Exhibit J

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EXHIBIT J

Addendum Pursuant to the California Environmental Quality Act ARTICLE 11 Section 15164

GRIFFITH RICHARD S & NANCY S TRS
Planning File No. PLN240004
Combined Development Permit - Final Map Amendment, Administrative Permit, Design Approval

1. Introduction

   This technical addendum has been prepared pursuant to Article 11 Section 15164 of the California Environmental Quality Act Guidelines to make minor changes to the project analyzed in the Santa Lucia Preserve Final Environmental Impact Report, certified February 6, 1996, by Board of Supervisors Resolution No. 96-059. None of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred.

2. Scope and Purpose of this Addendum

   The purpose of this addendum is to identify minor technical changes and provide clarifications of the site-specific conditions for the proposed residential development and map amendment. Staff's analysis of the Santa Lucia Preserve Certified Environmental Impact Report (EIR) indicated that the reason for the creation of the homeland boundaries was a compilation of analyzed resources and constraints such as archaeology, biology, and geography. The result of this analysis created the location of the homeland boundary for Lot 38.

   The proposed Final Map Amendment relocates and reconfigures the Homeland Boundary (building envelope) southeast and increases it from 60,971 square feet to 61,086 square feet (115 square feet increase). The intent of the new configuration is for the protection of natural resources while continuing to support the construction of a principally allowed use (single-family dwelling).

3. Subsequent Negative Declarations.

   None of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a Subsequent Initial Study or EIR have occurred:

   a) 15162(a)(1): no substantial changes to the project scope analyzed under the EIR are proposed that would require major revisions to the EIR due to the involvement of new significant environmental impacts. The EIR for SLP Phase A-C analyzed the creation of 297 market-rate residential lots, all of which were designed with specific homeland boundaries that are designated

for residential development. The remainder of the created lots were conveyed as open space through Conservation Easements. The EIR anticipated that each of these residential lots would be constructed with a single-family dwelling and associated access structures. The proposed project is limited to modifying Lot 38's homeland boundary and open lands boundary, and construction of residential development within the adjusted homeland boundary. The proposed project does not increase the number of lots analyzed under the EIR and does not increase the subject property's anticipated development potential. Therefore, the scope of work analyzed under the EIR remains stable and the proposed project scope requires no major revisions to the EIR or that would involve new significant environmental impacts.

b) 15162(a)(2) and 15162(a)(3): no substantial changes have occurred with respect to the circumstances under which the proposed project is being taken that would require major revisions to the EIR due to the involvement of new significant environmental impacts. Further, no new information has been presented to warrant further environmental review. Development of the proposed homeland boundary would not impact any other natural resources, including forest, archaeological, biological, or geological. The EIR identified two habitat types within the approved Lot 38 homeland boundary: Oak woodland and Ruderal grassland. A May 2023 biological survey verified that Oak woodland is present within the existing homeland boundary but did not identify ruderal grassland, likely due to landscape scale mapping errors in the original maps prepared for the EIR in the 1990s. This new information does not result in the identification of new significant impacts, and no new mitigation is required.

   The development within the reconfigured homeland boundary would save 31 protected oak trees, of which 15 are landmark trees. Landmark trees are defined as those trees which are twenty-four (24) inches or more in diameter when measured two feet above the ground, or trees which are visually significant, historically significant, or exemplary of their species. In addition, this would further protect habitats of migratory raptors and potential sensitive species that nest within the nearby Oaks and forested areas.

   The change in the homeland boundary would increase impacts to annual grassland by 0.5 acres, while subsequently reducing impacts to Oak woodland by 0.5 acres, which represents approximately 0.0025 % of the total acreage in Santa Lucia Preserve Subdivision. The certified EIR identifies that greater than 10% or loss of a common natural community and associated wildlife habitat would be a significant impact under CEQA and that approximately 6% of Oak woodland habitat and 9% of annual grassland on the Preserve would be lost or degraded with the implementation of the SLP Subdivision and its foreseeable development. The development of the proposed homeland boundary amendment would not increase impacts on annual grassland beyond the significance threshold and would reduce the anticipated impact on Oak woodland; therefore no new mitigation is needed.

