

# Attachment B

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**Stephen L. Vagnini**  
Monterey County Clerk-Recorder

Recorded at the request of:  
CHICAGO TITLE COMPANY SALINA

**2019061906**

12/30/2019 08:14:09  
Titles: 1 Pages: 4

Fees: \$22.00  
Taxes: \$26400.00  
AMT PAID: \$26422.00

**RECORDING REQUESTED BY:**  
Chicago Title Company

**When Recorded Mail Document  
and Tax Statement To:**  
**Feather Cypress, LLC**  
625 E. Main Street, Suite 102B, #153  
Aspen, CO 81611

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**Escrow Order No.:** FWMN-5221900705-LP  
**Property Address:** 3256 17 Mile Drive  
Pebble Beach, CA 93953  
**APN/Parcel ID(s):** 008-462-008

## GRANT DEED

**The undersigned grantor(s) declare(s)**

- This transfer is exempt from the documentary transfer tax.  
 **The documentary transfer tax is \$26,400.00** and is computed on:  
 the full value of the interest or property conveyed.  
 the full value less the liens or encumbrances remaining thereon at the time of sale.

The property is located in  an Unincorporated area

**FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,** John Eden Feather, Sole Trustee of The Surviving Trustor's Trust Agreement under Article Four of the Jack and Eileen Feather Family Trust under Revocable Trust Agreement dated December 20, 2005, as amended, as to an undivided one-half (1/2) interest; and John Eden Feather, Sole Trustee of The Non-Exempt Marital Trust Agreement under Article Five of the Jack and Eileen Feather Family Trust under Revocable Trust Agreement dated December 20, 2005, as amended, as to an undivided one-half (1/2) interest

**hereby GRANT(S) to** Feather Cypress, LLC, a Delaware Limited Liability Company

**the following described real property in the Unincorporated Area of the County of Monterey, State of California:**

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

**MAIL TAX STATEMENTS AS DIRECTED ABOVE**

**GRANT DEED**  
(continued)

APN/Parcel ID(s): 008-462-008

Dated: December 9, 2019

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

The Surviving Trustor's Trust Agreement under Article Four of the Jack and Eileen Feather Family Trust under Revocable Trust Agreement dated December 20, 2005, as amended, as to an undivided one-half (1/2) interest

By:

~~Jack Eden Feather, Sole Trustee~~  
JOHN (JEF)

The Non-Exempt Marital Trust Agreement under Article Five of the Jack and Eileen Feather Family Trust under Revocable Trust Agreement dated December 20, 2005, as amended, as to an undivided one-half (1/2) interest

By:

~~John Eden Feather, Sole Trustee~~

John Eden Feather

**GRANT DEED**  
(continued)

APN/Parcel ID(s): 008-462-008

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Marin

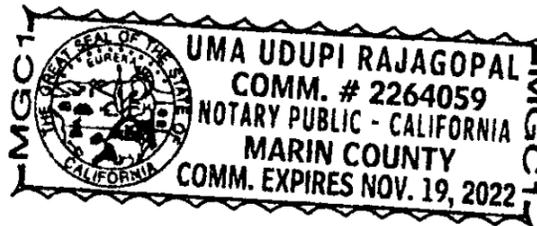
On December 18, 2019, before me, Uma Udupi Rajagopal, Notary Public,  
(here insert name and title of the officer)

personally appeared **John Eden Feather**, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Uma Udupi Rajagopal  
Signature



**EXHIBIT "A"**  
Legal Description

**For APN/Parcel ID(s): 008-462-008**

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THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA IN COUNTY OF MONTEREY, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

**PARCEL I:**

A portion of the El Pescadero Rancho, in the County of Monterey, State of California, described as follows:

Commencing at the Southwesterly corner of Lot 88, as shown on the Amended Map of Pebble Beach, recorded October 13, 1911 in Book 2, Maps of "Cities and Towns"; at Page 31, in the Office of the County Recorder of the County of Monterey, State of California; and running thence, N. 72° 12' 15" W., 94.23 feet to a point on the Westerly sideline of 17 Mile Drive (40.00 feet wide). Said point being the Southeasterly corner of that certain Parcel of land described in Grant Deed recorded on September 27, 1982, Series Number G38801, of Official Records. Said point also being the point of beginning for the property herein described; thence along the Westerly line of 17 Mile Drive, N. 47° 06' 15" W., 153.70 feet; thence S. 31° 13' 00" W., 320.00 feet, more or less, to a point on the ordinary high tide line of the Bay of Carmel; thence Southerly along said high tide line to a point which bears S. 34° 45' 00" W., 280.00 feet more or less from the point of beginning; thence N. 34° 45' 00" E., 280.00 feet, more or less, to the point of beginning.

**PARCEL II:**

That portion of the El Pescadero Rancho, in the County of Monterey, State of California, described as follows:

Beginning at a point which bears 11.05 feet North, and 99.05 feet West from the Southeast corner of Lot 87, as shown on amended map of Pebble Beach, recorded October 13, 1911 in Book 2, Maps of "Cities and Towns", at Page 31, Official Records of Monterey County, California; thence

- (1) South 38° 45' West, 167.63 feet to the bank of the Pacific Ocean; thence,
- (2) North 47° 08' 30" West, 88.65 feet; thence
- (3) North 66° 46' 30" West, 263.87 feet; thence
- (4) North 34° 45' East, 239.33 feet; thence,
- (5) South 47° 06' 15" E., 245.42 feet; thence tangentially,
- (6) On a curve to the left, having a radius of 240.00 feet an arc distance of 51.55 feet; thence, tangentially,
- (7) South 59° 24' 40" East, 63.81 feet to the point beginning.

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

In the matter of the application of:

**FEATHER CYPRESS LLC (PLN210276)**

**RESOLUTION NO. 23-004**

Resolution by the Monterey County Planning  
Commission:

- 1) Adopting a Mitigated Negative Declaration pursuant to Section 15074 of the CEQA Guidelines; and
- 2) Approving a Combined Development Permit consisting of a:
  - a. Coastal Administrative Permit and Design Approval to allow the demolition of an existing 17,992 square foot single-family dwelling with an attached two-car garage, a detached 3,797 square foot gym, a 972 square foot covered walkway, and sheds totaling 433 square feet; and the construction of a 7,767 square foot single-family dwelling with an attached two-car garage, 882 square foot basement, 712 square foot pool house, 1,114 square foot pool, and a 319 square foot spa;
  - b. Coastal Development Permit to allow development within 750 feet of known archaeological resources;
  - c. Coastal Development Permit to allow development within an environmentally sensitive habitat area (indigenous Monterey cypress habitat and coastal bluff scrub);
  - d. Coastal Development Permit to allow development within 50 feet of a coastal bluff; and
  - e. Minor and Trivial amendment to a previously approved permit (PLN200068, Zoning Administrator Resolution No. 21-008), to delete Condition 8 requiring recordation of a Conservation and Scenic Easement; and
- 3) Adopting a Mitigation Monitoring and Reporting Plan.

[PLN210276 FEATHER CYPRESS LLC, 3256 17 Mile Drive, Pebble Beach, Del Monte Forest Land Use Plan (APN: 008-462-008-000)]

The Feather Cypress LLC application (PLN210276) came on for a public hearing before the Monterey County Planning Commission on January 25, 2023. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented the Monterey County Planning Commission finds and decides as follows:

## FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
- EVIDENCE:**
- a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
    - the 1982 Monterey County General Plan;
    - Del Monte Forest Land Use Plan;
    - Monterey County Coastal Implementation Plan Part 5, Regulations for Development in the Del Monte Forest Land Use Plan Area; and
    - Monterey County Zoning Ordinance (Title 20).No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
  - b) Allowed Use. The property is located at 3256 17-Mile Drive, Pebble Beach (Assessor’s Parcel Number 008-462-008-000), Del Monte Forest Land Use Plan, Coastal Zone. The parcel is zoned Low Density Residential, 2 acres per unit, with a Design Control Overlay (Coastal Zone) [LDR/2-D (CZ)], which allows which allows development of single-family dwellings and non-habitable accessory structures such as garages and pool houses as principally allowable uses, subject to a Coastal Administrative Permit. (Title 20 Sections 20.14.040.A. and 20.14.040.F.).

The project proposes:

- demolition of the existing 17,992 square foot single-family home with an attached two-car garage, 3,797 square foot gymnasium, and three sheds; and
- construction of a new 7,767 square foot single-family dwelling with an attached two-car garage, 882 square foot basement, and 712 square foot pool house; and
- site improvements, including new driveways and paths, a 1,114 square foot pool, and a 319 square foot spa.

Therefore, the project is an allowed land use for this site.

- c) Lot Legality. The 2.8-acre lot is identified as Parcel 8, within in Assessor’s Map Book 8, Page 46. A Lot Line adjustment (File No. 82-38) was approved in December, 1982 and is recorded in Volume 13 of “Surveys.” The approved Lot Line Adjustment shows the current parcel boundaries and configuration. Therefore, the County recognizes the subject property as a legal lot of record.

- d) Visual Resources. See Finding No. 5 for discussion of consistency with policies and regulations protecting visual resources.
- e) Development Standards. The site development standards for the base LDR zoning are found in Title 20 section 20.14. The project is consistent with the minimum setback, maximum height, maximum building coverage, and maximum floor area requirements.

The minimum setbacks for main structures are 30 feet (front), 20 feet (side), and 20 feet (rear). The home proposes a front setback of 32 feet, a west side setback of 156 feet, and a rear setback of 94 feet. The east side setback is not dimensioned, however, the home is west of the pool house, meaning that the setback is greater than 36 feet.

The minimum setbacks for accessory structures are 50 feet (front), 6 feet (side), and 1 foot (rear). The pool house proposes a 50 feet front setback, a 36 foot east side setback, and a 79 foot rear setback. The proposed west side setback is not dimensioned, however, the pool house is east of the main home, meaning that the west side setback is greater than 156 feet.

The maximum main structure height is 30 feet and maximum accessory structure height is 15 feet, and the proposed home is 19 feet 6 inches, and proposed pool house is 15 feet.

The maximum allowable building coverage is 15% (18,295 square feet), while the proposed building coverage is 9.5% (11,586 square feet). The maximum allowable floor area is 17.5% (21,344 square feet) while the proposed floor area is 8.2% (9,969 square feet).

- f) Forest Resources. No tree removal is proposed. Measures for the protection of trees and habitat have been incorporated. Mitigation Measure No. 1, including exclusionary fencing, a pre-construction training, and on-going monitoring by a qualified arborist/forester during construction, have been applied to protect.
- g) Hazardous Areas. See Finding No. 3 for discussion of consistency with DMF LUP policies and regulations governing development in hazardous areas.
- h) Historical Resources. DMF LUP Policy 57 encourages timely identification and evaluation of archaeological and historical resources so that they may be given full considering during the conceptual design phase of projects. Consistent with this policy, a historical report (LIB220005) was prepared for the property which evaluated the historicity of the property. The property is developed with an approximately 17,992 square foot single-family home, designed by George Washington Smith in the Spanish Colonial Revival style and constructed in 1924. The association of this style would place it within the period of prominence for Mediterranean revival architecture in the 1919-1945 time period according to the Pebble Beach Historic Context statement. Therefore, should it have retained integrity the home would have been significant both as a representation of the trend of Spanish Colonial Revival Architecture in pebble beach and as a notable example

of the work of George Washington Smith. Neither the gymnasium or accessory dwelling unit were considered significant or contributing to the historical character of the site, due to their more recent modifications.

For a property to be considered a historical resource, it must contain both significance and integrity. The home has undergone numerous alterations, most notable of which beginning the 70's, which compromised its integrity such that it no longer conveys its significance and no longer retains its core historically defining features. As the property does not retain integrity, it cannot be considered a historical resource, and its demolition would not impact historical resources. The project was referred to the Historic Resources Review Board (HRRB) for review. The historical report (LIB220005) prepared by Seth A. Bergstein and concurring opinions that the site had lost its integrity from Kent L. Seavey, Page & Turnbull, and Marc Appleton and Anthony Kirk were provided to the HRRB, as well as a petition opposing the demolition of the home. By a vote of 6-0 with 1 absent, the HRRB adopted a resolution finding the site was not eligible for listing on the Monterey County Register of Historic Resources and recommending approval of the project.

- i) Archaeological Resources. Pursuant to DMF LUP Policy 58, an archaeological report (LIB220001) was prepared by Susan Morley to evaluate the potential of the project to impact archaeological resources. The report included archival research, a field reconnaissance, and subsurface testing for cultural resources. The archival research identified that in 1988, Charles Smith prepared a report for the accessory dwelling (at that time caretaker) unit. That report did not identify any evidence of archaeological resources in proximity to the unit. In 1990, Breschini and Haversat prepared a report for the expansion of the gym, which identified fragmentary abalone shell in the area. The current Archaeological observation of the geotechnical bores did not reveal any evidence of cultural materials. The archaeologist also conducted four hand augers near the area proposed for development. The augers revealed sparse abalone shell fragments. No other cultural constituents were noted.

Mitigation Measure No. 5 is recommended, which would require establishment of an exclusionary fence along the hardscape path to prevent disturbance beyond the limits shown in the plan. Due to the presence of shell in the area, there is the potential for the site to contain resources. Therefore, Mitigation Measure No. 5 also requires cultural awareness training for construction personnel and archaeological monitoring during grading and excavation activities, and the County's standard Condition No. 3 has been applied, requiring work be halted and the coroner be contacted if any human remains are discovered. This Mitigation Measure and condition reduce potential impacts to archaeological resources to a less than significant level.

- j) Environmentally Sensitive Habitat Area (ESHA). See Finding No. 4 for consistency with applicable policies and regulations protecting environmentally sensitive habitat areas.
- k) Land Use Advisory Committee (LUAC) Review. County staff referred the project to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. The LUAC reviewed the project on February 17, 2022 and voted 6-0 with 1 absent and 1 abstention to recommend approval of the project contingent on review and concurrence from the Historic Resources Review Board (HRRB) that the property was not historical.
- l) The project planner conducted a site inspection on October 13, 2021 to verify that the project on the subject parcel conforms to the plans listed above.
- m) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN210276.

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

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and Pebble Beach Community Services District (CSD). County staff reviewed the application materials and plans to verify that the project on the subject site conforms to the applicable plans and regulations, and there has been no indication from these departments/agencies that the site is not suitable for the development. Conditions recommended have been incorporated.
  - b) The following reports were prepared to assess the geological and geotechnical suitability of the site for development; and the potential for the development to impact biological, forest, historical, and archaeological resources:
    - Geologic and Coastal Bluff Recession Assessment Report, dated October 12, 2021 (Monterey County Document No. LIB220003), prepared by Haro, Kasunich and Associates, Inc., Watsonville, California;
    - Geotechnical Investigation, dated October 12, 2021 (Monterey County Document No. LIB220004), prepared by Haro, Kasunich and Associates, Inc., Watsonville, California;
    - Biological Assessment, dated October 28, 2021 (Monterey County Document No. LIB220002), prepared by Fred Ballerini Horticultural Services, Pacific Grove, California;
    - Tree Resource Assessment and Forest Management and Cypress Restoration Plan, dated January 5, 2022 (Monterey County Document No. LIB220026), prepared by Ono Consulting, Pacific Grove, California;
    - Phase 1 Historic Assessment, dated May 5, 2020 (Monterey County Document No. LIB220005), prepared by Past Consultants LLC, Petaluma, California; and

- Preliminary Cultural Resources Reconnaissance and Phase II Auger Testing for the Feather Cypress, LLC property, dated August 8, 2021 (Monterey County Document No. LIB220001), prepared by Susan Morley, M.A., Register of Professional Archaeologists, and Brenna Wheelis, Marina, California.

County staff independently reviewed these reports and concurs with their conclusions. There are no physical or environmental constraints that would indicate that the site is not suitable for the use. All development shall be in accordance with these reports.

- c) Staff conducted a site inspection on October 13, 2021 to verify that the site is suitable for this use.
- d) See also supporting Finding No. 3.
- e) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN210276.

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

- EVIDENCE:**
- a) The project was reviewed by HCD-Planning, HCD- Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and Pebble Beach Community Services District (CSD). The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
  - b) Necessary public facilities will be provided. The property is and will continue to be served by the California American Water Company (Cal Am) for potable water and the Pebble Beach Community Services District (CSD) for sewer. The applicant submitted a Monterey Peninsula Water Management District (MPWMD) residential release form verifying that the proposed water use, calculated based on MPWMD fixture counts, is less than the existing water use.
  - c) In accordance with DMF LUP Hazards Policy 46 and CIP Section 20.147.060.A.1., geological (LIB220003) and geotechnical (LIB220004) reports were prepared to assess the suitability of the site for development and address geological hazards on the properties. The reports concluded that the site was suitable for development given that the recommendations within them were followed. These included recommendations on site grading, foundation design, and surface drainage. Staff are recommending that the County’s standard notice of report condition be applied for each report (Condition Nos. 8 and 9) to ensure that geological and geotechnical recommendations are followed.
  - d) Pursuant to CIP section 20.147.060.B.6., new development (in this case re-development) is required to avoid the need for shoreline armoring over the development’s lifetime, and habitable structures are required to be sited outside of areas subject to storm wave run-up. The project is

consistent with the CIP section, as discussed in evidence “e” through “g” below.

- e) The County does not have a regulatory standard establishing the lifetime of development for different land uses, however the advisory 2018 Sea Level Rise Policy Guidance document prepared by the California Coastal Commission indicates a minimum of 75 years as the long-range evaluation horizon for the life of a structure.
- f) The project geologist concluded that, based on historical bluff erosion information, bluff retreat would be between 5 and 10 feet over the next 75 years. Climate change and sea level rise accelerates bluff retreat, so an additional 5 feet was added to account for this. Finally, a safety factor of 10 feet was added to account the inherent imprecision of evaluating future coastal erosion, and to create a buffer zone from the bluff edge to proposed building foundations in the future scenario (year 2097). This produced a total recommended setback of 25 feet from the current bluff edge. All proposed structures are outside of this recommended bluff setback, so the development has been sited in a location that is not anticipated to require armoring over the life of development.
- g) The impacts of ocean wave run-up (storm surges) were observed around the 48 – 52 foot elevation above sea level (NAVD 88). The geological report concludes that wave run-up will rise by the amount of sea level rise that occurs within the life of the structures. If the 2018 Sea Level Rise Policy Guidance “Medium – High Risk Aversion” figures are used, the sea level would rise between 5.5 and 6.9 feet by 2100, which would be an elevation between 53.5 to 58.9 feet above sea level. The lowest finish floor (the lower floor/basement of the single-family home) is proposed with a finish floor elevation of 62 feet, higher than both of these figures.
- h) Staff conducted a site inspection on October 13, 2021 to verify that the site is suitable for this use.
- i) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN210276.

**4. FINDING: ENVIRONMENTALLY SENSITIVE HABITAT AREA** – The project minimizes impacts on environmentally sensitive habitat areas in accordance with the applicable goals, policies, and regulations contained in: the Del Monte Forest Land Use Plan (DMF LUP); Monterey County Coastal Implementation Plan (CIP) Part 5, Regulations for Development in the Del Monte Forest Land Use Plan area; and Monterey County Zoning Ordinance (Title 20).

**EVIDENCE:** a) The project includes an application for development within 100 feet of Environmentally Sensitive Habitat Areas (ESHA). In the DMF LUP, designation of ESHA is context dependent, relying both on current evaluation of existing resources and the sensitivity of habitats and species at the time of development consideration. The property has two distinct ecosystems, Monterey cypress forest and coastal bluff scrub, which overlap in an “ecotone”, which has biotic characteristics of both habitat areas. The Monterey cypress is designated as ESHA and

protected by DMF LUP Policy 20. North coastal bluff scrub is considered ESHA by the California Coastal Commission, recognized as a threatened plant community by the California Department of Fish and Wildlife, and classified as a community “rare and worthy of consideration” by the California Natural Diversity Database (CNDDDB), and in this case includes individually sensitive species including Sea-cliff Buckwheat, a host plant for the federally endangered Smith’s Blue Butterfly, and a single Ocean bluff milkvetch, a sensitive plant species. Therefore, the coastal bluff scrub on the site is appropriately categorized as ESHA.

- b) The DMF LUP key policy recognizes that the habitats of the Del Monte Forest are unique, limited, and fragile resources that are sensitive and important biologically, and that enrich Del Monte Forest enjoyment for residents and visitors alike. Accordingly, these habitats should be protected, maintained, and, where possible, enhanced and restored. This project conforms with this key policy as: the proposed development has been sited and designed to be within the existing development footprint, minimizing potential impact to habitat areas. Detailed best management practices are incorporated through Mitigation Measures No. 1 and 2 to ensure that the habitats are protected through construction and implementation of Mitigation Measures no. 3 and 4 will ensure that invasive weeds are removed from the property and approximately 33,600 square feet of sensitive habitat area are restored.
- c) Protection of Indigenous Monterey cypress habitat is specifically addressed in DMF LUP policy 20, and in implementing regulations for this policy contained in CIP section 20.147.040.D.2. The project is consistent with this policy and these implementing regulations as the project proposes development that is confined to areas where existing structures and hardscapes exist.
- d) In accordance with CIP section 20.147.040.D.2.(a), coordinated biological (LIB220002) and forest management (LIB220026) reports were prepared to assess the potential of the project to impact sensitive habitat areas and species.
- e) CIP section 20.147.040.D.2.(b) requires that all development in and adjacent to cypress forest be carefully sited and designed to avoid adverse impacts to cypress habitat. This includes measures recommended in the biological/forestry reports to protect and enhance Monterey cypress habitat values. The project incorporates the best management practices recommended in the biological forestry reports to protect and enhance the habitat area:
  - Mitigation Measure No. 1 requires wrapping tree trunks with protective material, establishment of protective exclusionary fencing areas, a pre-construction biological training, on-going monitoring during construction by a qualified arborist or forester, and remediation if any trees are inadvertently harmed during construction.
  - Mitigation Measure No. 3 requires eradication of invasive species onsite; and
  - Mitigation Measure No. 4 requires preparation, execution, and monitoring of a restoration plan, which would restore approximately

33,607 square feet of environmentally sensitive habitat area, inclusive of 14,619 square feet of Monterey Cypress forest habitat and ecotone, and 18,988 square feet of coastal bluff scrub habitat. This is in addition to the approximately 16,783 square feet of restoration from the area required to be restored in Condition No. 8 of Zoning Administrator Resolution No. 21-008 (PLN200068), which allowed alterations to the existing accessory dwelling unit. For this reason, this permit incorporates an amendment to that resolution, deleting Condition No. 8 and replacing and incorporating the conservation easement requirement in Mitigation measure No. 4 of this resolution.

- f) CIP section 20.147.040.D.2.(c) provides detailed development criteria in Monterey cypress forest habitat. Per paragraph one of 20.147.040.D.2.(c)(2), development on already developed lots is allowed if it is also sited within existing legally established structural/hardscape area and outside of the critical habitat, which is the case for this project. New or modified development outside of the existing legally established structure/hardscape area would be allowable if it complies with the findings of 20.147.040.D.2.(c)(2)(a) – (g), however, these findings are not applicable as all development is within the existing structural/hardscape area.
- g) Previous iterations of the design did include impervious native soil paths outside of the development area. However, as indicated in revised plan sheet A0.6 submitted on November 7, 2022, these paths have been removed to assure consistency with the CIP regulations. This sheet is Attachment 2 to the permit resolution, and the other site plans would need be updated for consistency with this sheet prior to building permit issuance for the building permit to be determined to be in substantial conformance with the planning approval.
- h) In accordance with DMF LUP Policies 20 and 13, the project has been conditioned to require a conservation and scenic easement be placed to protect all areas outside of the proposed development footprint.. See Finding No. 6 for further discussion of the easement condition.
- i) DMF LUP Policy 8 indicates that environmentally sensitive habitats shall be protected against significant disruption in habitat values. Addressing this policy in the context of bluff scrub, Mitigation Measure No. 2 is incorporated, which requires that protective fencing be installed around existing Sea Cliff Buckwheat and intact coastal bluff scrub habitat areas to protect them during construction. Additionally, invasive species eradication is required and will be coordinated with the project biologist (Mitigation Measure No. 3). Sediment control devices will also be installed along the perimeter of the building envelope to prevent construction runoff from impacting bluff scrub habitat and the ocean.
- j) To protect coastal habitat areas, DMF LUP Policy 25 requires a setback/buffer of at least 100 feet from the edge of mean high water tide line. While the mean high water tide line is not precisely denoted, all proposed structures appear greater than 120 feet from the pacific ocean, and proposed structures are further from the ocean than the existing structures. Portions of the existing hardscape appear within this 100 foot

buffer, however, these areas are existing and not being modified by the project.

- k) While no tree removal is proposed, the biological report (LIB220002) identified potential from construction activities to impact nesting birds. To address this, Condition No. 12 requiring a bird nesting survey if demolition or ground disturbance commences between February 1 and September 15 is incorporated.
- l) Staff conducted a site inspection on October 13, 2021 to verify ESHA locations and potential project impacts to ESHA.
- m) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN210276.

**5. FINDING:** **VISUAL RESOURCES** – The project is consistent with the applicable policies to protect Visual Resources in the Del Monte Forest Land Use Plan (DMF LUP) and with implementing regulations in the Monterey County Coastal Implementation Plan (CIP).

- EVIDENCE:**
- a) The project is subject to the Visual Resources protection policies of the Del Monte Forest Land Use Plan (DMF LUP), implementing regulations in Part 5 of the Monterey County Coastal Implementation Plan (CIP), and the Design Control “D” zoning overlay district, which requires a design review of structures and fences to assure protection of the public viewshed and neighborhood character.
  - b) The homes design is consistent with the surrounding neighborhood character:
    - The colors and material palette includes limestone, bronze roofing and window frames, and a cypress soffit, natural materials consistent DMF LUP Policies 52 and 53, that development harmonize with the natural setting and be designed to subordinate and blend into the environment; and
    - The substantial reduction in height and massing from the existing home, from 32 feet and 7 inches to 19 feet and 6 inches, helps subordinate the design to the surrounding forest.
  - c) DMF LUP Land Use and Development Policy 84 indicates that a minimum of a 100 foot setback from the centerline of 17-Mile drive shall be maintained to screen development from public views, unless “otherwise screened by vegetation and/or terrain, and the screening terrain/vegetation is required to be maintained and/or enhanced in perpetuity for screening and public viewshed enhancement purposes.” In this case, the proposed home is approximately 52 feet from the centerline of 17-mile drive at the closest point. However, such encroachment into the setback is appropriate in this case as moving development further from 17 Mile Drive could conflict with bluff and habitat policies. The project is consistent with applicable visual policies as it proposes:
    - A 6 foot tall fence which will screen the proposed project from view from 17-Mile Drive and runs for 420 lineal feet;
    - “Viewshed” fencing along 3 points on 17-Mile drive, totaling 103 feet, which are sited to increase blue ocean views from 17-Mile Drive, enhancing the public viewshed; and

- Approximately 33,600 square feet of habitat restoration. In addition to its ecological value, the cypress forest and scrub habitats will screen the proposed structures and enhance the public viewshed, and be required to be maintained in perpetuity in accordance with Landscaping Restoration Plan Condition No. 6.

- d) Staff conducted a site inspection on October 13, 2021 to assess the potential of the project to impact Visual Resources.
- e) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN210276.

**6. FINDING: MINOR & TRIVIAL AMENDMENT** – The proposed modification to Coastal Development Permit PLN200068 (Zoning Administrator Resolution No. 21-008) to replace Condition No. 8 of that permit with Condition No. 20 attached is generally keeping with the action of the Zoning Administrator and does not create any additional impacts not assessed in the original permit action.

- EVIDENCE:**
- a) On August 14, 2003, the Zoning Administrator approved Resolution No. 020582 allowing construction of a three-car garage attached to an existing caretaker unit on the north of the property. As part of making a finding of consistency within DMF LUP Policy 84, which restricts development within 100 feet of the centerline of 17-Mile Drive to protect the viewshed, PLN020582 required a Scenic Easement by conveyed to the County over areas within 100-feet of the centerline of 17-Mile Drive, excepting existing and approved development. This easement was recorded in Monterey County Recorder document No. 2004087472.
  - b) On February 25, 2021, the Zoning Administrator approved PLN200068 (Zoning Administrator Resolution No. 21-008). Condition No. 8 of this permit requires that the applicant amend the 2004 Scenic Easement to encompass all areas outside of existing and approved development, not just those within 100-feet of the centerline of 17-Mile Drive, excepting existing and approved development, and enumerate that the amended Conservation and Scenic Easement is intended to preserve the indigenous Monterey cypress habitat in addition to protect the viewshed. This was done to ensure consistency with DMF LUP Policy 20. Draft easement language and a diagram depicting the existing and approved development were prepared for PLN200068 Condition No. 8, however, a new easement has not been recorded.
  - c) On December 20, 2021, the applicant submitted for a Combined Development Permit to demolish the main residence and build a new one. DMF LUP Policy 20 requires conservation and scenic easements for all undeveloped areas on the site. As the project involves a reduction in hardscape, a new easement condition is required.
  - d) This permit would delete the conservation and scenic easement condition from the 2021 project (PLN200068) and adds a new condition increasing the size of the easement to encompass the habitat areas being restored as part of this project and incorporating the areas previously

proposed for conservation. This amendment avoids redundancy and consolidates actions following approval.

