

***Before the Board of Supervisors
County of Monterey, State of California***

In the matter of the application of:
SIGNAL HILL LLC (PLN100338)
RESOLUTION NO. 23-236

Resolution by the Monterey County Board of Supervisors certifying an Environmental Impact Report prepared for the Signal Hill LLC project (PLN100338)
[Signal Hill LLC, 1170 Signal Hill Road, Pebble Beach, Del Monte Forest Area Land Use Plan (APN: 008-261-007-000)]

The Signal Hill LLC project came on for public hearing before the Monterey County Board of Supervisors on May 9, 2023, and June 27, 2023. In consideration of the project and its alternatives, together with all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Board of Supervisors finds as follows with respect to the Environmental Impact Report:

FINDINGS

1. **FINDING:** **PROCESS** – An Environmental Impact Report (EIR) has been prepared for the Signal Hill LLC project pursuant to the requirements of the California Environmental Quality Act (CEQA).
- EVIDENCE:**
- a) **Location:** The Signal Hill Project is located at 1170 Signal Hill Road, Pebble Beach. (Assessor's Parcel Number 008-261-007-000), Del Monte Forest Area Land Use Plan (LUP).
 - b) **Project:** In 2010, an application was filed on behalf of the property owner Signal Hill LLC (Massy Mehdipour) for the demolition of an existing 4,124 square foot single family residence and the construction of a new three level 11,933 square foot single family residence including an attached three-car garage, a 986 square foot entry court, 106 square feet of uncovered terraces, approximately 2,600 square feet of covered terraces, new driveway, and approximately 1,700 cubic yards of grading (1,200 cubic yards cut/500 cubic yards fill) and restoration of approximately 1.67 acre of native dune habitat. The project also includes removal of three Monterey Cypress trees. (The proposed project was for a structure with a maximum height of 30 feet, and therefore is referred to herein as the “Full Height Project”).

This resolution applies only to the certification of the EIR prepared for the project. Action on the above-described Project will be considered following certification of the EIR.

- c) Historic Resources. The existing house proposed for demolition was designed by Richard Neutra for Arthur and Kathleen Connell in 1957. The “Connell House” was listed on the National Register of Historic Places and was automatically added to the State Historic Landmark Register on June 13, 2014. The application proposed demolition of the existing house, which would be a significant impact to the historical resource. As such, an Environmental Impact Report was required for the proposed project.
- d) Notice of Preparation (NOP): Pursuant to CEQA Guidelines section 15082 of, the County posted an NOP with the Monterey County Clerk’s Office and that office transmitted it to the State Clearing House (SCH#2015021054) on February 15, 2015, starting a 32-day comment period on the NOP, which ended on March 20, 2015. The NOP included a description of the Project, maps and text identifying the Project’s location, and a list of the Project’s probable, potential environmental effects, which included potential impacts to historic resource, development in native sand dune habitat, and aesthetics. The NOP and comments received on the NOP are attached to the EIR as Appendix A.
- e) Public Scoping Meeting: A Public Scoping Meeting was held on February 23, 2015 at the Pebble Beach Community Services District Offices located at 3101 Forest Lake Road, Pebble Beach. All interested parties were given the opportunity to attend and comment on the scope of the EIR and potential issues to be considered therein. Information on the date, time, and location of the scoping meeting was provided in the NOP.
- f) Consultation: Comments were received on the NOP from the California Office of Historic Preservation and the California Coastal Commission. The County reviewed these comments and addressed them in the Draft EIR.
- g) Public Review of Draft EIR: A Draft EIR was prepared for the Project. On August 22, 2018, the County of Monterey published a Notice of Availability (NOA) of the Draft EIR in the Monterey County Herald, caused notices of the NOA to be posted at the site, and mailed the NOA to neighboring property owners and all persons who requested notice of the project. At the same time, staff prepared and transmitted a Notice of Completion (NOC) to the State Clearinghouse. Copies of the Draft EIR along with all appendices, were provided to the Public Library at Ocean Avenue and Lincoln Street in Carmel, the Pacific Grove Library at 550 Central Avenue in Pacific Grove, were available at the County of Monterey Resource Management Agency (Now Housing & Community Development) offices in Salinas, and were posted on the County’s website. Posting of the NOA and transmittal of the NOC began a 49-day public comment period that ended on October 12, 2018.

The NOA provided information on the project location, project description, places where the documents were available for review, the public review period, a description of potential significant effects of the project, County contact information, and instructions for how to submit comments.

