauty, open space, recreational and natural resource values. The project description discusses future development to avoid slope, tree removal, etc. The future development project will be consistent with the Carmel Area Land Use Plan policies.

#### Air Quality Management Plan

Consistency with the AQMP is an indication of a project's contribution to a cumulative adverse impact on regional air quality. It is not an indication of project-specific impacts, which are evaluated according to the Air District's adopted thresholds of significance. Inconsistency with the AQMP is considered a significant cumulative air quality impact. Consistency of a residential project is determined by comparing the project population at the year of project completion with the population forecast for the appropriate five year increment that is listed in the AQMP. If the population increase resulting from the project would not cause the estimated cumulative population to exceed the relevant forecast, the project would be consistent with the population forecasts in the AQMP. The project is consistent with the 1982 Monterey County General Plan and with the Association of Monterey Bay Area Governments (AMBAG) regional population and employment forecast. The proposed project will not increase the population of the area nor generate additional permanent vehicle trips above levels projected in the AQMP. Therefore, the project will be consistent with the AQMP. **CONSISTENT**

Water Quality Control Plan

The proposed project is subject to compliance with the Central Coast Region Basin Plan (Basin Plan). The Basin Plan is included in the Central Coast Regional Water Quality Control Board – Region 3 (RWQCB). Discussion on consistency with the RWQCB is contained in Section VI.9 of this Initial Study.

#### **IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION**

##### **A. FACTORS**

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

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

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

- Check here if this finding is not applicable

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

**EVIDENCE:** Many of the above topics on the checklist do not apply. Less than significant or potentially significant impacts are identified for aesthetics, air quality, greenhouse gases, biological resources, geologic and soils, hazards, hydrology and water quality, and land use/planning. Mitigation measures are provided as warranted. The project will have no quantifiable adverse environmental effect on the categories not checked above, as follows:

1. Agricultural and Forest Resources. The project site is not designated as Prime, Unique or Farmland of Statewide or Local Importance and project construction would not result in

conversion of prime agricultural lands to non-agricultural uses. The site is not under a Williamson Act Contract. The project site is located within mountainous area with steep slopes and is not located adjacent to agriculturally designated lands. *Therefore, the proposed project will have no impact to Agricultural Resources.* (Source: IX. 3, 7, & 8)

2. Land Use Planning. The proposed project includes the creation of a building areas to allow future development of a single family residence on a property zoned Watershed Scenic Conservation, 80 acres per unit, Coastal Zone [WSC/80(CZ)]. Land uses that surround the subject property are comprised of large parcels in the WSC Zone. Implementation of the project would be consistent with regulations contained in the Carmel Area Land Use Plan and (CAR LUP) Coastal Implementation Plan (CIP) adopted to avoid or mitigate an environmental effect (see further discussion contained in section III. Project Consistency with Other Applicable Local and State Plans and Mandated Laws, of this Initial Study). The construction of a single family home would not physically divide an established community. *Thus, the proposed project would not result in land use planning impacts.* (Source: IX 2, 3, 4, 5)
3. Mineral Resources The project site is not located in an area containing mineral resources. Therefore, the project would not result in impacts to mineral resources (Source: IX. 2, 3, 8). *Therefore, the proposed project will have no impact to Mineral Resources.*
4. Noise The construction of one single-family home within this area would not expose people to noise levels that exceed standards and would not substantially increase ambient noise levels. The project site is not located in the vicinity of an airport or private airstrip. The project is located in a remote area with large distances between dwellings. There is no evidence that the persons residing or working near the project site would be significantly impacted by noise or vibrations related to this project. In the future, temporary construction activities will be of limited duration. (Source: IX. 2 & 7). *Therefore, the proposed project will have no impact to Noise.*
5. Population/Housing The proposed project is consistent with the general plan and AMBAG population projections. The project would not alter the location, distribution, or density of human population in the area in any significant way, or create a demand for additional housing (Source: IX. 1, 3, 5, & 7). *Therefore, the proposed project will have no impact related to Population/Housing.*
6. Public Services The project would have no measurable effect on existing public services. The Monterey County Water Resources Agency, Monterey County Public Works Department, the Environmental Health Division, and the Carmel Highlands Fire Protection District have reviewed the project. Existing roadways would provide access to the project site during construction and upon completion of the proposed project. The proposed single family residence would not generate an increase in population to the extent that the need would be increased for new or physically altered public service facilities, schools, or parks. (Source: IX. 2, 3). *Therefore, the proposed project will have no impact to Public Services.*


7. Recreation The proposed project would not result in an increase in use of existing recreational facilities that would cause substantial physical deterioration or create demand for new or expanded facilities. The Carmel Land Use Plan Figure 3 does not show any existing or proposed trail systems on the subject property (Source IX. 2 & 3). *Therefore the project will have no impact on Recreation.*
  
8. Utilities/Service Systems The proposed project will not connect to water or sewer systems. The single family residence would connect to existing electric infrastructure that has been extended up Point Lobos Ridge in the immediate vicinity of the project site. The electricity associated with the use of one single family home would not significantly increase the demand on existing municipal utility service systems and would not result in the need for additional municipal capacity. Therefore, the proposed project would not result in impacts to utilities/service systems. (Source IX. 1, 3). *Therefore, the proposed project will have no impact to Utilities/Services.*

B. DETERMINATION

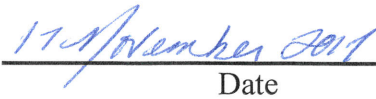
On the basis of this initial evaluation:

- 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

Elizabeth Gonzales

  
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
<i>Would the project:</i>					
a)	Have a substantial adverse effect on a scenic vista? (Source: 3, 4, 7, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: 3, 4, 7, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings? (Source: 3, 4, 7, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: 3, 4, 7, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

The project site is not located within a scenic resource area as depicted on Map A, General Viewshed Map of the Carmel Area Land Use Plan (CALUP); nor is it located within the viewshed corridor of Highway 1, which is a scenic highway designated by the Department of Transportation Scenic Highway mapping program.

**Conclusion:**

*Aesthetics 1 (a & b) – Less than significant Impact/No Impact*

Much of the project site is obscured from public view by the natural topography. Some portions of the project site are distantly visible from Point Lobos State Park and Carmel River State Beach; however, the site is located approximately three miles from these public areas, and would not be easily discernable to the viewer. Therefore, the proposed project would not result in a significant adverse effect on a scenic vista or damage scenic resources within a state scenic highway.

*Aesthetics 1 (c) – Less Than Significant*

The proposed project would alter the visual character of portions of the project site after construction of the single-family residence and ancillary structures are complete. However, the development would be located on interior areas of the site that are obscured from public view by topography and distance. The elevation of the project site ranges from approximately 950 to 1,430 feet, with higher elevations continuing beyond the eastern property boundary with a scenic backdrop of coastal mountain vistas. The proposed building areas are not located on visible ridgelines and future development of this site shall not create silhouette effects that would detract from the scenic views along the highway. Therefore, future development of the proposed single-family residence shall be re-evaluated to determine that it would not substantially or negatively alter the visual character or quality of the site.

The building areas of the proposed single family dwellings will be subject to compliance with Carmel Area Land Use Plan policies and relevant Coastal Implementation Plan (CIP)

development standards for visual resource protection. The Carmel Area Land Use Plan Key Policy 2.2.2 states that all future development “within the viewshed must harmonize and be clearly subordinate to the area’s natural scenic character” and that it “must conform to the basic viewshed policy of minimum visibility”. The Carmel Area Land Use Plan Specific Policies call for proper site planning to ensure that structures do not visually detract from natural slopes and ridgelines in the public viewshed.