- e) The timing of Condition No. 20 would allow final recording of the amended easement to be completed prior to final inspection of the home, rather than final inspection of the accessory dwelling unit.
- f) Both conditions would require a Conservation and Scenic Easement over all areas excepting existing and approved development, so the amended condition is still in line with the decision of the Zoning Administrator and would not create any additional environmental impacts.
- g) None of the other conditions of PLN200068 are being modified. PLN200068 remains the operative permit for the accessory dwelling unit and its attached garage.
- h) While the appropriate authority to consider Minor and Trivial Amendments would typically be the Chief of Planning, in accordance with Title 20 Section 20.70.105.A., the Combined Development Permit process allows multiple discretionary entitlements to be considered concurrently.
- i) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN210276.

**7. FINDING: CEQA (Mitigated Negative Declaration)** – On the basis of the whole record before the Monterey County Planning Commission, there is no substantial evidence that the proposed project as designed, conditioned and mitigated, will have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County.

- EVIDENCE:**
- a) Pursuant to Public Resources Code Section 21083, and California Environmental Quality Act (CEQA) Guidelines Sections 15063(a) and 15063(b)(2), the Lead Agency shall conduct environmental review in the form of an Initial Study to determine if the project may have a significant effect on the environment and shall prepare a Negative Declaration if there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment.
  - b) County of Monterey as Lead Agency, through HCD-Planning, prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the offices of HCD-Planning and is hereby incorporated by reference (Planning File No. PLN210276).
  - c) There is no substantial evidence, based upon the record as a whole, that the project may have a significant effect on the environment. The Initial Study identified potentially significant effects to biological, cultural, and tribal cultural resources, but the applicant has agreed to mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. Based upon the analysis of the Initial Study, HCD-Planning prepared a Mitigated Negative Declaration. Mitigation measures have been made conditions of approval of this project.
  - d) The Draft Initial Study and Mitigated Negative Declaration for HCD-Planning File No. PLN210276 was prepared in accordance with the

CEQA Guidelines; filed with the County Clerk on November 21, 2022; and circulated for public review from November 21, 2022 to December 21, 2022 (SCH No. 2022110478). No public comments were received during the circulation period.

- e) Resource areas that were analyzed in the Draft Initial Study/Mitigated Negative Declaration included: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards/Hazardous Materials, Hydrology/Water Quality, Land Use Planning, Noise, Tribal Cultural Resources, and Wildfire.
- f) Evidence that has been received and considered includes: the application, technical studies/reports, staff reports that reflect the County's independent judgment, and information and testimony presented during public meetings and hearings. These documents are on file in HCD-Planning (Planning File No. PLN210276) and are hereby incorporated herein by reference.
- g) The County identified less than significant impacts to Aesthetics, Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hazards/Hazardous Materials, Hydrology/Water Quality, Land Use Planning, Noise, and Wildfire.
- h) The County identified potentially significant impacts to Biological Resources. Mitigation measures have been incorporated that reduce the identified impacts to a level of less than significant.
- i) Mitigation Measure No. 1 through 4 would reduce potentially significant impacts to biological resources by:
  - Requiring best management practices to protect Monterey cypress be followed including a pre-construction training, establishment of protective fencing, monitoring by a qualified arborist or forester, and monitoring during construction; and
  - Requiring protective fencing and sediment control to protect Seacliff Buckwheat and Bluff Scrub habitat during construction and requiring coordination between a qualified biologist and the invasive species removal contractor to ensure site work doesn't harm this habitat;
  - Requiring removal of invasive species on the site; and
  - Requiring a restoration plan and five years of monitoring by a qualified biologist for the onsite restoration activities.

Together these will ensure construction doesn't inadvertently harm biological resources and that the post construction habitat restoration efforts are undertaken in a manner that will improve the habitat.

- j) The County identified potentially significant impacts to Cultural and Tribal Cultural Resources.

Mitigation Measures No 5 and 6 reduce impacts to Cultural and Tribal Cultural Resources to a less than significant level by:

- Requiring cultural awareness training for construction personnel, establishment of a protective fence along the south of the property, and archaeological monitoring during grading and excavation; and
- Requiring that a tribal monitor approved by the appropriate tribal authority traditionally and culturally affiliated with the area be onsite to observe all project related grading and excavation. The monitor

shall have the authority to temporarily halt work to examine any potentially significant cultural materials or features.

The exclusionary fence protects this area from disturbance, while the other measures ensure that if any previously unidentified cultural resources are uncovered, construction crews are able to identify them, and that they are treated with appropriate dignity and respect.

- k) Pursuant to Public Resources Code Section 21083.2 et seq., County of Monterey HCD-Planning staff initiated AB52 consultation with local Native American tribes on July 22, 2022. Notice was provided to the Ohlone/Costanoan-Esselen Nation, Esselen Tribe of Monterey County, and KaKoon Ta Ruk Band of Ohlone-Costanoan informing them the project and their ability to request a consultation. None of the notified tribal groups requested a consultation. However, due to the known sensitivity of the site to archaeological resources and overlap between archaeological and tribal cultural resources, Mitigation Measure No. 6 has been applied, which requires that a tribal monitor approved by the appropriate tribal authority traditionally and culturally affiliated with the area be onsite to observe all project related grading and excavation. The monitor shall have the authority to temporarily halt work to examine any potentially significant cultural materials or features.
- l) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. A Condition Compliance and Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations, is designed to ensure compliance during project implementation, and is hereby incorporated herein by reference. The applicant must enter into an “Agreement to Implement a Mitigation Monitoring and/or Reporting Plan” as a condition of project approval.
- m) Analysis contained in the Initial Study and the record as a whole indicate the project would have the potential to result in changes to the resources listed in Section 753.5(d) of the California Department of Fish and Wildlife (CDFW) regulations. All land development projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless CDFW determines that the project will have no effect on fish and wildlife resources.

In this case, for purposes of the Fish and Game Code, the project may have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. The Initial Study was sent to CDFW for review, comment, and to recommend necessary conditions to protect biological resources in this area. Therefore, the project will be required to pay the State fee plus a fee payable to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination.

- n) Clarification and Amplification: Cultural Resources. Section VI.5(b) indicates, “an archaeological report (HCD-Planning Library No. LIB220001) prepared for the project identified only scattered archaeological resources in the form of abalone shell fragments and concluded that the proposed development would have a less than

significant potential impact on cultural resources.” This section is being corrected to state: “an archaeological report (HCD-Planning Library No. LIB220001) prepared for the project identified only scattered archaeological resources in the form of abalone shell fragments and sparse burnt animal bone fragments, and concluded that the proposed development would have a less than significant potential impact on cultural resources.”

- o) The above described revisions to the Initial Study/Mitigated Negative Declaration made after the public review period do not change any of the conclusions in the initial study or increase the severity of impacts in any resource category. These revisions clarify and amplify the existing discussion. Therefore, recirculation of the IS/MND is not required in this case.
- p) The County finds that there is no substantial evidence supporting a fair argument of a significant environmental impact.
- q) The County of Monterey Planning Commission considered the Mitigated Negative Declaration, along with the Combined Development Permit, at a duly noticed public hearing held on January 25, 2023.
- r) County of Monterey HCD-Planning, located at 1441 Schilling Place, 2nd Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based.

- 8. FINDING: PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and applicable Local Coastal Program, and does not interfere with any form of historic public use or trust rights.
- EVIDENCE:**
- a) No public access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.147.130 of the Monterey County Coastal Implementation Plan can be demonstrated.
  - b) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
  - c) The subject property, being in an area with a rocky shoreline and no proposed trail or lateral access way, is not described as an area where the Local Coastal Program requires physical public access (Figure 8, Major Public Access and Recreational Facilities, in the Del Monte Forest Land Use Plan).
  - d) The property is in a location that emphasizes visual public access. Figure 3, Visual Resources of the DMF LUP maps it as being potentially visible from 17-Mile Drive and Point Lobos, and halfway between the designated Pescadero and Midway (Lone cypress) vista points. The project planner conducted site visits on January 20, 2021 and October 13, 2021 and verified that the subject property is not visible from the designated vista points. However, it is visible from both 17-Mile Drive and Point Lobos.
  - e) Del Monte Forest Land Use Plan (DMF LUP) Policy 137 indicates that development shall not adversely impact public views and scenic character, with specific attention given to the 17-Mile Drive Corridor, and DMF

LUP Policy 139 indicates that where safe access to the shoreline is not feasible, visual access should be emphasized.

- f) As discussed in Finding No. 5 Visual Resources, the proposed project is compatible with the scenic character of the forest. The projects inclusion of approximately 103 lineal feet of viewshed with approximately 63% pass through along 17-Mile Drive also opens up additional blue ocean views from 17-Mile Drive, enhancing visual public access.
- g) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN210276.

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

- EVIDENCE:**
- a) Pursuant to Section 20.86.030 of the Monterey County Zoning Ordinance (Title 20), an appeal may be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.
  - b) Pursuant to Section 20.86.080.A of the Monterey County Zoning Ordinance (Title 20), the project is subject to appeal by/to the California Coastal Commission because it involves development between the sea and the first through public road paralleling the sea and development that is permitted in the underlying zone as a conditional use (i.e.; development within 100 feet of environmentally sensitive habitat).

**DECISION**

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

1. Adopt a Mitigated Negative Declaration pursuant to Section 15074 of the CEQA Guidelines; and
2. Approve a Combined Development Permit consisting of:
  - a. Coastal Administrative Permit and Design Approval to allow the demolition of an existing 17,992 square foot single-family dwelling with an attached two-car garage, a detached 3,797 square foot gym, a 972 square foot covered walkway, and sheds totaling 433 square feet; and the construction of a 7,767 square foot single-family dwelling with an attached two-car garage, 882 square foot basement, 712 square foot pool house, 1,114 square foot pool, and a 319 square foot spa;
  - b. a Coastal Development Permit to allow development within 750 feet of known archaeological resources;
  - c. a Coastal Development Permit to allow development within an environmentally sensitive habitat area (indigenous Monterey cypress habitat and coastal bluff scrub);
  - d. Coastal Development Permit to allow development within 50 feet of a coastal bluff; and
  - e. A Minor and Trivial amendment to a previously approved permit (PLN200068, Zoning Administrator Resolution No. 21-008), to delete Condition 8 requiring recordation of a Conservation and Scenic Easement; and
3. Adopt a Mitigation Monitoring and Reporting Plan.

All of which are in general conformance with the attached conditions (attachment 1), lot coverage diagram (Attachment 2), and project plans (Attachment 3), all being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 25<sup>th</sup> day of January, 2023, upon motion of Commissioner Daniels, seconded by Commissioner Roberts, by the following vote:

AYES: Coffelt, Daniels, Getzelman, Gonzalez, Work, Mendoza, Monsalve, Roberts  
NOES: None  
ABSENT: Diehl, Carrillo  
ABSTAIN: None

DocuSigned by:  
*Craig Spencer*  
188C857A496E450

\_\_\_\_\_  
Craig Spencer, Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON   **JAN 27 2023**  .

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS. IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE   **FEB 6 2023**  .

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING

BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

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

#### NOTES

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

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

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

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

Form Rev. 1-27-2021

When recorded return to:  
MONTEREY COUNTY HOUSING AND  
COMMUNITY DEVELOPMENT –  
PLANNING -  
Attn: **PHILIP ANGELO**  
1441 Schilling Pl, South 2<sup>nd</sup> Floor  
Salinas, CA 93901  
(831) 755-5025

Space above for Recorder's Use

**Permit No.:** PLN210276  
**Resolution No.:** 23-004  
**Owner Name:** Feather Cypress, LLC, a  
Delaware Limited Liability  
Company  
**Project Planner:** Philip Angelo  
**APN:** 008-462-008-000

The Undersigned Grantor(s) Declare(s):  
DOCUMENTARY TRANSFER TAX OF \$ 0  
[ ] computed on the consideration or full value of  
property conveyed, OR  
[ ] computed on the consideration or full value less  
value of liens and/or encumbrances remaining at  
time of sale,  
[ ] unincorporated area; and  
[ X ] Exempt from transfer tax,  
Reason: Transfer to a governmental entity

  
Signature of Declarant or Agent

## ***FEATHER ESTATE CONSERVATION AND SCENIC EASEMENT DEED***

**THIS FEATHER ESTATE CONSERVATION AND SCENIC EASEMENT DEED**  
(the CSE Deed) made this 6<sup>th</sup> day of September, 2023, by and between **Feather  
Cypress, LLC, a Delaware Limited Liability Company** as Grantor, and the DEL  
MONTE FOREST CONSERVANCY, a California non-profit corporation, as Grantee, on  
behalf of the County of Monterey (hereinafter County), and THE COUNTY OF  
MONTEREY , a political subdivision of the State of California (County), as Grantee,

### ***WITNESSETH:***

**WHEREAS**, said Grantor is the owner in fee of the real property more particularly  
described in Exhibit "A" attached hereto and made a part hereof, situated in Monterey  
County, California (the Property); and

**WHEREAS**, the Property of said Grantor has certain natural scenic beauty and  
existing openness; and

**WHEREAS**, the Property is subject to that certain Scenic Easement Deed recorded on August 19, 2004, as Document #2004087472 in the Official Records of Monterey County (the 2004 Scenic Easement); and

**WHEREAS**, the 2004 Scenic Easement conveyed an easement to the County limiting development on the Property within 100 feet from the centerline of 17-Mile Drive to the existing or approved development in this area as of August 14, 2003; and

**WHEREAS**, the 2004 Scenic Easement was conveyed to the County pursuant to Condition No. 5 of PLN020582 approved by the County Zoning Administrator on August 14, 2003, Zoning Administrator Resolution Number 020582, which permitted the construction of a new 741 square foot, three car garage and retaining wall on the Property; and

**WHEREAS**, the Grantor and the Grantee desire to preserve and conserve for the public benefit the great natural scenic beauty and existing openness, natural condition and present state of use of the entire Property of the Grantor; and

**WHEREAS**, the California Coastal Act of 1976, (the Act) requires that any coastal development permit approved by the County must be consistent with the provisions of the certified Local Coastal Program (LCP); and

**WHEREAS**, pursuant to the Act, and the LCP, Grantor applied to the County for a permit to undertake further development as defined in the LCP; and

**WHEREAS**, a **Combined Development Permit** (File Number **PLN210276**) (the Permit") was granted on **January 25, 2023** by the Monterey County **Planning Commission** pursuant to the Findings, Evidence, and Conditions contained in Resolution No. **23-004** (the Resolution). The Resolution is attached hereto as Exhibit "B" (without plans) and hereby incorporated by reference, subject to the following condition(s):

**10. PD022(B) - EASEMENT-CONSERVATION AND SCENIC IN THE DEL MONTE FOREST**

Responsible  
Department:

Planning Department

Condition/Mitigation  
Monitoring Measure:

In accordance with Del Monte Forest Land Use Plan Policies 13, 20, and 84, the scenic easement recorded in Monterey County Recorder Document No. 2004087472 shall be amended and replaced with a new conservation and scenic easement deed which encompasses all areas outside of the approved structural and hardscape coverage. The amended

easement deed has the express purpose of protecting environmentally sensitive habitats, including Monterey cypress forest and coastal bluff scrub habitat areas; and the scenic viewshed from 17-Mile Drive. This easement deed shall satisfy the Conservation and Scenic Easement Deed requirements of planning permits PLN200068 and PLN210276.

The amended conservation and scenic easement conveyed to the Del Monte Forest Conservancy with the County as an additional beneficiary in accordance with the procedures in Monterey County Code § 20.64.280.A. The easement conveyance shall include funding adequate to ensure the management and protection of the easement area over time. The easement shall be developed in consultation with a certified professional and the Del Monte Forest Conservancy Inc. A Subordination Agreement shall be required, where necessary. These instruments shall be subject to approval by the County as to form and content, shall provide for enforcement, if need be, by the County or other appropriate agency, and name the County as beneficiary in event the Conservancy is unable to adequately manage these easements for the intended purpose of scenic and visual resource protection. An easement deed shall be submitted to, reviewed, and approved by the Director of HCD - Planning and the Executive Director of the California Coastal Commission, and accepted by the Board of Supervisors prior to recording the parcel/final map or prior to issuance of grading and building permits. (HCD - Planning)

**WHEREAS**, the resources being protected by this CSE Deed are the scenic resources and habitat resources, specifically including native Monterey cypress habitat and coastal bluff scrub areas and the public viewshed from 17-Mile Drive, both protected pursuant to the Del Monte Forest Land Use Plan; and

**WHEREAS**, the County, acting on behalf of the People of the State of California and pursuant to the Act, and in accordance with the findings contained in the Resolution, granted the Permit to the Grantor upon condition (the Condition) described above requiring inter alia, that the Grantor replace the 2004 Scenic Easement with a new recorded conservation and scenic easement (this CSE Deed) which extends across the entire Property, except for those areas approved for development pursuant to the Resolution, and as legally and graphically described in Exhibit "C", attached hereto and incorporated herein (the CSE Area), to restrict development on and use of the Property to preserve the open space, scenic, and/or natural resource values present on the

Property and to prevent the adverse direct and cumulative effects on coastal resources that could occur if the Property were not restricted in accordance with this easement; and

**WHEREAS**, the County has placed the Condition on the Permit because a finding must be made under the law that the proposed development conforms with the provisions of the certified Local Coastal Program and that in the absence of the protections provided by the Condition said finding could not be made; and

**WHEREAS**, Grantor has elected to comply with the Condition and execute this CSE Deed to enable Grantor to undertake the development authorized by the Permit; and

**WHEREAS**, it is intended that this CSE Deed is irrevocable and shall constitute enforceable restrictions within the meaning of Article XIII, Section 8, of the California Constitution and that said easement shall thereby qualify as an enforceable restriction under the provision of the California Revenue and Taxation Code, Section 402.1; and

**WHEREAS**, Grantor is willing to grant to the Grantee this CSE Deed and thereby protect the present scenic beauty and existing openness of the Property by the restricted use and enjoyment of the Property by the Grantor through the imposition of the amended conditions hereinafter expressed;

**NOW, THEREFORE**, the Grantor does hereby grant and convey unto the Grantee an estate, interest, and expanded CSE Area of the nature and character and to the extent hereinafter expressed, which estate, and interest, will result from the restrictions hereby imposed upon the use of said Property by said Grantor, and to that end and for the purposes of accomplishing the intent of the parties hereto, said Grantor covenants on behalf of itself, its heirs, successors, and assigns, with the said Grantee, its successors and assigns, to do and refrain from doing severally and collectively upon the Grantor's Property the various acts hereinafter mentioned.

A. PROPERTY SUBJECT TO AMENDED EASEMENT. The portion of the Property of the Grantor hereinabove referred to and to which the provisions of this instrument apply is situated in the County of Monterey, State of California, and is particularly described and depicted in Exhibit "C", attached hereto, and made a part hereof, and is the CSE Area (as previously defined). At the request of Grantee, angle points of easement boundaries shall be permanently marked or monumented with surveyors' pipe or similar prior to commencement of grading so that the CSE Area can be easily identified both during and after construction.

B. RESTRICTIONS. Except as otherwise provided herein, the restrictions hereby imposed upon the use of the CSE Area by the Grantor and the acts which Grantor shall refrain from doing upon the CSE Area in connection herewith are, and shall be, as follows:

1. That no structures will be placed or erected upon said CSE Area.
2. That no advertising of any kind shall be located on or within the CSE Area except directional, warning, traffic, and for sale or rent signs.
3. That the Grantor shall neither plant nor permit to be planted any vegetation in the CSE Area, except plants both native to Del Monte Forest and approved by the County and Grantee. Periodic efforts to control invasive non-native plants within the easement area are encouraged.
4. That except for maintenance of existing roads and pedestrian trails, the general topography of the landscape shall be maintained in its present condition and no excavation or topographic changes shall be made.
5. That Grantor shall not materially alter the landscape or other attractive scenic features of the CSE Area other than the uses specified above.
6. Grantor shall provide Grantee with copies of all Site and Construction Plans (e.g. Site, Grading, Utility, Drainage, Erosion Control, and Landscape plans, etc.) showing the location of existing and proposed facilities of the materials and specifications for proposed grading and construction within and immediately adjacent to the CSE Area. Grantor shall provide Grantee with advance notice whenever maintenance or construction activities will occur within or immediately adjacent to the Easement. At least 30 days prior to starting construction activities within or immediately adjacent to the CSE Area, Grantor shall hand deliver or mail Grantee, at Grantee's official place of business, plans describing the scope and location of the proposed construction sufficient for Grantee to determine whether the construction work is likely to impact the CSE Area.

C. EXCEPTIONS AND RESERVATIONS. The following are excepted and reserved to the Grantor with the understanding that the purpose of the easement is to preserve, to the most feasible extent, the native Monterey cypress habitat, the coastal scrub habitat, the public viewshed from 17-Mile Drive, and the natural vegetation and topography. Additionally, all exceptions and reservations of Grantor shall minimize disturbance to these features using the best available technologies and practices to be

implemented consistent with the objectives, purposes, and conditions of this easement in consultation with Grantee.

1. The right to maintain and repair such utility service connections as are necessary to serve the property.

2. The use and occupancy of the CSE Area consistent with the conditions and restrictions herein imposed.

3. Fuel management of vegetation within the CSE Area in accordance with fire safety fuel management regulations currently adopted by California State Law. Such activity shall not be permitted to harm or degrade the environmentally sensitive habitat.

4. Restoration activities within the CSE Area in accordance with the Landscape Plan, the Monterey Cypress Habitat Restoration Plan, and the Mitigation and Monitoring Reporting Plan approved with the Permit on file with Monterey County HCD-Planning.

5. Low intensity recreational uses such as hiking and picnicking in the CSE Area which is not inconsistent with the habitat goals of this CSE Deed.

D. SUBJECT TO APPLICABLE LAWS. Land uses permitted or reserved to the Grantor by this instrument and any amendment to this CSE Deed shall be subject to all applicable laws regulating the use of land.

E. BENEFIT AND BURDEN. This grant of this CSE Deed shall run with and burden the Property, and all obligations, terms, conditions, and restrictions hereby imposed shall be deemed to be covenants and restrictions running with the land and shall be effective limitations on the use of the Property from the date of recordation of this document and shall bind the Grantor and or all its successors and assigns. This grant shall benefit Grantee on behalf of the County and its successors and assigns forever. This grant shall further benefit the County of Monterey in the event that the Grantee is unable to adequately manage the conservation and scenic easement for the intended purpose of scenic and visual resource protection.

F. RIGHT OF ENTRY. The Grantee or its agent may enter onto the Property to ascertain whether the use restrictions set forth above are being observed at times reasonably acceptable to the Grantor. The public may not enter onto the Property.

G. ENFORCEMENT. Any act or any conveyance, contract, or authorization whether written or oral by the Grantor which uses or would cause to be used or would permit use of the CSE Area contrary to the terms of this grant of easement will be deemed

a breach hereof. The Grantee or the County may bring any action in court necessary to enforce this grant of easement, including, but not limited to, injunction to terminate a breaching activity and to force the restoration of all damage done by such activity, or an action to enforce the terms and provisions hereof by specific performance. It is understood and agreed that the Grantee or the County may pursue any appropriate legal and equitable remedies. The Grantee or the County shall have sole discretion to determine under what circumstances an action to enforce the terms and conditions of this grant of easement shall be brought in law or in equity. Any forbearance on the part of the Grantee or the County to enforce the terms and provisions hereof in the event of a breach shall not be deemed a waiver of Grantee's or the County's rights regarding any subsequent breach.

H. MAINTENANCE. The Grantee or the County shall not be obligated to maintain, improve, or otherwise expend any funds in connection with the Property or any interest or easement created by this easement. All costs and expenses for such maintenance, improvement use, or possession shall be borne by the Grantor, except for costs incurred by the Grantee or the County for monitoring compliance with the terms of this easement.

I. LIABILITY AND INDEMNIFICATION. This conveyance is made and accepted upon the express condition that the Grantee, the County, and their agencies, departments, officers, agents, and employees are to be free from all liability and claim for damage by reason of any injury to any person or persons, including Grantor, or property of any kind whatsoever and to whomsoever belonging, including Grantor, from any cause or causes whatsoever, except matters arising out of the sole negligence of the Grantee or the County, while in, upon, or in any way connected with the Property, Grantor hereby covenanting and agreeing to indemnify and hold harmless the Grantee, the County, and their agencies, departments, officers, agents, and employees from all liability, loss, cost, and obligations on account of or arising out of such injuries or losses however occurring. The Grantee and the County shall have no right of control over, nor duties and responsibilities with respect to the Property which would subject the Grantee or the County to any liability occurring upon the Property by virtue of the fact that the right of the Grantee to enter the Property or CSE Area is strictly limited to preventing uses inconsistent with the interest granted, the Property is not "property of a public entity" or "public property," and Grantee's rights herein do not include the right to enter the Property

or CSE Area for the purposes of correcting any "dangerous condition" as those terms are defined by California Government Code Section 830.

J. SUCCESSORS AND ASSIGNS. The terms, covenants, conditions, exceptions, obligations, and reservations contained in this conveyance shall be binding upon and inure to the benefit of the successors and assigns of both the Grantor and the Grantee and the County, whether voluntary or involuntary.

K. CONSTRUCTION OF VALIDITY. If any provision of this conservation and scenic easement is held to be invalid or for any reason becomes unenforceable, no other provision shall be thereby affected or impaired.

L. QUITCLAIM OF PRIOR SCENIC EASEMENT. Subject to execution of this CSE Deed, Grantee and County hereby quitclaim that certain Scenic Easement Deed recorded in the Official Records of Monterey County on August 19, 2004 as Document No. 2004087472 to Grantor, in favor of this CSE Deed.

Executed this 6<sup>th</sup> day of September, 2023, at Bentonville, Arkansas, ~~California~~.

**Feather Cypress, LLC, a Delaware Limited Liability Company**

By:   
(Signature)

Michael Evans, Vice President  
Vice President, Feather Cypress, LLC

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print or Type Name and Title)

**NOTE TO NOTARY PUBLIC:** If you are notarizing the signatures of persons, signing on behalf of a corporation, partnership, trust, etc., please use the correct notary jurat (acknowledgment) as explained in your Notary Public Law Book. *lh*

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

*lh*  
STATE OF ~~CALIFORNIA~~ )  
*ARKANSAS* )  
*BENTON* ) SS.  
COUNTY OF ~~MONTEREY~~ )

On September 6, 2023 before me, LETA L. HARRISON, a Notary Public, personally appeared MICHAEL EVANS, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

*lh*  
I certify under PENALTY OF PERJURY under the laws of the State of ~~California~~ that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature *Leta L. Harrison*



(Seal)

**CONSERVATION AND SCENIC EASEMENT DEED  
SIGNATURE CONTINUATION PAGE**

**GRANTEE:**

Accepted and Authorized to be Recorded by the Del Monte Forest Conservancy:

DEL MONTE FOREST CONSERVANCY, INC.  
A Nonprofit California Corporation

By: Don Eastman

Dated: 8/31/2023

Print Name: Don Eastman

Title: President

**NOTE TO NOTARY PUBLIC:** If you are notarizing the signatures of persons, signing on behalf of a corporation, partnership, trust, etc., please use the correct notary jurat (acknowledgment) as explained in your Notary Public Law Book.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

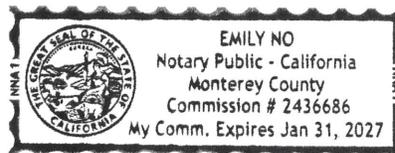
STATE OF CALIFORNIA    )  
  ) SS.  
COUNTY OF MONTEREY    )

On August 31, 2023 before me, Emily No, a Notary Public, personally appeared Don Eastman, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is/are~~ subscribed to the within instrument and acknowledged to me that ~~he~~/she/they executed the same in ~~his~~/her/their authorized capacity(ies), and that by ~~his~~/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Emily No



(Seal)



**EXHIBIT "A"**  
Legal Description

**For APN/Parcel ID(s): 008-462-008**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA IN COUNTY OF MONTEREY, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

**PARCEL I:**

A portion of the El Pescadero Rancho, in the County of Monterey, State of California, described as follows:

Commencing at the Southwesterly corner of Lot 88, as shown on the Amended Map of Pebble Beach, recorded October 13, 1911 in Book 2, Maps of "Cities and Towns"; at Page 31, in the Office of the County Recorder of the County of Monterey, State of California; and running thence, N. 72° 12' 15" W., 94.23 feet to a point on the Westerly sideline of 17 Mile Drive (40.00 feet wide). Said point being the Southeasterly corner of that certain Parcel of land described in Grant Deed recorded on September 27, 1982, Series Number G38801, of Official Records. Said point also being the point of beginning for the property herein described; thence along the Westerly line of 17 Mile Drive, N. 47° 06' 15" W., 153.70 feet; thence S. 31° 13' 00" W., 320.00 feet, more or less, to a point on the ordinary high tide line of the Bay of Carmel; thence Southerly along said high tide line to a point which bears S. 34° 45' 00" W., 280.00 feet more or less from the point of beginning; thence N. 34° 45' 00" E., 280.00 feet, more or less, to the point of beginning.