- h) Impacts: The Draft EIR found that the Project had a potentially significant and unavoidable impact to an historic resource from demolition of the Connell house. Potentially significant impacts to aesthetics, biology, archaeology, soils and geology, and hydrology were also found, however mitigation measures were identified to reduce these impacts to a less-than significant-level. The Draft EIR concluded that all other resources it examined as affected by the Project did not have significant potential environmental impacts were found to have a less than significant impact on the environment. The only significant impact would occur if the Board of Supervisors were to approve demolition of the historic resource.
- i) Alternatives: Alternatives to the Project considered and analyzed in the Draft EIR include:
- The “No Project” Alternative
 - “Preservation” (Alternative 1) - This alternative would include retaining the Connell house and preserving, repairing, and replacing portions of the structure for single-family occupancy in accordance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties;
 - “Preservation/Adaptive Reuse” (Alternative 2) – This alternative would include retaining the Connell house and preserving, repairing, and replacing portions of the structure for an adaptive reuse allowed under the Monterey County Zoning Code in accordance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties. Adaptive reuse refers to the process of reusing a structure for a purpose other than that for which it was built or designed (i.e., for historic documentation and public educational uses [a museum]);
 - “Preservation and separate onsite development” (Alternative 3)- This alternative would include retaining the Connell house and preserving, repairing, and replacing portions of the structure in accordance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties. Under this alternative, a second single-family residence would be developed at a different location on the project site;
 - “Project Integration” (Alternative 4) - This alternative would include integration of the Connell house into the proposed project. The structure (or portions of the structure) would be retained and integrated into the design of the new construction

- in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties;
- “Relocation and Preservation” (Alternative 5) - This alternative would include relocating the Connell house to a new location and preserving, repairing, and replacing portions of the structure in accordance with the Secretary of the Interior's Standards for the Treatment of Historic Properties;
 - “Reduced Project” (Alternative 6) - This alternative would include demolition of the Connell house, but would reduce the size of the proposed single-family residence to stay within the existing developed footprint and to avoid building heights that extend above the ridgeline;
 - “Neutra-Inspired Redesign” (Alternative 7) - This alternative would include demolition of the Connell house, but also a redesign of the proposed single-family residence to echo Richard Neutra's design for the new development;
 - “Salvaged Reuse Integration” (Alternative 8) - This alternative would include demolition of the Connell house, but would reuse salvaged elements from the Connell house as fragments integrated into the design of the new single-family residence;
 - “Reduced Height” (Alternative 9) - This alternative would include demolition of the Connell house and reduction of the maximum height of the proposed single-family residence structure by 5 feet, from 30 feet above average natural grade (130 feet above msl) to 25 feet above natural grade (125 feet above msl).

The Draft EIR concluded that the “Preservation” Alternative was the environmentally superior alternative because it would not impact the historic resource but would reduce impacts on biology, archaeology, and aesthetics. See Finding 5 with supporting evidence.

- j) Evaluation of Comments on the Draft EIR: During the public review period on the Draft EIR, 140 comment letters were received. The County has evaluated those comments. The comments and responses to those comments are included in the Final EIR for the project. The County's analysis of these comments resulted in some proposed revisions to the body of the EIR that are also provided in the Final EIR. The Board of Supervisors has received and considered the communications submitted.
- k) No Recirculation Required: After review and evaluation of the comments received on the Draft EIR, the County determined that recirculation is not required.

Response to Comments (Chapter 9 of the Final EIR) clarifies, amplifies, and/or makes minor modifications to the Draft EIR. No significant new information has been added that would require

recirculation of the document under CEQA Guidelines section 15088.5. (See Finding 6)

- l) Final EIR: A Final EIR was completed in October 2022. The Final EIR contains comments received on the Draft EIR, responses to those comments, and proposed revisions to the Draft EIR. A copy of the Final EIR was made available to the applicant and to those who requested notice more than 10 days before the Board of Supervisors considered certification of the EIR.
- m) EIR: The Environmental Impact Report (EIR), consisting of a Draft EIR and a Final EIR, is on file in the offices of HCD and is hereby incorporated by reference.
- n) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD for the proposed development found in Project File PLN100338.

2. **FINDING:**

CEQA-CERTIFICATION OF THE FINAL EIR – Pursuant to CEQA Guidelines section 15090, prior to approving a project the lead agency shall certify that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the decision-making body of the lead agency and the decision-making body reviewed and considered the information contained in the Final EIR prior to approving the project; and c) the Final EIR reflects the lead agency’s independent judgment and analysis.