Adherence to the above policies will be analyzed with the future entitlements and shall be consistent with the Carmel Area Land Use Plan policies.

*Aesthetics 1 (d) – Less Than Significant*

Future development of the proposed single-family residence would introduce new sources of light and glare to the undeveloped project site. The effects of new lighting and reflective architectural features would be most evident in the evening and at night. Due to the proposed placement of the future improvements with respect to topography and public views, project-related light and glare effects would be minimal, if visible at all. The CALUP and CIP include policies and regulations that limit light fixtures and reflective architectural surfaces. Compliance with these policies and implementing ordinances would reduce the effect of lighting and glare from future development of the site. (Source IX. 1, 3, & 7). *Therefore, the proposed project will have a less than significant impact on scenic resource and will not create a new substantial source of glare*

**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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**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
d)	Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See Sections II and IV.A.1 of this Initial Study

**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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Result in significant construction-related air quality impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

The regional AQMP for the City of Carmel is the 2008 AQMP for the Monterey Bay Region, prepared by the Monterey Bay Unified Air Pollution Control District (MBUAPCD). In 2009, MBUAPCD adopted the Air Quality Management Plan, which outlines the steps necessary to

reach attainment with the state standards of air quality. Automobiles are the primary generators of criteria pollutants, which include ozone (O<sub>3</sub>); carbon monoxide (CO); nitrous oxides (NO<sub>x</sub>); particulate matter (PM<sub>10</sub>); and reactive organic gases (ROG). The emission inventories discussed in the AQMP are based on projected population forecasts developed by the Association of Monterey Bay Area Governments (AMBAG). A proposed project conflicts with or obstructs implementation of the regional AQMP if it is inconsistent with the growth assumptions relating to population, employment, and regional growth or vehicle miles traveled.

**Conclusion:**

*Air Quality 3(a)- Less than Significant Impact*

The proposed project would result in temporary construction related emissions, but would not result in operational emissions associated with an increase of the area's population beyond levels projected in the AQMP. Therefore, the proposed project would not conflict with or obstruct implementation of the air quality management plan and is consistent with the AQMP.

*Air Quality 3(b, c, d, e, & f) – Less than Significant Impact*

The project site is located in the North Central Coast Air Basin, which is comprised of Monterey, Santa Cruz, and San Benito counties. The Monterey Bay Unified Air Pollution Control District (MBUAPCD) is the agency with jurisdiction over the air quality regulation in the air basin. Automobiles are the primary generators of criteria pollutants, which include ozone (O<sub>3</sub>); carbon monoxide (CO); nitrous oxides (NO<sub>x</sub>); particulate matter (PM<sub>10</sub>); and reactive organic gases (ROG).

The proposed project would not exceed MBUAPCD thresholds for significance for operational emissions. Per Table 5-4 of the MBUAPCD CEQA Guidelines (2008), the operation of 810 single-family residences would create indirect emission sources with potentially significant impacts related to ozone and ozone precursors. Operational emissions generated by one single-family residence would not generate emissions that would exceed 810 single-family residence MBUAPCD threshold for criteria pollutants. Therefore, the operation of the proposed project would not result in significant impacts to local or regional air quality either individually or cumulatively.

The proposed project would produce PM<sub>10</sub> emissions during construction. The North Central Coast Air Basin is currently in non-attainment for PM<sub>10</sub>. "Short term" construction emissions include on-site and off-site generation of fugitive dust, on-site generation of exhaust emissions from construction equipment, and the off-site generation of mobile source emissions from workers during the construction phase of the proposed project. "Worst case" construction emissions typically occur during initial site preparation, including grading and excavation, due to the increased amount of surface disturbance and the number and type of construction equipment typically required. According to the MBUAPCD guidelines, grading 2.2 acres a day is expected to generate approximately 82 pounds of PM<sub>10</sub> per day, which could result in a significant adverse effect on air quality. Thus, the MBUAPCD requires mitigation of construction-related PM<sub>10</sub> emissions through a series of dust and equipment exhaust control measures for projects with more than a 2.2-acre daily disturbance. Construction activities associated with future development of

the proposed project would not disturb more than 2.2 acres of the project site on a given day. Therefore, the proposed project would not generate significant construction PM<sub>10</sub> emissions.

Construction activities would result in an increase in pollutant concentrations related to dust and vehicle exhaust emissions. According to the MBUAPCD CEQA Guidelines, any residence, including private homes are considered “sensitive receptors”. The nearest residence is located at least 700 feet from any proposed development or improvement areas which would preclude exposure to substantial pollutant concentrations. Thus, impacts would be less than significant and no mitigation is required.

Development of a single family home and ancillary structures are not a type of land use that would produce operational nuisance odors. Construction activities related to the proposed project would result in some short-term construction-related odors (e.g., asphalt during paving); however these odors would be of temporary duration and would not affect a substantial number of people. Thus, the impacts would be less than significant.

4. BIOLOGICAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: 3, 4, 7, 8, 9)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: 3, 4, 7, 8, 9)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: 3, 4, 7, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: 3, 4, 7, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: 3, 4, 7, 8, 9)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. BIOLOGICAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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: 3, 4, 7, 8, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

A biological reconnaissance survey of the approximately 28-acre project site, including Area A and Area B, was conducted by EMC Planning Group senior biologist Andrea Edwards on April 18, 2014. The purpose of the survey was to document existing habitats and to evaluate the potential for special-status species to occur on the project site that may be impacted by future development. Biological resources were documented in field notes, including species observed, dominant plant communities, and wildlife habitat characteristics. Habitat quality and disturbance level were noted.

The site is situated on the Monterey U.S. Geological Survey (USGS) quadrangle map. The site contains limited disturbed/developed areas, including the paved Red Wolf Drive which intersects the project site, the cell tower facility and associated paved road, and several dirt roads. The site also contains Monterey pine trees concentrated in a scattered grove in the center of the site and near Red Wolf Drive, along with an occasional small Monterey cypress. However, the majority of the site supports maritime chaparral. Maritime Chaparral is limited in distribution and includes rare endemic plant species in the Monterey Bay area.

The proposed project includes the conservation of the 27.9 acre parcel, through a dedicated conservation easement, and the establishment of a single family home building area for a future buyer within that easement area. The easement is divided into two areas: Area A (7.9 acres) of conservation with limited development and Area B (20 Acres) with strict conservation restrictions. Construction would be limited to one of three pre-established building area options (referred to as Options 1, 2, and 3) within 7.9 acre Area A, which were chosen based on topography and their potential for impacts to Monterey pine. All three building areas options are areas with less than 30 percent slopes and would avoid any impacts to trees on the property. Within the chosen building areas the future property owner will be allowed to construct a single family home and accessory structures, not to exceed 10,000 square feet, and associated support facilities including a driveway, driveway turnaround, parking, and domestic well. Additionally, the property owner would be permitted to construct a 16,800 square-foot leachfield septic area outside of the established building areas Options, but within Area A. Figures 3A, 3B, and 3C illustrate building areas Options 1-3 and the proposed well and septic areas. The property, including Area A, contains environmentally sensitive habitat. Development within any one of the building area options and proposed septic area may impact this habitat. Impact areas are conservatively assumed to be the total square footage of each building area Option plus the septic area which would be a 51,400 square foot total impact area for Option 1, a 71,300 square foot impact area for Option 2, or a 70,050 square foot impact area for Option 3.