**PARCEL II:**

That portion of the El Pescadero Rancho, in the County of Monterey, State of California, described as follows:

Beginning at a point which bears 11.05 feet North, and 99.05 feet West from the Southeast corner of Lot 87, as shown on amended map of Pebble Beach, recorded October 13, 1911 in Book 2, Maps of "Cities and Towns", at Page 31, Official Records of Monterey County, California; thence

- (1) South 38° 45' West, 167.63 feet to the bank of the Pacific Ocean; thence,
- (2) North 47° 08' 30" West, 88.65 feet; thence
- (3) North 66° 46' 30" West, 263.87 feet; thence
- (4) North 34° 45' East, 239.33 feet; thence,
- (5) South 47° 06' 15" E., 245.42 feet; thence tangentially,
- (6) On a curve to the left, having a radius of 240.00 feet an arc distance of 51.55 feet; thence, tangentially,
- (7) South 59° 24' 40" East, 63.81 feet to the point beginning.

# EXHIBIT B

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

In the matter of the application of:

**FEATHER CYPRESS LLC (PLN210276)**

### **RESOLUTION NO. 23-004**

Resolution by the Monterey County Planning  
Commission:

- 1) Adopting a Mitigated Negative Declaration pursuant to Section 15074 of the CEQA Guidelines; and
- 2) Approving a Combined Development Permit consisting of a:
  - a. Coastal Administrative Permit and Design Approval to allow the demolition of an existing 17,992 square foot single-family dwelling with an attached two-car garage, a detached 3,797 square foot gym, a 972 square foot covered walkway, and sheds totaling 433 square feet; and the construction of a 7,767 square foot single-family dwelling with an attached two-car garage, 882 square foot basement, 712 square foot pool house, 1,114 square foot pool, and a 319 square foot spa;
  - b. Coastal Development Permit to allow development within 750 feet of known archaeological resources;
  - c. Coastal Development Permit to allow development within an environmentally sensitive habitat area (indigenous Monterey cypress habitat and coastal bluff scrub);
  - d. Coastal Development Permit to allow development within 50 feet of a coastal bluff; and
  - e. Minor and Trivial amendment to a previously approved permit (PLN200068, Zoning Administrator Resolution No. 21-008), to delete Condition 8 requiring recordation of a Conservation and Scenic Easement; and
- 3) Adopting a Mitigation Monitoring and Reporting Plan.

[PLN210276 FEATHER CYPRESS LLC, 3256 17  
Mile Drive, Pebble Beach, Del Monte Forest Land  
Use Plan (APN: 008-462-008-000)]

The Feather Cypress LLC application (PLN210276) came on for a public hearing before the Monterey County Planning Commission on January 25, 2023. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented the Monterey County Planning Commission finds and decides as follows:

## FINDINGS

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

**EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:

- the 1982 Monterey County General Plan;
- Del Monte Forest Land Use Plan;
- Monterey County Coastal Implementation Plan Part 5, Regulations for Development in the Del Monte Forest Land Use Plan Area; and
- Monterey County Zoning Ordinance (Title 20).

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

b) Allowed Use. The property is located at 3256 17-Mile Drive, Pebble Beach (Assessor's Parcel Number 008-462-008-000), Del Monte Forest Land Use Plan, Coastal Zone. The parcel is zoned Low Density Residential, 2 acres per unit, with a Design Control Overlay (Coastal Zone) [LDR/2-D (CZ)], which allows which allows development of single-family dwellings and non-habitable accessory structures such as garages and pool houses as principally allowable uses, subject to a Coastal Administrative Permit. (Title 20 Sections 20.14.040.A. and 20.14.040.F.).

The project proposes:

- demolition of the existing 17,992 square foot single-family home with an attached two-car garage, 3,797 square foot gymnasium, and three sheds; and
- construction of a new 7,767 square foot single-family dwelling with an attached two-car garage, 882 square foot basement, and 712 square foot pool house; and
- site improvements, including new driveways and paths, a 1,114 square foot pool, and a 319 square foot spa.

Therefore, the project is an allowed land use for this site.

c) Lot Legality. The 2.8-acre lot is identified as Parcel 8, within in Assessor's Map Book 8, Page 46. A Lot Line adjustment (File No. 82-38) was approved in December, 1982 and is recorded in Volume 13 of "Surveys." The approved Lot Line Adjustment shows the current parcel boundaries and configuration. Therefore, the County recognizes the subject property as a legal lot of record.

- d) Visual Resources. See Finding No. 5 for discussion of consistency with policies and regulations protecting visual resources.
- e) Development Standards. The site development standards for the base LDR zoning are found in Title 20 section 20.14. The project is consistent with the minimum setback, maximum height, maximum building coverage, and maximum floor area requirements.

The minimum setbacks for main structures are 30 feet (front), 20 feet (side), and 20 feet (rear). The home proposes a front setback of 32 feet, a west side setback of 156 feet, and a rear setback of 94 feet. The east side setback is not dimensioned, however, the home is west of the pool house, meaning that the setback is greater than 36 feet.

The minimum setbacks for accessory structures are 50 feet (front), 6 feet (side), and 1 foot (rear). The pool house proposes a 50 feet front setback, a 36 foot east side setback, and a 79 foot rear setback. The proposed west side setback is not dimensioned, however, the pool house is east of the main home, meaning that the west side setback is greater than 156 feet.

The maximum main structure height is 30 feet and maximum accessory structure height is 15 feet, and the proposed home is 19 feet 6 inches, and proposed pool house is 15 feet.

The maximum allowable building coverage is 15% (18,295 square feet), while the proposed building coverage is 9.5% (11,586 square feet). The maximum allowable floor area is 17.5% (21,344 square feet) while the proposed floor area is 8.2% (9,969 square feet).

- f) Forest Resources. No tree removal is proposed. Measures for the protection of trees and habitat have been incorporated. Mitigation Measure No. 1, including exclusionary fencing, a pre-construction training, and on-going monitoring by a qualified arborist/forester during construction, have been applied to protect.
- g) Hazardous Areas. See Finding No. 3 for discussion of consistency with DMF LUP policies and regulations governing development in hazardous areas.
- h) Historical Resources. DMF LUP Policy 57 encourages timely identification and evaluation of archaeological and historical resources so that they may be given full consideration during the conceptual design phase of projects. Consistent with this policy, a historical report (LIB220005) was prepared for the property which evaluated the historicity of the property. The property is developed with an approximately 17,992 square foot single-family home, designed by George Washington Smith in the Spanish Colonial Revival style and constructed in 1924. The association of this style would place it within the period of prominence for Mediterranean revival architecture in the 1919-1945 time period according to the Pebble Beach Historic Context statement. Therefore, should it have retained integrity the home would have been significant both as a representation of the trend of Spanish Colonial Revival Architecture in pebble beach and as a notable example

of the work of George Washington Smith. Neither the gymnasium or accessory dwelling unit were considered significant or contributing to the historical character of the site, due to their more recent modifications.

For a property to be considered a historical resource, it must contain both significance and integrity. The home has undergone numerous alterations, most notable of which beginning the 70's, which compromised its integrity such that it no longer conveys its significance and no longer retains its core historically defining features. As the property does not retain integrity, it cannot be considered a historical resource, and its demolition would not impact historical resources. The project was referred to the Historic Resources Review Board (HRRB) for review. The historical report (LIB220005) prepared by Seth A. Bergstein and concurring opinions that the site had lost its integrity from Kent L. Seavey, Page & Turnbull, and Marc Appleton and Anthony Kirk were provided to the HRRB, as well as a petition opposing the demolition of the home. By a vote of 6-0 with 1 absent, the HRRB adopted a resolution finding the site was not eligible for listing on the Monterey County Register of Historic Resources and recommending approval of the project.

- i) Archaeological Resources. Pursuant to DMF LUP Policy 58, an archaeological report (LIB220001) was prepared by Susan Morley to evaluate the potential of the project to impact archaeological resources. The report included archival research, a field reconnaissance, and subsurface testing for cultural resources. The archival research identified that in 1988, Charles Smith prepared a report for the accessory dwelling (at that time caretaker) unit. That report did not identify any evidence of archaeological resources in proximity to the unit. In 1990, Breschini and Haversat prepared a report for the expansion of the gym, which identified fragmentary abalone shell in the area. The current Archaeological observation of the geotechnical bores did not reveal any evidence of cultural materials. The archaeologist also conducted four hand augers near the area proposed for development. The augers revealed sparse abalone shell fragments. No other cultural constituents were noted.

Mitigation Measure No. 5 is recommended, which would require establishment of an exclusionary fence along the hardscape path to prevent disturbance beyond the limits shown in the plan. Due to the presence of shell in the area, there is the potential for the site to contain resources. Therefore, Mitigation Measure No. 5 also requires cultural awareness training for construction personnel and archaeological monitoring during grading and excavation activities, and the County's standard Condition No. 3 has been applied, requiring work be halted and the coroner be contacted if any human remains are discovered. This Mitigation Measure and condition reduce potential impacts to archaeological resources to a less than significant level.

- j) Environmentally Sensitive Habitat Area (ESHA). See Finding No. 4 for consistency with applicable policies and regulations protecting environmentally sensitive habitat areas.
- k) Land Use Advisory Committee (LUAC) Review. County staff referred the project to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. The LUAC reviewed the project on February 17, 2022 and voted 6-0 with 1 absent and 1 abstention to recommend approval of the project contingent on review and concurrence from the Historic Resources Review Board (HRRB) that the property was not historical.
- l) The project planner conducted a site inspection on October 13, 2021 to verify that the project on the subject parcel conforms to the plans listed above.
- m) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN210276.

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

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and Pebble Beach Community Services District (CSD). County staff reviewed the application materials and plans to verify that the project on the subject site conforms to the applicable plans and regulations, and there has been no indication from these departments/agencies that the site is not suitable for the development. Conditions recommended have been incorporated.
  - b) The following reports were prepared to assess the geological and geotechnical suitability of the site for development; and the potential for the development to impact biological, forest, historical, and archaeological resources:
    - Geologic and Coastal Bluff Recession Assessment Report, dated October 12, 2021 (Monterey County Document No. LIB220003), prepared by Haro, Kasunich and Associates, Inc., Watsonville, California;
    - Geotechnical Investigation, dated October 12, 2021 (Monterey County Document No. LIB220004), prepared by Haro, Kasunich and Associates, Inc., Watsonville, California;
    - Biological Assessment, dated October 28, 2021 (Monterey County Document No. LIB220002), prepared by Fred Ballerini Horticultural Services, Pacific Grove, California;
    - Tree Resource Assessment and Forest Management and Cypress Restoration Plan, dated January 5, 2022 (Monterey County Document No. LIB220026), prepared by Ono Consulting, Pacific Grove, California;
    - Phase 1 Historic Assessment, dated May 5, 2020 (Monterey County Document No. LIB220005), prepared by Past Consultants LLC, Petaluma, California; and

- Preliminary Cultural Resources Reconnaissance and Phase II Auger Testing for the Feather Cypress, LLC property, dated August 8, 2021 (Monterey County Document No. LIB220001), prepared by Susan Morley, M.A., Register of Professional Archaeologists, and Brenna Wheelis, Marina, California.

County staff independently reviewed these reports and concurs with their conclusions. There are no physical or environmental constraints that would indicate that the site is not suitable for the use. All development shall be in accordance with these reports.

- c) Staff conducted a site inspection on October 13, 2021 to verify that the site is suitable for this use.
- d) See also supporting Finding No. 3.
- e) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN210276.

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

- EVIDENCE:**
- a) The project was reviewed by HCD-Planning, HCD- Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and Pebble Beach Community Services District (CSD). The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
  - b) Necessary public facilities will be provided. The property is and will continue to be served by the California American Water Company (Cal Am) for potable water and the Pebble Beach Community Services District (CSD) for sewer. The applicant submitted a Monterey Peninsula Water Management District (MPWMD) residential release form verifying that the proposed water use, calculated based on MPWMD fixture counts, is less than the existing water use.
  - c) In accordance with DMF LUP Hazards Policy 46 and CIP Section 20.147.060.A.1., geological (LIB220003) and geotechnical (LIB220004) reports were prepared to assess the suitability of the site for development and address geological hazards on the properties. The reports concluded that the site was suitable for development given that the recommendations within them were followed. These included recommendations on site grading, foundation design, and surface drainage. Staff are recommending that the County’s standard notice of report condition be applied for each report (Condition Nos. 8 and 9) to ensure that geological and geotechnical recommendations are followed.
  - d) Pursuant to CIP section 20.147.060.B.6., new development (in this case re-development) is required to avoid the need for shoreline armoring over the development’s lifetime, and habitable structures are required to be sited outside of areas subject to storm wave run-up. The project is

consistent with the CIP section, as discussed in evidence “e” through “g” below.

- e) The County does not have a regulatory standard establishing the lifetime of development for different land uses, however the advisory 2018 Sea Level Rise Policy Guidance document prepared by the California Coastal Commission indicates a minimum of 75 years as the long-range evaluation horizon for the life of a structure.
- f) The project geologist concluded that, based on historical bluff erosion information, bluff retreat would be between 5 and 10 feet over the next 75 years. Climate change and sea level rise accelerates bluff retreat, so an additional 5 feet was added to account for this. Finally, a safety factor of 10 feet was added to account the inherent imprecision of evaluating future coastal erosion, and to create a buffer zone from the bluff edge to proposed building foundations in the future scenario (year 2097). This produced a total recommended setback of 25 feet from the current bluff edge. All proposed structures are outside of this recommended bluff setback, so the development has been sited in a location that is not anticipated to require armoring over the life of development.
- g) The impacts of ocean wave run-up (storm surges) were observed around the 48 – 52 foot elevation above sea level (NAVD 88). The geological report concludes that wave run-up will rise by the amount of sea level rise that occurs within the life of the structures. If the 2018 Sea Level Rise Policy Guidance “Medium – High Risk Aversion” figures are used, the sea level would rise between 5.5 and 6.9 feet by 2100, which would be an elevation between 53.5 to 58.9 feet above sea level. The lowest finish floor (the lower floor/basement of the single-family home) is proposed with a finish floor elevation of 62 feet, higher than both of these figures.
- h) Staff conducted a site inspection on October 13, 2021 to verify that the site is suitable for this use.
- i) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN210276.

**4. FINDING: ENVIRONMENTALLY SENSITIVE HABITAT AREA** – The project minimizes impacts on environmentally sensitive habitat areas in accordance with the applicable goals, policies, and regulations contained in: the Del Monte Forest Land Use Plan (DMF LUP); Monterey County Coastal Implementation Plan (CIP) Part 5, Regulations for Development in the Del Monte Forest Land Use Plan area; and Monterey County Zoning Ordinance (Title 20).

**EVIDENCE:** a) The project includes an application for development within 100 feet of Environmentally Sensitive Habitat Areas (ESHA). In the DMF LUP, designation of ESHA is context dependent, relying both on current evaluation of existing resources and the sensitivity of habitats and species at the time of development consideration. The property has two distinct ecosystems, Monterey cypress forest and coastal bluff scrub, which overlap in an “ecotone”, which has biotic characteristics of both habitat areas. The Monterey cypress is designated as ESHA and

protected by DMF LUP Policy 20. North coastal bluff scrub is considered ESHA by the California Coastal Commission, recognized as a threatened plant community by the California Department of Fish and Wildlife, and classified as a community "rare and worthy of consideration" by the California Natural Diversity Database (CNDDDB), and in this case includes individually sensitive species including Seaciff Buckwheat, a host plant for the federally endangered Smith's Blue Butterfly, and a single Ocean bluff milkvetch, a sensitive plant species. Therefore, the coastal bluff scrub on the site is appropriately categorized as ESHA.

- b) The DMF LUP key policy recognizes that the habitats of the Del Monte Forest are unique, limited, and fragile resources that are sensitive and important biologically, and that enrich Del Monte Forest enjoyment for residents and visitors alike. Accordingly, these habitats should be protected, maintained, and, where possible, enhanced and restored. This project conforms with this key policy as: the proposed development has been sited and designed to be within the existing development footprint, minimizing potential impact to habitat areas. Detailed best management practices are incorporated through Mitigation Measures No. 1 and 2 to ensure that the habitats are protected through construction and implementation of Mitigation Measures no. 3 and 4 will ensure that invasive weeds are removed from the property and approximately 33,600 square feet of sensitive habitat area are restored.
- c) Protection of Indigenous Monterey cypress habitat is specifically addressed in DMF LUP policy 20, and in implementing regulations for this policy contained in CIP section 20.147.040.D.2. The project is consistent with this policy and these implementing regulations as the project proposes development that is confined to areas where existing structures and hardscapes exist.
- d) In accordance with CIP section 20.147.040.D.2.(a), coordinated biological (LIB220002) and forest management (LIB220026) reports were prepared to assess the potential of the project to impact sensitive habitat areas and species.
- e) CIP section 20.147.040.D.2.(b) requires that all development in and adjacent to cypress forest be carefully sited and designed to avoid adverse impacts to cypress habitat. This includes measures recommended in the biological/forestry reports to protect and enhance Monterey cypress habitat values. The project incorporates the best management practices recommended in the biological forestry reports to protect and enhance the habitat area:
  - Mitigation Measure No. 1 requires wrapping tree trunks with protective material, establishment of protective exclusionary fencing areas, a pre-construction biological training, on-going monitoring during construction by a qualified arborist or forester, and remediation if any trees are inadvertently harmed during construction.
  - Mitigation Measure No. 3 requires eradication of invasive species onsite; and
  - Mitigation Measure No. 4 requires preparation, execution, and monitoring of a restoration plan, which would restore approximately

33,607 square feet of environmentally sensitive habitat area, inclusive of 14,619 square feet of Monterey Cypress forest habitat and ecotone, and 18,988 square feet of coastal bluff scrub habitat. This is in addition to the approximately 16,783 square feet of restoration from the area required to be restored in Condition No. 8 of Zoning Administrator Resolution No. 21-008 (PLN200068), which allowed alterations to the existing accessory dwelling unit. For this reason, this permit incorporates an amendment to that resolution, deleting Condition No. 8 and replacing and incorporating the conservation easement requirement in Mitigation measure No. 4 of this resolution.

- f) CIP section 20.147.040.D.2.(c) provides detailed development criteria in Monterey cypress forest habitat. Per paragraph one of 20.147.040.D.2.(c)(2), development on already developed lots is allowed if it is also sited within existing legally established structural/hardscape area and outside of the critical habitat, which is the case for this project. New or modified development outside of the existing legally established structure/hardscape area would be allowable if it complies with the findings of 20.147.040.D.2.(c)(2)(a) – (g), however, these findings are not applicable as all development is within the existing structural/hardscape area.
- g) Previous iterations of the design did include impervious native soil paths outside of the development area. However, as indicated in revised plan sheet A0.6 submitted on November 7, 2022, these paths have been removed to assure consistency with the CIP regulations. This sheet is Attachment 2 to the permit resolution, and the other site plans would need be updated for consistency with this sheet prior to building permit issuance for the building permit to be determined to be in substantial conformance with the planning approval.
- h) In accordance with DMF LUP Policies 20 and 13, the project has been conditioned to require a conservation and scenic easement be placed to protect all areas outside of the proposed development footprint.. See Finding No. 6 for further discussion of the easement condition.
- i) DMF LUP Policy 8 indicates that environmentally sensitive habitats shall be protected against significant disruption in habitat values. Addressing this policy in the context of bluff scrub, Mitigation Measure No. 2 is incorporated, which requires that protective fencing be installed around existing Sea Cliff Buckwheat and intact coastal bluff scrub habitat areas to protect them during construction. Additionally, invasive species eradication is required and will be coordinated with the project biologist (Mitigation Measure No. 3). Sediment control devices will also be installed along the perimeter of the building envelope to prevent construction runoff from impacting bluff scrub habitat and the ocean.
- j) To protect coastal habitat areas, DMF LUP Policy 25 requires a setback/buffer of at least 100 feet from the edge of mean high water tide line. While the mean high water tide line is not precisely denoted, all proposed structures appear greater than 120 feet from the pacific ocean, and proposed structures are further from the ocean than the existing structures. Portions of the existing hardscape appear within this 100 foot

buffer, however, these areas are existing and not being modified by the project.

- k) While no tree removal is proposed, the biological report (LIB220002) identified potential from construction activities to impact nesting birds. To address this, Condition No. 12 requiring a bird nesting survey if demolition or ground disturbance commences between February 1 and September 15 is incorporated.
- l) Staff conducted a site inspection on October 13, 2021 to verify ESHA locations and potential project impacts to ESHA.
- m) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN210276.

**5. FINDING:** **VISUAL RESOURCES** – The project is consistent with the applicable policies to protect Visual Resources in the Del Monte Forest Land Use Plan (DMF LUP) and with implementing regulations in the Monterey County Coastal Implementation Plan (CIP).

- EVIDENCE:**
- a) The project is subject to the Visual Resources protection policies of the Del Monte Forest Land Use Plan (DMF LUP), implementing regulations in Part 5 of the Monterey County Coastal Implementation Plan (CIP), and the Design Control “D” zoning overlay district, which requires a design review of structures and fences to assure protection of the public viewshed and neighborhood character.
  - b) The homes design is consistent with the surrounding neighborhood character:
    - The colors and material palette includes limestone, bronze roofing and window frames, and a cypress soffit, natural materials consistent DMF LUP Policies 52 and 53, that development harmonize with the natural setting and be designed to subordinate and blend into the environment; and
    - The substantial reduction in height and massing from the existing home, from 32 feet and 7 inches to 19 feet and 6 inches, helps subordinate the design to the surrounding forest.
  - c) DMF LUP Land Use and Development Policy 84 indicates that a minimum of a 100 foot setback from the centerline of 17-Mile drive shall be maintained to screen development from public views, unless “otherwise screened by vegetation and/or terrain, and the screening terrain/vegetation is required to be maintained and/or enhanced in perpetuity for screening and public viewshed enhancement purposes.” In this case, the proposed home is approximately 52 feet from the centerline of 17-mile drive at the closest point. However, such encroachment into the setback is appropriate in this case as moving development further from 17 Mile Drive could conflict with bluff and habitat policies. The project is consistent with applicable visual policies as it proposes:
    - A 6 foot tall fence which will screen the proposed project from view from 17-Mile Drive and runs for 420 lineal feet;
    - “Viewshed” fencing along 3 points on 17-Mile drive, totaling 103 feet, which are sited to increase blue ocean views from 17-Mile Drive, enhancing the public viewshed; and

- Approximately 33,600 square feet of habitat restoration. In addition to its ecological value, the cypress forest and scrub habitats will screen the proposed structures and enhance the public viewshed, and be required to be maintained in perpetuity in accordance with Landscaping Restoration Plan Condition No. 6.
- d) Staff conducted a site inspection on October 13, 2021 to assess the potential of the project to impact Visual Resources.
- e) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN210276.

**6. FINDING: MINOR & TRIVIAL AMENDMENT** – The proposed modification to Coastal Development Permit PLN200068 (Zoning Administrator Resolution No. 21-008) to replace Condition No. 8 of that permit with Condition No. 20 attached is generally keeping with the action of the Zoning Administrator and does not create any additional impacts not assessed in the original permit action.

- EVIDENCE:**
- a) On August 14, 2003, the Zoning Administrator approved Resolution No. 020582 allowing construction of a three-car garage attached to an existing caretaker unit on the north of the property. As part of making a finding of consistency within DMF LUP Policy 84, which restricts development within 100 feet of the centerline of 17-Mile Drive to protect the viewshed, PLN020582 required a Scenic Easement by conveyed to the County over areas within 100-feet of the centerline of 17-Mile Drive, excepting existing and approved development. This easement was recorded in Monterey County Recorder document No. 2004087472.
  - b) On February 25, 2021, the Zoning Administrator approved PLN200068 (Zoning Administrator Resolution No. 21-008). Condition No. 8 of this permit requires that the applicant amend the 2004 Scenic Easement to encompass all areas outside of existing and approved development, not just those within 100-feet of the centerline of 17-Mile Drive, excepting existing and approved development, and enumerate that the amended Conservation and Scenic Easement is intended to preserve the indigenous Monterey cypress habitat in addition to protect the viewshed. This was done to ensure consistency with DMF LUP Policy 20. Draft easement language and a diagram depicting the existing and approved development were prepared for PLN200068 Condition No. 8, however, a new easement has not been recorded.
  - c) On December 20, 2021, the applicant submitted for a Combined Development Permit to demolish the main residence and build a new one. DMF LUP Policy 20 requires conservation and scenic easements for all undeveloped areas on the site. As the project involves a reduction in hardscape, a new easement condition is required.
  - d) This permit would delete the conservation and scenic easement condition from the 2021 project (PLN200068) and adds a new condition increasing the size of the easement to encompass the habitat areas being restored as part of this project and incorporating the areas previously

proposed for conservation. This amendment avoids redundancy and consolidates actions following approval.

- e) The timing of Condition No. 20 would allow final recording of the amended easement to be completed prior to final inspection of the home, rather than final inspection of the accessory dwelling unit.
- f) Both conditions would require a Conservation and Scenic Easement over all areas excepting existing and approved development, so the amended condition is still in line with the decision of the Zoning Administrator and would not create any additional environmental impacts.
- g) None of the other conditions of PLN200068 are being modified. PLN200068 remains the operative permit for the accessory dwelling unit and its attached garage.
- h) While the appropriate authority to consider Minor and Trivial Amendments would typically be the Chief of Planning, in accordance with Title 20 Section 20.70.105.A., the Combined Development Permit process allows multiple discretionary entitlements to be considered concurrently.
- i) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN210276.

**7. FINDING:** **CEQA (Mitigated Negative Declaration)** – On the basis of the whole record before the Monterey County Planning Commission, there is no substantial evidence that the proposed project as designed, conditioned and mitigated, will have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County.

- EVIDENCE:**
- a) Pursuant to Public Resources Code Section 21083, and California Environmental Quality Act (CEQA) Guidelines Sections 15063(a) and 15063(b)(2), the Lead Agency shall conduct environmental review in the form of an Initial Study to determine if the project may have a significant effect on the environment and shall prepare a Negative Declaration if there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment.
  - b) County of Monterey as Lead Agency, through HCD-Planning, prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the offices of HCD-Planning and is hereby incorporated by reference (Planning File No. PLN210276).
  - c) There is no substantial evidence, based upon the record as a whole, that the project may have a significant effect on the environment. The Initial Study identified potentially significant effects to biological, cultural, and tribal cultural resources, but the applicant has agreed to mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur. Based upon the analysis of the Initial Study, HCD-Planning prepared a Mitigated Negative Declaration. Mitigation measures have been made conditions of approval of this project.
  - d) The Draft Initial Study and Mitigated Negative Declaration for HCD-Planning File No. PLN210276 was prepared in accordance with the

CEQA Guidelines; filed with the County Clerk on November 21, 2022; and circulated for public review from November 21, 2022 to December 21, 2022 (SCH No. 2022110478). No public comments were received during the circulation period.