- EVIDENCE:**
- a) Public Resources Code section 21080(d) and CEQA Guidelines section 15064(a)(1) require environmental review if the lead agency finds that, in light of the whole record before it, there is substantial evidence that the project may have a significant effect on the environment.
 - b) The Final EIR was completed in compliance with CEQA. See Finding 1 with supporting evidence.
 - c) A Final EIR (FEIR) was presented to the Planning Commission and Board of Supervisors and to commenting agencies on November 21, 2022. The Planning Commission on December 7, 2022, and again on January 25, 2023. The Board of Supervisors held a public hearing on May 9, 2023 and again on June 27, 2023, at which time the Board certified the Final EIR. The Board of Supervisors reviewed and considered the information contained in the FEIR prior to acting on Project.
 - d) Evidence that has been received and considered includes: the application, technical studies/reports (see Finding 1), staff reports that reflect the County’s independent judgment, and information and testimony presented during public hearings (as applicable). These documents are on file at County HCD (PLN100338) and are hereby incorporated herein by reference.

- e) Staff analysis contained in the EIR and the record as a whole indicate the project could result in adverse impacts to the resources listed in 14 Code of California Regulations section 753.5(d). All land development projects that are subject to environmental review must pay a state filing fee plus the County recording fee, unless the Department of Fish and Wildlife determines that the project would have no effect on fish and wildlife resources.

For purposes of the Fish and Game Code, the project could potentially have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. State Department of Fish and Wildlife had the opportunity to review the EIR to comment and recommend necessary conditions to protect biological resources in this area. The project will be required to pay the state fee plus a fee payable to the County Clerk/Recorder for processing said fee and filing the Notice of Determination (NOD) pursuant to CEQA Guidelines section 15094.

- f) The County prepared a Final Environmental Impact Report (“Final EIR”) dated October 2022. The Final EIR document responds to comments received during the Draft EIR circulation period. The Final EIR responds to all significant environmental concerns raised by persons and organizations that commented on the Draft EIR. The County has considered the comments it received during the public review period for the Draft EIR and, in the Responses to Comments document, responded to these comments pursuant to CEQA Guidelines section 15088.
- g) County of Monterey Housing & Community Development Department, 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 EIR is based.
- h) The Draft Environmental Impact Report (“DEIR”) for the Signal Hill LLC (PLN100338) and Final EIR (“FEIR”) for the Signal Hill LLC Project (SCH#2015021054).

3. **FINDING:**

EIR-ENVIRONMENTAL IMPACTS NOT MITIGATED TO LESS THAN SIGNIFICANT – The project would result in significant and unavoidable impacts that would not be mitigated to a less than significant level even with incorporation of mitigation measures from the EIR into the conditions of project approval, as further described in this finding. The project will result in adverse changes to a potentially significant historic resource.

EVIDENCE:

- a) The “Connell House” designed by Richard Neutra at 1170 Signal Hill Road, Pebble Beach is an historic resource listed on the California Register of Historic Resources. The proposed project would adversely affect that historic resource by demolishing the historic resource resulting in a substantial adverse change in the significance of a historical resource.

- b) Draft Environmental Impact Report (“DEIR”) for the Signal Hill LLC (PLN100338) and Final EIR (“FEIR”) for the Signal Hill LLC Project (SCH#2015021054).
- c) Mitigation Measures have been identified to reduce impacts to the extent feasible. Mitigation for impacts to the historical resource include documentation of the Connell house using the Historic American Buildings Survey (HABS) and the creation of electronic information in web-based format documenting the Connell house. However, while it is required, this mitigation would not decrease the significance of the impacts identified to a less-than-significant level.
- d) Project alternatives exist that would avoid or further reduce the impact to the historic structures. See Finding 4 below.

4. FINDING:

POTENTIALLY SIGNIFICANT ENVIRONMENTAL IMPACTS IDENTIFIED IN THE EIR THAT ARE REDUCED TO A LEVEL OF “LESS THAN SIGNIFICANT” BY THE MITIGATION MEASURES IDENTIFIED IN THE EIR AND ADOPTED FOR THE PROJECT

– The Project will result in significant and potentially significant impacts that will be mitigated to a less-than-significant level due to incorporation of mitigation measures from the EIR into the conditions of project approval. Changes or alterations to the Project are required that mitigate or avoid the significant effects on the environment as identified in the draft FEIR. Except for Historical Resource impacts, all potentially significant environmental impacts will be mitigated through the measures proposed in the Final EIR.