However, impacts are anticipated to be less than the total assumed impacted square footage as the areas actually impacted would only include up to 10,000 square feet of building area (plus 100 foot fire clearance around those buildings), driveway, driveway turnaround, parking, domestic well, and the 16,800 square foot septic area. A portion of Area A will be subject to prohibited uses and restrictions provided in the conservation easement for the protection of habitat, and all undeveloped portions of Area A will be preserved.

Within Area B, no new development, other than any future proposed improvements to an existing cell tower within the easement for that facility, would be allowed. No cell tower improvements are proposed or included in this project description.

While the area of the project site on which construction would be allowed is limited, the building areas Options and proposed septic area still support maritime chaparral. In order to mitigate the impacts to the environmentally sensitive habitat area, the property owner shall be required to agree to a conservation easement, dedicated to BSLT in perpetuity, to be maintained on the entire 28 acre parcel. The conservation easement would outline prohibited uses and restrictions throughout the entire property for the protection of biological resources. The types of restricted or prohibited uses would include, but not be limited to, the following activities:

- Any use or activity that would degrade or impair the conservation value or purpose of the conservation easement;
- Unseasonable watering and use of agricultural chemicals;
- Off-road vehicle use;
- Agricultural activity;
- Recreational activities;
- Commercial, industrial, residential or institutional uses, except as allowed in the HCA – Limited Development;
- Division or subdivision of the Property;
- Construction of buildings, except as allowed in the HCA – Limited Development;
- Depositing or accumulation of soils, trash or other waste materials;
- Planting or introducing non-native species;
- Mineral extraction of any kind;
- Removal or destruction of trees, shrubs or other vegetation except as required by law or as needed for Area A – HCA – Limited Development; and,
- Manipulation or alteration of any watercourse or body of water on property.

The maritime chaparral on the site, including building areas Options 1, 2, and 3 and the proposed septic area, is dominated by woolly-leaf manzanita (*Arctostaphylos tomentosa*) and chamise (*Adenostoma fasciculatum*). Other native plants common in this plant community, include Hooker's manzanita (*Arctostaphylos hookeri* ssp. *hookeri*), bush monkeyflower (*Mimulus aurantiacus*), blue blossom (*Ceanothus thyrsiflorus*), wart-leaf ceanothus (*Ceanothus papillosus*), Monterey ceanothus (*Ceanothus rigidus*), toyon (*Heteromeles arbutifolia*), California coffee berry (*Frangula californica*), wavy-leaf silk-tassel (*Garrya elliptica*), California huckleberry (*Vaccinium ovatum*), golden chinquapin

(*Chrysolepis chrysophylla* var. *minor*), coyote brush (*Baccharis pilularis*), western poison oak (*Toxicodendron diversilobum*), and the occasional canyon live oak (*Quercus chrysolepis*).

The site's high quality wildlife habitat provides foraging and nesting opportunities for many bird species including California quail (*Callipepla californica*), California thrasher (*Toxostoma redivivum*), and spotted towhee (*Pipilo maculatus*). Small mammals expected to occur include brush rabbit (*Sylvilagus bachmanii*), Botta's pocket gopher (*Thomomys bottae*), and deer mouse (*Peromyscus maniculatus*). Reptiles/amphibians expected to occur include southern alligator lizard (*Gerrhonotus multicarinatus*), western fence lizard (*Sceloporus occidentalis*), Pacific slender salamander (*Batrachoseps attenuatus*), gopher snake (*Pituophis melanoleucus*), king snake (*Lampropeltis zonata*), and terrestrial garter snake (*Thamnophis elegans*).

- a.-b. **Sensitive Natural Communities.** Maritime chaparral, which covers the majority of the project site including Areas A and B, is considered sensitive habitat according to the CDFW and the Carmel Area LUP, where it is referred to as "Chamise-Monterey Manzanita dwarf coastal chaparral." The LUP states that sensitive habitat "shall be protected, maintained and, where possible, enhanced and restored." Specific policies direct development to avoid sensitive areas, retain contiguous undisturbed areas, cluster development, minimize vegetation removal and land disturbance, and use native species in landscaping.

Future development as described above can be expected to impact this sensitive natural community. The parcel is also located in a very high wildfire zone, and is subject to maintaining a 100-foot vegetation clearance around residential structures to reduce fuel loads, which was assumed in the maximum impact area total for each building areas Option (51,400 square foot total impact area for Option 1, a 71,300 square foot impact area for Option 2, or a 70,050 square foot impact area for Option 3).

The project site also contains riparian habitat; however, as previously discussed, both the intermittent stream and ephemeral drainage are located in Area B, not within Area A which contains the three building area Options and septic area. Thus, no on-site riparian habitat will be impacted by the proposed project.

Direct loss of maritime chaparral due to any ground disturbance/vegetation removal associated with future development of the proposed improvements in Area A is a potentially significant impact. Implementation of the mitigation measure below will reduce this impact to a less-than-significant level.

**Future developer(s) and the property owner shall be responsible for the implementation of all mitigation measures in the this Section of this Initial Study, subject to monitoring by the Monterey County Resource Management Agency**

**Mitigation Measure #1:**

*Prior to issuance of any grading or building permit, all impacted maritime chaparral habitat (including vegetation removal areas required for fire clearance) shall be quantified and mitigated at a minimum 1:1 acreage ratio by preserving this sensitive habitat on the site.*

*If full on-site mitigation of maritime chaparral habitat is not feasible and off-site mitigation is necessary, a minimum 2:1 acreage mitigation ratio for off-site mitigation shall be required. Off-site areas will be located in the vicinity of the site and shall be selected in coordination with a Monterey County-approved biologist and reported to the Monterey County Resource Management Agency for their files.*

*The mitigation area(s) shall be capable of supporting high quality maritime habitat. Sensitive habitat mitigation for maritime chaparral and special status plant impacts can be accomplished in the same mitigation area(s).*

*The applicant or property owner shall be responsible for the implementation of this mitigation measure, subject to monitoring by the Monterey County Resource Management Agency.*

**Monitoring Action #1.** Prior to issuance of any grading or building permit, the applicant or property owner with the assistance of a County approved biologist, shall determine the impact acreage of affected maritime chaparral habitat and shall identify the required mitigation acreage on or off the site as set forth in Mitigation Measure BIO-4. Prior to final approval of the building permit, the applicant, or property owner shall report the mitigation area and acreage to the Monterey County Resource Management Agency.

**Special-Status Species.** Special-status species are those listed as Endangered, Threatened, or Rare, or as candidates for listing by the U.S. Fish and Wildlife Service (USFWS) and/or CDFW; or those listed as Rare Plant Rank 1B or 2B species by the California Native Plant Society (CNPS). This designation also includes CDFW Species of Special Concern and Fully Protected species. Special-status species are generally rare, restricted in distribution, declining throughout their range, or have a critical, vulnerable stage in their life cycle that warrants monitoring.

A search of the CDFW *California Natural Diversity Database* was conducted for the Monterey, Marina, Seaside, Mount Carmel, and Soberanes Point USGS quadrangles in order to evaluate potentially occurring special-status species in the project vicinity. Records of occurrence for special-status plants were reviewed for those same USGS quadrangles in the CNPS *Inventory of Rare and Endangered Plants*. A USFWS threatened and endangered species list was also generated for Monterey County.

**Special-Status Plants.** Three CNPS Rare Plant Rank 1B species occur on the site: Hooker's manzanita, Monterey cypress (*Hesperocyparis macrocarpa*), and Monterey pine; numerous Hooker's manzanita shrubs and Monterey pine trees are present, along with an occasional small Monterey cypress. According to the Carmel Area Land Use Plan (LUP),

the CNPS “watch list” species Monterey ceanothus is a locally rare special-status plant; it also occurs on the site.