To determine any changed circumstances within the Lot 38 homeland, project-specific Biological Assessment was completed to determine if any special-status plant species with known occurrences in the vicinity have become present within the site following the preparation of the EIR. Per the Biological Report (County of Monterey Library No. LIB240141), no special-status plants were identified within the approved or proposed homeland boundary. The EIR identified 33 special-status wildlife species within the SLP. Potential impacts to these species that might occur as a result of the development of Lot 38 were described and analyzed in the EIR. Potential impacts on special-status species occurring within annual grassland would not increase significantly from the proposed homeland boundary adjustment. Additionally, potential impacts on special-status species occurring within the Oak woodland would be reduced as no Oak woodland habitat would be impacted through the development of the proposed adjusted homeland boundary.

The Project Biologist identified six special-status wildlife species occurring within the Seaside, Mt. Carmel, or Carmel Valley quadrangles that were not evaluated in the EIR: western snowy plover, monarch butterfly, and American badger. However, the prepared Biological Assessment (County of Monterey Library No. 240141) found that Western snowy plover, Monarch butterfly, and American badger are unlikely to occur within Lot 38's proposed homeland boundary based on the lack of suitable habitat, and therefore no new significant impacts will occur.

There is new information for three of the wildlife species evaluated in the EIR: California Red-Legged Frog (CRLF), California tiger salamander (CTS), and tricolored blackbird (TCB), however, as described below, no impacts to these species are anticipated and therefore none of the new information would result in new or more severe environmental impacts, and all previously adopted mitigation measures remain adequate.

- New information specific to CRLF: CRLF were found to breed in additional ponds on SLP and new scientific information regarding how and when adult CRLF move into and across uplands has been published since certification of the SLP EIR.

  The approved and proposed Lot 38 homeland boundary are located approximately 0.7 miles from a known CRLF breeding pond. In addition, in-stream breeding habitat was observed within Las Garzas and San Jose Creeks, located approximately 0.1 miles and 0.9 miles from the Lot 38 homeland boundaries, respectively. Development of the approved or proposed homeland will not impact the known breeding habitats. The homeland boundary (existing and proposed) is located more than 300 feet from the pond/in-stream breeding habitat (the distance at which non-migrating CRLF are likely to be present).

The Project Biologist confirmed that specific protections for migrating CRLF are unwarranted because dispersal habitat is ubiquitous and migrating CRLF are widely distributed across the landscape in space and time. As such, the potential for take of this species as a result of development of the approved or proposed Lot 38 homeland is very low. Therefore, no new significant impacts are expected from the development of the lot, and no new mitigation will be required.

- New information specific to CTS: CTS were listed as federally Threatened on August 4, 2004 and state threatened on March 3, 2010 (after the certification of the SLP EIR), and revised methods used to evaluate potential impacts to CTS have since been published by the CDFW and the USFWS. The EIR included CTS as a special-status species that was known to occur within the Preserve at Pond 13. The location of the 297-market rate lots avoided impacts on CTS breeding habitats. The EIR concluded that in doing so, impacts to this species were considered less-than-significant.

  Following the certification of the EIR, CTS were documented to breed in four additional ponds within SLP (Ponds 2, 3, 10, and 11). Currently, the USFWS and the CDFW assume the presence of this species in appropriate habitats within 2.2 kilometers of a known breeding resource unless a negative finding is shown through protocol surveys. However, current scientific information indicates density of CTS in upland habitat associated with a breeding resource is related to distance from that resource and that greater than 95% of dispersing CTS are found within 630 meters of a breeding pond. Lot 38 is not located within 2.2 kilometers of a known breeding pond. No CTS are present within the approved or proposed homeland boundaries of Lot 38 and no impacts will occur to CTS as a result of the project.
- New information specific to TCB: the TCB was listed as a candidate for listing as threatened or endangered under CESA on December 10, 2015, after certification of the EIR. The EIR noted that TCBs are known within SLP and colonies of 240 individuals were identified at Moore's Lake and 75 individuals at Cienega Pond (Pond 24) on May 3, 1991. No suitable habitat for tricolored blackbird is present within or adjacent to the approved or proposed Lot 38 homeland. As such, this new information does not result in the identification of new significant impacts and requires no new mitigation.

4. Conclusion

Staff has reviewed the Santa Lucia Preserve Subdivision Environmental Impact Report, EIR#96-060, and the proposed Map Amendment to relocate and expand the Homeland Boundary for Lot 38 for consistency with the environmental considerations contained within. Therefore, based on review of the proposed application, plans, and technical reports, no other potentially significant issues were

identified for the proposed project. The proposal reduces the overall potential impacts and does not alter the analysis or conclusions reached by the previous environmental document.

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