EVIDENCE:

The EIR identified potentially significant impacts that require mitigation to Aesthetics, Archaeological Resources, Air Quality and Greenhouse Gases, Biological Resources, Geology, Seismicity, and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, and Noise, which could result from all components of the proposed Project of the EIR. These impacts will be mitigated to a less-than significant-level by the incorporation of mitigation measures from the EIR into the conditions of project approval unless Alternatives that avoid or substantially reduce the impacts are approved instead of the Project. In its decision, the Board of Supervisors considered the Project subject to these conditions.

Aesthetics. The Project would have potential adverse aesthetic effects. These impacts would be reduced by incorporating mitigation measures. Impacts identified for this Project in Chapter 5 of the EIR include:

AES Impact 1: The proposed residential structure would be seen extending above the ridgeline from locations on 17-Mile Drive and Fanshell Beach, which would be inconsistent with County of Monterey visual resources policies and result in a potentially significant impact to the scenic vista.

AES Impact 2: The Project would stand out from the dune more than the existing residence, resulting in a potentially significant impact to the

site and surroundings and visual character as seen from 17-Mile Drive and Fanshell Beach.

AES Impact 3: Visibility of light sources, glow from the proposed residence, and glare from window glass would potentially create a new source of light and glare, degrade nighttime dark skies, and adversely affect visual quality, resulting in a significant impact to the surroundings.

Mitigations to reduce these impacts to a less-than-significant level are incorporated:

AES/mm-3.1 exterior lighting plan and BIO/mm-3.1, BIO/mm-3.2, and BIO/mm-3.3, with their respective vegetative screening and restoration activities (described below).

See Chapter 4-1, Aesthetic Resources, of the Final EIR for its analysis of potential project impacts to aesthetic resources.

Archaeological Resources. The Project would have a potentially adverse effect on archaeological resources on the subject property.

Potential impacts include:

AR Impact 1: Ground disturbance (e.g., grading, excavation, vegetation removal, dune rehabilitation activities) associated with the project could result in the disturbance and destruction of unknown archeological resources, resulting in a significant impact.

AR Impact 2: Ground disturbance (e.g., grading, excavation) associated with the project could result in the disturbance of unknown human remains, resulting in a significant impact.

AR Impact 3: Impacts to archaeological resources caused by inadvertent damage or destruction of unknown resources would be cumulatively considerable when considered in conjunction with other potential disturbances in the project area, resulting in a significant cumulative impact.

Mitigations to reduce these impacts to a less-than-significant level are:

AR/mm-1.1 - contractors/employees to receive training from a qualified archaeologist;

AR/mm-1.2 – an Archaeological Monitoring Plan;

AR/mm-1.3 – an archaeological monitor; and

AR/mm-2.1 – required notifications pursuant to Health and Safety Code section 7050.5, discovery of human remains.

See Chapter 4-4, Archaeological Resources, of the Final EIR for its analysis of potential project impacts on archaeological resources.

Air Quality and Greenhouse Gases. The Project would potentially have an adverse effect on air quality and greenhouse gases.

AQ/GHG Impact 1: Implementation of the proposed project could result in the generation of emissions as a result of construction activities in an area in non-attainment for ozone (8-hour standard) and PM10, resulting in a potentially significant impact.

Mitigations to reduce these impacts to a less-than-significant level are:

AQ/GHG/mm-1.1 - Best Management Practices for reducing fugitive dust; and

AQ/GHG/mm-1.2 - Best Management Practices for reducing nitrogen oxides (NO_x), reactive organic gases (ROG) and diesel particulate matter (DPM) emissions from construction equipment.

See Chapter 4-7, Less than Significant Issue Areas, of the Final EIR for its analysis of potential project impacts on air quality and greenhouse gases.

Biological Resources. The Project would have a potentially adverse effect on biological resources.

BIO Impact 1: Implementation of the Project would require the removal of two [sic] Monterey Cypress trees and grading in the vicinity of nine additional Monterey Cypress trees, resulting in a potentially significant impact.

BIO Impact 2: The Project has potential to impact California legless lizards and coast horned lizards that are California Species of Special Concern. The Project also has potential to impact nesting birds protected under the Migratory Bird Treaty Act and California Fish and Game Code. These impacts are potentially significant.

BIO Impact 3: The Project would result in the permanent loss of 0.39 acre and the temporary disturbance of 1.67 acres of Environmentally Sensitive Habitat Area, resulting in a potentially significant impact.