Several federally and/or state-listed Endangered or Threatened species have potential to occur on the site, including Monterey gilia (*Gilia tenuiflora* ssp. *arenaria*), Monterey spineflower (*Chorizanthe pungens* var. *pungens*), robust spineflower (*Chorizanthe robusta* var. *robusta*), seaside bird's-beak (*Cordylanthus rigidus* ssp. *littoralis*), and Yadon's rein orchid (*Piperia yadonii*). Several additional CNPS Rare Plant Rank 1B species have potential to occur on the site, including Eastwood's goldenbush (*Ericameria fasciculata*), Hickman's onion (*Allium hickmanii*), Hutchinson's larkspur (*Delphinium hutchinsoniae*), Kellogg's horkelia (*Horkelia cuneata* var. *sericea*), Pajaro manzanita (*Arctostaphylos pajaroensis*), pine rose (*Rosa pinetorum*), Pinnacles buckwheat (*Eriogonum nortonii*), sand-loving wallflower (*Erysimum ammophilum*), sandmat manzanita (*Arctostaphylos pumila*), and Toro manzanita (*Arctostaphylos montereyensis*). Given the high endemism of rare plants in the region, and the high quality native habitat existing on the site, there is low potential for other special-status plant species to occur on the site.

Direct loss of special-status plants due to ground disturbance associated with future development of the proposed improvements within Options 1, 2, or 3 of Area A is assumed and is, therefore, considered a potentially significant impact. Implementation of the voluntary conservation easement over the entire property, as well as specific on-site and off-site habitat mitigation set-a-side as detailed in Mitigation Measure BIO-1 in conjunction with the following mitigation measures would reduce this impact to a less-than-significant level.

**Mitigation Measure #2:**

*To protect special-status plants, the presence of special-status plant species with potential to occur in proposed development impact areas (including required fuel reduction/fire clearance areas) is assumed.*

*The applicant shall retain a Monterey County-approved biologist to prepare a restoration plan for the project that includes special-status plants known to occur in the vicinity. The restoration plan shall be prepared and provided to the Monterey County Resource Management Agency prior to issuance of any grading or building permit. This restoration plan shall be prepared separately and in addition to the landscaping plan required in AES-1.*

*The restoration site(s) shall be located within on-site native landscaping portions of the limited development area, within on-site previously disturbed areas of the strict conservation area, or within an off-site maritime chaparral habitat location in the vicinity of the project site that is placed under a conservation easement for these mitigation purposes. The mitigation site(s) shall be selected in coordination with a Monterey County-approved biologist and reported to the Monterey County Resource Management Agency.*

*The restoration plan shall identify the size and location of the mitigation site(s), determine appropriate restoration techniques including native seed/plant sources and transplantation/propagation methods, describe long-term site maintenance activities, establish restoration success criteria, define an adequate long-term restoration monitoring program, and provide an implementation schedule.*

*The applicant or property owner shall be responsible for the implementation of this mitigation measure, subject to monitoring by the Monterey County Resource Management Agency and native plant materials shall be installed at the mitigation site(s) per the restoration plan specifications at the property owner's expense.*

**Mitigation Measure #2b:**

*To mitigate for impacts to special-status plants, the project restoration plan described in Mitigation Measure Bio-2a shall be implemented within one year from the start of construction/initiation of site preparation and disturbance activities, and shall continue for as long as the specified maintenance and monitoring activities are required by the restoration plan.*

*The applicant shall contract with a County approved qualified biologist or native plant specialist to collect seed from or salvage special-status plants located within impact areas prior to initiation of ground disturbance activities, as specified by the restoration plan. If needed to supplement plant replacement efforts, container plants grown from a local seed source may be obtained from a native plant nursery.*

*The mitigation site(s) shall be preserved in perpetuity by conservation easement.*

*The applicant or property owner shall be responsible for the implementation of this mitigation measure, and shall provide monitoring reports to the Monterey County Resource Management Agency for their files.*

**Monitoring Action #2.** Prior to issuance of any grading or building permit, the applicant or property owner with the assistance of a County approved biologist, shall prepare a restoration plan to implement special-status plant species propagation/salvage/installation activities in identified restoration/mitigation areas. The restoration plan shall be submitted to the Monterey County Resource Management Agency prior to issuance of any grading or building permits and implementation of the plan shall be monitored and reported to the agency as described by the plan.

**Nesting Migratory Birds and Raptors.** Habitats present on and adjacent to the project site have the potential to provide breeding habitat for nesting birds protected by the California Fish and Game Code and/or the federal Migratory Bird Treaty Act. If any active nest(s) of protected bird species should occur on or adjacent to the site, then vegetation clearing, site preparation, and noise-generating construction activities associated with future improvement/development conducted during the bird nesting season (February 1 to September 15) could result in bird nest failure/abandonment. This is a potentially

significant impact. Implementation of the mitigation measure below will reduce this impact to a less-than-significant level.

**Mitigation Measure #3:**

*If construction activities begin during the bird nesting season (February 1 to September 15), or if construction activities are suspended for at least two weeks and recommence during the bird nesting season, then the applicant shall retain a Monterey County-approved biologist to conduct pre-construction surveys for nesting birds. The surveys shall be performed within suitable nesting habitat areas in and adjacent to the site to ensure that no active nests would be disturbed during project implementation.*

*Surveys shall be conducted no more than two weeks prior to the initiation of construction activities. A report documenting survey results and a plan for active bird nest avoidance (if needed) shall be completed by the project biologist and submitted to the Monterey County Resource Management Agency for review and approval prior to construction activities.*

*If no active bird nests are detected during the survey, then project activities can proceed as scheduled. However, if an active bird nest of a protected species is detected during the survey, then a plan for active bird nest avoidance shall determine and clearly delineate an appropriately sized, temporary protective buffer area around each active nest, depending on the nesting bird species, existing site conditions, and type of proposed construction activities. The protective buffer area around an active bird nest is typically 50-300 feet, determined at the discretion of the project biologist.*

*To ensure that no inadvertent impacts to an active bird nest shall occur, no construction activities shall occur within the protective buffer area(s) until the juvenile birds have fledged (left the nest), and there is no evidence of a second attempt at nesting, as determined by the project biologist.*

*The applicant or future developer(s) shall be responsible for the implementation of this mitigation measure, subject to monitoring by the Monterey County Resource Management Agency.*

**Monitoring Action #3.** Prior to construction activities that will begin or recommence during the bird nesting season (February 1 to September 15), the applicant or future owner, with assistance from a County approved biologist, shall implement the pre-construction nesting bird survey and active nest avoidance and protection requirements set forth in Mitigation Measure BIO-3. This includes preparation of a results report to be provided to the Monterey County Resource Management Agency prior to construction.

**Special-Status Wildlife.** Although not observed on the site, the property has potential to support special-status wildlife including CDFW Species of Special Concern coast horned

lizard (*Phrynosoma blainvillii*), and silvery legless lizard (*Anniella pulchra pulchra*). The few special-status bird species that may utilize the site would not be impacted during proposed project implementation due the nesting bird surveys that are required prior to disturbance (see above). Direct loss of coast horned lizards, and/or silvery legless lizards due to ground disturbance associated with future improvement/development is a potentially significant impact; implementation of the below mitigation measure will reduce this impact to a less-than-significant level.

