

Attachment G

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COUNTY RESPONSES TO CEQA COMMENTS

The responses below correspond to the comments received in the comment letters/emails. Each response begins with a brief summary of the comment, responds to the comment, and then identifies if revisions to the Draft Initial Study are required. In this case, no further revisions to the draft Initial Study are required. Planning staff initially circulated a draft Initial Study on February 26, 2020. However, receipt of initial comments resulted in Planning staff revising and re-circulating the draft Initial Study on March 9, 2020. Subsequent to public review of the draft Initial Study, the applicant revised the project to eliminate the proposed basement level. The Final Initial Study/Mitigated Negative Declaration is attached as Attachment E and the comments are attached as Attachment F to the August 24, 2021, staff report to the Monterey County Board of Supervisors.

In responding to comments, CEQA does not require a Lead Agency to conduct every test or perform all research, study or experimentation recommended or demanded by a commenter. Rather, a Lead Agency need only respond to significant environmental issues and does not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure of environmental impacts is made in the Initial Study (CEQA Guideline Section 15204).

County staff provided copies of all submitted CEQA comments to the applicant. Additionally, pursuant to CEQA Guidelines Section 15073(e), the County provided notice of the public hearing to those public agencies that submitted comments on the draft Initial Study and Mitigated Negative Declaration.

Response to Comment Letter (Emails) 1 – Molly Erickson, Save Carmel Point Cultural Resources (SCPCR)

Comment 1 (Elevator and Roof Deck)

The commenter, in general, discusses the proposed elevator and roof deck. The applicant has subsequently revised the plans to remove the proposed elevator and roof deck. Stairs and a retractable skylight provide maintenance access for solar panels that are proposed to be mounted on the roof. No revisions to the draft Initial Study are necessary in response to the comments.

Comment 2 (Chimney)

The commenter, in general, discusses the height and bulk of the proposed chimney and the potential visual/aesthetic/view impacts. As proposed, the chimney would be consistent with other chimneys in the surrounding vicinity and would not result in an adverse visual or aesthetic impact. Regarding height, a chimney is considered an appurtenance and not subject to the 18-foot height limit. Moreover, a chimney must maintain a minimum 3-foot distance separation from the flat roof of the proposed residence. Regarding views of surrounding properties, Monterey County Code does not regulate private views or privacy. Additionally, the applicant reduced the proposed chimney width from 9 feet to 6 feet.

The comments do not alter the conclusions in the draft Initial Study, and no revisions to the draft Initial Study are necessary in response to the comments.

Comment 3 (Remodel/Minor Addition)

The commenter identified an inaccuracy in the draft Initial Study related to the proposed scope of work. In response to this comment, Planning staff revised (corrected) and re-circulated the draft Initial Study on March 9, 2020. No further revisions to the draft Initial Study are required.

Comment 4 (Limits of Disturbance)

The commenter states that the limits of project disturbance are not identified and contends that this is an unanalyzed and unmitigated impact. The commenter also states that the grading plans appear inaccurate and “not consistent with typical practices at Carmel Point”.

The conceptual limits of proposed project disturbance are clearly identified on plan sheets G1.5, G1.7, A1.0, and A2.0. Plan sheet G1.7, Grading/Slope/Drainage Plan, highlights the areas of proposed cut and fill on the parcel. Due to the removal of the proposed basement level, the estimated amount of grading/excavation has been reduced from approximately 900 cubic yards to 300 cubic yards, a net reduction of approximately 600 cubic yards.

What constitutes a “typical” plan or practice is project specific and determined on a case-by-case basis per the geotechnical engineer’s analysis of the site. Other sites may have different soil conditions that warrant different soil engineering recommendations. Additional detail will also be provided in the construction plan set per the geotechnical engineer’s recommendations. County staff reviews plans and documents submitted with the building permit to confirm that the amounts are substantially consistent with those analyzed and approved. Also, inspections occur during the construction phase to ensure the permitted amounts are not exceeded, and remain in substantial conformance with the approved amounts.

The commenter also questioned the sufficiency of ground penetrating radar (GPR) coverage of the project area. The GPR surveys of the project area, conducted in October 2019 and February 2020, surveyed the entire footprint of the areas proposed for excavation up to a depth of 10.5 feet. The surveys detected no cultural resource anomalies. Furthermore, the extensive site testing completed on this property indicates that resources are not present and unlikely to be present.

The comments do not alter the conclusions in the draft Initial Study, and no revisions to the draft Initial Study are necessary in response to the comments.

Comment 5 (Plan Set)

The commenter states that the plan set available in the County’s permit database (Accela) is not consistent with the plan sheets shown in the draft Initial Study. In response to this comment, revised plans have been uploaded to Accela. Subsequent to public review of the draft Initial Study, the applicant revised the project to eliminate the proposed basement level. These revisions to the plan set dated October 23, 2020 have also been uploaded to Accela. Additionally, subsequent to Planning Commission direction on April 28, 2021, the applicant revised the project to further reduce the overall floor area of the development by an additional 215 square feet by eliminating the garage. These revisions to the plan set, dated May 6, 2021, have also been uploaded to Accela, and were the plans under consideration by the Planning Commission at the public hearing on May 26, 2021. These are also the plans under consideration by the Board of Supervisors at the public hearing on August 24, 2021.

Responses to Comment Letter 2 – Sarah Fonseca, California Native American Heritage Commission (NAHC)

The commenter, in general, discusses the requirements for analysis of potential impacts to archaeological and cultural resources, and also asked if the draft mitigation measures had been discussed with and agreed upon during consultation.

Monterey County Planning staff initiated tribal consultation with local Native American tribes on October 8, 2019, and met with a representative of the Ohlone/Costanoan-Esselen Nation (OCEN). County staff discussed the project with the tribal representative and identified potential impacts that may require mitigation. However, this consultation did not include review of draft mitigation measures with the tribal representative.

Comments noted. The comments are not about the adequacy of the draft Initial Study or the CEQA process. The comments do not alter the conclusions in the draft Initial Study, and no revisions to the draft Initial Study are necessary in response to the comments.

////// END OF RESPONSES TO CEQA COMMENTS ////

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