BIO Impact 4: Implementation of the Project would result in a potentially significant impact to an onsite a 0.13-acre coastal wetland,. Mitigations to reduce those impacts to a less-than-significant level are:

BIO/mm-1.1 - Monterey Cypress Tree Protection, Replacement, Maintenance, and Monitoring Plan;

BIO/mm-2.1 – an environmental monitor;

BIO/mm-2.2 - environmental awareness training for all construction and habitat restoration personnel;

BIO/mm-2.3 - surveys for California legless lizards and other reptiles;

BIO/mm-2.4 - best management practices designed to minimize impacts to legless lizards;

BIO/mm-2.5 - avoid the nesting season to the extent feasible;

BIO/mm-2.6 - a 100-foot buffer around the nest site;

BIO/mm-3.1 – a open space conservation and scenic easement to be granted to the Del Monte Forest Foundation;

BIO/mm-3.2 - Bond sufficient to cover the estimated cost of planting and establishing the proposed 1.67-acre habitat restoration area;

BIO/mm-3.3 - Monitoring the success of the habitat restoration area;

BIO/mm-3.4 - fencing that excludes adjacent ESHA from disturbance;

BIO/mm-3.5 - stockpile and construction staging areas;

BIO/mm-3.6 - do not include any rain gutter outfall or other stormwater or wastewater outfall that directs concentrated flows capable of eroding the sand dune substrates in the adjacent ESHA;

BIO/mm-3.7 - landscape plans;

BIO/mm-3.8 - imported soils for amendment in the landscape areas is prohibited;
BIO/mm-3.9 - offsite dune habitat restoration plan that provides for restoration of dune habitat within the Asilomar Dunes;
BIO/mm-4.1 - buffer zone for *Juncus articus* (var. *balticus*, *mexicanus*) Herbaceous Alliance vegetation; and
BIO/mm-4.2 - flag the perimeter of the coastal wetland. Application of herbicides shall be prohibited within 25 feet of the coastal wetland. No removal of Mexican rush shall be permitted, and any vegetation removal efforts within 25 feet of the coastal wetland shall be implemented by hand.
See Chapter 4-2, Biological Resources, of the Final EIR for the complete analysis.

Geology, Seismicity, and Soils. The Project would have a potentially adverse effect on geology, seismicity, and soils.

GEO Impact 1: Implementation of the Project could expose people or structures to substantial adverse effects involving seismic hazards, resulting in a potentially significant impact.

GEO Impact 2: Construction activities and the increase in impervious surfaces as a result of the Project could result in increased erosion, loss of topsoil, and the transportation of sediment and/or construction debris off-site during rain events, resulting in a potentially significant impact.

GEO Impact 3: Implementation of the Project could result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse due to development being sited on potentially unstable soils, resulting in a potentially significant impact.

GEO Impact 4: The Project would be in an area with low to moderately expansive soils, and hence, construction could cause damage to structures and safety hazards as a result of soil instability, resulting in a potentially significant impact.

Mitigations to reduce these impacts to a less-than-significant level include:

GEO/mm-1.1 - meet or exceed California Building Standards Code. Recommendations provided by Cleary Consultants, Inc. (2010) in the geotechnical study. Additionally, implementation of HYD/mm-1.1, HYD/mm-2.1, and their respective reporting and monitoring actions will control runoff and erosion and ensure best management of post-development stormwater runoff. See Chapter 4-5, Geology and Soils, of the Final EIR for the complete analysis.

Hazards and Hazardous Materials. The Project would potentially have an adverse effect on hazards and hazardous materials.

HAZ Impact 1: Implementation of the Project has the potential to result in the inadvertent upset or release of hazardous materials used to fuel and maintain construction equipment and vehicles during construction, resulting in a potentially significant impact.

Mitigations to reduce those impacts to a less-than-significant level are:

HAZ/mm-1.1 - Hazardous Material Spill Prevention, Control, and Countermeasure Plan;

HAZ/mm-1.2 - Cleaning and refueling of equipment and vehicles; and

HAZ/mm-1.3 - monitoring reports.

See Chapter 4-7, Less than Significant Issue Areas, of the Final EIR for the analysis of air quality and greenhouse gases.

Hydrology and Water Quality. The Project would potentially have an adverse effect on hydrology and water quality.

HYD Impact 1: During construction, the Project would require grading on slopes in excess of 30%, which may result in increased runoff, erosion, and sedimentation associated with soil disturbance, potentially violating water quality standards during construction, resulting in a potentially significant impact.

HYD Impact 2: After construction, the Project would increase impervious surfaces at the project site, potentially increasing the stormwater runoff volume and rate compared to existing conditions, which could cause erosion, increased peak flows, and other impacts to the existing drainage pattern, resulting in a potentially significant impact.