- e) Resource areas that were analyzed in the Draft Initial Study/Mitigated Negative Declaration included: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gas Emissions, Hazards/Hazardous Materials, Hydrology/Water Quality, Land Use Planning, Noise, Tribal Cultural Resources, and Wildfire.
- f) Evidence that has been received and considered includes: the application, technical studies/reports, staff reports that reflect the County's independent judgment, and information and testimony presented during public meetings and hearings. These documents are on file in HCD-Planning (Planning File No. PLN210276) and are hereby incorporated herein by reference.
- g) The County identified less than significant impacts to Aesthetics, Air Quality, Geology and Soils, Greenhouse Gas Emissions, Hazards/Hazardous Materials, Hydrology/Water Quality, Land Use Planning, Noise, and Wildfire.
- h) The County identified potentially significant impacts to Biological Resources. Mitigation measures have been incorporated that reduce the identified impacts to a level of less than significant.
- i) Mitigation Measure No. 1 through 4 would reduce potentially significant impacts to biological resources by:
  - Requiring best management practices to protect Monterey cypress be followed including a pre-construction training, establishment of protective fencing, monitoring by a qualified arborist or forester, and monitoring during construction; and
  - Requiring protective fencing and sediment control to protect Seacliff Buckwheat and Bluff Scrub habitat during construction and requiring coordination between a qualified biologist and the invasive species removal contractor to ensure site work doesn't harm this habitat;
  - Requiring removal of invasive species on the site; and
  - Requiring a restoration plan and five years of monitoring by a qualified biologist for the onsite restoration activities.

Together these will ensure construction doesn't inadvertently harm biological resources and that the post construction habitat restoration efforts are undertaken in a manner that will improve the habitat.

- j) The County identified potentially significant impacts to Cultural and Tribal Cultural Resources.

Mitigation Measures No 5 and 6 reduce impacts to Cultural and Tribal Cultural Resources to a less than significant level by:

- Requiring cultural awareness training for construction personnel, establishment of a protective fence along the south of the property, and archaeological monitoring during grading and excavation; and
- Requiring that a tribal monitor approved by the appropriate tribal authority traditionally and culturally affiliated with the area be onsite to observe all project related grading and excavation. The monitor

shall have the authority to temporarily halt work to examine any potentially significant cultural materials or features.

The exclusionary fence protects this area from disturbance, while the other measures ensure that if any previously unidentified cultural resources are uncovered, construction crews are able to identify them, and that they are treated with appropriate dignity and respect.

- k) Pursuant to Public Resources Code Section 21083.2 et seq., County of Monterey HCD-Planning staff initiated AB52 consultation with local Native American tribes on July 22, 2022. Notice was provided to the Ohlone/Costanoan-Esselen Nation, Esselen Tribe of Monterey County, and KaKoon Ta Ruk Band of Ohlone-Costanoan informing them the project and their ability to request a consultation. None of the notified tribal groups requested a consultation. However, due to the known sensitivity of the site to archaeological resources and overlap between archaeological and tribal cultural resources, Mitigation Measure No. 6 has been applied, which requires that a tribal monitor approved by the appropriate tribal authority traditionally and culturally affiliated with the area be onsite to observe all project related grading and excavation. The monitor shall have the authority to temporarily halt work to examine any potentially significant cultural materials or features.
- l) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. A Condition Compliance and Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations, is designed to ensure compliance during project implementation, and is hereby incorporated herein by reference. The applicant must enter into an "Agreement to Implement a Mitigation Monitoring and/or Reporting Plan" as a condition of project approval.
- m) Analysis contained in the Initial Study and the record as a whole indicate the project would have the potential to result in changes to the resources listed in Section 753.5(d) of the California Department of Fish and Wildlife (CDFW) regulations. All land development projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless CDFW determines that the project will have no effect on fish and wildlife resources.

In this case, for purposes of the Fish and Game Code, the project may have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. The Initial Study was sent to CDFW for review, comment, and to recommend necessary conditions to protect biological resources in this area. Therefore, the project will be required to pay the State fee plus a fee payable to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination.

- n) Clarification and Amplification: Cultural Resources. Section VI.5(b) indicates, "an archaeological report (HCD-Planning Library No. LIB220001) prepared for the project identified only scattered archaeological resources in the form of abalone shell fragments and concluded that the proposed development would have a less than

significant potential impact on cultural resources.” This section is being corrected to state: “an archaeological report (HCD-Planning Library No. LIB220001) prepared for the project identified only scattered archaeological resources in the form of abalone shell fragments and sparse burnt animal bone fragments, and concluded that the proposed development would have a less than significant potential impact on cultural resources.”

- o) The above described revisions to the Initial Study/Mitigated Negative Declaration made after the public review period do not change any of the conclusions in the initial study or increase the severity of impacts in any resource category. These revisions clarify and amplify the existing discussion. Therefore, recirculation of the IS/MND is not required in this case.
- p) The County finds that there is no substantial evidence supporting a fair argument of a significant environmental impact.
- q) The County of Monterey Planning Commission considered the Mitigated Negative Declaration, along with the Combined Development Permit, at a duly noticed public hearing held on January 25, 2023.
- r) County of Monterey HCD-Planning, located at 1441 Schilling Place, 2nd Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based.

**8. FINDING:**

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

**EVIDENCE:**

- a) No public access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.147.130 of the Monterey County Coastal Implementation Plan can be demonstrated.
- b) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
- c) The subject property, being in an area with a rocky shoreline and no proposed trail or lateral access way, is not described as an area where the Local Coastal Program requires physical public access (Figure 8, Major Public Access and Recreational Facilities, in the Del Monte Forest Land Use Plan).
- d) The property is in a location that emphasizes visual public access. Figure 3, Visual Resources of the DMF LUP maps it as being potentially visible from 17-Mile Drive and Point Lobos, and halfway between the designated Pescadero and Midway (Lone cypress) vista points. The project planner conducted site visits on January 20, 2021 and October 13, 2021 and verified that the subject property is not visible from the designated vista points. However, it is visible from both 17-Mile Drive and Point Lobos.
- e) Del Monte Forest Land Use Plan (DMF LUP) Policy 137 indicates that development shall not adversely impact public views and scenic character, with specific attention given to the 17-Mile Drive Corridor, and DMF

LUP Policy 139 indicates that where safe access to the shoreline is not feasible, visual access should be emphasized.

- f) As discussed in Finding No. 5 Visual Resources, the proposed project is compatible with the scenic character of the forest. The projects inclusion of approximately 103 lineal feet of viewshed with approximately 63% pass through along 17-Mile Drive also opens up additional blue ocean views from 17-Mile Drive, enhancing visual public access.
- g) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN210276.

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

- EVIDENCE:**
- a) Pursuant to Section 20.86.030 of the Monterey County Zoning Ordinance (Title 20), an appeal may be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.
  - b) Pursuant to Section 20.86.080.A of the Monterey County Zoning Ordinance (Title 20), the project is subject to appeal by/to the California Coastal Commission because it involves development between the sea and the first through public road paralleling the sea and development that is permitted in the underlying zone as a conditional use (i.e.; development within 100 feet of environmentally sensitive habitat).

## DECISION

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

1. Adopt a Mitigated Negative Declaration pursuant to Section 15074 of the CEQA Guidelines; and
2. Approve a Combined Development Permit consisting of:
  - a. Coastal Administrative Permit and Design Approval to allow the demolition of an existing 17,992 square foot single-family dwelling with an attached two-car garage, a detached 3,797 square foot gym, a 972 square foot covered walkway, and sheds totaling 433 square feet; and the construction of a 7,767 square foot single-family dwelling with an attached two-car garage, 882 square foot basement, 712 square foot pool house, 1,114 square foot pool, and a 319 square foot spa;
  - b. a Coastal Development Permit to allow development within 750 feet of known archaeological resources;
  - c. a Coastal Development Permit to allow development within an environmentally sensitive habitat area (indigenous Monterey cypress habitat and coastal bluff scrub);
  - d. Coastal Development Permit to allow development within 50 feet of a coastal bluff; and
  - e. A Minor and Trivial amendment to a previously approved permit (PLN200068, Zoning Administrator Resolution No. 21-008), to delete Condition 8 requiring recordation of a Conservation and Scenic Easement; and
3. Adopt a Mitigation Monitoring and Reporting Plan.

All of which are in general conformance with the attached conditions (attachment 1), lot coverage diagram (Attachment 2), and project plans (Attachment 3), all being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 25<sup>th</sup> day of January, 2023, upon motion of Commissioner Daniels, seconded by Commissioner Roberts, by the following vote:

AYES: Coffelt, Daniels, Getzelman, Gonzalez, Work, Mendoza, Monsalve, Roberts  
NOES: None  
ABSENT: Diehl, Carrillo  
ABSTAIN: None

CircuSigned by:  
  
-8878744467450

\_\_\_\_\_  
Craig Spencer, Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON JAN 27 2023.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS. IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE FEB 6 2023.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING

BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

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

NOTES

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

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

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

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

Form Rev. 1-27-2021

**County of Monterey HCD Planning**  
**Conditions of Approval/Implementation Plan/Mitigation**  
**Monitoring and Reporting Plan**

PLN210276

**1. PD001 - SPECIFIC USES ONLY**

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** This combined development permit (PLN210276) allows:

- a. a Coastal Administrative Permit and Design Approval to allow the demolition of an existing 17,992 square foot single-family dwelling with an attached two-car garage, a detached 3,797 square foot gym, a 972 square foot covered walkway, and sheds totaling 433 square feet; and the construction of a 7,767 square foot single-family dwelling with an attached two-car garage, 882 square foot basement, 712 square foot pool house, 1,114 square foot pool, and a 319 square foot spa;
- b. a Coastal Development Permit to allow development within 750 feet of known archaeological resources;
- c. a Coastal Development Permit to allow development within an environmentally sensitive habitat area (indigenous Monterey cypress habitat and coastal bluff scrub);
- d. Coastal Development Permit to allow development within 50 feet of a coastal bluff; and
- e. A Minor and Trivial Amendment to PLN200068, to replace Condition 8.

The property is located at 3256 17 Mile Drive, Pebble Beach (Assessor's Parcel Number 008-462-008-000), Del Monte Forest Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of HCD - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD - Planning)

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

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

**2. PD002 - NOTICE PERMIT APPROVAL**

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall record a Permit Approval Notice. This notice shall state:

"A Combined Development Permit (Resolution Number 23-004) was approved by the Monterey County Planning Commission for Assessor's Parcel Number 008-462-008-000 on January 25, 2023. The permit was granted subject to 21 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

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

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

**3. PD003(B) - CULTURAL RESOURCES POSITIVE ARCHAEOLOGICAL REPORT**

**Responsible Department:** RMA-Planning

**Condition/Mitigation  
Monitoring Measure:**

If archaeological resources or human remains are accidentally discovered during construction, the following steps will be taken:

There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of the county in which the remain are discovered must be contacted to determine that no investigation of the cause of death is required.

If the coroner determines the remains to be Native American:

- The coroner shall contact the Native American Heritage Commission and HCD - Planning within 24 hours.
- The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costonoans/Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendant.
- The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.9 and 5097.993, Or

Where the following conditions occur, the landowner or his authorized representatives shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:

1. The Native American Heritage Commission is unable to identify a most likely descendant or the most likely descendant failed to make a recommendation within 24 hours after being notified by the commission.
2. The descendant identified fails to make a recommendation; or
3. The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

(HCD - Planning)

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

Prior to the issuance of grading or building permits or approval of Subdivision Improvement Plans, whichever occurs first, the Owner/Applicant, per the archaeologist, shall submit the contract with a Registered Professional Archaeologist for on-call archaeological services should resources be discovered during construction activities. Submit the letter to the Director of the HCD – Planning for approval.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final/parcel map.

Prior to Final, the Owner/Applicant, per the Archaeologist, shall submit a report or letter from the archaeologist summarizing their methods, findings, and recommendations if their services are needed during construction or if no resources were found.

**4. PD005 - FISH & GAME FEE NEG DEC/EIR**

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** Pursuant to the State Public Resources Code Section 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (HCD - Planning)

**Compliance or Monitoring Action to be Performed:** Within five (5) working days of project approval, the Owner/Applicant shall submit a check, payable to the County of Monterey, to the Director of HCD - Planning.

If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the County of Monterey, to the Director of HCD - Planning prior to the recordation of the final/parcel map, the start of use, or the issuance of building permits or grading permits.

**5. PD006 - CONDITION OF APPROVAL / MITIGATION MONITORING PLAN**

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring and/or Reporting Plan (Agreement) in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed Agreement. The agreement shall be recorded. (HCD- Planning)

**Compliance or Monitoring Action to be Performed:** Within sixty (60) days after project approval or prior to the issuance of building and grading permits, whichever occurs first, the Owner/Applicant shall:

- 1) Enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring Plan.
- 2) Fees shall be submitted at the time the property owner submits the signed Agreement.
- 3) Proof of recordation of the Agreement shall be submitted to HCD-Planning.

**6. PD012(D) - LANDSCAPE PLAN & MAINTENANCE (MPWMD-SFD ONLY)**

**Responsible Department:** RMA-Planning

**Condition/Mitigation  
Monitoring Measure:**

The site shall be landscaped. Prior to the issuance of building permits, the landscaping plan shall be submitted to the Director of HCD - Planning . The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County HCD - Planning. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (HCD - Planning)

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

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit landscape plans and contractor's estimate to HCD - Planning for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, "I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures."

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit one (1) set landscape plans of approved by HCD-Planning, a Maximum Applied Water Allowance (MAWA) calculation, and a completed "Residential Water Release Form and Water Permit Application" to the Monterey Peninsula Water Management District for review and approval.

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/ shall submit an approved water permit from the MPWMD to HCD-Building Services.

Prior to occupancy, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall ensure that the landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to Monterey County HCD - Planning.

On an on-going basis, all landscaped areas and fences shall be continuously maintained by the Owner/Applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

**7. PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN**

**Responsible Department:** RMA-Planning

**Condition/Mitigation  
Monitoring Measure:**

All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The lighting source shall be shielded and recessed into the fixture. The project shall also install non-reflective glass and automatic dimmers for the windows in order to prevent offsite glare and light pollution. The applicant shall submit an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture, and include the specifications for the non-reflective glass and automatic lighting dimmers. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations Title 24 Part 6. The exterior lighting plan shall be subject to approval by the Director of HCD - Planning, prior to the issuance of building permits.  
(HCD - Planning)

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

Prior to the issuance of building permits, the Owner/Applicant shall submit three copies of the lighting plans to HCD - Planning for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to final/occupancy, the Owner/Applicant/Contractor shall submit written and photographic evidence demonstrating that the lighting has been installed according to the approved plan, including the non-reflective glass and automatic dimmers.

On an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

**8. PD016 - NOTICE OF REPORT**

**Responsible Department:** RMA-Planning

**Condition/Mitigation  
Monitoring Measure:**

Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states:

"A(n) Geological and Coastal Bluff Recession Assessment Report (Library No. LIB220003), was prepared by Mark Foxx on October 12, 2021, and is on file in Monterey County HCD - Planning. All development shall be in accordance with this report."

(HCD - Planning)

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

Prior to the issuance of grading and building permits, the Owner/Applicant shall submit proof of recordation of this notice to HCD - Planning.

Prior to occupancy, the Owner/Applicant shall submit proof, for review and approval, that all development has been implemented in accordance with the report to the HCD - Planning.

**9. PD016 - NOTICE OF REPORT**

**Responsible Department:** RMA-Planning

**Condition/Mitigation  
Monitoring Measure:**

Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states:

"A(n) Geotechnical Investigation for New Residential Construction (Library No. LIB220004), was prepared by Moses E. Cuprill, P.E. on October, 2021 and is on file in Monterey County HCD - Planning. All development shall be in accordance with this report."

(HCD - Planning)

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

Prior to the issuance of grading and building permits, the Owner/Applicant shall submit proof of recordation of this notice to HCD - Planning.

Prior to occupancy, the Owner/Applicant shall submit proof, for review and approval, that all development has been implemented in accordance with the report to the HCD - Planning.

**10. PD022(B) - EASEMENT-CONSERVATION & SCENIC IN THE DEL MONTE FOREST**

**Responsible Department:** RMA-Planning

**Condition/Mitigation  
Monitoring Measure:**

In accordance with Del Monte Forest Land Use Plan Policies 13, 20, and 84, the scenic easement recorded in Monterey County Recorder Document No. 2004087472 shall be amended and replaced with a new conservation and scenic easement deed which encompasses all areas outside of the approved structural and hardscape coverage. The amended easement deed has the express purpose of protecting environmentally sensitive habitats, including Monterey cypress forest and coastal bluff scrub habitat areas; and the scenic viewshed from 17-Mile Drive. This easement deed shall satisfy the Conservation and Scenic Easement Deed requirements of planning permits PLN200068 and PLN210276.

The amended conservation and scenic easement conveyed to the Del Monte Forest Conservancy with the County as an additional beneficiary in accordance with the procedures in Monterey County Code § 20.64.280.A. The easement conveyance shall include funding adequate to ensure the management and protection of the easement area over time. The easement shall be developed in consultation with a certified professional and the Del Monte Forest Conservancy Inc. A Subordination Agreement shall be required, where necessary. These instruments shall be subject to approval by the County as to form and content, shall provide for enforcement, if need be, by the County or other appropriate agency, and name the County as beneficiary in event the Conservancy is unable to adequately manage these easements for the intended purpose of scenic and visual resource protection. An easement deed shall be submitted to, reviewed, and approved by the Director of HCD - Planning and the Executive Director of the California Coastal Commission, and accepted by the Board of Supervisors prior to recording the parcel/final map or prior to issuance of grading and building permits. (HCD - Planning)

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

Prior to issuance of grading and building permits for the home or pool house, whichever comes first, the Owner/Applicant/Certified Professional shall submit the conservation and scenic easement deed and corresponding map, showing the exact location of the easement on the property along with the metes and bound description developed in consultation with a certified professional, to the to the Del Monte Forest Conservancy for review and approval.

Prior to issuance of grading and building permits for the home or pool house, whichever comes first, the Owner/Applicant/Certified Professional shall submit the conservation and scenic easement deed and corresponding map, showing the exact location of the easement on the property along with the metes and bound description developed in consultation with a certified professional, to HCD - Planning for review and approval.

Prior to issuance of grading and building permits for the home or pool house, whichever comes first, whichever comes first, the Owner/Applicant, shall submit a signed and notarized Subordination Agreement, if required, to HCD - Planning for review and approval

Prior to final for the home or pool house, whichever comes first, the Owner/Applicant shall record the deed and map showing the approved conservation and scenic easement. Submit a copy of the recorded deed and map to HCD-Planning.

**11. PD047 - DEMOLITION/DECONSTRUCTION (MBUAPCD RULE 439)**

**Responsible Department:** RMA-Planning

**Condition/Mitigation  
Monitoring Measure:**

In accordance with Monterey Bay Unified Air Pollution Control District Rule 439, construction plans shall include "Demolition and Deconstruction" notes that incorporate the following work practice standards:

1. Sufficiently wet the structure prior to deconstruction or demolition. Continue wetting as necessary during active deconstruction or demolition and the debris reduction process;
  2. Demolish the structure inward toward the building pad. Lay down roof and walls so that they fall inward and not away from the building;
  3. Commencement of deconstruction or demolition activities shall be prohibited when the peak wind speed exceeds 15 miles per hour.
- All Air District standards shall be enforced by the Air District.  
(HCD - Planning)

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

Prior to the issuance of a demolition permit, if applicable, the Owner/Applicant/Contractor shall incorporate a "Demolition/Deconstruction" note on the demolition site plan that includes, but is not limited to, the standards set forth in this condition.

During demolition, the Owner/Applicant/Contractor shall obtain any required Air District permits and the Air District shall conduct all deconstruction or demolition inspection activities as required by the Air District.

**12. PD050 - RAPTOR/MIGRATORY BIRD NESTING**

**Responsible Department:** RMA-Planning

**Condition/Mitigation  
Monitoring Measure:**

If demolition or ground disturbance for the project commences during the typical bird nesting season (February 1 - September 15), the County of Monterey shall require that the project applicant retain a County qualified biologist to perform a nest survey in order to determine if any active raptor or migratory bird nests occur within the project site or within 300 feet of proposed tree removal activity. During the typical nesting season, the survey shall be conducted no more than 30 days prior to ground disturbance or tree removal. If nesting birds are found on the project site, an appropriate buffer plan shall be established by the project biologist. (HCD - Planning)

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

No more than 30 days prior to demolition or ground disturbance, the Owner/Applicant, the owner/applicant shall submit an updated construction schedule to HCD-Planning indicating if demolition or ground disturbance are scheduled to commence during the typical bird nesting season (February 1 - September 15).

If ground disturbance is scheduled to commence within the typical bird nesting season, no more than 30 days prior to demolition or ground disturbance, the Owner/Applicant shall submit to HCD -Planning a nest survey prepared by a County qualified biologist to determine if any active raptor or migratory bird nests occur within the project site or immediate vicinity.

**13. PDSP001 - MITIGATION MEASURE NO 1 MONTEREY CYPRESS PROTECTION (PART 1)**

**Responsible Department:** RMA-Planning

**Condition/Mitigation  
Monitoring Measure:**

In order to ensure that Monterey cypress trees and forest habitat is protected throughout construction, the construction contractor, under the supervision of the Project Tree Consultant (a Monterey County-approved Arborist or Forester) shall ensure the following measures are implemented throughout construction.

Prior to demolition, grading, or construction activity:

- Trees and areas designated for protection located adjacent to the construction area shall be protected from damage by construction equipment using optimal tree root protection zones to include temporary fencing in combination with the wrapping of trunks with protective materials.
- Fencing shall consist of chain link, snowdrift, plastic mesh, hay bales, or field fence. The best form of protection is to use straw bales then erect fencing on top of the bales so they cannot be moved easily.
- Prior to the start of construction, all construction managers, heavy equipment operators and tree services operators/vegetation managers shall attend a pre-demolition and construction meeting to be trained in tree and vegetation protection procedures. The purpose of the meeting is to educate and answer questions as to adequate tree and vegetation protection and what or why habitat protection and restoration efforts are crucial. During this meeting, expectations are to be made clear as to what the responsibilities are by each construction entity for trees and vegetation; this includes but is not limited to areas of exclusion, spoils, etc., and to who and to what extent accountability will be placed. Training will be conducted by a certified professional such as a qualified forester or biologist, or certified arborist consisting of protection standards that are to be implemented as well as procedures common to site restoration.
- Fencing shall not be attached to the tree but shall be free-standing or self supporting so as not to damage trees. Fencing shall be rigidly supported and shall always stand at a minimum height of four feet above grade and with Critical Root Zones fenced to the greatest extent feasible to conduct the construction activities.

Throughout the construction process:

- Soil compaction, parking of vehicles or heavy equipment, stockpiling of construction materials, and/or dumping of materials are not allowed adjacent to trees on the property especially within or near fenced areas. If vehicle access is required in an area outside of the existing hardscaped area, a temporary plywood track may be used between the hardscape and destination point.
- Severe or careless grading in the root zones, compaction of soils, soil contamination, and improper deposition of excavated soils near the base of a Monterey cypress or within critical root zones during project implementation could cause the decline or death of the trees. The above actions, including cleaning of concrete, paint, or plaster, dumping of spoils, stockpiling of construction materials shall not be allowed adjacent to cypress trees on the property especially within or near fenced areas. To avoid soil contamination in critical tree root zones, the Project Tree Consultant shall identify areas on the parcel for construction clean out purposes.
- Operation of heavy equipment and parking of personnel vehicles shall be kept within the construction impact zones. Any operation of heavy equipment, staging, or parking within the edge of the temporary protective fencing established pursuant to this Mitigation Measure shall be prohibited.
- Fenced areas and trunk protection materials shall remain in place during the entire

construction period. If at any time it is discovered that exclusion fencing or tree protection is below standard or non-functional it shall be immediately re-installed and inspected by a Monterey County qualified arborist or forester for compliance.

[CONTINUED IN PART 2]

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

[ACTIONS NEEDED FOR RESOLUTION IN PART 2]

**13. PDSP001 - MITIGATION MEASURE NO 1 MONTEREY CYPRESS PROTECTION (PART 2)**

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** [CONTINUED FROM PART 1]

During grading and excavation:

- Any grading, excavation, trenching or digging activities near critical tree root zones shall require prior approval and observation from the Project Tree Consultant.
- Within the Monterey cypress tree critical root zones, trenching for footings, utilities, landscaping, retaining walls or other ground disturbance actions shall be implemented by hand trenching under the approval and guidance of the Project Tree Consultant. Ground disturbance actions that are expected to encounter tree roots shall be monitored by the Project Tree Consultant to ensure against cutting structural root systems and direct any minor field adjustments that may be needed. Encountered feeder roots shall be flush cut with equipment approved by the Project Tree Consultant.
- All trenching, grading or any other digging or soil removal that is expected to encounter tree roots shall be monitored by the Project Tree Consultant to ensure against drilling or cutting into or through major roots.
- The Project Tree Consultant shall be on-site during excavation activities expected to encounter tree roots to direct any minor field adjustments that may be needed.
- Trenching for footings, driveway, and retaining walls located adjacent to any tree shall be done by hand first to locate roots where practical and any roots found greater than 2-inches diameter shall be bridged or pruned appropriately.
- Any roots discovered that must be cut, shall be first exposed by manually digging a trench, then cut with a saw, vibrating knife, rock-saw, narrow trencher with sharp blades, or other approved root pruning equipment.
- Any cutting of, or impacts to root systems could compromise the structural integrity of the tree to withstand the coastal winds and also impair nutrient uptake of feeder roots. If potentially significant roots are discovered, the Project Tree Consultant shall be authorized to halt excavation, trenching or digging actions until appropriate mitigation measures are formulated and implemented.
- Any roots damaged during grading or excavation shall be exposed to sound tissue and cut cleanly with a saw.
- Tree pruning may be necessary to remove deadwood or structural defects. All proposed pruning shall be conducted under the direction of the Project Tree Consultant.

If at any time potentially significant tree roots are discovered:

- The Project Tree Consultant shall be authorized to halt excavation until appropriate mitigation measures are formulated and implemented.
- If significant roots are identified that must be removed, the Project Tree Consultant will be contacted immediately for recommended treatment approaches of the area that will not risk death, decline, or instability of the tree, such as hand digging, bridging or tunneling under roots, etc. These recommendations shall be followed.

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

1a: Prior to issuance of demolition, grading, or construction permits, the owner/applicant shall submit an executed contract from a Monterey County qualified arborist or forester, herein after referred to as the "Project Tree Consultant", to HCD-Planning for review for consistency with Mitigation Measure 1. The contract shall identify how training, establishment of protective fencing, monitoring, and follow up reporting required by Mitigation Measure 1 shall occur.

1b: Prior to issuance of a construction permit, the approved Project Tree Consultant shall submit evidence of the Monterey cypress protection fencing installation and implementation of avoidance measures to HCD-Planning for review and approval. Throughout all phases of demolition and construction, the contractor shall maintain, repair, and improve as necessary, the fencing and avoidance measures. Any modifications to the fencing shall be approved by the Project Tree Consultant.

1c: Prior to commencement of demolition, grading, or construction, the Project Tree Consultant shall submit evidence that the required pre-construction meeting took place to HCD-Planning for review and approval. Evidence shall consist of meeting minutes or a letter from the tree consultant and shall include a list of contractors in attendance.

1d: Prior to final of the construction permit, the Project Tree Consultant shall submit a report to HCD-Planning certifying that the Monterey cypress protective fencing and avoidance measures remained intact and functional throughout all construction phases, or if any Monterey cypress were harmed by construction and remediation is required. The owner/applicant shall be responsible for executing any remediation required to restore the health of harmed Monterey cypress trees.

**14. MITIGATION MEASURE NO 2 - SEA CLIFF BUCKWHEAT AND BLUFF SCRUB PROTECTION**

**Responsible Department:** RMA-Planning

**Condition/Mitigation  
Monitoring Measure:**

The project applicant, or the construction contractor on their behalf, shall ensure the following measures are implemented throughout demolition, grading, and construction in order to protect Sea Cliff Buckwheat (which are habitat for federally endangered species Smith's Blue Butterfly and for sensitive species western bumblebee) and intact coastal bluff scrub sensitive habitat:

- Protective fencing shall be installed around existing Sea Cliff Buckwheat and intact sensitive coastal bluff scrub habitat areas prior to issuance of demolition, grading, or construction permits. Fencing shall remain in place throughout the construction period until final inspection.
- Prior to the start of invasive species eradication activities, a meeting shall occur between the Project Biologist (a Monterey County-approved biologist retained by the applicant) and invasive species removal contractor prior to removal of invasive species to ensure existing plants are protected and site-specific seed-grown Sea Cliff Buckwheat plantings are integrated into the restoration landscape planting plan (see Mitigation Measure 3).
- Sediment control devices shall be installed on the downhill perimeter of the building envelope and along the southerly coastal bluff edge.