**Mitigation Measure #4:**

*During any initial ground disturbance activities such as vegetation removal and site preparation/grading, the applicant shall retain a Monterey County-approved biologist to perform biological construction monitoring for potentially occurring special-status coast horned lizards, and silvery legless lizards.*

*If any special-status wildlife species are observed within the impact areas by the project biologist, work in the immediate vicinity of the observation shall be halted until the wildlife safely moves away from construction activities on its own. The project biologist will not handle or relocate any individuals unless CDFW approval to do so has been obtained for the project.*

*The applicant, or future developer(s), shall be responsible for the implementation of this mitigation measure, subject to monitoring by the Monterey County Resource Management Agency.*

**Monitoring Action #4.** During any initial ground disturbance activities, the applicant or future developer(s) shall implement the special-status reptile monitoring and avoidance requirements set forth in Mitigation Measure BIO-4.

- c. **Wetlands/Waterways.** Area B of the project site contains two natural streams, one intermittent stream and one ephemeral drainage that are likely under the jurisdiction of the U.S. Army Corps of Engineers (USACE), CDFW, and Regional Water Quality Control Board (RWQCB). The streams are included on the USFWS *National Wetlands Inventory*, and are shown in Figure 2. One intermittent stream is located in the northeast portion of the site, flowing north, and contains riparian vegetation. The other is a narrow, steep ephemeral drainage in the southwest portion of the site with little riparian vegetation, connecting to Gibson Creek to the west.

As shown in Figure 2, Aerial Photograph, both drainages are located outside of Area A, and thus away from the proposed building areas options, and are located some distance from the existing cell tower facility. Any future improvements to the cell tower facility and future construction of the residential uses including the proposed well site, septic tank, piping and leachfield would not result in impacts to these riparian resources. Thus, the proposed project would not result in any impacts to the two on-site streams (or to any associated riparian habitat) that are likely waterways under the jurisdiction of the USACE, CDFW, and RWQCB. No mitigation is required.

- d. **Wildlife Movement.** Wildlife movement corridors generally provide connectivity between habitat areas, enhancing species richness and diversity, and usually also provide cover, water, food, and breeding sites. Impacts from development, such as habitat fragmentation or creation of impassable barriers can impact the quality and functional value of wildlife corridors. Though the on-site maritime chaparral habitat is extremely dense, local wildlife movement across the site is likely facilitated by existing roads, trails, and streams. While the proposed project may ultimately affect some movement corridors, the two on-site streams will not be affected and the majority of the property will remain undeveloped habitat. Further, implementation of the conservation easement in conjunction with the mitigation measures will reduce the impacts to wildlife movement to less than significant by preserving habitat within which wildlife occurs. No additional mitigation is required.
  
- e. **Local Biological Resource Policies/Ordinances.** Although no trees are proposed for removal based on the preliminary location of the proposed improvements, a discussion is included here for informational purposes. According to the CIP, Section 20.146.060 – Forest Resources Development Standards, a Forest Management Plan is required for the removal of native trees within the coastal zone. Native trees to be removed that are 12 inches or more in diameter at breast height (DBH) must be replaced on the site. Riparian corridor trees and landmark trees (any native trees which are 24 inches or more in DBH) receive special protection (where removal generally requires more compensatory mitigation). Compliance with the provisions of CIP Chapter 20.146 would reduce any unanticipated impacts of the removal of native trees to a less-than-significant level. No mitigation is required.
  
- f. **Habitat Conservation Plans.** The project site is not located within the boundaries of an adopted Habitat Conservation Plan or Natural Community Conservation Plan. Therefore no habitat conservation plan conflicts/impacts would occur and no mitigation is required.

5. CULTURAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: 3, 8, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: 3, 8, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: 3, 8, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries? (Source: 3, 8, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion/Conclusion**



A “Preliminary Archaeological Reconnaissance”, prepared for the project by Archaeological Consulting on June 5, 2014, found no known archaeological or cultural resources present in the project area. The preliminary archaeological reconnaissance included archival research and a field investigation conducted on June 3, 2014. No records were revealed through the archival research and no indicators of potentially significant cultural and/or archaeological resources were observed on the project site during the field survey. The archaeologist recommends that the project should not be delayed for archaeological reasons.

*Cultural Resources 5 (a) No Impact:*

There are no structures on the project site. Therefore, the proposed project would not affect historic architectural resources or known historic archaeological resources associated with previous development of the site.

*Cultural Resources (b, c & e) – Less Than Significant Impact:*

Although there is no evidence of potentially sensitive cultural and/or archaeological resources, including human remains, present on the project site, there is the possibility of a discovery of archeological resources during construction. The County applies standard conditions of approval requiring all construction activities stop if archeological resources are found during construction activities. Compliance with the County’s standard conditions of approval would ensure that potential impacts to archaeological resources, including human remains, would be less than significant.

There are no known paleontological resources on the project site and the geotechnical report did not identify unique geological features or alluvial substrate within which fossils are known to be present. In the unlikely event that paleontological resources are found during construction activities, compliance with the County’s required standard conditions of approval would ensure that potential impacts to undiscovered paleontological resources would be reduced to a less-than-significant level.

6. GEOLOGY AND SOILS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>Would the project:</u>					
a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: (Source: 3, 8, 11)				
	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil? (Source: 3, 8, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. GEOLOGY AND SOILS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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: 3, 8, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source: 3, 8, 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: 3, 8, 11)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

The Carmel Land Use Plan identifies high geologic hazard areas within 1/8 mile of an active or potentially active fault. The nearest known potentially active fault line is the San Gregorio-Palo Colorado (Sur) Fault, located approximately 3.4 miles to the southwest. This fault is a Type B fault and is not expected to produce earthquakes and ground shaking at the intensity that the Type A San Andreas Fault is capable of. The project is located in a moderate seismic zone and within an area that is identified on LUP Map D as a “relatively unstable upland area”. LUP Policy 2.7.3.1 requires the preparation of geotechnical reports in any area of the coastal zone that is identified as a high hazard area. As noted earlier, a geotechnical report assessing the geotechnical conditions on the site was prepared by Haro, Kasunich, and Associates, Inc. The geology and soils analysis is based on this geotechnical report.

**Conclusion:**

*Geology and Soils a (i, iii, iv), b, c, & d – Less Than Significant:*

According to the geotechnical report, no known faults cross the site and it is not within an Alquist-Priolo Earthquake Fault Zone. Thus, there would be no anticipated impacts related to the potential exposure of people or structures to fault rupture.

The geotechnical report notes that strong seismic shaking typical to California is possible within the project site area. However, structural designs must comply with the seismic design criteria of the most recent version of the California Building Code in effect at the time of application. Additionally, the soil materials on the project site are firm to hard granitic material and the potential for liquefaction is low. Thus, the potential for impacts related to seismic shaking and seismic related ground failure such as liquefaction are less than significant.

Although there is a potential for landslides on the steep slopes within the subject property, according to the geotechnical report, conditions on the site are generally suitable for development. Per LUP Policy 2.7.4.5, development would be limited to areas with slopes less than 30 percent

where the risk of landslides would be low. Thus, the potential for exposure of people or structures to adverse effects related to landslides are less than significant.

According to the geotechnical report, erosional rills and gullies have formed on the proposed project site due to concentrated runoff from the exposed dirt road beds. Grading and construction activities associated with the proposed project could exacerbate these conditions or generate erosion in new areas through exposure of soils to the corrosive effects of wind and rainfall during construction. To control erosion, applicants and/or developers are also required to prepare erosion control plans that detail appropriate methods to prevent and/or minimize erosion during all phases of a new project. Erosion control plans also are subject to review and approval by the Resource Management Agency Building Division prior to the issuance of building permits. Compliance with LUP policies and standard conditions of project approval ensures that project-related increases in the risks of injury or property damage from unstable soils is less than significant.