HYD Impact 3: The Project would alter the existing drainage pattern both during and following construction, which could contribute to increased erosion and sedimentation on- and off-site, resulting in a potentially significant impact.

HYD Impact 4: The Project would increase impervious surfaces at the site, which would increase stormwater runoff volume and rate compared to existing conditions potentially causing erosion, increased peak flows, and other impacts to the existing drainage pattern, resulting in a potentially significant impact.

Mitigations to reduce those impacts to a less-than-significant level are:

HYD/mm-1.1 - Erosion control plan; and

HYD/mm-2.1 - Drainage plan.

See Chapter 4-6, Hydrology and Water Quality, of the Final EIR.

Noise. The Project would potentially have an adverse effect on noise levels in the area during construction, resulting in a potentially significant impact.

NOI Impact 1: Implementation of the Project would require use of construction equipment and vehicles that could exceed noise thresholds for sensitive receptors during construction, resulting in a potentially significant impact.

NOI Impact 2: Implementation of the Project could generate a substantial temporary increase in ambient noise levels during construction of the project, resulting in a potentially significant impact.

Mitigation to reduce those impacts to a less-than-significant level is:

NOI/mm-1.1 - Noise attenuation measures including hours, notice, and devices.

See Chapter 4-7 for the complete analysis.

With implementation of the above mitigation measures, residual project impacts associated with Aesthetics, Archaeological Resources, Air Quality and Greenhouse Gases, Biological Resources, Geology, Seismicity, and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, and Noise exposure would be less than significant.

5. FINDING:

EIR-CEQA ALTERNATIVES TO THE PROPOSED

PROJECT - The EIR evaluated a reasonable range of potentially feasible alternatives to the proposed project in compliance with CEQA Guidelines section 15126.6. The EIR considered the alternatives described below and as more fully described in the DEIR. The DEIR concluded that the Preservation Alternative was the environmentally superior alternative.

Pursuant to CEQA Guidelines section 15126.6(c), alternatives may be eliminated from consideration if they: 1) fail to meet most of the basic project objectives, 2) are infeasible, or 3) are unable to avoid significant environmental impacts. Chapter 9 of the EIR outlines alternatives that were screened out pursuant to this section of the CEQA Guidelines and presents the alternatives analyzed.

CEQA Guidelines section 15126.6(f) requires a range of alternatives governed by the “rule of reason.” This section requires “the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project.”

EVIDENCE: a)

Project Objectives. As proposed by the applicant, the project objectives include:

1. Remove the existing residence and construct a new single-family residence on the project site of a size compatible with the surrounding community and which allows for enjoyment of the natural beauty of the surrounding area.
2. Construct a new, high-quality residence that is exemplary of the architectural design skill of recognized Mexican architect Ricardo Legorreta.
3. Restore areas of the project site outside of the construction area to their natural condition and allow for local native animal, insect, and plant life to flourish once again.
4. The overall improvement of the property for the betterment of the Pebble Beach community.

- b) No Project Alternative. This alternative would maintain existing conditions at the project site. No demolition, construction, or dune restoration activities would occur.

The current condition of the structure includes temporary shoring of walls destroyed in an act of vandalism as well as deterioration of windows and interior and exterior finishes. Adoption of the No Project Alternative would result continue the unsafe and unsightly building conditions. Alternatives would still need to be considered to address the unsafe condition.

- c) Alternative Location. Per CEQA Guideline, section 15126.6(f)(2), an alternative project location need only be analyzed if the significant effects of the proposed project would be avoided or substantially lessened by putting the project in another location. The structure cannot be relocated for structural reasons and relocation of the structure would impact the historic integrity of the building. For these reasons, this alternative was rejected and not considered further.
- d) Other Alternatives considered but dismissed. Alternatives 2, 3, 5, and 7 were rejected because the EIR found them infeasible, either because they would conflict with the Del Monte Forest Land Use Plan (Alternatives 2 and 3), were not feasible for structural reasons (Alternative 5), or would not avoid or substantially reduce impacts (Alternative 7).
- e) “Preservation” (Alternative 1). This alternative would include retaining the Connell house and preserving, repairing, and replacing portions of the structure for single-family occupancy in accordance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties. Generally, a project that conforms to the Secretary of the Interior’s Standards does not significantly impact an historic resource and can such a project can be categorically exempt from CEQA review pursuant to CEQA Guidelines section 15331.