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

2a: Prior to issuance of demolition, grading, or construction permits, the owner/applicant shall submit an executed contract from a Monterey County qualified biologist, herein after referred to as the "Project Biologist", to HCD-Planning for review for consistency with Mitigation Measure 2. The contract shall identify how establishment of protective fencing, invasive species removal meeting, and follow up reporting required by Mitigation Measure 2 shall occur.

2b: Prior to issuance of a construction permit, the approved Project Biologist shall submit evidence of the installation of Sea Cliff Buckwheat habitat protection fencing to County of Monterey Housing and Community Development (HCD). Throughout all phases of demolition and construction, the contractor shall maintain, and improve as necessary, the fencing and avoidance measures.

2c: Prior to demolition or grading, the Project Biologist shall provide evidence to HCD-Planning, for review and approval, that sediment control measures were installed.

2d: Prior initiating the invasive species removal required by Mitigation Measure No. 3, the Project Biologist shall provide written evidence in the form of meeting minutes to HCD-Planning, for review and approval, detailing the meeting with the invasive species removal contractor regarding sensitive plant avoidance and the implementation of the restoration landscape planting plan.

2e: Prior to final of the construction permit, the Project Biologist shall certify to HCD-Planning that the Sea Cliff Buckwheat and coastal bluff scrub habitat protection measures remained intact and functional throughout all construction phases. If any Sea Cliff Buckwheat or coastal bluff scrub were harmed during the construction process, the Project Biologist shall include recommended remediation measures to restore and sensitive species/habitat which the owner/applicant shall be required to incorporate into the Restoration Landscape Plan required by Mitigation Measure No. 4.

**15. MITIGATION MEASURE NO 3 - INVASIVE SPECIES ERADICATION**

**Responsible Department:** RMA-Planning

**Condition/Mitigation  
Monitoring Measure:**

In order to ensure proper invasive species eradication and protect sensitive biological resources, a qualified invasive species removal and certified pest control applicator contractor, under the supervision of the Project Biologist (a Monterey County-approved biologist retained by the applicant), shall oversee the implementation of invasive species eradication activities, including removal as recommended by the approved restoration landscape planting plan and off-site disposal of invasive species at a designated waste facility during project construction. The Project Biologist shall ensure the invasive species removal contractor conducts the following activities:

- Invasive Karo trees (*Pittosporum crassifolium*) and the Ngaio tree (*Myoporum laetum*) that occur along the property fencing adjacent to 17-Mile Drive and near ancillary structures shall be thoroughly removed from the project area (including stumps).
- Invasive ice plant (*Delosperma cooperi* and *Drosanthemum floribundum*), statice (*Limonium sinuatum*), English ivy (*Hedera helix*), and mirror plant (*Coprosma repens*), along with naturalized aeonium succulents (*Aeonium* sp.), shall be fully eradicated prior to planting and seeding of restoration species (see Mitigation Measure 4).
- Long-term eradication protocols and five-year monitoring shall be included in the final restoration landscape planting plan (see Mitigation Measure 4).

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

3a: Prior to issuance of a construction permit, the approved Project Biologist shall submit the restoration landscape planting plan to HCD-Planning for review and approval. Throughout all phases of demolition and construction, the Project Biologist shall confirm the invasive species eradication activities are consistent with the approved landscape planting plan.

3b: Prior to final of the construction permit, the approved Project Biologist shall certify to HCD-Planning that implementation of the invasive species eradication occurred consistent with the activities outlined in Mitigation Measure 3.

## 16. MITIGATION MEASURE NO 4 - RESTORATION LANDSCAPING PLANTING PLAN & MONITORING

Responsible Department: RMA-Planning

**Condition/Mitigation Monitoring Measure:** To ensure long-term maintenance of sensitive habitat onsite, successful restoration shall occur. Prior to the implementation of the restoration activities, the applicant shall ensure the following measures are incorporated in an approved restoration landscape planting plan and are implemented during restoration activities:

- A restoration landscape planting plan shall be prepared consistent with Del Monte Forest Area Land Use Plan Environmentally Sensitive Habitat Area (ESHA) Policy 1. Specifically, native plant species associated with Monterey cypress forest and coastal bluff scrub habitat shall be required in landscaping materials and invasive plant species shall be removed from the project area.
- The plan shall identify the location of the two distinct habitats to restore: the coastal bluff scrub and Monterey cypress forest, as well as the transitional ecotone between them.
- The plan shall include the following details:
  1. Restoration techniques;
  2. Plant propagation/seeding methods specific to the Del Monte Forest area;
  3. Long-term maintenance activities including invasive species controls;
  4. Restoration success criteria including the following standards:
    - A. Health and vigor: Plants and trees are in good health and exhibit normal flowering and foliage color.
    - B. Exotic weed species: Exotic weed species (ice plant, species in the genus *Genista* [invasive brooms], non-native grasses, etc.) are few in numbers and generally not evident.
    - C. Erosion: Not evident.
  5. Restoration monitoring reporting program, with a minimum of five years of monitoring or until the restoration criteria are met, whichever is longer. The reporting shall be annual for the first three years and then have a final fifth year inspection. If the restoration success criteria cannot be met at the fifth year inspection, reporting would continue annually until the performance criteria can be met. During each monitoring period, the Project Biologist shall prepare a monitoring report which addressed the following:
    - A. Plant composition, density, and percent cover;
    - B. Condition of the plants, paying particular attention to plant mortality or any deficiency in the quality and quantity of the landscape;
    - C. Signs of damage to the plants from natural or human-related causes;
    - D. Status of exotic vegetation;
    - E. Status of species of special concern;
    - F. Photographic records shall be provided with the monitoring reports to provide additional documentation of progress toward meeting the success criteria; and
    - G. Whether any additional remediation or follow up is required to meet the success criteria established in the plan.
  6. Erosion control measures for sloped areas along the coastal bluff; and
  7. Implementation schedule.

• The plan shall include the appropriate species for use in each Habitat Restoration Zone, and shall use the preliminary species list provided in the biological assessment prepared for the project (Monterey County Document No. LIB220002).

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

4a. Prior to issuance of a demolition, grading, or construction permit, the approved Project Biologist, in conjunction with the project landscape architect, shall submit the restoration landscape planting plan to HCD-Planning for review and approval.

4b: Prior to construction permit final, the approved Project Biologist shall certify to HCD-Planning that initial planting and exotic special eradication activities required by the restoration landscaping plan were executed in accordance with the plan.

4c: After construction, annually for three years, the Project Biologist shall submit monitoring reports to HCD-Planning, for review and approval, on the status of the restoration. The owner/applicant shall be required to implement any recommended remediation or follow up measures required to meet the success criteria within the five-year monitoring period.

4d: Five years after construction, the Project Biologist shall submit a monitoring report to HCD-Planning, for review and approval, on the final success of the restoration, and whether the success criteria of the restoration landscaping plan have been met, or if additional remediation or follow up measures are required. The owner/applicant shall be required to implement any recommended remediation or follow up measures required to meet the final success criteria. If remediation or follow up is required, monitoring and reporting shall continue annually until the final success criteria are met.

**17. MITIGATION MEASURE NO 5 - ON-SITE ARCHAEOLOGICAL MONITOR, CULTURAL AWARENESS TRAINING**

**Responsible Department:** RMA-Planning

**Condition/Mitigation  
Monitoring Measure:**

To reduce potential impacts to cultural resources that may be discovered during development onsite, a qualified archaeological monitor (i.e., an archaeologist registered with the Register of Professional Archaeologists [RPA] or a Registered Archaeologist [RA] under the supervision of an RPA) shall conduct a cultural resource awareness and response training for construction personnel prior to the commencement of any grading or excavation activity, and shall be present and observe all soil disturbance for all grading and excavation activities. If at any time, potentially significant archaeological resources or intact features are discovered, the monitor shall temporarily halt work until the find can be evaluated by the archaeological monitor. If the find is determined to be significant, work shall remain halted until a plan of action has been formulated, with the concurrence of HCD-Planning, and implemented. Also, the applicant and qualified archaeological monitor shall install a physical barrier (e.g., construction fencing) along the south of the existing hardscape pathway where the slope it begins to slope downward toward the bluff. The exact location of this fence shall be determined by the project archaeologist in coordination with the construction contractor, and shall not be established within any designated environmentally sensitive habitat area.

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

5a: Prior to issuance of demolition, grading, or construction permits, the owner/applicant shall include a note on the construction plans encompassing the language contained in Mitigation Measure 5, including all compliance actions. The owner/applicant shall submit said plans to HCD-Planning for review and approval.

5b: Prior to issuance of demolition, grading, or construction permits, the owner/applicant shall submit to HCD-Planning a copy of the contract between the owner/applicant and a qualified archaeological monitor. The contract shall include a pre-construction meeting agenda with specific construction activities that the monitor shall be present for, any construction activities for which the archaeological monitor will not be present, how sampling of the excavated soil will occur, and any other logistical information such as when and how work on the site will be halted. The contract shall include provisions requiring the monitor be present and observe all soil disturbance for all grading and excavation, and authorizing the monitor to stop work in the event resources are found. In addition, the contract shall authorize the monitor to prepare a report suitable for compliance documentation to be prepared within four weeks of completion of the data recovery field work. The contract shall be submitted to HCD-Planning for review and approval. Should HCD-Planning find the contract incomplete or unacceptable, the contract will be returned to the owner/applicant and a revised contract shall be re-submitted for review and approval.

5c: Prior to issuance of demolition, grading, or construction permits, the owner/applicant shall submit an up to date construction schedule indicating when any grading or excavation activities are expected to occur.

5d: Prior to issuance of demolition, grading, or construction permits the owner/applicant or qualified archaeologist shall also submit evidence of installation of a physical barrier (e.g., construction fencing) along the south edge of the existing hardscape walkway. The specific location will be determined by the qualified archaeologist in consultation with the contractor and a qualified biologist. The fencing must be established after the Monterey cypress and bluff scrub fencing required by Mitigation Measures No. 1 and 2, and must be outside of those environmentally sensitive habitat areas.

5e: Prior to commencement of demolition, grading, excavation, or construction activity, the owner/applicant shall submit evidence that a qualified archaeologist conducted a cultural resource awareness and response training for construction personnel. The training shall include a description of the kinds of cultural and tribal cultural resources that are found in the area, protocols to be used in the event of an unanticipated discovery, and the importance of cultural resources to the Native American community.

5f: If archaeological resources are unexpectedly discovered during construction, work shall be halted on the parcel until the find can be evaluated and a plan of action formulated and implemented, with the concurrence of HCD-Planning. Data recovery shall be implemented during the construction and excavation monitoring. If intact archaeological features are exposed, they shall be screened for data recovery using the appropriate method for site and soil conditions. The owner/applicant shall allow the on-site Tribal Monitor (see Mitigation Measure 6 – Section VI.18) an opportunity to make recommendations for the disposition of potentially significant archaeological materials found.

5g: A final technical report containing the results of all analyses shall be completed within one year following completion of the field work. This report shall be submitted to HCD-Planning and the Northwest Regional Information Center at Sonoma State

**18. MITIGATION MEASURE NO 6 - ON-SITE TRIBAL MONITOR**

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** To ensure that Tribal Cultural Resources incur a less than significant impact if encountered, a Tribal Monitor approved by the appropriate tribe traditionally and culturally affiliated with the vicinity of the subject parcel and that has consulted with the County and designated one lead contact person in accordance with AB 52 requirements, or other appropriately NAHC-recognized representative, shall be on-site and observe all project-related grading and excavation to identify findings with tribal cultural significance. This Tribal Monitor shall have the authority to temporarily halt work in order to examine any potentially significant cultural materials or features. If resources are discovered, the owner/applicant/contractor shall refer to and comply with HCD-Planning Standard Condition PD003(B) as applicable. This mitigation is not intended to alleviate responsibility of the owner or its agents from contacting the County Coroner and complying with State law if human remains are discovered.

**Compliance or Monitoring Action to be Performed:** 6a: Prior to issuance of construction permits for grading or building, the owner/applicant shall include a note on the construction plans encompassing the language contained in Mitigation Measure 6, including all compliance actions. The owner/applicant shall submit said plans to HCD-Planning for review and approval.

6b: Prior to issuance of a construction permit for grading and/or building, the Applicant/Owner shall submit evidence to the satisfaction of the Chief of HCD-Planning that a monitor approved by the appropriate tribe traditionally and culturally affiliated with the vicinity of the subject parcel and that has consulted with the County and designated one lead contact person in accordance with AB 52 requirements, or other appropriately NAHC-recognized representative, has been retained to monitor the appropriate construction activities. This Tribal Monitor shall be retained for the duration of any project-related grading and excavation.

6c: Any artifacts found that are not associated with a finding of human remains shall be cataloged by both the Tribal Monitor and the qualified archaeological monitor. Once cataloged, the qualified archaeological monitor will take temporary possession of the artifacts for testing and reporting purposes. Upon completion of these testing and reporting activities, all artifacts, at the discretion of the property owner, shall be returned within one (1) year to a representative of the appropriate local tribe as recognized by the Native American Heritage Commission, or the Monterey County Historical Society. A final technical report containing the results of all analyses shall be completed within one year following completion of the field work. This report shall be submitted to HCD-Planning and the Northwest Regional Information Center at Sonoma State University. Artifacts associated with a finding of human remains shall be reburied in accordance with State Law and penalty for violation pursuant to PRC section 5097.994.

6d: Prior to final building inspection, the Tribal Monitor or other appropriately NAHC recognized representative shall submit a letter to HCD-Planning confirming participation in the monitoring and provide a summary of archaeological and /or cultural finds or no finds, as applicable.

**19. CC01 INDEMNIFICATION AGREEMENT**

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

**Condition/Mitigation Monitoring Measure:**

The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (County Counsel-Risk Management)

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

Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Office of County Counsel-Risk Management for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the Office of County Counsel-Risk Management

**20. PW0044 - CONSTRUCTION MANAGEMENT PLAN**

**Responsible Department:** RMA-Public Works

**Condition/Mitigation Monitoring Measure:**

The applicant shall submit a Construction Management Plan (CMP) to HCD-Planning and HCD - Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project.

CMP shall include, at a minimum, duration of the construction, hours of operation, truck routes, estimated number of truck trips that will be generated, number of construction workers, and on-site/off-site parking areas for equipment and workers and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the construction/grading phase of the project.

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

1. Prior to issuance of the Grading Permit or Building Permit, Owner/Applicant/Contractor shall prepare a CMP and shall submit the CMP to the HCD-Planning Department and the Department of Public Works for review and approval.
2. On-going through construction phases Owner/Applicant/Contractor shall implement the approved measures during the construction/grading phase of the project.

**21. CALIFORNIA CONSTRUCTION GENERAL PERMIT**

**Responsible Department:** Environmental Services

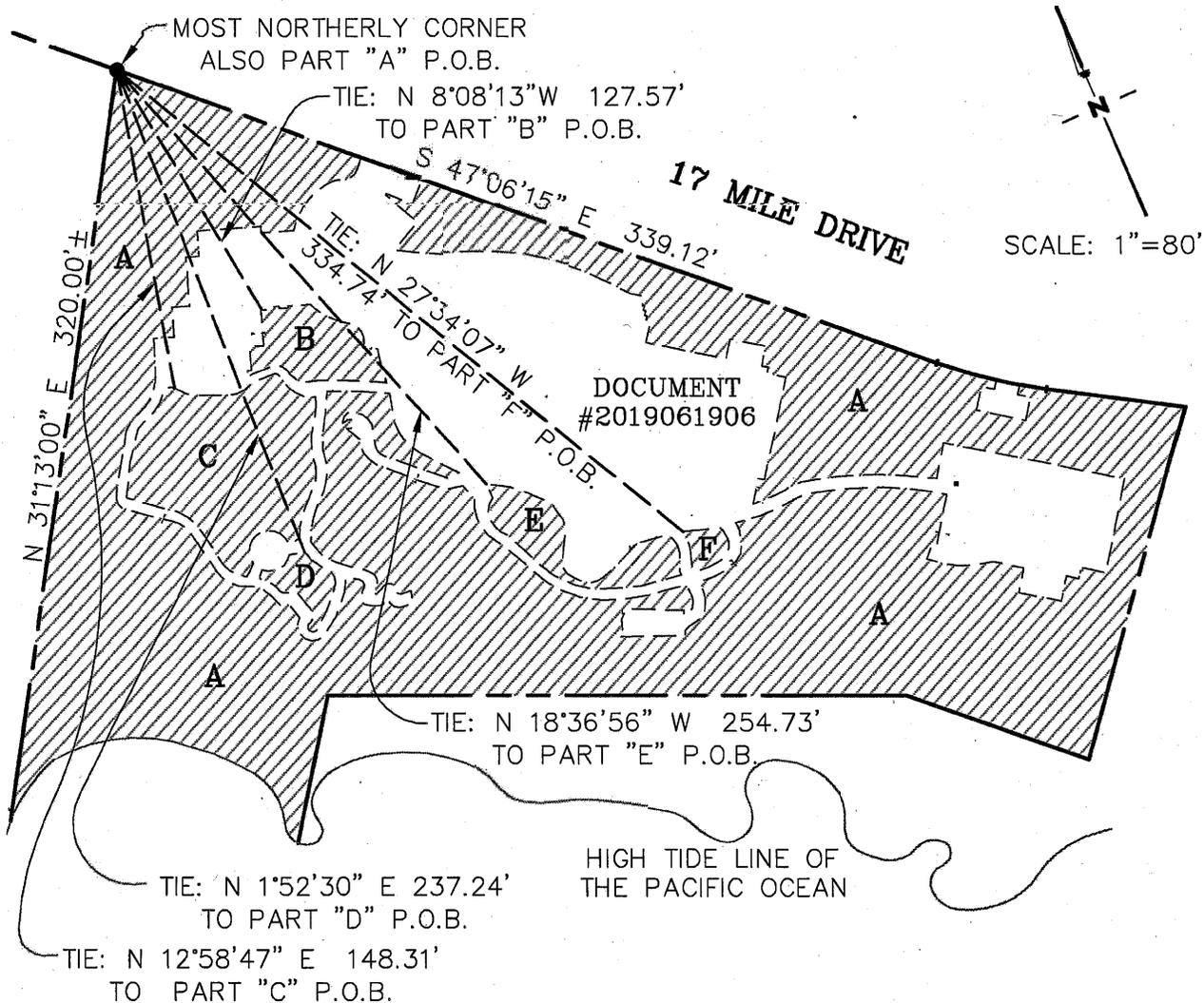
**Condition/Mitigation Monitoring Measure:** The applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) including the Waste Discharger Identification (WDID) number, to HCD-Environmental Services. In lieu of a SWPPP, a letter of exemption or erosivity waiver from the Central Coast Regional Water Quality Control Board may be provided. (HCD-Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any grading or construction permits, the applicant shall submit a SWPPP including the WDID number certifying the project is covered under the California Construction General Permit or a letter of exemption from the Central Coast Regional Water Quality Control Board.

# EXHIBIT C

## LEGAL DESCRIPTION WITH PLAT EXHIBITS OF A SCENIC CONSERVATION EASEMENT IN SIX PARTS

OVER AND ACROSS A PORTION OF THE PARCELS  
DESCRIBED IN DOCUMENT #2019061906, BEING THE  
1.0 ACRE AND 1.8 ACRE PARCELS SHOWN ON THE  
MAP FILED IN VOL. 13, "SURVEYS", PG. 89  
OFFICIAL RECORDS OF MONTEREY COUNTY  
PEBBLE BEACH COUNTY OF MONTEREY STATE OF CALIFORNIA



**NOTES:**

ALL DISTANCES SHOWN  
HEREON ARE EXPRESSED  
IN FEET AND DECIMALS  
THEREOF.

DENOTES SCENIC  
CONSERVATION  
EASEMENT



**PLN210276**

PREPARED BY  
**CENTRAL COAST SURVEYORS**  
5 HARRIS COURT, SUITE N-11 MONTEREY, CALIFORNIA 93940  
Phone: (831) 394-4930 Fax: (831) 394-4931

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SCALE: 1" = 80' JOB No. 18-46 AUGUST 2023

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PREPARER: DRZ

APN 008-462-008

SHEET 1 OF 31

## Legal Description

### Scenic Conservation Easement Described in Six Parts

Situate in the County of Monterey, California, and being a portion of that certain real property as described in Document #2019061906, being the 1.0 Acre and 1.8 Acre parcels shown on the map filed in Vol. 13, "Surveys", Pg. 89, Official Records of Monterey County, California.

A scenic conservation easement on, over and across the above described parcels of land, being more particularly described as follows:

#### **Part "A"**

Beginning at the most Northerly corner of said described parcels; thence along the boundary of said parcels,

- L1 South 47°06'15" East, 119.50 feet; thence, leaving said boundary,
- L2 South 40°16'48" West, 5.20 feet; thence non-tangentially,
- C3 Along a curve to the right, having a radius of 7.30 feet and a central angle of 71°41'36", an arc length of 9.13 feet (long chord bears South 76°40'47" West, 8.55 feet); thence non-tangentially,
- C4 Along a curve to the left, having a radius of 14.81 feet and a central angle of 26°13'34", an arc length of 6.78 feet (long chord bears North 80°47'10" West, 6.72 feet); thence non-tangentially,
- C5 Along a curve to the left, having a radius of 31.79 feet and a central angle of 15°14'18", an arc length of 8.45 feet (long chord bears South 77°19'02" West, 8.43 feet); thence non-tangentially,
- C6 Along a curve to the left, having a radius of 33.92 feet and a central angle of 7°11'00", an arc length of 4.25 feet (long chord bears South 65°54'26" West, 4.25 feet); thence non-tangentially,
- L7 South 58°55'46" West, 4.05 feet; thence non-tangentially,
- C8 Along a curve to the left, having a radius of 33.92 feet and a central angle of 19°07'32", an arc length of 11.32 feet (long chord bears South 45°54'17" West, 11.27 feet); thence non-tangentially,
- L9 North 70°48'22" West, 14.53 feet; thence,
- L10 North 19°11'38" East, 3.00 feet; thence,
- L11 North 70°48'22" West, 29.50 feet; thence,
- L12 South 19°11'38" West, 11.58 feet; thence,
- L13 North 70°48'22" West, 5.92 feet; thence,
- L14 South 19°11'38" West, 22.54 feet; thence,
- L15 North 70°48'22" West, 8.42 feet; thence,
- L16 South 19°11'38" West, 13.46 feet; thence,
- L17 North 70°48'22" West, 9.17 feet; thence,
- L18 South 19°11'38" West, 14.69 feet; thence non-tangentially,

- C19 Along a curve to the right, having a radius of 27.82 feet and a central angle of  $20^{\circ}37'26''$ , an arc length of 10.01 feet (long chord bears South  $29^{\circ}30'18''$  West, 9.96 feet); thence non-tangentially,
- C20 Along a curve to the right, having a radius of 17.43 feet and a central angle of  $29^{\circ}53'22''$ , an arc length of 9.09 feet (long chord bears South  $52^{\circ}32'40''$  West, 8.99 feet); thence non-tangentially,
- L21 South  $68^{\circ}20'01''$  West, 8.08 feet; thence,
- L22 South  $51^{\circ}21'14''$  West, 5.04 feet; thence,
- L23 South  $32^{\circ}29'41''$  West, 12.82 feet; thence,
- L24 South  $31^{\circ}33'29''$  West, 16.90 feet; thence non-tangentially,
- C25 Along a curve to the left, having a radius of 6.74 feet and a central angle of  $60^{\circ}35'24''$ , an arc length of 7.13 feet (long chord bears South  $1^{\circ}00'21''$  East, 6.80 feet); thence non-tangentially,
- L26 South  $51^{\circ}41'58''$  East, 9.51 feet; thence,
- L27 South  $52^{\circ}34'56''$  East, 7.00 feet; thence,
- L28 South  $52^{\circ}36'17''$  East, 7.33 feet; thence,
- C29 Along a curve to the right, having a radius of 15.01 feet and a central angle of  $37^{\circ}54'18''$ , an arc length of 9.93 feet (long chord bears South  $34^{\circ}53'23''$  East, 9.75 feet); thence non-tangentially,
- L30 South  $10^{\circ}59'07''$  East, 19.74 feet; thence non-tangentially,
- C31 Along a curve to the left, having a radius of 15.72 feet and a central angle of  $51^{\circ}32'40''$ , an arc length of 14.14 feet (long chord bears South  $31^{\circ}17'19''$  East, 13.67 feet); thence non-tangentially,
- L32 South  $63^{\circ}31'01''$  East, 7.10 feet; thence non-tangentially,
- C33 Along a curve to the right, having a radius of 15.36 feet and a central angle of  $35^{\circ}26'22''$ , an arc length of 9.50 feet (long chord bears South  $37^{\circ}12'45''$  East, 9.35 feet); thence non-tangentially,
- L34 South  $21^{\circ}46'45''$  East, 3.95 feet; thence non-tangentially,
- C35 Along a curve to the left, having a radius of 2.80 feet and a central angle of  $78^{\circ}09'10''$ , an arc length of 3.82 feet (long chord bears South  $50^{\circ}34'46''$  East, 3.53 feet); thence non-tangentially,
- C36 Along a curve to the right, having a radius of 1.73 feet and a central angle of  $83^{\circ}46'08''$ , an arc length of 2.53 feet (long chord bears South  $49^{\circ}29'48''$  East, 2.31 feet); thence non-tangentially,
- L37 South  $17^{\circ}19'43''$  East, 6.48 feet; thence non-tangentially,
- C38 Along a curve to the left, having a radius of 7.04 feet and a central angle of  $167^{\circ}02'12''$ , an arc length of 20.52 feet (long chord bears South  $29^{\circ}00'49''$  East, 13.99 feet); thence non-tangentially,
- L39 North  $56^{\circ}08'39''$  East, 10.72 feet; thence non-tangentially,
- L40 North  $42^{\circ}19'15''$  East, 11.68 feet; thence,
- L41 North  $29^{\circ}42'03''$  East, 7.02 feet; thence,
- L42 South  $82^{\circ}31'16''$  East, 0.25 feet; thence,
- L43 South  $55^{\circ}37'13''$  East, 2.55 feet; thence,

- L44 South 54°48'14" East, 2.78 feet; thence,
- L45 South 41°01'55" East, 2.18 feet; thence non-tangentially,
- C46 Along a curve to the right, having a radius of 3.36 feet and a central angle of 51°48'58", an arc length of 3.03 feet (long chord bears South 8°08'16" West, 2.93 feet); thence non-tangentially,
- L47 South 47°49'38" West, 2.21 feet; thence non-tangentially,
- C48 Along a curve to the left, having a radius of 3.93 feet and a central angle of 124°00'04", an arc length of 8.51 feet (long chord bears South 2°57'19" East, 6.94 feet); thence non-tangentially,
- L49 South 64°04'39" East, 3.15 feet; thence,
- C50 Along a curve to the left, having a radius of 4.54 feet and a central angle of 84°45'16", an arc length of 6.72 feet (long chord bears North 77°08'31" East, 6.12 feet); thence non-tangentially,
- L51 South 9°34'47" East, 0.23 feet; thence non-tangentially,
- C52 Along a curve to the left, having a radius of 6.20 feet and a central angle of 71°40'28", an arc length of 7.76 feet (long chord bears South 29°53'06" East, 7.26 feet); thence non-tangentially,
- L53 South 85°58'37" East, 6.53 feet; thence,
- L54 North 14°24'26" East, 5.71 feet; thence,
- L55 North 85°14'49" West, 5.02 feet; thence,
- L56 North 45°45'32" West, 1.16 feet; thence,
- L57 North 55°55'30" West, 0.64 feet; thence non-tangentially,
- C58 Along a curve to the left, having a radius of 3.79 feet and a central angle of 169°48'06", an arc length of 11.23 feet (long chord bears North 52°05'09" West, 7.55 feet); thence non-tangentially,
- L59 South 63°31'45" West, 2.58 feet; thence,
- L60 South 83°29'13" West, 0.95 feet; thence,
- L61 North 18°48'21" East, 2.35 feet; thence,
- C62 Along a curve to the left, having a radius of 5.16 feet and a central angle of 97°51'16", an arc length of 8.81 feet (long chord bears North 10°36'04" East, 7.78 feet); thence non-tangentially,
- L63 North 44°49'14" West, 4.10 feet; thence,
- L64 North 51°52'37" West, 3.87 feet; thence,
- L65 North 60°19'11" West, 2.52 feet; thence,
- L66 North 49°23'57" West, 6.20 feet; thence,
- L67 North 38°36'10" West, 4.33 feet; thence,
- L68 North 44°02'54" West, 2.61 feet; thence,
- L69 North 23°54'50" West, 3.37 feet; thence,
- L70 North 13°16'43" West, 4.78 feet; thence non-tangentially,
- C71 Along a curve to the right, having a radius of 28.11 feet and a central angle of 24°03'54", an arc length of 11.81 feet (long chord bears North 27°48'18" East, 11.72 feet); thence non-tangentially,