*Geology and Soils (e) – Less than Significant with Mitigation:*

The geotechnical report indicates that expansive soils may be present in areas of the project site that have been preliminarily identified as suitable for development of the proposed single-family residence, well, and septic system. Due largely to the preliminary location of the proposed single-family residential building areas, the report recommends further investigation of on-site soils during the design stage to identify structural design and construction criteria to reduce the likelihood that future development would be exposed to potential impacts related to expansive soils. LUP Policy 2.4.4.B.5 dictates that slopes in excess of 30 percent shall not be graded for septic and leach-field use. The County Code Chapter 15.20 further requires that installation of a leach field either in or within 50 feet of 30 percent or greater slopes also would require review and approval by both the County Health Department and State Regional Water Quality Control Board. However, the proposed septic system and leach field sites would not be located in an area with a substantial slope or within 50 feet of a 30 percent slope where it would be exposed to the risks of landslides.

The design and installation of the septic system will incorporate as structural design recommendations from the Septic and Geotechnical Feasibility Reconnaissance Report by Haro, Kasunich, and Associates, Inc. as permit conditions, including: structure and septic setbacks from steep southwest facing slopes, founding structures in firm native material, not fill, and checking soils for expansive potential at the design stage. According to the geotechnical report, insufficient percolation rates for septic systems are common in the Carmel Highlands due to underlying dense granitic materials. The report acknowledges that the hard granitic soil materials on the site hard may produce low percolation rates; however, the engineer notes that sufficient fracturing of the earth material in the vicinity of the proposed septic areas may be present to allow for positive percolation rates. The report confirms that percolation tests at various depths in accordance with the Monterey County Environmental Guidelines in the proposed area would confirm the feasibility of the proposed septic system and leach field locations relative to sloped areas of the site. Implementation of the following mitigation measures in addition to compliance with the LUP policies and CIP regulations for the placement, design, and construction of septic systems would reduce the impact to less than significant.

**Future developer(s) and the property owner shall be responsible for the implementation of all mitigation measures in the this Section of this Initial Study, subject to monitoring by the Monterey County Resource Management Agency**

**Mitigation #5:**

*A percolation test shall be conducted by the future developer or property owner to determine if soils are capable of supporting the use of a standard septic system and leach field for the purpose of disposing wastewater from the single-family residence.*

**Monitoring Action #5** Prior to the onset of grading activity, the percolation test results and shall be submitted for review and approval by RMA Planning Department, RMA Environmental Services and Environmental Health Bureau. Should very low rates result or there is insufficient space relative to setbacks, an alternative shallow treated drip system design shall be prepared and submitted to the Monterey County Environmental Health Department for review and approval.

7. GREENHOUSE GAS EMISSIONS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Source 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

Greenhouse gases such as Carbon Dioxide and Methane contribute to the “ozone” effect that leads to global warming. Generally, development of an existing lot of record for residential purposes is not a significant contributor to the global problem; however, the project will involve the temporary and stationary sources that generate minor amounts of greenhouse gas emissions.

**Conclusion:**

*Greenhouse Gas Emissions (a, b) – Less than Significant Impact*

Monterey County does not have an adopted plan for the reduction of greenhouse gases. Preparation of such a plan has begun but is not yet applicable. Instead, the project is considered in terms of the multiple state and federal laws passed regarding this subject. It is difficult to implement the goals of the various legislations on a small project level basis such as this one. Rather climate action plans are being developed and the Office of Planning and Research (OPR) recommends that each jurisdiction establish their own thresholds of significance. The MBUAPCD has not yet adopted formal thresholds of significance for GHG emissions, the district has informally recommended that local lead agencies consider using thresholds of significance for operational emissions adopted by the San Luis Obispo County Air Pollution Control District (SLOAPCD) as described in its *CEQA Air Quality Handbook, a Guide for Assessing the Air Quality Impacts for Projects Subject to CEQA Review*. However, neither district has adopted thresholds specific to emissions resulting solely from construction. General screening criteria used by the SLOAPCD to determine the type and scope of projects requiring an air quality assessment, and/or mitigation, are presented in the

handbook, Table 1-1, Operational Screening Criteria for Project Air Quality Analysis. Projects smaller than the listed screening criteria size would have a less than significant impact on air quality and would not require further quantified analysis. According to the SLOAPCD handbook, the minimum screening criteria for operational emissions is 49 single-family residences. The proposed project includes one single-family residence, guest house, accessory structures, and cell tower improvements which is significantly under the 49 single-family residence screening threshold for operational emissions.

For the stationary sources, current building codes require new development to use energy efficient furnaces and water heaters to comply with Title 24. The applicant is also encouraged to consider the use of solar panels (preferably roof mounted) to help generate electricity for the proposed dwellings and off-set some additional stationary source impacts.

All of these impacts are anticipated to provide minuscule and nearly immeasurable contributions of greenhouse gases when viewed in connection with the global contributions on a cumulative basis. It is not anticipated that greenhouse gases generated by the proposed project would have a significant impact on the ozone or the environment. *Therefore, impacts to greenhouse gases are less than significant.*

8. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: 1, 3, 4, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: 1, 3, 4, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: 1, 3, 4, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: 1, 3, 4, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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, 3, 4, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 1, 3, 4, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: 1, 3, 4, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:**

**Hazards and Hazardous Materials**

The property is located in a remote area above the residential community of the Carmel Highlands to the west. The site is predominantly covered with Coastal dwarf chaparral consisting of shaggy bark manzanita, ceanothus, and other high fire load chaparral plant species.

**Conclusion:**

*Hazards and Hazardous Materials 7 (a-g) – No Impact*

The proposal involves residential development where there would be no use of hazardous materials that would constitute a threat of explosion or other significant release that would pose a threat to neighboring properties. The project, given the nature of its proposed use, would not involve the transport, use, or disposal of any hazardous materials. There are no known hazards or hazardous materials associated with this project. The proposed residence would not involve stationary operations, create hazardous emissions or handle hazardous materials. The site location and scale have no impact on and adopted emergency response or emergency evacuation plans. The site is not located near an airport or airstrip. *Therefore, the proposed project will have no impact to Hazardous materials or emissions that could expose people working or residing in the area hazardous or unsafe conditions.*

*Hazards and Hazardous Materials 7 (h) – Less than Significant Impact*

According to the CalFire Fire Hazard Severity Zone Maps for Monterey County, the proposed project site is located in a very high fire hazard area. The Monterey County Resource Management Agency and California Department of Forestry Carmel Highlands Fire District provide basic fuel reduction standards including the maintenance of a defensible space of 100 feet from structures. The intensity of fire clearance would vary within the 100 foot area with the most intense clearance within the first 30 feet around the structure. Further, the residence must be constructed in conformance with the latest version of the uniform building code criteria for fire safety and adhere to LUP/CIP policies. LUP/CIP construction standards include the use of fire-resistant construction materials for exterior walls and roofs; adequate water availability for fire suppression; and highly visible house numbers or other identifiers posted on the property. Additionally, the LUP requires

road construction to meet Department of Public Works roadway standards for emergency access, taking into account adjustments to minimize hillside scarring and cut and fill operations. These policies are implemented through the review of improvement plans by the Department of Public Works and the Building Services Department, and as standard conditions of approval. Ongoing fuel reduction strategies such as fire clearance and weed abatement around structures are the responsibility of the owner and are typically monitored by the local fire department on an annual basis. *Compliance with these standard conditions of approval ensures that any project impacts related to wildland fire safety are less than significant.*

9. 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: 11, 17)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Source: 11, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: 11, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: 11, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 11, 17)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f)	Otherwise substantially degrade water quality? (Source: 11, 17)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source: 11, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: 11, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

9. 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: 11, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j)	Inundation by seiche, tsunami, or mudflow? (Source: 11, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

The LUP allows for the construction of new wells provided that the well would not adversely affect both the natural supply necessary to maintain the environment, including wildlife, fish, and plant communities, and groundwater supplies available to meet the minimum users’ needs during the driest year (Policy 2.4.4.A. 2).