This alternative does not meet the applicant’s objectives, but would substantially avoid or reduce impacts identified in the EIR.

- f) “Project Integration” (Alternative 4). This alternative would include integration of the Connell house into the proposed project. The structure (or portions of the structure) would be retained and integrated into the design of the new construction in accordance with the Secretary of the Interior’s Standards for the Treatment of Historic Properties. This alternative would meet some of the applicant objectives and would reduce impacts to the historic resource. All other impacts would be similar to the proposed Project.
- g) “Reduced Project” (Alternative 6). This alternative would include demolition of the Connell house, but would reduce the size of the proposed single-family residence to fit within the existing developed footprint and would reduce building heights to avoid any extension above the ridgeline.

This alternative would meet two of the applicant's objectives and would have reduced impacts on aesthetics and biology. All other impacts would be similar to the proposed Project.

- h) "Reduced Height" (Alternative 9). This alternative was designed by the project applicant to minimize visual impacts. It would reduce the maximum height of the proposed single-family residence from 30 to 25 feet above natural grade.

This alternative meets all of the applicant's objectives and would reduce adverse project impacts to aesthetics. All other impacts would be similar to the proposed Project.

- i) Environmentally Superior Alternative. The EIR concluded that the Preservation Alternative (Alternative 1) is the environmentally superior alternative as it would avoid or reduce all the impacts identified in the EIR.
- j) Draft Environmental Impact Report ("DEIR") for the Signal Hill LLC (PLN100338) and Final EIR ("FEIR") for the Signal Hill LLC Project (SCH#2015021054).

6. **FINDING:**

RECIRCULATION NOT REQUIRED – No new significant information has been added to the EIR since circulation of the Draft EIR that would require recirculation. Under CEQA Guidelines section 15088.5, the County would be required to recirculate an EIR if significant new information were added to the EIR after public notice is given of the availability of the EIR for public review but before certification. "Significant new information" requiring recirculation may include, for example, a disclosure showing:

- 1) A new significant environmental impact resulting from the project or from a new mitigation measure proposed to be implemented;
- 2) A substantial increase in the severity of an environmental impact unless mitigation measures are adopted that reduce the impact to a level of insignificance;
- 3) A feasible project or mitigation measure, considerably different from others previously analyzed, that clearly would lessen the significant environmental impacts of the project, but that the project's proponents decline to adopt; or
- 4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

No such significant information has been added to the EIR following public notice of its contents. And, as further explained below, no such changes have been made to the EIR. Hence, recirculation was not required.

- EVIDENCE:**
- a) Staff revised the Draft EIR in response to public comment. These revisions and attendant responses to comments are both integrated into and more fully described in the Final EIR. In response to a comment letter from California Coastal Commission, staff incorporated additional mitigation measures for Biological Resources impacts to the

coastal dune habitat. An offsite dune restoration (or in-lieu fee) in 1:1 ratio to the square feet of impervious surface added by the project further mitigates for impacts to ESHA.” Mitigation Measure BIO/mm-3.9, Offsite Dune Habitat Restoration or In Lieu Fee, was added to the Biological Resources mitigations and BIO/mm-3.9.1 was added as monitoring and reporting action for the mitigation. The full wording is listed as Condition 31 in the MMRP. The project proponent has agreed to this mitigation.

- b) A second responsive edit was made based upon the California Coastal Commission’s comment letter. The Commission shared its concern with the EIR’s proposed Full Height Project, writing that the height, mass, and bulk of the Full Height Project would have the potential to adversely affect the scenic quality and visual character of 17-Mile Drive on visual resources. Minor clarifications to the EIR have been incorporated.
- c) In response to the comment letter from MBARD, staff added the following requirement to BIO/mm-3.4: “No wood chipping shall be allowed onsite.” This edit is found on page 4.2-71 of Chapter 4 and in the MMRP.
- d) In response to the comment letter from MBARD, some changes have been made within the air quality section of Chapter 4.7 and in the MMRP. These changes clarify and amplify dust control measures, alternative fuels in construction equipment, and the need for compliance with MBARD rules and regulations.
- e) In response to a comment letter from the Pacific Legal Foundation, staff added additional wording to the Alternatives Analysis Chapter of the Draft EIR regarding the difference between physical and economic considerations as it applies to CEQA and alternatives analysis. This was added to page 5-7 in section 5.4, Preliminary Alternatives.
- f) In response to public comment letter P123, staff added clarifying statements as to what “Preservation” is understood to mean in the EIR, page 5-7 in section 5.4, Preliminary Alternatives.
- g) In response to public and applicant questions in comment letters about the cost and the difficulty of the Preservation Alternative, staff edited section 5.6.1.4 Other Issue Areas, as shown with strike-through and underline, in the following:
“Although reconstruction and/or rehabilitation of an existing structure can often be more difficult than constructing something from scratch, per the structural report prepared for the project, rReconstruction of the existing 4,125-square-foot residence would generally entail an effort comparable to original construction, and is therefore likely to require less construction ~~over a shorter period of time~~ effort in comparison to construction of the proposed 11,933-square-foot residence. Construction of this alternative would require fewer material/haul trips and less construction noise due to the reduced size of the project. This alternative would maintain the existing building footprint and would require less grading and ground disturbing activities than the proposed