- L72 North  $41^{\circ}50'55''$  East, 8.17 feet; thence non-tangentially,
- C73 Along a curve to the left, having a radius of 24.61 feet and a central angle of  $40^{\circ}09'46''$ , an arc length of 17.25 feet (long chord bears North  $35^{\circ}11'21''$  East, 16.90 feet); thence non-tangentially,
- C74 Along a curve to the right, having a radius of 32.45 feet and a central angle of  $33^{\circ}37'18''$ , an arc length of 19.04 feet (long chord bears North  $19^{\circ}44'01''$  East, 18.77' feet); thence non-tangentially,
- L75 North  $28^{\circ}58'33''$  East, 7.21 feet; thence,
- L76 North  $28^{\circ}41'18''$  East, 7.59 feet; thence,
- C77 Along a curve to the right, having a radius of 239.11 feet and a central angle of  $4^{\circ}01'36''$ , an arc length of 16.80 feet (long chord bears South  $65^{\circ}44'31''$  East, 16.80 feet); thence non-tangentially,
- C78 Along a curve to the right, having a radius of 239.21 feet and a central angle of  $2^{\circ}47'52''$ , an arc length of 11.68 feet (long chord bears South  $62^{\circ}19'52''$  East, 11.68 feet); thence non-tangentially,
- C79 Along a curve to the right, having a radius of 106.10 feet and a central angle of  $6^{\circ}47'32''$ , an arc length of 12.58 feet (long chord bears South  $13^{\circ}46'20''$  West, 12.57 feet); thence non-tangentially,
- C80 Along a curve to the left, having a radius of 26.83 feet and a central angle of  $31^{\circ}30'36''$ , an arc length of 14.76 feet (long chord bears South  $10^{\circ}21'58''$  East, 14.57 feet); thence non-tangentially,
- C81 Along a curve to the left, having a radius of 26.83 feet and a central angle of  $11^{\circ}04'46''$ , an arc length of 5.19 feet (long chord bears South  $31^{\circ}40'09''$  East, 5.18 feet); thence non-tangentially,
- C82 Along a curve to the left, having a radius of 384.66 feet and a central angle of  $2^{\circ}54'28''$ , an arc length of 19.52 feet (long chord bears South  $40^{\circ}16'08''$  East, 19.52 feet); thence non-tangentially,
- L83 South  $86^{\circ}01'15''$  West, 5.57 feet; thence,
- L84 North  $47^{\circ}46'35''$  West, 31.00 feet; thence non-tangentially,
- C85 Along a curve to the right, having a radius of 6.09 feet and a central angle of  $58^{\circ}42'02''$ , an arc length of 6.24 feet (long chord bears North  $18^{\circ}24'15''$  West, 5.97 feet); thence non-tangentially,
- L86 North  $13^{\circ}10'38''$  East, 10.40 feet; thence non-tangentially,
- C87 Along a curve to the left, having a radius of 9.60 feet and a central angle of  $76^{\circ}45'14''$ , an arc length of 12.86 feet (long chord bears North  $41^{\circ}22'17''$  West, 11.92 feet); thence non-tangentially,
- C88 Along a curve to the left, having a radius of 6.09 feet and a central angle of  $52^{\circ}12'58''$ , an arc length of 5.55 feet (long chord bears South  $51^{\circ}05'51''$  West, 5.36 feet); thence non-tangentially,
- L89 North  $88^{\circ}30'00''$  East, 1.29 feet; thence non-tangentially,
- C90 Along a curve to the right, having a radius of 2.16 feet and a central angle of  $274^{\circ}13'34''$ , an arc length of 10.34 feet (long chord bears South  $5^{\circ}33'39''$  West, 2.94 feet); thence non-tangentially,

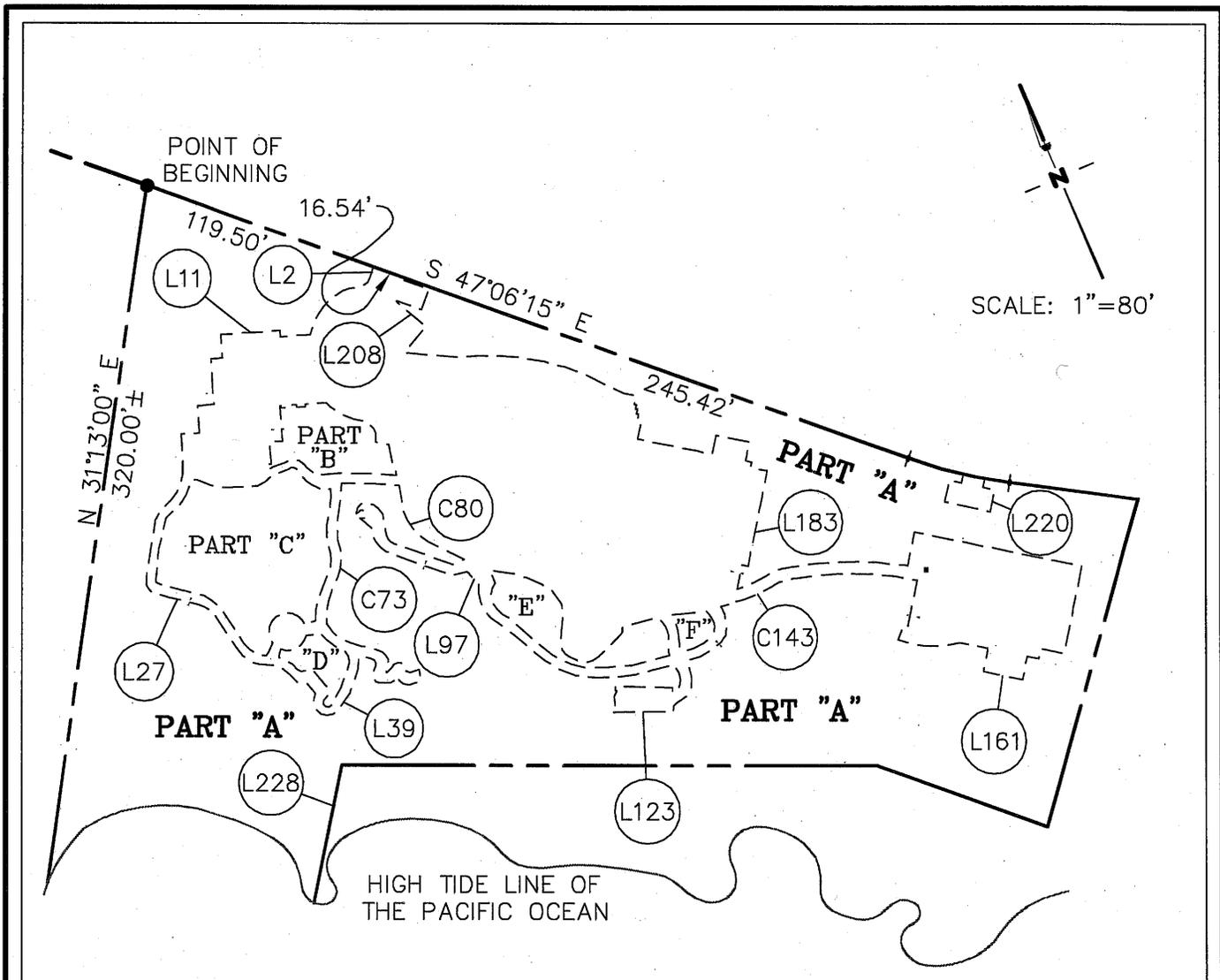
- L91 South 25°07'42" East, 7.59 feet; thence non-tangentially,  
 C92 Along a curve to the left, having a radius of 14.09 feet and a central angle of 58°35'46", an arc length of 14.41 feet (long chord bears South 9°23'18" East, 13.79 feet); thence non-tangentially,  
 L93 South 46°32'04" East, 21.19 feet; thence,  
 L94 South 48°20'45" East, 13.30 feet; thence,  
 L95 South 80°18'12" East, 7.63 feet; thence,  
 L96 South 17°09'31" East, 1.54 feet; thence,  
 L97 South 18°15'49" East, 6.57 feet; thence,  
 C98 Along a curve to the left, having a radius of 22.64 feet and a central angle of 45°31'36", an arc length of 17.99 feet (long chord bears South 3°30'48" West, 17.52 feet); thence non-tangentially,  
 L99 South 31°59'19" East, 8.93 feet; thence,  
 L100 South 28°02'42" East, 8.43 feet; thence,  
 L101 South 25°52'13" East, 10.32 feet; thence,  
 L102 South 27°55'11" East, 6.84 feet; thence non-tangentially,  
 C103 Along a curve to the left, having a radius of 51.90 feet and a central angle of 18°26'58", an arc length of 16.71 feet (long chord bears South 41°43'25" East, 16.64 feet); thence non-tangentially,  
 C104 Along a curve to the left, having a radius of 65.69 feet and a central angle of 9°09'34", an arc length of 10.50 feet (long chord bears South 59°42'36" East, 10.49 feet); thence non-tangentially,  
 C105 Along a curve to the left, having a radius of 52.97 feet and a central angle of 10°16'04", an arc length of 9.49 feet (long chord bears South 69°25'18" East, 9.48 feet); thence non-tangentially,  
 C106 Along a curve to the left, having a radius of 76.80 feet and a central angle of 13°13'36", an arc length of 17.73 feet (long chord bears South 77°55'02" East, 17.69 feet); thence non-tangentially,  
 L107 South 82°04'10" East, 11.24 feet; thence,  
 L108 South 8°28'16" East, 1.81 feet; thence,  
 L109 South 4°43'30" East, 3.24 feet; thence,  
 L110 South 8°57'57" West, 3.13 feet; thence,  
 L111 South 27°29'54" West, 2.78 feet; thence,  
 L112 South 52°37'54" West, 2.37 feet; thence,  
 L113 South 75°39'36" West, 2.77 feet; thence,  
 L114 North 9°21'37" West, 0.86 feet; thence,  
 L115 North 24°32'41" East, 1.71 feet; thence,  
 L116 North 65°27'19" West, 28.02 feet; thence,  
 L117 South 24°32'41" West, 2.08 feet; thence,  
 L118 South 65°27'19" East, 0.69 feet; thence,  
 L119 South 45°27'59" West, 3.05 feet; thence,  
 L120 South 15°41'21" West, 5.38 feet; thence,  
 L121 North 67°38'52" West, 1.38 feet; thence,

L122 South 22°21'08" West, 2.49 feet; thence,  
L123 South 67°38'52" East, 29.73 feet; thence,  
L124 North 22°21'08" East, 2.49 feet; thence,  
L125 South 67°38'52" East, 0.07 feet; thence,  
L126 North 62°06'41" East, 2.25 feet; thence,  
L127 North 79°54'59" East, 6.87 feet; thence,  
L128 North 45°10'20" East, 4.22 feet; thence,  
L129 North 25°28'37" East, 4.10 feet; thence,  
L130 North 12°11'13" East, 3.72 feet; thence,  
L131 North 9°21'58" East, 3.93 feet; thence,  
L132 North 11°38'56" East, 1.52 feet; thence non-tangentially,  
C133 Along a curve to the left, having a radius of 33.87 feet and a central angle of 31°39'46", an arc length of 18.72 feet (long chord bears North 84°01'39" East, 18.48 feet); thence non-tangentially,  
L134 North 57°20'26" East, 4.32 feet; thence,  
L135 North 25°51'19" East, 3.84 feet; thence,  
L136 North 16°55'56" East, 3.59 feet; thence,  
L137 North 14°59'51" East, 3.11 feet; thence,  
L138 North 1°02'05" West, 4.06 feet; thence,  
L139 South 83°37'45" East, 3.72 feet; thence,  
L140 South 55°12'13" East, 2.78 feet; thence,  
L141 North 34°47'47" East, 1.50 feet; thence,  
L142 South 83°37'45" East, 4.70 feet; thence,  
C143 Along a curve to the left, having a radius of 74.67 feet and a central angle of 11°29'54", an arc length of 14.99 feet (long chord bears North 88°49'09" East, 14.96 feet); thence non-tangentially,  
C144 Along a curve to the right, having a radius of 22.17 feet and a central angle of 23°41'10", an arc length of 9.17 feet (long chord bears North 89°10'39" East, 9.10 feet); thence non-tangentially,  
L145 South 75°29'24" East, 2.78 feet; thence,  
L146 South 73°40'39" East, 1.02 feet; thence,  
L147 South 75°07'54" East, 9.22 feet; thence,  
L148 South 72°13'48" East, 2.81 feet; thence,  
L149 South 70°02'52" East, 4.80 feet; thence,  
L150 South 70°12'47" East, 2.83 feet; thence non-tangentially,  
C151 Along a curve to the right, having a radius of 136.61 feet and a central angle of 12°33'56", an arc length of 29.96 feet (long chord bears South 64°42'04" East, 29.90 feet); thence non-tangentially,  
C152 Along a curve to the right, having a radius of 162.07 feet and a central angle of 3°44'02", an arc length of 10.56 feet (long chord bears South 56°33'00" East, 10.56 feet); thence non-tangentially,

L153 South 34°40'12" West, 23.80 feet; thence non-tangentially,  
C154 Along a curve to the left, having a radius of 46.27 feet and a central angle of 2°31'34", an arc length of 2.04 feet (long chord bears North 49°40'18" West, 2.04 feet); thence non-tangentially,  
L155 South 45°09'17" West, 7.13 feet; thence,  
C156 Along a curve to the left, having a radius of 50.05 feet and a central angle of 17°46'10", an arc length of 15.52 feet (long chord bears South 55°09'18" East, 15.46 feet); thence non-tangentially,  
C157 Along a curve to the left, having a radius of 53.30 feet and a central angle of 13°28'06", an arc length of 12.53 feet (long chord bears South 71°44'58" East, 12.50 feet); thence non-tangentially,  
C158 Along a curve to the left, having a radius of 21.12 feet and a central angle of 7°50'46", an arc length of 2.89 feet (long chord bears South 79°55'23" East, 2.89 feet); thence non-tangentially,  
L159 South 55°19'48" East, 14.34 feet; thence,  
L160 South 34°45'13" West, 11.69 feet; thence,  
L161 South 55°14'47" East, 19.68 feet; thence,  
L162 North 34°45'13" East, 11.72 feet; thence,  
L163 South 55°19'48" East, 5.77 feet; thence,  
L164 North 34°40'12" East, 5.09 feet; thence,  
L165 South 55°19'48" East, 11.88 feet; thence,  
L166 North 34°40'12" East, 43.88 feet; thence,  
L167 North 55°19'48" West, 84.37 feet; thence,  
L168 South 34°40'12" West, 16.69 feet; thence,  
L169 North 55°19'48" West, 1.34 feet; thence,  
L170 North 67°09'26" West, 3.47 feet; thence non-tangentially,  
C171 Along a curve to the left, having a radius of 148.05 feet and a central angle of 12°06'46", an arc length of 31.30 feet (long chord bears North 64°34'59" West, 31.24 feet); thence non-tangentially,  
L172 North 69°20'25" West, 2.87 feet; thence,  
L173 North 69°58'07" West, 4.90 feet; thence,  
L174 North 71°57'28" West, 2.90 feet; thence,  
L175 North 75°30'44" West, 9.19 feet; thence,  
L176 North 73°10'02" West, 1.59 feet; thence,  
L177 North 77°57'31" West, 2.84 feet; thence non-tangentially,  
C178 Along a curve to the left, having a radius of 21.22 feet and a central angle of 29°24'06", an arc length of 10.89 feet (long chord bears North 89°16'39" West, 10.77 feet); thence non-tangentially,  
C179 Along a curve to the right, having a radius of 72.49 feet and a central angle of 10°57'50", an arc length of 13.87 feet (long chord bears South 88°42'31" West, 13.85 feet); thence non-tangentially,  
L180 North 87°53'07" West, 1.56 feet; thence,  
L181 North 34°47'47" East, 12.14 feet; thence,

L182 South 55°12'13" East, 2.95 feet; thence,  
 L183 North 34°47'47" East, 47.93 feet; thence,  
 L184 North 55°12'13" West, 8.63 feet; thence,  
 L185 North 34°47'47" East, 2.75 feet; thence,  
 L186 North 55°12'13" West, 3.00 feet; thence,  
 L187 North 34°42'29" East, 9.41 feet; thence,  
 L188 North 55°17'31" West, 16.59 feet; thence,  
 L189 South 34°42'29" West, 9.38 feet; thence,  
 L190 North 55°12'13" West, 37.36 feet; thence,  
 L191 North 34°47'47" East, 7.67 feet; thence,  
 L192 North 55°12'13" West, 1.01 feet; thence,  
 L193 North 34°47'47" East, 2.17 feet; thence,  
 L194 North 55°12'13" West, 0.98 feet; thence,  
 L195 North 34°47'47" East, 2.16 feet; thence,  
 L196 North 55°12'13" West, 1.00 feet; thence,  
 L197 North 34°47'47" East, 2.16 feet; thence,  
 L198 North 55°12'13" West, 1.00 feet; thence,  
 L199 North 34°47'47" East, 2.16 feet; thence,  
 L200 North 55°12'13" West, 1.00 feet; thence,  
 L201 North 34°47'47" East, 4.33 feet; thence,  
 L202 North 55°19'09" West, 6.47 feet; thence,  
 C203 Along a curve to the left, having a radius of 380.76 feet and a central angle of 3°08'28", an arc length of 20.87 feet (long chord bears North 40°22'28" West, 20.87 feet); thence non-tangentially,  
 C204 Along a curve to the left, having a radius of 124.29 feet and a central angle of 23°55'08", an arc length of 51.89 feet (long chord bears North 56°38'26" West, 51.51 feet); thence non-tangentially,  
 C205 Along a curve to the right, having a radius of 113.09 feet and a central angle of 12°17'40", an arc length of 24.27 feet (long chord bears North 66°29'00" West, 24.22 feet); thence non-tangentially,  
 C206 Along a curve to the right, having a radius of 260.55 feet and a central angle of 3°05'56", an arc length of 14.09 feet (long chord bears North 60°48'41" West, 14.09 feet); thence non-tangentially,  
 L207 North 62°49'57" East, 16.64 feet; thence,  
 L208 North 27°15'29" West, 19.29 feet; thence,  
 C209 Along a curve to the left, having a radius of 27.66 feet and a central angle of 1°09'36", an arc length of 0.56 feet (long chord bears North 52°58'49" East, 0.56 feet); thence non-tangentially,  
 L210 South 47°05'37" East, 13.20 feet; thence,  
 L211 North 42°57'49" East, 10.80 feet; thence,  
 L212 North 47°06'44" West, 12.92 feet; thence,  
 L213 North 41°04'13" East, 1.01 feet to a point on said boundary; thence, along said boundary,

L214 South 47°06'15" East, 263.08 feet; thence non-tangentially,  
C215 Along a curve to the left, having a radius of 240.00 feet and a central angle of 6°45'10", an arc length of 28.29 feet (long chord bears South 50°28'48" East, 28.27 feet); thence, leaving said boundary, non-tangentially,  
L216 South 36°15'11" West, 4.25 feet; thence,  
L217 North 54°23'14" West, 6.03 feet; thence,  
L218 South 35°36'46" West, 11.00 feet; thence,  
L219 South 54°23'14" East, 23.00 feet; thence,  
L220 North 35°36'46" East, 11.00 feet; thence,  
L221 North 54°23'14" West, 5.97 feet; thence,  
L222 North 36°00'54" East, 4.40 feet to a point on said boundary; thence, along said boundary, non-tangentially,  
C223 Along a curve to the left, having a radius of 240.00 feet and a central angle of 2°56'04", an arc length of 12.29 feet (long chord bears South 57°56'35" East, 12.29 feet); thence tangentially,  
L224 South 59°24'40" East, 63.81 feet; thence non-tangentially,  
L225 South 38°45'00" West, 167.63 feet; thence,  
L226 North 47°08'30" West, 88.65 feet; thence,  
L227 North 66°46'30" West, 263.86 feet; thence,  
L228 South 34°45'00" West, 40.63 feet, more or less, to the high tide line of the Pacific Ocean; thence,  
L229 Northwesterly along said high tide line of the Pacific Ocean to a point on said high tide line bearing South 31°13'00" West from the Point Of Beginning; thence along the Northwesterly boundary of said Parcel,  
L230 North 31°13'00" East, 320.00 feet, more or less, to the Point of Beginning.



**TABLE OF COURSES**

LINE	BEARING	DIST.	CURVE	DELTA	RADIUS	DIST.	LONG CHORD	
							BEARING	DIST.
L2	S 40°16'48" W	5.20'	C3	71°41'36"	7.30'	9.13'	S 76°40'47" W	8.55'
L7	S 58°55'46" W	4.05'	C4	26°13'34"	14.81'	6.78'	N 80°47'10" W	6.72'
L9	N 70°48'22" W	14.53'	C5	15°14'18"	31.79'	8.45'	S 77°19'02" W	8.43'
L10	N 19°11'38" E	3.00'	C6	7°11'00"	33.92'	4.25'	S 65°54'26" W	4.25'
L11	N 70°48'22" W	29.50'	C8	19°07'32"	33.92'	11.32'	S 45°54'17" W	11.27'
L12	S 19°11'38" W	11.58'	C19	20°37'26"	27.82'	10.01'	S 29°30'18" W	9.96'
L13	N 70°48'22" W	5.92'	C20	29°53'22"	17.43'	9.09'	S 52°32'40" W	8.99'
L14	S 19°11'38" W	22.54'	C25	60°35'24"	6.74'	7.13'	S 1°00'21" E	6.80'
L15	N 70°48'22" W	8.42'	C29	37°54'18"	15.01'	9.93'	S 34°53'23" E	9.75'
L16	S 19°11'38" W	13.46'	C31	51°32'40"	15.72'	14.14'	S 31°17'19" E	13.67'

**PART "A" TABLE OF COURSES (CONTINUED)**

LINE	BEARING	DIST.	CURVE	DELTA	RADIUS	DIST.	LONG CHORD	
							BEARING	DIST.
L17	N 70°48'22" W	9.17'	C33	35°26'22"	15.36'	9.50'	S 37°12'45" E	9.35'
L18	S 19°11'38" W	14.69'	C35	78°09'10"	2.80'	3.82'	S 50°34'46" E	3.53'
L21	S 68°20'01" W	8.08'	C36	83°46'08"	1.73'	2.53'	S 49°29'48" E	2.31'
L22	S 51°21'14" W	5.04'	C38	167°02'12"	7.04'	20.52'	S 29°00'49" E	13.99'
L23	S 32°29'41" W	12.82'	C46	51°48'58"	3.36'	3.03'	S 8°08'16" W	2.93'
L24	S 31°33'29" W	16.90'	C48	124°00'04"	3.93'	8.51'	S 2°57'19" E	6.94'
L26	S 51°41'58" E	9.51'	C50	84°45'16"	4.54'	6.72'	N 77°08'31" E	6.12'
L27	S 52°34'56" E	7.00'	C52	71°40'28"	6.20'	7.76'	S 29°53'06" E	7.26'
L28	S 52°36'17" E	7.33'	C58	169°48'06"	3.79'	11.23'	N 52°05'09" W	7.55'
L30	S 10°59'07" E	19.74'	C62	97°51'16"	5.16'	8.81'	N 10°36'04" E	7.78'
L32	S 63°31'01" E	7.10'	C71	24°03'54"	28.11'	11.81'	N 27°48'18" E	11.72'
L34	S 21°46'45" E	3.95'	C73	40°09'46"	24.61'	17.25'	N 35°11'21" E	16.90'
L37	S 17°19'43" E	6.48'	C74	33°37'18"	32.45'	19.04'	N 19°44'01" E	18.77'
L39	N 56°08'39" E	10.72'	C77	4°01'36"	239.11'	16.80'	S 65°44'31" E	16.80'
L40	N 42°19'15" E	11.68'	C78	2°47'52"	239.21'	11.68'	S 62°19'52" E	11.68'
L41	N 29°42'03" E	7.02'	C79	6°47'32"	106.10'	12.58'	S 13°46'20" W	12.57'
L42	S 82°31'16" E	0.25'	C80	31°30'36"	26.83'	14.76'	S 10°21'58" E	14.57'
L43	S 55°37'13" E	2.55'	C81	11°04'46"	26.83'	5.19'	S 31°40'09" E	5.18'
L44	S 54°48'14" E	2.78'	C82	2°54'28"	384.66'	19.52'	S 40°16'08" E	19.52'
L45	S 41°01'55" E	2.18'	C85	58°42'02"	6.09'	6.24'	N 18°24'15" W	5.97'
L47	S 47°49'38" W	2.21'	C87	76°45'14"	9.60'	12.86'	N 41°22'17" W	11.92'
L49	S 64°04'39" E	3.15'	C88	52°12'58"	6.09'	5.55'	S 51°05'51" W	5.36'
L51	S 9°34'47" E	0.23'	C90	274°13'34"	2.16'	10.34'	S 5°33'39" W	2.94'
L53	S 85°58'37" E	6.53'	C92	58°35'46"	14.09'	14.41'	S 9°23'18" E	13.79'
L54	N 14°24'26" E	5.71'						
L55	N 85°14'49" W	5.02'						
L56	N 45°45'32" W	1.16'						
L57	N 55°55'30" W	0.64'						
L59	S 63°31'45" W	2.58'						
L60	S 83°29'13" W	0.95'						
L61	N 18°48'21" E	2.35'						
L63	N 44°49'14" W	4.10'						
L64	N 51°52'37" W	3.87'						
L65	N 60°19'11" W	2.52'						
L66	N 49°23'57" W	6.20'						
L67	N 38°36'10" W	4.33'						
L68	N 44°02'54" W	2.61'						
L69	N 23°54'50" W	3.37'						
L70	N 13°16'43" W	4.78'						
L72	N 41°50'55" E	8.17'						
L75	N 28°58'33" E	7.21'						
L76	N 28°41'18" E	7.59'						
L83	S 86°01'15" W	5.57'						
L84	N 47°46'35" W	31.00'						
L86	N 13°10'38" E	10.40'						

LINE	BEARING	DIST.
L89	N 88°30'00" E	1.29'
L91	S 25°07'42" E	7.59'
L93	S 46°32'04" E	21.19'
L94	S 48°20'45" E	13.30'
L95	S 80°18'12" E	7.63'
L96	S 17°09'31" E	1.54'
L97	S 18°15'49" E	6.57'

**PART "A" TABLE OF COURSES (CONTINUED)**

LINE	BEARING	DIST.	CURVE	DELTA	RADIUS	DIST.	LONG CHORD	
							BEARING	DIST.
L99	S 31°59'19" E	8.93'	C98	45°31'36"	22.64'	17.99'	S 3°30'48" W	17.52'
L100	S 28°02'42" E	8.43'	C103	18°26'58"	51.90'	16.71'	S 41°43'25" E	16.64'
L101	S 25°52'13" E	10.32'	C104	9°09'34"	65.69'	10.50'	S 59°42'36" E	10.49'
L102	S 27°55'11" E	6.84'	C105	10°16'04"	52.97'	9.49'	S 69°25'18" E	9.48'
L107	S 82°04'10" E	11.24'	C106	13°13'36"	76.80'	17.73'	S 77°55'02" E	17.69'
L108	S 8°28'16" E	1.81'	C133	31°39'46"	33.87'	18.72'	N 84°01'39" E	18.48'
L109	S 4°43'30" E	3.24'	C143	11°29'54"	74.67'	14.99'	N 88°49'09" E	14.96'
L110	S 8°57'57" W	3.13'	C144	23°41'10"	22.17'	9.17'	N 89°10'39" E	9.10'
L111	S 27°29'54" W	2.78'	C151	12°33'56"	136.61'	29.96'	S 64°42'04" E	29.90'
L112	S 52°37'54" W	2.37'	C152	3°44'05"	162.07'	10.56'	S 56°33'00" E	10.56'
L113	S 75°39'36" W	2.77'	C154	2°31'34"	46.27'	2.04'	N 49°40'18" W	2.04'
L114	N 9°21'37" W	0.86'	C156	17°46'10"	50.05'	15.52'	S 55°09'18" E	15.46'
L115	N 24°32'41" E	1.71'	C157	13°28'06"	53.30'	12.53'	S 71°44'58" E	12.50'
L116	N 65°27'19" W	28.02'	C158	7°50'46"	21.12'	2.89'	S 79°55'23" E	2.89'
L117	S 24°32'41" W	2.08'						
L118	S 65°27'19" E	0.69'						
L119	S 45°27'59" W	3.05'						
L120	S 15°41'21" W	5.38'						
L121	N 67°38'52" W	1.38'						
L122	S 22°21'08" W	2.49'						
L123	S 67°38'52" E	29.73'						
L124	N 22°21'08" E	2.49'						
L125	S 67°38'52" E	0.07'						
L126	N 62°06'41" E	2.25'						
L127	N 79°54'59" E	6.87'						
L128	N 45°10'20" E	4.22'						
L129	N 25°28'37" E	4.10'						
L130	N 12°11'13" E	3.72'						
L131	N 9°21'58" E	3.93'						
L132	N 11°38'56" E	1.52'						
L134	N 57°25'11" E	4.32'						
L135	N 25°51'19" E	3.84'						
L136	N 16°55'56" E	3.59'						
L137	N 14°59'51" E	3.11'						
L138	N 1°02'05" W	4.06'						
L139	S 83°37'45" E	3.72'						
L140	S 55°12'13" E	2.78'						
L141	N 34°47'47" E	1.50'						
L142	S 83°37'45" E	4.70'						
L145	S 75°29'24" E	2.78'						
L146	S 73°40'39" E	1.02'						
L147	S 75°07'54" E	9.22'						
L148	S 72°13'48" E	2.81'						
L149	S 70°02'52" E	4.80'						
L150	S 70°12'47" E	2.83'						