**Conclusion:**

*Hydrology and Water Quality 9 (d, g-j) - No Impact*

The overall drainage pattern of the site will remain largely unchanged. As discussed in Section VI.4, Biological Resources, due to the proposed project’s distance relative to the two riparian areas on the site, the proposed improvements would not affect riparian areas, and thus would not result in flooding impacts to these streams.

According to the Federal Emergency Management Agency (FEMA) flood insurance maps, the project site is not located within an identified 100-year flood hazard area, and thus would not expose people or structures to a significant risk of loss, injury or death involving flooding. The project site is not at risk of inundation by seiche, tsunami, or mudflow.

*Hydrology and Water Quality 9 (b, c) – Less than Significant Impact*

The proposed project includes installation of a test well and new domestic groundwater well on the project site. The proposed well site was chosen based on a Hydrological Assessment prepared by Beirman Hydrogeologic that determines this location contains suitable structural hydrology for potential groundwater production. A test well and pump test demonstrating adequate water to support the natural supply and to meet the minimum users’ need during the driest year would be required as a domestic well permit condition. At the County’s discretion, the applicant may be required to support the well permit application through certification by a consultant, deemed qualified by the County, that there is adequate water supply. Thus, with adherence to county conditions and LUP/CIP policies, the impacts to the groundwater table would be less than significant.

The overall drainage pattern of the site will remain unchanged, with some modification to existing localized interior drainage areas within both Area A and Area B. Due to the project site’s distance relative to the two drainages on the site, runoff from future development of the proposed improvements would not affect the drainage courses. Therefore, the proposed project would not result in water quality impacts to these streams. However, the proposed project would increase



the amount of impervious surfaces on the project site as a result of the potential construction and operation of a residential home, guest house, and ancillary structures, which could increase the volume of surface water runoff. The increase in runoff, especially during construction related vegetation removal and grading, could expose bare soils to the erosive effects of wind and rain which has the potential to transport pollutants and silt down-slope from the proposed improvement areas.

However, one single-family residence, ancillary structures, and access roads would not generate substantial increases in runoff that would result in significant impacts, unless it is located by a stream or drainage that could convey sediments and urban pollutants to off-site areas, or could result in significant erosion into those areas. There are no streams and drainages that lead off site in proximity to the proposed location of the single-family residence and erosion control measures will be in place to prevent significant erosional impacts. Therefore, operational impacts related to the single family home and ancillary structures within Area A would be less than significant.

Hydrology and Water Quality 9 (a, e, f) – Less than Significant with Mitigation Incorporated

The proposed project includes the future construction of an on-site septic and leach-field system which could negatively affect water quality and potentially violate water quality standards.

The preliminary location of the proposed septic system and leach fields were determined based upon topography, appropriate setbacks, and underlying soil conditions identified in the geotechnical report prepared for the proposed project to adequately protect water quality. The proposed project is subject to compliance with the Monterey County Health Department placement, design, construction and performance standards for residential septic systems and leach fields. The geotechnical report explains that insufficient percolation rates for septic systems are common in the Carmel Highlands due to underlying dense granitic materials. The report acknowledges that the granitic soil materials on the could potentially produce low percolation rates; however, the engineer found that sufficient fracturing of the earth material in the vicinity of the proposed septic areas may be present to allow for positive percolation rates. If low percolation rates are found, the geotechnical report notes that an alternative shallow treated drip wastewater treatment system may be required, subject to the review and approval of the Monterey County Health Department.

Because the soils at the project site may be incapable of supporting a standard septic and leach field system, contamination of surface areas with untreated sewage in violation of wastewater discharge requirements could result from septic and leach field failure. Therefore, the following mitigation measures and compliance with the Monterey County Health Department standards for the placement, design, and construction of septic systems, would reduce the impact to less than significant.

**Future developer(s) and the property owner shall be responsible for the implementation of all mitigation measures in the this Section of this Initial Study, subject to monitoring by the Monterey County Resource Management Agency**

**Mitigation Measure #6:**

*The developer or property owner shall identify on the proposed site plan for the single-family residence, the final location(s) of the proposed leach field in compliance with LUP*

*policy 2.4.4.B.6, which states “Dual leach fields shall be required for any new development in Carmel Highlands and other areas in the Carmel Coastal Segment which are not expected to be served by sewers or package treatment plants”. The site plan shall be submitted to the Monterey County Health Department for review and approval. If the results of the percolation testing required by Mitigation Measure #5 (geology) indicate that a standard leach field disposal of wastewater is infeasible on the project site, the developer or property owner shall prepare an alternative wastewater treatment system that meets Monterey County Health Department standards for the construction, maintenance and operations of residential wastewater treatment and disposal facilities.*

**Mitigation Monitoring #6** Prior to the future development entitlements, final location(s) of the design and type of sewage disposal system shall be approved by the Monterey County Environmental Health Bureau.

Ongoing maintenance, or lack thereof, of access roads across both Area A and Area B could lead to erosion impacts over the long term. Grading activities associated with maintenance of unpaved roads could result of transportation of sediment and silt into both drainages during wet weather. Limiting grading related to road maintenance activities to dry weather would minimize transportation of sediments into the streambeds and ensure that these impacts would be less than significant.

Construction-related water quality degradation is regulated by the National Pollutant Discharge Elimination System (NPDES) program, which was established by the Clean Water Act. In California, the Regional Water Quality Control Board (RWQCB) administers the NPDES program. Projects that would disturb more than one acre of land during construction are required to file a notice of intent to be covered under the State NPDES General Construction Permit for discharge of storm water associated with construction activities. Although project-specific information is not yet available to define the duration and/or extent of proposed construction activities, for the purposes of this analysis, it is assumed that more than one acre of land would be disturbed during the construction of the proposed improvements and thus a NPDES Construction General Permit would be required by the County as a standard condition of approval. Best management practices (BMPs) would be implemented to reduce water quality impacts on downstream water bodies, including certain activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs could include use of temporary erosion management measures such as silt fences, stacked straw bales, and sandbag dikes as well as longer-term measures, such as establishment of grass and other vegetative cover as soon as possible following disturbance. Additional BMPs may also be required for fuel and construction material storage during construction. BMPs also include treatment requirements and operating procedures. Additionally, new development is subject to the preparation of erosion control plans per the County Erosion Control Ordinance, County Code Chapter 16.08 through 16.12. Ongoing maintenance of unpaved roads on all areas of the project site is subject to conformance to the County’s Erosion control Ordinance.