project, thereby also reducing construction-related air emissions and noise.”

- h) In response to public comment letter 122, and to correct what were logically typos, a responsive edit to section 5.6.4.1. was made to clarify that a height reduction would not be warranted if the Reduced Height Alternative were approved. BIO/mm-1.1 and BIO/mma-1.1.1, tree replacement and protection, should be included in this list of mitigation measures rather than AES/mm-1.1 and AES/mma-1.1.1. This required a strike-out of AES and addition of BIO twice.
- i) In response to two public comment letters on the Draft EIR, letters P125 and P126, staff clarified statements regarding common public views in Table 4.1.1, a comprehensive review of the applicable local plans and policies relevant to aesthetics (visual resources).
- j) The applicant’s comment letter on the Draft EIR, letter P125, also shared concerns with the Draft EIR’s portrayal of the previous code violations on the property in terms of their timing and handling. To more clearly convey the timing of a previously granted Restoration Permit prior to the EIR NOP, staff made responsive edits to Chapter 2 and Chapter 4, including clarification of tree removal violations (page 2-20 in Section 2.3.2 Dune Habitat Restoration). Changes in site conditions and to the historic residence located on that site have occurred since the NOP was published (page 4-3, Environmental Baseline), and clarifications on the “Mothball Protection Plan”(page 4.3-30, Baseline Conditions).
- k) Public comment letter P125 questioned the EIR’s portrayal of the existing house’s condition during the EIR consultant visit on April 20, 2015. To clarify this condition, staff responsive edits to Chapter 4.3, Historical Resources.
- l) Public comment letter P125 questioned the Draft EIR’s description, in Chapter 4, the Historic Assessment done on the existing house, suggesting the applicant’s December 2011 Historic Property Development report should have been extensively quoted in the EIR. Responsive edits were made on page 4.3-34.
- m) Public comment letter P125 requested the EIR Chapter 4, description of the Site-Specific Setting, include quotes from Arthur Connell about the climate issues and impacts of natural elements on the house. A description was added.
- n) Public comment letter P125 also shared concern with the EIR’s portrayal of the existing structure’s floor area. To resolve this concern, staff made the following responsive edit on page 2-7 and 4.1-45: “The proposed residence would be 11,933 square feet in size, almost three times larger than the existing 4,125-square-foot residence, which includes an addition-over 3.5 times bigger than the existing 3,299-square-foot residence.”
- o) Public comment letter P125 requested a specific edit to Alternative 8 in Table 5-1 to specify the existing house degradation. The edit was made, “many of the materials and elements of the existing structure were degraded to an extent that would prevent the ability to integrate them

into a reconstructed structure.” that would prevent the ability to integrate them into a reconstructed structure.”

- p) In response to public comment letter P24 and several others’ request that the structural engineer’s evaluation that is referenced in the Draft EIR be included in the EIR, the Simpson Gumpertz and Heger (2016) structural evaluation and alternative assessment was incorporated as Appendix F.
- q) Other minor modifications to the EIR include clarifications and corrections of non-substantive content. These edits are specified in a cover sheet to the Final EIR, page xix.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Board of Supervisors does hereby certify the Environmental Impact Report prepared for the Signal Hill LLC project (PLN100338).

PASSED AND ADOPTED on this 27th day of June 2023, by roll call vote:

AYES: Supervisors Alejo, Church, Lopez, Askew, and Adams

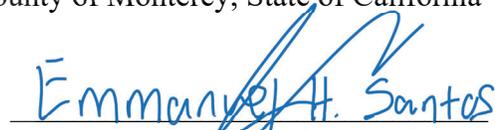
NOES: None

ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting on June 27, 2023.

Dated: July 18, 2023
File ID: RES 23-113
Agenda Item No. 25

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


Emmanuel H. Santos, Deputy