LINE	BEARING	DIST.
L153	S 34°40'12" W	23.80'
L155	S 45°09'17" W	7.13'
L159	S 55°19'48" E	14.34'
L160	S 34°45'13" W	11.69'
L161	S 55°14'47" E	19.68'

**PART "A" TABLE OF COURSES (CONTINUED)**

LINE	BEARING	DIST.	CURVE	DELTA	RADIUS	DIST.	LONG CHORD	
							BEARING	DIST.
L162	N 34°45'13" E	11.72'	C171	12°06'46"	148.05'	31.30'	N 64°34'59" W	31.24'
L163	S 55°19'48" E	5.77'	C178	29°24'06"	21.22'	10.89'	N 89°16'39" W	10.77'
L164	N 34°40'12" E	5.09'	C179	10°57'50"	72.49'	13.87'	S 88°42'31" W	13.85'
L165	S 55°19'48" E	11.88'	C203	3°08'28"	380.76'	20.88'	N 40°22'28" W	20.87'
L166	N 34°40'12" E	43.88'	C204	23°55'08"	124.29'	51.89'	N 56°38'26" W	51.51'
L167	N 55°19'48" W	84.37'	C205	12°17'40"	113.09'	24.27'	N 66°29'00" W	24.22'
L168	S 34°40'12" W	16.69'	C206	3°05'56"	260.55'	14.09'	N 60°48'41" W	14.09'
L169	N 55°19'48" W	1.34'	C209	1°09'36"	27.66'	0.56'	N 52°58'49" E	0.56'
L170	N 67°09'26" W	3.47'	C215	6°45'10"	240.00'	28.29'	S 50°28'48" E	28.27'
L172	N 69°20'25" W	2.87'	C223	2°56'04"	240.00'	12.29'	S 57°56'35" E	12.29'
L173	N 69°58'07" W	4.90'						
L174	N 71°57'28" W	2.90'						
L175	N 75°30'44" W	9.19'						
L176	N 73°10'02" W	1.59'						
L177	N 77°57'31" W	2.84'						
L180	N 87°53'07" W	1.56'						
L181	N 34°47'47" E	12.14'						
L182	S 55°12'13" E	2.95'						
L183	N 34°47'47" E	47.93'						
L184	N 55°12'13" W	8.63'						
L185	N 34°47'47" E	2.75'						
L186	N 55°12'13" W	3.00'						
L187	N 34°42'29" E	9.41'						
L188	N 55°17'31" W	16.59'						
L189	S 34°42'29" W	9.38'						
L190	N 55°12'13" W	37.36'						
L191	N 34°47'47" E	7.67'						
L192	N 55°12'13" W	1.01'						
L193	N 34°47'47" E	2.17'						
L194	N 55°12'13" W	0.98'						
L195	N 34°47'47" E	2.16'						
L196	N 55°12'13" W	1.00'						
L197	N 34°47'47" E	2.16'						
L198	N 55°12'13" W	1.00'						
L199	N 34°47'47" E	2.16'						
L200	N 55°12'13" W	1.00'						
L201	N 34°47'47" E	4.33'						
L202	N 55°19'09" W	6.47'						
L207	N 62°49'57" E	16.64'						
L208	N 27°15'29" W	19.29'						
L210	S 47°05'37" E	13.20'						
L211	N 42°57'49" E	10.80'						
L212	N 47°06'44" W	12.92'						
L213	N 41°04'13" E	1.01'						
L214	S 47°06'15" E	263.08'						

LINE	BEARING	DIST.
L216	S 36°15'11" W	4.25'
L217	N 54°23'14" W	6.03'
L218	S 35°36'46" W	11.00'
L219	S 54°23'14" E	23.00'
L220	N 35°36'46" E	11.00'
L221	N 54°23'14" W	5.97'
L222	N 36°00'54" E	4.40'
L224	S 59°24'40" E	63.81'
L225	S 38°45'00" W	167.63'
L226	N 47°08'30" W	88.65'
L227	N 66°46'30" W	263.86'
L228	S 34°45'00" W	40.63'±

**Part "B"**

Beginning at a point from which the most Northerly corner of said described parcels bears North 08°08'13" West, 127.57 feet; thence from said Point of Beginning,

- L1 South 70°41'22" East, 0.43 feet; thence,
- L2 South 19°18'38" West, 1.00 feet; thence,
- L3 South 70°41'22" East, 4.08 feet; thence,
- L4 North 19°18'38" East, 1.00 feet; thence,
- L5 South 70°41'22" East, 3.83 feet; thence,
- L6 South 19°18'38" West, 1.00 feet; thence,
- L7 South 70°41'22" East, 4.08 feet; thence,
- L8 North 19°18'38" East, 1.00 feet; thence,
- L9 South 70°41'22" East, 10.46 feet; thence non-tangentially,
- C10 Along a curve to the left, having a radius of 29.25 feet and a central angle of 5°26'52", an arc length of 2.78 feet (long chord bears South 23°36'41" East 2.78 feet); thence non-tangentially,
- C11 Along a curve to the left, having a radius of 28.82 feet and a central angle of 25°58'02", an arc length of 13.06 feet (long chord bears South 39°18'33" East, 12.95 feet); thence non-tangentially,
- L12 South 55°12'13" East, 4.32 feet; thence non-tangentially
- C13 Along a curve to the right, having a radius of 8.50 feet and a central angle of 62°35'08", an arc length of 9.28 feet (long chord bears South 23°55'05" East, 8.83 feet); thence non-tangentially,
- C14 Along a curve to the right, having a radius of 9.52 feet and a central angle of 27°24'14", an arc length of 4.55 feet (long chord bears South 22°46'05" West, 4.51 feet); thence non-tangentially,
- L15 South 55°12'13" East, 6.71 feet; thence non-tangentially
- C16 Along a curve to the left, having a radius of 16.85 feet and a central angle of 22°08'16", an arc length of 6.51 feet (long chord bears South 13°21'25" West, 6.47 feet); thence non-tangentially,
- C17 Along a curve to the right, having a radius of 98.38 feet and a central angle of 05°22'38", an arc length of 9.23 feet (long chord bears South 5°00'48" West, 9.23 feet); thence non-tangentially,
- C18 Along a curve to the left, having a radius of 226.18 feet and a central angle of 2°33'22", an arc length of 10.09 feet (long chord bears North 62°33'04" West, 10.09'); thence non-tangentially,
- C19 Along a curve to the left, having a radius of 242.50 feet and a central angle of 4°03'02", an arc length of 17.14 feet (long chord bears North 65°46'08" West, 17.14 feet); thence non-tangentially,
- C20 Along a curve to the left, having a radius of 244.30 feet and a central angle of 0°49'48", an arc length of 3.54 feet (long chord bears North 68°12'44" West, 3.54 feet); thence non-tangentially,

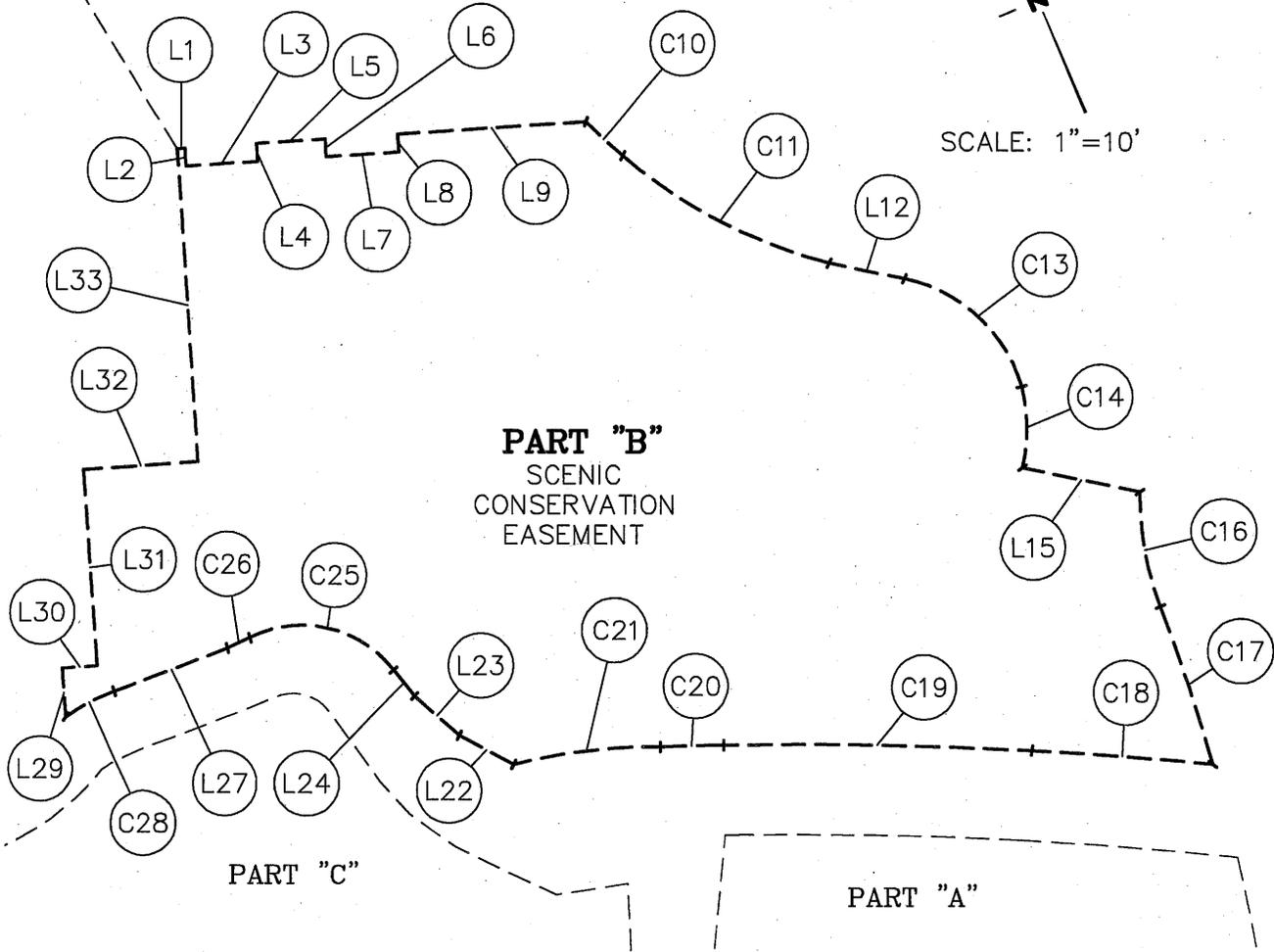
- C21 Along a curve to the left, having a radius of 31.28 feet and a central angle of  $14^{\circ}56'02''$ , an arc length of 8.15 feet (long chord bears North  $73^{\circ}47'47''$  West, 8.13 feet); thence non-tangentially,
- L22 North  $38^{\circ}26'55''$  West, 3.41 feet; thence,
- L23 North  $25^{\circ}46'31''$  West, 3.30 feet; thence,
- L24 North  $15^{\circ}01'17''$  West, 1.85 feet; thence non-tangentially,
- C25 Along a curve to the left, having a radius of 6.50 feet and a central angle of  $78^{\circ}33'18''$ , an arc length of 8.91 feet (long chord bears North  $54^{\circ}17'17''$  West, 8.23 feet); thence non-tangentially,
- C26 Along a curve to the right, having a radius of 22.55 feet and a central angle of  $03^{\circ}31'56''$ , an arc length of 1.39 feet (long chord bears South  $88^{\circ}11'32''$  West, 1.39 feet); thence non-tangentially,
- L27 North  $87^{\circ}36'19''$  West, 6.77 feet; thence non-tangentially,
- C28 Along a curve to the left, having a radius of 10.50 feet and a central angle  $16^{\circ}32'12''$ , an arc length of 3.03 feet (long chord bears South  $85^{\circ}19'45''$  West, 3.02 feet); thence non-tangentially,
- L29 North  $19^{\circ}11'38''$  East, 2.71 feet; thence,
- L30 South  $70^{\circ}48'22''$  East, 1.92 feet; thence,
- L31 North  $19^{\circ}11'38''$  East, 10.94 feet; thence,
- L32 South  $70^{\circ}48'22''$  East, 6.38 feet; thence,
- L33 North  $19^{\circ}11'38''$  East, 17.46 feet to the Point of Beginning.

**PART "B"**

TIE: N 08°08'13" W 127.57'  
TO NORTHERLY PARCEL CORNER



SCALE: 1"=10'



**PART "B"**  
SCENIC  
CONSERVATION  
EASEMENT

**TABLE OF COURSES**

LINE	BEARING	DIST.	CURVE	DELTA	RADIUS	LENGTH	LONG CHORD	
							BEARING	DIST.
L1	S 70°41'22" E	0.43'	C10	5°26'52"	29.25'	2.78'	S 23°36'41" E	2.78'
L2	S 19°18'38" W	1.00'	C11	25°58'02"	28.82'	13.06'	S 39°18'33" E	12.95'
L3	S 70°41'22" E	4.08'	C13	62°35'08"	8.50'	9.28'	S 23°55'05" E	8.83'
L4	N 19°18'38" E	1.00'	C14	27°24'14"	9.52'	4.56'	S 22°46'05" W	4.51'
L5	S 70°41'22" E	3.83'	C16	22°08'16"	16.85'	6.51'	S 13°21'25" W	6.47'
L6	S 19°18'38" W	1.00'	C17	5°22'38"	98.38'	9.23'	S 05°00'48" W	9.23'
L7	S 70°41'22" E	4.08'	C18	2°33'22"	226.18'	10.09'	N 62°33'04" W	10.09'
L8	N 19°18'38" E	1.00'	C19	4°03'02"	242.50'	17.14'	N 65°46'08" W	17.14'
L9	S 70°41'22" E	10.46'	C20	0°49'48"	244.30'	3.54'	N 68°12'44" W	3.54'
L12	S 55°12'13" E	4.32'	C21	14°56'02"	31.28'	8.15'	N 73°47'47" W	8.13'
L15	S 55°12'13" E	6.71'						

**PART "B" TABLE OF COURSES (CONTINUED)**

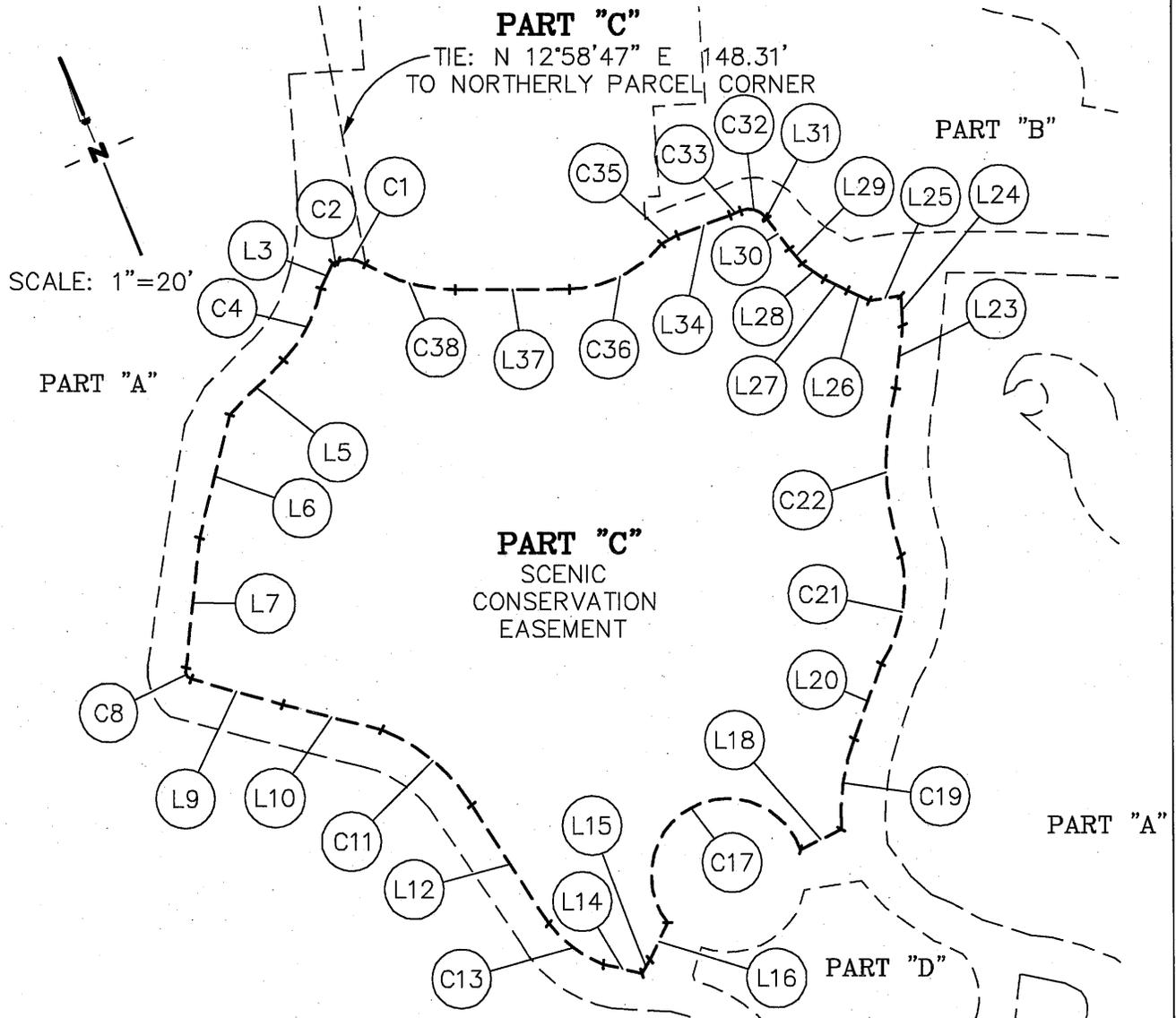
LINE	BEARING	DIST.	CURVE	DELTA	RADIUS	LENGTH	LONG CHORD	
							BEARING	DIST.
L22	N 38°26'55" W	3.41'	C25	78°33'18"	6.50'	8.91'	N 54°17'17" W	8.23'
L23	N 25°46'31" W	3.30'	C26	3°31'56"	22.55'	1.39'	S 88°11'32" W	1.39'
L24	N 15°01'17" W	1.85'	C28	16°32'12"	10.50'	3.03'	S 85°19'45" W	3.02'
L27	N 87°36'19" W	6.77'						
L29	N 19°11'38" E	2.71'						
L30	S 70°48'22" E	1.92'						
L31	N 19°11'38" E	10.94'						
L32	S 70°48'22" E	6.38'						
L33	N 19°11'38" E	17.46'						

**Part "C"**

Beginning at a point from which the most Northerly corner of said described parcels bears North  $12^{\circ}58'47''$  East, 148.31 feet; thence non-tangentially from said Point of Beginning,

- C1 Along a curve to the left, having a radius of 3.76 feet and a central angle of  $51^{\circ}33'02''$ , an arc length of 3.38 feet (long chord bears North  $60^{\circ}06'58''$  West, 3.27 feet); thence non-tangentially,
- C2 Along a curve to the left, having a radius of 4.88 feet and a central angle of  $9^{\circ}17'08''$ , an arc length of 0.79 feet (long chord bears North  $84^{\circ}19'43''$  West, 0.79 feet); thence non-tangentially,
- L3 South  $47^{\circ}44'22''$  West, 3.41 feet; thence non-tangentially
- C4 Along a curve to the right, having a radius of 18.00 feet and a central angle of  $31^{\circ}47'30''$ , an arc length of 9.99 feet (long chord bears South  $50^{\circ}48'07''$  West, 9.86); thence non-tangentially,
- L5 South  $67^{\circ}24'26''$  West, 9.30 feet; thence,
- L6 South  $37^{\circ}01'24''$  West, 15.44 feet; thence,
- L7 South  $29^{\circ}11'17''$  West, 15.88 feet; thence,
- C8 Along a curve to the left, having a radius of 0.98 feet and a central angle of  $98^{\circ}57'52''$ , an arc length of 1.69 feet (long chord bears South  $2^{\circ}29'48''$  East, 1.49 feet); thence non-tangentially,
- L9 South  $51^{\circ}03'23''$  East, 11.49 feet; thence
- L10 South  $52^{\circ}35'28''$  East, 12.38 feet; thence non-tangentially,
- C11 Along a curve to the right, having a radius of 23.19 feet and a central angle of  $35^{\circ}45'38''$ , an arc length of 14.47 feet (long chord bears South  $26^{\circ}50'13''$  East, 14.24 feet); thence non-tangentially,
- L12 South  $09^{\circ}47'19''$  East, 17.20 feet; thence non-tangentially,
- C13 Along a curve to the left, having a radius of 15.04 feet and a central angle of  $32^{\circ}02'06''$ , an arc length of 8.41 (long chord bears South  $30^{\circ}10'15''$  East, 8.30 feet); thence non-tangentially,
- L14 South  $53^{\circ}38'39''$  East, 4.70 feet; thence,
- L15 North  $52^{\circ}45'05''$  East, 1.88 feet; thence,
- L16 North  $49^{\circ}18'04''$  East, 4.96 feet; thence non-tangentially,
- C17 Along a curve to the right, having a radius of 9.32 feet and a central angle of  $198^{\circ}47'20''$ , an arc length of 32.34 feet (long chord bears North  $84^{\circ}21'03''$  East, 18.39 feet); thence non-tangentially,
- L18 North  $86^{\circ}25'27''$  East, 5.58 feet; thence non-tangentially,
- C19 Along a curve to the right, having a radius of 27.95 feet and a central angle of  $22^{\circ}58'10''$ , an arc length of 11.20 feet (long chord bears North  $31^{\circ}27'14''$  East, 11.13 feet); thence non-tangentially,
- L20 North  $43^{\circ}22'42''$  East, 9.69 feet; thence non-tangentially,
- C21 Along a curve to the left, having a radius of 17.25 feet and a central angle of  $45^{\circ}40'28''$ , an arc length of 13.75 feet (long chord bears North  $33^{\circ}58'25''$  East, 13.39 feet); thence non-tangentially,

- C22 Along a curve to the right, having a radius of 35.17 feet and a central angle of  $33^{\circ}43'06''$ , an arc length of 20.70 feet (long chord bears North  $21^{\circ}30'56''$  East, 20.40 feet); thence non-tangentially,
- L23 North  $29^{\circ}35'47''$  East, 7.71 feet; thence,
- L24 North  $20^{\circ}18'20''$  East, 3.61 feet; thence,
- L25 North  $75^{\circ}40'57''$  West, 3.94 feet; thence,
- L26 North  $42^{\circ}05'03''$  West, 2.98 feet; thence,
- L27 North  $40^{\circ}51'43''$  West, 3.15 feet; thence,
- L28 North  $31^{\circ}42'59''$  West, 3.23 feet; thence,
- L29 North  $18^{\circ}00'06''$  West, 2.39 feet; thence,
- L30 North  $13^{\circ}03'32''$  West, 4.57 feet; thence,
- L31 North  $15^{\circ}22'51''$  West, 0.31 feet; thence non-tangentially,
- C32 Along a curve to the left, having a radius of 2.50 feet and a central angle of  $76^{\circ}02'58''$ , an arc length of 3.32 feet (long chord bears North  $53^{\circ}22'18''$  West, 3.08 feet); thence non-tangentially,
- C33 Along a curve to the right, having a radius of 20.00 feet and a central angle of  $4^{\circ}02'24''$ , an arc length of 1.41 feet (long chord bears North  $89^{\circ}20'50''$  West, 1.41 feet); thence non-tangentially,
- L34 North  $87^{\circ}36'19''$  West, 6.87 feet; thence non-tangentially,
- C35 Along a curve to the left, having a radius of 8.93 feet and a central angle of  $14^{\circ}05'12''$ , an arc length of 2.20 feet (long chord bears South  $85^{\circ}14'15''$  West, 2.19 feet); thence non-tangentially,
- C36 Along a curve to the right, having a radius of 14.61 feet and a central angle of  $50^{\circ}10'40''$ , an arc length of 12.79 feet (long chord bears South  $86^{\circ}42'11''$  West, 12.39 feet); thence non-tangentially,
- L37 North  $67^{\circ}04'31''$  West, 13.93 feet; thence non-tangentially,
- C38 Along a curve to the right, having a radius of 22.16 feet and a central angle of  $29^{\circ}40'36''$ , an arc length of 11.48 feet (long chord bears North  $50^{\circ}49'36''$  West, 11.35 feet) to the Point of Beginning.