To ensure that the future development associated with the proposed project is consistent with the Carmel Area LUP policies, the NPDES program, and the County’s Erosion Control ordinance, and

thereby reducing potential construction water quality impacts to a less-than-significant level, the following mitigation measure will be implemented:

**Mitigation Measure #7:**

*The property owner or developer shall prepare and file a Notice of Intent (NOI) to the RWQCB and submit a Storm Water Pollution Prevention Plan (SWPPP) to the County Resource Management Agency prior to grading activities. The future developer or property owner shall implement control measures that are consistent with the State Construction Storm Water General Permit and with recommendations and policies of the local agency and the Regional Water Quality Control Board. The SWPPP required by the State Construction Storm Water General Permit shall include storm water BMPs to control runoff, erosion and sedimentation from the site. The SWPPP will describe how to achieve two major objectives:*

- a. *To help identify the sources of sediments and other pollutants that affect the quality of storm water discharges; and*
- b. *To describe and ensure the implementation of practices to reduce sediment and other pollutants in storm water discharges.*

*The SWPPP must include Best Management Practices, which address source reduction and, if necessary, shall include practices that require treatment. It should be consistent with the terms of the State Construction Storm Water General Permit policies and recommendations of the County’s urban runoff program and recommendations of the RWQCB.*

**Monitoring Action #7:** Prior to issuance of a grading permit for grading activities, the future developer or owner shall submit a Storm Water Pollution Prevention Plan (SWPPP) to the County Resource Management Agency for review and approval.

10. LAND USE AND PLANNING		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<u>Would the project:</u>					
a)	Physically divide an established community? (Source 2, 3, 4, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Source 2, 3, 4, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source 2, 3, 4, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: (See Sections II and IV A.2)

11. MINERAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation: (See Sections II and IV A.3)

12. NOISE		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:					
a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Source 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: 11)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See Sections II and IV A.4 of this Initial Study.

13. POPULATION AND HOUSING		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 1, 2, 3, 4, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: 1, 2, 3, 4, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: 1, 2, 3, 4, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See Sections II and IV A.5 of this Initial Study.

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

**Discussion/Conclusion/Mitigation:**

See Sections II and IV A.6 of this Initial Study.

15. RECREATION		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: 1, 2, 3, 4, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

15. RECREATION		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
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, 2, 3, 4, 14)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:**

See Sections II and IV A.7 of this Initial Study

16. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion:**

*Transportation/Traffic (c, d, e, f) No Impact*

The proposed project would not result in change in air traffic patterns, result in inadequate emergency access (refer to Section VI.8), or increase hazards due to a design feature. Additionally, the proposed project will not conflict with the adopted public transit plans or the Monterey County

Regional Transportation Plan, nor will it impact any programs for public transit, bicycle, or pedestrian facilities.

*Transportation/Traffic (a, c) Less than Significant Impact*

Future development of the proposed project would increase the population of the area commensurate with one single-family dwelling. Development of the project site is consistent with the land use designations in the general plan and LUP and is accounted for in the County's projected population and housing growth. Further, the proposed project does not include alterations to existing public roads or generate volume that would require an increase in roadway capacity. The proposed project is consistent with land use and population projections for this area and would not conflict with or obstruct implementation of the Regional Transportation Plan, which is based on regional population growth projections. Construction traffic generated by the proposed project would be limited to that necessary for construction of one single-family residence and related structures would be of temporary duration. *The proposed construction would contribute to congestion on State Route 1; however, this contribution would be less than significant.*

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

**Discussion/Conclusion/Mitigation:**

See Sections II and IV A.8 of this Initial Study.

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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Conclusion:**

*(a) Less Than Significant with Mitigation Incorporated*

The proposed project would not have impacts on agricultural resources and would have less than significant impacts on cultural resources.

The proposed project would have potentially significant impacts on biological resources. The loss of special-status plants and wildlife species due to ground disturbance/vegetation removal associated with future development and potential nest failure/abandonment would be possible. With the implementation of mitigation measures and monitoring actions required in the Biological section, these impacts would be less than significant. Additionally, direct loss of sensitive maritime chaparral and interference with wildlife movement due to ground disturbance/vegetation removal associated with future improvement/development are potentially significant impacts. However, these measures would reduce the impacts to less than significant (Source: IX. 1, 3, 7, 8, 14, & 17).

*(b and c) Less Than Significant*

The project will not result in impacts to land use planning, mineral resources, noise, population/housing, public services, recreation, and utilities/service systems. The proposed project will have less than significant impacts related to hazards and to transportation and traffic. The



proposed project's operational and construction related impacts on regional air quality either individually or cumulatively would be less than significant. The proposed project was significantly below the minimum screening criteria for GHG emissions as described in its CEQA Air Quality Handbook, a Guide for Assessing the Air Quality Impacts for Projects Subject to CEQA Review. Thus, the impacts related to GHG emissions would not be individually or cumulatively significant.

The proposed project will have potentially individually significant impacts on aesthetics, geology and soils, and hydrology.

The project would be potentially visible from public viewing areas within Point Lobos State Natural Reserve, would permanently change the visual character of the project site, and would introduce a new source of light and glare. However, adherence to LUP policies of minimum visibility and CIP design standards, would reduce these impacts to less than significant.

According to the geotechnical report, there is potential for the soils on the property site not to support a standard septic and leach field system which could lead to property damage and contamination of surface areas with untreated sewage. However, implementation of mitigation measures in the Geology section would reduce impacts to the geology and soils to less than significant.

The proposed project would increase the amount of impervious surfaces on the project site and may increase the volume of surface water runoff during construction and operation. However, implementation of mitigation measures in the Hydrology/Water Quality section would ensure that the future development associated with the proposed project would be consistent with the Carmel Area LUP policies, the NPDES program, and the County's Erosion Control ordinance, thereby reducing potential construction water quality impacts to a less than significant level.

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. FISH AND GAME 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 Department of Fish and Game. 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 Department of Fish and Game 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 Department of Fish and Game. Forms may be obtained by contacting the Department by telephone at (916) 631-0606 or through the Department’s website at [www.dfg.ca.gov](http://www.dfg.ca.gov).

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

**Evidence:** Based on the record as a whole as embodied in the Planning Department files pertaining to PLN150805 and the attached Initial Study / Proposed Mitigated Negative Declaration.

## IX. REFERENCES

1. Project Application/Plans (PLN150805)
2. Monterey County 1982 General Plan
3. Carmel Area Land Use Plan
4. Coastal Implementation Plan Part 4 (Regulations for Development in the Carmel Area Land Use Plan Area)
5. Title 20 of the Monterey County Code (Zoning Ordinance)
6. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised June 2008. <http://www.mbuapcd.org/index.cfm/Cat/66.htm>
7. Site Visit conducted by the project planner on February 4, 2016
8. Monterey County Planning Department GIS system and selected property report for Assessor's Parcel Number 416-011-007-000
9. EMC Planning Group. Biological Reconnaissance survey conducted by senior biologist, dated April 18, 2014 (LIB160074).
10. EMC Planning Group. Biological Constraints Analysis survey of project site conducted by senior biologist, dated April 18, 2014 (LIB160074).
11. Septic and Geotechnical Feasibility Reconnaissance letter prepared by Haro Kasunich and Associates, Inc. dated July 1, 2015 (LIB160075)
12. Preliminary Archaeological Reconnaissance prepared by Archaeological Consulting, Inc., dated June 5, 2014 (LIB160076).
13. California Department of Fish and Wildlife (CDFW). *California Natural Diversity Database*. Records of occurrence for Monterey, Marina, Seaside, Mount Carmel, and Soberanes Point quadrangle maps. Sacramento, California, 2014. <http://www.dfg.ca.gov/biogeodata/cnddb/mapsanddata.asp>.
14. Association of Monterey Bay Area Governments (AMBAG). *Regional Growth Forecast*. June 11, 2014.
15. Association of Monterey Bay Area Governments (AMBAG). *Regional Growth Forecast*. June 11, 2014.
16. Regional Water Quality Control Board, Central Coast Region, State Water Resources Control Board, California Environmental Protection Agency. *Water Quality Control Plan for Central Coastal Basin*. June 2011.
17. County of Monterey – Urban Stormwater Quality Management and Discharge Control Chapter 16.14.

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