**TABLE OF COURSES**

LINE	BEARING	DIST.	CURVE	DELTA	RADIUS	LENGTH	LONG CHORD	
							BEARING	DIST.
L3	S 47°44'22" W	3.41'	C1	51°33'02"	3.76'	3.38'	N 60°06'58" W	3.27'
L5	S 67°24'26" W	9.30'	C2	9°17'08"	4.88'	0.79'	N 84°19'43" W	0.79'
L6	S 37°01'24" W	15.44'	C4	31°47'30"	18.00'	9.99'	S 50°48'07" W	9.86'
L7	S 29°11'17" W	15.88'	C8	98°57'52"	0.98'	1.69'	S 02°29'48" E	1.49'
L9	S 51°03'23" E	11.49'	C11	35°45'38"	23.19'	14.47'	S 26°50'13" E	14.24'
L10	S 52°35'28" E	12.38'	C13	32°02'06"	15.04'	8.41'	S 30°10'15" E	8.30'
L12	S 09°47'19" E	17.20'	C17	198°47'20"	9.32'	32.34'	N 84°21'03" E	18.39'
L14	S 53°38'39" E	4.70'	C19	22°58'10"	27.95'	11.20'	N 31°27'14" E	11.13'
L15	N 52°45'05" E	1.88'	C21	45°40'28"	17.25'	13.75'	N 33°58'25" E	13.39'
L16	N 49°18'04" E	4.96'	C22	33°43'06"	35.17'	20.70'	N 21°30'56" E	20.40'
L18	N 86°25'27" E	5.58'						
L20	N 43°22'42" E	9.69'						
L23	N 29°35'47" E	7.71'						
L24	N 20°18'20" E	3.61'						

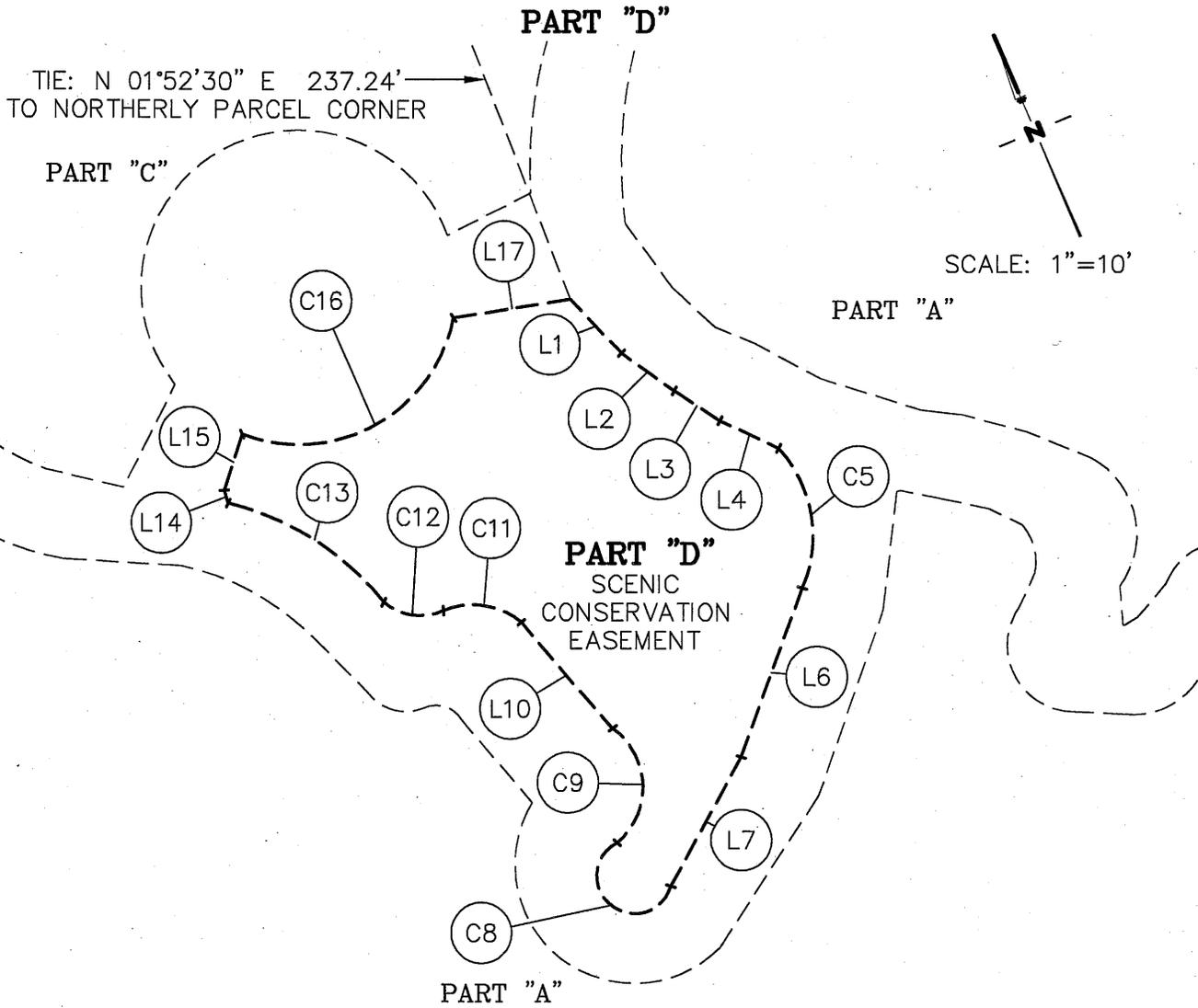
**PART "C" TABLE OF COURSES (CONTINUED)**

LINE	BEARING	DIST.	CURVE	DELTA	RADIUS	LENGTH	LONG CHORD	
							BEARING	DIST.
L25	N 75°40'57" W	3.94'	C32	76°02'58"	2.50'	3.32'	N 53°22'18" W	3.08'
L26	N 42°05'03" W	2.98'	C33	4°02'24"	20.00'	1.41'	N 89°20'50" W	1.41'
L27	N 40°51'43" W	3.15'	C35	14°05'12"	8.93'	2.20'	S 85°14'15" W	2.19'
L28	N 31°42'59" W	3.23'	C36	50°10'40"	14.61'	12.79'	S 86°42'11" W	12.39'
L29	N 18°00'06" W	2.39'	C38	29°40'36"	22.16'	11.48'	N 50°49'36" W	11.35'
L30	N 13°03'32" W	4.57'						
L31	N 15°22'51" W	0.31'						
L34	N 87°36'19" W	6.87'						
L37	N 67°04'31" W	13.93'						

**Part "D"**

Beginning at a point from which the most Northerly corner of said described parcels bears North  $01^{\circ}52'30''$  East, 237.24 feet; thence from said Point of Beginning,

- L1 South  $19^{\circ}36'22''$  East, 4.37 feet; thence,
- L2 South  $31^{\circ}27'07''$  East, 3.86 feet; thence,
- L3 South  $33^{\circ}15'06''$  East, 3.21 feet; thence,
- L4 South  $41^{\circ}44'48''$  East, 3.84 feet; thence non-tangentially,
- C5 Along a curve to the right, having a radius of 7.78 feet and a central angle of  $65^{\circ}15'32''$ , an arc length of 8.86 feet (long chord bears South  $13^{\circ}48'41''$  West, 8.39 feet); thence non-tangentially,
- L6 South  $43^{\circ}03'20''$  West, 10.66 feet; thence,
- L7 South  $51^{\circ}39'13''$  West, 8.69 feet; thence non-tangentially,
- C8 Along a curve to the right, having a radius of 2.23 feet and a central angle of  $226^{\circ}21'26''$ , an arc length of 8.81 feet (long chord bears North  $28^{\circ}10'09''$  West, 4.10 feet); thence non-tangentially,
- C9 Along a curve to the left, having a radius of 4.26 feet and a central angle of  $105^{\circ}14'06''$ , an arc length of 7.82 feet (long chord bears North  $21^{\circ}09'46''$  East, 6.77 feet); thence non-tangentially,
- L10 North  $17^{\circ}19'43''$  West, 8.27 feet; thence non-tangentially,
- C11 Along a curve to the left, having a radius of 4.54 feet and a central angle of  $62^{\circ}11'54''$ , an arc length of 4.93 feet (long chord bears North  $58^{\circ}10'49''$  West, 4.69 feet); thence non-tangentially,
- C12 Along a curve to the right, having a radius of 3.29 feet and a central angle of  $65^{\circ}30'28''$ , an arc length of 3.76 feet (long chord bears North  $58^{\circ}51'27''$  West, 3.56 feet); thence non-tangentially,
- C13 Along a curve to the left, having a radius of 16.83 feet and a central angle of  $37^{\circ}47'20''$ , an arc length of 11.10 (long chord bears North  $34^{\circ}17'53''$  West, 10.90 feet); thence non-tangentially,
- L14 North  $7^{\circ}14'42''$  East, 0.78 feet; thence,
- L15 North  $40^{\circ}37'13''$  East, 3.49 feet; thence non-tangentially,
- L16 Along a curve to the left, having a radius of 9.32 feet and a central angle of  $99^{\circ}49'04''$ , an arc length of 16.24 (long chord bears North  $84^{\circ}12'39''$  East, 14.26 feet); thence non-tangentially,
- L17 South  $75^{\circ}55'36''$  East, 7.08 feet to the Point of Beginning.



**TABLE OF COURSES**

LINE	BEARING	DIST.	CURVE	DELTA	RADIUS	LENGTH	LONG CHORD	
							BEARING	DIST.
L1	S 19°36'22" E	4.37'	C5	65°15'32"	7.78'	8.86'	S 13°48'41" W	8.39'
L2	S 31°27'07" E	3.86'	C8	226°21'26"	2.23'	8.81'	N 28°10'09" W	4.10'
L3	S 33°15'06" E	3.21'	C9	105°14'06"	4.26'	7.82'	N 21°09'46" E	6.77'
L4	S 41°44'48" E	3.84'	C11	62°11'54"	4.54'	4.93'	N 58°10'49" W	4.69'
L6	S 43°03'20" W	10.66'	C12	65°30'28"	3.29'	3.76'	N 58°51'27" W	3.56'
L7	S 51°39'13" W	8.69'	C13	37°47'20"	16.83'	11.10'	N 34°17'53" W	10.90'
L10	N 17°19'43" W	8.27'	C16	99°49'04"	9.32'	16.24'	N 84°12'39" E	14.26'
L14	N 7°14'42" E	0.78'						
L15	N 40°37'13" E	3.49'						
L17	S 75°55'36" E	7.08'						

**Part "E"**

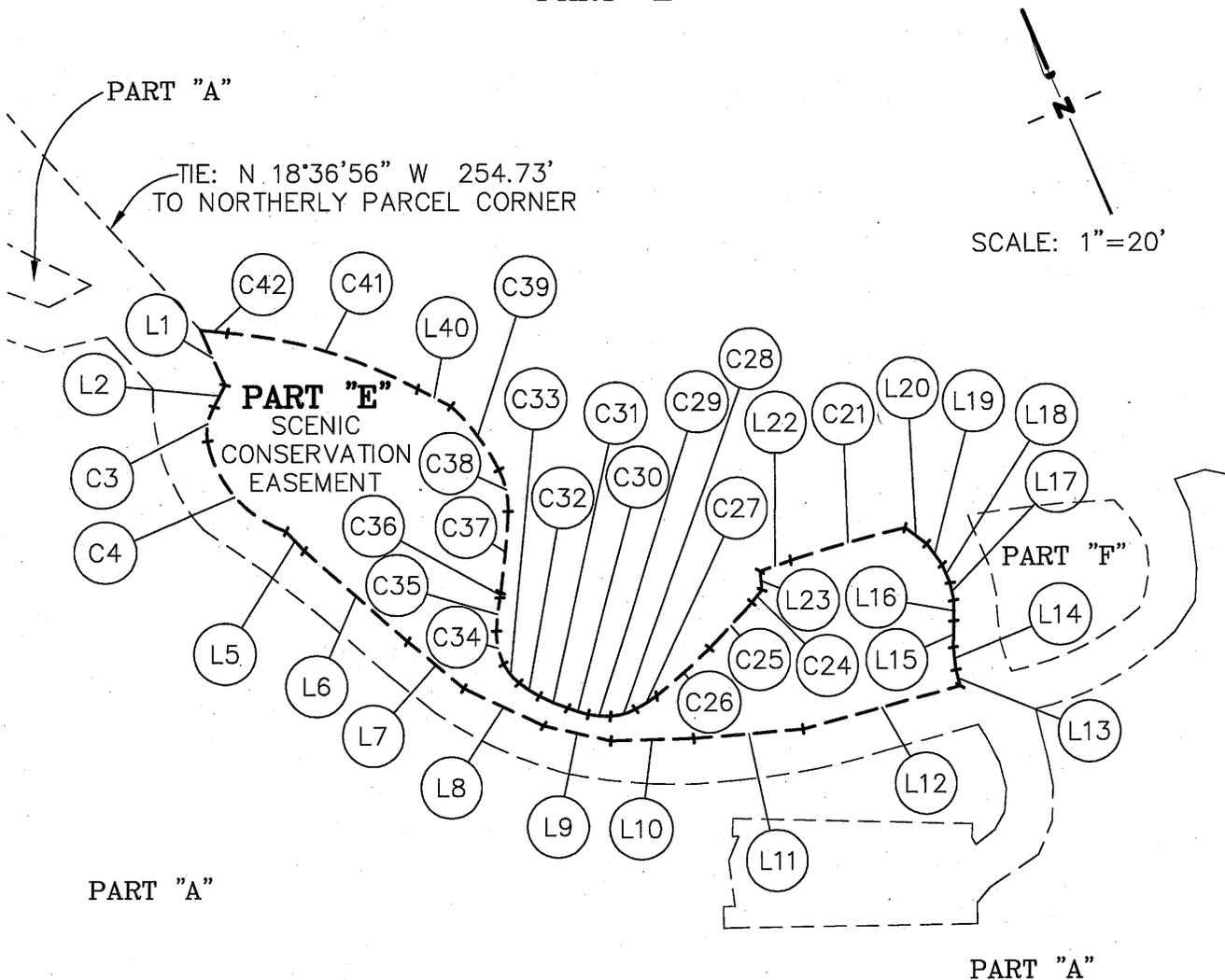
Beginning at a point from which the most Northerly corner of said described parcels bears North  $18^{\circ}36'56''$  West, 254.73 feet; thence from said Point of Beginning,

- L1 South  $0^{\circ}30'50''$  East, 7.00 feet; thence,
- L2 South  $49^{\circ}43'49''$  West, 2.84 feet; thence non-tangentially,
- C3 Along a curve to the left, having a radius of 6.21 feet and a central angle of  $38^{\circ}27'12''$ , an arc length of 4.17 feet (long chord bears South  $34^{\circ}16'55''$  West, 4.09 feet); thence non-tangentially,
- C4 Along a curve to the left, having a radius of 13.92 feet and a central angle of  $60^{\circ}14'16''$ , an arc length of 14.63 feet (long chord bears South  $17^{\circ}42'21''$  East, 13.97 feet); thence non-tangentially,
- L5 South  $19^{\circ}36'18''$  East, 3.09 feet; thence,
- L6 South  $25^{\circ}26'54''$  East, 16.09 feet; thence,
- L7 South  $27^{\circ}06'16''$  East, 8.57 feet; thence,
- L8 South  $41^{\circ}33'21''$  East, 10.30 feet; thence,
- L9 South  $53^{\circ}55'17''$  East, 7.99 feet; thence,
- L10 South  $68^{\circ}18'58''$  East, 9.46 feet; thence,
- L11 South  $71^{\circ}33'58''$  East, 12.78 feet; thence,
- L12 South  $82^{\circ}02'06''$  East, 19.10 feet; thence,
- L13 North  $8^{\circ}43'59''$  East, 1.91 feet; thence,
- L14 North  $16^{\circ}57'08''$  East, 2.67 feet; thence,
- L15 North  $25^{\circ}00'08''$  East, 3.06 feet; thence,
- L16 North  $22^{\circ}44'49''$  East, 2.41 feet; thence,
- L17 North  $12^{\circ}08'02''$  East, 2.07 feet; thence,
- L18 North  $0^{\circ}38'33''$  West, 2.34 feet; thence,
- L19 North  $13^{\circ}42'31''$  West, 3.02 feet; thence,
- L20 North  $29^{\circ}09'28''$  West, 3.12 feet; thence non-tangentially,
- C21 Along a curve to the left, having a radius of 134.39 feet and a central angle of  $5^{\circ}58'18''$ , an arc length of 14.01 feet (long chord bears North  $82^{\circ}26'08''$  West, 14.00 feet); thence, non-tangentially,
- L22 North  $86^{\circ}27'51''$  West, 3.77 feet; thence,
- L23 South  $17^{\circ}28'31''$  West, 2.18 feet; thence non-tangentially,
- C24 Along a curve to the right, having a radius of 18.18 feet and a central angle of  $6^{\circ}03'14''$ , an arc length of 1.92 feet (long chord bears South  $63^{\circ}29'10''$  West, 1.92 feet); thence non-tangentially,
- C25 Along a curve to the right, having a radius of 132.44 feet and a central angle of  $03^{\circ}09'00''$ , an arc length of 7.28 feet (long chord bears South  $66^{\circ}02'21''$  West, 7.28 feet); thence non-tangentially,
- C26 Along a curve to the right, having a radius of 58.14 feet and a central angle of  $8^{\circ}05'52''$ , an arc length of 8.22 feet (long chord bears South  $70^{\circ}41'16''$  West, 8.21 feet); thence non-tangentially,

- C27 Along a curve to the right, having a radius of 14.33 feet and a central angle of  $11^{\circ}39'18''$ , an arc length of 2.91 feet (long chord bears South  $80^{\circ}46'44''$  West, 2.91 feet); thence non-tangentially,
- C28 Along a curve to the right, having a radius of 7.96 feet and a central angle of  $21^{\circ}17'04''$ , an arc length of 2.96 feet (long chord bears North  $82^{\circ}45'38''$  West, 2.94 feet); thence non-tangentially,
- C29 Along a curve to the right, having a radius of 8.53 feet and a central angle of  $17^{\circ}15'38''$ , an arc length of 2.57 feet (long chord bears North  $61^{\circ}56'02''$  West, 2.56 feet); thence non-tangentially,
- C30 Along a curve to the right, having a radius of 20.74 feet and a central angle of  $6^{\circ}52'58''$ , an arc length of 2.49 feet (long chord bears North  $49^{\circ}53'30''$  West, 2.49 feet); thence non-tangentially,
- C31 Along a curve to the right, having a radius of 23.84 feet and a central angle of  $8^{\circ}39'38''$ , an arc length of 3.60 feet (long chord bears North  $43^{\circ}43'47''$  West, 3.60 feet); thence non-tangentially,
- C32 Along a curve to the right, having a radius of 12.89 feet and a central angle of  $12^{\circ}30'54''$ , an arc length of 2.82 feet (long chord bears North  $33^{\circ}04'25''$  West, 2.81 feet); thence non-tangentially,
- C33 Along a curve to the right, having a radius of 7.40 feet and a central angle of  $22^{\circ}12'20''$ , an arc length of 2.87 feet (long chord bears North  $15^{\circ}43'06''$  West, 2.85 feet); thence non-tangentially,
- C34 Along a curve to the right, having a radius of 8.30 feet and a central angle of  $27^{\circ}23'22''$ , an arc length of 3.97 feet (long chord bears North  $11^{\circ}14'58''$  East, 3.93 feet); thence non-tangentially,
- C35 Along a curve to the right, having a radius of 26.51 feet and a central angle of  $8^{\circ}28'48''$ , an arc length of 3.92 feet (long chord bears North  $29^{\circ}09'56''$  East, 3.92 feet); thence non-tangentially,
- C36 Along a curve to the left, having a radius of 158.39 feet and a central angle of  $0^{\circ}14'06''$ , an arc length of 0.65 feet (long chord bears North  $31^{\circ}51'16''$  East, 0.65 feet); thence non-tangentially,
- C37 Along a curve to the left, having a radius of 89.66 feet and a central angle of  $6^{\circ}04'02''$ , an arc length of 9.49 feet (long chord bears North  $28^{\circ}39'34''$  East, 9.49 feet); thence non-tangentially,
- C38 Along a curve to the left, having a radius of 9.37 feet and a central angle of  $30^{\circ}41'42''$ , an arc length of 5.02 feet (long chord bears North  $11^{\circ}01'21''$  East, 4.96 feet); thence non-tangentially,
- C39 Along a curve to the left, having a radius of 27.07 feet and a central angle of  $19^{\circ}46'56''$ , an arc length of 9.35 feet (long chord bears North  $13^{\circ}43'01''$  West, 9.30 feet); thence non-tangentially,
- L40 North  $39^{\circ}51'06''$  West, 4.43 feet; thence non-tangentially,
- C41 Along a curve to the left, having a radius of 56.37 feet and a central angle of  $23^{\circ}47'32''$ , an arc length of 23.41 feet (long chord bears North  $50^{\circ}15'48''$  West, 23.24 feet); thence non-tangentially,

C42 Along a curve to the right, having a radius of 39.44 feet and a central angle of  $04^{\circ}32'02''$ , an arc length of 3.12 feet (long chord bears North  $60^{\circ}43'58''$  West, 3.12 feet) to the Point of Beginning.

# PART "E"



SCALE: 1"=20'

## TABLE OF COURSES

LINE	BEARING	DIST.	CURVE	DELTA	RADIUS	LENGTH	LONG CHORD	
							BEARING	DIST.
L1	S 0°30'50" E	7.00'	C3	38°27'12"	6.21'	4.17'	S 34°16'55" W	4.09'
L2	S 49°43'49" W	2.84'	C4	60°14'16"	13.92'	14.63'	S 17°42'21" E	13.97'
L5	S 19°36'18" E	3.09'	C21	5°58'18"	134.39'	14.01'	N 82°26'08" W	14.00'
L6	S 25°26'54" E	16.09'	C24	6°03'14"	18.18'	1.92'	S 63°29'10" W	1.92'
L7	S 27°06'16" E	8.57'	C25	3°09'00"	132.44'	7.28'	S 66°02'21" W	7.28'
L8	S 41°33'21" E	10.30'	C26	8°05'52"	58.14'	8.22'	S 70°41'16" W	8.21'
L9	S 53°55'17" E	7.99'	C27	11°39'18"	14.33'	2.91'	S 80°46'44" W	2.91'
L10	S 68°18'58" E	9.46'	C28	21°17'04"	7.96'	2.96'	N 82°45'38" W	2.94'
L11	S 71°33'58" E	12.78'	C29	17°15'38"	8.53'	2.57'	N 61°56'02" W	2.56'
L12	S 82°02'06" E	19.10'	C30	6°52'58"	20.74'	2.49'	N 49°53'30" W	2.49'
L13	N 08°43'59" E	1.91'	C31	8°39'38"	23.84'	3.60'	N 43°43'47" W	3.60'
L14	N 16°57'08" E	2.67'	C32	12°30'54"	12.89'	2.82'	N 33°04'25" W	2.81'
L15	N 25°00'08" E	3.06'	C33	22°12'20"	7.40'	2.87'	N 15°43'06" W	2.85'

**PART "E" TABLE OF COURSES (CONTINUED)**

LINE	BEARING	DIST.	CURVE	DELTA	RADIUS	LENGTH	LONG CHORD	
							BEARING	DIST.
L16	N 22°44'49" E	2.41'	C34	27°23'22"	8.30'	3.97'	N 11°14'58" E	3.93'
L17	N 12°08'02" E	2.07'	C35	8°28'48"	26.51'	3.92'	N 29°09'56" E	3.92'
L18	N 00°38'33" W	2.34'	C36	0°14'06"	158.39'	0.65'	N 31°51'16" E	0.65'
L19	N 13°42'31" W	3.02'	C37	6°04'02"	89.66'	9.49'	N 28°39'34" E	9.49'
L20	N 29°09'28" W	3.12'	C38	30°41'42"	9.37'	5.02'	N 11°01'21" E	4.96'
L22	N 86°27'51" W	3.77'	C39	19°46'56"	27.07'	9.35'	N 13°43'01" W	9.30'
L23	S 17°28'31" W	2.18'	C41	23°47'32"	56.37'	23.41'	N 50°15'48" W	23.24'
L40	N 39°51'06" W	4.43'	C42	4°32'02"	39.44'	3.12'	N 60°43'58" W	3.12'

**Part "F"**

Beginning at a point from which the most Northerly corner of said described parcels bears North 27°34'07" West, 334.74 feet; thence non-tangentially from said Point of Beginning,

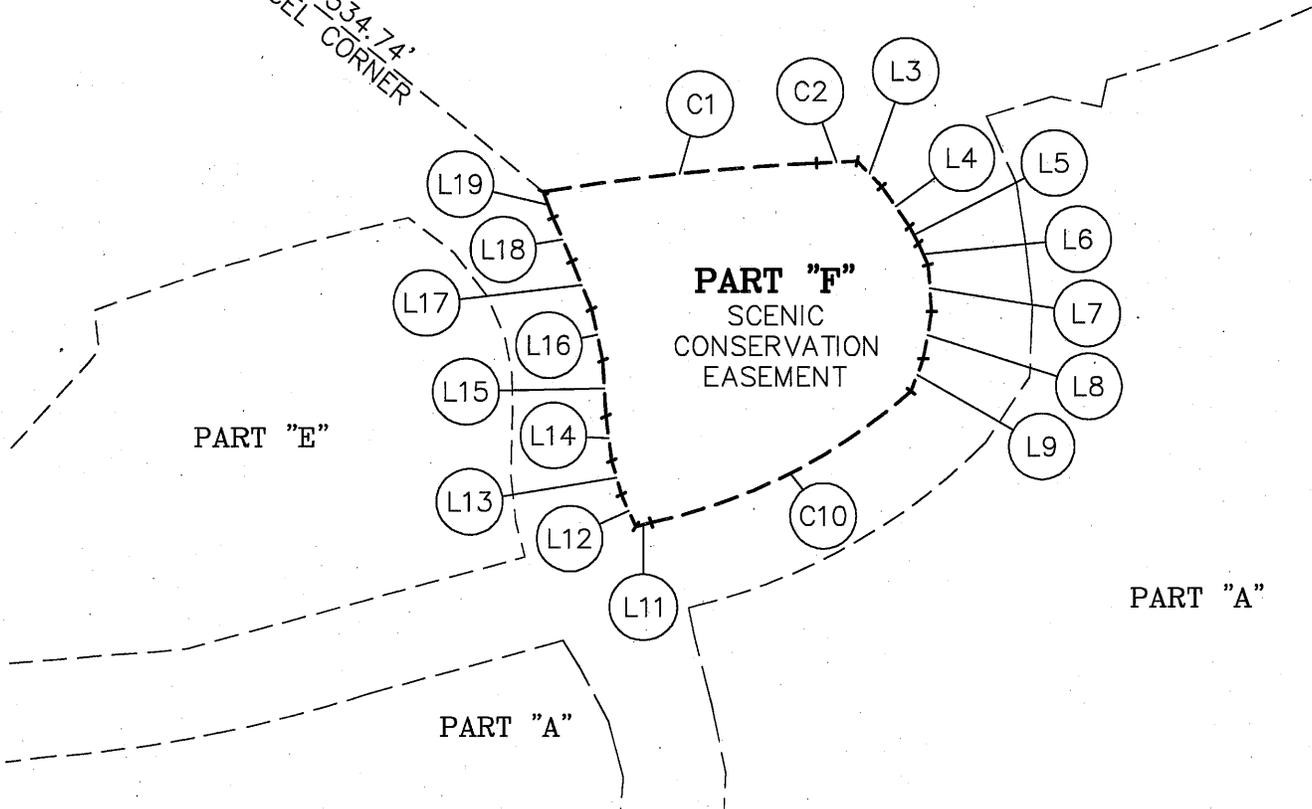
- C1 Along a curve to the right, having a radius of 131.29 feet and a central angle of 6°28'46", an arc length of 14.85 feet (long chord bears South 72°52'04" East, 14.84 feet); thence non-tangentially,
- C2 Along a curve to the right, having a radius of 130.57 feet and a central angle of 0°58'42", an arc length of 2.23 feet (long chord bears South 69°12'49" East, 2.23 feet); thence non-tangentially,
- L3 South 20°39'43" East, 1.91 feet; thence,
- L4 South 11°05'37" East, 2.65 feet; thence,
- L5 South 4°39'10" East, 1.03 feet; thence,
- L6 South 0°34'27" East, 1.28 feet; thence,
- L7 South 18°44'28" West, 2.56 feet; thence,
- L8 South 33°26'43" West, 2.61 feet; thence,
- L9 South 44°15'57" West, 1.89 feet; thence non-tangentially,
- C10 Along a curve to the right, having a radius of 31.27 feet and a central angle of 29°13'46"m an arc length of 15.95 feet (long chord bears South 86°13'14" West, 15.78 feet); thence non-tangentially,
- L11 North 82°06'45" West, 0.84 feet; thence,
- L12 North 0°35'54" West, 1.91 feet; thence,
- L13 North 7°36'03" East, 1.93 feet; thence,
- L14 North 16°06'47" East, 2.44 feet; thence,
- L15 North 20°07'49" East, 3.05 feet; thence,
- L16 North 10°43'19" East, 2.87 feet; thence,
- L17 North 1°00'03" East, 2.82 feet; thence,
- L18 North 0°10'25" West, 2.58 feet; thence,
- L19 North 2°52'30" East, 1.50 feet to the Point of Beginning.

**PART "F"**

TE: N 27°34'07" W 334.74'  
TO NORTHERLY PARCEL CORNER

SCALE: 1"=10'

PART "A"



**PART "F"**  
SCENIC  
CONSERVATION  
EASEMENT

PART "E"

PART "A"

PART "A"

**TABLE OF COURSES**

LINE	BEARING	DIST.	CURVE	DELTA	RADIUS	LENGTH	LONG CHORD BEARING	LONG CHORD DIST.
L3	S 20°39'43" E	1.91'	C1	6°28'46"	131.29'	14.85'	S 72°52'04" E	14.84'
L4	S 11°05'37" E	2.65'	C2	0°58'42"	130.57'	2.23'	S 69°12'49" E	2.23'
L5	S 4°39'10" E	1.03'	C10	29°13'46"	31.27'	15.95'	S 86°13'14" W	15.78'
L6	S 0°34'27" E	1.28'						
L7	S 18°44'28" W	2.56'						
L8	S 33°26'43" W	2.61'						
L9	S 44°15'57" W	1.89'						
L11	N 82°06'45" W	0.84'						
L12	N 0°35'54" W	1.91'						
L13	N 7°36'03" E	1.93'						
L14	N 16°06'47" E	2.44'						
L15	N 20°07'49" E	3.05'						
L16	N 10°43'19" E	2.87'						
L17	N 1°00'03" E	2.82'						
L18	N 0°10'25" W	2.58'						
L19	N 2°52'30" E	1.50'						